

Corporate Policy Committee

Agenda

Date:	Thursday, 3rd October, 2024
Time:	10.00 am
Venue:	Committee Suite 1,2 & 3, Westfields, Middlewich Road, Sandbach CW11 1HZ

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 at the foot of each report.

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

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

1. **Apologies for Absence**

To note any apologies for absence from Members.

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary interests, other registerable interests, and non-registerable interests in any item on the agenda.

3. **Minutes of Previous Meeting (Pages 5 - 12)**

To approve as a correct record the minutes of the previous meeting held on 21 August 2024.

For requests for further information

Contact: Sam Jones

Tel: 01270 686643

E-Mail: Samuel.jones@cheshireeast.gov.uk with any apologies

4. **Public Speaking/Open Session**

In accordance with paragraph 2.24 of the Committee Procedure Rules and Appendix on Public Speaking, set out in the [Constitution](#), a total period of 15 minutes is allocated for members of the public to put questions to the Committee on any matter relating to this agenda. Each member of the public will be allowed up to two minutes to speak; the Chair will have discretion to vary this where they consider it appropriate.

Members of the public wishing to speak are required to provide notice of this at least three clear working days in advance of the meeting.

Petitions - To receive any petitions which have met the criteria - [Petitions Scheme Criteria](#), and falls within the remit of the Committee. Petition organisers will be allowed up to three minutes to speak.

5. **First Financial Review 2024/25 (Pages 13 - 72)**

To receive a report on the current forecast outturn for the financial year 2024/25.

6. **Performance Report - Cheshire East Plan, Quarter 1 2024/25 (Pages 73 - 98)**

To provide the Committee with an oversight of organisational performance against the priorities and vision set out within the Council's Corporate Plan 2021-25.

7. **Proposed New Senior Management Structure (Pages 99 - 108)**

To consider a report on the Proposed New Senior Management Structure.

8. **Transformation Programme Update**

To receive a verbal update on the progress of the Transformation Programme.

9. **The Cheshire East Health and Care 'Blueprint 2030' and Care Communities Operating Model (Pages 109 - 148)**

To consider a report on The Cheshire East Health and Care Blueprint and Care Communities Operating Model.

10. **A Healthier Food and Drink Advertising Policy (Pages 149 - 186)**

To consider a report on the Healthier Food Advertising Policy.

11. **Revised Statement of Licensing Policy (Pages 187 - 278)**

To consider a report on the Revised Statement of Licensing Policy.

12. **Work Programme (Pages 279 - 280)**

To consider the Work Programme and determine any required amendments.

13. **Minutes of Sub-Committees (Pages 281 - 292)**

To receive the minutes of the following sub-committees:

- General Appeals Sub Committee held on 20 August 2024.
- General Appeals Sub Committee held on 9 September 2024.
- Finance Sub-Committee held on 12 September 2024.

14. **Strategic Risk Assurance Report Q1 2024/25 (Pages 293 - 348)**

To consider an update on the activity of the Council's Strategic Risk Register for Quarter 1 2024/25.

15. **Exclusion of the Press and Public**

The reports relating to the remaining items on the agenda have been withheld from public circulation and deposit pursuant to Section 100(B)(2) of the Local Government Act 1972 on the grounds that the matters may be determined with the press and public excluded.

The Committee may decide 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 Paragraphs 1, 2 3 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

PART 2 – MATTERS TO BE CONSIDERED WITHOUT THE PUBLIC AND PRESS PRESENT

16. **Proposed New Senior Management Structure (Pages 349 - 364)**

To consider appendices 1, 3 4 and 5 of the Proposed Senior Management Structure.

17. **Strategic Risk Assurance Report Q1 2024/25 (Pages 365 - 368)**

To consider part of the Strategic Risk Register report relating to ANSA, Orbitas and Tatton Park Enterprises.

Membership: Councillors C Bulman, D Clark, J Clowes, M Goldsmith, M Gorman (Vice-Chair), A Harrison, N Mannion (Chair), C O'Leary, J Pearson, J Rhodes, J Saunders, F Wilson and M Warren

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Corporate Policy Committee**
held on Wednesday, 21st August, 2024 in the Committee Suites 1,2,3,
Westfields, Middlewich Road, Sandbach, CW11 1HZ

PRESENT

Councillor N Mannion (Chair)
Councillor M Gorman (Vice-Chair)

Councillors C Bulman, D Clark, J Clowes, M Goldsmith, A Harrison,
C O'Leary, J Pearson, J Rhodes, L Crane and M Warren

OFFICERS IN ATTENDANCE

Rob Polkinghorne, Chief Executive
Peter Skates, Acting Executive Director – Place
Adele Taylor, Interim Director of Finance and Customer Services
Karen Wheeler, Interim Director of Policy and Change
Chris Allman, Director of Transformation
Janet Witkowski, Head of Legal Services and Deputy Monitoring Officer
Nikki Bishop, Democratic Services Officer

18 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Jos Saunders and Fiona Wilson.
Councillors Stewart Gardiner and Laura Crane were present as substitutes.

19 DECLARATIONS OF INTEREST

There were no declarations of interest.

20 MINUTES OF PREVIOUS MEETING**RESOLVED:**

That the minutes of the meeting held on Thursday 13 June 2024 be approved as a correct record and signed by the Chair.

21 PUBLIC SPEAKING/OPEN SESSION

Councillor M Beanland, Chair of the Audit and Governance Committee, addressed the committee as a visiting member in relation to item 6 (Corporate Peer Challenge – Action Plan). Cllr Beanland welcomed the scrutiny undertaken through the Peer Challenge and Transformation Plan in relation to the council's key corporate processes and systems, including risk management. Cllr Beanland referred to the latest RAG ratings

presented to the Audit and Governance Committee for the strategic risks relating to carbon neutrality and the protection of children and queried how these two risks could be allocated the same level risk score. Cllr Beanland stated that, in light of the recent Ofsted and ILACS inspection judgements, that an overhaul of risk policy was needed to ensure that the council worked to preserve residents services as a priority. Cllr Beanland asked the committee to consider producing a more efficient risk management policy as soon as possible. The Chair offered to provide a written response.

Councillor S Corcoran addressed the committee as a visiting member in relation to a number of items on the agenda. Cllr Corcoran referred to the County Councils Network and stated the importance of this cross-party organisation and the work he had undertaken on this body as Vice Chair. The role of the new Vice Chair would be key with the new Labour government and Cllr Corcoran hoped that the council would continue to support the new Vice Chair. In relation to the proposed senior management structure, Cllr Corcoran stated that it was important that the S151 officer role be given a stronger voice in the new permanent structure. Finally, Cllr Corcoran referred to the Corporate Peer Challenge Action Plan and Transformation Plan. Cllr Corcoran stated that officers had a good understanding of what needed to be done but work needed to progress quickly. Cllr Corcoran urged the committee to consider how they would allow officers to progress the transformation programme whilst maintaining member oversight.

22 SUBMISSION OF TRANSFORMATION PLAN

The Committee considered the report which set out progress of the council's transformation journey and the draft transformation plan that required submission to the Ministry of Housing, Communities and Local Government (MHCLG) no later than 27 August 2024. It was noted that this submission was a formal requirement in order for the council to access Exceptional Financial Support.

The committee sought assurance around how elected members would be involved through the transformation journey and decision-making process. It was confirmed that policy decisions would be taken by elected members and officers would implement decisions as empowered to do so, under agreed Schemes of Delegation, in order to achieve the right balance of delivering the transformation programme and bringing key decisions back to elected members at the appropriate time. The Chair confirmed that the Leader of the Opposition Group would be invited to all future informal briefings with the Chief Executive, Leader and Deputy Leader. It was highlighted that there would be briefings for all elected members, staff and partners, at the appropriate stages along with a comprehensive communications plan.

The committee noted that the potential savings identified ranged between £59-£91m and queried the divergence in those figures. It was noted that

the potential savings had been identified based upon evidence of similar activities developed in other local authorities however the next phase, developing detailed business cases, would define this saving figure further and take into account local factors that would impact individual savings.

Some concerns were raised in relation to the number of vacancies and how this would impact the delivery of the plan. It was highlighted that significant resource would be provided by the council's external partner, Inner Circle, working across the council, however work would soon commence to prepare for March 2025 when this resource was due to end. The committee suggested that the second iteration of the plan provide more detail in relation of staffing.

The committee requested an update on the CIPFA review. It was noted that this had been directly commissioned by MHCLG and the report was still in the process of being finalised. Officers agreed to share further information with the committee once more information had been received from government.

Two amendments were proposed by the Conservative Group in relation to recommendations 2 and 3. These amendments were proposed, seconded and voted upon but were not carried.

Proposed amendment 1:

Delegate authority to the Chief Executive, in consultation with the Leader and Deputy Leader of the Council, to implement the transformation plan.

Proposed amendment 2:

Agree that the committee will meet informally in between scheduled meetings, to review and scrutinise proposed decisions, as often as is necessary, to implement the transformation plan at pace.

RESOLVED (by majority):

That the Corporate Policy Committee

1. Approve the transformation plan contained at Appendix A and the submission of the plan to MHCLG by no later than 27 August 2024.
2. Delegate authority to the Chief Executive, in consultation with the Leader and Deputy Leader of the Council, to take all necessary steps including the relevant decisions to implement the transformation plan.
3. Agree that the committee will receive regular updates on the progress of the transformation plan.

Councillor C O’Leary and Councillor S Gardiner voted against recommendations 2 and 3.

23 CORPORATE PEER CHALLENGE - ACTION PLAN

The committee considered the report which set out the latest draft Corporate Peer Challenge Action Plan which had been developed in response to the Local Government Association’s (LGA) report and recommendations, following the Peer Review undertaken in March 2024. The Committee also noted the update provided following the first meeting of the Assurance Panel held on Friday 9 August 2024.

The need for capacity to drive change and improvement was discussed. It was agreed that there needed to be synergy between the various improvement plans to ensure actions were not duplicated and that the role of members in supporting the delivery of the plans was clear. It was noted that a number of actions were ongoing and the committee agreed that a deeper-dive into these areas was needed to understand what ongoing meant and what ‘good’ looked like.

It was suggested that a briefing for all members would be arranged on the final action plan which covered the role of elected members on its delivery, what could be expected going forward and how the action plan linked to various other plans and strategies across the council.

The establishment of the Independent Assurance Panel who would provide external challenge, support and oversight of the council’s transformation improvement was welcomed by the committee.

RESOLVED:

That the Corporate Policy Committee

1. Note the draft Corporate Peer Challenge Action Plan and feedback from the Assurance Panel.
2. Note that the Chief Executive will finalise the Corporate Peer Challenge Action Plan taking account of the Assurance Panel’s feedback and publish the plan by 28 August 2024 as required by the LGA and in line with the delegated authority from Full Council in July 2024.

24 DEVOLUTION - FURTHER UPDATE

The Committee considered the report which provided a further update on the devolution direction from government following the outcome of the general election. The committee noted that engagement indicated that the new government wished to move at pace and that Cheshire and

Warrington had been identified as a potential candidate to progress an agreement.

Cllr Harrison left the meeting at 19.08pm and did not return.

The committee noted the proposal to establish a Member Reference Group in order to assist with the increased level of pace and engagement required, and to provide advice and guidance to officers. The final proposal would be considered by the Corporate Policy Committee for review and scrutiny. It was proposed, seconded and carried that the membership of the Member Reference Group be expanded to six elected members, to include the Chair or Vice Chair of the Highways and Transport Committee.

Some concerns were raised in relation to the council's readiness for devolution and that an understanding of the opportunities and the asks of the council were needed. It was highlighted that the Member Reference Group would assist in progressing these discussions to understand the further detail and what powers and financial benefits there could be. The committee agreed that any devolution agreement needed to be the right agreement for Cheshire East.

RESOLVED (by majority):

That the Corporate Policy Committee

1. Note the new Government's intention to engage with local authorities to develop early devolution proposals.
2. Approve the setting up of a Member Reference Group to assist in providing guidance and advice in the development of proposals, enabling officers to further progress opportunities and discussions with government officials.
3. That the membership of the Member Reference Group be expanded to 6 elected members to include the Chair or Vice Chair of the Highways and Transport Committee

The meeting adjourned for a 10-minute break.

25 MEMBERSHIP OF DECISION MAKING AND OTHER BODIES, CHAIRS AND VICE CHAIRS

The committee considered the report which set out changes to Chairs and Vice Chairs, Member Champions and sought agreement to membership changes of outside bodies, as set out in the revised Appendix circulated to the committee.

Membership of the Health and Wellbeing Board was raised. It was confirmed that advice had been provided and that the membership of this body did not need to change following the change in Leadership, however clarification would be sought, and a response sent to the committee.

Cllr J Pearson was not present during the debate and vote on this item.

RESOLVED (unanimously):

That the Corporate Policy Committee

1. Note the changes to chairs, vice chairs and member champions as set out in the Appendix to the report.
2. Agree the changes to outside organisations as set out below:

Outside Body	New Appointment
Transport for the North: Partnership Board (Substitute)	Cllr Nick Mannion (replacing Cllr S Corcoran)
Transport for the North: Rail	Cllr Nick Mannion (replacing Cllr S Corcoran)
Cheshire and Merseyside Health and Care Partnership	Cllr Nick Mannion (replacing Cllr S Corcoran)
County Council Network	Cllr Laura Crane (replacing Cllr S Corcoran)
Unitary Council Network	Cllr Nick Mannion (replacing Cllr S Corcoran)
Cheshire East Combating Drugs Partnership	Cllr Anna Burton (replacing Cllr J Place)
Cheshire East Safeguarding Adults Board	Cllr Hazel Faddes (replacing Cllr R Vernon)
Environment Agency Regional Flood and Coastal Committee	Cllr Laura Crane (replacing Cllr N Mannion)
LGA General Assembly	Cllr Rob Vernon (replacing Cllr S Corcoran)
Tatton Park Board	Cllr Mary Brooks (replacing Cllr N Mannion)

26 WORK PROGRAMME

The Committee considered the Work Programme. The following updates were noted:

- Cllr O'Leary referred to his request at the last meeting in relation to a paper on horizon scanning identifying key policy changes being introduced by the new government. Cllr O'Leary requested an update on this matter and how this work would be scheduled into the Work Programme. It was highlighted that a brief update had been included in a recent member briefing however further analysis

would be undertaken and a report added to the work programme. It was agreed that service specific issues would be scheduled for the relevant service committee.

- Cllr Clowes referred to the Health and Care Blueprint Operating Model which was due to be considered by the committee in October. The significance of this item was raised and the implications this would have on the way in which health and social care partnerships were undertaken. It was suggested that an in-depth briefing be arranged for the committee with the Executive Director – Adults, Health and Integration.
- The committee requested that the agenda for October be reviewed as there were a number of items scheduled for consideration.

27 MINUTES OF SUB-COMMITTEES

RESOLVED:

That the minutes of the Finance Sub Committee (25 June 2024) and General Appeals Sub Committee (9 July 2024) be received and noted.

28 PROPOSED NEW SENIOR MANAGEMENT STRUCTURE

The committee considered the report which set out the proposals and timescales to review the senior management structure following the recommendations from the LGA's Decision Making Accountability Review (DMA) and the Corporate Peer Challenge. The committee noted that the proposed structure would ensure there was sufficient capacity and skills to address the recommendations within the Peer Challenge and meet the requirements to achieve financial stability, deliver the Children's Services Improvement Plan and the Council's Transformation Programme.

The committee welcomed the proposed new structure and agreed it was clear where specific responsibilities would rest, especially for statutory officers. The committee queried the costs of an employment partner and noted that whilst there would be costs associated with the recruitment process, it was significantly better value for the council to recruit permanent staff than to employ interim staff. Assurance was provided that the financial costs associated with Phase 1 would not jeopardise the transformation plan and 20234-25 MTFS.

The committee noted that due to the decision-making framework and formal consultation period, it was unlikely that permanent staff would not join the organisation earlier than March 2025. It was confirmed that a report would be considered by Council in October 2024 and the recruitment process, both internally and externally, would commence in November 2024.

RESOLVED (unanimously):

That the Corporate Policy Committee

1. Approve the proposed senior management structure produced by the Chief Executive subject to consultation and agree that the Chief Executive commences formal consultation with affected employees and recognised trade unions on the proposed changes to the senior management restructure.
2. Note the overall implementation timeline for a new senior management structure.
3. Note that, following formal consultation, the outcome of the senior management structure review will be considered by the Corporate Policy Committee and presented to full Council for approval, including approval of any new positions with salaries in excess of £100,000 per annum and statutory officers, prior to implementation.
4. Note the interim and temporary senior management arrangements across the organisation outlined in paragraphs 45 - 48 and that these will continue until implementation of and appointment to the new structure including any additional interim capacity to support the Chief Executive within the current financial envelope.

The meeting commenced at 5.30pm and concluded at 8pm

Councillor N Mannion (Chair)

OPEN

Corporate Policy Committee

3 October 2024

First Financial Review 2024/25

Report of: Adele Taylor, Interim Director of Finance and Customer Services (s151 Officer)

Report Reference No: CP/15/24-25

Ward(s) Affected: Not applicable

Purpose of Report

- 1 This report provides the current forecast outturn for the financial year 2024/25 based on our income, expenditure and known commitments as at the end of July 2024. It also identifies actions that are being taken to address adverse variances to urgently address our financial sustainability.
- 2 The report provides the forecast outturn for all services, to provide Members with contextual information on the position for the whole Council. Members are asked to focus their scrutiny on the forecasts and supporting information relating to services within the remit of the Committee whilst understanding the overall context as a whole.
- 3 The report highlights any changes and external pressures that are impacting the Council since setting the budget in February 2024. Annex 1, Section 2 of the report highlights what the Council is forecasting to achieve as part of the 2024/25 approved budget changes per line (growth and savings).
- 4 It is clear that further actions need to be identified to bring the Council back to a position where we are living within our means, and it will be important that these actions are closely monitored, and appropriate action taken to manage our resources. This report includes information on the actions that are currently underway.
- 5 Reporting the financial forecast outturn at this stage, and in this format, supports the Council's vision to be an open Council as set out in the Cheshire East Council Plan 2024-25. In particular, the priorities for an open

and enabling organisation, ensure that there is transparency in all aspects of council decision making.

- 6 The report also requests member approval for amendments to the Council's budget in line with authorisation levels within the Constitution.

Executive Summary

- 7 The Council operates a financial cycle of planning, review, management and reporting. This report ensures that we review where we are and provides a forecast **outturn** position for the 2024/25 financial year whilst also identifying the actions that need to be taken to manage our overall resources. The information in this report also supports planning for next year's budget by identifying issues that may have medium term impacts.
- 8 The Council set its 2024/25 annual budget in February 2024. The budget was balanced, as required by statute, with planned use of reserves of £22m, plus £30m of savings to achieve in year, and included important assumptions about spending in the year. The budget is part of the Medium-Term Financial Strategy (MTFS) 2024 to 2028.
- 9 The First Financial Review (FR1) forecast revenue outturn is an **adverse variance of £26.5m**, (prior to application of any Exceptional Financial Support) as detailed below in **Table 1**:

Table 1 2024/25	Revised Budget	Forecast Outturn	Forecast Variance
	(NET) £m	£m	£m
Service Committee			
Adults and Health	138.0	158.7	20.7
Children and Families	91.5	98.8	7.3
Corporate Policy	41.7	41.7	0.0
Economy and Growth	28.1	25.5	(2.6)
Environment and Communities	48.4	49.1	0.6
Highways and Transport	16.0	15.5	(0.5)
Sub-Committee			
Finance Sub:			
Central Budgets	23.9	24.8	0.9
Funding	(387.6)	(387.6)	-
TOTAL	-	26.5	26.5

- 10 The FR1 forecast reserves, after agreed movements budgeted for in the 2024-28 MTFS, are currently £14.0m, being £4.5m of General Fund Reserve and £9.5m of Earmarked Reserves. The Council's level of reserves

is therefore insufficient to cover the current forecast revenue outturn for the year without further action.

- 11 This forecast does not assume use of the Exceptional Finance Support (EFS) that was requested in 2023/24 and 2024/25 that was agreed in principle, subject to a number of conditions being satisfied, including the submission of a transformation plan at the end of August 2024. It also does not assume the cost of accepting that EFS support which would impact on the cost of borrowing over the medium term.
- 12 The FR1 forecast position indicates that further urgent action to reduce the overspend, and bring spending back in line with budget, is required. Failure to do so would require the Council to use the existing conditional Exceptional Financial Support (£17.6m) which would be the only way for the S151 Officer to avoid having to issue a S114 notice to the Council.
- 13 The level of EFS support would need to be agreed and finalised with the government and the financial impact of this would need to be built into the overall financial modelling for the Council. As reported to members in June 2024 in the 'Medium Term Financial Strategy Assumptions and Reporting Cycle for 2024/25 to 2028/29' the Council faces a significant four-year funding gap, with the shortfall in 2025/26 currently estimated at £41.9m. There is a risk that pressures leading to the FR1 forecast position may increase that shortfall figure if rapid action doesn't take place to stabilise our financial position.
- 14 The FR1 forecast position for capital spending for 2024/25 indicates forecast capital expenditure of £164.5m against the MTFS budget of £215.8m. Re-profiling of Capital expenditure to future years to match scheme delivery as well as an ongoing capital review to ensure that our capital borrowing remains affordable is underway and there will be further reporting on this at FR2.
- 15 **Table 2** sets out the capital programme profiling changes:

Table 2		2024/25	2025/26	2026/27	2027/28	2024/28
		Estimate	Estimate	Estimate	Estimate	Total
		£000s	£000s	£000s	£000s	£000s
Capital Programme MTFS		215,779	177,633	66,772	132,054	592,238
Funded by:						-
Borrowing		55,199	53,218	19,318	30,215	157,950
Grants and other contribution:		160,580	124,415	47,454	101,839	434,288
		215,779	177,633	66,772	132,054	592,238
Capital Programme FR1		164,545	141,232	109,679	231,837	647,293
Funded by:						
Borrowing		51,878	53,566	10,180	27,779	143,403
Grants and other contribution:		112,667	87,666	99,499	204,058	503,890
		164,545	141,232	109,679	231,837	647,293
Movement from MTFS		(51,234)	(36,401)	42,907	99,783	55,055

- 16 **Table 3** sets out the summary revised capital programme:

Table 3	MTFS	C/Fwd	SCEs	Virements	Budget	Revised
	Budget	from	in Quarter	in Quarter	Reductions	FR1
	2024/28	2023/24	2024/25	2024/25	2024/25	Budget
	£m		£m	£m	£m	2024/28
						£m
Adults and Health	0.8					0.8
Children and Families	86.8	1.9	21.6	(1.4)		108.9
Highways & Transport	270.2	8.1	9.8		(1.1)	287.0
Economy & Growth	175.6	9.9	1.3	2.1	(4.2)	184.7
Environment &	39.4	2.2	0.4	0.1	(0.1)	42.0
Corporate Policy	19.4	4.4				23.8
	592.2	26.5	33.1	0.8	(5.4)	647.2

- 17 As part of the urgent actions required to reduce the overspend a full review of the capital programme is being undertaken. The forecast borrowing that is included in the capital programme will have the following revenue impact:

Table 4	2024/25	2025/26	2026/27	2027/28	2024-28
	Estimate	Estimate	Estimate	Estimate	Total
	£000s	£000s	£000s	£000s	£000s
Forecast borrowing to fund capital programme	51,878	53,566	10,180	27,779	143,403
MRP	-	3,916	5,392	6,854	16,162
Interest	2,610	3,796	3,469	4,302	14,177
Total annual revenue impact	2,610	7,712	8,861	11,156	30,339

- 18 In order to alleviate the revenue pressure from external borrowing an immediate reduction in capital spend is required. This will reduce the related revenue impact of interest costs and Minimum Revenue Provision (MRP) both of which are charged to revenue through the Capital Financing Budget (CFB). The council must aim to optimise use of all other available sources to fund our capital programme and must minimise the use of borrowing to reduce the pressures on the revenue budget. Identification of any additional capital receipts that can be realised in year would also reduce revenue pressures from borrowing in year or could be used to assist with funding of transformation activity if a capitalisation direction could be agreed to use them in that way with Central Government.
- 19 Due to the long-term nature of capital investment the revenue implications of decisions taken by the council now will extend well beyond the term of the current year and into the medium term.
- 20 In the review of the capital programme the long-term capital repayment commitments (MRP) will be the initial area of focus. Reducing the annual MRP associated with any new borrowing on a scheme-by-scheme basis will be a priority. There will be a secondary impact of reducing forecast interest which will also reduce the effect on the revenue account, but it is the reduction in new borrowing and new commitment to long term capital

repayments that will allow the programme to remain affordable and sustainable.

- 21 Reductions in borrowing can be achieved through:
- (a) Reduce, delay or remove schemes funded by borrowing;
 - (b) Focus on exiting contractual commitments, fulfilling statutory services and public safety requirements;
 - (c) Prioritise the capital projects that will have most beneficial impact on the revenue budget in the medium term;
 - (d) Remove forward funding;
 - (e) Reprioritise use of grants and apply appropriate S106 contributions to schemes.
- 22 A Strategic Finance Management Board has been set up to lead on a number of key tasks to urgently reduce spend and identify additional savings, including:
- Line by line reviews of all budgets to further identify immediately any underspends and/or additional funding;
 - Stop any non-essential spend;
 - Actively manage vacancies, particularly agency usage and reduce any overspends on staffing as soon as possible;
 - Review of Section 106 legacy budgets;
 - Review of capital receipts available and potentially surplus assets that can be sold (for best consideration);
 - Identification of any other areas of discretionary spend including grants awarded, where spend can be reduced or stopped.
- 23 In addition, any directorate that is identified as being off target by more than 5% is now subject to a detailed finance and performance review on a weekly basis through a financial recovery review process. This includes a detailed action plan, identifying what can be done to sustainably reduce the pressure and gaining assurance over the management of those actions to deliver improved financial outturns. This process has been put in place for Adults Services and Children and Families and is being chaired by the S151 Officer.
- 24 Paragraphs 58-60 below provides a summary overview of the forecast against the approved 2024/25 budget change items, including RAG rating. In addition, there is further detail per change item with accompanying commentary, as reviewed by the Council's Corporate Leadership Team, in respect of each item within **Annex 1, Section 2**.
- 25 **Annex 1: Detailed First Financial Review 2024/25**
- **Section 1** 2024/25 Forecast Outturn
 - **Section 2** 2024/25 Approved Budget Change Items
 - **Section 3** Revenue Grants for approval

- **Section 4 Capital**
- **Section 5 Reserves**

RECOMMENDATIONS

The Corporate Policy Committee to:

1. Review the factors leading to a forecast adverse Net Revenue financial variance of:

Council: £26.5m against a revised budget of £387.6m (6.8%)

Corporate Policy: £0.0m against a revised budget of £41.7m (0.0%)

To scrutinise the contents of **Annex 1, Section 2** relevant to services within the committee's remit, and review progress on the delivery of the MTFS approved budget policy change items, the RAG ratings and latest forecasts, and to understand the actions to be taken to address any adverse variances from the approved budget.

2. Consider the in-year forecast capital spending of:

Council: £164.5m against an approved MTFS budget of £215.8m, due to slippage that has been re-profiled into future years.

Corporate Policy: £11.7m against an approved MTFS budget of £10.4m

3. Note the available reserves position as per **Annex 1, Section 5**.
4. Note the Capital Virements above £500,000 up to and including £5,000,000 as per **Annex 1, Section 4, Table 3** will be approved in accordance with the Council's Constitution.

Background

- 26 This single view of the financial picture of the Council provides the overall financial context.
- 27 The management structure of the Council is organised into four directorates: Adults, Health and Integration; Children's Services; Place; and Corporate Services. The Council's reporting structure provides forecasts of a potential year-end outturn within each directorate during the year, as well as highlighting activity carried out in support of each outcome contained within the Corporate Plan. Budget holders are responsible for ensuring they manage their resources in line with the objectives of the Council and within the approved budget.

- 28 For the purposes of each committee, these directorate budgets are aligned to a specific committee and the appendices to this report provides information at a level that the committee should have the ability to be able to scrutinise what is causing any variations in budget and appropriate actions to bring the council back into line in terms of managing its resources.

Key issues causing the pressures

- 29 There are a number of key issues causing the forecast revenue overspend, including:
- Ongoing adverse effects of the extended period of high inflation and interest rates;
 - Continued increasing demand and complexity of care beyond the levels that had been previously identified;
 - Increase in staff costs, including use of agency staff and impact of National Living Wage which also impacts on our third party commissioned contracts;
 - Increased borrowing costs associated with the unfunded Dedicated Schools Grant (DSG) deficit;
 - Non delivery of some previously agreed savings and/or income targets;
 - The financial impact of investment in transformation and improvement activity over the medium term.

Specific commentary on the forecast outturn position by Committee

Adults and Health adverse variance of £20.7m

- 30 The Adults, Health and Integration budget is forecast to overspend by £20.8m. This is in part a consequence of the full year impact of activity levels identified in the 2023/24 year-end outturn. The department started 2024/25 with a higher level of commitment than originally planned for when the MTFS was set in February 2024, and therefore unfunded. An additional £7m of in-year savings would be required to off-set one-off funding received in 2023/24 that will not be received in 2024/25.
- 31 The key drivers of forecast expenditure remain price increases, staff costs and increase in complexity, however, at the beginning of this year we have seen an unusual increase in the number of former self-funders seeking local authority funding to meet the ongoing cost of their care.
- 32 As set out in the 2024/25 to 2027/28 MTFS, the forecast anticipates several serious and significant risks, including pressure on prices due to unfunded increases in the National Living Wage. The department is currently in negotiations with a number of providers who are seeking above inflation increases. The department has recently acquired a negotiation tool to ensure full cost and price transparency which will be used before agreeing increases, to ensure greater fairness and consistency.
- 33 As in previous years, increases in discharge activity in the NHS continues to drive additional price and activity in adult social care. A reduction of over 50

acute beds across the local NHS trusts is intensifying the impact on adult social care. A review by specialist consultants, commissioned by the Department of Health and Social Care is attempting to analyse the impact.

- 34 The department is undertaking significant work to address the budget pressures. This includes:
- The financial impact of changes agreed to the charging policy for this financial year;
 - Reviewing our pricing strategy;
 - Reviewing our use of agency members of staff;
 - Whole system review of supported living operations to reduce the number of under-utilised placements;
 - Considering transformation options that may be able to be delivered earlier;
 - Reviewing use of technology to support service delivery.

Children and Families adverse variance of £7.3m

- 35 At the end of the last financial year the outturn for Children and Families was an overspend of £8.2m. The Medium-Term Financial Strategy included growth to address the pressures that were emerging throughout 2023/24. The costs of children's social care are a concern for many local authorities and not unique to Cheshire East. The First Financial Review for 2024/25 reflects a £7.3m in-year pressure.
- 36 The key pressure areas for the directorate include:
- 37 Children's social care agency placements where the complexity of children in care has continued to increase and also the number of children in care has increased from 528 at April 2024 to 534 at June 2024 (compared to a decrease from 586 at April 2023 to 576 at June 2023). Placement costs are increasing by significantly more than inflation and more than was projected for growth in-year. This has in part been affected by the disproportionate number of asylum seeking children in Cheshire East.
- 38 The use and cost of agency staff in children's social care to cover vacancies, sick absence, and maternity leave.
- 39 The number of staff is greater than the planned establishment to ensure we are able to meet our statutory needs.
- 40 Home to school transport costs – where a mix of increasing numbers of pupils with an education, health and care plan (EHCP), driver shortages and increasing fuel costs have seen overall costs rise.
- 41 Schools Catering – where the costs of the service are above the current charged income level and base budget.

- 42 Work is underway in the services to look at mitigating actions which can be taken to reduce this forecast position in-year, and these pressures will be considered as part of the developing MTFS for 2025/26. These include:
- Reviewing costs of placements as more detailed reviews are underway focusing on the expected length that some placements may need to be in place for
 - Staffing establishment reviews now scheduled on a 6 weekly basis including a review of agency staff and alternative working
 - Reunification children to be identified with targeted work in place for individual cases
 - Tracking of similar spend across teams to be held in the same place as residential and supported accommodation spend to increase overall grip and understanding
 - Work on Edge of Care Service proposals to identify early intervention that may reduce admissions and costs

Dedicated School Grant (DSG)

- 43 The key pressure on DSG relates to the high needs block where the SEND service continues to see a significant increase in the number of pupils with an EHCPs, and the associated school placement costs.
- 44 This has placed pressure on the grant used to provide funding for children with SEND in various settings and led to a £31.7m deficit in 2023/24. This adds on to the brought forward deficit of £46.9m to take the DSG Reserve to a £78.6m deficit position at the end of 2023/24.
- 45 This is an improvement on the budget gap as determined by the Council's DSG Management Plan that was reported to Children and Families Committee in April 2024 and set out the planned expenditure and income on high needs over the medium term.

Corporate Policy £23,000 overspend

- 46 The Corporate Services Directorate has a net budget of £41.7m. At First Financial Review, the budget is forecast to overspend by £23,000.
- 47 However, it must be noted that, following a recent review of staffing establishments, there are pending staffing budgets realignments to be actioned which will change individual service forecasts but not the overall figure for Corporate Services.
- 48 Vacancy management in Corporate Services has resulted in the majority of services forecasting underspends on staffing budgets totalling just over £2m.
- 49 This has been combined with tighter control on non-pay spending across all services which is achieving a forecast underspend of £0.7m, and additional income of £0.2m is forecast in the Registrations Service.

50 However, these underspends have been offset by:

- a forecast £1.3m under-recovery of Rent Allowances;
- a forecast overspend of £0.4m on the Transactional Service Centre (TSC), hosted by Cheshire West and Chester, mainly due to the additional costs of the stabilisation programme;
- a £0.5m shortfall in charging staff time to capital projects within ICT Strategy;
- and a £0.1m overspend in ICT Shared Service due to lower than budgeted project income and schools recharge income.

51 There is a forecast overspend of £0.5m in Revenues and Benefits, and Accountancy due to additional costs including Bank Charges and External Audit fees, and a staffing budget pressure of £0.1m across Corporate Services relating to the estimated impact of the latest pay award offer versus the amount included in the MTFS.

Place Directorate favourable variance of £2.5m

52 Overall, the Place Directorate is reporting an underspend of £2.5m at the first Financial Review against a £92.6m budget. Pressures from reducing planning application income (£0.5m), increased waste collection and disposal costs (£0.7m) and yet to be secured savings against leisure (£0.2m) have been mitigated through vacancy management, reducing expenditure and maximising funding opportunities.

Economy & Growth favourable variance of £2.6m

53 Growth and Enterprise Directorate and Place Directorate have an underspend of £2.6m against a net budget of £28.1m, the key reasons for the underspend are:

- Facilities Management: £1.7m underspend is forecast. This reflects pressures against maintenance budgets of £0.7m (additional pressures and delivery of savings), costs of workplace initiatives and equipment of £0.3m, the transfer of underspends to offset Place MTFS targets across the Directorate £0.6m have been offset by:
 - Savings against gas and electricity compared to much higher budgeted costs £3m.
 - Business rates underspend £0.1m due to revaluations and appeals.
 - Underspends from vacancy management £0.2m.
- Economic Development: £0.4m forecast underspend from vacancy management, reduced expenditure on supplies and increased income.
- Assets Service: £0.1m underspend from managing vacancies offset by lower property income.
- Housing: £0.2m underspend from vacancy management.

Environment & Communities adverse variance of £0.6m

- 54 Environment and Neighbourhood Services has an overspend of £0.6m against a net budget of £48.4m. The key reasons for the overspend are:
- Development Management: £0.6m overspend is forecast reflecting pressures from a shortfall in income from planning applications £0.5m plus one-off costs of the new planning system £0.1m. These pressures are offset by vacancy management savings of £0.1m.
 - Environmental - Commissioning ANSA: £0.4m overspend comprising pressures of £0.3m relating to the estimated impact of the latest pay award, Ansa Contract pressures of £0.5m (includes £0.1m Emergency HWRC Closures, £0.2m Place Saving Target (MTFS 2023/24), £0.2m waste collection crew costs) and £0.2m Recycling contract pressure. Ansa mitigations £0.1m and additional use of ASDV Reserve £0.5m are offsetting these pressures.
 - Libraries: £0.2m overspend. Pressures of £0.5m delivery of MTFS savings offset by £0.2m vacancy management and £0.1m underspend relating to MTFS growth for exploring a charitable trust model.
 - Leisure Commissioning: £0.2m overspend relating to delivery of MTFS savings.
 - Other service issues: £0.8m net underspend.
 - Building Control: £0.2m building control income pressure offset by £0.3m from vacancy management savings.
 - Local Land Charges and Planning Support: £0.2m underspend from vacancy management savings.
 - Strategic Planning: £0.3m underspend reflecting £0.1m vacancy management plus £0.2m delayed Local Plan costs.
 - Environmental Management Services: £0.1m underspend (capital financing costs offset by Green waste income).
 - Regulatory Services: £0.1m (£0.2m vacancies offset by £0.1m CCTV costs).

Highways & Transport favourable variance of £0.5m

- 55 Highways & Infrastructure are reporting an underspend of £0.5m against a net budget of £16m. The key reasons for the underspend are:
- Car Parking: £0.4m underspend: through vacancy management £0.1m and increased income £0.3m.
 - Strategic Transport: £0.1m underspend from vacancy management.

Finance Sub adverse variance of £0.9m

56 Finance Sub Committee are reporting an adverse variance of £0.9m against a net budget of £23.853m.

- Financing & Investment £0.4m net pressure reflecting £1.6m increased cost of interest payments on borrowing offset by £0.9m increased interest receipts from investments.
- Reserves use (change from MTFS) reflects £0.5m additional Flexible Capital Receipts to offset by £1m reduction in available Capital Financing Reserve at outturn compared to forecast balance reflected in the February 2024 MTFS.

Overall mitigations planned to manage pressures

57 A Strategic Finance Management Board has been set up to lead on a number of key tasks to urgently reduce spend and identify additional savings as noted in paragraphs 22-23 above.

Progress on delivery of the 2024/25 approved budget change items

58 Table 5 presents a summary of the progress on the delivery of the 2024/25 approved budget change items. For items rated as Amber these are for items where there are risks and/or mitigating actions in place. For items rated as red these are for items where services are projecting an adverse variance and there is risk of in year non delivery/achievement. New mitigation items have also been included that have come forward since the approval of the MTFS to help the in year position where identified.

59 As the green and blue columns show, £10.2m of the budget change items are either delivered or on track to be delivered or even exceed in some cases. However, there is also a pressure of £41.4m as shown in the red column that has a high risk of not being achieved within this financial year. There are new in year mitigations of £7.5m, unrelated to the change item rows that has been identified to assist the outturn position. The table below summarises the progress by Committee:

Table 5: Summary of the progress on the delivery of the 2024/25 approved budget change items

Committee	Approved Change Budget £'000	Forecast Outturn £'000	Completed £'000	Could Exceed £'000	Green £'000	Amber £'000	Red £'000	Mitigations £'000
Adults & Health	1,136	21,853	-3,223	0	-6,430	0	34,601	-3,095
Children & Families	9,909	17,238	482	0	14,002	295	915	1,543
Corporate Policy	489	512	-507	0	250	-232	1,581	-580
Economy & Growth	3,316	728	-92	0	3,896	33	690	-3,799
Environment & Communities	-52	623	1,130	-1,480	-3,754	2,456	3,310	-1,039
Finance Sub	-19,667	-18,748	600	0	-19,348	0	0	0
Highways & Transport	4,869	4,393	2,638	0	1,647	245	351	-488
TOTAL	-	26,599	1,028	-1,480	-9,737	2,798	41,448	-7,458

- 60 A complete list of all approved budget change items, with progress noted against each item, can be found in **Annex 1, Section 2**.

Revenue Grants for Approval

- 61 Approvals for Supplementary Revenue Estimates for allocation of additional grant funding are detailed in **Annex 1, Section 3**.

Reserves Position

- 62 On 1 April 2024, Earmarked Reserves totalled £32.278m and the General Fund Reserve Balance totalled £5.580m. Of the total earmarked reserves, more than £22m (70.46%) will be spent in 2024/25, on supporting the revenue budget for 2024/25.
- 63 Table 6 and 7 shows the forecast level of Earmarked and General reserves by the end of 2024/25.

Table 6: Earmarked Reserves

Earmarked Reserves	Opening Balance 1 April 2024 £000	General Fund Transfers £000	Forecast Reserve Movement in year £000	Additional Drawdown Requests* £000	Forecast Closing Balance 31 March 2025 £000
Adults and Health Committee	5,226	(2,795)	(90)	0	2,341
Children and Families Committee	1,724	0	(1,593)	(131)	0
Corporate Policy Committee	20,773	(6,551)	(2,680)	(4,695)	6,847
Economy and Growth Committee	2,777	(662)	(1,004)	(765)	346
Environment and Communities Committee	870	(390)	(402)	(78)	0
Highways and Transport Committee	908	(205)	(415)	(288)	0
EARMARKED RESERVES TOTAL MOVEMENT	32,278	(10,603)	(6,184)	(5,957)	9,534

*** All 'Additional Drawdown Requests' are still subject to review and are yet to be approved.**

**** Totals excludes Schools' balances**

Table 7: General Reserves

General Reserves	Opening Balance 1 April 2024 £000	General Fund Transfers £000	Forecast Reserve Movement £000	Additional Drawdown Requests £000	Forecast Closing Balance 31 March 2025 £000
General Fund Reserve	5,580	(1,051)	0	0	4,529
GENERAL FUND RESERVE TOTAL MOVEMENT	5,580	(1,051)	0	0	4,529

64 The Council is currently forecast to have £9.534m of earmarked reserves at the end of the financial year 2024/25. Of this £2.279m can be considered ringfenced, with specific conditions limiting their use.

65 A full list of all earmarked reserves can be found in **Annex 1, Section 5**.

Dedicated Schools Grant Reserve

66 The Dedicated Schools Grant (DSG) is ring-fenced funding received for: schools; high needs / special educational needs; and early years provision. In recent years there has been a pressure on the DSG high needs block where funding has not kept pace with the increasing numbers and cost of children with an Education, Health and Care Plan. This has created a deficit DSG reserve balance which is held in an unusable reserve.

- 67 The on-going pressure is regularly reviewed; at the end of 2023/24 the deficit was £78.6m and this is forecast to increase by £43.0m by the end of 2024/25. This is an improvement on the Council's DSG Management Plan approved in April 2024, which sets out the planned expenditure and income on high needs over the medium term. The DSG Management Plan is currently being updated and will be reported to Committee on completion.

Table 8	
Dedicated Schools Grant Deficit	
	£m
Deficit Balance Brought forward	78.6
Additional In-year Pressures	43.0
Deficit Balance at 31st March 2025	121.6

Debt

- 68 Sundry debt includes all invoiced income due to the Council except for statutory taxes (Council Tax and Non-Domestic Rates). The balance of outstanding debt at 31 July 2024 has increased by £0.375m since 2023/24 Outturn (end of March 2024).
- 69 Annually, the Council raises invoices with a total value of over £80m. Around a quarter of the Council's overall sundry debt portfolio relates to charges for Adult Social Care, the remainder being spread across a range of functions including Highways, Property Services, Licensing and Building Control.
- 70 The Revenue Recovery team (using their experience gained in collecting Council Tax and Non-Domestic Rates) engage with services to offer advice and assistance in all aspects of debt management, including facilitating access to debt collection/enforcement agent services (currently provided by Bristow & Sutor).
- 71 After allowing for debt still within the payment terms, the amount of outstanding service debt at the end of July 2024 was £17.3m.
- 72 The total amount of service debt over six months old is £10.5m; provision of £6.8m was made at year ended 31st March 2024 to cover doubtful debt in the event that it needs to be written off.
- 73 The level of Adult Social Care debt can fluctuate depending on when in the month the snapshot is taken, for example if it is before or after the Direct Debit income is received and allocated. The debt also has different levels of risk depending on the type of debt. For example, around £3.5m is linked to deferred arrangements which is debt that is secured on property or assets, and therefore carries a low risk. There is also around £5m of debt which is deemed to be lower risk as its linked to areas such as probate, property sales or deputyship.

Table 9 – Debt Summary as at 31st July 2024

	Outstanding Debt £000			Over 6 months old £000		
	Outturn	FR1	Increase / (Decrease)	Outturn	FR1	Increase / (Decrease)
Adults and Health Committee						
Adults, Public Health and Communities*	13,691	14,534	843	8,556	9,091	535
Children and Families Committee						
Children's Social Care (Incl. Directorate)	219	182	(37)	-	14	14
Prevention and Early Help	141	72	(69)	(5)	(4)	1
Schools	24	22	(2)	(1)	2	3
Highways and Transport Committee						
Highways and Infrastructure	1,598	1,189	(409)	678	751	73
Economy and Growth Committee						
Growth and Enterprise	581	704	123	328	393	65
Environment and Communities Committee						
Environment and Neighbourhood Services	384	355	(29)	189	209	20
Corporate Policy Committee						
Finance and Customer Services	111	109	(2)	73	73	-
Governance and Compliance	20	37	17	1	-	(1)
Human Resources	3	8	5	-	1	1
ICT	184	119	(65)	1	1	-
Total	16,956	17,331	375	9,820	10,530	711

Council Tax and Business Rates

Council Tax

- 74 **Table 10** details each precepting authorities share of the budgeted collectable rates income.

Table 10	Band D	Collectable
Share of Council Tax Collectable Rates	Charge	Rates
		£m
Cheshire East Council	1,792.59	287.1
Town and Parish Councils	71.57	11.5
Cheshire Police and Crime Commissioner	262.94	42.1
Cheshire Fire Authority	90.09	14.4
Total	2,217.19	355.1

- 75 The collectable rates valuation is based on the assumption that of the total amount billed, at least 99% will be collected. **Table 11** demonstrates that, excluding a slight reduction during the Covid-19 pandemic, the target to collect at least 99% of Council Tax within three years continues to be achieved.

Table 11	2020/21	2021/22	2022/23	2023/24	2024/25
Council Tax Collection Rates	%	%	%	%	%
After 1 year	97.4	97.8	98.2	98.0	*28.43
After 2 years	98.6	98.5	98.8	**	**
After 3 years	98.9	99.0	**	**	**

* 2024/25 rate is up to 30th June 2024.

** Data is not yet available.

- 76 After accounting adjustments, the Council Tax Collection Fund is forecasting a £0.9m deficit for 2024/25, of which, £0.8m is attributable to Cheshire East Council. This deficit will be repayable in 2025/26 and will be managed through the Collection Fund Earmarked Reserve.

Non-Domestic Rates (NDR)

- 77 Collectable rates are distributed between Cheshire East Council (49%), Cheshire Fire Authority (1%), and Central Government (50%).
- 78 Non-domestic Rates valuations for 2024/25 were set out in the NNDR1 return to Central Government in January 2024. Any variance to this forecast is included in the following years' NNDR1 return and any gain or loss will be recovered in 2025/26. The total Net Rates Payable into the Collection Fund was forecast at £155.7m.
- 79 **Table 12** demonstrates that the target to collect at least 99% of Non-Domestic Rates within three years continues to be achieved.

Table 12 Non-Domestic Collection Rates	2020/21 %	2021/22 %	2022/23 %	2023/24 %	2024/25 %
After 1 year	92.4	95.6	98.2	97.7	*29.19
After 2 years	97.4	98.3	98.8	**	**
After 3 years	99.0	99.2	**	**	**

* 2024/25 rate is up to 30th June 2024.

** Data is not yet available.

- 80 After accounting adjustments, the Non-Domestic Rates Collection Fund is forecasting a £3.8m deficit for 2024/25, of which, £1.9m is attributable to Cheshire East Council. This deficit will be repayable in 2025/26 and will be managed through the Collection Fund Earmarked Reserve.

Treasury Management Strategy update

- 81 Treasury Management income to 31 July 2024 is £895,000 which is higher than the budgeted £620,000. However, borrowing costs are also higher than budgeted at £6m compared to budget of £5.3m. This is caused by a combination of increasing interest rates with an increased borrowing requirement. From the projected cash flows for the remainder of 2024/25 the net additional financing costs (borrowing less investment interest) is expected to be £0.7m in excess of that budgeted.
- 82 Interest rates have seen substantial rises over the last 2 years which has significantly increased the cost of borrowing. The expectation is that borrowing costs will start to fall later in 2024/25 and beyond.

- 83 At the moment, cash shortfalls are generally being met by temporary borrowing from other Local Authorities which for a number of years has been considerably cheaper than other sources of borrowing and allowed the Council to keep financing costs low. The cost of these loans is currently relatively high compared with longer term loans, but interest forecasts suggest it is still the cheaper option in the long term. However, liquidity risk remains an issue as funds become more scarce towards year end and the request to the Government for exceptional financial support has raised credit worthiness concerns with some lenders. To reduce liquidity risk and any potential credit related penalisation on interest costs, consideration is being given to taking more longer term PWLB loans.
- 84 The cost of short term borrowing for the first 4 months of 2024/25 is 5.54% which is an increase from 4.82% for 2023/24. These costs are now expected to reduce as the outlook is for reducing interest rates.

Investment Strategy

- 85 There have not been any material changes to the Investment Strategy since that reported at Final Outturn 2023/24, see link [Final Outturn 2023-24 Annex 1.pdf \(cheshireeast.gov.uk\)](#)

Consultation and Engagement

- 86 As part of the budget setting process the Pre-Budget Consultation provided an opportunity for interested parties to review and comment on the Council's Budget proposals. The budget proposals described in the consultation document were Council wide proposals and that consultation was invited on the broad budget proposals. Where the implications of individual proposals were much wider for individuals affected by each proposal, further full and proper consultation was undertaken with people who would potentially be affected by individual budget proposals.

Reasons for Recommendations

- 87 The overall process for managing the Council's resources focuses on value for money, good governance and stewardship. The budget and policy framework sets out rules for managing the Council's financial affairs and contains the financial limits that apply in various parts of the Constitution. As part of sound financial management and to comply with the constitution any changes to the budgets agreed by Council in the MTFS require approval in line with the financial limits within the Finance Procedure Rules.
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- 88 This report provides strong links between the Council's statutory reporting requirements and the in-year monitoring and management processes for financial and non-financial management of resources.

Other Options Considered

- 89 None. This report is important to ensure Members of the Committee are sighted on the financial pressure the Council is facing and the activity to date to try and mitigate this issue and are given an opportunity to scrutinise this activity and identify any further actions that could be taken to learn to live within our means Do nothing. Impact – Members are not updated on the financial position of the Council. Risks – Not abiding by the Constitution to provide regular reports.

Implications and Comments

Monitoring Officer/Legal

- 90 The Council must set the budget in accordance with the provisions of the Local Government Finance Act 1992 and approval of a balanced budget each year is a statutory responsibility. Sections 25 to 29 of the Local Government Act 2003 impose duties on the Council in relation to how it sets and monitors its budget and require the Council to make prudent allowance for the risk and uncertainties in its budget and regularly monitor its finances during the year. The legislation leaves discretion to the Council about the allowances to be made and action to be taken.
- 91 The provisions of section 25 of the Local Government Act 2003, require that, when the Council is making the calculation of its budget requirement, it must have regard to the report of the chief finance (s.151) officer as to the robustness of the estimates made for the purposes of the calculations and the adequacy of the proposed financial reserves.
- 92 The Council should therefore have robust processes in place so that it can meet statutory requirements and fulfil its fiduciary duty. It must ensure that all available resources are directed towards the delivery of statutory functions, savings and efficiency plans. Local authorities are creatures of statute and are regulated through the legislative regime and whilst they have in more recent times been given a general power of competence, this must operate within that regime. Within the statutory framework there are specific obligations placed upon a local authority to support communities. These duties encompass general and specific duties and there is often significant local discretion in respect of how those services or duties are discharged. These will need to be assessed and advised on as each circumstance is considered.
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- 93 The financial position of the Council must therefore be closely monitored, and Members must satisfy themselves that sufficient mechanisms are in place to ensure both that savings are delivered and that new expenditure is contained within the available resources. Accordingly, any proposals put forward must identify the realistic measures and mechanisms to produce those savings or alternative mitigations.
- 94 This report provides an update on progress for 2024/25 for all services.
- 95 It also provides updates and comments regarding the Council's request for Exceptional Financial Support under The Levelling-up and Regeneration Act 2023 which inserted an amended Section 12A as a trigger event within the Local Government Act 2003, in relation to capital finance risk management. The legislation also provides for risk mitigation directions to be given to the Council which limit the ability to undertake certain financial action. The limitations are based on identified risk thresholds.

Section 151 Officer/Finance

- 96 The Council's financial resources are agreed by Council and aligned to the achievement of stated outcomes for local residents and communities. Monitoring and managing performance helps to ensure that resources are used effectively, and that business planning and financial decision making are made in the right context.
- 97 Reserve levels are agreed, by Council, in February each year and are based on a risk assessment that considers the financial challenges facing the Council. If spending associated with in-year delivery of services is not contained within original forecasts for such activity it may be necessary to vire funds from reserves.
- 98 The unplanned use of financial reserves could require the Council to deliver a greater level of future savings to replenish reserve balances and / or revise the level of risks associated with the development of the Reserves Strategy in future.
- 99 As part of the process to produce this report, senior officers review expenditure and income across all services to support the development of mitigation plans that will return the outturn to a balanced position at year-end.
- 100 Forecasts contained within this review provide important information in the process of developing the Medium-Term Financial Strategy. Analysis of variances during the year will identify whether such
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performance is likely to continue, and this enables more robust estimates to be established.

- 101 The risk associated with the scale of these challenges is that the Council could act illegally, triggering the requirement for a s.114 report from the Chief Financial Officer. Illegal behaviour in this context could materialise from two distinct sources:
- i) Spending decisions could be made that exceed the available resources of the Council. This would unbalance the budget, which is unlawful.
 - ii) Spending decisions to restrict or hide pressures could be made that avoid an immediate deficit, but in fact are based on unlawful activity.
- 102 The consequences of the Council undermining a budget with illegal activity, or planned illegal activity, is the requirement to issue a s.114 report. Under these circumstances statutory services will continue and existing contracts and commitments must be honoured. But any spending that is not essential or which can be postponed must not take place.
- 103 Further consequences would be highly likely and could include the appointment of Commissioners from the MHCLG, and potential restrictions on the decision-making powers of local leaders.

Policy

- 104 This report is a backward look at Council activities and predicts the year-end position. It supports the Corporate Plan aim Open and priority to be an open and enabling organisation.
- 105 The forecast outturn position, ongoing considerations for future years, and the impact on general reserves will be fed into the assumptions underpinning the 2025 to 2029 Medium-Term Financial Strategy.
- 106 The approval of supplementary estimates and virements are governed by the Finance Procedure Rules section of the Constitution.

Equality, Diversity and Inclusion

- 107 Any equality implications that arise from activities funded by the budgets that this report deals with will be dealt within the individual reports to Members or Officer Decision Records to which they relate.
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Human Resources

- 108 This report is a backward look at Council activities at outturn and states the year end position. Any HR implications that arise from activities funded by the budgets that this report deals with will be dealt within the individual reports to Members or Officer Decision Records to which they relate.

Risk Management

- 109 Financial risks are assessed and reported on a regular basis, and remedial action taken if required. Risks associated with the achievement of the 2023/24 budget and the level of general reserves were factored into the 2024/25 financial scenario, budget, and reserves strategy.

Rural Communities

- 110 The report provides details of service provision across the borough.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 111 The report provides details of service provision across the borough and notes the pressure on Children in Care.

Public Health

- 112 This report is a backward look at Council activities at the first review and provides the forecast year end position. Any public health implications that arise from activities funded by the budgets that this report deals with will be dealt within the individual reports to Members or Officer Decision Records to which they relate.

Climate Change

- 113 There are no direct implications for climate change.
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Access to Information	
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Appendices:	<p>Annex 1 including:</p> <ul style="list-style-type: none"> • Section 1 2024/25 Forecast Outturn • Section 2 2024/25 Approved Budget Change Items • Section 3 Revenue Grants for approval • Section 4 Capital • Section 5 Reserves
Background Papers:	<p>The following are links to key background documents:</p> <p>Medium-Term Financial Strategy 2024-2028</p>

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First Financial Review 2024/25

Results to end of July 2024

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Section 1: 2024/25 Forecast Outturn

- 1.1. Table 1 provides a service summary of financial performance based on information available as at the end of July 2024. The current forecast is that services will be £25.6m over budget in the current year.
- 1.2. It also shows that central budgets are forecast to be £0.9m over budget resulting in an overall outturn of £26.5m overspend against a net revenue budget of £387.6m.
- 1.3. The overall revenue position does not include the impact of applying any Exceptional Financial Support.
- 1.4. The forecast outturn position is based on a full financial management review across all service and reflects the following assumptions:
 - Includes those savings that have been identified as non-achievable though the tracker on our High Level Business Cases (HLBC) with no/some alternative actions currently presented;
 - A review of the on-going impacts of adverse variances identified in 2023/24;
 - Any identified, emerging items of significance:
 - Within Adult Social Care, significant growth is forecast for care costs in line with position seen year to date, less mitigations linked to delivery of the Impower savings;
 - Includes the assumptions around additional revenue resources in Childrens Services to resource the draft improvement plan in relation to the recent OFSTED inspection;
 - Forecast impact of the proposed increased 2024/25 pay award £1.6m (unfunded);
 - Detailed review of any vacancy underspends in all areas;
 - One-off items that have been identified so far through line by line reviews and/or identification of additional funding that has been announced since the MTFS was set.
- 1.5. Further items impacting on the level of the Council's balances are detailed in **Section 5**.

Table 1 Service Revenue Outturn Forecasts 2024/25	Revised Budget £m	Forecast Outturn £m	Forecast Variance £m
Adult Social Care - Operations	146.1	167.8	21.7
Commissioning	(8.1)	(9.1)	(1.0)
Public Health	-	-	-
Adults and Health Committee	138.0	158.7	20.7
Directorate	1.6	2.9	1.3
Children's Social Care	56.5	61.1	4.6
Education, Strong Start & Integration	33.4	34.8	1.4
Children and Families Committee	91.5	98.8	7.3
Directorate	(0.3)	(0.4)	(0.0)
Growth & Enterprise	28.5	25.9	(2.6)
Economy and Growth Committee	28.1	25.5	(2.6)
Environment & Neighbourhood Services	48.4	49.1	0.6
Environment and Communities Committee	48.4	49.1	0.6
Highways & Infrastructure	16.0	15.5	(0.5)
Highways and Transport Committee	16.0	15.5	(0.5)
Directorate	1.4	1.2	(0.2)
Finance & Customer Services	12.1	14.1	1.9
Governance & Compliance Services	10.9	9.7	(1.2)
Communications	0.7	0.7	(0.0)
HR	2.4	2.1	(0.3)
ICT	12.2	12.0	(0.1)
Policy & Change	2.0	1.9	(0.0)
Corporate Policy Committee	41.7	41.7	0.0
TOTAL SERVICES NET EXPENDITURE	363.7	389.3	25.6
CENTRAL BUDGETS			
Capital Financing	31.7	32.0	0.4
Transfer to/(from) Earmarked Reserves	(18.3)	(17.2)	1.1
Parish Precepts & Other Operating Expenditure	11.5	11.4	(0.1)
Income from Use of Capital Receipts	(1.0)	(1.5)	(0.5)
Finance Sub-Committee - Central Budgets	23.9	24.8	0.9
TOTAL NET EXPENDITURE	387.6	414.1	26.5
FUNDING	(298.5)	(298.5)	-
Council Tax	(56.6)	(56.6)	-
Business Rates Retention Scheme	(32.4)	(32.4)	-
Unringfenced Grants			
Finance Sub-Committee - Net Funding	(387.6)	(387.6)	-
NET (SURPLUS) / DEFICIT	-	26.5	26.5

Section 2: 2024/25 Approved Budget Change Items

The following table provides up detailed commentary on the progress against the approved budget change items that were agreed as part of the budget agreed in February 2024. These are split by relevant committee.

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
	Adults and Health Committee	+1.136	+21.853	+20.717	
1	Fees and Charges	-1.800	-1.800	0	Green
2	Client Contributions Increase	-0.800	-2.097	-1.297	Green
3	Working Age Adults - Prevent, Reduce, Delay	-1.467	-1.467	0	Green - Multiple activities contributing to these savings. Validation of delivery and measures being developed by SROs and Finance.
4	Older People – Prevent, Reduce, Delay	-1.566	-1.566	0	Green - Multiple activities contributing to these savings. Validation of delivery and measures being developed by SROs and Finance.
5	Market Sustainability and Workforce grant	-1.100	-1.100	0	Completed
6	Revenue grants for Adult Social Care	-2.480	-2.480	0	Completed
7	Pension Costs Adjustment	-0.493	-0.493	0	Completed
8	Investment in Adult Social Care	+7.600	+32.497	+24.897	Red – MTFS growth for Care Costs not sufficient to cover the pressure seen in 2023/24 plus the expected growth in 2024/25. Mitigations to reduce pressure reported separately.
9	Pay Inflation	+1.892	+2.104	+0.212	Red - NJC Pay Claim process has started - over spend against budget is based on £1,290 or 2.5% increase. Compared to flat percentage budget increase of 3%
10	Resettlement Revenue Grants – reversal of 2023/24 use	+0.850*	+0.850*	0	Completed
11	Adult Social Care Transformation Earmarked Reserve Release – reversal of 2023/24 use	+0.500*	+0.500*	0	Green

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
12	Market Sustainability and Fair Cost of Care – Removal of Grant Income	-	-	-	Green
13	Asset Management	TBC	TBC	-	Green - It is expected that the NHS will confirm their intentions for usage of one of the key CEC sites in question by September 2024. Once this is received, the business case for future usage of the site will be revisited and taken through the appropriate CEC governance procedures. The model of care in relation to high-cost adult social care and health provisions will be part of this work.
14	Investigate potential agency creation	TBC	TBC	-	Green - This proposal has been consistently delivered in relation to the usage of a Care Workers agency in all but name. Care4CE, the Council's in house care provider, has been utilising workers, both casual and agency, as a bank of workers for several years to successfully deliver operational requirements. The establishment of a CEC.
In year	Other variances to reconcile to 2024/25 FR1 forecast	0	+4.612	+4.612	
In year	Mitigations reducing the FR1 reported forecast position	0	-7.707	-7.707	

* Item represented a one-off spend in 2023/24. As it is not a permanent part of the budget, the value of the proposal is reversed in 2024/25.

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets (some of the budget change items have been separated out since the publication of the MTFS)	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
	Children and Families Committee	+9.909	+17.238	+7.329	
15	Discretionary offer to children with disabilities	-0.900	-0.901	-0.001	Green - On track, project team progressing multiple improvements to redesign the service offer, ensuring consistency and efficiency.
16	Remove school catering subsidy	-0.516	+0.027	+0.543	Red - In progress, rate uplift to be applied in September 2024 in order to cover the costs of the service through to the end of March 2025 when it ends.
17	Review of structure to further integrate children and families services	-1.000	-0.167	+0.833	Red - Delivery Planning in progress to address saving. Including: further Establishment review, service redesign, cross directorate risk management.
18	Reduce discretionary Post-16 Travel Support	-0.400	-0.250	+0.150	Red - Agreed by Committee so progressing, too early to confirm take-up.
19	Achieve the Family Hub model	-0.250	-0.250	0	Green - Committee approved permission to consult. Following the consultation period, a report will go back to Committee in November for a decision to move forward with the new model. Savings are not going to be delivered in year therefore alternative saving being found to cover this.
20a	Other Service Reviews – Review of commissioned services across the C&F directorate. Review of the current Domestic Abuse Service	-0.100	-0.132	-0.032	Completed.
20b	Other Service Reviews – Maximise grant allocation to cover all costs	-0.100	0	+0.100	Red - Plan to explore current / future grants to ensure where T&Cs allow, contribution to fund base costs (e.g. staffing and on costs) is maximised.
20c	Other Service Reviews – Traded services	-0.050	+0.017	+0.067	Red - Part delivered but may need to look for alternative options to cover the remaining saving for this year.
21a	Reduce Growth in expenditure – review of high cost, low outcome external residential placements	-1.000	-1.000	0	Red - Whilst work has been happening to open CE Children's Homes and our first open is now open, with our second due imminently and our collaboration with foster 4 working well to increase our foster carers, we still are seeing more children coming into care, with a steady increase. There is also increasing instability with the residential market, driving up prices. Complex young people need high packages of support, which are extremely expensive. We are due to review all high cost placements and weekly on-going Triple S (Stability, Step up and Step Down) meetings are happening to review placement outcomes and costs.

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets (some of the budget change items have been separated out since the publication of the MTFS)	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
21b	Reduce Growth in expenditure – increase commissioning approach to establish greater opportunities to provide accommodation for +16 young people	-0.400	-0.400	0	Amber - 16+ and 18+ Commissioning Plans / Market Shaping in Progress. Responding to increasing demand and complexity.
21c	Reduce Growth in expenditure – Foster Care	-0.250	-0.250	0	Amber - Developing a Delivery Plan to increase Foster Care provision.
21d	Reduce Growth in expenditure – reduced spend on expert assessment in court proceedings and services post public law proceedings	-0.250	-0.250	0	Amber - Establishing a Task & Finish Group to explore and develop processes and capacity to reduce costly legal proceedings.
22	Pension Costs Adjustment	-0.515	-0.451	+0.064	Red. CEC pension reduction completed. Teacher's pension legacy costs are not reducing as anticipated.
23	Growth to deliver statutory Youth Justice service, and growth to ensure budget is sufficient to meet Safeguarding Partnership duties	+0.170	+0.200	+0.030	Red.
24	Growth to provide capacity to deliver transformation for SEND	+0.500	+0.500	0	Green.
25	Wraparound Childcare Programme (funded)	+0.587	+0.587	0	Amber - Currently reviewing sufficiency and funding details to manage delivery within budget.
25	Wraparound Childcare Programme (funded)	-0.587	-0.587	0	Amber - Currently reviewing sufficiency and funding details to manage delivery within budget.
26	Legal Proceeding - Child Protection	+0.770	+0.532	-0.238	Amber.
27	Growth in School Transport budget	+0.936	+1.286	+0.350	Red.
28	Pay Inflation	+1.374	+1.915	+0.541	Red - NJC Pay Claim process has started - over spend against budget is based on £1,290 or 2.5% increase. Compared to flat percentage budget increase of 3%

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets (some of the budget change items have been separated out since the publication of the MTFS)	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
29	Use of Children & Families Transformation Reserve – reversal of 2023/24 use	+1.065*	+1.065*	0	Completed.
30	Growth in Childrens Placement costs	+10.825	+14.203	+3.378	Red - Will need to be closely monitored throughout the year to ensure that funding is sufficient to meet demand and complexity.
31	Revenue costs for the Crewe Youth Zone (as above) aligned to Supporting Families Funding	-	-	-	Amber.
31	Early Help budget to support funding towards the Crewe Youth Zone	-	-	-	Amber.
32	SEND Capital Modification	TBC	TBC	-	Amber - Contingent upon wider asset management and associated timelines. Extensive work underway to plan and progress development opportunities. Captured as part of the Capital Program reported to Committee.
33	Childrens Social Work Bank	TBC	TBC	-	Red - Various options currently being explored as part of wider C&F Establishment review and potential peripatetic resource options.
34	Safe Walking Routes to School	TBC	TBC	-	Green - Features as part of School Transport Programme.
35	Withdrawal of the CEC School Meals Service	TBC	TBC	-	Green - Features as part of School Catering subsidy project - CF2428-16.
In year	In-year emerging variance Education, Strong Start and Integration	0	-0.500	-0.500	Green. Underspend relates to vacancy management, reduced spend and income generation across services.
In year	In-year emerging variance Children and Families Directorate	0	+0.427	+0.427	Red. Overspend relates to supplier compensation payment, external Quality Assurance Agency costs and cost of establishment.
In year	In-Year emerging variance Children's Social Care	0	+1.616	+1.616	Red. Overspend mainly relates to staffing costs.

* Item represented a one-off spend in 2023/24. As it is not a permanent part of the budget, the value of the proposal is reversed in 2024/25.

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets (some of the budget change items have been separated out since the publication of the MTFS)	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
	Corporate Policy Committee	+0.489	+0.512	+0.023	
36	Reduce leadership and management costs	-0.540	-0.190	+0.350	Red - The feedback from the DMA review is that senior management vacancies will require recruitment to in order to complete the complement of Corporate Managers. In year vacancy savings will continue but will be time limited. There is potential to increase costs by additional management support during transformation. This will result in increased budget pressure. This pressure is being mitigated through the four in-year items at the end of this table. Most of those will be permanent and used to deliver this saving. Presentation will be reviewed for FR2.
37	Close the Emergency Assistance Scheme	-0.220	-0.220	0	Completed
38	Reduce election costs and increase charges where possible	-0.150	-0.150	0	Green - The proposal is to make a payment during 2024/25 of £70k-£80k from the existing election account, as part of this one-off saving. The remainder will be delivered by reducing the sum which would normally be paid into the election reserve. This might be mitigated in the year of the next local elections by monies which will be raised by charging town and parish councils for their elections in 2027. However, this will not be sufficient and will be likely to lead to the need for a supplementary estimate.
39a	Accelerate Digital Transformation (ICT Operational efficiencies)	-0.100	-0.100	0	Green – third party costs have been reduced and there are plans to reduce further during the year.
39b	Accelerate Digital (Digital efficiencies)	-0.150	-0.150	0	Green – Removal of temporary budget for Solutions Architect Resource, now covered by an Earmarked Reserve.
40	Enforce prompt debt recovery and increase charges for costs	-0.150	-0.150	0	Completed - The award of costs is a matter for the Magistrates at each court hearing. However, only by exception will they vary from the level already agreed by us with the Court Manager. The approach to the Court Manager has been made and the revised level agreed. The action is therefore complete, but the financial benefits will accrue as we continue the regular recovery process during the year.
41a	Other efficiencies and reductions across Corporate Services – School Subsidy (ICT)	-0.032	-0.032	0	Green

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets (some of the budget change items have been separated out since the publication of the MTFS)	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
41b	Other efficiencies and reductions across Corporate Services – Organisational Development	-0.100	-0.100	0	Completed
41c	Other efficiencies and reductions across Corporate Services – Registration Services	-0.050	-0.050	0	Green
41d	Other efficiencies and reductions across Corporate Services – School Subsidy	-0.018	0	+0.018	Amber - Part of the £50k School Subsidy saving - Finance team to assist in identifying options. These are listed at the end of the table.
41e	Other efficiencies and reductions across Corporate Services	-0.010	0	+0.010	Amber - Finance team to assist in identifying options. These are listed at the end of the table.
41f	Other efficiencies and reductions across Corporate Services – Printing	-0.050	-0.010	+0.040	Amber - Finance team to assist in identifying options. These are listed at the end of the table.
41g	Other efficiencies and reductions across Corporate Services – Hybrid working / mileage	-0.050	0	+0.050	Amber – Options being considered regarding reduced travel spend including ensuring efficient planning around meeting attendance and minimising unnecessary movements across the area. This maximises efficient use of time as well for teams.
42	Pension Costs Adjustment	-0.378	-0.378	0	Completed
43	Mitigation of reduction in the Dedicated Schools Grant	+0.136	+0.136	0	Completed
44	Pay Inflation	+1.446	+1.581	+0.135	Red - NJC Pay Claim process has started - over spend against budget is based on £1,290 or 2.5% increase. Compared to flat percentage budget increase of 3%. Mitigations are listed at the end of the table. Presentation will be reviewed for FR2.
45	Legal Services Capacity	+0.455	+0.455	0	Completed
46	ICT Review 1	+0.450	+0.450	0	Green
47	Workforce Strategy Review	TBC	-	-	Amber - There are no savings attributed to this area in 2024/2025. Opportunities to explore workforce options are being considered alongside transformation

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets (some of the budget change items have been separated out since the publication of the MTFS)	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
					work. Any savings are likely to be realised in 2025/26 at the earliest. It is recommended that this item is removed from the list.
48	Parish Compacts – it is recommended that this item is removed.	TBC	-	-	Red - An extension of parish compacts would provide a budget for every parish council. This has been assessed but is considered unaffordable to progress this year. Presentation will be reviewed for FR2.
In year	Recognising the increased level of Registration service income of £350k.	0	-0.350	-0.350	This will be a permanent change to deliver the Red ranked items above.
In year	Recognising the receipt of £45k of Police and Crime Commissioner grant income.	0	-0.045	-0.045	This will be a permanent change to deliver the Red / Amber ranked items above.
In year	Taking the underspend on phones in corporate services (mobiles and rental) compared to budget.	0	-0.060	-0.060	This will be a permanent change to deliver the Red / Amber ranked items above.
In year	Additional mitigations to balance to FR1 position of +£23k for corporate incl ICT.	0	-0.125	-0.125	These will be a mix of permanent and temporary items to assist the in-year position.

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
	Economy and Growth Committee	+3.316	+0.728	-2.588	
49	Service Restructures within Place based Services	-0.787	0	+0.787	Red – achievement through permanent savings remains challenging without a full restructure – which is pending the LGA review. This item is being mitigated by the items at the end of the table which are a mix of permanent and temporary measures. Presentation will be reviewed for FR2.
50	Reduce opening hours for main offices	-0.050	-0.050	0	Completed
51	Office estate rationalisation	-0.550	-0.250	+0.300	Red - due to the timeline for the transfer of buildings being extended. This item is being mitigated by the items at the end of the table which are a mix of permanent and temporary measures. Presentation will be reviewed for FR2.
52	Tatton Park	-0.046	-0.046	0	Amber rating reflects the fact that the Tatton Vision capital programme is currently under review.
53	Transfer of Congleton Visitor Information Centre	-0.020	-0.020	0	Green - Transfer of Congleton VIC to the Town Council has already occurred.
54	Pension costs adjustment	-0.157	-0.157	0	Completed
55	Tatton Park ticketing and electronic point of sale (EPOS) upgrade	+0.005	+0.005	0	Green - A procurement process is currently underway to source a supplier who can ensure onsite and web-based delivery of a new system which aligns with present and future needs.
56c	West Park collection	+0.012	+0.012	0	Green - Cost for vital conservation and storage of West Park Museum collections and ongoing temporary storage requirements.
56d	CEC archives	+0.008	0	-0.008	Amber - Timescales for implementation of the Archives capital project have slipped due to grant funding decisions, with revised opening date of Spring 2026.
57	Property Information and Management System - Estates – Revenue Adjustment	+0.030	+0.030	0	Green - Procurement of new contract to commence shortly.
58	Housing	+0.035	+0.035	0	Green - Consultation on the Housing Restructure commences 22nd May and includes the post that the funding is attributed to. The new structure will be implemented by 1st August 2024
59	Environmental Hub Waste Transfer Station	+0.040	+0.040	0	Green - Project on track delivery Q1/2. The replacement of bay 1 in the Councils Environmental Hub Residual Waste Transfer Station building with a new design

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
					more likely to provide long-term resilience to wear and tear, to enable the continuation of waste processing at the transfer station.
60	Rural and Visitor Economy	+0.045	+0.045	0	Green - Additional revenue support is required to cover the increase in electricity charges for the Rural and Culture Economy Service to maintain existing service provision at Tatton Park and Countryside sites.
61	Minimum energy efficiency standards (MEES) - Estates - Revenue Adjustment	+0.079	+0.079	0	Amber – Prioritised negotiations with 3rd parties/tenants occupying premises being expedited to avoid delays on obtaining access for surveys, completing necessary improvement works and legally completing lease renewals.
62	Public Rights of Way Income Realignment	+0.115	+0.115	0	Completed. Adjustments made to budget forecasts 2024-25
63	Pay inflation	+0.788	+0.940	+0.152	Red - NJC Pay Claim process has started - over spend against budget is based on £1,290 or 2.5% increase. Compared to flat percentage budget increase of 3%. This item is being mitigated by the items at the end of the table which are a mix of permanent and temporary measures. Presentation will be reviewed for FR2.
64	Crewe town centre maintenance and operation	+0.650	+0.630	-0.020	Green
65	Assets - Buildings and Operational	+3.119	+3.119	0	Green
66	Landfill Site Assessments revenue adjustment - Estates – CE Owned Landfill sites (53 sites) Review and Risk Assessment completions	-	-	-	Amber - £10k cost growth in for 25/26. Second stage of the review to commence shortly. Internal capacity within Environmental Service to be identified.
67	Tatton Park Estate Dwellings Refurbishment	-	-	-	Completed - Provision for response maintenance issues for 8 onsite dwellings to ensure properties meet standards required as part of tenancy agreements and the National Trust lease.
68	Improving Crewe Rented Housing Standards	-	-	-	Green
In year	Growth & Enterprise 2024/25 mitigations to balance back to finance review position	0	-2.984	-2.984	

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
In year	Place Directorate 2024/25 mitigations to balance back to finance review position	0	-0.815	-0.815	

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
	Environment and Communities Committee	-0.052	+0.558	+0.610	
69	Refresh wholly owned company overheads and contributions	-1.000	-1.500	-0.500	Green - ASDV Review recommendations have now been approved in full by Finance Sub-Committee in their role as shareholder of the wholly owned companies. The process of insourcing these services is now underway which will release an element of their reserves in year to meet this one-off contribution.
70	Strategic Leisure Review (Stage 2)	-1.305	-1.250	+0.055	Amber - Initial savings secured via committee decision on 11th March 2024. Proposals are being developed with EHL and town and parish councils to secure the residual £250k amount - dialogue is ongoing.
71	Mitigate the impact of contract inflation and tonnage growth	-0.490	-0.490	0	Completed - Mitigate the impact of contract inflation and tonnage growth.
72	Emergency reduction of Household Waste Recycling Centres (HWRC) to four core sites	-0.263	-0.200	+0.063	Red - Full saving on basis of original HLBC will not be achieved due to introduction of mobile provision offer as a result of Full Council decision and costs associated with trial of booking system. Following implementation of temporary closures final negotiations with supply chain are nearing conclusion in relation to savings in year, which include adjustment for waste diversion. This item is being partly mitigated by the item at the end of the table which is a mix of permanent and temporary measures. Presentation will be reviewed for FR2.
73	Libraries Strategy	-0.365	-0.200	+0.165	Red - Development of and consultation on Libraries Strategy ongoing. Need to secure committee decisions to implement final Strategy (target Nov 2024) – engagement with Town and Parish Councils undertaken to shape the Strategy proposals and seek funding contributions, which is continuing. This item is being partly mitigated by the item at the end of the table which is a mix of permanent and temporary measures. Presentation will be reviewed for FR2.
74	Reduce costs of street cleansing operations	-0.200	-0.200	0	Green - Value of saving now reduced from ANSA Management Fee for 2024/25, proposals to achieve which include immediate reductions in service resilience, due to removal of any vacancies and under utilised fleet.
75	Reduce revenue impact of carbon reduction capital schemes	-0.336	0	+0.336	Red – Carbon Neutral Council target deferred from 2025 to 27, as agreed at Full Council on 27.02.24, large scale prudential borrowing funded schemes spend now reprofiled to suit, however budget not sat within E&C Committee. Discussion with Corporate Financing team to re-allocate.

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
					This item is being partly mitigated by the item at the end of the table which is a mix of permanent and temporary measures. Presentation will be reviewed for FR2.
76	Increase Garden Waste charges to recover costs	-0.045	-0.045	0	Green – Increase Garden Waste charges for the calendar year 2025 to recover costs
77	MTFS 80 (Feb 23) – Waste Disposal – Contract Inflation and Tonnage Growth (updated forecast)	+3.577	+3.977	+0.400	Amber – Amber rating due to fluctuations in waste markets relating to recyclates and continued levels of inflation, outside CEC control and not aligned to projections. Mitigation is to continue with monthly financial monitoring and detailed update of forecasting to year end, based on market intelligence from suppliers and historical seasonal trends data.
78	Pay Inflation – CEC & ASDV	+1.861	+2.397	+0.536	Red - NJC Pay Claim process has started - over spend against budget is based on £1,290 or 2.5% increase. Compared to flat percentage budget increase of 3%. This item is being partly mitigated by the item at the end of the table which is a mix of permanent and temporary measures. Presentation will be reviewed for FR2.
79	Pension Costs Adjustment	-0.151	-0.151	0	Completed
80	MTFS 90 (Feb 23) Strategic Leisure Review	+1.250	+1.250	0	Completed - Growth item budget adjustment only - replacing 2023/24 £1.3m savings target.
81	MTFS 91 (Feb 23) – Green Spaces Maintenance Review	-0.200	-0.200	0	Green - Year 2 saving - Policy now implemented and full saving secured from ANSA contract.
82	MTFS 92 (Feb 23) - Review Waste Collection Service - Green Waste	-3.150	-3.150	0	Green - Subscription levels in line with original business model.
83	Review MTFS 92 (Feb 23) Garden waste subscription financial model in line with latest subscription levels and with actual observed position on any waste migration	-0.429	-0.429	0	Green - Continued monitoring of subscription levels and any adverse impacts is already in place, update to original business plan assumptions.
84	MTFS 93 (Feb 23) Libraries - Service Review	-0.200	-0.200	0	Amber - Year 2 of Service Review - reduction in staffing levels have been implemented and now include vacancy management in year to ensure achievement of saving. Currently covered temporarily by vacancy savings

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
85	Explore a Trust delivery model for Libraries and other services	+0.150	+0.020	-0.130	Green - Growth item to cover one off costs relating to implementation of alternative delivery model(s) for libraries service. Aligned to development of Libraries Strategy.
86	CCTV – Service Efficiencies	-0.030	-0.030	0	Green – Ongoing actions to increase customer base for existing services, identification of new chargeable services/customers and service efficiency savings as well as increased fees and charges to meet the target.
87	Congleton Town Council Collaboration Agreement – Grounds Maintenance	-0.062	-0.062	0	Completed - Congleton Town Council Collaboration Agreement on Grounds Maintenance Cheshire East Contribution reduced in line with reductions in Cheshire East Maintained green space.
88	Closed Cemeteries	+0.005	+0.005	0	Completed - Inflationary adjustment to previous budget allocation only.
89	Environmental Hub maintenance	+0.023	+0.023	0	Completed - Inflationary adjustment to previous budget allocation only.
90	Review Closed Landfill Sites	+0.300*	+0.300*	0	Completed - The Council has responsibility for a number of closed landfill sites across the borough for which it holds a provision.
91	Land Charge Income Adjustment	+0.050	+0.064	+0.014	Amber - Uncertainty around implementation timescales of HMLR changes to centralise some aspects of land charges functions hence understanding of actual impact, to be regularly monitored.
92	Building Control Income Alignment	+0.203	+0.403	+0.200	Red - Due to current national trend of downturn in planning and related building control income. To be monitored through more regular financial forecasting in service. This item is being partly mitigated by the item at the end of the table which is a mix of permanent and temporary measures. Presentation will be reviewed for FR2.
93	Local Plan Review	+0.255	+0.255	0	Completed - Budget adjustment to provide additional one-off funding towards development of new Local Plan, now commenced.
94	Planning income	+0.400	+0.910	+0.510	Red – Forecast reduced income due to current national trend of downturn in planning applications and hence income. To be monitored through more regular financial forecasting in service. Partially mitigated by continued high level of vacancies and the item at the end of the table. Presentation will be reviewed for FR2. Recent planning reforms announced by Govt now subject to consultation process may help to alleviate the income position, but will require vacancies to be filled to cater for the likely increase in applications.

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
95	Planning Service Restructure	-	-	-	Green - No action for 2024/25. Growth for 2025/26 to be kept under review.
96	Review of Household Waste Recycling Centres	+0.100	+0.100	0	Green - Additional one-off funding to support procurement of new contract permanent service provision of HWRCs.
In year	Environment & Neighbourhood Services mitigations 2024/25 to balance back to finance review position	0	-1.039	-1.039	

* Item represented a one-off saving in 2023/24. As it is not a permanent part of the budget, the value of the proposal is reversed in 2024/25.

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
	Highways and Transport Committee	+4.869	+4.393	-0.476	
97	Highway maintenance savings	-0.750	-0.750	0	Green - Savings are being achieved through: - reducing the number of cuts on grass verges from 10 to 8; - directly employing staff to carry out surveys, rather than sub-contracting; - reductions in staffing and vacancy management; and - reliance on the council's adverse weather reserve for snow clearance. Service budgets have been reduced to reflect the savings being made.
98	Introduce annual increases to car parking charges	-0.150	-0.150	0	Green - Annual inflation adjustment to existing P&D tariffs can be implemented by 1st July 2024, in advance of bringing charges into effect in the "free towns". This is 3 months earlier than planned.
99	Pension Costs Adjustment	-0.052	-0.052	0	Completed
100	Highways	-0.031	-0.031	0	Completed - This saving was delivered by changes to response times to defects in 2023/24.
101	Safe Haven outside schools (Parking)	-0.023	-0.023	0	Amber - WARN procedure has been used for sole-source procurement of type-approved equipment from the supplier authority.
102	Transport and Infrastructure Strategy Team - Restructure	+0.120	+0.120	0	Green - Vacancies in existing structure provide some flexibilities of resourcing and recruitment planning.
103	Pay Inflation	+0.339	+0.351	+0.012	Red - NJC Pay Claim process has started - over spend against budget is based on £1,290 or 2.5% increase. Compared to flat percentage budget increase of 3%. This item is being mitigated by the item at the end of the table which is a mix of permanent and temporary measures. Presentation will be reviewed for FR2.
104	Parking - PDA / Back Office System contract	+0.100	+0.100	0	Green - Market testing completed - exploring a direct award opportunity with implementation testing and data migration.
105	Flood and Water Management Act 2010 SuDS & SABs Schedule 3 Implementation	+0.100	+0.100	0	Green - The requirement is to be ready to implement changes when regulations are implemented nationally. A training plan for existing staff has been identified. Recruitment is to be progressed.
106	Energy saving measures from streetlights	+0.242	+0.242	0	Completed - This entry was in the MTFS to cancel an unachievable saving from 2022-3. There is no further action.

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets	2024/25 MTFS £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
107	Parking	+0.245	+0.245	0	Amber - Following decisions in January 2024, arrangements are in place to adjust existing Pay & Display tariffs from 1st July 2024 and extend pay and display to car parks in "free towns" by October 2024. Statutory consultations on Sunday and Evening charges will start in July. A trial of demand-responsive tariffs will begin with the opening of the new multistorey car park in Crewe.
108	Highways Revenue Services	+2.479	+2.479	0	Completed - This is a growth item. The growth has been factored into 2024/25 service levels and business plans. No further action.
109	Local Bus	+2.250	+2.250	0	Green
110	FlexiLink Service Improvement Plan	-	-	-	Green - A bus service review consultation is underway, including proposals relating to flexible transport.
111	Highways Depot Improvements	-	-	-	Red - This later year saving is subject to the approval of the business case for capital investment in depots. This will be reviewed during 2024/25.
112	Bus Stop Advertising Revenue Generation	-	-	-	Amber - Opportunity to shadow CWAC council's extension of the existing contract in the interim period.
In year	Highways & Infrastructure 2024-25 mitigations to balance to finance review	0	-0.488	-0.488	

MTFS Ref No	Detailed List of Approved Budget Changes – Central Budgets	2024/25 £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
	Finance Sub-Committee	-19.667	-18.748	+0.919	
113	Capital Financing - Minimum Revenue Provision	+9.508	+9.903	+0.395	Amber – assumes use of reserve of £2.135m (not yet approved). Ongoing capital review seeking to significantly reduce spend funded by borrowing.
114	Central Bad Debt Provision adjustment	+0.600	+0.600	0	Completed - budget adjustment.
115	Use of Earmarked Reserves – MTFS Reserve	+0.255	+0.255	0	Completed - budget adjustment / planned use of reserve.
115	MTFS Reserve – reversal of 2023/24 use	+1.536	+1.536	0	Completed - budget adjustment / planned use of reserve.
116	Collection Fund Reserve - Use of Earmarked Reserves	-0.834	-0.834	0	Completed - budget adjustment / planned use of reserve.
116	Collection Fund Reserve – reversal of 2023/24 use of reserves	+2.234	+2.234	0	Completed - budget adjustment / planned use of reserve.
117	Brighter Futures Transformation – reversal of 2023/24 use of reserves	+1.271	+1.271	0	Completed - budget adjustment / planned use of reserve.
118	Use of General Reserves – Fund in-year budget shortfall [NEW]	-11.654	-11.654	0	Completed - Drawn down in line with the MTFS forecast.
Amber1 19	Council Tax - % increase	-13.527	-13.527	0	Green - Council tax and business rates income collection managed through the Collection Fund therefore no impact on current year funding target.
120	Council Tax – Base increase	-2.461	-2.461	0	Green - Council tax and business rates income collection managed through the Collection Fund therefore no impact on current year funding target.
121	Business Rates Retention Scheme – use of S31 compensation grants	-1.350	-1.350	0	Green - Grants to be received in line with final settlement from MHCLG.

MTFS Ref No	Detailed List of Approved Budget Changes – Central Budgets	2024/25 £m	2024/25 Forecast Outturn £m	2024/25 Forecast Outturn Variance £m	Progress 2024/25 (RAG rating and commentary)
122	Unring-fenced Grants + Revenue Support Grant	-5.245	-5.245	0	Green - Grants to be received in line with final settlement from MHCLG.
123	Council Tax and Business Rates Collection [NEW]	TBC	-	-	Initial case was to implement a working group to review council tax collection. No savings value was assigned to the case. The intention now is to bring forward via an informal briefing to include options around the council tax support scheme review (FS2428)
124	Council Tax Support [NEW]		-	-	Preparations to be made during 24-25 with a view to amending the council tax support scheme in 25-26. No value is assigned to 24-25 as any savings/growth will be realised in 25-26. Consultation dates / material to come via Finance Sub-Committee for summer launch. Final decision point will be December Council meeting 2024.
In year	Adjustment to use of Earmarked reserves budgeted figure within Service Budgets		+0.525	+0.525	

Section 3: Revenue Grants for approval

- 3.1. Cheshire East Council receives two main types of Government grants; specific purpose grants and general use grants. Specific purpose grants are held within the relevant service with a corresponding expenditure budget. Whereas general use grants are held in central budgets with a corresponding expenditure budget within the allocated service area.
- 3.2. Spending in relation to specific purpose grants must be in line with the purpose for which it is provided.
- 3.3. **Table 1** shows additional specific purpose grant allocations that have been received over £1m that **Council** will be asked to approve.
- 3.4. **Table 2** shows additional specific purpose grant allocations that have been received which are over £500,000 and up to £1m, and are for **Committee** approval.

Table 1 – Council Decision

Supplementary Revenue Estimate Requests for Allocation of Additional Grant Funding (Specific Purpose) over £1,000,000

Committee	Type of Grant	£000	Details
Children and Families – Schools	Teachers Pay Additional Grant (Specific Purpose)	1,645	This grant is from the Education & Skills Funding Agency (ESFA). In July 2023, alongside the increase for last financial year, an additional £900 million was announced in 2024 to 2025 to support schools with the 2023 teachers' pay award. The ESFA will pay the teachers' pay additional grant (TPAG) funding to local authorities for mainstream maintained schools.
Children and Families – Schools	Teachers Pension Grant (Specific Purpose)	2,393	This grant is from the Education & Skills Funding Agency (ESFA). The Teachers' Pension Employer Contribution Grant (TPECG) supports schools and local authorities with the cost of the increase in employer contributions to the teachers' pension scheme. Local authorities must follow the terms and conditions set out in the conditions of grant.
Children and Families – Children's Services	Household Support Fund (Specific Purpose)	2,200	This grant is from the Department for Work and Pensions. This is an extension to the Household Support Fund (HSF) and will cover the period from April 2024 to September 2024. The HSF is to provide crisis support to financially vulnerable households most in need.
Economy and Growth	Homelessness Prevention Grant (Specific Purpose)	1,054	<p>This grant is from the Department for Levelling-Up and Communities (DLUHC). The purpose of the grant is to provide support to local authorities in England towards expenditure lawfully incurred or to be incurred by them in supporting local authorities to discharge their homelessness duties under homelessness legislation. The grant is ring-fenced for 2023-2024 and is to be spent in adherence with the following principles:</p> <ol style="list-style-type: none"> 1. To fully enforce the Homelessness Reduction Act and contribute to ending rough sleeping by increasing activity to prevent single homelessness. 2. Reduce family temporary accommodation numbers through maximising family homelessness prevention and reduce the use of unsuitable B&Bs for families. <p>This grant is from the Home Office (HO). Available where an individual or family has settled in the borough, to provide ongoing integration support.</p>

Committee	Type of Grant	£000	Details
Highways and Transport	Bus Service Improvement Plan+ (BSIP+) Phase 2 (Specific Purpose)	1,188	This a grant from the Department for Transport DfT). This is a continuation of the Bus Service Improvement funding and allows Local Authorities to support existing bus services and/or create new services with the overall aim of ensuring long term sustainability of this provision.This is the second phase of allocations.
Highways and Transport	Bus Service Improvement Plan+ (BSIP+) Phase 3 (Specific Purpose)	2,268	This a grant from the Department for Transport DfT). This is a continuation of the Bus Service Improvement funding and allows Local Authorities to support existing bus services and/or create new services with the overall aim of ensuring long term sustainability of this provision.This is the third phase of allocations.

Table 2 – Committee Decision

Supplementary Revenue Estimate Requests for Allocation of Additional Grant Funding (Specific Purpose) over £500,000 up to £1,000,000

Committee	Type of Grant	£000	Details
Adults and Health	OHID SSMTR Supplementary Substance Misuse Treatment & Recovery Grant (Specific Purpose)	525	This grant is from the Department of Health and Social Care and is additional funding for drug and alcohol treatment recovery services as part of Local Authorities' public health responsibilities.

Section 4: Capital

Table 1: Financial Parameters for 2023/24 to 2026/27

Parameter	Value (£m)			
	2023/24	2024/25	2025/26	2026/27
Repayment of Borrowing				
Minimum Revenue Provision*	17.5	18.8	23.3	25.2
External Loan Interest	14.3	18.0	16.5	15.0
Investment Income	(3.8)	(3.8)	(2.1)	(1.8)
Contributions from Services Revenue Budgets	(1.2)	(1.3)	(2.0)	(2.7)
Total Capital Financing Costs	26.8	31.7	35.7	35.7
Use of Financing EMR	(7.9)	(2.1)	0	0
Actual CFB in MTFS	19.0	28.5	35.2	35.5
Budget Deficit	(0)	1.1	0.5	0.2
Capital Receipts targets*	1.0	1.0	1.0	1.0
Flexible use of Capital Receipts	1.0	1.0	1.0	1.0

*Anticipated MRP based on achieving capital receipts targets

1.1. The revised programme is funded from both direct income (grants, external contributions) and the Council's own resources (prudential borrowing, revenue contributions, capital reserve). A funding summary is shown in **Table 2**.

1.2. **Table 3** lists details of

- Capital Supplementary Estimates over £500,000 and up to £1,000,000 that requires approval by Committee and
- Capital Virements over £500,000 and up to and including £5,000,000 that requires Relevant Member(s) of CLT and Chief Finance Officer in consultation with Chair of the relevant Committee and the Chair of Finance Sub-Committee to approve.

Table 2: Capital Programme Update

CHESHIRE EAST COUNCIL CAPITAL PROGRAMME SUMMARY					
CAPITAL PROGRAMME 2024/25 - 2027/28					
	Forecast 2024/25 £000	Forecast 2025/26 £000	Forecast 2026/27 £000	Forecast 2027/28 £000	Total Forecast 2024-28 £000
Committed Schemes - In					
Adults and Health	800	0	0	0	800
Children and Families	36,127	21,515	16,356	17,749	91,747
Highways & Transport	44,910	31,161	26,296	130,138	232,505
Economy & Growth	45,786	30,397	41,366	64,065	181,614
Environment & Communities	14,752	17,444	1,418	0	33,614
Corporate Policy	11,710	6,998	3,276	1,834	23,818
Total Committed Schemes - In Progress	154,085	107,515	88,712	213,786	564,098
	Forecast 2024/25 £000	Forecast 2025/26 £000	Forecast 2026/27 £000	Forecast 2027/28 £000	Total Forecast 2024-28 £000
New Schemes					
Adults and Health	0	0	0	0	0
Children and Families	1,738	7,200	5,248	3,000	17,186
Highways & Transport	895	23,500	15,051	15,051	54,497
Economy & Growth	3,124	0	0	0	3,124
Environment & Communities	4,703	3,017	668	0	8,388
Corporate Policy	0	0	0	0	0
Total New Schemes	10,460	33,717	20,967	18,051	83,195
Total	164,545	141,232	109,679	231,837	647,293
Funding Requirement					
Indicative Funding Analysis: (See note 1)					
Government Grants	96,620	76,091	67,707	122,543	362,961
External Contributions	15,406	10,698	13,611	65,226	104,941
Revenue Contributions	389	0	0	0	389
Capital Receipts	252	877	18,181	16,289	35,599
Prudential Borrowing (See note 2)	51,878	53,566	10,180	27,779	143,403
Total	164,545	141,232	109,679	231,837	647,293

Note 1:

The funding requirement identified in the above table does not currently represent a balanced and affordable position, in the medium term. The Council will need to transform the capital programme to reduce the number of schemes requiring Cheshire East Resources and the need to borrow. The level of capital receipts are based on a prudent approach based on the work of the Asset Management team and their most recently updated Disposals Programme.

Note 2:

The schemes marked **and highlighted in the MTFS cannot proceed until the Capital Programme Review has been completed. Any urgent requests to continue prior to the reviews completion will require approval from the Chair of Finance Sub Committee and the S.151 Officer

Note 3:

Appropriate charges to the revenue budget will only commence in the year following the completion of the associated capital asset. This allows the Council to constantly review the most cost effective way of funding capital expenditure.

Table 3: Requests for Supplementary Capital Estimates (SCEs) and Virements

Committee	Capital Scheme	Amount Requested £	Reason and Funding Source
Service Committee are asked to approve the Supplementary Capital Estimates and Virements			
Supplementary Capital Estimates above £500,000 up to and including £1,000,000			
Highways & Transport	Transport		
	Department for Transport - Traffic Signal Obsolescence Grant (TSOG)	577,003	Additional grant to upgrade traffic signal systems, replacing unreliable and obsolete equipment to improve reliability.
Highways & Transport		577,003	
Total Supplementary Capital Estimates Requested		577,003	
Capital Budget Virements above £500,000 up to and including £5,000,000			
Children & Families	Education and 14-19 Skills		
	WorkplaCE	1,000,000	Virement to Facilities to support the transfer out of Westfields
Children & Families		1,000,000	
Corporate	ICT Hybrid Model	1,896,161	Virement from Infrastructure Investment Programme (IIP) to ICT Hybrid Model as project work funded from IIP now falls under the ICT Hybrid work programme
Corporate		1,896,161	
Economy and Growth	Facilities Management		
	Premises Capital	1,140,086	Due to the change in scope in the "PSDS - 3B - Lot 1" scheme, Cheshire East funding previously allocated from the Premises Capital Programme as "match" funding to be returned for use in Future Years.
Economy & Growth		1,140,086	
Total Capital Virements requested		4,036,247	
Total Supplementary Capital Estimates and Virements		4,613,250	

Section 5: Reserves

Management of Council Reserves

- 5.1. The Council's Reserves Strategy states that the Council will maintain reserves to protect against risk and support investment.
- 5.2. The opening balance at 1 April 2024 in the Council's General Fund Reserves was £5.6m, as published in the Council's Statement of Accounts for 2023/24.
- 5.3. The closing balance at 31 March 2025 in the Council's General Fund Reserve is forecast to reduce further still, to £4.5m.
- 5.4. The current balance on reserves is insufficient in order to provide adequate protection against established and newly emerging risks, such as inflation and particularly the DSG deficit, which is projected to rise to £121.6m by year end and has been highlighted in the MTFS as having no alternative funding.
- 5.5. The Council also maintains Earmarked Revenue Reserves for specific purposes. The opening balance at 1 April 2024 was £32.3m.
- 5.6. During 2024/25, a net total of £10.6m has been drawn down to the support the in-year deficit position. A further £6.2m is being forecast to fund expenditure specifically provided for by services. These balances fall within the forecasts approved during the MTFS budget setting process.
- 5.7. Additional drawdown requests, above those forecast during MTFS, have been made by various services to support specific expenditure totalling £6.0m. These drawdowns, as detailed in the tables below, will be subject to approval by the Section 151 Officer.
- 5.8. The closing balance at 31 March 2025, is forecast at £9.5m.
- 5.9. Unspent schools' budgets that have been delegated, as laid down in the Schools Standards Framework Act 1998, remain at the disposal of the school and are not available for Council use. These balances are therefore excluded from all reserve forecasts.

Table 1 - Reserves Position	2023/24 Outturn £m	2024/25 Forecast £m
General Reserves	5.6	4.5
Earmarked Reserves (Excluding Schools)	32.3	9.5
Total Reserves Balance at 31st March	37.9	14.0

Table 2 - Earmarked Reserves Summary

Committee Reserves	Opening Balance 1st April 2024 £000	Transfers to General Fund £000	Forecast Movement in Reserves £000	Additional Drawdown Requests £000	Forecast Closing Balance 31 March 2025 £000
Adults and Health	5,226	(2,795)	(90)	0	2,341
Children and Families	1,724	0	(1,593)	(131)	0
Corporate Policy	20,773	(6,551)	(2,680)	(4,695)	6,847
Economy and Growth	2,777	(662)	(1,004)	(765)	346
Environment and Communities	870	(390)	(402)	(78)	0
Highways and Transport	908	(205)	(415)	(288)	0
TOTAL EARMARKED RESERVE MOVEMENT	32,278	(10,603)	(6,184)	(5,957)	9,534

* All 'Additional Drawdown Requests' are subject to review and are yet to be approved.

* Total excludes schools' balances

Table 3 - Adults and Health Committee

Reserve Account	Opening Balance 1 Apr 24 £000	Transfers to General Fund £000	Forecast Movement in Reserves £000	Additional Drawdown Requests £000	Forecast Closing Bal 31 Mar 25 £000	Notes
Adults Social Care Commissioning						
PFI Equalisation - Extra Care Housing	2,857	(2,795)	0	0	62	Surplus grant set aside to meet future payments on existing PFI contract and the anticipated gap at the end of the agreement.
Public Health						
Public Health Reserve	2,369	0	(90)	0	2,279	Ring-fenced underspend to be invested in areas to improve performance against key targets; including the creation of an Innovation Fund to support partners to deliver initiatives that tackle key health issues.
ADULTS AND HEALTH TOTAL	5,226	(2,795)	(90)	0	2,341	

Table 4 - Children and Families Committee

Reserve Account	Opening Balance 1 Apr 24 £000	Transfers to General Fund £000	Forecast Movement in Reserves £000	Additional Drawdown Requests £000	Forecast Closing Bal 31 Mar 25 £000	Notes
<u>Childrens Social Care</u>						
Domestic Abuse Partnership	131	0	0	(131)	0	To sustain preventative services to vulnerable people as a result of partnership funding in previous years.
<u>Strong Start, Family Help and Integration</u>						
Troubled Families Initiative	1,593	0	(1,593)	0	0	Crewe Youth Zone and ACT have been assigned funding from shared outcomes of the Supporting Families Programme.
CHILDREN AND FAMILIES TOTAL	1,724	0	(1,593)	(131)	0	

* All 'Additional Drawdown Requests' not forecast as part of MTFS 24-28 are subject to review and are yet to be approved.

Table 5 - Corporate Policy Committee

Reserve Account	Opening Balance 1 Apr 24 £000	Transfers to General Fund £000	Forecast Movement in Reserves £000	Additional Drawdown Requests £000	Forecast Closing Bal 31 Mar 25 £000	Notes
<u>Corporate Directorate</u>						
Corporate Directorate	1,164	(935)	0	0	229	To support a number of widespread projects within the Corporate Directorate.
<u>Finance and Customer Services</u>						
Collection Fund Management	8,154	(1,235)	(2,915)	0	4,004	To manage cash flow implications as part of the Business Rates Retention Scheme.
Capital Financing Reserve	4,531	0	0	(4,531)	0	To provide for financing of capital schemes, other projects and initiatives
MTFS Reserve	2,914	(741)	255	0	2,428	To support the financial strategy and risk management. £1.2m of the remaining reserve balance had previously been earmarked for future voluntary redundancy costs.
Section 31 Revenue Grants	14	0	0	(14)	0	Unspent specific use grant carried forward into 2024/25.

*Corporate Policy Committee reserves continued overleaf

Table 5 - Corporate Policy Committee Continued

Reserve Account	Opening Balance 1 Apr 24 £000	Transfers to General Fund £000	Forecast Movement in Reserves £000	Additional Drawdown Requests £000	Forecast Closing Bal 31 Mar 25 £000	Notes
<u>Governance and Compliance</u>						
Insurance Reserve	3,098	(3,098)	0	0	0	To settle insurance claims and manage excess costs. The full reserve has been released to the general fund to support the in-year deficit pressure.
Elections General	132	0	0	0	132	To provide funds for Election costs every 4 years.
Brexit Funding	13	(13)	0	0	0	Residual reserve balance has been released to the general fund to support the in-year deficit pressure.
<u>Human Resources</u>						
HR (CARE4CE Review, Culture Change, Pay realignment, Learning Mgt System)	59	(59)	0	0	0	Residual reserve balance has been released to the general fund to support the in-year deficit pressure.
Pay Structure (M Grade Review)	54	0	0	0	54	Created to help fund ongoing changes to pay structure.
<u>Governance and Compliance</u>						
Brighter Futures Transformation Programme	490	(470)	(20)	0	0	To fund the Council's four year transformation programme and its five outcomes of Culture; Estates and ICT systems; Customer Experience, Commercial Approach and Governance.
<u>ICT</u>						
Digital Solutions Architect	150	0	0	(150)	0	New reserve created in 23/24 to fund a role for the Digital Customer Enablement programme and will be key to realising the cost savings and efficiencies across the Council from the deployment of a number of digital initiatives.
CORPORATE POLICY TOTAL	20,773	(6,551)	(2,680)	(4,695)	6,847	

* All 'Additional Drawdown Requests' not forecast as part of MTFS 24-28 are subject to review and are yet to be approved.

Table 6 - Economy and Growth Committee

Reserve Account	Opening Balance 1 Apr 24 £000	Transfers to General Fund £000	Forecast Movement in Reserves £000	Additional Drawdown Requests £000	Forecast Closing Bal 31 Mar 25 £000	Notes
Directorate						
Place Directorate	1,164	0	(473)	(385)	306	To support a number of widespread projects within the Place Directorate.
Investment (Sustainability)	610	0	(427)	(143)	40	To support investment that can increase longer term financial independence and stability of the Council.
Growth and Enterprise						
Legal Proceedings	212	0	(104)	(108)	0	To enable legal proceedings on land and property matters.
Investment Portfolio	534	(534)	0	0	0	The full reserve has been released to the general fund to support the in-year deficit pressure.
Homelessness & Housing Options - Revenue Grants	129	0	0	(129)	0	Grant committed for the purchase and refurbishment of properties to be used as temporary accommodation to house vulnerable families.
Tatton Park Trading Reserve	128	(128)	0	0	0	The full reserve has been released to the general fund to support the in-year deficit pressure.
ECONOMY AND GROWTH TOTAL	2,777	(662)	(1,004)	(765)	346	

* All 'Additional Drawdown Requests' not forecast as part of MTFS 24-28 are subject to review and are yet to be approved.

Table 7 - Environment and Communities Committee

Reserve Account	Opening Balance 1 Apr 24 £000	Transfers to General Fund £000	Forecast Movement in Reserves £000	Additional Drawdown Requests £000	Forecast Closing Bal 31 Mar 25 £000	Notes
Environment and Neighbourhood Services						
Strategic Planning	568	(281)	(287)	0	0	To meet costs associated with the Local Plan - site allocations, minerals and waste DPD.
Trees / Structures Risk Management	139	(55)	(55)	(29)	0	To help respond to increases in risks relating to the environment, in particular the management of trees, structures and dealing with adverse weather events.
Air Quality	36	0	(17)	(19)	0	Air Quality Management - DEFRA Action Plan. Relocating electric vehicle chargepoint in Congleton.

*Environment and Communities Committee reserves continued overleaf

Table 7 - Environment and Communities Committee Continued

Reserve Account	Opening Balance 1 Apr 24 £000	Transfers to General Fund £000	Forecast Movement in Reserves £000	Additional Drawdown Requests £000	Forecast Closing Bal 31 Mar 25 £000	Notes
Licensing Enforcement	8	0	0	(8)	0	Three year reserve to fund a third party review and update of the Cheshire East Council Taxi Licensing Enforcement Policies.
Flood Water Mngmt (Emergency Planning)	2	0	(2)	0	0	Relating to Public Information Works.
Neighbourhood Planning	82	(41)	(41)	0	0	To match income and expenditure.
Spatial Planning - revenue grant	13	(13)	0	0	0	Residual reserve balance has been released to the general fund to support the in-year deficit pressure.
Street Cleansing	22	0	0	(22)	0	Committed expenditure on voluntary litter picking equipment and electric blowers.
ENVIRONMENT AND COMMUNITIES TOTAL	870	(390)	(402)	(78)	0	

* All 'Additional Drawdown Requests' not forecast as part of MTFS 24-28 are subject to review and are yet to be approved.

Table 8 - Highways and Transport Committee

Reserve Account	Opening Balance 1 Apr 24 £000	Transfers to General Fund £000	Forecast Movement in Reserves £000	Additional Drawdown Requests £000	Forecast Closing Bal 31 Mar 25 £000	Notes
Highways and Infrastructure						
HS2	385	(185)	(200)	0	0	To support the Council's committed costs in relation to Government's cessation of the HS2 rail network in borough.
Flood Recovery Works	400	0	(200)	(200)	0	To help the service manage risks such as the impact of adverse weather, specifically flooding or extensive periods where winter maintenance is required.
Highways Procurement Project	104	(20)	(15)	(69)	0	To finance the development of the next Highway Service Contract. Depot mobilisation costs, split over 7 years from start of contract in 2018.
LEP-Local Transport Body	19	0	0	(19)	0	Contribution to LEP transport studies/consultancy. Ongoing working around Transport Legacy issues.
HIGHWAYS AND TRANSPORT TOTAL	908	(205)	(415)	(288)	0	

* All 'Additional Drawdown Requests' not forecast as part of MTFS 24-28 are subject to review and are yet to be approved.

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OPEN

Corporate Policy Committee

3rd October 2024

Performance Report – Cheshire East Plan, Quarter 1 2024/25

Report of: Karen Wheeler – Interim Director of Policy and Change

Report Reference No: CP/33/24-25

Ward(s) Affected: All

Purpose of Report

- 1 To provide the Committee with an oversight of organisational performance against the priorities and vision set out within the Cheshire East Plan 2024/25.
- 2 This report covers Quarter 1 2024/25 of the plan, 1st April 2024 to 30th June 2024.
- 3 This report supports the responsibility of the Corporate Policy Committee to have a co-ordinating role across all other committees and to exercise corporate oversight of outcomes, performance, budget monitoring and risk management.
- 4 The committee can comment on performance and direction of travel and consider any amendments in performance reporting, and/or additional data and intelligence that should be included within performance management reporting.
- 5 Appendix 1 provides the detail of performance and progress against the Cheshire East Plan priorities and Appendix 2 provides a summary of performance against a number of organisational health indicators.
- 6 The Corporate Plan 2021-25 has three key themes - Open, Fair and Green. Although the Cheshire East Plan has been refreshed for 2024/25 to better reflect the financial context, development of a new Plan for 2025 onwards is now essential to provide our residents,

partners and the organisation with clarity of purpose and strategic direction aligned to a new operating model and MTFS.

Executive Summary

- 7 This report gives an update on delivery and performance against the priorities in the Cheshire East Plan 2024/25 for Quarter 1 (April 2024 to June 2024).
- 8 Appendix 1 of the report shows that there are 66 priority actions included within the Cheshire East Plan 2024/25 and progress can be summarised as follows:

Green – on track	48
Amber – mainly on track with some minor issues	9
Red – off track with major issues	2
To be added	5
Not yet due	2

- 9 Appendix 2 provides a summary of key organisational health performance indicators.

RECOMMENDATION

The Corporate Policy Committee is recommended to:

1. Note and comment on progress and performance against delivery of the Cheshire East Plan 2024/25 in Quarter 1 2024/25.

Background

- 10 The Cheshire East Plan 2024/25 outlines three aims and 20 priorities for the Council aligned with the vision of being an “Open, Fairer and Greener Cheshire East”.

Vision		
An open, fairer, greener Cheshire East		
Aims		
Aim 1 - An open and enabling organisation	Aim 2 - A council which empowers and cares about people	Aim 3 - A thriving and sustainable place
We will provide strong community leadership and work transparently with our residents, businesses and partners to deliver our ambition in Cheshire East.	We aim to reduce inequalities, promote fairness and opportunity for all and support our most vulnerable residents.	We will lead our communities to protect and enhance our environment, tackle the climate emergency and drive sustainable development.
Priorities		
P1.1) Ensure that there is transparency in all aspects of council decision making P1.2) Listen, learn and respond to our residents, promoting opportunities for a two-way conversation P1.3) Support a sustainable financial future for the council, through service development, improvement and transformation P1.4) Look at opportunities to bring more income into the borough P1.5) Support and develop our workforce to be confident, motivated, innovative, resilient and empowered P1.6) Promote and develop the services of the council through regular communication and engagement with all residents	P2.1) Work together with residents and partners to support people and communities to be strong and resilient P2.2) Reduce health inequalities across the borough P2.3) Protect and support our communities and safeguard children, adults at risk and families from abuse, neglect and exploitation P2.4) Be the best Corporate Parents to our children in care P2.5) Support all children to have the best start in life P2.6) Increase opportunities for all children and young adults with additional needs P2.7) Ensure all children have a high quality, enjoyable education that enables them to achieve their full potential P2.8) Reduce the reliance on long term care by improving services closer to home and providing more extra care facilities, including dementia services	P3.1) A great place for people to live, work and visit P3.2) Welcoming, safe and clean neighbourhoods P3.3) Reduce impact on the environment P3.4) A transport network that is safe and promotes active travel P3.5) Thriving urban and rural economies with opportunities for all P3.6) Be a carbon neutral council by 2027

- 11 This report reviews progress with delivery and performance against the priorities and actions in the Cheshire East Plan and focuses upon a “One Council” approach to performance management. This includes a balance of quantitative and qualitative data.
- 12 Appendix 1 of the report shows that there are 66 priority actions included within the Cheshire East Plan 2024/25 and progress can be summarised as follows:

Green – on track	48
Amber – mainly on track with some minor issues	9
Red – off track with major issues	2
To be added	5
Not yet due	2

- 13 The actions which are amber are set out below with an explanation and mitigating actions to be taken:

Priority Action	What will we do	Lead Officer	Q1 update
A1.3.3	Deliver the savings set out in MTFS 2024-28 proposals within the agreed timescales to contribute to a balanced the budget and build sustainable reserves	Head of Finance	As part of the Strategic Finance Management Board (SFMB), the S151 Officer has established weekly meetings with Directorates forecasting overspends of 5% or more. The meetings hear and scrutinise the development and delivery of mitigating actions and monitor progress with regards to reducing spend pressures and bringing forecasts back into line with budget.

Priority Action	What will we do	Lead Officer	Q1 update
A2.3.3	Update the Cheshire East Domestic Abuse and Sexual Violence Strategy	Head of Service Early Help and Prevention	Workshop held to begin this work. New interim DCS will act as strategic lead for the DA and SV board.
A2.4.1	Attract more foster carers to support Cheshire East children through the Foster4 collaboration	Head of Provider Services	Cheshire East are active members of the Foster4 Board and have started to attend meetings. Further update on impact in Q2.
A2.5.1	Continue to develop services and support offered through Family Hub model and promote the Parenting	Head of Early Years	The Family hub outreach program and children's centre remodelling consultation was paused due to the pre-election period guidelines. New date set for quarter 2 and Children & Families Committee in November 2024 for a decision. The core offer from our 6 family hubs continues to be delivered, the family hub transformation action plan is progressing on track for completion at the end of September 2024 in line with the end of the program.
A2.6.1	Establish and deliver against the Dedicated Schools Grant (DSG) management plan	Strategic lead for SEND and inclusion	Work is ongoing which is having a positive impact and has reduced the DSG deficit. It is forecast to reduce further.
A3.1.1	Develop and begin consultation upon 'New style' Local Plan Strategy	Head of Planning	Issues and Options completed on new Local Plan as planned. However, uncertainty over timeframes remain due to lack of clarity over legislation and planning reforms from new Government.
A3.1.2	Deliver the Planning Service Improvement Plan (SIP)	Head of Planning	Good progress now being made on key areas of the SIP. Restructure now completed and vacancies ready to be filled; communication, customer and performance improvements are on track; and extensive work on s106 audit recommendations with other services continues. IT system implementation has been delayed by supplier to mid-October for go live hence overall rating.
A3.2.3	Update the Safer Cheshire East Partnership Plan	Locality Manager, Community Safety	The 2024-25 Partnership Plan is currently available on the Safer Cheshire East website and is accompanied by the 2023-24 Safer Cheshire East Partnership Annual Report. The Report provides full details of all Community Safety activity and work programmes delivered against the funding provide through the Office of the Police and Crime Commissioner together with other Community Safety projects supported by partners. The Annual Report was presented

Priority Action	What will we do	Lead Officer	Q1 update
			to Scrutiny Committee on 16 September 2024. The Partnership Plan is designed to account for Community Safety Priorities for a period of 3 years though is reviewed annually. Data analysis and intelligence is to be provided by both the Police and the Cheshire Fire and Rescue Service at the next meeting of SCEP on 8 October when all current priorities will be assessed to ensure work programmes align to any new emerging risks and threats. Amendments to the Partnership Plan will be undertaken to account for any new areas of work identified.
A3.6.1	Deliver actions to achieve the objectives of the Carbon Neutral Action Plan 2027 (updated timescale)	Head of Environmental Services	Progress in Q1 good including carbon reduction projects. 11 electric vans under construction with delivery in August, decarbonisation of buildings continues with air source heat pumps and building mounted PV / electric supply upgrades under way. Carbon offset with 15ha trees of natural offset planted, Council's First solar farm Leighton Grange nearing completion. Capital Review is required to continue work this year on 2nd solar farm and further fleet decarbonisation putting 2027 target at risk in future quarters.

14 The actions which are red and not meeting target are:

Priority Action	What will we do	Lead Officer	Q1 update
A1.1.4	A clear and transparent budget setting process, where opportunities to inform and influence decision-making are clearly understood by stakeholders	Head of Finance	The S151 Officer with CLT has established a Strategic Finance Management Board (SFMB), made up of CLT and supporting officers. A number of groups have been set up to report to SFMB; one of these is the Finance Management Group (FMG) led by the Head of Finance. A core task of FMG is to drive the MTFS review and enable engagement and consultation with stakeholders. A joined-up timeline has been established, reflecting the significance of and inter-relationships between in-year financial reporting; development of the MTFS; and implementation of the Transformation Programme. Critical to the success of development of the MTFS and budget setting process is the timely generation of savings/ budget change proposals, and the determination of the deliverable budgetary

Priority Action	What will we do	Lead Officer	Q1 update
			effects of those proposals, in respective financial years, from 2025/26-29. Whilst most of these activities will take place in Q2, it is important to note now that the generation of ideas - be that from interpretation of the Transformation Programme or otherwise - is taking longer than anticipated in the timeline (as reflected in the RAG status). As reported to 12 September Finance Sub-Committee, the indicative timeline for budget consultation has slipped a little. Via SFMB, senior management have been asked to make all efforts to populate the 'MTFS Tracker' working document by 20 September, to enable a 'stock-take' comprehensive view of the emerging picture for 2025/26, in particular. This will inform CLT/ SFMB of the further actions required to complete draft budget/ MTFS preparations and plan for the appropriate types of consultation and stakeholder engagement.
A2.7.1	Deliver the Kingsbourne Academy primary school in Nantwich	Head of Education	This scheme has been further delayed due to ongoing legal issues.

- 15 The full quarter 1 organisational health performance report is at Appendix 2. This gives further details on progress made against delivery of the Cheshire East Plan during quarter 1 of the 2024/25 municipal year.
- 16 There are 2,829 FTE staff in Cheshire East Council as at quarter 1, a reduction in the level reported in quarter 4 (2,869). The vacancy rate across the Council has increased from 12.16% in Q4 to 13.05% in Q1 2024/25.
- 17 The greatest numbers of vacancies are reported in Corporate (15.59%) and Place (14.21%) directorates.
- 18 There has also been an increase in the levels of staff turnover, from 3.2% in Q4, to 4.10% in Q1 2024/25. With the Corporate directorate reporting a rate of 6.10% for the period.
- 19 There has been a reduction in the number of agency staff from 237 in Q4, to 232 in Q1 2024/25.

- 20 There has been an increase in the variance between the forecast outturn and total net budget, increasing from 2.4% in Q4 to 6.80% in Q1 2024/25. Full details of finance reporting period 1 is a separate item on the committee's agenda.
- 21 Service committees receive performance information on a regular basis through their subject matter expert officers, specific to the subject of the committee. This performance report offers an oversight of progress against the Cheshire East (Corporate) Plan 2024/25 and should complement the more detailed performance and service specific dashboards that are considered at service committees.

Consultation and Engagement

- 22 Consultation was undertaken in developing the Cheshire East Plan and priority actions within it.

Reasons for Recommendations

- 23 The Corporate Policy Committee is responsible for reviewing and scrutinising performance against the strategic aims and objectives in the Cheshire East Plan 2024/25.
- 24 The performance management framework continues to be developed and seeks to provide a robust, customer focussed view of performance. Member input into this development is valued to ensure that performance management reports are of use.
- 25 Performance management is a tool to allow oversight of the Council's key activities and to enable transparency and understanding around where the Council is performing well, and what are the areas of challenge and improvement.

Other Options Considered

- 26 Not applicable.

Implications and Comments

Monitoring Officer/Legal

- 27 There are no legal implications arising from this report.

Section 151 Officer/Finance

- 28 There are no direct financial implications arising from this report. Any financial implications arising from performance matters will be covered in other reports to respective service committees, including separate financial reporting in-year, as well as in further

development and reporting of the Medium-Term Financial Strategy, as required.

Policy

- 29 This report demonstrates progress against all priorities within the Cheshire East Corporate Plan 2021-25.

An open and enabling organisation.	A council which empowers and cares about people.	A thriving and sustainable place.

Equality, Diversity and Inclusion

- 30 The range of council activities covered in the Corporate Plan aim to meet the Public Sector Equality Duty and the obligations under the Equality Act 2010.

Human Resources

- 31 There are no direct human resources implications arising from this report.

Risk Management

- 32 Performance and risk are intrinsically linked. Where risks are identified, performance data can evidence the likelihood of the risk and can also show if risks materialise. The performance report identifies areas where performance is strong and areas for development and improvement. This supports the risk management process by providing the opportunity to review progress and identify areas for improvement and any necessary mitigating actions.

Rural Communities

- 33 The Corporate Plan aims to support greater inclusion for rural communities. In 2022/23 a Rural Action Plan was approved by the Economy and Growth committee, which includes priorities around digital connectivity, access, housing, visitor economy and support for rural based businesses.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 34 Performance management of the priorities relating to children and young people and cared for children ensure that there is a focus on children receiving the best start in life and that we deliver on our commitments to children and young people in Cheshire East.

Public Health

- 35 This report supports our Public Health priorities using the Joint Strategic Needs Assessment and Tartan Rug to ensure that we work with partners to address issues of poor housing, poverty, employment and education across urban and rural communities.

Climate Change

- 36 Performance against the Corporate Plan contributes to overall achievement of the net zero targets for the council and for the borough.

Access to Information	
Contact Officer:	Karen Wheeler – Interim Director of Policy and Change karen.wheeler@cheshireeast.gov.uk
Appendices:	Appendix 1 – The Cheshire East Plan Progress and Performance Report Q1 Appendix 2 – Organisational Health Performance Report Q1
Background Papers:	Cheshire East Plan 2024/25 Performance Report – Q4 2023/24

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Cheshire East plan 2024-25



Open

Fair

Green

Vision

An open, fairer, greener Cheshire East

Aims

Aim 1 - An open and enabling organisation

We will provide strong community leadership and work transparently with our residents, businesses and partners to deliver our ambition in Cheshire East.

Aim 2 - A council which empowers and cares about people

We aim to reduce inequalities, promote fairness and opportunity for all and support our most vulnerable residents.

Aim 3 - A thriving and sustainable place

We will lead our communities to protect and enhance our environment, tackle the climate emergency and drive sustainable development.

Priorities

P1.1) Ensure that there is transparency in all aspects of council decision making
P1.2) Listen, learn and respond to our residents, promoting opportunities for a two-way conversation
P1.3) Support a sustainable financial future for the council, through service development, improvement and transformation
P1.4) Look at opportunities to bring more income into the borough
P1.5) Support and develop our workforce to be confident, motivated, innovative, resilient and empowered
P1.6) Promote and develop the services of the council through regular communication and engagement with all residents

P2.1) Work together with residents and partners to support people and communities to be strong and resilient
P2.2) Reduce health inequalities across the borough
P2.3) Protect and support our communities and safeguard children, adults at risk and families from abuse, neglect and exploitation
P2.4) Be the best Corporate Parents to our children in care
P2.5) Support all children to have the best start in life
P2.6) Increase opportunities for all children and young adults with additional needs
P2.7) Ensure all children have a high quality, enjoyable education that enables them to achieve their full potential
P2.8) Reduce the reliance on long term care by improving services closer to home and providing more extra care facilities, including dementia services

P3.1) A great place for people to live, work and visit
P3.2) Welcoming, safe and clean neighbourhoods
P3.3) Reduce impact on the environment
P3.4) A transport network that is safe and promotes active travel
P3.5) Thriving urban and rural economies with opportunities for all
P3.6) Be a carbon neutral council by 2027

What we will do - Priority actions for 2024/25			Lead Officer	Committee	Q1 progress	Update
P1.1	A1.1.1	Introduce a new decision-making framework to streamline the current arrangements and improve quality and clarity of reports.	Head of Democratic Services	CPC	Green	Linked to Corporate Peer Challenge (CPC) Action Plan - Consider options to streamline committees, train report authors, emphasise Modern.gov software use – on track for October/ November deadlines
	A1.1.2	Improve understanding of effective scrutiny in a committee system of decision-making	Head of Democratic Services	CPC	Green	Scrutiny training for committee members by December 2024
	A1.1.3	Member training to clarify roles and responsibilities for decision-making within the committee system	Head of Democratic Services	CPC	Green	Training programme for committee members by December 2024
	A1.1.4	A clear and transparent budget setting process, where opportunities to inform and influence decision-making are clearly understood by stakeholders	Head of Finance	CPC	Red	Strategic Finance Management Board drives MTFS review, budget proposals delayed – see covering report
P1.2	A1.2.1	Review and embed consultation and engagement approach across the organisation to put resident and customer voice at the heart of evidence base for decisions, including assessing alternative approaches such as a 'people panel' to embed citizen voice into key decisions and policy development	Head of Communications	CPC	Green	Review approach to communications and engagement including for development of new Cheshire East Plan, starting Q2 – in CPC Action Plan
	A1.2.2	Review equality, diversity and inclusion strategy and EIAs to embed the voices of seldom-heard audiences and those with protected characteristics at the heart of decision-making and service redesign across the organisation.	Head of Business Change	CPC	Green	Update Equality, Diversity, Inclusion strategy with Cheshire East Plan; new EIA template.
	A1.2.3	Review and refresh the aims and priorities in the Customer Experience Strategy as part of a wider review of customer experience and resident engagement.	Head of Customer Services	CPC	Measure not due	Refocus CES review with Transformation programme; develop digital models in Q2 & 3
	A1.2.4	Achieve the Armed Forces Covenant Gold Award	Head of Communities and Integration	E+C	Green	Cheshire East Council gains Gold award. Armed Forces Officer supports veterans

What we will do - Priority actions for 2024/25			Lead Officer	Committee	Q1 progress	Update
						with clubs, events, and crisis aid.
P1.3	A1.3.1	Embark on a whole organisation transformation and improvement programme – The primary aim in the short term must be to ensure that the Council is financially stable and delivering support to those who need it most.	Director of Transformation	CPC	Green	Approved transformation plan, children's services improvement plan and peer challenge action plan mark significant progress
	A1.3.2	Review commissioning approach across all directorates	Head of Integrated Commissioning	A+H/C+F	Green	Commissioning approach is being reviewed and progress is being made
	A1.3.3	Deliver the savings set out in MTFS 2024-28 proposals within the agreed timescales to contribute to a balanced the budget and build sustainable reserves	Head of Finance	CPC	Amber	MTFS 2024-28 approved; financial challenges, low reserves, rising costs, overspend forecast.
	A1.3.4	We will refresh the council's Digital Strategy and delivery programme. The Digital Strategy identifies forty-seven digital projects and emphasises a digital-by-design approach to offering services to customers.	Head of ICT	CPC	Green	Update CPC on Digital Strategy progress; collaborate on future digital initiatives.
P1.4	A1.4.1	Comprehensive review of each existing alternative service delivery vehicle (ASDV) including review of governance, management, business planning and performance management arrangements.	Director of Environment	FSC	Green	Review complete
P1.5	A1.5.1	Review Workforce Strategy and update for 2025 onwards.	Head of HR	CPC	Green	Workforce Strategy 2025-2028 approach approved; development ongoing, approval expected January 2025.
	A1.5.2	Complete the office moves related WorkplaCE programme, making more efficient use of the council's office estate and technology to support modern ways of working	Executive Director – Place	CPC, E+G	Green	Office moves are progressing as planned and on schedule.
	A1.5.3	Review and update the Brighter Future culture programme	Head of HR	CPC	Green	Council behaviours refresh approved; ongoing staff engagement for updated culture programme
	A1.5.4	Complete the DMA review of senior capacity and extend DMA across the organisation as part of service re-design	Head of HR	CPC	Green	Senior management restructure (Tier 4+) approved; phase one

What we will do - Priority actions for 2024/25			Lead Officer	Committee	Q1 progress	Update
						consultation ends 20th September, final structure to be agreed in October. Phase two will follow.
P1.6	A1.6.1	Review and refresh communications and engagement strategy and resourcing as part of a wider review of customer experience and resident engagement.	Head of Communications	CPC	Green	Develop communications and engagement strategy in line with Cheshire East Plan and customer experience strategy, starting Q2
	A1.6.2	Establish a range of subscriber e-newsletters and digital content to share key updates and council services, support and decisions with a range of stakeholders – to extend reach of messages	Head of Communications	CPC	Green	Develop communications and engagement strategy in line with Cheshire East Plan and customer experience strategy, starting Q2.
	A1.6.3	Review and update the approach, across the organisation, to employee communications and workforce engagement	Head of Communications	CPC	Green	Refresh the internal communications and engagement strategy – all staff sessions held September 2024

Priority	What we will do - Priority actions for 2024/25		Lead Officer	Committee	Q1 progress	Update
P2.1	A2.1.1	Support VCFSE to build upon the People Helping People initiative and work collaboratively through 'Growing our communities'.	Head of Communities and Integration	A+H	Green	<p>Volunteer approach: onboarded Community Connectors, developed IT systems, training, branding, partnerships, and home needs systems.</p> <p>Community growth: commissioned CVSCE, Cheshire Community Action, and Cheshire Association of Local Councils.</p> <ol style="list-style-type: none"> 1. Market growth: better funding use, impact reporting, long-term provision, stronger relationships. 2. Communication channels: joined-up working, better connections, integrated infrastructure, health challenge awareness, collaborative practices. 3. Public sector influence: informed JSNAs, visibility, decision-making influence. <p>Community grants:</p> <ul style="list-style-type: none"> • Energy-saving projects: £147,111 awarded. • Cost of Living Fund: 19,455 users, 599 volunteers, support for older people,

Priority	What we will do - Priority actions for 2024/25		Lead Officer	Committee	Q1 progress	Update
						community meals, and supermarket
	A2.1.2	Complete construction of the Traveller transit site	Head of Housing	E+G	Green	The site is on track for completion by the end of September 2024, pending utility connections.
	A2.1.3	Support and contribute to the achievements of the borough's eight care communities and neighbourhood partnerships	Head of Communities and Integration	A+H	Green	<p>Place-based communities:</p> <ul style="list-style-type: none"> • Health and Wellbeing events. • IT project with Sandbach library. • NHS Talking therapies in rural areas. • Holmes Chapel Family Hub Stay and Play group. • Knutsford Parkletics programme. • Priority working groups in Sandbach, Middlewich, Alsager, Shavington, Haslington. <p>Minority groups and communities:</p> <ul style="list-style-type: none"> • Afghanistan Scheme: 16 families, 70 individuals. • UK Sponsors: 136 families, 264 individuals.

Priority	What we will do - Priority actions for 2024/25		Lead Officer	Committee	Q1 progress	Update
P2.2	A2.2.1	Focus delivery of targeted activity to reduce alcohol and substance misuse, smoking, domestic abuse and violence and increase healthy eating and physical exercise in areas that experience worse health outcomes.	Director of Public Health	A+H	Green	<p>Lifestyle Survey: Insights into lifestyle variations by geography and demographics.</p> <p>Substance Misuse: Developing a 5-year strategy to reduce drug and alcohol harm, with extensive partner engagement.</p> <p>Smoking Cessation: Pilot financial incentives for pregnant women to quit smoking; Smokefree 2030 ambition.</p> <p>Smokefree Programme: Sub-regional system mapping for stop smoking support; local group established for All Together Smokefree.</p> <p>Physical Activity/Healthy Eating: Eat Well Move More Partnership's inaugural meeting and ongoing action plan development.</p>
	A2.2.2	Continue to deliver activity to deliver the Cheshire East Harm and Suicide Prevention Action Plan 2023-2025	Director of Public Health	A+H	Green	<p>Suicide Needs Assessment: Nearing completion, analysing trends and risk factors in Cheshire East.</p> <p>Keep Safe and Cope Well Plans:</p> <ul style="list-style-type: none"> Developed for children and families to build resilience. Pilot course delivered to over 60 professionals.

Priority	What we will do - Priority actions for 2024/25		Lead Officer	Committee	Q1 progress	Update
						<ul style="list-style-type: none"> 45+ schools interested; 7 primary schools piloting in 2024-2025. <p>Domestic Abuse and Suicidality Toolkit:</p> <ul style="list-style-type: none"> Developed collaboratively by Public Health, Children and Families, and Adults Social Care. Launched in May 2024 with over 120 attendees.
	A2.2.3	Continue to deliver activity to deliver the Living Well in Crewe plan	Director of Public Health	A+H	Green	<p>Living Well in Crewe Plan:</p> <ul style="list-style-type: none"> Old library site cleared for new History Centre. Progress on Towns Fund projects: Youth Zone, Pocket Parks, Valley Brook green corridor. New bus station and car park completed. <p>Green Spaces for Wellbeing:</p> <ul style="list-style-type: none"> Initiative in Queens Park by ANSA. Outdoor activities and exercise to improve

Priority	What we will do - Priority actions for 2024/25		Lead Officer	Committee	Q1 progress	Update
						mental and physical wellbeing.
	A2.2.4	Continue to deliver activity to deliver the Cheshire East Place Mental Health Plan 2024-2029	Director of Public Health	A+H	Green	Ongoing and in line with delivery plan
P2.3	A2.3.1	Continue to embed our Signs of Safety practice model	Principal Social Worker (Children)	C+F	Green	Restorative Practice training provided to all staff; Stockport SLIP to offer additional training for new leaders in Children's Social Care.
	A2.3.2	Update the Cheshire East Safeguarding Adults Board Strategic Plan	Head of Adult Safeguarding	A+H	Green	The Safeguarding Board Strategy has already been updated and is on the SAB website
	A2.3.3	Update the Cheshire East Domestic Abuse and Sexual Violence Strategy	Head of Service Early Help and Prevention	C+F	Amber	The workshop has set the groundwork, but progress is on hold until the new Service Manager starts on 14th October 2024. The new interim DCS, starting on 23rd September, will act as the Strategic Lead for the DA and SV board
P2.4	A2.4.1	Attract more foster carers to support Cheshire East children through the Foster4 collaboration	Head of Provider Services	C+F	Amber	Cheshire East are active members of the Foster4 Board and have started to attend meetings. Further update in Q2
	A2.4.2	Prioritise care experienced adults as part of our recovery work to improve employment and training opportunities.	Head of Service: Cared for Children and Care Leavers	C+F	Green	Care Leavers are receiving dedicated support for employment, education, and training, leading to improved KPIs and better overall support.
	A2.4.3	Deliver the priorities of the Cared for children and care leavers strategy 2022-26	Head of Cared for Children and Care Leavers	C+F	Green	The Cared for and Care Leavers Strategy update is on track for November 2024, as part of the Children's Service Improvement Plan.

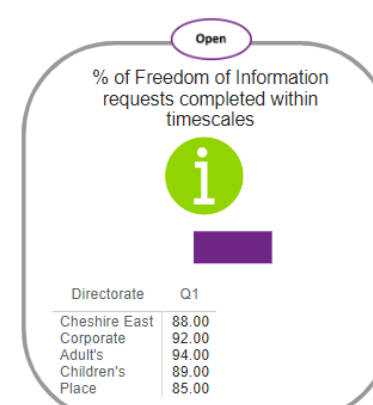
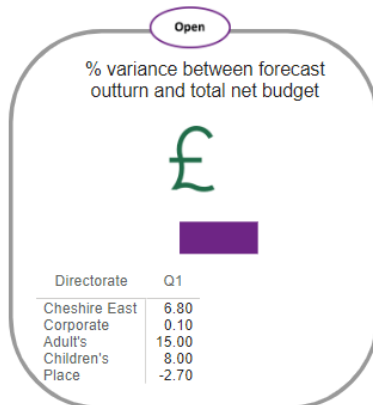
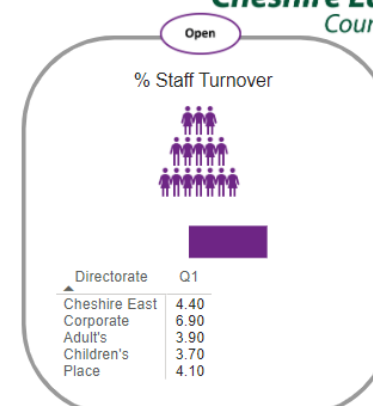
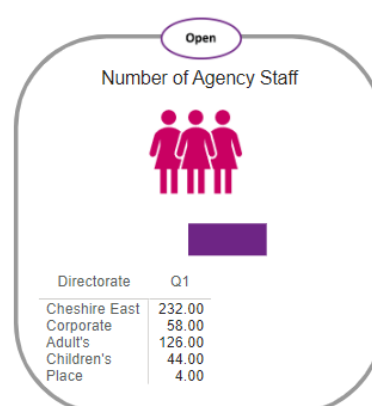
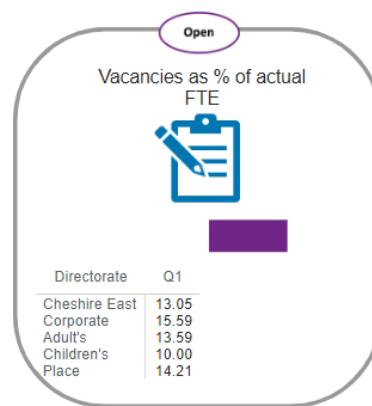
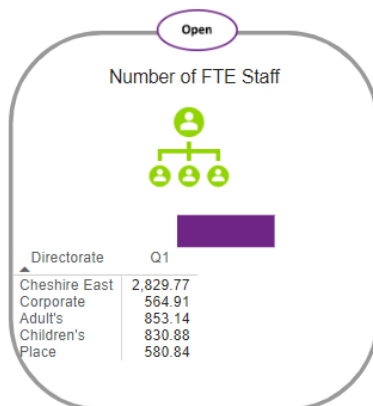
Priority	What we will do - Priority actions for 2024/25		Lead Officer	Committee	Q1 progress	Update
P2.5	A2.5.1	Continue to develop services and support offered through Family Hub model and promote the Parenting Journey	Head of Early Years	C+F	Amber	Family hub program paused; new dates set, transformation on track.
	A2.5.2	Continue work to build Crewe Youth Zone	Director Education, Strong Start and Integration	C+F	Green	Crewe's new Youth Zone named 'The Dome', funded by contributions.
	A2.5.3	Continue to deliver the Emotionally Healthy Children and Young People programme	Director Education, Strong Start and Integration	C+F	Green	Prioritizing children's mental health through networks, alliances, and training initiatives.
P2.6	A2.6.1	Establish and deliver against the Dedicated Schools Grant (DSG) management plan	Strategic lead for SEND and inclusion	C+F	Amber	Deficit reduced by £10.1M, further £8.4M reduction forecasted quarterly.
	A2.6.2	Capital programme to increase in-borough provision	Head of Education	C+F	Green	Several school expansions completed; more schemes progressing on site.
	A2.6.3	Grow organisational capacity to support transformation of SEND support (MTFS 24)	Strategic lead for SEND and inclusion	C+F	Green	Appointed strategic lead and team to transform SEND support quickly
P2.7	A2.7.1	Deliver the Kingsbourne Academy primary school in Nantwich	Head of Education	C+F	Red	This scheme has been further delayed due to ongoing issues.
	A2.7.2	Process primary and secondary applications efficiently, offering parental choice places where possible.	Head of Education	C+F	Green	High success in school offers: 93% primary, 94% secondary.
P2.8	A2.8.1	Investment in Adult Social Care (MTFS 8)	Director of Adult Social Care	A+H	Green	Growth included in budget for 2024/25 and under review for future years in line with MTFS development and transformation plan
	A2.8.2	Continue to develop and promote the Shared Lives service	Head of Care4CE	A+H	Green	Project work completed, project to evaluate impact to commence
	A2.8.3	Use technology to digitally enable people to support themselves (Digital Inclusion Plan 2023 – 2026)	Corporate Manager, Health Improvement	A+H	Green	Digital enablement improves health, connectivity, education, access, and savings

Priority	What we will do - Priority actions for 2024/25		Lead Officer	Committee	Q1 progress	Update
	A2.8.4	Deliver the objectives of the All Age Carers Strategy 2021-25	Head of Integrated Commissioning	A+H	Green	Wellbeing of diverse Cheshire East carers needs whole system approach.

Priority	What we will do - Priority actions for 2024/25		Lead Officer	Committee	Q1 progress	Peer review action plan
P3.1	A3.1.1	Develop and begin consultation upon 'New style' Local Plan Strategy	Head of Planning	E+C	Amber	Plan completed, but timeframe uncertain due to legislative and governmental changes.
	A3.1.2	Deliver the Planning Service Improvement Plan	Head of Planning	E+C	Amber	SIP progress good; restructure done, IT delayed, overall rating affected.
	A3.1.3	Deliver cultural development activities, including continued activity towards the Cheshire Archives – a Story Shared project (MTFS 56)	Head of Rural and Cultural Economy	E+G	Green	New centres in 2026; online and library services continue.
	A3.1.4	Update the Statement of Licensing Policy	Head of Regulatory Services	Council	Green	SOLP reviewed; approval scheduled for July, final decision in December.
P3.2	A3.2.1	Monitor the continued successful delivery of the Cleaner Crewe project.	Head of Neighbourhood Services	E+C	Green	Progress measures for cleaner Crewe project remain in place.
	A3.2.2	Update and deliver the Air Quality Strategy, following consultation.	Head of Regulatory Services	E+C	Green	Air Quality Strategy updated; scheduled for July, ongoing implementation reported.
	A3.2.3	Update the Safer Cheshire East Partnership Plan	Locality Manager, Community Safety	E+C	Amber	2024-25 Partnership Plan and 2023-24 Annual Report outline community safety activities, funding, and priorities, reviewed annually for emerging risks
P3.3	A3.3.1	Continue implementation and monitoring of the Green Spaces Maintenance Policy	Head of Environmental Services	E+C	Green	New policy adopted; maintenance changes successful, further improvements underway.

Priority	What we will do - Priority actions for 2024/25		Lead Officer	Committee	Q1 progress	Peer review action plan
	A3.3.2	Update the Cheshire Local Nature Recovery Strategy	Head of Planning	E+C	Measure not due	
	A3.3.3	Finalise and implement the Biodiversity Net Gain Supplementary Planning Document	Head of Planning	E+C	Green	BNG SPD updated; adoption scheduled for July after legislative changes
P3.4	A3.4.1	Complete Bus Service Review and refresh Bus Service Improvement Plan	Head of Strategic Transport and Parking	H+T	Green	Consultation done; papers drafted for ongoing committee discussions
	A3.4.2	Deliver an integrated borough-wide demand-responsive transport service (Go-Too and Flexilink)	Head of Strategic Transport and Parking	H+T	Green	Consultation done; papers drafted for ongoing committee discussions
	A3.4.3	Secure further funding for active travel routes	Head of Strategic Transport and Parking	H+T	Green	
	A3.4.4	Update business cases for Middlewich Eastern Bypass and A500 dualling	Head of Strategic Infrastructure	H+T	Green	Middlewich Bypass submission in September; A500 Business Case development funded.
P3.5	A3.5.1	Deliver the Cheshire East Rural Action Plan 2022-26	Head of Rural and Cultural Economy	E+G	To be added	
	A3.5.2	Continue to deliver Connected Cheshire digital infrastructure	Head of Economic Development	E+G	To be added	
	A3.5.3	Continue to pursue a compensation package following scrapping of HS2 Phase 2	Programme Director HS2	E+G	To be added	
	A3.5.4	Develop a clear place marketing approach	Head of Economic Development	E+G	To be added	
	A3.5.5	Enable the delivery of Handforth Garden Village	Head of Economic Development	E+G	To be added	
P3.6	A3.6.1	Deliver actions to achieve the objectives of the Carbon Neutral Action Plan 2027 (updated timescale)	Head of Environmental Services	E+C	Amber	Good Q1 progress; electric vans, decarbonisation, solar farm nearing completion.
	A3.6.2	Update the borough-wide Carbon-Neutrality Action Plan 2045 following public consultation	Head of Environmental Services	E+C	Green	Consultation done; Action Plan adoption pending at future committee.

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Open Fair Green

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Appendices 1, 3, 4 and 5- NOT FOR PUBLICATION

By virtue of paragraph(s) 2, 3 and 4 of Part 1 Schedule 1 of the Local Government Act 1972.

Corporate Policy Committee**3 October 2024****Proposed New Senior Management Structure**

Report of: Rob Polkinghorne, Chief Executive**Report Reference No: CP/37/24-25****Ward(s) Affected: All****Purpose of Report**

- 1 Following a period of formal consultation with appropriate staff, this report sets out the proposed senior management structure created following consideration of recommendations from the Local Government Association (LGA) Decision Making Accountability (DMA) review, and the Corporate Peer Challenge, together with the timescale for implementing the structure. This proposed structure is designed to ensure there is sufficient capacity and skills to respond to the recommendations within the peer challenge and meet the requirements to achieve financial stability, deliver the Children's Services Improvement Plan and the Council's transformation programme.
- 2 As set out in the report to Committee dated 21st August 2024, interim and temporary arrangements are in place whilst proposals were being consulted on and finalised, and these interim arrangements will need to continue until the implementation of, and recruitment to, the new senior management structure, to ensure the Council delivers its responsibilities until the onboarding of new appointees is complete. In addition, this report provides information about further interim roles to be established as a result of LGA recommendations.
- 3 This report contributes to the strategic aim of being an open and enabling organisation within the Council's Corporate Plan 2021-25 and supports the objectives.
- 4 Appendices 1, 3, 4 and 5 to this report contains exempt information pursuant to schedule 12A of The Local Government Act 1972 and

are therefore withheld from public inspection. The exempt information falls within paragraphs 2 and 4 of the exempt information categories contained within paragraph 24 of the Access to Information Procedure Rules in the Council's Constitution and contain information which is likely to reveal the identity of an individual as it relates to proposed changes to the senior management structure of the Council, information about the financial and business affairs of any particular person (including the authority holding that information), and provide information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority

- 5 The information provided as to posts and spot salaries, can be connected to identifiable individuals. The public interest in maintaining the exemptions outweigh the public interest in disclosure, for the reasons stated and that it would not be appropriate to identify those individuals at by way of a committee report as to do so would be breach confidentiality.

Executive Summary

- 6 The two-phase approach being taken to the senior management restructure will minimise disruption to the organisation particularly in those service areas currently undergoing significant transformational activity.
- 7 Phase 1 focuses on the posts of Executive Directors and Directors (tier 2 and 3) across the organisation to provide stability and capacity at the most senior level and is the subject of this report.
- 8 Phase 1 will also include the structure within Corporate (Resources) Services to Head of Service (tier 4) to ensure an enabling structure is in place to drive the transformation programme, support Childrens' services improvement, deliver the Corporate Peer Challenge action plan and to achieve financial sustainability over the medium term.
- 9 Phase 2 will focus on the management structure at Head of Service level for the remaining three directorates with professional input from the newly appointed or designate Executive Directors and Directors. Phase 2 will be commenced early/mid 2025.

RECOMMENDATIONS

The Corporate Policy Committee is recommended to:

1. Following formal consultation, agree that the senior management structure, (Phase 1 only), set out in Appendix 1 (confidential) be presented to Full Council for approval, including approval of new positions within that structure with salaries more than £100,000 per annum and statutory officers, prior to implementation, and agreement that the Chief Executive commences recruitment to vacant/new positions within the senior management structure.
2. Note the implementation/recruitment timeline to a new senior management structure.
3. Recommend the release, and associated redundancy and pension costs, of the impacted/at risk staff members.

Background

- 10 The current operating environment for local government in general, and for Cheshire East Council, in particular requires the Council to adapt to changing and challenging circumstances. The current fiscal pressure requires Cheshire East Council to change and adapt at pace.
- 11 Following the Local Government Association (LGA) independent review of the current organisational structure at Cheshire East Council a full consultation has been undertaken and concluded which is now proposed for implementation.
- 12 The finalised structure provides opportunities to transform services, to achieve capacity and capability and provide for a stable and sustainable organisational structure.
- 13 The finalised structure will drive strategic and operational capacity, identifying synergies, whilst ensuring effective future strategic leadership and transformation of the council and the delivery of good outcomes for residents and communities within Cheshire East.
- 14 It is essential that the senior management team has the capacity to deliver transformational change and improvement activity at the same time as continuing to deliver services.

Final Structure

- 15 It is essential for the Council to achieve stability within the senior leadership team to provide strategic leadership, strong direction and vision which is required to drive performance and a One Council approach. The top structure will be both visible and involved to support the Chief Executive to achieve this.
- 16 Following a 30-day consultation period, the Chief Executive has reviewed and considered all feedback and has determined a final structure which differs slightly to the original proposed structure. Please refer to Appendix 1 (confidential).
- 17 The final structure, at both phase 1 and phase 2, will enable Directors and Heads of Service to manage more than one team to reduce silos, integration and improved team working.
- 18 The final structure is designed to support clearer decision-making processes and will enable senior managers to provide clarity of risk tolerance and more strategic 'whole Council' thinking.
- 19 The final proposed new structure for Phase 1 can be found in Appendix 1 (confidential).
- 20 Phase 1 will focus on recruiting to several open and/or new posts, and these can be found in Appendix 5 (confidential)
- 21 Phase 2 will focus on the Heads of Service structure in Children's Services, Adults, Health and Integration and Place. It will commence as quickly as possible after Phase 1 as the more senior appointments are made.
- 22 The recruitment and selection process will commence as soon as the recruitment partner has been appropriately procured and appointed.

Interim and temporary arrangements

- 23 Several interim senior management arrangements have been introduced to ensure that the Council continues to deliver its responsibilities and to provide time to develop a revised permanent structure for senior management structures. Some if not all of these arrangements will continue until the appointment to and onboarding of new recruits in post is completed.
- 24 It is also expected that additional interim capacity will be required to provide support for the Chief Executive until the implementation of, and the appointment to, a new senior management structure.

This will be managed within existing financial resources and through use of currently vacant posts.

- 25 As part of the DMA, the LGA have recommended the Chief Executive considers additional interim support specifically for him. This resource will be contracted through an external provider and will be fully funded by a grant provided by the LGA.

Reasons for Recommendations

- 26 The final proposed new Senior Leadership structure will:
- provide greater stability and strategic capacity.
 - focus on transforming services improving culture and financial management.
 - break-down the silos within the organisation.
 - create clarity of job title, role and levels of expectations.
 - set clear accountability and responsibility.
 - create a clear organisational customer focus, rather than a service focus.
 - improve collaboration, reduce overlaps and bring teams closer together.

Implications and Comments

Monitoring Officer / Legal

- 27 The Council's recruitment and selection policy and the Employment Procedural Rules will be followed, and a transparent, objective and fair selection process will be adhered to for any new or vacant posts.
- 28 Appointments to statutory officers and executive director roles will be undertaken via the Council's Appointments Committee with the former be formally appointed at Full Council.

Section 151 Officer / Finance

- 29 The costs associated with final structure for Phase 1 of the senior management structure are shown in (confidential) Appendix 3 (confidential).

- 30 The costing assumes appointment at the salary points shown. However, if any candidate was appointed at a higher salary point, the relevant service would need to identify funding to maintain our financial resources.
- 31 Other payments available additional to base pay may include organisation's contribution to pensions, market supplements, expenses, and allowances.
- 32 There is a small difference between costs of the current structure versus the final structure, reflecting small variances in grading between temporary and permanent arrangement. These costs would need to be managed by the relevant services areas as would normally be case when appointing at a spot salary.
- 33 The procurement process for the appointment of a recruitment partner for any new/vacant posts was agreed by the Appointments Committee on 29 April 2024. Timeline for recruitment is at Appendix 2.

Policy

- 34 The appointments will be made with reference to the pay policy statement to provide transparency to the Council's approach to setting the pay of its senior managers.
- 35 The report supports all the priorities in the [Corporate Plan](#) given this is about ensuring that we have a properly resourced leadership to lead on our strategic priorities.

Equality, Diversity and Inclusion

- 36 The recruitment and selection process will be open, fair and inclusive which reflect our vision, values and Employee Deal, ensuring objective recruitment decisions are made.
- 37 An Equality Impact Assessment was conducted as part of the preparation for the restructure consultation.

Human Resources

- 38 Actions will be undertaken in accordance with the Constitution and the Employment Procedure Rules as well as appropriate HR policies and procedures.

Risk Management

- 39 As identified in the strategic risk register, the impact of restricted recruitment (and spending) has been identified as a significant risk in relation to both the Leadership Capacity and Ability to Achieve Organisational Change risks. This report assists in the mitigation of the strategic risk reported to Corporate Policy Committee on 21 March 2024, specifically SR07 and SR09.

Rural Communities

- 40 None

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 41 The final structure for the overall council, in particular Children's Services, will enhance service delivery for all Cheshire East children and young people.

Public Health

- 42 This report and its recommendations/decisions here, by considering whether the proposals within are likely to have a positive overall impact on the health and wellbeing of Cheshire East residents.

Climate Change

- 43 None

Access to Information	
Contact Officer:	Rob Polkinghorne Rob.polkinghorne@cheshireeast.gov.uk
Appendices:	Appendix 1: Final senior management structure confidential) Appendix 2: Timeline for recruitment Appendix 3: Final structure costs for phase 1 senior management structure (confidential) Appendix 4: Exit costs for impacted posts in phase 1 (confidential) Appendix 5: Open/Vacant posts (confidential)

Backgro und Papers:	https://moderngov.cheshireeast.gov.uk/ecminutes/ieListDocuments.aspx?CId=959&MId=10644
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APPENDIX 2 – INDICATIVE RECRUITMENT TIMELINE

Activity	Date / Timescales
Initial 'Kick off' Meeting/video call between the recruitment partner and the Authority's Appointments Committee	w/c 7 October 2024
Finalise recruitment campaign	18 October 2024
Advertisement placed	Mid/late October 2024
Deadline for applications	Mid November 2024 (tbc)
Sifting & long-listing	Mid November 2024 (tbc)
Short list finalised	Late November
Selected candidates notified of interview	Late November/early December 2024 (tbc)
Shortlisted candidates	Early December
Assessment and Interviews, confirm candidate	December 2024 – January 2025 (tbc)
Take up references (if not secured earlier in the process).	January/February (tbc) (after assessment centre)

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OPEN

Corporate Policy Committee

03 October 2024

The Cheshire East Health and Care 'Blueprint 2030' and Care Communities Operating Model

Report of: Helen Charlesworth-May

Report Reference No: CP/31/24-25

Ward(s) Affected: All

Purpose of Report

- 1 Over the last year, Officers from within the Local Authority have been working with colleagues from across the NHS and community and voluntary sector to draft the 'Blueprint 2030', a vision for health and care services in Cheshire East in 2030 (see Appendix 1). Alongside this an operating model for the eight Care Communities in the borough has been prepared (see Appendix 2); the Care Communities form the foundation stones of the new model reflected in the 'Blueprint 2030'.
- 2 This report summarises the 'Blueprint 2030' and the operating model and seeks the endorsement of these by the Committee. This will demonstrate the Council's commitment to working in partnership with the NHS and community and voluntary sector to achieve the vision of the 'Blueprint 2030' and to effectively operationalise the Care Communities.

Executive Summary

- 3 The Cheshire and Merseyside Health and Care Partnership consists of the nine local authority 'Places', the Integrated Care Board (NHS commissioners) and all NHS providers within the Cheshire and Merseyside geography. In each local authority area (or 'Place'), health and care partnerships have been formed to progress health and care service integration and improved outcomes for residents.

- 4 Cheshire East Council, NHS organisations and the community, voluntary, faith and social enterprise sector in Cheshire East, have been working together since 2018, to more effectively integrate services, establish seamless pathways of care, identify and protect our most vulnerable residents and support people to maintain good health and wellbeing.
- 5 The Place Health and Care Partnership Board Terms of Reference and associated health and care system governance arrangements were endorsed by the Council's Adults and Health Committee in July 2022.
- 6 The Cheshire East Joint Local Health and Wellbeing Strategy¹ was approved by the Cheshire East Health and Wellbeing Board in March 2023, setting out a vision 'To enable people to live a healthier longer life; with good mental and physical wellbeing; living independently and enjoying the place where they live'. The Strategy sets out a focus on:
 - Tackling inequalities
 - Prevention and early intervention
 - Person centred actions
 - Developing and delivering a sustainable, integrated health and care system
- 7 The 'Blueprint 2030' and the Care Communities operating model are key components of the aim to develop and deliver a sustainable, integrated health and care system.
- 8 The 'Blueprint 2030' sets out three core components of the 2030 health and care system. These are:
 - Healthy Households: Our ambition for the people of Cheshire East is to live well for longer, starting within the household, where empowered and health literate individuals and families use evidence-based information and digital solutions that are readily accessible to them, to make the best choices and to support good physical and mental wellbeing in their everyday lives irrespective of age or affordability.
 - Healthy Neighbourhoods: Our ambition is to support neighbourhoods to build an asset-based approach, where we help people to help themselves. We want people to live as part of a community, connected to the people who are important to them and able to benefit from a range of local, flexible, high-quality services and support to help them

¹ <https://www.cheshireeast.gov.uk/pdf/council-and-democracy/health-and-wellbeing-board/joint-health-wellbeing.pdf> The Strategy is that of the Council and the NHS Integrated Care Board.

live a good life together. This may require a radically different approach to how we work together as health and care organisations, the types of conversations we have and the willingness to distribute resources to local assets; for example our Voluntary Sector organisations are critical partners in developing healthy neighbourhoods.

- Health and Care Services: Our ambition is for people to be in receipt of local provision when they require health and/or care services, creating a shift from traditional centralised provision. In so doing we will place the empowered person central to their health and care system, facilitating responses to people's urgent and planned care needs by bringing services together where traditionally they have been disparate and seeing the whole person rather than an individual condition or need.

- 9 The Care Communities are geographically aligned, local teams of individuals drawn from general practice, community health, mental health, acute trusts, social care, Public Health, the VCSFE, local Healthwatch, optometry, dentistry, and community pharmacy to focus on the local population's health and well-being and their needs; helping people to stay in good health for longer (population health). They will be key to the 'Blueprint 2030' ambitions in relation to 'Healthy Neighbourhoods' and 'Health and Care Services'
- 10 The concept of the Care Community is to support people to be in good health and when needed, to arrange care, interventions and provide innovative personalised solutions. These solutions will be co-delivered and co-produced in partnership with the local community, drawing on local assets and engaging with services more widely than traditional health and care (eg local community organisations, housing, police, fire & rescue, schools). Working in partnership is the fundamental principle to delivering not only a successful Care Community but a community that cares. The Care Community is a "team of teams" based on a registered population footprint.
- 11 The 'Blueprint 2030' and the work of the Care Communities will, in the longer term, contribute to a clinically and financially sustainable health and care system. A key aspiration of the 'Healthy Households' and 'Healthy Neighbourhoods' is a focus upon empowerment, early intervention and prevention, with the aim of reducing demand over time as the population becomes healthier and people are supported to live independently at home for longer.
- 12 The Council's Transformation Programme is similarly focussed upon creating a sustainable organisation with reduced demand. A Target Operating Model will be defined, which will consider the relationship

between residents and the Council and provide a clear strategy for the transformation plan to be formed around. It will have a focus upon the demand management within Adult and Children's services and the alignment of these programmes will be important where it is sensible and helpful to do so.

RECOMMENDATIONS

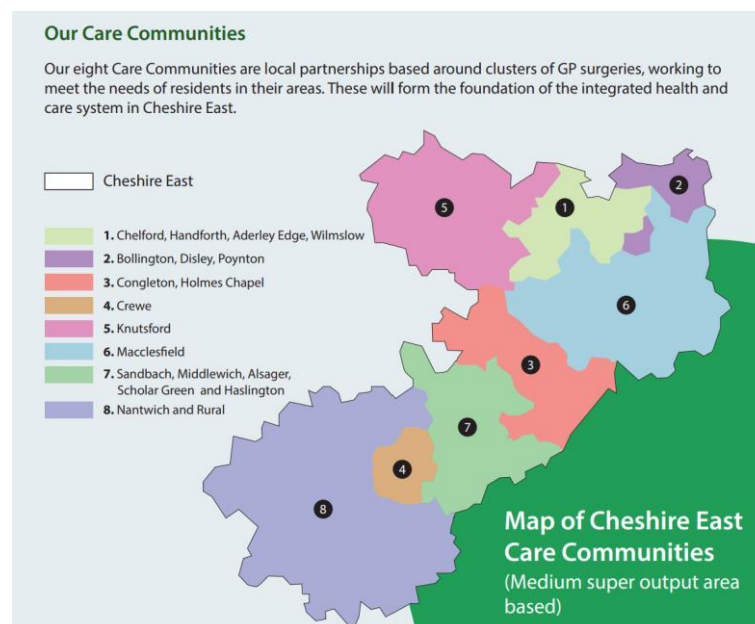
The Corporate Policy Committee is recommended to:

1. Endorse the Cheshire East Health and Care 'Blueprint 2030' and the continued involvement of officers to work on its implementation.
2. Endorse the Care Communities Operating Model and the continued involvement of officers in the work of the Care Communities.
3. Delegate to the S151 Officer alongside the Executive Director, Adult Social Care, Health and Integration, the consideration of and, if deemed appropriate by them, the decision to allocate existing resources to the Place Partnership Board for deployment within the Care Communities.

Background

- 13 There have been several steps made towards more integrated health and care services over the last eleven years. The Health and Social Care Act 2012 initiated the work and the Council worked closely with the Clinical Commissioning Groups (CCGs), GPs and our local Acute Hospital and Mental Health Trusts to progress integration in Cheshire East, including being an NHS England Integration 'Pioneer' 2015-2017. The Health and Care Act 2022 saw the demise of the CCGs and the establishment of the NHS Integrated Care Board. Since July 2022 we have been working within this new context.
- 14 The Adults and Health Committee endorsed the Terms of Reference of the Place Health and Care Partnership Board and the health and care system governance arrangements on 18th July 2022 [Decision report template \(cheshireeast.gov.uk\)](#) Three Councillors, the Executive Directors of Adults, Health and Integration and Children and Families and the Director of Public Health are members of the Partnership Board.
- 15 The Joint Local Health and Wellbeing Strategy (March 2023) took account of the changes within the NHS and set a refreshed vision and way forward with outcomes and deliverables described.

- 16 With the publication of the Strategy, it was recognised that we needed to set out what has become known as the 'Blueprint 2030' – a description of how things would be in 2030 if we achieved the outcomes in the Strategy. This would not only help visualise the future, but also allow the system and organisations within it to ensure that decisions made now and over the next few years, were moving us towards the 2030 vision. Over a period of six months, four multi-agency workshops were held to draft and agree the 'Blueprint 2030'; and to then test our population patient segments against it to ensure they aligned.
- 17 Appendix 1 summarises the 'Blueprint 2030', sets out a contextual narrative and the next steps.
- 18 At the same time as the 'Blueprint 2030' has been worked upon, the fledgling Care Communities have been evolving and working within their individual geographies and together, to determine how they can contribute to the system vision and deliver more joined up and effective care to their local populations.



- 19 The preparation of the Care Communities operating model creates a formal statement of intent and agreement on how they will work going forward. Appendix 2 sets out more detail about the work of the Care Communities and the proposed arrangements to embed them as a critical part of the Cheshire East health and care system.
- 20 As a key partner in that health and care system, local authority officers have been proactively involved in both the development of the 'Blueprint 2030' and the work of the Care Communities. It will be important to continue this, to bring influence to bear on the ongoing work. There are concerns that the Care Communities are too clinically focussed, but it is

only by engaging with them that we can influence their approach and ensure it is effectively aligned with the work of Adult Social Care, Public Health, the Communities team, Children and Families and other Council services.

- 21 Similarly, Officers will work together across services to align wherever necessary with the Council's transformation programme and target operating model. The common desired outcomes are a financially sustainable 'system', viable and sustainable organisations, reduced demand on health and care services and improved health and wellbeing for our residents. The Director of Transformation has initiated conversations with the Integrated Care Board Director of Cheshire East Place to facilitate this.
- 22 The Cheshire East Health and Care Partnership Board and Place Leadership Group have agreed both documents and recommended that individual partner organisations now consider and endorse them.

Consultation and Engagement

- 23 A number of different organisations have been involved in the drafting and finalisation of the 'Blueprint 2030'. These are set out in Appendix A. Similarly, many of the same organisations have been involved in the setting up and running of the Care Communities and the drafting of the operating model.
- 24 A multiagency Communications and Engagement group has been formed (chaired by the Council's Head of Communications). They are working on plans to share the 'Blueprint 2030' with the health and care workforce and residents.
- 25 Each Care Community is working on its local communications and engagement plans to ensure that the local communities are aware of the work and have the opportunity to consider and comment upon the local plans.

Reasons for Recommendations

- 26 The 'Blueprint 2030' and the Care Communities operating model are key documents that will underpin future work to develop and deliver a sustainable, integrated health and care system. As a significant partner in the development of the Joint Local Health and Wellbeing Strategy and the planning, commissioning and delivery of health and care services, the local authority's endorsement of the documents demonstrates an ongoing commitment to working with partners on this important agenda.

27 The recommendations link to the Council's Corporate Plan 2021-2025 'Fair' aim and these priorities:

- Work together with residents and partners to support people and communities to be strong and resilient.
- Reduce health inequalities across the borough.
- Protect and support our communities and safeguard children, adults at risk and families from abuse, neglect and exploitation.
- Reduce the reliance on long term care by improving services closer to home and providing more extra care facilities, including dementia services.

Other Options Considered

28 The alternative option to the recommendations is for the local authority to not sign up to the 'Blueprint 2030' and the Care Communities operating model. This would hamper the work to develop and deliver a sustainable, integrated health and care system and damage relationships and trust with our NHS partners.

Option	Impact	Risk
Do nothing	The Local Authority would not be signed up to the 'Blueprint 2030' and the Care Community operating model, hampering the work to integrate and build a sustainable health and care system. Relationships with NHS partners would be damaged. Council Officers would have limited ability to influence the work of these NHS partners in Cheshire East.	Reputational risk Financial risk Negative impacts on patients/people receiving care as less joint working across the NHS and Council teams supporting them.

Implications and Comments

Monitoring Officer/Legal

- 29 Under S65Z6 Health & Care Act 2022 a local authority can arrange for functions to be discharged by a Joint Committee, and the joint committee can receive funding. In the case of Cheshire East Council, the Place Partnership Committee was set up to be a joint committee of the Integrated Care Board (ICB) at 'Place' level. The ICB have not yet delegated any of their funds to the Place Partnership Board.

Section 151 Officer/Finance

- 30 As set out above, the aspiration to establish a sustainable, integrated health and care system is at the heart of the Joint Local Health and Wellbeing Strategy and the 'Blueprint'. The intention of the work is to reduce system costs, through reducing demand, improved collaboration, increased effectiveness and efficiency.
- 31 There are no direct impacts on the MTFS in the short to medium term. It is intended that by 2030 system finances will be balanced.
- 32 It should be noted that the Care Communities operating model does require organisations to agree to share or allocate resources to the Care Communities in due course (see Appendix 2 page 10 'Budgetary responsibility and alignment of financial drivers'). Initially these will be NHS resources.
- 33 As the Care Communities develop there is likely to be a need to include Council resources through the Place Health and Care Partnership Board (joint committee). The Executive Director of Adults, Health and Integration could decide to transfer resources to the Board for allocation to Care Communities, where this would deliver the Council's desired outcomes and provide best value. This aligns with the Board's Terms of Reference and the governance arrangements previously agreed by the Adults and health Committee in July 2022.
- 34 Any transfer of resources to the Board will be fully contained within the appropriate governance arrangements (for example, a S75 agreement similar to that governing the existing Better Care Fund) which will clearly outline the limit of the council's financial exposure and the level of risk being faced.

Policy

- 35 The report supports the aspirations of the Cheshire and Merseyside Health and Care Partnership Strategy² and the Cheshire East Joint Local Health and Wellbeing Strategy as well as the Cheshire East Corporate Plan.

An open and enabling organisation	A council which empowers and cares about people	A thriving and sustainable place
	<p>Work together with residents and partners to support people and communities to be strong and resilient.</p> <p>Reduce health inequalities across the borough.</p> <p>Protect and support our communities and safeguard children, adults at risk and families from abuse, neglect and exploitation.</p> <p>Reduce the reliance on long term care by improving services closer to home and providing more extra care facilities, including dementia services.</p>	<p>A great place for people to live, work and visit</p>

Equality, Diversity and Inclusion

- 36 There are no specific equality implications of this report and its recommendations/decisions here. As service changes are proposed moving forward, then the appropriate Equality Impact Assessments will be completed.

Human Resources

- 37 There are no specific human resources issues relating to this report. Senior officers from the Adults, Health and Integration Directorate have been involved in the work to prepare the 'Blueprint 2030'. Officers from

² cheshire-merseyside-draft-interim-hcp-strategy-2023.pdf (cheshireandmerseyside.nhs.uk)

Communities, Public Health and Adult Social Care are in attendance at Care Community meetings and working with them on different initiatives. Officer time and capacity is therefore being invested in Care Communities.

Risk Management

38 Risks in relation to this report fall into three categories:

- Financial: a failure to work with and engage in the work of the NHS organisations in Cheshire East and the Care Communities undermines our efforts to establish a financially sustainable and integrated health and care system.
- Reputational: There are expectations in Government that local authorities will work with NHS partners to establish integrated health and care systems. A failure to do so will potentially impact upon the reputation of the local authority nationally as well as with local partners.
- Population outcomes: Not working in partnership with health and care organisations increases the risk of care being less joined up and poorer outcomes for patients and clients.

Rural Communities

39 The 'Blueprint 2030' covers services across all parts of the borough and many of the Care Communities cover significant rural geographies. The intention of the work is to reduce the need to travel to acute hospitals and to see more services delivered in the community. This would benefit rural communities who can (mostly) access their local primary care/community health services more easily than the hospitals.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

40 The 'Blueprint 2030' and the Care Communities cover health and care services for people of all ages, including children and young people. The Family Hubs are developing relationships with their respective Care Communities.

Public Health

41 The achievement of the 'Blueprint 2030' and the work of the Care Communities should see a positive impact on the health and wellbeing of Cheshire residents. The 'Blueprint 2030' vision is 'whole system' recognising that good health and wellbeing is the result of far more than

access to health and care services. With its emphasis on healthy households and healthy neighbourhoods, as well as access to services it incorporates the wider determinants or building blocks of health and wellbeing.

Climate Change

- 42 There are no specific impacts upon the council's carbon footprint and achieving environmental sustainability from this report. All partners that are signed up to the Blue Print 2030 have their own organisational 'Green' plans and there may be opportunities to collaborate on initiatives in the future.
- 43 Promoting healthy lifestyles is very much a part of the ambitions of the 'Blueprint 2030' through the Healthy Household and Healthy Neighbourhood themes. This will include supporting active travel initiatives which can have beneficial environmental impacts. Similarly if service provision is being offered more locally, then active travel may be a more realistic travel option.

Access to Information	
Contact Officer:	Guy Kilminster, Corporate Manager Health Improvement Guy.kilminster@cheshireeast.gov.uk
Appendices:	Appendix One – The Cheshire East System Blueprint 2030 Appendix Two – The Care Communities Operating Model
Background Papers:	Health and social care integration: joining up care for people, places and populations - GOV.UK (www.gov.uk) Health and Care Act 2022 (legislation.gov.uk) Get in on the Act: Health and Care Act 2022 Local Government Association

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Cheshire East Health and Care System ‘Blueprint 2030’

Authors: **Cheshire East Design Group**

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Dr Matthew Atkinson, Consultant in Public Health – **Cheshire East Council**

Denise Frodsham – **Mid Cheshire NHS Trust**

Madelaine Lowry – Associate Director LD, NDD & ABI & East Cheshire - **Cheshire & Wirral Partnership Trust**

January 2024

Summary

This document sets out a System Blueprint for the Cheshire East Health & Care system in 2030. Here, we describe, in a simple way, the vision of a Health and Care system which will enable the people of Cheshire East to live a healthier, longer life: with good mental and physical wellbeing: living independently and enjoying the place where they live. Beginning with the end in mind, by creating a blueprint we will have a better sense that the precious time, energy and resource we commit is taking us in the right direction.

In summary, by blueprint we mean the picture and narratives that set out what level and range of service every person in Cheshire East should expect from health and care services.

Production of this document has been a result of 4 unique Cheshire East Place workshops, whereby system colleagues have worked in partnership in the belief that by working together as a health and care system we can achieve the best outcomes for individuals, carers and the populations that we serve. Over the 7 month period, system partners have worked on developing a description of what our “system” will look like by 2030, taking into account:-

1. The vision, priorities and approach set out in our Health and Wellbeing Strategy
2. Previous and existing strategies, namely Caring Together, Connecting Care and Mid Cheshire 10 patient groups (Mid Cheshire 4 Business Models & patient segmentation work) extracting the best from the best.
3. What our population and people say that they need, drawn from several sources.
4. Previous “system pictures”, considering what an individual/population facing picture needs to look like.
5. Our golden threads, namely the 8 Ps (Place, Prevention, Proportionate Universalism, Partnership working and co-production, Proactive Care, Person-centred approaches, Programmes of Care and Progress)
6. Several underpinning assumptions, in summary, people’s needs are changing, the way we provide (and further need to provide) hospital and community services is changing through new research, evidence and technology: people are empowered to manage their own care and we cannot afford to do nothing.

Throughout the workshops we recognised that forming and delivering a health and care system blueprint is a complex process. Therefore, this version of the System Blueprint will be a working document, and subject to endorsement from the Place Leadership Group and partner organisations.

We will also need to engage local people in this; though throughout the process we have reflected on what we already know from previous and on-going work.

An implementation plan has been developed. A key part of this will be to align demand and capacity modelling with a clear timeline for our priorities and work programmes through to 2030.

Introduction

Following initial agreement from Cheshire East Place Leaders to develop a Cheshire East System Blueprint in April 2023, a small System Blueprint Workshop Design Group worked together to develop a comprehensive set of timely activities to bring partners together to produce this. This was delivered primarily through 4 system workshops in July, September, October and December. From the outset the Group were clear in terms of what needed to be achieved in a short space of time, with the overall output being a clear, agreed blueprint for Cheshire East Health & Care System.

Design principles

The following design principles formed part of the initial proposal to develop a system blueprint, all of which underpinned the approach taken.

- Be person-centred, outcomes focused, evidence based.
- Ensure the best use of resources across settings.
- Create the environment for a great place to work.
- Take account of inequalities in access and outcomes.
- Be developed inclusively across partners and people.

In addition, and fundamental within the planning phase, was a clear commitment to reflect and value the contribution from all sectors, ensuring that no one organisation be destabilised to the point of unviability and deliver on a blueprint which would enable longer term planning.

Cheshire East System Blueprint

The Cheshire East blueprint is a conceptual framework which outlines the components of the system required to achieve our ambition of empowering individuals to focus on their own health and wellbeing, and on requiring health and/or care provision keeping care and management in the community setting wherever possible. The framework has been developed and needs to be viewed through the lens of the future, namely 2030, taking digital solutions into account.

There are three component parts to our Cheshire East System Blueprint, all interlinked and interdependent:-

- Healthy Households,
- Healthy Neighbourhoods
- Health & Care

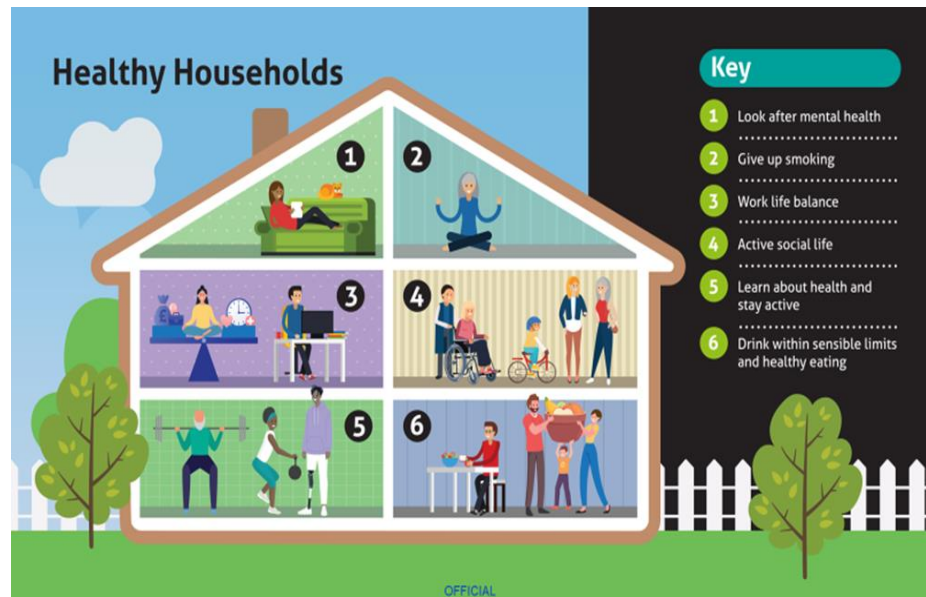
Each of these elements is described below.



Figure 1: The blueprint architecture

Healthy Households

Our ambition for the people of Cheshire East is to live well for longer, starting within the household, where evidence-based information and digital solutions are readily accessible for them to make the best choices and to support everyday life irrespective of age or affordability.



Postcard from the future

Smart Homes (Empowering positive lifestyle choices)

- Wearable devices
- Internet of Things (IOT) – with user friendly language
- Voice controlled systems linked to heating & smart plugs
- Connectivity on prescription
- Access on-line to NHS 111, video conferencing & Attend Anywhere
- Voice over friendly checks
- Access to telephone & telehealth – digital connectivity for health
- Safe & warm homes – access to online support

Smart Health & Wellbeing (community access to digital services)

- Intelligent Management of Long-Term Conditions (monitoring kit)
- NHS Apps & Patient Knows Best (Apps on prescription)
- Home Testing & Home Screening
- Online triage & appointments
- Smoking, weight loss, alcohol advice & substance misuse
- Access to care & wellbeing professionals (motivational conversations)
- SMI health checks
- Access to personal health budgets

Smart Medicine

- Symptom checker via NHS 111 & managed advice (specialist advice)
- Live Well (Advice & Guidance)
- AI BOT
- Personalised medicines
- Genomics
- AI that picks up internet patterns & notifies wellbeing coordinator

To..
**The Residents of
Cheshire East.**

Destination

That more people live and age well, remaining independent

- Provide services that enable people to improve their health and wellbeing
- Reduce the numbers of adults and children who are overweight or obese
- Support residents through the cost-of-living crisis, including fuel and food poverty
- Support people with disabilities and/or long-term health conditions (mental health and/or physical health)



Healthy Neighbourhoods

Our ambition is to support neighbourhoods to build an asset-based approach, where we help people to help themselves. We want people to live as part of a community, connected to the people who are important to them and benefit from a range of local, flexible, high-quality services and support them to live a good life together.



This may require a radically different approach to how we work together as health and care organisations, the types of conversations we have and the willingness to distribute resources to local assets, for example our Voluntary Sector organisations are critical partners in developing health neighbourhoods.

Postcard from the future

- Expert patient programmes
- Local Pharmacy (minor ailment management), long term condition management including Blood Pressures & Health Promotion
- Access to social prescribing
- Family Hubs (MDT approach to management) & local early years provision
- Community Clinics/Groups eg, heart failure, falls, dementia, weight management
- Access to Personal Health Budgets
- Pre-surgery classes & post-surgery classes
- Targeted health & wellbeing cafes (locally determined & managed by local people)
- Growth of voluntary sector agencies to deliver supportive activities (using leisure centres, local green spaces & local infra-structure, eg family hubs)
- Accessible support offers (eg neurodiverse, mental health support, addiction support)
- Infrastructure to get out and about, including affordable travel
- GP who knows me
- Sexual Health services, ie contraception, pre-conception information
- Local access to specialist advice & local diagnostics (full range)
- Care coordination & local care pathways designed for individuals
- Local support for Lasting Power Of Attorney, Wills & bereavement
- Wider access to case-finding programmes in local areas (eg blood pressure "pop up" events - taking health checks out into the community) & locally sensitive delivery Immunisations & Vaccinations

To..
**The Residents of
Cheshire East.**

Destination....

Cheshire East is a place that supports good health and wellbeing for everyone

- Improving the quality of residents' living environment and access to green spaces
- Promoting active travel
- Reducing isolation and loneliness
- Communities providing opportunities for all people to connect and feel a part of their 'place'
- Voluntary, Community, Faith & Social Enterprise as full partners.



Health and Care

Our ambition is for local people to be in receipt of local provision when they require health and/or care services, creating a shift from traditional centralised provision. In so doing we will place the empowered person central to their health and care system, facilitating responses to people's urgent and planned care needs by bringing services together where traditionally they have been disparate and seeing the whole person rather than an individual condition or need.



Level & range of service

Health & Wellbeing

- Lifestyle and social prescriptions
- Empowered self-management of long-term conditions

Family Hubs & Women's Health

- Family Hubs with Multi-Disciplinary Teams to support children's health management
- Local Women's health centres

Seamless Proactive Management

- Population health management approaches, identifying those at risk and intervening early

Seamless Planned Care Pathways

- Planned virtual MDTs between primary/secondary/community professionals - all specialities (Hub & Spoke)
- Timely access to planned care centres (physical & mental health) & best practice length of stay for all conditions/procedures

Seamless Emergency & Urgent Care Pathways

- Artificial Intelligence systems in all Care Homes - alert function linked to UCR
- Fully integrated health & care urgent crisis response in each Care Community - 7 day access
- Same Day Assessment & Diagnostics (central function for those acute/high level need)
- Integrated urgent care - new urgent care pathways linking acute & community professionals,
- Virtual Wards & Supported Discharge

Timely access to Diagnostics

- Local access to full suite of community diagnostics in each Care Community
- Smart triage & central specialist diagnostics, with remote monitoring functions

Seamless End of Life Care/Pathways

- Shared records to enable good symptom management
- Seamless services across health, social, VCSFE, legal services. Timely access to medication/equipment for transition to palliative
- Expert support from specialists in palliative care
- MDT approach to management of palliative care and access to hospice care

Postcard from the future



To..

**The Residents of
Cheshire East.**

Destination....

That more people live and age well, remaining independent; and that their lives end with peace and dignity in their chosen place.

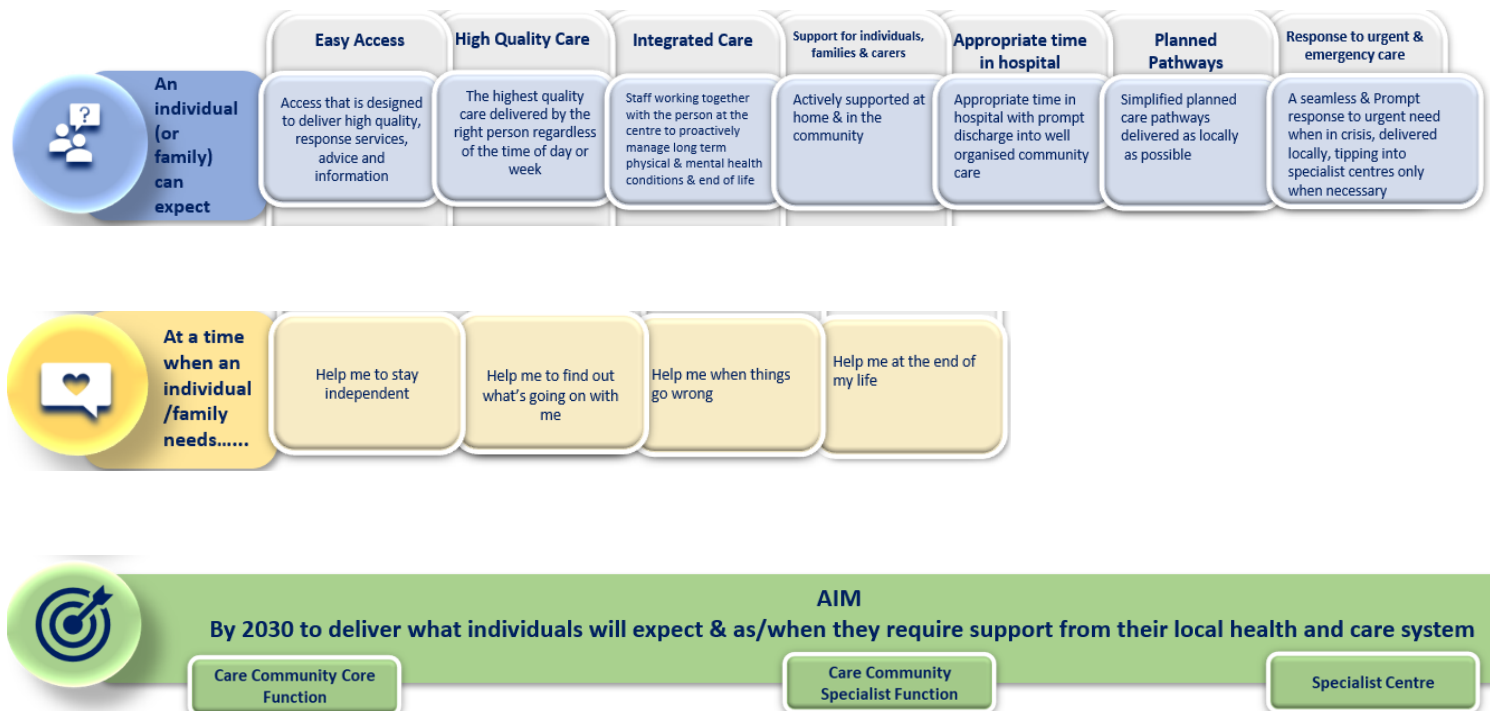
- Improving access to prevention and early intervention signposting, guidance and advice
- Delivering the Home First Programme: Hospital prevention, which includes the Community 2 Hour Response, Virtual Wards, Falls Prevention, Rapid Home Care and Community Voluntary Sector support

Cheshire East System Blueprint – Framework for Delivering Health & Care

Our collective ambition throughout has been to construct a system which keeps the empowered person central, structuring provision around the individual/families with the primary focus on health and wellbeing and local provision for local people. In recognising that with greater empowerment brings about greater expectations, the delivery mechanism for the blueprint focuses on what the individual can expect at a point in time when services are required (from the lowest level of service provision through to higher level of service provision).

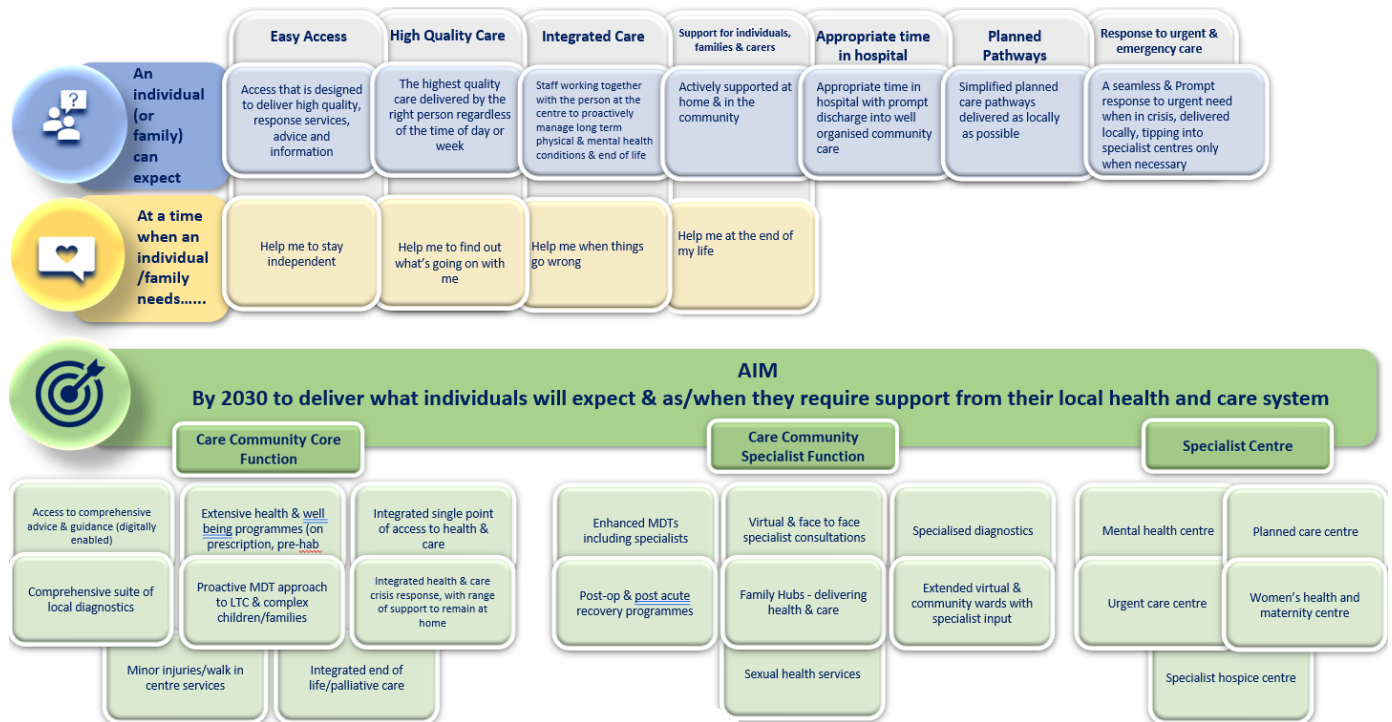
The following framework sets out:-

- The four segments of need
- What an individual or family can expect
- How services will be delivered



By bringing all the above component parts together, we now have a Cheshire East Health & Care system blueprint which clearly articulates “what needs to be where”. When we deliver the Heath & Care system blueprint, we will revolutionise the way in which we jointly deliver health and care, shifting the focus to delivering much more in our Care Community settings, bringing specialist functions much closer to local delivery, and using our specialist centres in a more effective way.

Cheshire East System Blueprint – High Level Health & Care



Cheshire East System Blueprint – Testing the Concept

The blueprint has been taken through many tests and “checking in” activities with system partners throughout the 4 system workshops.

Significantly, the Mid Cheshire 10 patient groups (+ 2 additional specific to mental health) have been used throughout as ‘real-life’ individuals using services with a view to determine what their service provision could look like in the future. To give strength to the proposed system blueprint the following is one example of an individual and the changes she will experience when the blueprint is fully live.

Thinking about Olive

Fully tested using the 10 + 2 patient groups (segmentation, 4 business models)



Telehealth options



Infrastructure to get out and about to combat social exclusion (affordable taxi)
Bereavement for individuals & family
Local dementia support
Robust pharmacy review



Manage heart failure meds management of community pharmacy/meds optimisation
Staffing consistency/communication
GP & District Nurse knowher
Key worker that can be trusted and link with family
Care agency manager
Community heart failure clinic
Dementia services

To summarise, over several months Cheshire East Health and Care partners have contributed to 4 unique workshops to determine the Cheshire East System Blueprint. Colleagues have worked in partnership, with the belief that by working together as a health and care system we can achieve the best outcomes for individuals, carers, and the populations that we serve. The road to making the blueprint real involves several comprehensive steps, the first of which includes gaining endorsement from Cheshire East System Leaders and partner organisations.

Simultaneously, the original System Blueprint Design Group will be taking an implementation plan to the Strategy, Transformation and Partnership Group which will then oversee the steps required to implementation.

Blueprint High Level Plan (themes)	End Date
Engagement and Approvals	31/03/2024
Test and create alignment with current strategic plans	31/03/2024
Population health care needs assessment	31/07/2024
Implementation (programmes & enablers) Plan	31/07/2024
Monitoring and review (metrics & outcomes plan)	31/03/2024

Organisations represented at workshops

Cheshire East Council
East Cheshire NHS Trust
Mid Cheshire NHS Trust
Cheshire & Wirral Partnership Trust
East Cheshire Hospice
Healthwatch
Wirral Community Health and Care NHS Trust
Primary Care Networks
St Luke's Hospice Cheshire
CVS Community & Voluntary Services Cheshire East

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APPENDIX TWO

Cheshire East Corporate Policy Committee

03/10/2024

Care Communities Operating Model

Date of meeting:	03/10/2024
Agenda Item No:	
Report title:	Care Communities Operating Model
Report Author & Contact Details:	Anushta.sivananthan@nhs.net
Report approved by:	Strategic Planning and Transformation

Purpose and any action required	Decision/ → Approve	x	Discussion/ → Gain feedback		Assurance →		Information/ → To Note	
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Committee/Advisory Groups that have previously considered the paper

Care Community development group
Strategic Planning and Transformation
Place Leadership Group

Executive Summary and key points for discussion

This is a proposed model for improving population health and reducing health inequalities by strengthening the governance, functions and autonomy of our Care Communities (integrated neighbourhood teams). Using our population health data, the team (of existing teams) will “segment” the population and use a biospsychosocial model to improve outcomes, ensuring a more targeted and coordinated approach for those with the most complex needs and highest inequalities. There will be a requirement for services to move to alignment to the Care Communities, with a view to offering improved consultation and advice via multidisciplinary team support. The teams are grounded in their neighbourhoods/communities and will ensure that the community and community assets are integral to any health, wellbeing and care offer.

Recommendation/ Action needed:

1. Partners to take the document back to their own organisations (including clinical leaders) to understand impact and changes that maybe required in how colleagues will work.
2. Undertake the further work that is required - especially financial modelling, use of population health data (CIPHA), wider engagement within organisations and the public.
3. Confirm details and phased piloting of the model from April 2024

Which purpose(s) of the Cheshire East Place priorities does this report align with?

Please insert ‘x’ as appropriate:

1. Deliver a sustainable, integrated health and care system
2. Create a financially balanced system
3. Create a sustainable workforce
4. Significantly reduce health inequalities

X
X
X
X

Document Development	Process Undertaken	Yes	No	N/A	Comments (i.e., date, method, impact e.g., feedback used)
	Financial Assessment/ Evaluation		X		There is currently an ongoing piece of work by CFOs to understand the financial impact.
	Patient / Public Engagement		X		Further work via the Comms workstream is required to get improved patient and public engagement.
	Clinical Engagement	X			There is engagement with health provider partners, social care, Local Authority communities team, Public health, Place ICB, Healthwatch and VCSFE. Further work is required after approval in principle of the operating model, to engage wider. The Care community operating model is a key component to delivering the Cheshire East System Blueprint. The model is based on the Fuller stocktake, published last year.
	Equality Analysis (EA) - any adverse impacts identified?		X		Health equity and reducing health inequalities has been central to the development of the model.
	Legal Advice needed?		X		
	Report History – has it been to Other groups/ committee input/ oversight (Internal/External)	X			Internal place governance oversight and input.

Next Steps:	All organisations will need to take the proposed operating model through their Boards and their clinical/professional structures to consider impact. Understand the financial modelling/impact. Undertake wider engagement. Confirm details and phased piloting of the model.
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Responsible Officer to take forward actions:	Anushta Sivananthan, Joint Medical Director, Cheshire and Wirral Partnership NHS FT Mark Wilkinson, Cheshire East Place Director
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Appendices:	Operating model
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Operating model for Care Communities

“At the heart of the new vision for integrating primary care is bringing together previously siloed teams and professionals to do things differently to improve patient care for whole populations”

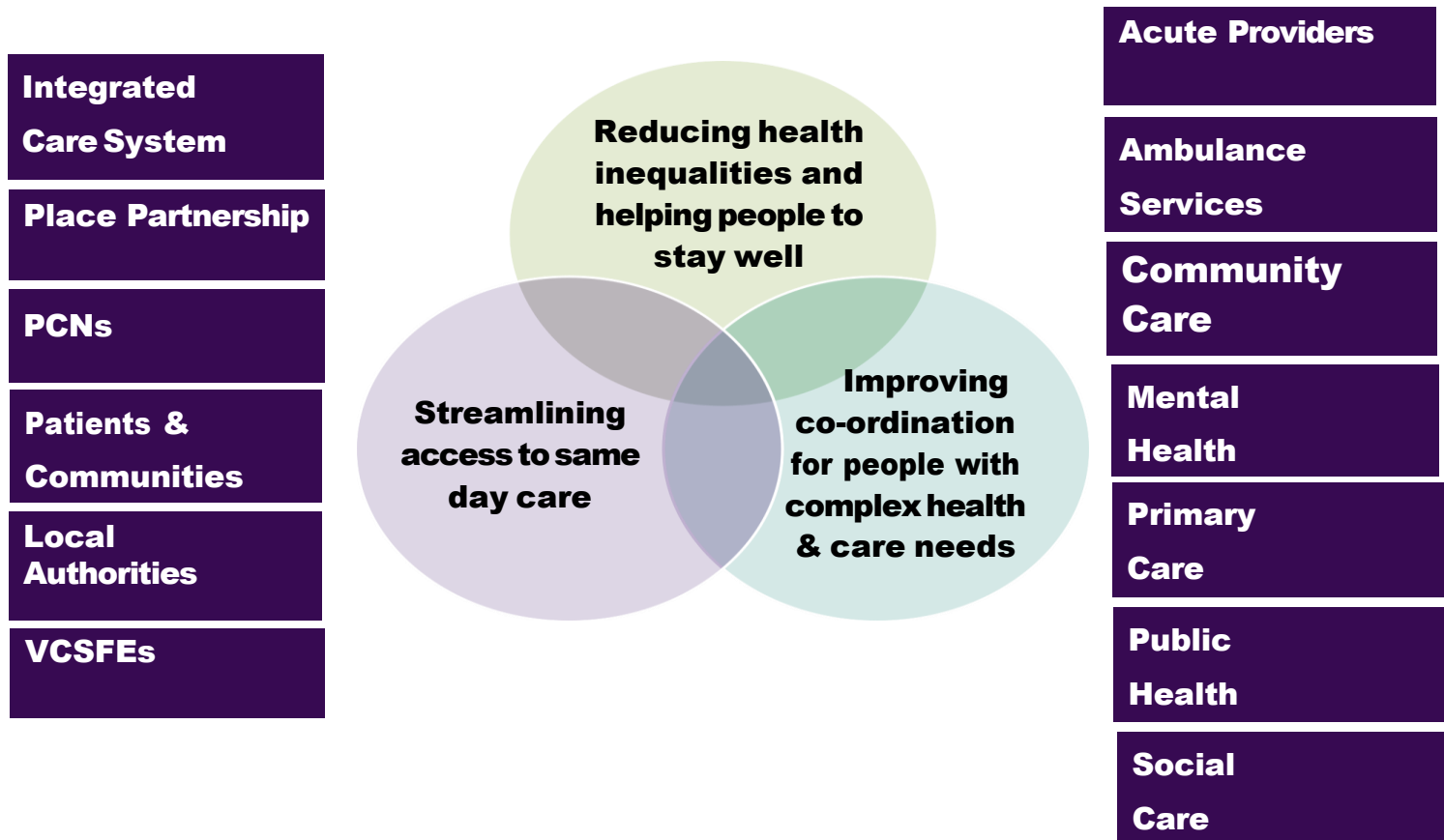
Fuller Stocktake

Introduction

Care communities are geographically aligned, local teams of individuals drawn from general practice, community health, mental health, acute trusts, social care, the VCSFE, local Healthwatch, optometry, dentistry, and community pharmacy to focus on the local population's health and well-being and their needs; helping people to stay in good health for longer (population health)

The concept of the Care Community is to support people to be in good health and when needed, to arrange care, interventions and provide innovative personalised solutions. These solutions will be co-delivered and co-produced in partnership with the local community, drawing on local assets and engaging with services wider than traditional health and care (eg housing, police, fire & rescue, schools).

Working in partnership is the fundamental principle to delivering not only a successful Care Community but a community that cares. The Care Community is a “team of teams” based on a registered population footprint.



Characteristics of a Care Community

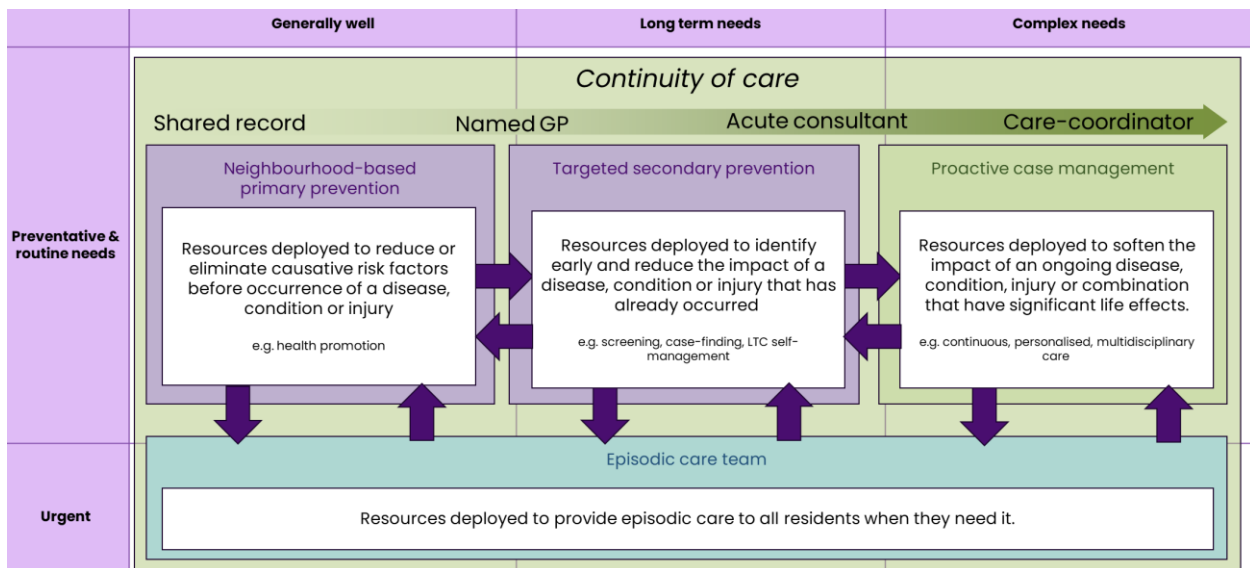


The Fuller Stocktake identified several key enablers - “conditions for success”.

These included:

- A more psychosocial model of care and a more holistic approach to the health and wellbeing of a community, with “teams of teams” rooted in a sense of shared ownership.
- Realignment of associated resources, for example, aligning community health services and secondary care specialists to neighbourhood teams.
- An improvement culture and a safe environment to learn and experiment, with support to PCNs to play their part in innovation and transformation of local services.
- A shared, system-wide approach to estates with a “one public estate” approach to development.
- Data and digital infrastructure that enables information about patient care to be appropriately shared.
- Locally-led investment and support with a firm understanding of current spending distribution across primary care, weighted by deprivation and other elements of the [Core20PLUS5](#) approach.
- A high-quality and sustainable model of primary care delivery within the existing GP contract.

Model of delivery of Care Communities



Membership of Care Communities

Whilst local teams and local people are all key to delivering a successful Care Community, a core group of individuals made up of colleagues from each of the partner organisations will be central to decision making within their Care Community. The “core team” will be named individuals, from services within the Care Community, have a commensurate level of autonomy for decision making and play an active role in developing elements of the Care Community.

The Core Team will continually seek to build relationships within the Care Community, understand the skills and experience of colleagues within the local areas and deliver on building stronger integration to deliver improved population health.

The core team will operate within the principles of equal voice, equal value and equity in driving forward improvement actions determined by the group. The core team will meet regularly, with frequency determined by the team.

Each of the core team members will take on leadership roles for innovation and change within their respective area. The team members will focus on the population health status of the whole population, be collaborative, offer people using services access to information and be allowed to invest where they see improvements in population health.

Local Innovation and Decision Making Core group:

- Primary Care Network Clinical Director
- Care Community Clinical Lead
- Coach / Service Manager
- Social Care
- Public Health
- CWP Mental Health
- Healthwatch
- VCFSE

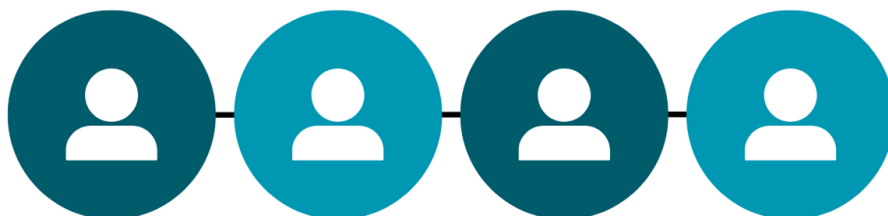


Wider members of the Care Community should include local councillors, other Local Authority links, operational support from health and care services, Police, Fire and Rescue and local housing providers. This list is not exhaustive and Care Communities will have other members of their communities with whom they would wish to engage. Care Communities will engage their populations and find ways to connect with their entire communities using the assets that are available locally.

Local secondary care providers should align clinical leaders within their organisations to each Care Community to ensure effective pathways of care between primary and secondary care, and move to supporting the Care Community multidisciplinary team.

Management structure

In addition, there will be an integrated leadership and management team drawn from the Core Group membership. The Leadership and management team will consist of a Care Community Clinical/Practitioner Lead, a PCN Clinical Director, a Community Manager/Coach, nursing or AHP lead and a Social Care Lead.



The leadership function will be responsible for the oversight of effectiveness, quality, and safety of integrated service delivery and for the stewardship of resources. The leadership element of the core team will also be the “key influencers” at “Place” with clear visibility, demonstrably contributing to Place plans and be able to articulate their local Care Community priorities.

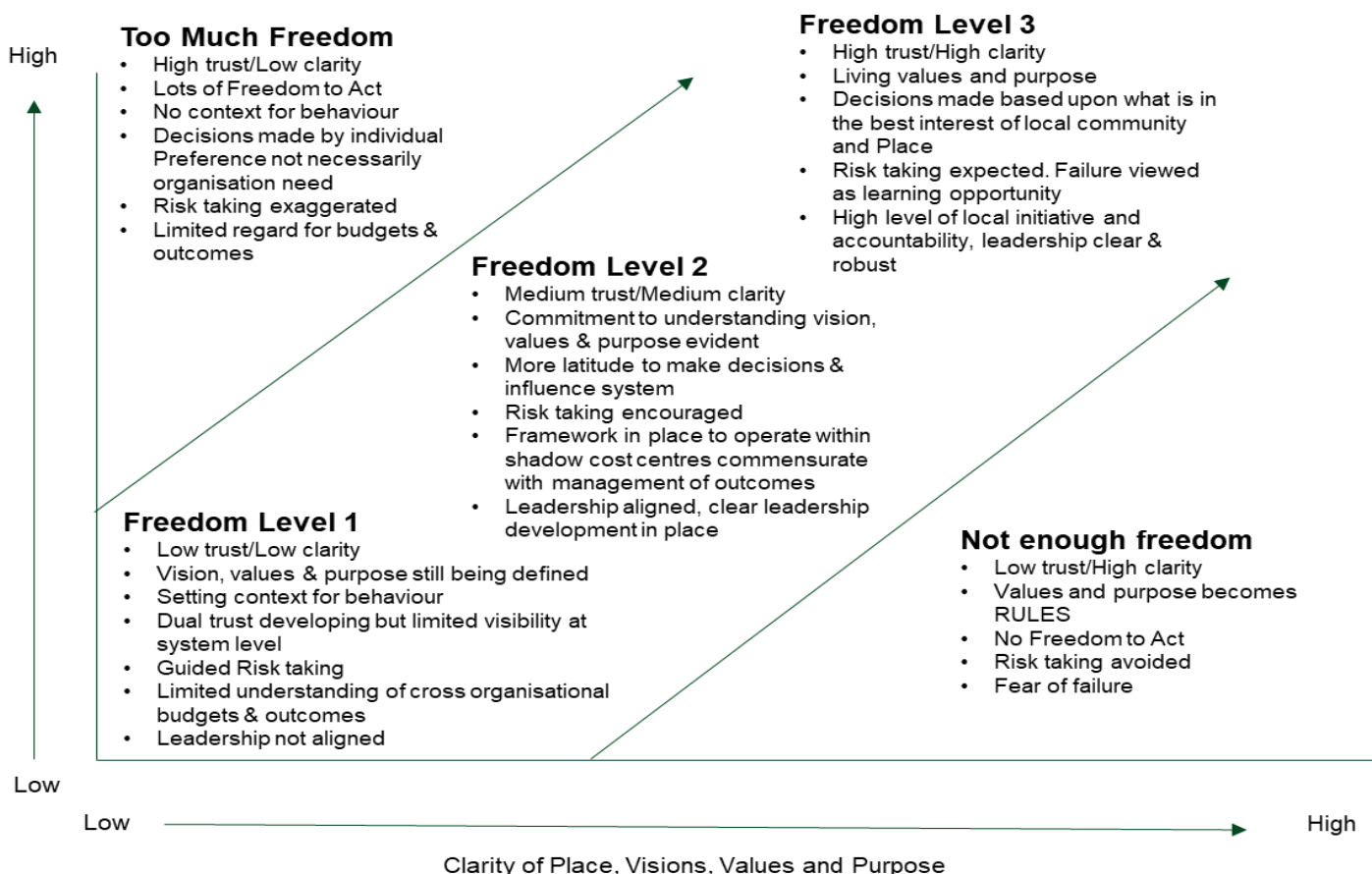
The leadership team will have:

- Responsibility to report priorities and performance into Place
- Influence Place plans through the use of local data
- Oversight of effectiveness, quality and safety
- Stewardship of resources, determining local spend within cost centres
- Support innovation and improvement
- Engage with their local populations using assets available.

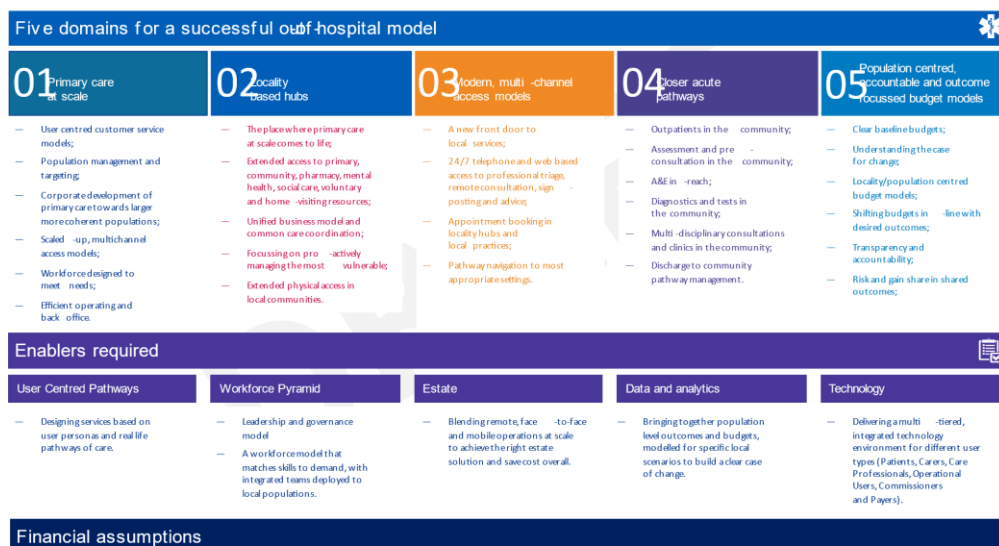
Freedom within a Framework

To operate successfully, the operating model will evolve over time within a framework initially determined by current status, with an aim to operate with greater freedom within a framework.

Freedom within a Framework Diagram



To support these freedoms, the progress against the maturity matrix (already in use) will be assessed subjectively and objectively.



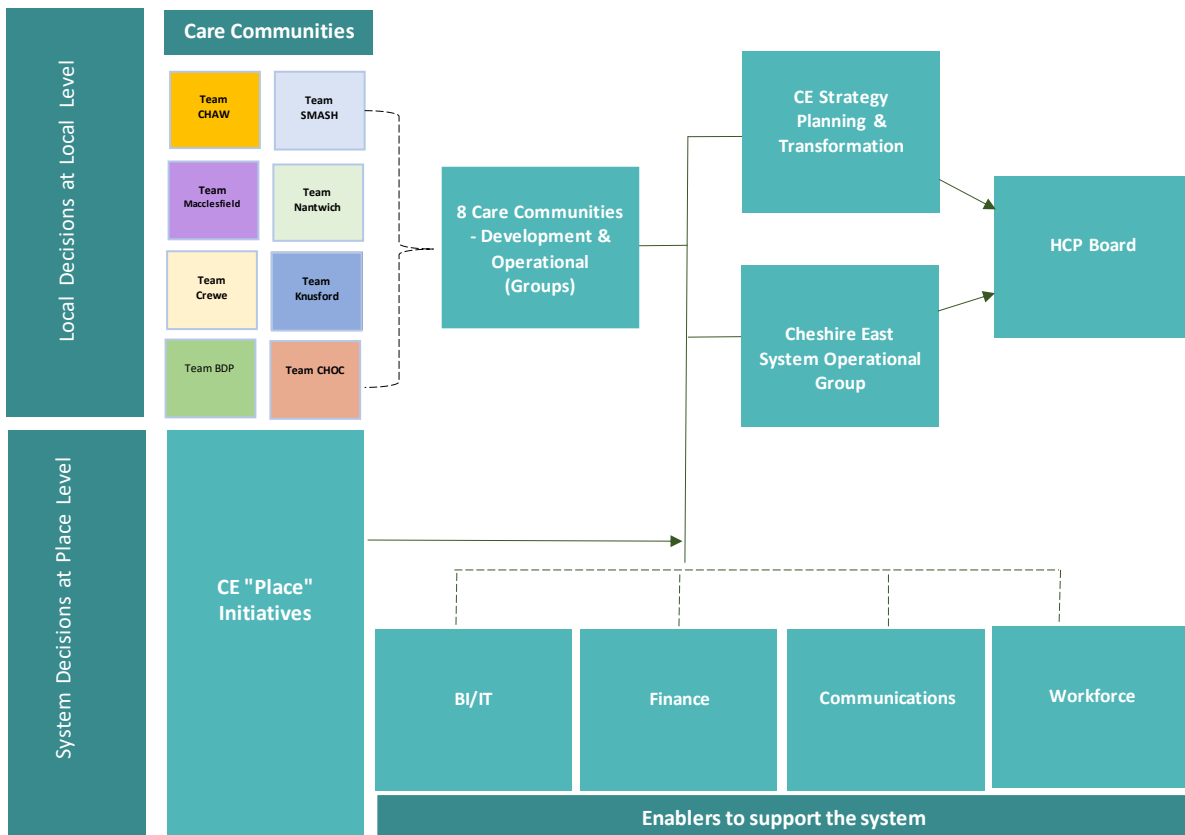
Document classification: This document is not intended for publication and is draft for information and discussion purposes only. No part of this draft document forms any conclusion by the C&MSV and nor is it intended to reflect any conclusions until it has been reviewed, tested and discussed with wider health and social care economy stakeholders. Detailed design subject to NHSE guidance for 'Planning, Assuring and Delivering Service Change for Patients'.

1

Governance & reporting

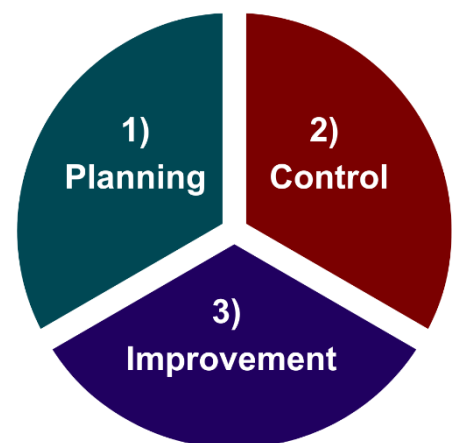
To support development and delivery, the 8 Care Communities will report into the 8 Care Community Development and Operational Groups. The 8 Care Communities Leadership function will meet bi-monthly for development and reporting purposes. In addition, the Care Community Coaches/Service Managers will also meet bi-monthly with a focus on operational delivery. It is proposed the Care Community development group will report into the Strategy, Planning and Transformation Board by way of a report; and the Operational Delivery Group will report into the Cheshire East System Operational Group, by way of a nominated representative.

Governance & Decision-Making Structure



Quality and safety

Individual partner contracts will continue to be monitored through the relevant contractual arrangements. However, as part of the work to increase maturity (and thereby increased responsibility and accountability), all Care Communities will be asked to provide 2 quality goals in 23/24 based on their current intelligence (whether this be for example complaints, incidents, compliments etc). This will form a process by which the Care Community develops systems and processes for Quality Management (Joseph Juran). There are 3 main aspects of quality management which are Quality Planning /goal, Quality Improvement and Quality Control. The enabling support to develop this approach will come from all partners and be led by the Care Community Leadership team. The reporting of the achievement of these quality goals will be through the routine Care Community reports to the 8 Care Communities Development & Operational Group. As Care Communities mature, they will take on more responsibility and accountability for quality of care of integrated services.



J.M. Juran's Trilogy Diagram

Budgetary responsibility and alignment of financial drivers

Each care community will have a cost centre which will comprise of the cost (including on costs) of all the personnel aligned to that care community. The care community will also have access to financial data on prescribing, admissions, Right Care and long-term care placements to begin with. This will allow the care community to make changes to existing personnel structure (or use vacancy monies) to meet the goal to improve population health. There is a requirement for delegation of some resources from partner organisations to be able to enable this. Changes in existing investment/personnel must be reported to the 8 Care Communities Development & Operational Group and an impact assessment must be completed. A timeline to develop a level of delegated autonomy will be developed, in partnership with relevant stakeholders.

Enabling support

To enable Care communities to deliver improved population health as well as system priorities, several enabling actions will need to be taken by partners. The care communities will have access to: -

- Business intelligence - population health as well as performance and impact (development of Care Community dashboards)
- Finance professionals - to support cost centres
- Integrated IT access
- Estates plans
- QI capability & capacity
- Leadership and management development

Care Communities need delegated authority from provider partners to change the way resource is used. The ICB may wish to trial a different contracting mechanism to support integration, focusing on population health outcomes.

Population Health and the needs of the population.

Population health includes:

- *A shift in focus from Illness to Wellness* ie health promotion, disease prevention, health literacy
- *Holistic care needs* ie a personalised or MDT approach to care that focuses on the person affected and their supporters

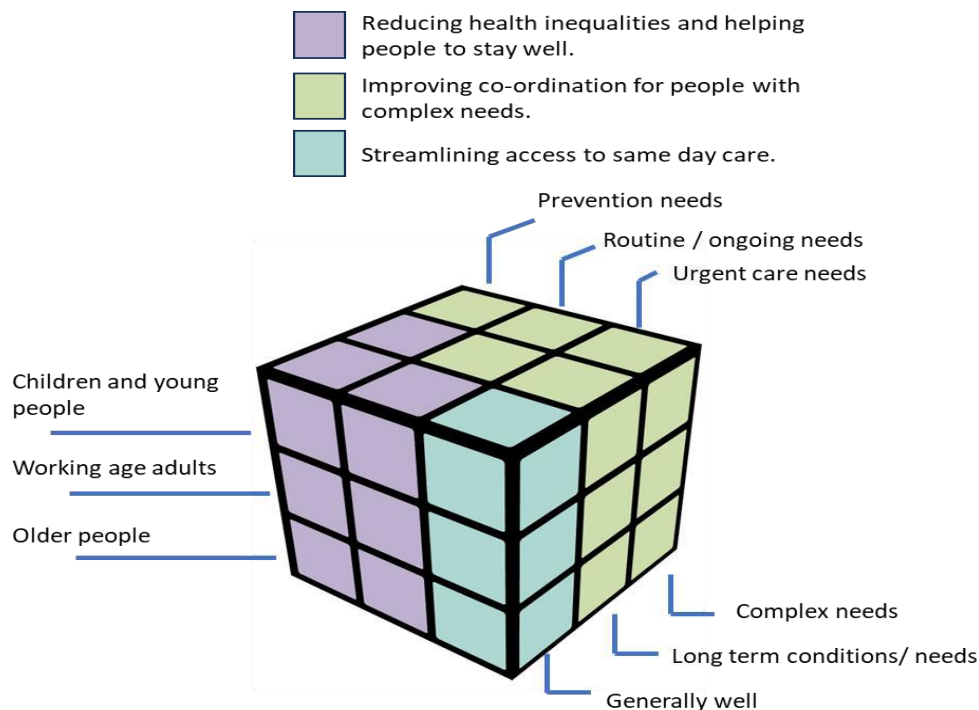
To improve population health each Care community needs to:

- KNOW the population health needs
- ENGAGE with the population
- MANAGE the entire population through segmentation

NAPC's Primary Care Home cube provides a simple, accessible model for looking at population health management in three dimensions:

Stage of life: children & young people, working age adults and older people.

Holistic health and care needs: currently well, people with long-term conditions (LTCs), and those with complex biopsychosocial health needs.



Current capacity

The Place will help develop a collective view of the assets and resources available to respond to identified local needs. It will not just look at primary care or wider health services, but also the capacity within wider public services including adult & children's social services, public health, and the local VCFSE services.

Care Communities will be supported to map:

- Individuals engaged in primary and secondary prevention, including wider primary care, VCFSE services, and public health
- Individuals involved in the care of those with complex needs, including adult and children's services, primary, community and acute specialists, and existing multi-disciplinary teams
- Individuals involved in provision of same day care, including primary care and those supporting urgent & emergency care pathways

Care Community People Plan

In recognition that our workforce is our greatest asset, the Care Communities will need to be fully conversant with the Care Community People Plan. The plan has been developed by our Care Communities over the last year and is now in first year mobilisation phase. The following 4 component parts make up the plan: -

- Growing our workforce
- New ways of working
- Creating a health leadership culture
- Caring for our people

Support for delivery will be by way of provider Workforce/OD colleagues. The role of Care Communities is to embrace the plan and support delivery by way of the Core Groups.

Risk management and escalation

The Leadership team are required to review their business information, performance, and quality of care to put improvement actions in place. Care Communities can escalate risks or issues to the 8 Care Communities Development & Operational Groups.

Performance reporting and management

Operational performance, quality of care including safety, effectiveness, and experience as well as use of resources will be reported once every 2 months to the Place Operational group. Each Care community will hold a risk register which will help Cheshire East Place to understand the risk to delivery and support to mitigate risk. By providing this information, Care Communities can provide assurance to providers and the ICB as to their progress against Place and Care Community objectives, as well as escalation for support.

Transformation & Intelligence

Each Care Community will be supported to further develop their local dashboards, determined by their local intelligence and local needs and priorities. The intelligence will be drawn from several data sources to understand both positive and negative variation in experience, effectiveness and outcomes of health and care.

Social Value

Care Communities will be supported to meet the requirements around social value of services commissioned and delivered, their progress towards Net Zero and to support delivery of the Cheshire and Mersey Prevention Pledge. The Pledge is integral to the delivery of population health.

Fair Society, Healthy Lives

Using our population health data, including premature mortality, Care Communities will be supported to understand health inequalities within their population so they can work with partners to deliver innovative solutions to reduce health inequalities.

Development and support

The 8 Care Communities Development & Operational Groups will continue to support development and maturity of the Care Communities, accepting that each Care Community is at differing levels of maturity and may require different levels of help and support. The progress to delegation of budgets, authority to use resources differently and risk and reward mechanisms will be iterative and developmental.

Building Strong Care Communities - the next level (High level plan 2023/24)					
Model features					Resulting in
Care Community Blueprint	Care Community development group sessions - revisit model & functions of a Care Community, host development events with local stakeholders (Making the Care Communities real for residents)			Care Community Blueprint - gain system agreement	A consistent approach to the model and functions of a Care Community
Integrated Teams	Strengthen the Care Community Core Groups - Team building & further developing roles, values, behaviours & priorities.		Develop the wrap around support functions, including Workforce, BI, project support, development of proposals.		Care Community Core Groups operating as unified providers of services
Leadership Structure	Working with Care Community Core Groups, define & design the leadership structure, roles and levels of decisions making		Design & test an accountability framework (freedoms within a framework)		Care Communities as decision making units, for local population & local delivery
Leadership Development	Review current leadership offers across the Place & begin to define potential requirements	Accessible leadership programmes for Care Community Core Groups	Accessible leadership programmes for Care Community Core Groups	Accessible leadership programmes for Care Community Core Groups	Local leaders with commensurate skills to lead local integrated teams
Assurance	Develop the governance & consistent reporting framework for Care Communities	Initiate meetings with clear terms of reference & reporting requirements	Ongoing review of governance & reporting, dynamic amendments as required	Formal review of governance & reporting	Care Communities which report into the system, are held to account for delivery & hold a position of "influencing" future service delivery
Quality Improvement (capability & capacity)	Baseline review of current QI capability & capacity across all Care Communities	Develop & agree the framework for increasing QI capability & capacity (inc catalogue of offers)	QI programmes for all Care Community Core Group members	QI programmes for all Care Community Core Group members	The beginning of a consistent approach to QI across the Place
BI & Finance	Business Intelligence support, developing local dashboards for each Care Community		BI & finance working group to develop an understanding of service demand, cost and outcomes.		Meaningful dashboards which support local decision making
Devolved Budget	Working group to establish current costs in each Care Community		Working group to develop a framework for devolved budgets		Framework prepared for testing devolved budgets, for each Care Community
IT	Support required – re: activities				
Align Secondary Care	Develop forums for linking Care Communities & Secondary Care colleagues, building relationships around a common purpose		Hold workshops to develop end to end pathways (2 x clinical areas)		Closer working relationships, delivering on simplified service user pathways

Acknowledgements :

National Association of Primary Care (NAPC) Primary Care Home model
 NHSE/PPL/Nuffield Trust- Modelling Integrated Neighbourhood Working- draft
 J Jurans Quality Management System Trilogy Diagram.

Proposed definition of complexity:

- Residents living with two or more long term conditions
- A person with a Learning Disability and or autism
- Having Serious Mental Illness
- Moderate to severe frailty *and* one of the following: Hypertension, Depression, Asthma, Diabetes, CHD, CKD, Hypothyroidism, Stroke or Transient Ischaemic Attacks, COPD, Cancer, Atrial Fibrillation, Heart Failure, Epilepsy, Dementia.

Case studies from Care Communities.

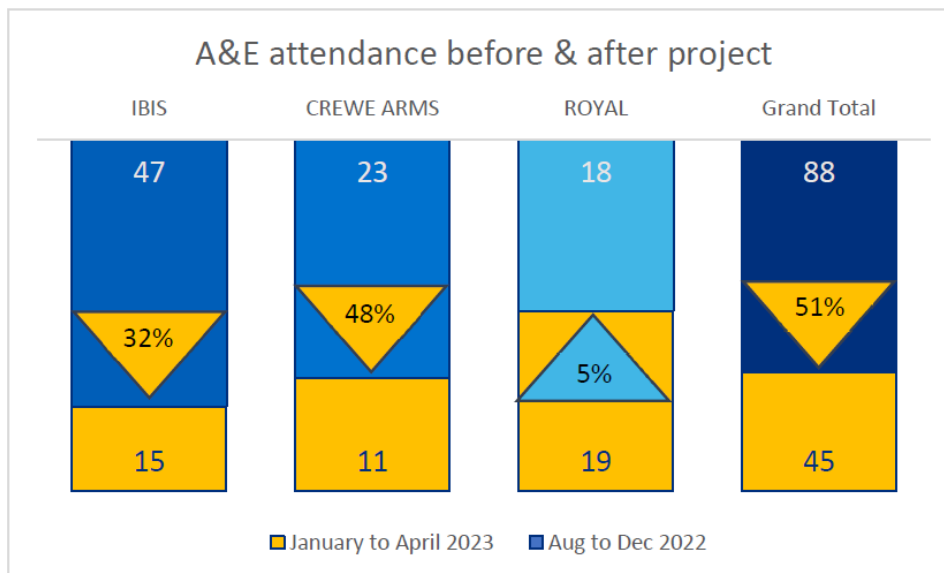
Team Crewe

The Asylum Outreach Project

Asylum seekers are placed temporarily into Crewe hotels either whilst awaiting status change or for onward relocation. For many this is a bewildering and frustrating time. The majority have experienced both physical and emotional trauma along their journey to the UK, and some within

their countries of origin. These are vulnerable, socially excluded people who need support to adjust to UK systems and to interpret health information and services.

Patients presenting at A&E were often unable to express their needs or explain underlying issues linked to the symptoms they were presenting with. The drop-in clinics provided a safe space for patients to present their immediate health concerns. The clinics were popular and provided opportunities to interact and to educate on self-care



Team Knutsford

Cardiology Virtual Clinics

In April 2022, Knutsford Care Community began to trail cardiology virtual clinics with Dr Rob Egdell, Cardiologist Consultant at Macclesfield Hospital. The clinics took the form of a weekly virtual question & answer clinic and clinicians within Knutsford PCN could refer 3 cases per week, one from each GP surgery. The clinics have been a success however ongoing support is required for this to become business as usual.

Aims

- Discuss and seek advice virtually face to face for patients with complex heart failure within the community
- Formulate advance care planning for patients with advanced heart failure
- Improve learning opportunity for patients with advanced heart failure in Primary Care
- Improve communication between Primary and Secondary care
- Improve the patient's experience
- Reduce hospital attendance

Heart Failure MDT's

Dr Russell also holds a monthly Heart Failure MDT which offer the opportunity for clinicians to discuss or seek advice. The initiative started in Knutsford Care Community and has since been rolled out across the Care Communities in East.

Cardiology Virtual Clinics – Outcomes

Pilot period results (4 months)

- 7 clinics on a Wednesday lunchtime lasting 30 mins to 1 hour
- 21 patients in total discussed
- In 19 patients a referral to secondary care outpatients' was saved (90%)
- In 2 patients direct access to secondary care investigation was achieved and then follow up arranged

A total of 60 patients have been discussed in the virtual clinics from August 2022 – July 2023

Cost Saving: average cost of attendance at cardiology outpatient clinic in acute setting - £136 without tests or £242 including tests (ECG; Echo)

Case Study

A 67 year old anxious male was investigated for PAF. His ECHO was normal and a holter monitor was performed remotely which showed 4 beats of VT. The man was discussed during a virtual cardiology clinic. His heart was normal, his examination was normal and he had no worrying symptoms. The patient was reassured with safety netting. This saved 3 hospital attendances (2 x Holter monitor, 1 x cardiology OPD), lead to a faster diagnosis time and improved patient satisfaction. This was a shared learning experience.

Team Macclesfield

Hypertension Case finding- Outcomes / Impact

We have started to collect process measures around the number of health checks delivered and onward referrals made.

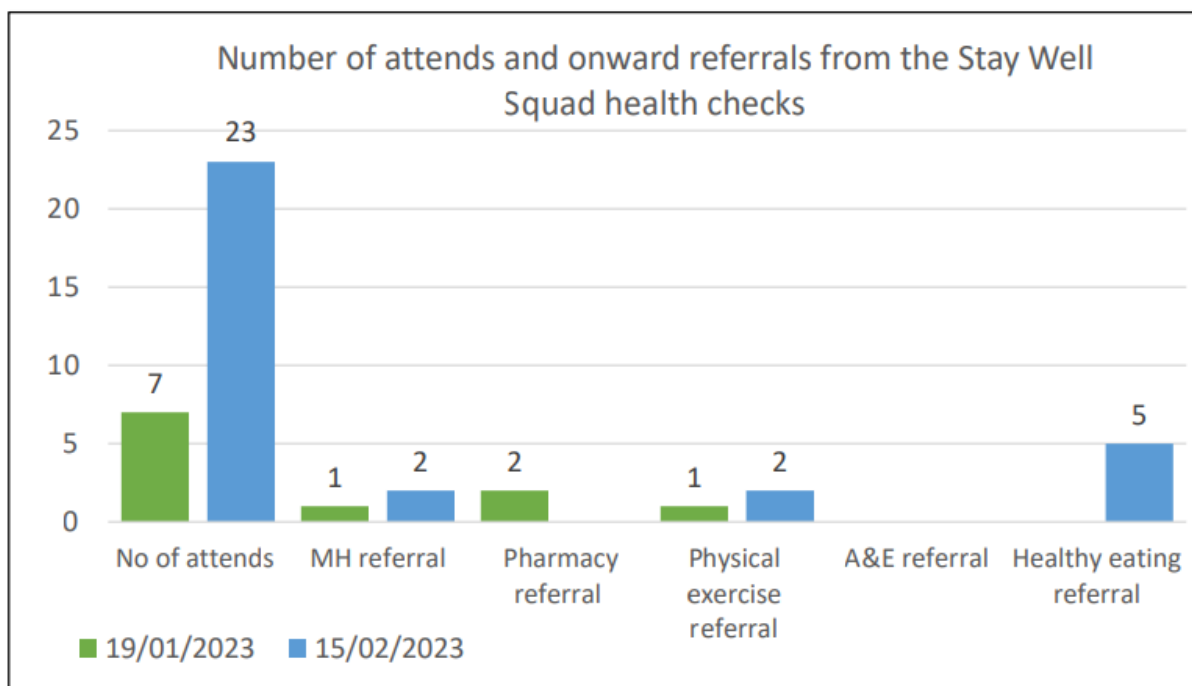
Ageing well roadshows

Event	Total BPs taken	How many elevated BPs but on Hypertensives	BPs over 180/80 escalated to next day clinic
Ageing well event 1	300	50	10
Ageing well event 2	60	20	1
Ageing well event 3	200	15	0

The Macclesfield Care Community worked collaboratively with Macclesfield PCN and wider partners to present an ageing well roadshow seasonally. The event is delivered with a tailored approach to mild, moderate and severe frailty. The roadshows present opportunities to identify residents with undiagnosed hypertension and nursing staff were able to signpost to other

services and give advice accordingly regarding blood pressure readings and other lifestyle domains.

Community health checks



The total number of people who attended for a health check with the Stay Well Squad equated to 7.5 hours in saved primary care hours, based on seeing 4 patients per hour in a clinic. Unfortunately, the stay well squad was decommissioned in May 23. We are currently working with other partners to deliver health checks in the community.

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OPEN

Corporate Policy Committee

03 October 2024

A Healthier Food and Drink Advertising Policy

Report of: Helen Charlesworth-May, Executive Director of Adults, Health and Integration

Report Reference No: CP/32/24-25

Ward(s) Affected: All

Purpose of Report

- 1 This report proposes the adoption by Cheshire East Council of a 'healthier food and drink advertising policy'. This would require advertisers to swap references to or illustrations of unhealthy food and non-alcoholic drink products in adverts on the Council's land, buildings or vehicles, for their healthier option food and non-alcoholic drink products. This is proposed as part of our efforts to prioritise our residents' health and wellbeing and to reduce health inequalities in the borough.
- 2 The report outlines the background to and rationale for implementing the policy. The draft policy document is attached as Appendix One.
- 3 If the policy is adopted it would contribute to two of the Council's objectives, 'Fair' and 'Green'. It would also contribute to three of the four strategic outcomes of the Cheshire East Joint Local Health and Wellbeing Strategy:
 - Cheshire East is a place that supports good health and wellbeing for everyone
 - Our children and young people experience good physical and emotional health and wellbeing
 - That more people live and age well, remaining independent...

Executive Summary

- 4 The Department of Health and Social Care recognised in July 2020 that tackling obesity is one of the most significant long-term health challenges this country faces [Tackling obesity: empowering adults and children to live healthier lives - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/tackling-obesity-empowering-adults-and-children-to-live-healthier-lives)
- 5 There is clear evidence that advertisements for unhealthy food and drink products directly and indirectly impact upon what we eat¹. Young people who recall seeing junk food adverts every day are more likely to be obese². Cheshire East Council has high rates of child and adult excess weight and widening health inequalities.
- 6 There are significant inequalities in child excess weight levels with higher rates reported for children living in disadvantaged households, children with disabilities and children from specific ethnic backgrounds. Both children and adults from lower socio-economic groups are 50% more likely to be exposed to such advertisements for high fat, salt, or sugar (HFSS) foods³.
- 7 A number of other local authorities (for example Barnsley, Bristol and Southwark and Knowsley and Sefton locally) and Transport for London (TfL) have introduced an advertising restriction on all food and non-alcoholic drink products that are HFSS. This restriction is across all local authority owned sites (for example bus stops, roundabouts, park railings) and the entire TfL estate.
- 8 It is proposed that Cheshire East Council should adopt a similar policy and this is attached as Appendix One

RECOMMENDATIONS

The Corporate Policy Committee is recommended to:

1. Approve and agree the adoption of the draft Healthier Advertising Policy (food and non-alcoholic drink) set out in Appendix One
2. Delegate to the Director of Public Health the responsibility to roll out the policy across the Council and take any necessary actions to implement the approved policy.

¹ Critchlow, N. et al. (2020) 'Awareness of marketing for high fat, salt or sugar foods, and the association with higher weekly consumption among adolescents: a rejoinder to the UK government's consultations on marketing regulation'. Accessed via: <https://pubmed.ncbi.nlm.nih.gov/32434618/>

² <https://www.cancerresearchuk.org/about-us/cancer-news/press-release/2018-03-15-obesity-risk-doubles-for-teens-bombarded-with-junk-food-adverts>

³ Yau, A. et al. (2021) 'Sociodemographic differences in self-reported exposure to high fat, salt and sugar food and drink advertising: A cross-sectional analysis of 2019 UK panel data', Accessed via: <https://bmjopen.bmj.com/content/11/4/e048139>

Background

- 9 Cheshire East, as part of the Cheshire and Merseyside Marmot Community is signed up to the recommendations of the 'All Together Fairer' report [All Together Fairer | Champs Public Health Collaborative](#). These set out a collaborative approach to addressing health inequalities across the region. Similarly, Cheshire East Council's Corporate Plan seeks to support those most in need and reduce health inequalities. Implementation of a formal healthier food and drink advertising policy will help to achieve these aims by improving the advertising content that is seen by residents.
- 10 Implementation of this policy will contribute to a number of the Council's priorities including:
 - Reducing inequalities
 - Improving health - specifically diet-related diseases such as obesity, diabetes, cancer, heart disease and tooth decay as well as saving local NHS services money
 - Contributing to reducing the impacts of climate change
 - Having minimal impact upon the Medium-Term Financial Strategy; the policy is expected to maintain advertising revenues and has done so when implemented by other local authorities.
- 11 The policy also supports the aims of the Cheshire East Healthy Weight Plan (endorsed by the Cheshire East Health and Wellbeing Board in March 2024).
- 12 It is widely recognised that the rates of obesity amongst both adults and children are rising nationally and locally and that this is becoming a serious public health issue:
 - 63.8% of adults aged 18 years and over in England were estimated to be overweight or living with obesity (2021-22)
 - 62.5% of adults in Cheshire East are estimated to be overweight or obese (2021-22)
 - 21.1% of adults in Cheshire East are estimated to be obese (2021-22)

- 21.3% of reception aged children (4-5yrs) in England are estimated to be overweight (including obesity) (2022-23)
 - 21.2 % of reception aged children (4-5yrs) in Cheshire East are estimated to be overweight (including obesity) (2022-23)
 - 36.6% of year 6 (10-11yrs) children in England are estimated to be overweight (including obesity) (2022-23)
 - 32.1% of year 6 children (10-11yrs) in Cheshire East are estimated to be overweight (including obesity) (2022-23)
- 13 The risks to physical and mental health from being overweight and obese can include a range of serious non-communicable diseases. Living with overweight or obesity is problematic as both an adult and child; it reduces quality of life, creates physical, psychological, social and emotional problems, and for children affects educational performance which can also have a lasting influence on life experiences. A child with obesity is much more likely to continue experiencing obesity into adulthood; experience poorer life outcomes in the long-term and have a shorter life than a person of healthy weight. Treating obesity-related illness costs the NHS at least £6.1billion each year with this predicted to rise to £9.7billion by 2050.
- 14 Unhealthy food and drink advertising is a contributor to the numbers of people being overweight and obese. Research shows exposure to advertising for food and drinks high in fat, salt and sugar is linked to a strong preference for these products, more snacking, eating more calories, and these products replacing healthier ones in our diet.
- 15 Adverts often promote high fat, salt and sugar food and drink as part of a normal diet, with marketing frequently targeted at young people and associated with fun cartoon characters or toy collections, specifically aimed at children. The evidence base showing the negative impact on children's diets at ages 3-12 is particularly strong.
- 16 Analysis has found there to be inequality in exposure to these types of adverts with those in more deprived areas seeing them more regularly which widens health inequalities. This is likely to be a combination of greater exposure to adverts in general, for example, on bus shelters, bus tickets, telephone boxes, billboards and social media, as well as direct marketing placement decisions for this cheap, energy dense and 'family-friendly' food. This constant and often repeat exposure (on the route to school or work) increases brand awareness and influences preferences. Evidence suggests this contributes to the obesity promoting environment and is therefore a key area for intervention.

- 17 In conjunction with this relationship there is a parallel link between areas of higher deprivation and higher rates of obesity. Findings from the Crewe JSNA published in 2023 show that around 27% of reception children living in the six most deprived wards in Crewe are overweight (including obesity), compared to 21.3% in Cheshire East as a whole. This gap widens further by year 6 and 42% of children living in those six Crewe wards have excess weight compared to just less than one-third, 32.1% in Cheshire East overall.
- 18 Data for 2021-22 estimates that 62.5% of Cheshire East adult residents are living with overweight or obesity. Parts of Cheshire East also have high rates of diet-related illnesses (cardiovascular diseases, some cancers, hypertension, diabetes, poor oral health), many of which are contributing to the lower life expectancy within our population. This is particularly the case in Crewe.
- 19 Causes of overweight and obesity are complex and multi-factorial and often a consequence of interplay between a wide variety of variables and determinants related to individual biology, eating behaviours and physical activity, set within a social, cultural, and environmental landscape. Tackling them requires a whole-system, multi-layered, evidence-based approach. The Cheshire East Health and Wellbeing Board recently (March 2024) approved a 'Healthy Weight Implementation Plan' that will take this holistic approach. Adopting a healthier food and drink advertising policy is just one part of this but is something which is within the gift of the Council.
- 20 It is important to note that within the proposed policy no brand is banned from advertising. The policy requires them to simply swap their advertising of unhealthy products for healthier ones to comply. For example, a brand that often advertises high in fat and salt burgers may no longer be able to advertise those products. However, it could advertise a healthier version of their burger or another healthier menu item instead. Similarly, brands associated with sugary drinks would not be able to advertise these products but could advertise their non-sugar alternatives.
- 21 This type of policy has now been implemented in a number of local authorities (for example Barnsley, Bristol and Southwark and Knowsley and Sefton locally) in addition to the entire Transport for London network. No revenue losses have been reported as a result as advertisers have worked proactively and constructively to produce advertising which adheres to the policy. Most of these adverts are for national (and some international) brands, so compliant advertising content already exists. This can be used by the same companies at a local level, or it can be adapted to meet the local Healthier Food and Drink Advertising policy. Alongside this, Transport for London has also

welcomed new advertisers with campaigns advertising their healthier products.

- 22 An independent evaluation of Transport for London's policy conducted by the London School of Hygiene and Tropical Medicine found there has been an estimated 6.7% decrease in average weekly household purchases of products deriving their energy content from high fat, salt and sugar, and the average weekly purchases of chocolate and sweet confectionery fell by 19.4%.
- 23 It is acknowledged that Cheshire East Council only own a small proportion of the advertising space in the borough (for example sponsorship signs on roundabouts managed through ANSA) and there is already a restriction covering some unhealthy or sensitive products such as alcohol or gambling. However, research by Kantar (a market research company) on behalf of the UK government indicates there is expected to be a 22% displacement of adverts for unhealthy food from online and television to out of home, including local authority advertising estate, as advertising companies switch their spend away from TV and online which is soon to be regulated. Implementing a formal policy such as this now, safeguards our current sites and any potential future sites from this type of advertising.
- 24 Implementing a healthier food and drink advertising policy demonstrates the Council's commitment to health and wellbeing and reducing health inequalities. There is limited risk in adopting such a policy and this brings Cheshire East in line with other local authorities who have already done so, and with Councils across Cheshire and Merseyside that are also progressing the endorsement of a similar Policy, establishing a sub-regional stance on unhealthy food and drink advertising.
- 25 The collective action across Cheshire and Merseyside is supported by several other sub-regional stakeholders including the Beyond Programme for Children and Young People (NHS), the Strategic Overweight and Obesity Project (part of the Cheshire and Merseyside Cancer Alliance) and the Health Equity Group.
- 26 The proposed healthier food and drink advertising policy reflects the Public Services (Social Value) Act 2012 which states that all public bodies are required to consider how their services impact on the economic, social, and environmental well-being of the area. It is also in line with the World Health Organisation recommendation that all countries should implement advertising restrictions on high fat, salt and sugar food and drink, especially for children.

How the Policy Works

- 27 The policy uses the Nutrient Profiling Model to distinguish between food and non-alcoholic drinks which are high in fat, salt and sugar and healthier options using their nutritional content per 100g. This model was written by academics on behalf of the Food Standards Agency and is now owned by the Department of Health and Social Care. It has been used since 2007 to restrict unhealthy food and drink advertisements on children's programming across national television.
- 28 The Nutrient Profiling Model gives points based on a product's energy, sugar, saturated fat, and sodium. It subtracts points for fruit, vegetables, and nut content, protein, and fibre. The advertising industry are familiar with this model and chose to adopt it for existing, but quite limited, voluntary restrictions.
- 29 Some brands have strong associations with unhealthy products. Because of this, advertising for food and drink brands is also restricted. All adverts for a food and drink brand must include prominent promotion of a compliant product. This would include, for example, directional signage to a fast-food restaurant.
- 30 Also restricted are adverts where food and drink that are high in fat, salt and sugar are featured although they may not be the main focus of the advert. For example, a financial services advert featuring an ice cream. The advertiser would be required to amend the copy to remove the ice cream.
- 31 Examples of adverts used before and after policy implementation are included at Appendix Two.
- 32 The policy has been written utilising a template created for all authorities in Cheshire and Merseyside to use, thereby creating a standardised approach which will further safeguard residents and visitors as they travel across authority boundaries.

Consultation and Engagement

- 33 Engagement with relevant Cheshire East Council and ANSA colleagues has taken place.

Reasons for Recommendations

- 34 The Joint Local Health and Wellbeing Strategy and the Council's Corporate Plan both have a focus upon reducing health inequalities and improving the health and wellbeing of our residents. Adopting the Healthier Food Advertising Policy will contribute to achieving these outcomes.

- 35 Other local authorities in Cheshire and Merseyside are progressing the adoption of the policy as part of our response to 'All Together Fairer' to create a consistent sub-regional approach.

Other Options Considered

- 36 The alternative option is to not introduce a policy. This will hamper efforts to reduce the levels of overweight and obesity in the borough.

Option	Impact	Risk
Do nothing	There would be no restrictions on the advertising of foods that are HFSS on Cheshire East property.	The potential benefits of such a restriction in relation to the levels of overweight and obesity would be lost.

Implications and Comments

Monitoring Officer/Legal

- 37 The changes introduced by the Health and Social Care Act 2012, as well as divesting responsibility for the provision of public health services onto local authorities, also placed a duty on every local authority to take such steps as it considers appropriate for improving the health of the people in its area. In addition, it provided a requirement to have regard to guidance issued on such matters by the Secretary of State.
- 38 The 2012 Act aimed to provide better integration of health and social care services with other activities that affected health.
- 39 Other legislation such as the Care Act 2014, also provide local authorities with duties regarding promoting individual wellbeing and preventing needs for care and support.
- 40 The current proposals are in line with the statutory duties outlined and lie within the remit of the committee.

Section 151 Officer/Finance

- 41 There is no cost involved with the implementation of this policy. This is because the policy is simply swapping out the unhealthy food advertising for healthier food advertising. It is also worth noting that currently Cheshire East has a relatively small advertising estate (signs on roundabouts, banners on park railings) which is managed via ANSA.

- 42 If the advertising estate should increase in the future, there is a chance this may attract food and drink advertising. Any advertising company would be responsible for determining that any proposed advertised products meet the rules including the Nutrient Profiling Model and therefore the administration cost would not fall to Council Officers.
- 43 Evidence from other places that have implemented this type of policy does not suggest there would be any revenue loss.
- 44 There is no impact on any on the Council's approved budget/ Medium Term Financial Strategy (MTFS).

Policy

- 45 Adopting this new Healthier Food Advertising Policy will have beneficial impacts that link to the Corporate Plan.

An open and enabling organisation	A council which empowers and cares about people	A thriving and sustainable place
<p>Look at opportunities to bring more income into the borough:-</p> <p>Our Alternative Service Delivery Vehicles (ASDV) delivering for our residents and generating a profit (with shareholder dividend) from commercial activities, reducing financial pressures on the council</p>	<p>Reduce health inequalities across the borough</p> <p>...help and encourage people to take responsibility for their own health and wellbeing through regular exercise and diet</p>	<p>A great place for people to live, work and visit</p>

Equality, Diversity and Inclusion

- 46 There are no specific equality, diversity or inclusion issues associated with the implementation of this Policy. An EDI Impact Assessment has been drafted and is attached as Appendix Three.

Human Resources

- 47 There are no human resources implications of this report.

Risk Management

- 48 The risks associated with this report are primarily linked to the risk of reduced advertising income. However, as referenced above evidence from elsewhere indicates that there won't be a negative impact.

Rural Communities

- 49 There are no specific implications affecting rural communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 50 As set out above there is a significant issue in the borough with the numbers of overweight and obese children and young people. The introduction of this policy as part of a more holistic approach will contribute to slowing the growth in numbers and, in due course, seeing reductions.

Public Health

- 51 The introduction of the policy will have a positive impact upon the public's health, particularly in those less affluent areas where there are higher levels of overweight and obesity.

Climate Change

- 52 Reducing the levels of consumption of foods and drinks that are high in fat, salt and sugar will, over time, benefit population health, as part of a holistic approach to being active and eating a healthy diet. Linking the policy to active travel initiatives and access to green spaces for example can facilitate an overall healthier lifestyle, with positive impacts in relation to climate change.

Access to Information	
Contact Officer:	Guy Kilminster, Corporate Manager Health Improvement Guy.kilminster@cheshireeast.gov.uk
Appendices:	Appendix One – the draft 'Healthier Advertising Policy (food and non-alcoholic drink). Appendix Two – Examples of adverts used before and after policy implementation. Appendix Three - EDI Impact Assessment

Background Papers:	Tackling obesity: empowering adults and children to live healthier lives - GOV.UK (www.gov.uk)
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Appendix One

**Healthier Advertising Policy
(food and non-alcoholic drink)**

DRAFT

Adopted

Healthier Advertising Policy (food and non-alcoholic drink) guidance

1. Background

- 1.1. Evidence shows that advertisements for unhealthy food and drink products directly and indirectly impact what we eat.¹ Young people who recall seeing junk food adverts every day are more likely to be obese.² Cheshire East Council has high rates of child and adult excess weight and widening health inequalities.
- 1.2. There are significant inequalities in child excess weight levels with higher rates reported for children living in disadvantaged households, children with disabilities and children from specific ethnic backgrounds. Both children and adults from lower socio-economic groups are 50% more likely to be exposed to such advertisements for high fat, salt, or sugar (HFSS) foods.³
- 1.3 Transport for London (TfL) and a number of other Local Authorities have introduced an advertising restriction on all food and non-alcoholic drink products that are high in fat, salt and/or sugar (HFSS). This restriction is across all advertising opportunities on the TfL estate and Local Authority owned sites (including bus stops, taxi wraps and stations).

2. General Principles

- 2.1. Consistent with similar advertising policies implemented by Bristol and Sheffield City Councils, Barnsley Council, Knowsley Council, as well as the London Boroughs of Haringey, Southwark, Merton Greenwich and Tower Hamlets, the UK Nutrient Profiling Model (NPM) has been adopted by Cheshire East Council to identify HFSS products.
- 2.2. The NPM is widely used and has been subject to rigorous scientific scrutiny, extensive stakeholder consultation, and review. Furthermore, the scoring system it uses balances the contribution made by beneficial nutrients that are particularly important in children's⁴ diets with components in the food that children should eat less of. It has therefore been concluded that the NPM model is the best way of identifying food that contributes to child obesity. Such food and drink is not only purchased directly by children but is bought for them by others.
- 2.3. Guidance on how to identify whether a product is considered HFSS under the NPM is available [here](#). All potential advertisers should familiarise themselves with the NPM's technical guidance on how to identify whether a product is considered HFSS under

¹ Critchlow, N. et al. (2020) 'Awareness of marketing for high fat, salt or sugar foods, and the association with higher weekly consumption among adolescents: a rejoinder to the UK government's consultations on marketing regulation'. Accessed via: <https://pubmed.ncbi.nlm.nih.gov/32434618/>

² <https://www.cancerresearchuk.org/about-us/cancer-news/press-release/2018-03-15-obesity-risk-doubles-for-teens-bombarded-with-junk-food-adverts>

³ Yau, A. et al. (2021) 'Sociodemographic differences in self-reported exposure to high fat, salt and sugar food and drink advertising: A cross-sectional analysis of 2019 UK panel data', Accessed via: <https://bmjopen.bmj.com/content/11/4/e048139>

⁴ Child/Children means a person/s below the age of 18. This is in line with the Convention on the Rights of the Child's definition: www.unicef.org/child-rights-convention/convention-text

the NPM. In any case of doubt, it is for the advertiser to show that the featured product is not HFSS.

2.4. Any revisions to the NPM will be reflected in the advertisement decisions made by the council.

2.5. It is the responsibility of advertisers and their agents to verify the status of the products featured using the NPM.

2.6. Cheshire East Council or its representatives may request evidence of nutrition information of food and drink products advertised, and in line with the Food Standards Agency recommendations. Cheshire East Council expects any laboratory used for nutrition analysis to have ISO 17025 accreditation and this should be by the United Kingdom Accreditation Service (UKAS).

3. Content featuring only non-HFSS products

3.1. These would normally be approved but would still need to comply with existing principles and procedures relating to any advertising carried by Cheshire East Council.

4. Content featuring only HFSS products

4.1. Where proposed content features only food and/or drink which is rated HFSS, such copy would be rejected.

4.2. It is therefore recommended that, before committing to advertising production agreements, advertisers should discuss their eligibility with the council or its agents.

5. Content where there is a range of food/drink featured, some of which is HFSS

5.1. The advertising or promotion of HFSS products is unacceptable under the policy, so a range or meal could not feature them (e.g. fish, chips and peas could only be advertised if all products were non-HFSS). This would also apply to any meal settings being shown, including those for restaurants, aggregator platforms and delivery services.

5.2. It is the responsibility of advertisers and their agents to verify the status of the products featured using the NPM.

6. Content where no food or drink is featured directly but the advertisement is from or features a food and/or non-alcoholic drink brand

6.1. This may include:

- advertisements where the brand's logo is included but no products, such as a brand values campaign,
- directional signage to a store, app or website,

- promotional advertising which is price-led but features no products such as '50% off everything' or similar,
- advertising about a business or its performance

6.2. Food and drink brands (including food and drink service companies or ordering services) will only be able to place such advertisements if the advertisement promotes healthier options (i.e. non-HFSS products) as the basis of the copy.

6.3. Where advertisers are uncertain about the classification of proposed copy under these guidelines, they should discuss this with the council or its agents.

7. Advertisements where food and drink is shown 'incidentally' i.e. it is not the subject of the advertisement but is included (or implied) by visual or copy

7.1. HFSS products should not be promoted by being featured in advertisements for other products. It is the responsibility of advertisers and their agents to verify the HFSS status of the products featured using the NPM.

7.2. Where a food or drink item is featured incidentally and does not relate to a specific identifiable product which can be assessed for its HFSS status, advertising copy may be rejected by the council or its agents on the basis that the advertisement promotes the consumption of HFSS products.

8. Advertisements where food and drink is referenced in text, through graphical representations or other visual representation

8.1. HFSS products should not be promoted through references in text, graphical images or other visual representations of food and drink. Where a food or drink item is featured in this way and does not relate to a specific identifiable product which can be assessed for its HFSS status, copy may be rejected by the council or its agents on the basis that it promotes the consumption of HFSS products.

9. Indirect promotion of HFSS food and/or drink

9.1. Where a product is non-HFSS but falls within a category covered by the Office for Health Improvement and Disparities (OHID) recommendations for sugar or calorie reduction, the product should always carry a prominent product descriptor to help differentiate it from noncompliant products (e.g. where an advertisement features a non-HFSS pizza or burger, the image should be accompanied by prominent text that names the specific product and retailer).

9.2. Children should not usually be shown in advertisements for products which are compliant in a category which is covered by the OHID recommendations for sugar or calorie reduction.

10. Portion sizes

10.1 The NPM model is based on nutrients per 100g of a product, rather than recommended portion size. Advertisers should always ensure that they promote products in portion sizes which encourage healthy eating. For products that are non-HFSS but fall within

a category covered by OHID's recommendations for sugar or calorie reduction, the product should be displayed as a single portion.

- 10.2** If advertisers and/or agencies are unsure about how to interpret this, or any other aspect of these guidelines, they are encouraged to get in touch with the council or its agents and work together on a solution to avoid submitted copy requiring changes or being rejected.

11. Exceptions

There are no standard exceptions to the policy offered on council-owned advertising sites.

12. Alignment Council-wide

Cheshire East Council will consider the potential impact of HFSS advertising when looking at planning applications which include advertising sites. Unhealthy food and drink marketing is an important consideration upon healthy town centres and is therefore considered in planning applications.

Appendix 1: Guidance for decisions regarding advertising including high fat, salt, or sugar food and non-alcoholic drinks

1. Example Decision Table

The table below, adapted from Barnsley Council's Advertising policy, outlines examples of a range of advertisements and what the policy outcome would likely be.

Advertisement Content	Outcome	Example(s)	Notes
Only non-HFSS products featured	Approved	An advertisement for fresh fruit and vegetables	Subject to compliance with our overall Advertising Policy.
Only HFSS products featured	Rejected	An advertisement for sweet pastries	
A range of products, some of which are HFSS and some of which are non-HFSS	Rejected	An advertisement for a meal deal that includes a chocolate bar (HFSS) as well as fruit (non-HFSS)	All food/drink items being advertised must be non-HFSS.
No food or drink directly displayed but the advertisement is	Possibly approved – only if healthier options (non-HFSS) are being promoted	A fast-food business advertising only non-HFSS products (approved)	Many brands and their logos have strong HFSS product

from (or features) a food/drink brand		A fast-food business advertising a competition or an affiliation to an event (rejected).	association. Some HFSS products also share the same name as the actual brand name, making it difficult to separate the brand name from the associated product.
Food and drink is shown 'incidentally' i.e., it is not the subject of the advertisement but is included (or implied) by visual or copy	Possibly approved – only if healthy products (non-HFSS) are being displayed	<p>A travel firm advertising holiday offers which happens to contain images of oranges (approved)</p> <p>A travel firm advertising holiday offers which happens to contain images of ice creams (rejected)</p>	If the advertisement can be reasonably considered to promote HFSS products it will be rejected regardless of whether the food is intended focus of the advertisement.
Food and drink is referenced in the text, through graphical representations or other visual representation (not a real product being advertised)	Possibly approved – only if healthy products (non-HFSS) are being promoted	<p>An advertisement that contains a cartoon image of carrots (accepted)</p> <p>An advertisement that contains a cartoon image of chocolate (rejected)</p>	If the advertisement can be reasonably considered to promote HFSS products it will be rejected regardless of whether the food is an actual product.
Indirect promotion of HFSS food and/or drink	Possibly approved – only if prominent text accompanies the image naming the product and retailer	<p>An advertisement featuring a non-HFSS ice cream that includes prominent text that accompanies the image naming the specific product and retailer (accepted)</p> <p>An advertisement featuring a non-HFSS ice cream but with no accompanying explanatory text (rejected)</p>	A prominent product descriptor helps to differentiate it from non-compliant products. This is necessary where the product falls into a category typically associated with HFSS products (such as ice cream).

Portion sizes	Possibly approved – see Notes column	<p>An advertisement for a non-HFSS 16-inch pizza that displays a portion (e.g., 3 slices) and that also displays clear text naming the product and retailer as per the row above (accepted)</p> <p>An advertisement for a non-HFSS 16-inch pizza that displays an image of the full pizza (rejected)</p>	<p>Advertisers should always ensure that they promote products in portion sizes which encourage healthy eating. For products that are non-HFSS but fall within a category covered by OHID's recommendations for sugar or calorie reduction, the product should be displayed as a single portion.</p>
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Examples -



Examples of adverts before (above) and after (below) implementation of the Healthier Food Advertising Policy, based on real-life examples.



Tower Hamlets council votes to ban junk food advertising



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Equality Impact Assessment (EIA)

Engagement and our equality duty

Whilst [the Gunning Principles](#) set out the rules for consulting ‘everyone’, additional requirements are in place to avoid discrimination and inequality.

Cheshire East Council is required to comply with the Equality Act 2010 and the Public Sector Equality Duty. The Equality Act 2010 simplified previous anti-discrimination laws with a single piece of legislation. Within the Act, the Public Sector Equality Duty (Section 149) has three aims. It requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, by consciously thinking about equality when making decisions (such as in developing policy, delivering services and commissioning from others)
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, by removing disadvantages, meeting their specific needs, and encouraging their participation in public life
- foster good relations between people who share a protected characteristic and people who do not

The Equality Duty helps public bodies to deliver their overall objectives for public services, and as such should be approached as a positive opportunity to support good decision-making.

It encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people’s needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people’s opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve providing a service in a way which is appropriate for people who share a protected characteristic, such as providing computer training to all people to help them access information and services.

The Equality Act identifies nine ‘protected characteristics’ and makes it a legal requirement to make sure that people with these characteristics are protected from discrimination:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation


Applying the equality duty to engagement

If you are developing a new policy, strategy or programme you may need to carry out an Equality Impact Assessment. You may be able to ascertain the impact of your proposal on different characteristics through desk-based research and learning from similar programmes, but you also need to carry out some primary research and engagement. People with protected characteristics are often described as ‘hard to reach’ but you will find everyone can be reached – you just need to tailor your approach, so it is accessible for them.

Contacting the [Equality and Diversity mailbox](#) will help you to understand how you can gain insight as to the impacts of your proposals and will ensure that you help the Council to comply with the Equality Act 2010 and the Public Sector Equality Duty.

Section 1 – Details of the service, service change, decommissioning of the service, strategy, function or procedure

Proposal Title	Healthier Food and Drink Advertising Policy
Date of Assessment	10 th April 2024
Assessment Lead Officer Name	Guy Kilminster
Directorate/Service	Adults, Health and Integration / Public Health
Details of the service, service change, decommissioning of the service, strategy, function or procedure.	<p>Please provide a summary of your proposal. It should include: -</p> <ul style="list-style-type: none"> • A new Policy is proposed that will restrict the advertising of unhealthy foods on Council owned advertising hoardings, buildings, vehicles etc. • The levels of overweight and obesity across England are a significant concern to Government and in Cheshire East there are high and increasing numbers of both children and adults affected. Evidence suggests that the advertising of unhealthy food and drink (those that are high in fat, salt or sugar) impacts upon levels of consumption. By replacing the advertising of such products with adverts for the healthier options offered by the company, people's food choices can be influenced for the better. • Across Cheshire and Merseyside the local authorities have agreed to implement this policy as part of their response to the 'All Together Fairer' report and the prioritisation of reducing health inequalities across the geography. <p>The Government's Policy paper of July 2020 sets out the challenges faced, the implications and issues in relation to the numbers of people overweight or obese. Tackling obesity: empowering adults and children to live healthier lives - GOV.UK (www.gov.uk)</p> <p>Latest figures for England and Cheshire East are set out below:</p> <ul style="list-style-type: none"> • 63.8 per cent of adults aged 18 years and over in England were estimated to be overweight or living with obesity (2021/22)

	<ul style="list-style-type: none"> • 63% of adults in Cheshire East are estimated to be overweight or obese (2022/23) • 22% of adults in Cheshire East are estimated to be obese (2022-23) • 21.3% of reception aged children (4-5yrs) in England are estimated to be overweight (including obesity) (2022-23) • 21.2 % of reception aged children (4-5yrs) in Cheshire East are estimated to be overweight (including obesity) (2022-23) • 36.6 per cent of year 6 children in England are estimated to be overweight (including obesity) (2022/23) • 32.1% of year 6 children (10-11yrs) in Cheshire East are estimated to be overweight (including obesity) (2022-23) <p>The evidence base in relation to the introduction of the policy is set out in this report: 'Creating health promoting environments through outdoor advertising'.</p> <div data-bbox="712 742 913 869">  <p>FINAL Champs report - Outdoor Advi</p> </div>
Who is Affected?	All Cheshire East residents will be affected by the introduction of the Policy, although there may be limited recognition of this as changes will be subtle. There will be less exposure to the advertising of food and drink that is high in fat, salt and sugar, though this will only be on hoardings, signs or vehicles owned/operated by the Council.
Links and impact on other services, strategies, functions or procedures.	<p>The introduction of the policy links to the three of the four strategic outcomes of the Cheshire East Joint Local Health and Wellbeing Strategy:</p> <ul style="list-style-type: none"> • Cheshire East is a place that supports good health and wellbeing for everyone • Our children and young people experience good physical and emotional health and wellbeing • That more people live and age well, remaining independent...

	<p>It also links to the Corporate Plan priority to reduce health inequalities.</p> <p>It may impact upon the advertising/sponsorship revenue of the ANSA, although evidence from elsewhere indicates that this is unlikely as advertisers continue to advertise and just swap from unhealthy foods to healthier options in the advert.</p>
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<p>How does the service, service change, strategy, function or procedure help the Council meet the requirements of the Public Sector Equality Duty?</p>	<p>The Public Sector Equality Duty is a legal requirement contained within the Equality Act 2010 which requires public authorities and others carrying out public functions to have due regard to the need to:-</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation • Advance equality of opportunity between people who share a protected characteristic and those who do not • Foster good relations between people who share a protected characteristic and those who do not <p>The above aims may be more relevant to some proposals than others, and they may be more relevant to some protected characteristics than others. However, it is advisable that the proposal be assessed against each of the above aims.</p>
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Section 2- Information – What do you know?

What do you know?	What information (qualitative and quantitative) and/or research have you used to commission/change/decommission the service, strategy, function, or procedure?
<p>Information you used</p>	<p>Please include details (including weblinks) of the information you have used to inform your proposal. This should include information relating to relevant protected characteristics which are covered in the Equality Act 2010. These are: - age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religious or faith groups, sex and sexual orientation. In many cases a proposal will be relevant to more than one protected characteristic.</p>

	<p>You should consider the information and research already available locally, regionally and nationally. This can include equality monitoring information, Public Sector Equality Duty (PSED) information, performance monitoring reports, inspection reports and desktop research (local, regional and national).</p> <p>Age The proposed policy will have an effect on the whole population, not discriminating between age groups. We do not anticipate any negative impact of the proposed policy and, therefore, do not foresee any group being disadvantaged by age.</p> <p>Disability: There are links between obesity and disability in childhood and adulthood. Disabled children have a higher risk of obesity, which increases with age, and are at greater risk of developing associated conditions as adults (e.g. diabetes, cardiovascular disease or mobility issues). In adults, there is a two-way relationship between obesity and disability; i.e. disabled adults are more likely to be at risk of obesity, while obese adults may develop complications leading to disabilities because of being obese.</p> <p>We expect that the proposed policy will have a positive impact on disabled and non-disabled individuals. All age groups and adults with disabilities are also expected to benefit from the policies.</p> <p>Pregnancy and maternity Women who are obese when they become pregnant have increased risks to their own and their babies' health. They are more likely to experience complications in labour and their children have increased risks of obesity in childhood and adulthood, and other health conditions later in life including heart disease, diabetes, and asthma. Maternal obesity is also associated with an increased risk of infant mortality.</p> <p>Although maternal obesity rates are not routinely monitored in England, we do know that obesity in pregnant women has increased, which is likely to increase the risks passed on to children. Between 1989 and 2007, maternal obesity (the proportion of pregnant women with a BMI greater than 30) has doubled from 7.6% to 15.6%. PHE analysis found that almost 50% of all women of childbearing age in England are either overweight or obese and therefore they and their children are at greater risk during and after the pregnancy.</p>
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	<p>The policy would affect the eating behaviour of all age groups, including women at childbearing age. Therefore, we can expect a positive impact from the proposed policies on maternal obesity rates, and a knock-on positive impact on the associated risks with maternal obesity.</p> <p>Race PHE (2017/18) have found notable differences in obesity prevalence across racial groups for both children (Figure 1) and adults (Figure 2)</p>
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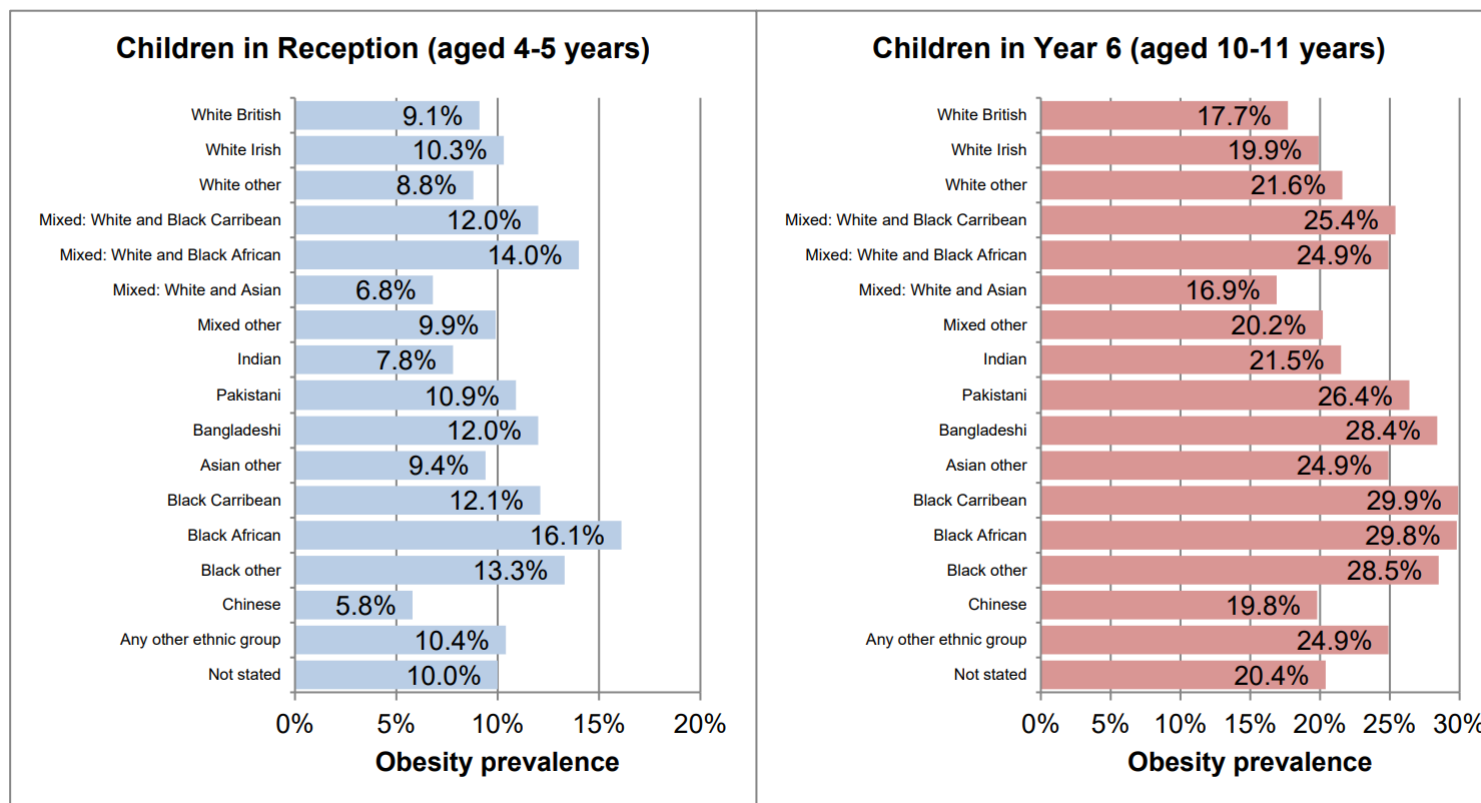
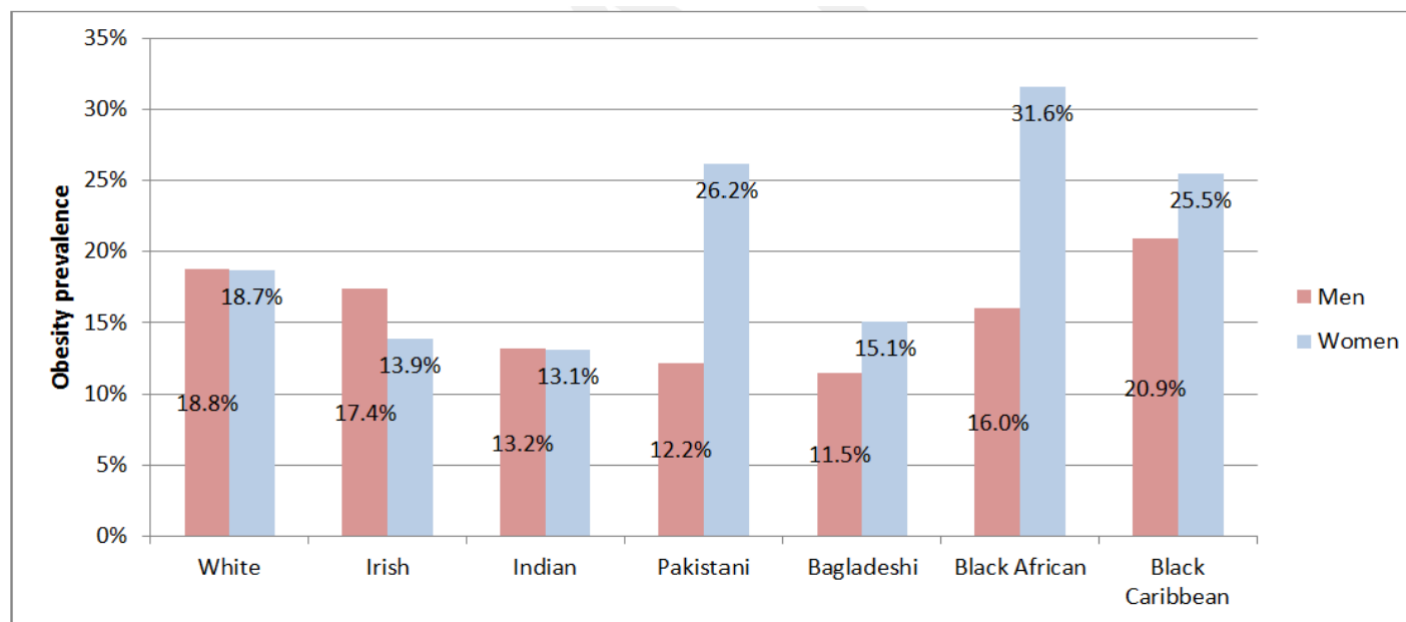
Figure 1 Obesity prevalence in [children](#) by ethnicity (NCMP (2016/17))

Figure 2 Obesity prevalence in adults by ethnicity (HSE 2006-2010 (five-year average))



Boys in Year 6 from all minority ethnic groups are more likely to be obese than White British boys, with boys of Pakistani ethnicity having the highest prevalence of obesity at 34.1%, followed by other Asian ethnicities with 30.8%. For girls in Year 6, obesity prevalence is highest for children from Black Caribbean (31.5%) and Black African (29.4%) ethnic groups.

Differences in weight between racial groups arise due to various factors such as environmental factors, health behaviours, socio-economic status, access to health care, social marginalisation, or discrimination. The fact that ethnic differences persist even when controlling for deprivation and controlling for interaction suggests that cultural and genetic differences within some ethnic minority groups may account for the increased likelihood of children from these groups becoming obese or overweight.

	<p>People from different ethnic groups have different levels of risk to develop conditions associated with obesity and being overweight. For the same level of BMI, people of African ethnicity appear to carry less fat and people of Asian ethnicity generally have a higher percentage of body fat than people of the same age and gender.</p> <p>Some ethnic minority groups (especially those of Asian descent) are at risk of type 2 diabetes and cardiovascular disease at a lower BMI than other groups. The proposed policies are targeted at children from all ethnicities and are therefore expected to have a positive effect on all ethnic groups.</p> <p>The policy does not differentiate by race. However, some ethnic groups experience higher obesity prevalence and the potential for a reduction in obesity may be higher. The reasons for differences in obesity prevalence across ethnicities are various and it is difficult to state how different groups will benefit from the policy. If the causes of obesity in each ethnic group are the same, then they would expect to have a similar impact. If causes are genetic or specific to lifestyles that are adopted by some socioeconomic groups, then these may not be impacted equally by this policy.</p> <p>Sex</p> <p>There are differences in obesity prevalence depending on gender. These differences have various underlying possible reasons. As this policy is focused on tackling overweight and obesity, we have considered whether there is a differential impact expected on girls and boys. There is little data to identify the difference in girls' and boys' diets. National Diet and Nutrition Survey (NDNS) data for example, cannot be reliably analysed by gender. (NDNS cannot be analysed reliably by gender because of its small sample size and the persistent problem of under-reporting that is common to all diet diaries.) Nevertheless, there is no evidence to suggest that the proposed policy has different effects depending on sex.</p>
Gaps in your Information	N/A

3. What did people tell you?

What did people tell you	What consultation and engagement activities have you already undertaken and what did people tell you? Is there any feedback from other local and/or external regional/national consultations that could be included in your assessment?
Details and dates of the consultation/s and/or engagement activities	<p>No consultation or engagement has been undertaken locally in relation to this Policy with the general public.</p> <p>Appropriate local authority officers have been consulted. The issue re. potential loss of income was raised.</p>
Gaps in consultation and engagement feedback	N/A

4. Review of information, consultation feedback and equality analysis

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of information used to inform the proposal	What did people tell you? Summary of customer and/or staff feedback	What does this mean? Impacts identified from the information and feedback (actual and potential). These can be either positive, negative or have no impact.
Age	All ages will benefit from the implementation of the policy	N/A	Positive impact
Disability	Children and adults with a disability are more likely to be overweight or obese.	N/A	Positive impact
Gender reassignment	N/A	N/A	Positive impact
Pregnancy and maternity	Almost 50% of all women of childbearing age in England are either overweight or obese	N/A	Positive impact
Race/ethnicity	There are notable differences in obesity prevalence across racial groups.	N/A	Positive impact
Religion or belief	N/A	N/A	Positive impact

Sex	N/A	N/A	Positive impact
Sexual orientation	N/A	N/A	Positive impact
Marriage and civil partnership	N/A	N/A	Positive impact

5. Justification, Mitigation and Actions

Mitigation	What can you do? Actions to mitigate any negative impacts or further enhance positive impacts
<p>Please provide justification for the proposal if negative impacts have been identified? Are there any actions that could be undertaken to mitigate, reduce or remove negative impacts?</p> <p>Have all available options been explored? Please include details of alternative options and why they couldn't be considered?</p> <p>Please include details of how positive impacts could be further enhanced, if possible?</p>	N/A


6. Monitoring and Review -

Monitoring and review	How will the impact of the service, service change, decommissioning of the service, strategy, function or procedure be monitored? How will actions to mitigate negative impacts be monitored? Date for review of the EIA
Details of monitoring activities	This will be determined once the Policy is approved.
Date and responsible officer for the review of the EIA	Guy Kilminster, Corporate Manager Health Improvement, 20 th April 2024

7. Sign Off

When you have completed your EIA, it should be sent to the [Equality, Diversity and Inclusion Mailbox](#) for review. If your EIA is approved, it must then be signed off by a senior manager within your Department (Head of Service or above).

Once the EIA has been signed off, please forward a copy to the Equality, Diversity and Inclusion Officer to be published on the website. For Transparency, we are committed to publishing all Equality Impact Assessments relating to public engagement.

Name:	Matt Tyrer
Signature	
Date	12/08/2024

8. Help and Support

For support and advice please contact EqualityandInclusion@cheshireeast.gov.uk

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OPEN

Corporate Policy Committee

03 October 2024

Revised Statement of Licensing Policy

Report of: Peter Skates – Acting Executive Director Place

Report Reference No: CP/24/24-25

Ward(s) Affected: All Wards

Purpose of Report

- 1 To comply with the provisions of the Licensing Act 2003 and to enable the proper discharge of the Council's responsibilities for the regulation of alcohol sales, regulated entertainment and late-night refreshment, the Council must adopt a revised Statement of Licensing Policy

Executive Summary

- 2 The Licensing Act 2003 requires that Licensing Authorities prepare and publish a statement of policy that they propose to apply when exercising their functions under the Act during the five-year period to which the statement applies.
- 3 The Council is required to review its existing statement of policy and publish a revised version. In preparing a revised statement the Council must undertake a consultation exercise with stakeholders identified within the Licensing Act 2003. There have been some further grammatical and typographical amendments made since the matter appeared before the Licensing Committee and consideration at this Committee. Based on the consultation responses, officers have not suggested any further amendments.

RECOMMENDATIONS

The Corporate Policy Committee is recommended to:

1. Consider the content of the draft revised policy set out at appendix 1, the changes made, and the consultation responses received; and
2. Recommend the final draft be adopted at Council

Background

- 4 The Licensing Act 2003 requires Licensing Authorities to prepare and publish a statement of principles that it proposes to apply in exercising its functions under the Act.
- 5 The draft statement, a copy of which is attached as Appendix 1, incorporates some amendments (set out in Appendix 2). In essence the policy remains substantially the same as previous iterations.
- 6 Some of the key additions include sample conditions to help licence holders comply with Martyn's Law (forthcoming requirements around their preparedness for, and protection from, a terrorist attack), a guide to organisers of large outdoor events prepared by the Environmental Protection Team, and updated references for external guidance documents.
- 7 The Statement of Licensing Policy is the policy document that the Licensing Sub-Committee will use when determining contested applications under the Licensing Act 2003. Consequently, it needs to adequately guide applicants, objectors, Licensing Authority Officers, and Committee Members.
- 8 The policy must reflect that the Council is required to discharge its responsibilities under the Act with a view to promoting the four licensing objectives:
 - i. The prevention of crime and disorder
 - ii. Public safety
 - iii. The prevention of public nuisance
 - iv. The protection of children from harm
- 9 The Statement of Licensing Policy establishes a local framework for decision-making when considering applications for relevant permissions,

or variations to existing terms and conditions. The Policy is of significant importance as the Licensing Committee and Sub-Committee are required to have due regard to it when determining a contested application. It is therefore paramount that the policy sets out how the objectives will be promoted. Any matters not relevant to the promotion of the licensing objectives must be disregarded.

- 10 In addition to having regard to the Statement of Licensing Policy, the Licensing Authority must also have regard to the statutory guidance issued by the Home Office under section 182 of the Licensing Act 2003. The current version of which was issued in December 2023.
- 11 The Licensing Team have not received any comments, either positive or negative, on the current policy. Similarly, the Council has not been subject to judicial challenge on the content of the policy.

Consultation and Engagement

- 12 The statement is subject to a statutory consultation process set out within the legislation.
- 13 In addition to formal consultation, the Licensing Team also invited all the Responsible Authorities to a meeting on the 8th November 2023 to discuss, as a group of professional officers and consultees, any improvements or changes we thought would benefit the revised statement. Those changes were incorporated in the final draft that went out for the consultation required by the legislation.
- 14 A statutory consultation process (including those parties identified in para 16) ran between April and June 2024, during which time 137 responses were received through the online survey. These responses have been summarised by the Business Intelligence Team. Their report is set out at appendix 3. In addition to the survey results 3 individual responses were also received, which are set out at appendix 4.
- 15 On the 10th June 2024 the draft revised statement was considered by the Licensing Committee, where it was resolved to approve the draft.
- 16 The specific stakeholders that must be included in the consultation are:

Consultee	Consultation Method
The chief officer of police for the licensing authority's area	Consultation document sent to the Police Licensing Officer who is delegated to deal with licensing matters.

	Officer also invited to a pre-consultation meeting held on 8 th November 2023.
The fire and rescue authority for that area	<p>Consultation document sent to the response authority contact details for CFRS.</p> <p>Officers also invited to a pre-consultation meeting held on 8th November 2023.</p>
Each Local Health Board for an area any part of which is in the licensing authority's area	Consultation document sent to the NHS Trusts.
Each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any part of which is in the licensing authority's area	<p>Consultation document sent to the officer from the Council's Public Health Team that deals with licensing matters.</p> <p>Officer also invited to a pre-consultation meeting held on 8th November 2023.</p>
Such persons as the licensing authority considers to be representative of holders of premises licences issued by that authority	Emails were sent to licensing holders with an up to date email address
Such persons as the licensing authority considers to be representative of holders of club premises certificates issued by that authority	Emails were sent to certificate holders with an up to date email address
Such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority	Emails were sent to those personal licence holders who are also the designated premises supervisors at a premises within Cheshire East.
Such other persons as the licensing authority considers to be	The consultation document was sent to all the Town and Parish

representative of businesses and residents in its area	<p>Council's within the Borough and to all Cheshire East Members.</p> <p>The consultation document was also shared with the local Chambers of Commerce, those responsible for Business Improvement Districts, and the Council's Economic Development Team.</p>
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Reasons for Recommendations

- 17 To comply with the provisions of the Licensing Act 2003, to enable the proper discharge of the Council's responsibilities for the regulation of alcohol sales, regulated entertainment and late-night refreshment.

Other Options Considered

- 18 No other options have been considered. The Council is required by section 5 of the Licensing Act 2003 to adopt a Statement of Licensing Policy. The route for adopting this document is set out both in legislation and by virtue of the requirements in the Council's Constitution.

Option	Impact	Risk
Do nothing	The Licensing Authority would not be complying with its statutory obligations	All decisions made may be subject to challenge or Judicial Review

Implications and Comments

Monitoring Officer/Legal

- 19 In accordance with Section 5 of the Licensing Act 2003 the Licensing Authority is required to determine and publish a Statement of Licensing Policy.
- 20 The statement of policy forms part of the Council's Policy Framework. As such, the final decision to approve or revise the policy rests with full Council. In addition, in developing a revised statement of policy, the authority must comply with its Budget and Policy Framework Procedure Rules (as set out within the Constitution).

Section 151 Officer/Finance

- 21 There are no direct financial implications in relation to the decision requested. However, preparation and consultation of the revised Statement of Licensing Policy has been funded from existing licensing budgets.
- 22 The Licensing Team does generate income through the fees attached to applications. These fees are set by Government and the Council has no discretion to amend them. Accordingly, the approval of the draft revised Statement will not affect the level of income generated or the fees charged.
- 23 It should be noted that Licensing Act 2003 fees have remained the same since 2005. Therefore, while costs of providing the service have increased each year, the fees have remained the same for nearly 20 years.

Policy

- 24 The Council is required to revise and adopt a Statement of Licensing Policy every five years.

An open and enabling organisation	A council which empowers and cares about people	A thriving and sustainable place
Ensure that there is transparency in all aspects of council decision making	Work together with residents and partners to support people and communities to be strong and resilient	A great place for people to live, work and visit
	Ensure that there is transparency in all aspects of council decision making	Welcoming, safe and clean neighbourhoods
		Thriving urban and rural economies with opportunities for all

Equality, Diversity and Inclusion

- 23 Consideration has been given to the application of the ‘public sector equality duty’ (in accordance with section 149 Equality Act 2010) to the recommendation. The decision requested is likely to have a neutral effect in terms of its impact on those individuals with ‘protected characteristics.’

Human Resources

- 24 There are no human resource implications.

Risk Management

- 25 It should be noted that the Licensing Act 2003 requires the Licensing Authority to have a Statement of Licensing Policy. However, there is no penalty that could be applied if the Licensing Authority did not adopt a Statement. Notwithstanding, any decisions taken where a policy was not in place could be subject to Judicial Review.

Rural Communities

- 26 There are no direct implications for rural communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 27 There are no direct implications for children and young people. However, the policy does reference how safeguarding and prevention of exploitation may be relevant considerations when determining applications or reviewing licences.

Public Health

- 28 There are no direct implications for public health. However, Public Health is a statutory consultee and has influenced the revision of policy.

Climate Change

- 29 There are no direct implications for climate change.

Access to Information	
Contact Officer:	Kim Evans – Licensing Team Leader licensing@cheshireeast.gov.uk
Appendices:	Appendix 1 – Draft revised statement of licensing policy

	<p>Appendix 2 – Log of changes made</p> <p>Appendix 3 – Summary of Consultation Responses</p> <p>Appendix 4 – Specific Consultation Responses</p>
Background Papers:	<p>Statutory Guidance issued by the Home Office</p> <p>Licensing Act 2003</p>



CHESHIRE EAST COUNCIL
STATEMENT OF LICENSING POLICY
(LICENSING ACT 2003)
POLICY DATED 2024 TO 2029

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Annex 1 – Noise Control Guidance for Large Outdoor Events

(Annex 1 does not form part of the Statement of Licensing Policy and is a standalone guidance document prepared for the benefit of applicants. As such any changes made will not form a review of the Statement of Licensing Policy and will not be subject to statutory consultation)

1. Introduction

- 1.1 Cheshire East Council (**the Council**) is the Licensing Authority for the area of Cheshire East under the provisions of the Licensing Act 2003 (**the Act**).
- 1.2 This Statement of Licensing Policy (**the Policy**) is the result of the review and is published by the Council in accordance with section 5 of the Act. The Policy provides information and guidance to applicants and persons who are likely to be affected by an application (e.g residents and businesses) and Responsible Authorities or anyone interested in these matters. It will clarify the manner in which the Council will approach matters relating to licensing. Whilst the policy provides framework guidance regarding the considerations it will take into account when determining any licence application, the Council, as the Licensing Authority, will ultimately determine each individual application on its own merits.
- 1.3 Cheshire East's Corporate Plan¹ sets out a number of aims, which will be reflected throughout this policy:



- 1.4 The context of the Policy includes the Council's statutory responsibility under the Health and Social Care Act 2012 for the health of the population of Cheshire East and it is noted that it is a priority of the local Health and Wellbeing Board to reduce alcohol related harm.
- 1.5 The context of the Policy includes the Council's statutory duty under the Crime and Disorder Act 1998 to have regard to the need to do all that it reasonably can to prevent crime and disorder, misuse of drugs and alcohol and reoffending in its area.

¹ [Corporate Plan \(cheshireeast.gov.uk\)](https://www.cheshireeast.gov.uk/corporate-plan)

1.6 The Policy takes into account the guidance issued under section 182 of the Act. The latest guidance was published by the Home Office in December 2023².

1.7 In accordance with section 4 of the Act, the Licensing Authority shall have regard to the Policy in the exercise of its functions in respect of Licensable Activities and qualifying Licensable Activities in accordance with Section 1 and Schedules 1 and 2 of the Act. The following is a summary of what comprises Licensable Activities:

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of a member of the club
- The provision of regulated entertainment:
 - performance of a play
 - exhibition of a film
 - indoor sporting event
 - boxing or wrestling entertainment
 - performance of live music
 - playing of recorded music
 - performance of dance
 - entertainment of a similar description to the above

There are certain exemptions to this definition, which relate to incidental live and recorded music, and spontaneous music, singing and dancing, which are set out in full in the Act. A summary of what entertainment is and is not licensable is set out at Appendix 4.

- The provision of late night refreshment (supply of hot food or drink from a premises between 23:00 and 05:00 hours). The Licensing Authority has not designated any area within the Borough as exempt (under schedule 2 of the deregulation act 2015) from the requirement for licensing of the provision for late night refreshment.

² [Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/section-182-guidance)

- 1.8 In formulating the Policy, the Licensing Authority has consulted all Responsible Authorities, holders of licences under the Act and the public within Cheshire East.
- 1.9 This policy will be for a 5-year period and a review will take place in accordance with statutory procedures and will take into account relevant information received by way of consultation or otherwise.

2. The Aim of the Policy and Statutory Licensing Objectives

- 2.1 The aim of the Policy is to secure the safety and amenity of communities within the Cheshire East area, whilst facilitating a sustainable entertainment and hospitality sector. The Council recognises the need of residents for a safe and desirable environment in which to work and live and the importance of well-run licensed premises in a vibrant and diverse local economy. The Council will promote the safety of residents and visitors whilst out at night and on their journey home.
- 2.2 In accordance with the guidance issued by the Secretary of State, the Council recognises the need to encourage and promote a broad range of entertainment, particularly live music, dancing and theatre for the wider cultural benefits of our communities. A natural concern to prevent disturbance in the neighbourhood will always be balanced with the wider cultural benefits of our communities.
- 2.4 The Council has a duty to protect the amenity of its residents. This extends to the business community, who can expect the Council to ensure that the environment is attractive and sustainable for the conduct of their business.
- 2.5 It is the Council's duty to exercise its licensing functions with a view to promoting the four Licensing Objectives set out in section 4 of the Act:
- **The prevention of crime and disorder**
 - **Public safety**
 - **The prevention of public nuisance**
 - **The protection of children from harm**
- 2.6 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.
- 2.7 The legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them

2.8 The Licensing Authority will have proper regard to amongst other issues:

- Location and environmental impact of the proposed activity
- Suitability of the applicant
- Suitability of the premises to the application
- Operation and management of the premises
- Monitoring, review and enforcement

Policy Considerations

2.9 This policy does not prejudice the requirement for the Licensing Authority to consider each application on its own merits.

2.10 Nothing in the policy will

- Undermine the rights of any individual to apply under the terms of the Act for a variety of permissions and have the application considered on its individual merits; or
- Override the right of a person or a body or a Responsible Authority (as defined in the Act) to make representations on an application or to seek a review of a licence or certificate in accordance with the provisions of the Act.

- 2.11 All persons have equal rights to make representations concerning applications for premises licenses (and hours of trading) and to receive appropriate consideration to their representations. Irrelevant, frivolous and vexatious representations will be disregarded.
- 2.12 Following Relevant Representations the Licensing Authority will only depart from this Policy where there is satisfactory evidence/information that the Licensing Objectives will be met in full. In cases where a departure occurs, the Licensing Authority shall provide reasons for the departure in the decision notice issued following a determination.
- 2.13 If an application for a licence or certificate has been made lawfully and there have been no Relevant Representations from Responsible Authorities or other persons, the Licensing Authority will grant the application, subject only to conditions consistent with the operating schedule and any relevant mandatory conditions.
- 2.14 To achieve our aims the Council is committed to working in partnership with the Responsible Authorities, local businesses, residents and others towards ensuring the continued success of this Policy in achieving the statutory objectives of the Act. In considering these issues the Council will focus on the four statutory Licensing Objectives.

3. Matters within the Control of the Premises Licence Holder

- 3.1 The Licensing Authority recognises that licensing law is not the primary mechanism for the general control of individuals once they are away from a licensed premises, and therefore away from the direct control of the premises licence holder. Accordingly, in exercising its licensing functions the Licensing Authority will focus on matters which are within the control of the individual licence holder and others who are granted relevant permissions. Nevertheless, licence holders should take reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, e.g. on the pavement, in a beer garden or in a smoking shelter, where and to the extent these matters are within their control.
- 3.2 The Licensing Authority will expect applicants to consider and make appropriate provisions to ensure that harm is not caused to the Licensing Objectives as a result of activity in, or in the vicinity of, the licensed premises.
- 3.3 It will normally be the responsibility of the premises licence holder to ensure that the managers, designated premises supervisor and door supervisors are competent and appropriately trained.

4. Planning and need for Licensed Premises

- 4.1 When exercising its licensing functions the Licensing Authority will not be influenced by questions of need. The issue of whether or not there is a need for a particular premises is a commercial matter, which is not relevant to the Licensing Authority's considerations.
- 4.2 The Planning Regulation and Licensing Regulation functions are separate statutory regimes. The Licensing Authority recognises that there should be a clear separation of the planning, building control and licensing regimes in order to avoid duplication. The Licensing Authority when exercising its licensing functions will not consider whether there has been any alleged breach of planning conditions. Planning Permission will usually be required prior to the use of premises for Licensable Activities.
- 4.3 The Licensing Authority is not bound by decisions made by the Planning Authority and vice versa.
- 4.4 There may be circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensed hours, the earlier closing time must be observed. Premises operating in breach of their planning permission would be liable to enforcement action under planning law.
- 4.5 It should be noted that Building Regulations govern a variety of issues, which directly contribute to the Licensing Objectives, including means of escape, structural integrity, accessibility and public safety. Building Regulation Approval and Completion Certificates may be required prior to the use of the premises for licensable activities.

5. Integrating Strategies

- 5.1 The Licensing Authority will consider the Council's approved strategies and policies where they are relevant to the exercise of its function as the Licensing Authority.
- 5.2 The Council recognises that Licensed Premises are an important contributor to the local economy. Any licence application will be considered by taking certain factors into account. These include:
 - Employment opportunities
 - The enhancement the proposal might have on the attractiveness of the wider area
 - The general impact in attracting visitors to the area
- 5.3 In undertaking its statutory licensing function the Licensing Authority may have regard to:

- Section 17 of the Crime and Disorder Act 1998 and requirement that the Council do all that it reasonably can to prevent crime and disorder in its locality
- The European Convention on Human Rights (which is given effect by the Human Rights Act 1998), which places a duty on public authorities to protect the rights of individuals in a variety of circumstances
- Any other relevant legislation drawn to its attention

5.4 The Licensing Authority will seek to discharge its responsibilities identified by other Government Strategies, so far as they impact on the objectives of the Licensing Act.

Integration with Public Health

5.5 The context of the Policy includes the Council's statutory responsibility under the Health and Social Care Act 2012 for the health of the population of Cheshire East and it is noted that it is a priority of the local Health and Wellbeing Board (reflected in the Joint Local Health and Wellbeing Strategy 2023 – 2028) to reduce alcohol related harm. The Board recognises the potential negative impacts of excessive alcohol consumption and the need to work as a system to minimise harms to individuals, communities and businesses.

5.6 Many organisations are working to reduce levels of consumption and promote safe, sensible and social drinking. The Health and Wellbeing Board are working with partners to focus upon activity that will bring positive outcomes to the families, communities and businesses of Cheshire East. Reducing excess alcohol consumption is the overarching aim and the priority outcomes are:

- To reduce alcohol-related health harms
- To reduce alcohol-related hospital admissions
- To reduce alcohol-related crime, anti-social behaviour and domestic abuse
- To support a diverse, vibrant and safe night time economy
- To improve our co-ordination/partnership work to ensure that all the other priorities are achieved efficiently and effectively.

Integration with Safeguarding and Exploitation

5.7 Contextualised safeguarding is a way of understanding how children and young people can be abused and exploited by people in their neighbourhoods

and communities as opposed to this happening within their families. This would include; child exploitation, criminal exploitation and modern day slavery. The Council is mindful of its responsibility in relation to the safety of children and young people who are both living in Cheshire East and those who may be trafficked into Cheshire East as part of their exploitation. The statutory duties and responsibilities to protect children from harm are contained in the Children Act 1989 and the statutory guidance in Working Together to Safeguard Children (2018) and will look to all relevant agencies to promote the licensing objectives by making representations or calling for reviews of licenses where there are concerns around exploitation or contextualised safeguarding. The Council will also take a robust stance when considering appropriate conditions to prevent such activities taking place.

6. Anti-Social Behaviour

- 6.1 The Licensing Authority recognises that in addition to the requirements for it to promote the Licensing Objectives, the Council has a duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder within its area.
- 6.2 The objective of the licensing process is to allow the retail sale of alcohol and the provision of other licensable activities in a manner that ensures the public's safety and which is neither to the detriment of residents, nor gives rise to loss of amenity. It is the Licensing Authority's aim to facilitate well run and managed premises with premises licence holders displaying sensitivity to the impact of their premises on local residents.
- 6.3 In accordance with the Guidance, the Licensing Authority does not regard this policy as a mechanism for the general control of anti-social behaviour by individuals once they have left the immediate vicinity of the licensed premises.
- 6.4 Recurring problems of alcohol-related anti-social behaviour, crime and disorder or serious public nuisance can occur in an area, which are not directly attributable to specific premises. In such cases, particularly if supported by the Police, the Licensing Authority may consider whether an Early Morning Alcohol Restriction Order (EMROs) might address the problems. These Orders are considered later in this Policy.

7. Prevention of Crime and Disorder

- 7.1 The Licensing Authority will have regard to the Crime and Disorder Act 1998 (See Section 6.1 above). Any conditions attached to the premises licence

should reflect any local crime prevention strategy, including the community safety priorities identified by the Safer Cheshire East Partnership³.

- 7.2 The Licensing Authority will consider whether the premises make or will make a detrimental contribution to levels of crime and disorder, and whether the Operating Schedule is based on an adequate risk assessment, undertaken by the applicant, of the likelihood of crime and disorder occurring as a result of the application.
- 7.3 In order to meet its duty to prevent and reduce crime this Policy will have regard to the likely impact of licensing on related crime and disorder in the area. The Licensing Authority will consider the location of the premises and the impact, operation and management of the Licensable Activities. In particular these issues may include:
- Whether the layout, lighting and fittings of the premises have been designed so as to minimise conflict and opportunities for crime and disorder
 - Whether the Operating Schedule includes appropriate management measures to prevent crime and disorder
 - Door supervision together with the maintenance of an incident book
 - Use of toughened glass or plastic glasses
 - Mechanisms for combating drug dealing and use
 - Use of CCTV cameras
 - Membership of any Pubwatch or similar scheme
 - Use of ID scan equipment
- 7.4 The Licensing Authority may impose conditions on licences or certificates. These may include the following conditions (although the list is not exhaustive). The decision to impose conditions and their extent will depend upon the risks of crime and disorder at the particular premises.
- Appropriate ratio of tables to chairs to customers and for areas to be allocated for seated customers
 - A requirement for Security Industry Authority door supervisors to control numbers and to deny entry to individuals who appear drunk, disorderly or intent on crime

³ [Safer Cheshire East Partnership](#)

- A requirement that drinking vessels do not form a sharp edge when broken
- Restrictions on drinking in areas within and outside the premises
- Procedures for checking the ages of young people who appear under the age 25 to ensure alcohol is not sold to those under 18 and that those under 16 are accompanied in alcohol-led premises
- Appropriate 'early warning' communication systems with the Police and with other licensed premises
- The installation of CCTV
- Clear policies and measures to prevent illegal drugs being brought onto and used on the premises
- Searching of customers and staff

7.5 The Licensing Authority will carefully consider Police representations and other conditions relating to the deterrence and prevention of crime and disorder and initiatives to reduce crime will be drawn up in liaison with the police to deal with particular premises or types of premises where concerns may arise.

Safer Clubbing

7.6 The Licensing Authority wishes to promote the principles of 'Safer Clubbing'. The current Home Office Guidance⁴ on the subject is recommended to relevant Premises Licence and Club Premises Certificate holders. Following relevant representations appropriate licensing conditions may be imposed to control the environment at relevant premises in support of the 'Safer Clubbing' objectives.

Drugs

7.7 Following Relevant Representations, conditions may need to be imposed for certain types of venues to seek to eliminate the sale and consumption of drugs and to create a safer environment for those who may have taken them. These conditions will consider the above-mentioned 'Safer Clubbing' advice issued by the Home Office. In all cases where conditions are to be imposed advice will be sought from the Drug and Alcohol Action Team and the Police.

7.8 The Licensing Authority, Police and Licence Holders need to be aware that power is available under the Anti-Social Behaviour Act 2003 that allows for the closure of a licensed premises by the Police where there is production,

⁴ [Safer Clubbing Guide \(csdp.org\)](https://www.csdp.org)

supply or use of Class A drugs and/or serious nuisance or crime and disorder. This provides an extra tool to the Police in enabling instant action with regards to premises where there is a Class A drug problem.

- 7.9 The Licensing Authority expects all applicants to consider reasonable and proportionate controls to protect against and disrupt the spiking of drinks. Conditions may be attached to licences to tackle spiking where the Licensing Authority considers it appropriate to promote the Licensing Objectives.

Door Supervisors

- 7.10 Following Relevant Representations the Licensing Authority may consider that certain premises require supervision for the purpose of promoting the reduction of crime and disorder, and to generally provide a safer operation of the premises. In such cases licensed door supervisors (registered by the SIA) must be employed at the premises either at all times or at such times as certain licensable activities are taking place, at a number and ratio to be determined by the Licensing Authority. (This excludes stewards/glass collectors who are not involved in the security of the premises and do not therefore require registration with the SIA).

CCTV

- 7.11 Licence holders may wish to install cameras for the protection of staff, customers and for the prevention of crime on or in the vicinity of the premises. In exercising its licensing functions, the Licensing Authority may for the purpose of promoting any of the Licensing Objectives, impose as a condition of the licence the installation of a CCTV system. It should be noted that in such cases the Licensing Authority may take into account the type and quality of recordings, the location of cameras, storage and the availability of recordings to the Licensing Authority and Police.

Cinema Exhibitions (see also under Protection of Children from Harm)

- 7.12 No film shall be exhibited at a licensed premises which is likely to:
- Lead to disorder
 - Incite hatred or violence towards any section of the public on grounds of colour, race or ethnic or national origin, disability, religious beliefs, sexual orientation or gender.

8. Public Safety

- 8.1 The Licensing Authority wishes to promote high standards of public safety in relation to premises and activities within the scope of the Act.

- 8.2 The Licensing Authority recognises that the Public Safety Objective is concerned with the physical safety of the customers using the relevant premises and not with Public Health, which is dealt with by other legislation.
- 8.3 Where the Local Authority Director of Public Health submits a relevant representation the relevant Licensing Objective is likely to be Public Safety. This may include where a premises has undermined the objectives in respect of accidents and injury and other harms that may be caused by alcohol consumption. These issues may also impact on the prevention of crime and disorder objective and/or the protection of children from harm objective.
- 8.4 Where activities are organised by volunteers or a committee of a club or a society the Licensing Authority considers it good practice that the same level of Health and Safety protection is provided as if an employer/employee relationship existed, irrespective of whether there are strict legal duties applicable under Health and Safety legislation.
- 8.5 Following Relevant Representations, where the Licensing Authority considers that general health and safety duties do not adequately cover certain Licensable Activities, conditions may need to be attached to the licence to ensure public safety.
- 8.6 Organisers of temporary/large scale events will be encouraged to seek advice and information from the Council's Event Safety Advisory Group prior to submitting any application.

Fire Safety

- 8.7 The Licensing Authority will have due regard to the representations of Cheshire Fire and Rescue Service regarding licensing applications.
- 8.8 Following Relevant Representations, the Licensing Authority may impose appropriate conditions in relation to fire safety matters in consultation with Cheshire Fire and Rescue Service.
- 8.9 The Licensing Authority will only include an occupant capacity condition on a Premises Licence or a Club Premises Certificate where there is a genuine fear or a genuine problem with overcrowding and it is considered appropriate for public safety. This figure will be arrived at in consultation with Cheshire Fire and Rescue Service. If an occupant capacity is fixed in accordance with any risk assessment required by The Regulatory Reform (Fire Safety) Order 2005 that figure will be used.
- 8.10 Where the special provisions of Section 177 of the Act (dancing, amplified and unamplified music in premises with a capacity of no more than 200 persons)

are utilised, the Licensing Authority reserves the right to confirm with Cheshire Fire and Rescue Service the safe capacity of the premises.

Sufficient Steps to Protect Against Terrorist Acts

- 8.11 The Licensing Authority encourages premises to produce and maintain appropriate general and technical risk assessments, management procedures and other documentation. This should be made available to the relevant responsible authority, and to the Licensing Authority upon request, in order to demonstrate that the public will be safe within and in the vicinity of the premises. It is advisable to include clearly defined responsibilities and procedures for medical and other emergencies, and for calling the emergency services.
- 8.12 The Council recognises the need to ensure that appropriate and proportionate steps are taken to protect the public. Without prejudice to any legal requirement or duty the Council expects premises managers to have taken appropriate steps including:
- That all staff on-duty at the premises, including all door supervisors, and all on-duty managers must have completed Action Counters Terrorism (ACT) Awareness e-learning training⁵.
 - That the premises manager and security supervisor/manager can evidence attendance at a Counter Terrorism (CT) Awareness session delivered by Counter Terrorism Policing North West (CTPNW) trained personnel as soon as reasonably practicable.
 - That Designated Premises Supervisors in all cases must have registered to have attended a CTPNW course within 28 days of being named on the licence and be able to evidence this if requested by the Police or an authorised officer of the Council.
 - That there should be a document security assessment and plan, which must incorporate counter terrorism measures for the premises, based on Guide, Shelter and Communicate, this should be reviewed following any change in national threat level, or any grant or variation. All any reviews and changes should be documented.
- 8.13 Licence holders and event organisers must ensure that they are complying with the requirements placed on them by Martyn's Law.

9. Prevention of Public Nuisance

⁵ [ACT Awareness e-Learning | ProtectUK](#)

- 9.1 If Relevant Representations are received the Licensing Authority, when making an objective judgment about what constitutes a nuisance in respect of an application or review of a premises licence or certificate, will take a broad common law meaning when considering matters such as:
- Noise from premises
 - Waste
 - Litter
 - Car parking
 - Light pollution
 - Noxious odours
- 9.2 In considering the potential impact of licensed premises on the surrounding locality the Licensing Authority, when in receipt of any Relevant Representations will take into account the type of entertainment activity proposed hours of operation, the capacity of the premises, the character of the areas and the proximity to local residents. Consideration will be given to the potential steps which could be taken to reduce the risk of nuisance occurring. This will particularly apply in areas where there is residential accommodation in the proximity of the premises.

Noise and Vibration

- 9.3 In order to enforce the provisions of the Environmental Protection Act 1990 (which relate to noise nuisance) the Police, Environmental Health Officers and Licensing Officers will liaise to ensure that adequate control measures are properly used to protect the local environment. Any action taken will be conducted in accordance with relevant enforcement policies
- 9.4 Consideration will be given to whether the operating schedule contains adequate measures to prevent noise and vibration, generated from within the premises, outside it, or from an open site, that may cause disturbance. Stricter conditions will be considered on premises in areas that have denser residential accommodation or have residential accommodation close to them. Noise includes music and human voices. Measures in the Operating Schedule may include installation of soundproofing, air conditioning, acoustic lobbies, sound limitation devices or locking doors at specified hours. If the proposed operating schedule fails to address noise nuisance issues, the Environmental Health Department may request that an independent acoustic report is conducted. Environmental Health may use any recommendations from such a

report to propose amendments to the Operating Schedule or suggest conditions for the consideration of any (Sub) Committee.

9.5 Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to:

- Restrict the generation of any noise within the premises and from activities associated with the premises in the vicinity, or from an open air site
- Limit the escape of any noise from the premises or open air site
- Restrict any noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping
- Minimise and control any noise from customers arriving and departing from the premises

9.6 The Licensing Authority will not impose conditions on licensed premises that cannot be directly controlled, or on matters not related to the vicinity of the premises.

9.7 If it is considered that any noise emanating from within the curtilage of a licensed premises is causing a public nuisance, under the provisions of the Anti-Social Behaviour Act 2003, an Authorised Officer can require its immediate closure for a period of up to 24 hours. It should be noted that the 'test' is a lesser one than that required to determine a Statutory Noise Nuisance and the statutory defence of 'best practicable means' is not available.

Eating, Drinking and Smoking Outside Premises

9.8 The Licensing Authority will take the following into consideration:

- Whether people standing or sitting outside are likely to cause obstruction or other nuisance
- Whether premises are under or near residential accommodation
- The hours of sale of alcohol in open containers or food for consumption outside the premises
- Measures to make sure that customers move away from outside premises when such sales cease
- Measures to collect drinking vessels and crockery, cutlery and litter

- The extent and location of areas proposed to be set aside for the consumption of food and alcoholic drink for smoking
- Whether there is a need for door supervisors to prevent or to control customers congregating in outdoor areas to smoke, consume food or drink (whether supplied by the premises or not), between certain hours or at all times.

Other Environmental Impacts

9.9 Consideration will be given to whether Operating Schedules contain adequate measures to prevent:

- Litter, smells, fumes, dust, tobacco or other smoke, or other emissions
- Street fouling
- Light pollution
- Congestion of the pavement or roadway, impeding reasonable access

arising from the proposed licensable activity that may cause nuisance to people in the vicinity.

9.10 If the sale of alcohol in open containers or food for consumption outside the premises has been proposed, the following considerations are relevant:

- Whether measures would be undertaken to prevent nuisance caused by the storage, handling and collection of refuse and recyclable materials
- Whether late night premises are likely to generate litter and whether the sale of take-away food is proposed and the measures planned to prevent littering in the vicinity and to clear up any litter that occurs
- The steps proposed to prevent queuing or, if some queuing is inevitable, to divert queues away from residential properties and entrances to neighbouring premises, and to manage the queue to prevent disturbance and obstruction
- The steps taken to prevent disturbance by patrons arriving at or leaving the premises
- The steps taken to ensure staff leave the premises quietly
- The arrangements made or proposed for parking by patrons and the effect of parking on local residents

- Whether taxis and private hire vehicles serving the premises are likely to disturb local residents
- Whether routes to and from the premises on foot or by car or service or delivery vehicles pass residential premises
- Whether other measures to prevent nuisance such as the use of CCTV or the employment of SIA registered door supervisors are necessary
- The measures proposed to prevent the consumption or supply of illegal drugs, including any search procedures
- The likelihood of any violence, public disorder or policing problem arising if a licence were to be granted
- If the applicant has previously held a licence within the Cheshire East area, the details of any enforcement action arising from that premises
- Whether the premises would result in increased refuse storage or disposal problems, or additional litter in the vicinity of the premises.

Outdoor Events

9.11 The Licensing Authority will expect applicants seeking licences for outdoor events to propose appropriate measures within their operating schedule to control all types of nuisances. Additionally, applicants should have regard to the Noise Control Guidance issued in January 2024 by the Council's Environmental Protection Team. A copy of the guidance is set out at annex A.

10. Protection of Children from Harm

10.1 Protection of Children from harm includes the protection of children from moral, psychological and physical harm. This includes protection from premature exposure to strong language and sexual expletives. The Act does not prevent children having free access to premises selling alcohol for consumption on those premises, although the Licensing Authority when in receipt of Relevant Representations may impose conditions necessary for the prevention of harm to children. Where there are matters that give rise to serious concerns and the restriction of access may not ensure adequate protection of children from harm, children should be excluded. Examples of what may give rise to these concerns include:

- Where there have been convictions for serving alcohol to minors or where the premises has a reputation/there is evidence of underage drinking (including any action taken regarding test purchases in relation to the supply of alcohol)

- There is a known association with drug taking or dealing
- There is a strong element of gambling on the premises
- Entertainment of an adult or sexual nature is provided

Note: The Act makes it an offence to permit children under the age of 16 who are not accompanied by an adult to be present on premises used exclusively or primarily for the supply of alcohol for consumption on the premises.

10.2 Matters which the Licensing Authority will take into consideration include:

- Whether there are effective measures to check the age of those young people who appear under 25, to ensure alcohol is not sold to those under 18 and those under 16 are accompanied in alcohol led premises
- Whether the supply of alcohol for consumption on the premises is the exclusive or primary purpose
- The hour to which accompanied children under 16 are proposed to be on the premises where the exclusive or primary purpose of the services provided at the premises is the supply of alcohol for consumption on the premises
- The likelihood of children being attracted to the premises e.g. by the nature of activities or facilities provided, whether or not these are licensed
- Whether there is evidence of heavy, binge or underage drinking on the premises

10.3 Where Relevant Representations have been received and it is considered necessary that the access of children should be restricted to protect them from harm then conditions may be attached to the licence. These may include:

- Limitation on the hours when children may be present
- Restrictions to the age of persons on a premises (e.g. to over 18's only)
- Restrictions on access to certain parts of the premises
- Limitations or exclusions when certain activities may take place
- Requiring an accompanying adult be present at all times

10.4 Where large numbers of children are likely to be present on any licensed premises, for example, a children's show or pantomime, then the Licensing

Authority may require the presence of an appropriate number of adult staff (who will have provided a satisfactory Disclosure and Barring Service check) to ensure their safety and protection from harm. The exact ratio is to be assessed in respect of each individual application and is dependent on the type and size of the premises and the control measures in place as outlined within the operating schedule, and importantly the particular group of children likely to visit the premises in question.

Cinema Exhibitions (see also under Prevention of Crime and Disorder)

- 10.5 Where the exhibition of films is permitted the Licensing Authority will expect age restrictions to be complied with in accordance with the British Board of Film Classifications (BBFC) recommendations. Where a film has not been classified by the BBFC the Licensing Authority will consider whether it is appropriate to provide a local classification. When setting a local classification the Licensing Authority will have regard to the BBFC's guidelines.
- 10.6 In considering applications, the Licensing Authority will take into account any evidence that age restrictions for cinema exhibitions have not been adhered to.

11. Cumulative Impact

- 11.1 The Licensing Authority does not consider that there are areas where Cumulative Impact occurs presently nor is there a need at this time for the Licensing Authority to adopt a special policy relative to designating 'Stress Areas'.
- 11.2 Where there is a concentration of licensed premises this can lead to serious problems of nuisance and disorder arising in the area itself and even some distance away from the premises. In such circumstances the impact of those premises when taken as a whole can be far greater than that arising from individual premises and it may not be possible to distinguish individual premises as being the sole cause or even a major contributing factor, of a particular problem. It is the **Cumulative Impact** of all the premises which causes problems for the wider area.
- 11.3 It is clear however, that the vicinity within which licensed premises are or may be located is a major consideration in determining whether a licence should be granted and what conditions should be attached to it should any relevant representation(s) be received. Due consideration will be given to the direct impact of the operation of the premises on members of the public living, working or engaged in normal activity in the vicinity of the premises.

- 11.4 It should be noted that 'Cumulative Impact' should not be confused with the issue of 'need', which relates to commercial demand for licensed premises. 'Need' is not a matter to be taken into account by the Licensing Authority.
- 11.5 Where a particular area becomes saturated with licensed premises, making it a focal point for large groups of people to congregate, this might create exceptional problems of disorder, noise and other nuisance. In such circumstances, the grant of further Premises Licences or Club Premises Certificates may undermine the Licensing Objectives.
- 11.6 Notwithstanding these concerns each application has to be considered on its own individual merits. Where an objector is seeking to establish that the grant of a licence or certificate would result in a cumulative impact which undermines one or more Licensing Objectives, the following shall apply:

Objections on the grounds of Cumulative Impact

- 11.7 In cases where objectors seek to establish that an application should be refused on the grounds that it would result in or further contribute to cumulative impact which would undermine one or more of the Licensing Objectives the objector shall:
- Identify the boundaries of the area from which it is alleged problems are arising
 - Provide full details and evidence as to the seriousness of the nuisance and disorder caused in the area
 - Identify the licensing objective(s) which it is alleged will be undermined with specific regard to:
 - The occupancy figure for the proposed premises
 - The nature of the licensed activity to be carried on at the premises and its patrons.

Identifying Stress Areas

- 11.8 Where objection under paragraph 11.7 is received and the Licensing Authority is satisfied that there is a serious or chronic concern about nuisance and disorder in a particular area and has refused an application on the grounds of Cumulative Impact the area shall be declared a '*Stress Area*'. In doing so the Licensing Authority shall:
- Follow the statutory procedures outlined in the Home Office Guidance issued under Section 182 of the Act

- Identify the boundaries of the area
- Identify the licensable activities causing the nuisance and/or disorder
- Monitor and review the 'Stress Area'

Applications for a New Premises Licence in a Stress Area

11.9 New premises licenses will not be granted for the activities identified as causing nuisance and/or disturbance in Stress Areas except where:

- No objections are received to the application, or
- The grant of the licence will not undermine the Licensing Objectives

11.10 In considering such applications the Licensing Authority will have particular regard to:

- The occupancy figure for the proposed premises
- The proximity of the premises to others in the Area licensed for similar activities and the occupancy figures for those other premises
- Whether the proposed premises will act as a replacement for others in the Area that no longer has a licence
- The proposed methods of management outlined in the applicants' operational plan
- The proposed hours of operation
- Transport provision for the Area

Existing Premises Licenses in Stress Areas

11.11 The above factors cannot be used as a justification for removing an existing licence. If representations are received about existing licensed premises relating to matters other than cumulative impact and which undermine the Licensing Objectives then appropriate action may be taken.

Applications for variations to existing Premises Licenses in Stress Areas

11.12 Applications for variations to existing Premises Licenses in Stress Areas will not be granted where modifications directly affect the issue of Cumulative Impact in the Stress Area or otherwise undermine the Licensing Objectives. An example of where a modification may directly affect the issue of cumulative impact would be where an application was received to extend premises and significantly increase the occupancy level of the premises.

12. Applications for New Grants and Variation of Existing Terms and Conditions

- 12.1 In the absence of any Relevant Representations in respect of any application made to the Licensing Authority, it is the duty of the Authority to grant the licence or certificate subject only to conditions that are consistent with the Operating Schedule and any Mandatory Conditions prescribed in the Act. This will also apply to any applications made in respect of premises within an identified Stress Area.
- 12.2 The Licensing Authority will consider the same issues in respect of a variation and a renewal as they do in respect of an application for a new grant.
- 12.3 The Licensing Authority may take into account any non-compliance with other statutory requirements brought to its attention. Particularly where these undermine the Licensing Objectives, as non-compliance with other statutory requirements may demonstrate that the premises are unsuitable for the activities proposed or that the management of the premises is not adequate to protect the public from harm or nuisance.
- 12.4 The Licensing Authority will consider whether appropriate measures have been put into effect by the applicant to mitigate any adverse impact.

13. Temporary Events

- 13.1 Arrangements are made under Part 5 of the Act for the temporary carrying on of licensable activities which are not authorised by a premises licence or a club premises certificate.
- 13.2 The Licensing Authority will provide advice about, amongst other things, public safety. Organisers of temporary/large scale events will be encouraged to seek advice and information from the Council's Event Safety Advisory Group prior to submitting any application.
- 13.3 Legislation states that a minimum of ten working days notice should be given to the Licensing Authority of temporary events (or five working days in respect of a late temporary event). In accordance with the Act, 'Working Day' excludes Saturday, Sunday and Bank Holidays. The Licensing Authority cannot and will not accept notification of a Temporary Event Notice or a late Temporary Event Notice outside the statutory time limit.
- 13.4 The Licensing Authority acknowledges that in exceptional circumstances, some Temporary Events may and do have an impact upon crime and disorder. Therefore, in cases of large scale events, organisers should consider providing as much notice as possible. The Licensing Authority considers two months notice to be advisable in relation to such events.

13.5 The Licensing Authority expects organisers to give due consideration to the four licensing objectives and to consider local residents and those attending events, in areas such as:

- Health and Safety
- Noise Pollution
- Use of Temporary Structures
- Road Closures
- Use of Pyrotechnics or Fireworks
- Controlling Anti-Social Behaviour

13.6 The Licensing Authority may advise applicants to consult with Cheshire Fire and Rescue Service and North West Ambulance Service for guidance with regards to assessing possible risks.

13.7 Applicants will also be reminded that giving a Temporary Event Notice does not relieve the premises user from planning law and any requirement to obtain the appropriate planning permission where it is required.

14. Operating Schedule

14.1 It is recommended that that applicants contact Responsible Authorities when preparing their operating schedules. This is likely to reduce subsequent objections.

14.2 This Statement of Licensing Policy sets out criteria and considerations, which relate to the Licensing Objectives, which applicants should have in mind when drawing up their Operating Schedule.

15. Hours of Operation

15.1 The Licensing Authority will determine licensing hours based on the individual merits of each application.

15.2 The Licensing Authority will consider whether longer licensing hours will achieve a gradual dispersal of people leaving licensed premises and therefore promote the Licensing Objectives.

15.3 The Licensing Authority recommends that applicants indicate within the operating schedule that consideration has been given to the impact the licensing hours applied for will impact on local residents and the surrounding area.

- 15.4 The Licensing Authority will consider licensing shops, stores and supermarkets to sell alcohol for consumption off the premises at any time when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting the hours. Consideration may be given to restricting the licensing hours of individual shops in circumstances where representations received indicate that the premises is a focus of disorder and disturbance.

16. Conditions

- 16.1 The Licensing Authority may, when considering the content of the Operating Schedule, select appropriate conditions from the Home Office Guidance Pool of Conditions⁶, where it is deemed appropriate to ensure that the Operating Schedule reflects the four Licensing Objectives.
- 16.2 Where appropriate, following receipt of Relevant Representations, the Licensing Authority, may attach conditions to the grant of a licence which seek to regulate the behaviour of persons as they leave licensed premises.
- 16.3 Where existing law already places statutory obligations on applicants the Licensing Authority will not usually impose the same or similar duties by way of condition.
- 16.4 In addition to the Home Office Pool of Conditions, the Licensing Authority is aware that some operators seek out further guidance on the working of conditions. This is to ensure that conditions are enforceable, practical and appropriate. Additionally, the Licensing Sub-Committee may seek to include conditions on a licence at a Hearing. In order to facilitate this, the Licensing Authority has compiled a list of frequently used conditions as a guide. It is not intended that these will form blanket conditions applied to all licenses. These conditions are set out at appendix 5.

17. Enforcement and Review

- 17.1 It is the intention of the Licensing Authority to work proactively with the Cheshire Police and other enforcement agencies. Proportionate targeting of agreed problem and high-risk licensed activities needing greater attention will be applied. A corresponding lighter touch for well run, lower risk premises will also be applied.
- 17.2 The Review of licences or certificates provides a key protection for the community where the Licensing Objectives are being undermined. The Review system should allow the Licensing Authority to apply a light touch bureaucracy to the grant or variation of a licence or certificate. The Licensing

⁶ [Supporting Guidance - Pools of Conditions \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Authority may then take a more robust approach when problems relating to the Licensing Objectives arise later in respect of any premises.

- 17.3 At any stage following the grant of a premises licence or a club premises certificate, a Responsible Authority or any other person, may ask the Licensing Authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives. The Licensing Authority shall refer to Guidance when assessing whether any Relevant Representations are irrelevant, vexatious, frivolous or repetitious.
- 17.4 Although the Act does not require premises inspections to be undertaken, they will take place at the discretion of the Licensing Officers charged with this role and will take place as judged necessary. This will ensure that the Licensing Authority manages resources efficiently and that 'effective enforcement' is directed at 'problem premises'.
- 17.5 Where any conditions have been applied to a Premises Licence or Club Premises Certificate and Authorised Officer of the Council may inspect the premises at any reasonable time for the purpose of checking that the conditions are being complied with.

Door Supervisors

- 17.6 The Security Industry Authority (SIA) plays an important role in preventing crime and disorder by ensuring that door supervisors are properly trained and licensed. Specific enquiries or premises visits may occur in order to ascertain that SIA Licenses are being executed in the correct manner and not as a tool for crime and disorder such as fronts for serious and organised criminal activity. Intelligence led operations by the SIA, Licensing Authority and/or Police will be conducted without notice
- 17.7 At all times the Licensing Authority will have regard to the Council's Enforcement Policy, which is available on the Council's website.

18. Early Morning Alcohol Restriction Orders (EMROS)

- 18.1 Under Section 172 A to E of the Act, the Licensing Authority has the power to make an EMRO prohibiting the sale of alcohol for a specified period between the hours of 24:00 and 06:00. They are designed to address recurring problems with licensed premises, serious public nuisance and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.
- 18.2 The Licensing Authority will consider evidence that such a decision is appropriate for the promotion of the Licensing Objectives. Consideration will be given to evidence provided by partners, Responsible Authorities and the

Local Community Safety Partnership as well as evidence the Licensing Authority has gathered to determine whether an EMRO would be appropriate for the promotion of the licensing objectives. The Licensing Authority will consider the problems that have been identified. A range of evidence may be considered, including local crime and disorder statistics, statistics on anti-social behaviour offences, health related statistics (e.g. alcohol related emergency attendances and hospital admissions, environmental health complaints, complaints recorded by the Council, residents' questionnaires, evidence from local councillors and evidence obtained through local consultation).

- 18.3 It is acknowledged by the Licensing Authority that an EMRO is restrictive, whilst also being a powerful tool to address recurring problems of alcohol-related crime and disorder, serious public nuisance and alcohol-related anti-social behaviour. Prior to making an EMRO the Licensing Authority will consider whether any other measures (implemented by themselves or with partners) may address the problems that have been identified in particular other measures might include:

- Development of a Cumulative Impact Policy
- Reviewing the licenses of specific problem premises
- Encouraging the creation of business-led practice schemes
- Use of powers of the Council to designate an area where alcohol may not be consumed publicly (Designated Public Places Order)
- The confiscation of alcohol in designated areas
- Police enforcement of the general law concerning disorder and anti-social behaviour
- Prosecution for the offence of selling (or allowing such a sale) alcohol to a person who is drunk
- Use of Police powers to close down any licensed premises instantly for up to 24 hours in respect of which a TEN has effect

- 18.4 In taking any decision to make an EMRO, the Licensing Authority will follow the statutory process and will invite representations.

- 18.5 The Licensing Authority appointed a working group to consider the implementation of any EMROs. The group reported their findings to the Licensing Committee in November 2016. The findings of the working group were that EMRO(s) were not appropriate at that time. This decision was endorsed by the Committee. However, this matter can be revisited at anytime

and should the evidence justify the making of an order, this will be given further consideration

19. Late Night Levy

- 19.1 Under Section 125 of the Police Reform and Social Responsibility Act 2011 the Council can adopt a Late Night Levy, following a consultation process, outlined by the Home Office. It allows the Council to charge an additional fee to any licensed premises that has a licence for the sale of alcohol (on and off sales) after 12 midnight and up to 06:00 in order to cover the additional costs associated with late night alcohol trading. Legislation allows this to start from midnight but it is up to the Council to decide when they wish to apply it.
- 19.2 Any income raised by the Levy must be split with the local Police force; the Police would receive a minimum of 70% of funds raised and the Council's 30% must be used to fund services which make the late night economy a more welcoming place.
- 19.3 The Licensing Authority appointed a working group to consider the implementation of a Late Night Levy. The group reported their findings to the Licensing Committee in November 2016. The findings of the working group were that a Late Night Levy was not appropriate at that time. This decision was endorsed by the Committee. However, this matter can be revisited at anytime and should the evidence justify the implementation of a levy, this will be given further consideration.

20. The Licensing Process

- 20.1 Applications can be made on the prescribed forms that can be found on the Home Office website.
- 20.2 Applications can also be made via the government website www.gov.uk. In order to fulfil its obligations under the Provision of Services Regulations 2009 (and the EU Services Directive) the Council will continue to enable the application process and payment online. Tacit consent is however not applicable for applications under the Licensing Act 2003 since the suitability of an applicant and the suitability of premises are under consideration.

21. Delegation and Decision Making

- 21.1 One of the major principles underlying the Licensing Act 2003 is that the licensing functions contained within the Act should be delegated at an appropriate level to ensure an efficient and cost effective service.
- 21.2 The Licensing Authority is committed to the principle of delegating its powers to ensure that these objectives are met and has arranged for its licensing

functions to be discharged in accordance with the Home Office Guidance. The table at Appendix 1 sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub-Committees and Officers

- 21.3 The Act itself creates a presumption that applications will be granted unless a Relevant Representation (objection) is raised. Where a function is delegated to an officer, that officer will be responsible for liaising between the applicants, objectors and Responsible Authorities to ensure that any licence granted is subject to any appropriately agreed conditions and relevant mandatory conditions

- 21.4 Where objections are made, an officer of the Licensing Authority may liaise with the Applicant, objectors and the Responsible Authorities to see if a 'settlement' is possible to overcome any objections, without the need for the matter to go before the Committee or Sub-Committee. Only where objections are raised which cannot be reconciled will matters be referred to either the Sub-Committee or the Full Committee for determination.

- 21.5 Contested Licensing Applications and Review Hearings are administrative in nature and the (Sub) Committee will ensure that any meetings are conducted as informally as possible. However, some degree of formality is needed to ensure that all parties receive a fair hearing. Procedural requirements will be established to ensure that all parties are able to express their views openly and fairly. The (Sub) Committee procedure is inquisitorial rather than adversarial and, whilst applicants, objectors and Responsible Authorities are entitled to bring legal representation with them if they wish, this is by no means a requirement or a necessity.

- 21.6 Whilst the (Sub) Committee usually meets in public, it does have the power to hear certain applications in private. The Committee, however, will always reach its decision in private. A public announcement of the decision is normally made at the end of the Hearing together with an outline of the reasons for that decision. However, on occasion this may not be possible, due to time constraints and/or the complexity of the issues under consideration, in which case a written decision will be issued as soon as possible after the Hearing.

- 21.7 The procedure which will generally be used by the (Sub) Committee, unless the Chairman of the (Sub) Committee takes the view that natural justice and fairness require a change to be made to the process, is set out at Appendix 2.

22. Exclusions

- 22.1 In formulating this Statement of Licensing Policy in accordance with Guidance and recognising the need to treat each application on its individual merits the Licensing Authority makes specific exclusions, which are detailed below.

Commercial Demand

- 22.2 The commercial demand for additional premises licenses (as distinct from cumulative impact) will not be a matter for the Licensing Authority, such matters being a specific consideration for the Planning Authority.

Zoning and licensing hours

- 22.3 Fixed predetermined closing times for particular areas will not form part of the Policy and restriction on trading hours will be considered only where appropriate to meet Licensing Objectives. However, the Licensing Authority has produced a document to assist applicants, Committee Members and Responsible Authorities in considering what hours are suitable for Town Centre, Rural, or Residential locations. This is set out at appendix 6. While these times are not binding on applicants, where an applicant does apply for permissions beyond these suggestions there will be an expectation from all Responsible Authorities that additional measures to promote the Licensing Objectives will be included in the operating schedule accompanying the application.

Children

- 22.5 Nothing in this Statement of Policy shall limit or require access of children to premises unless there is an overriding necessity to prevent harm to children. Areas that will give rise to particular concern are highlighted elsewhere in this Policy.

Standardised conditions

- 22.6 The Policy does not provide for 'standard conditions' to be imposed so as to avoid the imposition of disproportionate and burdensome requirements. Conditions attached to licenses or certificates if deemed appropriate in particular circumstances will be tailored to reflect the individual operation of the premises in question. Conditions will not be imposed which are beyond the responsibility or control of the premises licence holder.

23. Consultation

- 23.1 In reviewing this Policy the Licensing Authority has consulted widely to ascertain an appropriate licensing framework for its area. Various bodies have been consulted as set out within the Licensing Act 2003.

24. Changes to Legislation

- 24.1 As changes to legislation occur the Council will implement them using the principles stated in this Statement.

Appendix 1

Table of delegations of licensing functions
Functions under the Licensing Act will be dealt with as follows:

Matter to be Dealt with	Full Committee	Sub-Committee	Officers
Application for Personal Licence		If a police objection	If no objections made
Application for Personal Licence with unspent convictions		All Cases	
Application for premises Licence/Club Premises Certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation is made	If no relevant representation is made
Application to vary Premises Licence/Club Premises Certificate		If a relevant representation made	If no relevant representation made
Application to vary designated Personal Licence holder		If a police objection	All other cases
Request to be removed as designated Personal Licence Holder			All cases
Application of transfer of Premises Licence.		If a police objection	All other cases
Application for Interim Authorities		If a police objection	All other cases
Application to review Premises Licence/Club Premises Certificate		All cases	

Matter to be Dealt with	Full Committee	Sub-Committee	Officers
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc			All cases
Decision to object when Local Authority is a consultee and not a lead authority		All cases	
Determination of a relevant objection to a Temporary Event Notice		All cases	
Power to issue a Counter Notice in respect of a Temporary Event			All cases
Determination of a minor variation			All cases
Decision to exercise the Licensing Authority's powers as a Responsible Authority			All cases

CHESHIRE EAST COUNCIL

Procedure for Hearings – Licensing Act 2003

The Licensing Committee

The full Licensing Committee consists of elected Members of the Council. From this full Committee will be drawn sub-committees of three members to deal with licensing functions under the Licensing Act 2003. The Chairman and Vice Chairman of the Licensing Committee shall have the discretion to refer a matter up to a hearing of the full Licensing Committee.

Officers at Hearings

- **The Committee Officer** introduces all parties and records the proceedings
- **The Legal Adviser** provides independent advice to the Members on legal matters and procedure.
- **The Licensing Officer** will introduce the matter and outline the application; the officer will also answer any questions Members may have.

PROCEDURE

NOTE: If the Sub-Committee has not already elected a Chair, that will be the first item of business.

1	Chair	The Chair will: (i) call the matter to be considered (ii) call for any declarations of interest (iii) ask all parties to introduce themselves (iv) summarise the procedure to be followed at the hearing (v) will consider any request made by a party for another person to appear at the hearing (v) will advise the parties of any maximum period of time in which it has to present its case (if a maximum is imposed this shall be equal for all parties)
2	Licensing Officer	Will introduce and summarise the application, highlighting areas of contention or dispute.
3	Committee Members	May ask questions of the Licensing Officer
4	Applicant	Will present his/her case, calling witnesses, as appropriate. <i>(If necessary, applicant will produce any notices required by law. Legal Adviser will draw attention to this if required.)</i>

5	Responsible Authorities (who have made representations)	Each in turn may ask <u>questions</u> of the applicant, by way of clarification.
6	Other Persons (who have made representations)	To be invited to ask <u>questions</u> of the applicant, by way of clarification. <i>It is normal practice for a spokesperson only to speak on behalf of a group of residents.</i>
7	Committee Members	Each in turn may ask <u>questions</u> of the applicant.
8	Applicant	May make a <u>statement</u> or ask his witnesses to clarify any matters which he feels are unclear or may have been misunderstood.
9	Responsible Authorities	Will make their representations.
10	Applicant	Or his representative or witnesses to ask <u>questions</u> of Responsible Authorities represented at the meeting, by way of clarification.
11	Other Persons (who have made representations)	May ask <u>questions</u> of the Responsible Authorities represented at the meeting, by way of clarification. (Note: This is not the point at which they should be stating their objections.)
12	Committee Members	May ask <u>questions</u> of the Responsible Authorities represented at the meeting
13	Other Persons (who have made representations)	The local residents who are objecting to the application will be invited <u>to make observations on the application</u> and present the bases of their objections.
15	Applicant	Or his representative or witnesses may ask <u>questions</u> of the Local Residents, by way of clarification.
16	Committee Members	May ask <u>questions</u> of the Local Residents.
17	Chairman	To invite both Responsible Authorities and Local Residents to make their closing addresses.
18	Applicant	Or his representative will <u>briefly summarise the application</u> and comment on the observations and any suggested

		conditions.
19	Committee	<u>Will retire</u> to consider the application. The Committee may request the Legal Advisor to advise on legal issues.
20	Committee	<p>Will return to <u>give its decision</u>, with reasons, which will be announced by the Chair and subsequently confirmed in writing to the applicant and to all the parties that made representations.</p> <p>In cases where a decision is not given at the end of the hearing, parties will be advised of the decision within five working days.</p>

Notes

1. The hearing shall normally be held in public. There may be occasions on which the Committee find it necessary to exclude members of the press and public; any such decision will be taken on the basis that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing taking place in public.
2. The Chair may require any person behaving in a disruptive manner to leave the hearing and may (a) refuse to permit that person to return, or (b) permit him/her to return only on such conditions as the authority may specify, but any such person may submit in writing any information which they would have been entitled to provide orally if they had not been required to leave.
3. Prior to the hearing each party shall have given notification and served documentation (eg statements of witnesses or reports of experts) as required. Late representations and evidence will only be considered with the agreement of all parties.
4. Anyone entitled to be heard may be represented by any person, whether or not that person is legally qualified.
5. Hearsay will be permitted but the Sub-Committee will be reminded to give it appropriate weight.
6. Due note shall be taken of the provisions of the Hearings Regulations 2005.
7. The Chair may, in the interests of expediency or convenience of the parties, vary the procedure from time to time, provided notice is given to the parties and the rules of natural justice are observed.
8. When considering an application to review a licence, references to applicant will lean the person who applied for the review of the licence. The premises

licence holder will be heard in the 'other persons' section of the hearing. In respect of TEN hearings the applicant will mean the Responsible Authority who submitted an objection notice.

Summary of Procedure

1. Chairman appointed (if this has not been done previously).
2. Chairman to call for declarations of interest and request that all parties introduce themselves.
3. Chairman summarises the procedure for the hearing
4. The Licensing Officer summarises the application
5. Applicant to present his/her case.
6. Applicant to be questioned by all parties (to clarify points only) following which, he/she can clarify any other matters which he/she feels may have been misunderstood when the application was presented.
7. Applicant to be questioned by the Committee.
8. Responsible Authorities to make their representations following which they can be questioned by all parties by way of clarification.
9. Other Persons will be invited to present the bases of their objections, following which they can be questioned by all parties by way of clarification.
10. The applicant will be invited to sum up his/her case
11. Committee/Sub-Committee withdraws to make its decision
12. Committee/Sub-Committee returns to announce its decision to all present
13. The decision notice setting out the reasons will be issued within 5 working days

Mandatory Conditions

Mandatory conditions where licence authorises supply of alcohol

1. No supply of alcohol may be made under this Premises Licence –
 - a) at a time when there is no designated premises supervisor in respect of the Premises Licence, or
 - b) at a time when the designated premises supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under this Premises Licence must be made or authorised by a person who holds a Personal Licence.

Where a Village Hall is exempt from needing DPS under s.19 Licensing Act 2003

Every supply of alcohol under the premises licence must be made or authorised by the Management Committee.

Mandatory condition where the licence authorises the exhibition of films

The admission of children to the exhibition of any film must be restricted in accordance with section 20 of the Licensing Act 2003. Admission of children must be restricted in accordance with any recommendation made by the British Board of Film Classification or the Licensing Authority.

Prohibited conditions: plays

1. In relation to a premises licence which authorises the performance of plays, no condition may be attached to the licence as to the nature of the plays which may be performed, or the manner of performing plays, under the licence.
2. But subsection (1) does not prevent a licensing authority imposing, in accordance with section 18(2)(a) or (3)(b), 35(3)(b) or 52(3), any condition which it considers necessary on the grounds of public safety.

Mandatory condition: Door supervision

Each individual engaged in security activities at the premises must either:

- a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

b) be entitled to carry out that activity by virtue of Section 4 of the Private Security Industry Act 2001.

**LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS)(AMENDMENT)
ORDER 2014**

MANDATORY CONDITIONS

Condition 1

1. The responsible person must ensure that staff on relevant premises no not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:

a) Games or other activities which require or encourage, or are designed to require or encourage individuals to –

i. Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

ii. Drink as much alcohol as possible (whether within a time limit or otherwise);

b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

- e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Condition 2

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Condition 3

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
3. The policy must require individuals who appear to the reasonable person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
 - a) A holographic mark, or
 - b) An ultraviolet feature

Condition 4

The reasonable person must ensure that –

- a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - i. Beer or cider: ½ pint;
 - ii. Gin, rum, vodka or whisky: 25ml or 35ml; and
 - iii. Still wine in a glass: 125ml;
- b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—

a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

b) 'permitted price' is the price found by applying the formula—

$$P = D + (D \times V)$$

Where —

- i. P is the permitted price,
- ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence—

- i. the holder of the premises licence,
- ii. the designated premises supervisor (if any) in respect of such a licence, or
- iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;

d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

e) 'valued added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Non-regulated Entertainment

The Deregulation Act 2015 extended the deregulation of entertainment that was brought into effect by the Live Music Act 2012, Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013, and The Legislative Reform (Entertainment Licensing) Order 2014. The following activities do not require authorisation under the Licensing Act 2003 (eg premises licence or temporary event notice):

Non-regulated Entertainment Matrix							
Plays and Dance	Films	Live Music unamplified	Live Music amplified	Recorded music	Boxing and Wrestling	Indoor Sport	Cross-activity Any entertainment
At any time between 0800 and 2300							
Audience up to 500		Audience unlimited	Audience up to 500		Audience up to 1000		Audience unlimited
Conditions / Restrictions							
	Consent from premises		Premises with an alcohol on-licence or		Greco Roman or Freestyle		On LA/hospital/school premises or
	Observe age ratings		Church hall, village hall or similar with the consent of person responsible or				At travelling circus provided: 1. No films, boxing or wrestling and 2. within a moveable structure accommodating audience and 3. not there for more than 28 days
	Not for profit and		Non-residential LA premises, school or hospital with the consent of body responsible or				
	on community premises		Live music only – a workplace (ie anywhere that is made available to any person as a place of work)				

Sample Conditions

Conditions attached to a licence or certificate are the steps or actions the holder of the premises licence or the club premises certificate will be required to take, or refrain from taking, at all times when licensable activities are taking place at the premises in question.

Conditions are required to be clear, appropriate and enforceable and must be expressed in terms that are unequivocal and unambiguous. Further, such conditions should be open, transparent and reasonable.

Conditions must not be applied universally and treated as standard conditions. Licensing conditions are to be tailored to the size, style, characteristics and activities taking place at the premises concerned.

The sample conditions list is neither exclusive nor exhaustive. The conditions relate to the four licensing objectives and can be used where appropriate to the particular circumstances of individual premises.

The list of sample conditions does not restrict any applicant, responsible authority, or other persons from proposing any alternative conditions nor would it restrict a licensing sub-committee from imposing any reasonable condition on a licence it considers appropriate for the promotion of the licensing objectives.

The Prevention of Crime and Disorder

CCTV

The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested

NB The above condition is an example of the wording that could be used for premises where the customers might commit serious crime. The CCTV requirements would be expected to be 'scaled down' accordingly for smaller premises or those premises which are unlikely to prove as troublesome

Incident Management

An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the Licensing Authority. The log will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of customers
- (c) any incidents of disorder (disturbance caused either by one person or a group of people)

[There is no requirement to record the above incidents (a), (b) or (c) where they do not relate to a licensable activity]

- (d) seizures of drugs or offensive weapons
- (e) any faults in the CCTV system or searching equipment or scanning equipment
- (f) any refusal of the sale of alcohol during the hours the premises is licensed to sell it

There must be at the premises a lockable 'Drugs Box' to which no member of staff, save the DPS and/or xx, shall have access. All controlled drugs (or items suspected to be or to contain controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all of its contents must be given to the Cheshire Police for appropriate disposal

Door Supervisors

On any occasion that regulated entertainment is provided, not less than xx SIA registered door supervisors shall be engaged to control entry

At least xx female door supervisor(s) shall be engaged at the premises at such times as door supervisors are required to be provided.

When the premises is carrying on licensable activities after xx:xx hours, at least xx registered door supervisor(s) is(are) to be on duty at each door used for entry or exit.

A written search policy that aims to prevent customers or staff bringing illegal drugs, weapons or other illegal items onto the premises at any time shall be in place and operate at the premises

There shall be no admission or readmission of customers to the premises after xx:xx hours save for customers using the agreed smoking area at the premises

On occasions where licensable activities are carried on past xx:xx hours admission of customers will be restricted to *[enter restriction e.g. a particular entrance, a particular area of the licensed premises etc]*

Where SIA registered door supervisors are used at the premises, a record shall be kept of their SIA registration number and the dates and times when they are on duty.

The door supervisor[s] shall properly control customers outside the Premises so that they leave quickly and quietly and do not congregate on the pavement outside the Premises [causing noise and nuisance to residents living in the vicinity]

Public Safety

All glasses in use at the premises shall be either toughened glass or polycarbonate material

No drinks of any sort are to be supplied to customers in glass bottles

The Prevention of Public Nuisance

Noise (regulated entertainment)

All doors and windows shall remain closed at all times after xx:xx hours during the provision of regulated entertainment save for entry or exit, or in the event of an emergency

The external doors of the Premises shall be kept closed except for immediate access and egress and the windows shall be locked shut from xx:xx hours until the Premises closes.

Loudspeakers shall not be located in the entrance lobby, *[specify another location if appropriate]* or outside the premises

Noise (persons)

A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours

Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly

Customers permitted to temporarily leave and then re-enter the premises e.g. to smoke, shall not be permitted to take drinks or glass containers with them

There shall be no sale of alcohol in unsealed containers for consumption off the premises

The Licence holder shall make available a contact telephone number to nearby residents and the Licensing Team/Environmental Protection Team/Police to be used in the event of complaints arising

The Protection of Children from Harm

A log shall be kept at the premises and record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under xx years of age. The log shall

record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be made available on request by the Police or an authorised officer of the Council

A 'Challenge 25' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age identity card.

Children under the age of xx years shall not be allowed on the premises after xx:xx hours unless accompanied by an adult.

Children under the age of ** years shall not be allowed on the premises

No single cans or bottles of beer or cider shall be sold at the premises

General

Any designated queuing area shall be enclosed within appropriate barriers to ensure that the highway is kept clear

There shall be no self service of spirits on the premises

There shall be no admission after xx:xx other than to

- 1) Residents of the hotel and their bona fide guests
- 2) Persons who have pre-booked to attend a function at the premises

All tables and chairs shall be removed from the outside area by xx:xx hours each day.

A copy of the premises licence shall be provided to any company involved in the provision of licensable activities at the premises.

Martyn's Law

At all times that the premises are open to the public for licensable activities, all staff on-duty at the premises, including all door supervisors, and all on-duty managers must have completed Action Counters Terrorism (ACT) Awareness e-learning training. In addition, a minimum of 1 on-duty manager and any on-duty security supervisor/manager must also have attended a Counter Terrorism (CT) Awareness session delivered by Counter Terrorism Policing North West (CTPNW) trained personnel as soon as reasonably practicable. If not completed, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of the licensing authority.

The Designated Premises Supervisor must have attended a CT Awareness training session delivered by CTPNW-trained personnel as soon as is reasonably practicable. In all cases, within 28 days of a new Designated Premises Supervisor being named on the licence, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of the Council.

There must be a documented security assessment, which must incorporate counter terrorism measures for the premises. The assessment shall be routinely reviewed and must be reviewed following the elevation of the change of the national threat level. All reviews shall be documented.

Within 28 days of the grant or variation of the licence, the premises licence holder shall evaluate any risks identified through the security assessment and take prompt steps to eliminate them or to reduce the risk as far as is reasonably practicable. A documented record must be maintained of any remedial action implemented and made available upon request to any police officer or an authorised officer of the Council.

The premises must have a documented security plan, which sets out counter measures to be implemented in response to a terrorist attack that incorporates the principles of 'Guide', 'Shelter' and 'Communicate' as appropriate in conjunction with relevant National Counter Terrorism Security Office (NACTSO) / Centre for the Protection of National Infrastructure (CPNI) guidance, and the purposes of those procedures and the necessity of following them must be understood by those carrying them out:

Guide – Direct people towards the most appropriate location (in vacu-ation, evacuation, hide)

Shelter – Understand how your place or space might be able to lock-down and shelter people within it for several hours

Communicate – Have a means of communicating effectively and promptly with users of your place and have staff capable of giving clear instructions. Also have the capability of integrating with any response or rescue operation by providing things like building plans.

Suggested Hours Matrix

Area	Vision	Licensing Policy Direction	Premise Type				
			Restaur ant	Club / Late Bar	Pub	Off Licenc e	LNR
The designated areas of Macclesfield and Crewe town centres	Creation of mixed use development	Our aim for this area includes: To expand the early evening offer to introduce a new customer base and to reduce the reliance on vertical late night drinking	01:30	03:00	02:00	23:00	01:30
The designated areas of Wilmslow, Knutsford, Congleton, Sandbach, and Nantwich town centres	Creation of mixed use development.	Our aim for this area includes: To expand the early evening offer to introduce a new customer base and to reduce the reliance on vertical late night drinking	01:00	02:00	01:00	23:00	01:00
All other areas	To protect the integrity of the existing community	Our aim for this area is to: To protect the integrity of the area and to encourage businesses that are consistent with the needs and expectations of the area	00:30	X	00:00	23:00	00:00



NOISE CONTROL GUIDANCE FOR LARGE OUTDOOR EVENTS (WITH 500 OR MORE GUESTS/CUSTOMERS)

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Appendix 1 – Event Information Questionnaire

Appendix 2 – Event Checklist

Appendix 3 – Glossary of Possible Noise Licensing Condition

Appendix 4 - Acoustic Definitions

1. Introduction

Cheshire East Council supports and encourages entertainment and cultural events within the community, many of which involve music. This document outlines the Council's approach to managing and controlling noise from large outdoor events (i.e. those with 500 or more people attending). The approach taken in this guidance is one of active engagement with the Council's Environmental Protection Team at the earliest possible opportunity. This will help to minimise and, where possible, remove the possibility of noise from the event causing a nuisance to the surrounding area. It also introduces and outlines the relevant legal framework associated with these types of events and draws on past events to offer advice regarding good practice to help control the noise.

Please note, for smaller events, i.e. those with less than 500 people attending, further information can be found on the Council's website⁷.

Any queries or questions regarding this guide should be sent to the Environmental Protection Team Leader at environmentalprotection2@cheshireeast.gov.uk

2. Purpose of this Guidance

This guidance is aimed at:

- Interested parties who participate in the planning/hosting/staging of large outdoor events within Cheshire East, which have the potential for noise disturbance
- Outdoor event organisers and promoters
- Owners of land where large outdoor events may take place
- Sound engineers
- Acoustic consultants

3. Key Legislation and Guidance

The Environmental Protection Act 1990 – Part III

Annually, the Council receives a considerable number of complaints regarding the level of noise from large outdoor events. To try and avoid a potential noise nuisance the Council will always try to work with all parties involved before, during and after the event.

Please note, if the Council establishes that noise from any large event, is either likely to or is causing a statutory nuisance, action may be taken in accordance with both the Council's Enforcement Policy⁸ and Part III of the Environmental Protection Act 1990⁹, which may result in the service of a formal Statutory Nuisance Abatement Notice. If the statutory notice is found to be breached it may result in prosecution in the Magistrates' Court, where an unlimited fine can be imposed where guilt is established.

⁷ www.cheshireeast.gov.uk/leisure_culture_and_tourism/events-whats-on-guide/event_organisers/licensing.aspx

⁸ <https://www.cheshireeast.gov.uk/business/enforcement/enforcement-policy.aspx>

⁹ <https://www.legislation.gov.uk/ukpga/1990/43/contents>

Licensing Act 2003

Any premises where regulated entertainment takes place must have a premises licence. If such activities are undertaken without the benefit of a premises licence or in breach of any conditions imposed on a licence, the Council's Licensing Enforcement Team could call for a review of the licence and/or refer the matter to the Magistrates' Court for prosecution as set out in the Licensing Act 2003. For further information regarding licensing please see the Council's website¹⁰ or the team can be contacted at licensing@cheshireeast.gov.uk.

The Purple Guide

The Purple Guide was originally published by the Health & Safety Executive and is designed to provide guidance for event organisers, suppliers, local authorities and others involved in the outdoor events industry. Publication of the Guide was taken over by the events industry in 2012, which is when it was updated. It is not intended as a detailed guide but provide general guidance on the matters event organisers need to consider when planning an event. It does not exclusively apply to noise control but focuses on the application of health and safety and associated regulations, some of which will apply to noise levels at large events.

Events Safety Advisory Group

The Event Safety Advisory Group (ESAG) is a multi-agency group made up of officers from Licensing, Environmental Health, Trading Standards, Highways, Emergency Planning, Cheshire Police, Cheshire Fire and Rescue and the Northwest Ambulance Service. This group is normally the first point of contact for any individual, group or business thinking of organising a large outdoor event. Whilst risk management and public safety are the responsibility of the event organisers, early consultation with ESAG can significantly increase safety and assist in the planning process. More information is available on the council's website¹¹.

4. Event Information

The Council's Environmental Protection Team requires initial information and details of the event as outlined in Appendix 1, at least six months prior to the event taking place. A checklist is available in Appendix 2, which summarises what needs to be covered for all large outdoor events.

Event organisers will need to demonstrate that:

- The location of all stages and marquees where live or recorded music will take place, have been planned to minimise their impact on noise sensitive properties.

¹⁰ www.cheshireeast.gov.uk/business/licensing/licensing.aspx

¹¹ www.cheshireeast.gov.uk/leisure_culture_and_tourism/events-whats-on-guide/event_organisers/event_organisers.aspx

- The programme of events for stages and marquees where music is to be played, has been planned in such a way to minimise the impact of noise at sensitive properties.

- All suitable measures are considered and where appropriate employed to mitigate noise levels, for example-
 - the number and positioning of speakers,
 - use of delay or circuit speakers,
 - compressors/generators; or
 - noise limiters on the main sound circuit.

All completed forms should be emailed to the Environmental Protection Team via environmentalprotection2@cheshireeast.gov.uk.

Noise Control

Based on the event information supplied, the Environmental Protection Team may seek to apply conditions appropriate to promote the licensing objectives for the event, through the licensing regime to control the operating hours and/or noise levels. Included in Appendix 3 is a (non-exhaustive) list of examples of licensing conditions, which could be applied to a licence to control noise levels at the event.

The aim should be to achieve the Music Noise Level (MNL) when assessed during sound checks and should not exceed the guidelines set out in Table 1 at one metre from the façade of any noise sensitive premises (i.e. school, care homes, nursing homes etc) for events held between 0900 and 2300.

Table 1 - Guideline Music Noise Levels values

Concert days per calendar year, per venue	Venue Category	Guideline
1 to 3	Urban Stadia or Arenas	The MNL should not exceed 75dB(A) over a 15-minute period
1 to 3	Other Urban and Rural Venues	The MNL should not exceed 65dB(A) over a 15-minute period
4 or more	All Venues	The MNL should not exceed the background noise level by more than 15dB(A) over a 15-minute period

For events continuing or held between 2300 and 0900 the music noise should not be audible within noise-sensitive premises with windows open in a typical manner for ventilation.

In addition, the maximum sound levels in the 63Hz and 125Hz octave bands must not exceed 75dB over a fifteen minute period, throughout the event, including rehearsals and sound checks, at any noise sensitive premises.

Local Geography and Topography

The overall site design and layout should have the dual purpose of maximising audience enjoyment, whilst using the local topography to act as a natural acoustic barrier to protect noise sensitive properties. When deciding on the location of an event, the potential to cause a noise disturbance must be a key consideration. If the site is surrounded by residential properties, it may not be a suitable venue for music based events, or strict conditions and controls may need to be imposed via the premises licence.

Consideration will need to be given to all potential noise sources for example music, people, fairground rides, loudspeakers, public address systems, compressors/generators etc. If there are any sensitive receptors near the site, steps will need to be taken to minimise the impact of all noise sources. Table 2 gives a non-exhaustive list of considerations.

Table 2 - Potential localised features and associated comments

Feature	Comment
Wind	The prevailing wind can carry noise towards receptors. Offsite it can be very noticeable for example a gust of wind can lead to more than a 10 decibel (dB) increase
Water	Noise carries readily over stretches of water such as lakes, which can lead to increased noise levels off site
Hills	The topography of the land around the event site can determine the direction of noise transmission off site
Trees	Usually not considered an effective noise barrier
Nearby non-noise sensitive buildings	Can provide useful noise barriers, they can also cause problems in terms of reflection, which may direct the sound towards noise sensitive premises and amplify the noise at the receiver's location

Location of Speakers

Most speakers are capable of directing sound towards a target area and they should be focused on the audience area so as to reduce the transmission of noise off site.

Consideration must be given to:

- Where the audience will be located - sound engineers should set up the system to concentrate the sound in this area and reduce sound leaving the site.
- It may be preferable to use a distributed system suspended from delay towers around the area where the audience is located, as this will help to reduce the noise levels when compared to only using speakers located next to the stage area.
- It is important that the sound engineer strictly controls the noise levels, especially low frequency noise (bass tones), as this will be more likely to cause the most disturbance to both local residents and those located further away from the site.

Type of Event

The event organiser should consider the type of performers and music to be booked for the event. All performers will have differing noise level requirements and it is important that the site operator has control of the overall volume and frequency levels. Please note,

if the event is to be held on council owned land, there may be additional terms and conditions included in the hire agreement to control noise, which will need to be agreed and adhered to during the event.

Public Relations

Previous events have shown that if there is effective communication between the event organiser and local residents, the residents are more likely to be understanding of what is taking place. Therefore, the important considerations are:

- Inform local residents and businesses well in advance of the event taking place, so they can make alternative arrangements for themselves and their pets, if required.
- A letter should be sent to local residents, other noise sensitive receptors and local community groups at least two weeks in advance of the event taking place. The contents of the letter along with any complaint procedure will need to be discussed and agreed in advance at multi agency meetings during the planning process for the event.
- It is also advantageous to engage with the local Town and/or Parish Councils to make them aware of the duration of the event and the controls in place. Details of all Town and Parish Councils can be found on the Cheshire East Council website¹².
- Operating a staffed complaint telephone number and/or email via which noise complaints can be channelled and actioned as quickly as possible.

Noise Management Plan

A Noise Management Plan (NMP) should be prepared and emailed to the Council's Environmental Protection Team as early as possible. Please note, events involving amplified music in locations with noise sensitive receptors near the site, may be required to submit a NMP as part of the conditions attached to a premises licence. The NMP should identify all noise monitoring locations, both on and off site. Typical sections for a NMP include:

- ✓ Type of event
- ✓ Dates and duration of the event
- ✓ Times of operation each day the event takes place including rehearsal and sound check times
- ✓ Types of noise to be generated by the event e.g. music, fireworks, people etc.
- ✓ Noise criteria used for assessing the noise during the event
- ✓ Assessment of predicted noise levels
- ✓ Details of noise control and management measures to be implemented
- ✓ Details of how local residents can complain and how they will be dealt with during the event
- ✓ Contact details of the organiser and responsible staff on site for the Council can contact, if necessary

Location of Generators

¹²www.cheshireeast.gov.uk/council_and_democracy/voting_and_elections/town_and_parish_councils/town_and_parish_councils.aspx

If generators are to be used, consideration should be given to their location so as to prevent noise affecting local residents. Where possible all generators and ancillary equipment should be located at a distance so they are inaudible at all noise sensitive properties. If, due to the nature of the site, this is not possible, suitable acoustic screening or barriers should be used to ensure the noise does not affect neighbouring noise sensitive premises.

5. Noise Monitoring

The event organiser is responsible for ensuring all noise monitoring is undertaken and all relevant noise limits set for the event are complied with. It is normal for event organisers to employ an acoustic consultant to do this on their behalf. If an acoustic consultant is employed, they should be made aware of the information in Table 3.

Please note, council officers may also undertake visits to the site both before and during the event to check the layout of the site, noise monitoring and any noise controls imposed by the licence are in place for the event. If officers visit the site or undertake noise monitoring either on or off site, they should receive co-operation from the event organiser and other relevant persons on the site.

Table 3 – Noise monitoring considerations

Acoustic Consultant	Employ a suitably qualified acoustic consultant who will be able to assist with noise transmission on and off site and to identify which noise sensitive premises may be affected.
	Ensure the acoustic consultant is aware of all noise controls required and in place for the event.
	It may be helpful for a noise contour map to be produced, which can be included in the Noise Management Plan.
Equipment	The use of sound level meters and associated measurements can be complex and anybody undertaking these must be suitably trained.
	Noise levels must be measured using an integrating-averaging sound level meter complying with type 2 or higher (British Standard 6698) to undertake all noise monitoring including background noise levels. The time weighting 'F' (fast response) should be used.
	The use of a basic sound level meter or mobile phone App should be avoided. If they are used it should only be for indicative purposes and not to demonstrate compliance with any noise requirements.
Noise measurements	Should be undertaken at or near to the mixing desk and other pre-determined locations both on and off the site, such as near noise sensitive premises.
	Noise monitoring during the event should either be continuous or as a succession of short periods e.g., up to 15 minutes (L_{Aeq}).
	To ensure the dominant noise source is being measured you must avoid undertaking measurements close to busy roads or other such noise sources. If a location is available, which is set

	back from the road, this should be used and the location recorded on a map.
Low frequency noise	Criteria may need to be set to control low frequency noise, depending on the type of event, as this can cause disturbance even if the overall noise levels are being achieved.
	It is recommended that all complaints are logged, including the location, time, date and the 63Hz and 125Hz octave frequency bands are checked to ensure they are not above 75dB(A) or a limit specified in the licence.
Monitoring outside of the venue	Those undertaking noise monitoring and controlling sound levels need to be able to communicate with each other. Communication channels need to be checked as mobile phone signals are not always available in rural areas.
	If monitoring indicates noise levels are exceeding those set for the event, the nominated person must, without delay, inform the sound engineer or other relevant person who can make the necessary adjustments. The sound engineers should be instructed to act on the advice of the nominated person who is responsible for overall control of the music.
	If noise complaints are received in an area which is not being monitored, the event organiser should make every effort to respond to the complaint and if appropriate, undertake noise monitoring in the area where it originated. All such monitoring must be recorded along with the location, time and date.

6. Preparation Before the Event

Band and Live Music

Music from most performers consists of amplifiers and speakers for instruments and vocals. The sound is mixed and balanced by a sound engineer at the sound desk prior to the performance. It is important that any performers booked are:

- Aware of the need to be sensitive due to the potential for noise disturbance off site and should accept all restrictions imposed for the event. Verbal assurances have been known to be ineffective and organisers are strongly advised to include suitable clauses in contracts, so as to ensure they retain effective overall control of sound levels.
- Where more than one stage or marquee is proposed they should be spread throughout the site. Simultaneous performances should be held at separate places so as to minimise the likelihood of large crowds being drawn to one place.
- Ensuring the programme runs to schedule is key. Performers can take longer than expected to set up or may fail to arrive on time, which can cause the schedule to slip. Organisers are reminded about their responsibilities under the terms and conditions of any licence or agreements for the event. This is especially important for those set by the Council to protect local residents and the community.

Sound Systems

The output of all sound systems should be suitable for the size and nature of the event, and further information about suitable noise levels for the audience area can be found on the Health Safety Executive website¹³. Ensure, when booking a sound system company, that they fully understand the need to work within any restrictions imposed for the event and that they are prepared to accept direction from the licence holder, event organiser or other responsible authority regarding sound levels. It is recommended that a suitable contract is drawn up giving clear and detailed information about the expectations regarding the management of acceptable sound levels based on the contents of this document.

Setting up

A sound propagation test should be conducted on the day of the event, after 10:00 hours, to ensure the sound levels at the agreed monitoring positions comply with any noise limits imposed for the event, allowing for the weather conditions. If the agreed sound levels at the sound desk need to be adjusted this must be done and the new levels noted and implemented. It is preferably that controls are locked in place to prevent any further adjustment beyond the maximum level. Officers from the Environmental Protection Team may attend sound checks if available.

7. During the Event

It is expected that the event organiser will be responsible for noise monitoring and ensuring they comply with all noise conditions imposed. However, where complaints have been received, or there is reason to suspect that licence conditions may not be complied with, the Council may also undertake noise monitoring of the event.

Sound levels should be monitored from the agreed monitoring positions throughout the event and a record kept of the results. Action should be taken to reduce noise levels where they are exceeding those imposed for the event, and a record kept of the reason for the breach and any action taken to resolve the problem together with the date and time of such action.

The complaint hotline should be staffed at all times during the event i.e., from before the sound propagation test and until all members of the public have left the premises. Any complaints should be passed on to the responsible person as appointed by the event organiser, without delay. Action should be taken to investigate all complaints and, where appropriate, remedial action taken, all of which should be recorded for your own records.

Please be aware that noise levels set during the sound propagation test may vary at noise sensitive premises, when compared to the predicted levels. If this is the case it needs to

¹³ <https://www.hse.gov.uk/event-safety/noise.htm>

be taken in to account during any sound tests so sound levels can be adjusted as required.

8. After the Event

When the event has finished, noise disturbance can be caused by dismantling the stage and other equipment. If this is likely to adversely impact neighbouring noise sensitive premises, it should be delayed until the following day.

The results of the noise monitoring along with details of any complaints received and action taken to resolve them should be emailed to the Environmental Protection Team within 48 hours of the event finishing. In addition, you be expected to give a debrief to the Events Safety Advisory Group (ESAG).

If you have plans to run subsequent events, a checklist of what went well and what could be improved next time should be retained along with any lessons learned from the event. This can be hugely beneficial for helping with arrangements for future events.

Appendix 1

Event Information Questionnaire

The event organiser should supply their event planning information well in advance of the event date so that any potential for noise nuisance arising from the event can be managed from the outset. The aim is to make sure the event can go ahead without causing unnecessary disturbance and we request this form is completed and sent to the Environmental Protection Team at environmentprotection2@cheshireeast.gov.uk

1. Name and Address of Premises/Site:

.....

.....

2. Date of the Event:..... No Attendees:.....

3. Start Time:..... Finish Time:.....

4. Names, Company details, Duties and Telephone Numbers of the Premises Licence Holder/Organiser

Name&	Main Duty	Premises Licence	Telephone	Email
-------	-----------	------------------	-----------	-------

Company Details		Holder Y/N		

(Ensure that the person with overall responsible for the control of noise during the event is identified)

5. Name of the nominated Designated Premises Supervisor (DPS):

.....
 (NB If the nominated DPS above is different to the one stated on the premises licence you should contact the Council's Licensing Team to determine if changes to the licence are required)

6. Details of the sound engineer or production company to be employed:

Name:..... Company Name.....

Address:.....

.....

Tel Number:.....

Email:.....

7. Details of the acoustic consultant (if applicable):

Name:..... Company Name.....

Address:.....

.....

Tel Number:.....

Email:.....

Please make sure the following are enclosed:

- Layout plan of the premises/site to a suitable scale (e.g. 1:500) which clearly show the location of all music areas/fairground rides/generators, bars and dimensions of marquees and other temporary structures to be used during the event)
- Noise Management Plan
- Itinerary of bands and music

Signed:..... Date.....
(Organiser of event)

Appendix 2 - Event Checklist

Before the Event	✓
Check what permissions you need to hold for the event i.e. Licensing Act 2003, Planning, land ownership, Highways etc	
If required, appoint a suitably qualified noise consultant	
Provide the noise consultant with a copy of this guidance, which should be followed before, during and after the event	
Visit the event site and surrounding area. Make a list of all potential noise sensitive premises which may be affected by the event and decide on a suitable layout plan for noisy activities	
Produce a Noise Management Plan (NMP)	
Submit the Noise Management Plan for approval to the Environmental Protection Team environmentprotection2@cheshireeast.gov.uk	
Choose a telephone number and/or email address that will function as a complaint hotline	
Prepare a draft letter for local residents that informs them of the event: <ul style="list-style-type: none"> • The type of event along with the date(s) and time. • Start and finish times of the event. 	

• The complaint hotline and/or email address details	
Send a copy of the draft letter to the Environmental Protection Team for approval	
When the letter for the local residents has been approved it should be sent at least 2 weeks before the start of the event to all the premises noise sensitive as identified in the NMP.	
Confirm the approval of the NMP with the Council's Environmental Protection Team	
Test the complaint hotline/email address is working	
Test the contact numbers you will be using for communication between relevant people during the event	
During the Event	✓
Ensure that all pre-agreed noise monitoring locations are being monitored and regular reports, from the acoustic consultant or other people charged with monitoring the noise, are taking place. The event organiser should be informed of any problems without delay and these should be addressed as soon as possible by the event organiser	
Ensure the event is complying with all noise guidelines or any pre-agreed sound levels	
Respond to any noise complaints in a polite and professional way and take them seriously: <ul style="list-style-type: none"> • Make a note of the caller's name, address and contact details • Advise the caller their complaint will be investigated • Take measurements of the noise levels outside the complainant's property, or as close as possible • Take appropriate action to deal with any noise • Advise the complainant what has been done to resolve their complaint • Make a note of all actions undertaken 	
Ensure the event finishes at the required time	
After the Event	✓
Request a noise report from the person responsible for undertaking noise recordings and ensure a copy is emailed to the Council's Environmental Protection Team	
Arrange a de-brief meeting with key people, including the responsible authorities	

Appendix 3

Glossary of Possible Noise Licensing Conditions

As a result of any Premises Licence application the Licensing Team may seek to apply conditions controlling the hours and noise levels at the event. You may also want to include one or more of the following conditions in your operating schedule where applicable.

- All amplified music in an outside marquee or in the open air shall finish no later than (*) hrs.

- Rehearsals and sound checks are permitted only between the following hours: (*) hrs to (*) hrs.
- Music from the concert or event is permitted only between the following hours: (*) hrs to (*) hrs.
- Music from other sources (e.g. food traders, fairground rides) is permitted only between the following hours: (*) hrs to (*) hrs.
- The control limits set at the mixer position shall be adequate to ensure that the Music Noise Level shall not at any noise sensitive premises exceed (*)dB(A) over a fifteen minute period throughout the duration of the concert or event.
- The control limits set at the mixer position shall be adequate to ensure that the Music Noise Level shall not exceed the background noise level by 15dB(A) over a fifteen minute period throughout the duration of the concert or event at any noise sensitive premises.
- The control limits set at the mixer position shall be adequate to ensure that the Music Noise Level shall not at any noise sensitive premises exceed (*)dB(A) over a fifteen minute period throughout the duration of any rehearsal or sound check for the concert or event.
- The control limits set at the mixer position shall be adequate to ensure that the Music Noise Level shall not at any noise sensitive premises exceed the background noise level by 15dB(A) over a fifteen minute period throughout the duration of any rehearsal or sound check for the concert or event.
- The control limits set at the mixer position shall be adequate to ensure that the 63Hz and 125Hz octave frequency bands do not exceed 75dB throughout the duration of the concert or event.
- The Event Organiser shall have full control over the sound amplification equipment and the volume shall be adjusted according to the requirements of the Council's Environmental Protection Team.
- The Event Organiser shall ensure that all persons (including individual sound engineers) involved with the sound system are informed of the sound control limits and that any instructions from the Council's Environmental Protection Team regarding noise levels are complied with.
- Unrestricted access to the front of house position and backstage areas shall be allowed at all times to the Council's Environmental Protection Team for the purpose of sound level measurements, communications with the nominated noise consultant / sound engineer and monitoring licence conditions.
- All complaints about noise received by the site office / event organiser shall be logged and shall be notified to the Council's Environmental Protection team within [*] minutes of the complaint being received.

- The Event Organiser shall have full control over traders or other organisations on site where there is amplified music being played. At the request of the Council's Environmental Protection team the Event Organiser shall arrange for the volume to be reduced or the playing to cease, or if necessary the equipment to be confiscated.
- All noise monitoring as required shall be conducted by a suitably qualified and experienced Noise Consultant appointed by the Event Organiser.
- The appointed Noise Consultant/named person shall be delegated the responsibility of noise control during a concert and during sound tests. The person shall control the sound levels at the mixer throughout the period of the concert and ensure that the agreed levels are not exceeded.
- The Event Organiser shall ensure that the noise consultant shall maintain satisfactory levels of communication with the Council's Environmental Protection Team at all times and shall advise the sound engineer accordingly to ensure the noise limits are not exceeded.
- The Event Organiser will be required to carry out a sound propagation test prior to the event to determine a sound level at the sound mixer position which is required to achieve the external noise limits at residential properties. The Event Organiser shall agree the maximum level at the mixer position with the Council's Environmental Protection Team.
- During music events noise levels shall be continuously monitored using a sound level meter located at the mixer position by the appointed Noise Consultant.
- The Event Organiser shall ensure that the Council's Environmental Protection Team is provided with the results of the noise monitoring in a readily accessible format (e.g. pdf, Spreadsheet, Word document or any other format agreed with the Environmental Protection Team) at any time upon request.
- Pre-event information, including but not limited to when sound checks may be conducted, the times of the performance and a complaint hotline will be communicated to local residents and business premises at least 2 weeks prior to the first day of the event/concert.
- The Event Organiser will submit a Noise Management Plan at least (*) weeks/months before the event to the Council's Environmental Protection Team for approval.

Appendix 4 – Acoustic Definitions

dB(A)	The A-weighted sound pressure level whereby various frequency components of sound are weighted (equalized) to reflect the way the human ear responds to different frequencies.
L_{Aeq}	The equivalent continuous noise level which at a given location

	and over a given period of time contains the same A-weighted sound energy as the fluctuating noise at the same location over the same period.
$L_{A90, T}$	The A-weighted sound pressure level exceeded for 90% of the measuring period (T).
Background Noise Level	The prevailing sound level at a location, measured in terms of the $L_{A90, T}$ on an equivalent day and at an equivalent time when no concert or sound checks are taking place.
Mixer	The location where the main sound system is controlled. As well as ensuring the correct sound balance between the various performers, the overall level of sound for the audience is controlled at this location.
Delay Tower	An additional set of loudspeakers employed to provide a better spread of sound to the audience.
Music noise	The noise from the music and vocals during a concert or sound checks and not affected by other local noise sources.
Music Noise Level	The $L_{Aeq, T}$ of the music noise measured at a particular location.
Noise Consultant	A person given responsibility by the organiser of the event for monitoring noise levels in accordance with the prevailing conditions, and who has the ability and authority to make decisions and implement changes in noise level during the event.
Noise sensitive receptor	Includes premises used for residential purposes, hospitals or similar institutions, education establishments (when in use), or places of worship (during recognised times and days of worship) or any premises used for any other purpose likely to be affected by the Music Noise.
Sound engineer	Person employed to control the sound quality of the music for the audience.

Acknowledgements

Cheshire East Council would like to acknowledge the work of Manchester City Council, Trafford Borough Council and Bath and Northeast Somerset Council in relation to the control of noise at outdoor events, in the preparation of this document and the guidance within.

Summary of logged changes to the Statement of Licensing Policy –

Paragraph	Type of change	Change
All	Footnotes	Footnotes added in where appropriate
1.3	Change of wording	Wording change to reflect the Corporate Plan aims (eg Fair, Open, Green)
1.6	Update	Latest Statutory Guidance issued in December 2023. Reference to their website removed and footnote to the policy included
1.7	Additional wording	The Licensing Authority has not designated any area within the Borough as exempt (under schedule 2 of the deregulation act 2015) from the requirement for licensing of the provision for late night refreshment.
2.1	Change of wording	Substitute sustainable entertainment industry for sustainable entertainment and hospitality sector
2.12	Additional wording	In cases where a departure occurs, the Licensing Authority shall provide reasons for the departure in the decision notice issued following a determination.
2.14	Change of wording	'To achieve its aims' amended to 'To achieve our aims'
3.1	Change of wording	Licensee substituted with licence holder
5.5 & 5.6	Change of wording	Updated wording provided by Public Health Team
7.1	Change of wording	Reference to Safer Cheshire East Partnership plan changed to community safety priorities identified by the Safe Cheshire East Partnership
7.9	New paragraph	Sets out that applicants need to consider spiking of drinks. Results in the renumbering of the remaining paragraphs
8.11-8.13	New paragraphs	Establishes the Licensing Authority's expectations around measures to prevent terrorist attacks. References Martyn's Law
9.11	New paragraph	Establishes the Licensing Authority's expectations for outdoor events and directs applicants to consider the guidance issued by the Environmental Protection Team.
12.2	Removed paragraph	No longer any need to specifically confirm that online applications are available. Remaining paragraphs renumbered
Appendix 2	Change of wording	Referenced to Chairman changed to Chair
Appendix 2	New paragraph	Note number 8 added to clarify the situation with a Review Hearing and TEN Hearing.
Appendix 2	New paragraph	Summary of Procedure paragraph 13 added in
Appendix 5	Additions	The following sample conditions have been added:

		<ol style="list-style-type: none"> 1. All tables and chairs shall be removed from the outside area by xx:xx hours each day. 2. The external doors of the Premises shall be kept closed except for immediate access and egress and the windows shall be locked shut from xx:xx hours until the Premises closes. 3. Where SIA registered door supervisors are used at the premises, a record shall be kept of their SIA registration number and the dates and times when they are on duty. 4. A copy of the premises licence shall be provided to any company involved in the provision of licensable activities at the premises. 5. The door supervisor[s] shall properly control customers outside the Premises so that they leave quickly and quietly and do not congregate on the pavement outside the Premises [causing noise and nuisance to residents living in the vicinity] <p>New section giving sample conditions to support Martyn's Law</p>
Annex 1	New Document	Guidance for large scale outdoor events prepared by the Council's Environmental Protection Team.








Statement of Licensing Policy Consultation 2024

Summary of responses

Introduction

During April / June 2024 Cheshire East Council undertook a consultation to seek views on the proposed revisions to the statement of licencing policy for 2024 – 2029.

In total 137 completed responses were received.

1. Which of the following best describes who you are you responding as? Please select one box only				
Answer Choices			Response Percent	Response Total
1	A local resident		60.15%	80
2	Cheshire East Employee		2.26%	3
3	A local business		29.32%	39
4	A member of a voluntary or community organisation		1.50%	2
5	An elected town or parish councillor in Cheshire East		3.01%	4
6	An elected Member of Cheshire East		0.75%	1
7	Other (please specify):		3.01%	4
			answered	133
			skipped	4

Change of wording

The following changes of wording were proposed:

- Paragraph 1.3: Wording change to reflect the Corporate Plan aims, e.g., Fair, Open, Green
- Paragraph 2.1: Substitute sustainable entertainment industry for entertainment and hospitality sector
- Paragraph 2.14: 'To achieve its aims' amended to 'To achieve our aims'
- Paragraph 3.1: Licensee substituted with licence holder.
- Paragraph 7.1: Reference to Safer Cheshire East Partnership plan changed to community safety priorities identified by the Safe Cheshire East Partnership
- Appendix 2: Reference to Chairman changed to Chair.

58% of respondents agreed with the revised changes to the wording.

3. How strongly do you agree or disagree with the changes to the wording? Please select one option only							
Answer Choices	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Unsure / don't know	Response Total
	20.31% 26	37.50% 48	32.81% 42	0.78% 1	3.13% 4	5.47% 7	128
						answered	128
						skipped	9
If you have any comments to make on the changes to the wording, please detail below: (8)							
1	Totally unnecessary changes. Making the whole language more subjective						
2	It's hard enough for venues to make a living as it is without the requirement to be a "sustainable entertainment industry"						
3	Do you need to put green in para 1:3						
4	Makes a layman difficult in understanding the lengthy section. Most of it is common sense which you seem to lack in the long-winded bits						
5	Rather pedantic.						
6	Pleased to see you are un-gendering roles, though surprised it's taken till 2024 to recognise the importance of this						
7	No issues with wording						
8	A chair is a piece of furniture - why not say Chairman or Chairwoman?						

Additional wording

The following additional wording was proposed:

- Paragraph 1.7: The Licensing Authority has not designated any area within the Borough as exempt (under schedule 2 of the deregulation act 2015) from the requirement for licensing of the provision for late night refreshment.
- Paragraph 2.12: In cases where a departure occurs, the Licensing Authority shall provide reasons for the departure in the decision notice issued following a determination.

66% of respondents agreed with the additional wording.

4. How strongly do you agree or disagree with the additional wording? Please select one option only							
Answer Choices	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Unsure / don't know	Response Total
	24.81% 32	41.09% 53	23.26% 30	3.10% 4	2.33% 3	5.43% 7	129
						answered	129
						skipped	8
If you have any comments to make on the additional wording, please detail below: (5)							
1	These make sense						
2	It's hard enough for venues to make a living as it is without the requirement to be a "sustainable entertainment industry"						
3	Some areas, highly residential for example, should be exempt.						
4	There needs to be more information available on your portal giving full details of application. We would like to have consistency in opening and closing times. There are householders living in Knutsford town centre and we receive complaints about noise especially the filling of bins with empty glass bottles 01.00-02.00 hours in the morning.						
5	No issues with wording						

New paragraph

The following new paragraphs are proposed:

- Paragraph 7.9: Set out that applicants need to consider spiking of drinks. Results in the renumbering of the remaining paragraphs
- Paragraph 8.11: Establish the Licensing Authority's expectations around measure to prevent terrorist attacks. References Martyn's Law
- Paragraph 9.11: Establish the Licensing Authority's expectations for outdoor events and directs applicants to consider the guidance issued by the Environmental Protection Team
- Appendix 2: Note number 8 added to clarify the situation with a Review Hearing and TEN Hearing
- Appendix 2: Summary of Procedure paragraph 13 added in

71% of respondents agreed with the new paragraphs proposed.

5. How strongly do you agree or disagree with the new paragraphs? Please select one option only							
Answer Choices	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Unsure / don't know	Response Total
	27.91% 36	43.41% 56	16.28% 21	4.65% 6	1.55% 2	6.20% 8	129
						answered	129
						skipped	8
If you have any comments to make on the new paragraphs, please detail below: (11)							
1	It's hard enough for venues to make a living as it is without more environmental red tape						
2	the implementation of Martyn's Law needs to be proportionate between risks and costs.						
3	Surprisingly, parking arrangements are not referred to in the policy. The largest event in the Nantwich area is a fireworks display prior to Bonfire Night that in recent years has gridlocked local streets because of uncontrolled parking.						
4	Again, long winded what happened to common sense and plain English.						
5	I don't support policies that are too restrictive and remove personal responsibility.						
6	Not everyone will know what "Martyn's Law" is.						
7	Environment team needs to follow up on waste, whether it is just left in view of the street and if it is emptied regularly.						
8	<ul style="list-style-type: none"> ▪ That the premises manager and security supervisor/manager can evidence attendance at a Counter Terrorism (CT) Awareness session delivered by Counter Terrorism Policing Northwest (CTPNW) trained personnel as soon as reasonably practicable. - Members of staff will need to attend but not clear when this is at the moment. Please can you direct us to appropriate sessions and timing. ▪ That Designated Premises Supervisors in all cases must have registered to have attended a CTPNW course within 28 days of being named on the licence and be able to evidence this if requested by the Police or an authorised officer of the Council. Staff members will need to undergo this training but no training courses available in the area at the moment. Please can you direct us to appropriate training.						
9	Could a new paragraph be added to direct applicants to the outdoor events guides such as the green guide for sports grounds and the purple guide for outdoor events where appropriate.						
10	Need to define Martyn's Law properly.						
11	Who will pay for these online courses? Are there grants available?						

Additional sample conditions

The following sample conditions have been added:

1. All tables and chairs shall be removed from the outside area by xx:xx hours each day.
2. The external doors of the Premises shall be kept closed except for immediate access and egress and the windows shall be locked shut from xx:xx hours until the Premises closes.
3. Where SIA registered door supervisors are used at the premises, a record shall be kept of their SIA registration number and the dates and times when they are on duty.
4. A copy of the premises licence shall be provided to any company involved in the provision of licensable activities at the premises.
5. The door supervisor[s] shall properly control customers outside the Premises so that they leave quickly and quietly and do not congregate on the pavement outside the Premises [causing noise and nuisance to residents living in the vicinity]

New section giving sample conditions to support Martyn's Law

78% of respondents agreed with the additional sample conditions.

6. How strongly do you agree or disagree with the additional sample conditions? Please select one option only							
Answer Choices	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Unsure / don't know	Response Total
	36.15% 47	42.31% 55	13.08% 17	1.54% 2	3.85% 5	3.08% 4	130
						answered	130
						skipped	7
If you have any comments to make on the sample conditions, please detail below: (12)							
1	Makes sense						
2	It's hard enough for venues to make a living as it is without more red tape from the council						
3	In case of fire why are doors and windows being locked						
4	Most tables on certain pubs take up some of the footway						
5	Item 2 what about fire regs when premises are being used						
6	Excellent and considerate addition.						
7	Windows locked shut? What if there is a fire? Crazy idea.						
8	I'm so pleased Martyn's law is being recognised						
9	These seem fine although I wonder whether windows being locked shut should be amended to just say shut - surely locking them presents a safety risk in the event of an emergency? The risk of noise pollution is surely less significant than the loss of life if people needed to leave via windows, for example in a terrorist attack or fire?						
10	Point 2 - what about during hot weather? Closing windows whilst there are still customers inside may result in customers overheating, becoming uncomfortable and leaving.						
11	No issues						
12	Point 2: some businesses will need their external doors open during operational hours for air flow e.g., on hot days. Will this still be allowed?						

Other revisions

The following revisions are also proposed:

- Throughout: Footnotes added in where appropriate
- Paragraph 1.6: Update, latest Statutory Guidance issued in December 2023. Reference to their website removed and footnote to the policy included.
- Remove paragraph 12.2: No longer any need to specifically confirm that online applications are available. Remaining paragraphs renumbered.
- Annex 1: New document added - guidance for large scale outdoor events prepared by the Council's Environmental Protection Team.

57% of respondent agreed with the other revisions.

7. How strongly do you agree or disagree with the other revisions? Please select one option only							
Answer Choices	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Unsure / don't know	Response Total
	18.75% 24	38.28% 49	34.38% 44	0.78% 1	3.91% 5	3.91% 5	128
						answered	128
						skipped	9
If you have any comments to make on the other revisions, please detail below: (3)							
1	It's hard enough for venues to make a living as it is without more red tape from the council						
2	Again, environmental team need to cover noise levels for neighbours, planning of waste disposal etc at realistic hours, parking and when alcohol selling ends.						
3	Would it be possible to direct applicants to the outdoor events guides such as the green guide for sports grounds and the purple guide for outdoor events where appropriate?						

The policy overall

71% of respondents agreed that the policy addresses all the matters they would expect it to.




8. How strongly do you agree or disagree that the policy addresses all the matters you would expect it to? Please select one option only							
Answer Choices	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Unsure / don't know	Response Total
	18.46% 24	52.31% 68	22.31% 29	0.77% 1	3.08% 4	3.08% 4	130
						answered	130
						skipped	7
What, if anything, was missing from the policy? (12)							
1	Nothing comes to mind						
2	It's hard enough for venues to make a living as it is without more red tape from the council						
3	No mention of smoking or vaping nuisance - will bins be provided						
4	Because the policy can cover an exceptionally wide set of circumstances, the implementation/delivery of certain actions in that policy will depend on individual interpretation, sometimes of necessity on the spur of the moment, and in a challengingly difficult public sector resourcing environment. Hence, the policy can never be fully comprehensive, and will require regular update/review.						
5	See comment on lack of parking control for large-scale outdoor events.						
6	Historically the policy has failed to account for the potential impacts of granting a new licensing application for an existing but unlicensed commercial property a residential area. None of the proposed amends address this						
7	Nothing as such						
8	Too much sub sections then layman can't understand the not so common sensicle						
9	Common Sense.						
10	Licensee and employees to be held responsible for service to intoxicated customers and their subsequent actions which result in offences and criminal actions						
11	It should be made clear that the venue is responsible for cleaning away all the mess that late night drinkers leave behind that night.						
12	A policy banning venues from advertising with fly-posters - i.e. posters illegally put up without the consent of the landowner. This was a problem in Macclesfield some years ago. Venues that use fly-posters should lose their licences.						










Other comments






9. Do you have any other comments to make on the proposed revisions and/or on the policy as a whole? Please write in below

Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	17
1	No		
2	No comment.		
3	No comment.		
4	It's hard enough for venues to make a living as it is without more red tape from the council		
5	None		
6	As a retired licence holder, it's very long winded. The need for sub sections and sections using descriptions is unnecessary. Keep it simple succinct and plain English		
7	Mostly good but the usual bad additions		
8	Public houses to stop serving alcohol by 23.00, clubs to close by 01.00 and providers of late-night food to close by 01.30.		
9	Reading through the changes they all appear to cover what is needed in the policy		
10	Licensing applications on your portal have full applicant details. Consistency in time of late opening/serving times to make our towns safer late at night and awareness of people living in town centres.		
11	More spot checks on public houses in relation to cigarette smoking outside especially at the front of premises and the litter generated		
12	The wording in paragraph 8:11 Establish the Licensing Authority's expectations to prevent "Terrorist Attacks" seems very ambitious and open to misjudgement.		
13	no		
14	no		
15	<p>During the application stage, ensure that applicants are directed to the requirements of the Fire Safety Order 2005 including the need for a suitable and sufficient fire risk assessment detailing the hazards present, people who are at risk and details on any control measures that are in place.</p> <p>In order to make a proper determination on the proposals the provision of better-quality floor plans should be mandated, including the number and width of any fire escape doors, the calculated occupancy of the building and the maximum travel distance to a relative or ultimate place of safety. As well as information on the level of automatic fire detection present and the location of any firefighting equipment (fire extinguishers).</p> <p>This is especially appropriate for any wedding licence applications where larger numbers of people are gathering where alcohol may be served.</p>		
16	This was a misleading survey, as many of the revisions lacked an explanation to what they were referring to.		
17	Keep it simple and understandable for everyone		
		answered	17
		skipped	120







Demographics

11. What is your gender identity? Please select one option only				
Answer Choices			Response Percent	Response Total
1	Male		57.95%	51
2	Female		36.36%	32
3	Prefer not to say		5.68%	5
4	Other gender identity, please specify:		0.00%	0
			answered	88
			skipped	49




12. What age group do you belong to? Please select one option only				
Answer Choices			Response Percent	Response Total
1	16-24		1.14%	1
2	25-34		2.27%	2
3	35-44		3.41%	3
4	45-54		15.91%	14
5	55-64		29.55%	26
6	65-74		20.45%	18
7	75-84		20.45%	18
8	85 and over		1.14%	1
9	Prefer not to say		5.68%	5
			answered	88
			skipped	49

13. What is your ethnic origin? Please select one option only				
Answer Choices			Response Percent	Response Total
1	White British / English / Welsh / Scottish / Northern Irish / Irish		89.53%	77
2	Any other White background		0.00%	0
3	Mixed: White and Black Caribbean / African / Asian		1.16%	1
4	Asian / Asian British		1.16%	1
5	Black African / Caribbean / Black British		0.00%	0
6	Prefer not to say		6.98%	6
7	Any other ethnic group, please specify:		1.16%	1
			answered	86
			skipped	51

13. What is your ethnic origin? Please select one option only
14. Which of the following best describes your religious belief / faith? Please select one option only

Answer Choices			Response Percent	Response Total
1	Buddhist		1.15%	1
2	Christian		55.17%	48
3	Hindu		0.00%	0
4	Jewish		1.15%	1
5	Muslim		0.00%	0
6	Sikh		0.00%	0
7	None		32.18%	28
8	Prefer not to say		6.90%	6
9	Other religious belief / faith, please specify:		3.45%	3
			answered	87
			skipped	50

15. Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months? This includes problems related to old age. Please select one option only

Answer Choices			Response Percent	Response Total
1	Yes		25.00%	22
2	No		68.18%	60
3	Prefer not to say		6.82%	6
			answered	88
			skipped	49

Appendix 4 – Specific Consultation Responses submitted

1	Received on	From
	17/05/2024	Knutsford Town Council
	See letter	

2	Received on	From
	21/05/2024	Poynton Town Council
	<p>Poynton Town Council would like to make the following comments on the Statement of Licencing Policy Consultation.</p> <p>Poynton Town Council support the revised wording but propose that the Policy be amended to include a specific ban on licensed venues displaying advertising material on buildings and street furniture without the consent of the owner. Breach of this policy may lead to a licence being removed.</p> <p>The main elements of the Licensing Policy are set down in the Licensing Act and guidance from the Home Office. Cheshire East (and all other councils) have fairly limited powers to make major changes in this area. The proposed changes seem reasonable overall.</p> <p>One area that could be addressed is the question of venues illegally advertising by means of fly-posting (the display of advertising material on buildings and street furniture without the consent of the owner). Some years ago, this was a problem in Macclesfield. These fly-posters occasionally appeared in Poynton.</p> <p>The Licensing Act allows councils to remove a licence if a venue breach one of the licensing objectives – including the prevention of crime and disorder. Flyposting is illegal - S.224(3) of the 1990 Planning Act makes it an offence for any person to display an advertisement in contravention of the Regulations. The relevant regulations are the Town and Country Planning (Control of Advertisements) Regulations 1992.</p> <p>https://www.birminghammail.co.uk/news/midlands-news/five-birmingham-nightclubs-investigated-over-11940263</p>	

3	Received on	From
	22/05/2024	Licence Holder
	<p>To whom it may concern,</p> <p>One thing we have found particularly tiresome with the current licensing policy is that when we renew, we are not sent a new certificate which we are legally required to display. We have to pay for this to be dispatched once it has been issued.</p>	

	It would make more sense to simply include the cost of a certificate in the renewal fee and then automatically dispatch a printed certificate to be displayed on the premises.

Knutsford Town Council

Town Clerk: Adam Keppel-Green

Council Offices, Toft Road, Knutsford, Cheshire, WA16 6TA

01565 653929

www.knutsfordtowncouncil.gov.uk

townclerk@knutsfordtowncouncil.gov.uk



Kim Evans
Licensing Team Leader
Cheshire East Council
By Email

Friday 17th May 2024

Dear Ms Evans,

REVIEW OF LICENSING POLICY

Knutsford Town Council seeks to play an active role in the administration of Knutsford and wishes to be able to review licensing applications during the relevant consultation periods. However, the council's ability to do this is hampered by the current policy of Cheshire East Council not to publicise the applications for premises licenses. As you will be aware, should the Town Councillors wish to review the detail of an application, for example layout plans etc, they are told to visit Macclesfield Town Hall which is inconvenient and simply means we are unable to review applications.

You are currently reviewing the Cheshire East Council Licensing Policy, and the Town Council requests that you introduce policy to:

- Publish licensing applications in full on the Cheshire East Council website so that those wishing to submit comments can do so with all the relevant information without having to attend Macclesfield Town Hall
- Issue a weekly notification of registered applications to town and parish councils across the borough, with links to the full applications

This would be similar to how the council publishes details of planning applications. Many other councils have similar systems, for example:

- Stroud (district) – parishes are sent the details as published online, but the district council will supply the full application on request.
- Dorset (unitary) – parishes are sent a weekly email listing all licensing applications open for consultation with direct links to the full licensing application. It's Statement of Licensing Policy expressly refers to notifying parishes of applications.

- Chichester (district) – The full applications are published online, with a portal which enables users to find previous applications and decisions. It's Statement of Licensing Policy expressly refers to consulting parishes.
- Wiltshire (unitary) – Individual emails are sent to parishes with application information and a link to the website for the full application. It's Statement of Licensing Policy expressly refers to consulting parishes.

The Town Council believes that the council's current approach of requiring visits to Macclesfield Town Hall is outdated and lacks transparency. It is directly contrary to your council's corporate policy:

- It is not OPEN as it reduces transparency, information which could be made available to the public is obscured.
- It is not FAIR as it creates a barrier to people accessing information, this affects those without transport or means to access Macclesfield Town Hall such as those working
- It is not GREEN as it requires people to travel to Macclesfield rather than access information remotely which increases carbon emissions

The Town Council considers that the review of licensing policy presents an ideal opportunity for Cheshire East Council to implement a fairer and more transparent system for publishing information about licensing applications. This will particularly enable the Town Council to play a more active role in the licensing system and provide informed comments on applications from within our areas.

Yours sincerely,



Adam Keppel-Green
Town Clerk

cc. Cllrs Coan, Dean and Gardiner – Knutsford Ward
Cllrs Moreton and Kain – Licensing Committee Chair/Deputy

Corporate Policy Committee
Work Programme 2024-25

Corporate Policy Committee Meeting Date	Report Reference	Title	Purpose of Report	CLT Member	Consultation	Equality Impact Assessment	Exempt Item	Part of Budget and Policy Framework	Decision/Scrutiny
October 2024									
03/10/24	CP/15/24-25	First Financial Review of 2024/25 (Corporate Policy Committee)	To note and comment on the First Financial Review and Performance position of 2024/25, including progress on policy proposals and material variances from the MTFS and (if necessary) approve Supplementary Estimates and Virements.	Director of Finance & Customer Services	No	No	No	Yes	Scrutiny
03/10/24	CP/33/24-25	Performance Report Q1 2024/25	To provide the Committee with an oversight of organisational performance against the priorities and vision set out within the Council's Corporate Plan 2021-25.	Executive Director of Corporate Services	No	No	No	No	scrutiny
03/10/24	CP/37/24-25	DMA Senior Management Restructure	To update committee on progress from the DMA review.	Chief Executive	No	No	No	No	Scrutiny
03/10/24	CP/41/24-25	Transformation Progress Update	To receive an update on progress of Transformation programme.		No	No	No	No	Scrutiny
03/10/24	CP/31/24-25	The Cheshire East Health and Care Blueprint and Care Communities Operating Model	Over the last year Council officers have been working with NHS and Community and Voluntary sector colleagues to draft a 'blueprint' for health and wellbeing and health and care service provision in Cheshire East in 2030. Alongside this is the 'operating model' for the eight Care Communities. The Care Communities form the foundation stones of the new model of care reflected in the 'Blueprint.	Executive Director of Adults, Health & Integration	No	No	No	No	Decision
03/10/24	CP/32/24-25	Healthier Food Advertising Policy	To approve a Healthier Food Advertising Policy that will require 'healthy option' food and drink to be advertised on any Council owned advertising estate (eg. roundabout sponsorship).	Executive Director of Adults, Health & Integration	Yes	Yes	No	No	Decision
03/10/24	CP/24/24-25	Revised Statement of Licencing Policy	In accordance with section 5 of the Licensing Act 2003 the Council must adopt a statement of policy dealing with licensing matters. This policy forms part of the Council's Policy and Budget framework and falls under Corporate Policy Committee to make a recommendation to full Council (the final adoption is reserved to full Council by the relevant legislation).	Executive Director of Place	No	No	No	Yes	Decision
03/10/24	CP/38/24-25	Strategic Risk Update Q1 2024/25	To provides the Corporate Policy Committee with an update on the activity of the Strategic Risk Register	Head of Audit and Risk	NA	No	Yes, in part	No	Scrutiny
November 2024									
28/11/24	CP/13/24-25	Council Tax Base 2025/26 (Corporate Policy Committee)	This report notifies of the Council Tax Base for Cheshire East and identifies any changes to the calculation of the tax base for 2025/26, so that they can recommend the amount calculated to Council. In accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992 Cheshire East Council is required to agree its tax base before 31st January 2025.	Director of Finance & Customer Services	No	No	No	Yes	Decision
28/11/24	CP/17/24-25	Second Financial Review of 2024/25 (Corporate Policy Committee)	To note and comment on the Second Financial Review and Performance position of 2024/25, including progress on policy proposals and material variances from the MTFS and (if necessary) approve Supplementary Estimates and Virements.	Director of Finance & Customer Services	No	No	No	Yes	Scrutiny

Corporate Policy Committee Work Programme 2024-25

28/11/24	CP/21/24-25	Medium Term Financial Strategy Consultation 2025/26 - 2028/29 (Corporate Policy Committee)	All Committees were being asked to provide feedback in relation to their financial responsibilities as identified within the Constitution and linked to the budget alignment approved by the Finance Sub-Committee in March 2024. Responses to the consultation would be reported to the Corporate Policy Committee to support that Committee in making recommendations to Council on changes to the current financial strategy.	Director of Finance & Customer Services	No	No	No	Yes	Decision
28/11/24	CP/34/24-25	Performance Report – Q2 2024/25	To provide the Committee with an oversight of organisational performance against the priorities and vision set out within the Council's Corporate Plan 2021-25.	Director of Policy & Change	No	No	No	No	Scrutiny
28/11/24	CP/39/23-25	Strategic Risk Update Q2 2024/25	To provides the Corporate Policy Committee with an update on the activity of the Strategic Risk Register	Head of Audit and Risk	No	No	Yes, in part	No	Scrutiny
28/11/24	CP/07/24-25	Amendments to the Constitution	To give consideration to changes to the petitions scheme and other constitutional changes	Director of Governance & Compliance	Yes	No	No	No	Decision
28/11/24	CP/14/24-25	Medium Term Financial Strategy Consultation for 2025/26-2028/29 (Corporate Policy Committee)	To agree the Pre Budget Consultation survey and material for the four years 2025-2029. The consultation will run from October to December 2024 and will allow stakeholders and residents to engagement in the budget for the coming four years.	Director of Finance & Customer Services	No	No	No	Yes	Decision
February 2025									
06/02/25	CP/16/24-25	Medium Term Financial Strategy 2025/26-2028/29 (Corporate Policy Committee)	To recommend the Medium-Term Financial Strategy for 2025 to 2029 to Council for approval. The report will incorporate the Council's Priorities, Budget, Policy Proposals and Capital Programme. The report will also include the Capital, Treasury Management, Investment and Reserves Strategies.	Director of Finance & Customer Services	No	No	No	Yes	Decision
06/02/25	CP/18/24-25	Third Financial Review of 2024/25 (Corporate Policy Committee)	To note and comment on the Third Financial Review and Performance position of 2024/25, including progress on policy proposals and material variances from the MTFS and (if necessary) approve Supplementary Estimates and Virements.	Director of Finance & Customer Services	No	No	No	Yes	Scrutiny
06/02/25	CP/23/24-25	Medium Term Financial Strategy Consultation 2025/26 - 2028/29 Provisional Settlement Update (Corporate Policy Committee)	All Committees were being asked to provide feedback in relation to their financial responsibilities as identified within the Constitution and linked to the budget alignment approved by the Finance Sub-Committee in March 2024. Responses to the consultation would be reported to the Corporate Policy Committee to support that Committee in making recommendations to Council on changes to the current financial strategy.	Director of Finance & Customer Services	No	No	No	Yes	Scrutiny
606/02/25	CP/40/24-24	Calendar of Meetings 2025/25	To recommend to Council the approval of the calendar of meetings for the 2025/26 municipal year	Head of Democratic Services	No	No	No	No	Decision
March 2025									
20/03/25	CP/22/24-25	Service Budgets 2025/26 (Corporate Policy Committee)	The purpose of this report is to set out the allocation of approved budgets for 2025/26 for services under the Committee's remit, as determined by Finance Sub Committee	Director of Finance & Customer Services	No	No	No	Yes	Scrutiny
20/03/25	CP/35/24-25	Performance Report – Q3 2024/25	To provide the Committee with an oversight of organisational performance against the priorities and vision set out within the Council's Corporate Plan 2021-25.	Director of Policy & Change	No	No	No	No	Scrutiny

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Appeals Sub Committee**
held on Tuesday, 20th August, 2024 in the Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillors S Bennett-Wake, T Dean and L Smetham

OFFICERS IN ATTENDANCE

Sue Kenyon, Legal Clerk
Ian Marshall, Operations Support Manager, Transport
Helen Rawlinson, Transport Manager
Josie Lloyd, Democratic Services Officer
Nicola Hyde, Transport Lead (observer)
Lucy-Anna Jones, Legal Clerk (observer)

7 APPOINTMENT OF CHAIR**RESOLVED:**

That Councillor Dean be appointed as Chair of the meeting.

8 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Gilman. Councillor Smetham attended as a substitute.

9 DECLARATIONS OF INTEREST

Cllr Bennett-Wake declared that she was a Teaching Assistant at a school in Macclesfield which was part of the Aspire Trust but that the school was not mentioned in any of the cases at this meeting.

10 PUBLIC SPEAKING TIME/OPEN SESSION

There were no public speakers.

11 EXCLUSION OF THE PRESS AND PUBLIC**RESOLVED:**

That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)4 of the Local Government Act 1972 as amended on the grounds that it involves the likely discussion of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

12 SCHOOL TRANSPORT APPEALS

Consideration was given to the following school transport appeals.

13 CASE 1 - 10.05AM

The Sub-Committee considered an appeal against a decision of the Council's School Transport Team not to offer assisted school transport.

The Sub-Committee heard the appeal based on the written and oral evidence of the Presenting Officer, who detailed the local authority's case, and the written and oral evidence of the appellant.

Members of the Sub-Committee asked questions by way of clarification. The Presenting Officer and the appellant withdrew from the meeting, following which the Sub-Committee reached its decision.

RESOLVED:

That the appeal be dismissed.

14 CASE 2 - 10.50AM

The Sub-Committee considered an appeal against a decision of the Council's School Transport Team not to offer assisted school transport.

The Sub-Committee heard the appeal based on the written and oral evidence of the Presenting Officer, who detailed the local authority's case, and the written and oral evidence of the appellant.

Members of the Sub-Committee asked questions by way of clarification. The Presenting Officer and the appellant withdrew from the meeting, following which the Sub-Committee reached its decision.

RESOLVED:

That the appeal be dismissed.

15 CASE 3 - 11.35AM

The Sub-Committee considered an appeal against a decision of the Council's School Transport Team not to offer assisted school transport.

The Sub-Committee heard the appeal based on the written and oral evidence of the Presenting Officer, who detailed the local authority's case, and the written and oral evidence of the appellant.

Members of the Sub-Committee asked questions by way of clarification. The Presenting Officer and the appellant withdrew from the meeting, following which the Sub-Committee reached its decision.

RESOLVED:

That the appeal be dismissed.

The meeting commenced at 10.00 and concluded at 13.00

Councillor T Dean

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Appeals Sub Committee**
held on Monday, 9th September, 2024 in the Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillors S Edgar, E Gilman and H Faddes

OFFICERS IN ATTENDANCE

Rebecca Airey, Legal Clerk
Helen Rawlinson, Transport Manager
Karen Shuker, Democratic Services Officer
Zoe Evans, Transport Lead (Observer)

16 APPOINTMENT OF CHAIR

RESOLVED:

That Councillor Steve Edgar be appointed as Chair of the meeting.

17 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor B Puddicombe.
Councillor H Faddes attended as a substitute.

18 DECLARATIONS OF INTEREST

There were no declarations of interest.

19 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present.

20 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)4 of the Local Government Act 1972 as amended on the grounds that it involves the likely discussion of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

21 SCHOOL TRANSPORT APPEALS

The Sub-Committee considered an appeal against a decision of the Council's School Transport Team not to offer travel assistance. The Sub-Committee heard the appeal based on the written and oral evidence of the Presenting Officer, who detailed the local authority's case, and the written and oral evidence of the appellant and the appellants supporter. Members of the Sub-Committee asked questions by way of clarification. The Presenting Officer, the appellant and the appellants supporter withdrew from the meeting, following which the Sub-Committee reached its decision.

RESOLVED:

That the appeal be dismissed

The meeting commenced at 10.00 am and concluded at 11.02 am

Councillor S Edgar

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Finance Sub-Committee**
held on Thursday, 12th September, 2024 in the Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor D Clark (Chair)
Councillor L Anderson (Vice-Chair)

Councillors D Brown, J Clowes, B Drake, K Edwards, S Gardiner and R Kain

OFFICERS IN ATTENDANCE

Adele Taylor, Interim Director of Finance and Customer Services
Janet Witkowski, Interim Director of Governance and Compliance
Paul Goodwin, Head of Finance
Rachel Graves, Democratic Services Officer

13 APOLOGIES FOR ABSENCE

Apologies were received from Councillor C O'Leary. Councillor S Gardiner attended as a substitute.

14 DECLARATIONS OF INTEREST

No declarations of interest were made.

15 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 25 June 2024 be approved as a correct record.

16 PUBLIC SPEAKING/OPEN SESSION

Councillor S Corcoran addressed the committee in relation to the First Financial Review 2024/25. Cllr Corcoran referred to the forecast overspends of £20m in Adults and £7m in Childrens services and asked what was being done about it. He suggested that future forecasts should include worst case, best case, and most likely scenarios as this would allow an understanding of how big the range of possible outcomes was. He stated that it was a concern to see big variances forecast so soon after the budget had been set. He suggested that the Sub Committee should look at reviewing financial controls and consider what controls there were on payments to ensure that payments outside of the budget had extra scrutiny and how variances to the budget were reported to managers so

that they knew whether they were on budget and what actions were being taken if not.

17 FIRST FINANCIAL REVIEW 2024/25

The Sub-Committee considered a report on the first review of the Cheshire East Council forecast outturn for the financial year 2024/25.

Performance against the 2024/25 Budget within each service committee, and the Finance Sub-Committee was outlined in Table 1 of the report. The Council was forecasting an additional in-year pressure of £26.5m - this was before the application of any exceptional financial support.

It was noted that the report format had been changed so that one finance report with a single set of information would go to each service committee to enable them to consider and see the full financial position.

The Sub Committee asked about the funding of capital programme and in response it was stated that these schemes were funded through several ways, with some grant funded and others by borrowing. Costs would also occur in the revenue account as interest would need to be paid on the money borrowed. Table 2 in the report provided an update on the capital programme cost against those set in the budget and the estimate costs for the next four years. A full review of the capital programme was being undertaken as part of the actions to reduce the overspend. Table 4 in the report set out the forecast borrowing included in the capital programme set out the interest charges on the borrowing and the impact on the revenue budget.

Members sought clarification on the reasons for the overspends in the Children Services and Adults budgets. It was stated that the overspends forecast were the expected overspends at the end of the year if nothing changed. The overspends arose from a number of factors as these services were demand led and more people than anticipated had come to the Council for support. This included an increase in the number of former self-funders seeking local authority funding to meet their care costs. Other factors included the increase in costs of providing care due to increases in the National Living Wage, an increase in the discharge activities from hospitals which affected the pricing and demand of adult social care, and a reduction in acute care beds which meant having to provide care for those with more complex care needs.

The Sub Committee, whilst noting that the Adults and Health Committee and the Children and Families Committee would be considering the first financial review for their areas, were concerned about the overspends and proposed that this be referred up to the Corporate Policy Committee to look at in more details, as these overspends were largely outside the remits of the MTFS.

It was noted that mitigation for the overspending included the selling assets, and it was stated that the Council had an asset disposal programme. The disposal of an asset resulted in a capital receipt, however the Council had to achieve best value for any sold. The market value achieved may be less than the valuation of the asset.

RESOLVED: That the Sub Committee

- 1 note the factors leading to a forecast adverse Net Revenue financial pressure of £26.5m against a revised budget of £387.6m (6.8%), the contents of Annex 1, Section 2 and the progress on the delivery of the MTFS approved budget policy change items, the RAG ratings and latest forecasts, and the actions taken to address any adverse variances from the approved budget.
- 2 note the in-year forecast capital spending of £164.5m against an approved MTFS budget of £215.8m, due to slippage that has been re-profiled into future years.
- 3 note the available reserves position as per Annex 1, Section 5.
- 4 note the Capital Virements above £500,000 and up to an including £5,000,000 as per Annex1, Section 4, Table 3 will be approved in accordance with the Council's Constitution.
- 5 note that Council will be asked to approve Supplementary Revenue Estimate Requests for Allocation of Additional Grant Funding over £1,000,000 as per Annex 1, Section 3. Table 1.
- 6 note that the Adults and Health Committee will be asked to approve the Supplementary Revenue Estimate Request for Allocation of Additional Grant Funding over £500,000 up to £1,000,000 as per Annex 1, Section 3, Table 2.
- 7 note that the Highways and Transport Committee will be asked to approve the Supplementary Capital Estimate above £500,000 up to and including £1,000,000 as per Annex 1, Section 4, Table 3.
- 8 the Finance Sub Committee recommend to the Corporate Policy Committee the examination of children services and adults as areas for consideration as their performance lies outside the parameters of the MTFS.

The meeting adjourned for a 5-minute break.

18 MEDIUM TERM FINANCIAL PLANNING ASSUMPTIONS

The Sub Committee considered the update report on the development of the Medium-Term Financial Strategy 2025 to 2029.

The budget assumptions had been reviewed on a line-by-line basis by the Sub Committee's Working Group session in August 2024. No specific changes to the assumptions had been identified at the session but it was agreed that additional sessions could be used for further review as more information and certainty came to light. The Working Group had also considered a set of draft budget principles that could be followed to assist focus and clarity when making financial decisions.

The Medium-Term Financial Strategy would need to fully reflect the impact of proposals emerging from the Council's Transformation Programme. The preparation of proposals for the Medium-Term Financial Strategy and the consultation period in order to support Member consideration and the setting of the budget were now more likely to be later than originally planned, with the formal public consultation period more likely to begin in November.

RESOLVED (unanimously): That the Sub Committee

- 1 note the updated information contained in the report in relation to potential improvements in the central funding assumptions.
- 2 note the change in timeline for preparation of the MTFS 2025-29 and the public consultation period, as described in the report, as relating to the consideration of in-year financial pressures and the development of proposals from the Council's Transformation Programme.

19 CIPFA FINANCIAL MANAGEMENT CODE (FM CODE) SELF ASSESSMENT & ACTION PLAN 2023/24

The Sub Committee considered the update report on the progress in implementing the Chartered Institute of Public Finance & Accountancy (CIPFA) Financial Management Code.

The 2023/24 self-assessment and draft action plan had been developed following two informal briefings with Sub Committee members in June 2024 at which each Principle and Standard of the Code were discussed in detail.

A further report would be brought to the Sub Committee in January 2025 to update on the latest 2024/25 in year progress against the Action Plan and also provide an updated self-assessment position against the Financial Management Code.

RESOLVED (unanimously): That the Sub Committee

- 1 note the contents of the report and the 2023/24 self-assessment against the principles of the Chartered Institute of Public Finance & Accountancy Financial Management Code and the action plan.
- 2 approve the 2023/24 self-assessment position (as at March 2024) in Appendix 2 to the report - Cheshire East Council's current level of compliance with the Chartered Institute of Public Finance & Accountancy Financial Management Code Framework.
- 3 approve the Action Plan, as presented in Appendix 3 to the report.

20 **WORK PROGRAMME**

The Sub Committee considered its work programme.

It was reported that the November committee would receive a report on the half yearly financial performance of Enterprise Cheshire & Warrington. This would allow time to develop appropriate procedures for financial reporting, and related matters, in respect of the new entity, particularly in the context that it was a jointly owned company and that Cheshire West & Chester and Warrington Councils needed to be equally sighted on such reports, and also in the context of the role of the related Cheshire and Warrington Joint Committee.

It was noted that on future version of the Work Programme items would be identified as those which were for decision and those for scrutiny and that there would be opportunity to identify further areas of scrutiny that the Committee could be involved in, such as policy development.

RESOLVED:

That the Work Programme be noted.

The meeting commenced at 5.00 pm and concluded at 7.41 pm

Councillor D Clark (Chair)

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OPEN

Corporate Policy Committee

3 October 2024

Strategic Risk Assurance Report Q1 2024/25

**Report of: Janet Witkowski – Interim Director of Governance and
Compliance, Monitoring Officer**

Report Reference No: CP/38/24-25

Ward(s) Affected: All

For Decision or Scrutiny: Scrutiny

Purpose of Report

- 1 One of the responsibilities of the Corporate Policy Committee is to have a co-ordinating role across all other committees and exercising a corporate view of outcomes, performance, budget monitoring and risk management. Reporting on the Strategic Risk Register supports effective risk management, is central to good governance and supports the efficient delivery of the council's corporate plan objectives.

Executive Summary

- 2 This report provides an update on the activity of the council's Strategic Risk Register for Quarter 1 2024/25; April to June 2024. This report also includes the equivalent level risk registers for the Council's wholly owned companies; Orbitas, Tatton Park Enterprises and ANSA. Strategic Risk Register set out in detail in Appendix A, and the wholly owned company registers set out in Appendix B, C and D.

RECOMMENDATIONS

The Corporate Policy Committee is recommended to:

- Note the position of the Council's Strategic Risk Register and those of the wholly owned companies for Quarter 1 2024/25, in respect of the content, description, scoring and risk management activity outlined.

Background

- 3 Risks included on the Strategic Risk Register are those which materially threaten the organisation's ability to achieve its strategic goals, in this case our corporate objectives in the Corporate Plan. This could be in the form of an individual threat to a specific objective, or the compound effect of a threat across several areas.
- 4 Items on the Strategic Risk Register are "owned" by members of the Corporate Leadership Team (CLT) and are reviewed on a quarterly basis. Co-ordination and administration of the Strategic Risk Register and the Risk Management Framework is undertaken by the Head of Audit and Risk Management.
- 5 The content of the Strategic Risk Register has been updated in preparing this assurance report for the Corporate Policy Committee. Members of the Corporate Leadership Team have assessed their risks as at the end of Quarter 1 2024/25.
- 6 Revisions to the register are made on an on-going basis to ensure that the scope and detail of the individual risks, and the overall coverage of the register is reflective of the current threats to the organisation achieving its strategic objectives and maintaining business as usual service delivery. Where items are removed from the Strategic Risk Register, they continue to be considered at operational levels, and can be escalated back for inclusion based on the risk owner's judgement as at that time.
- 7 Full details of the Council's individual strategic risks are provided in Appendix A. The content of this covering report relations to the key changes in risks from Quarter 4 to Quarter 1.

Summary of Quarter 1 review

- 8 Much of the existing strategic risk register has seen no movement during Quarter 1 with 16 of the 18 risks seeing no change in the net score. Exceptions to this can be seen in the Place directorate, where the capital projects risk's net score has been increased to the maximum impact and likelihood. Conversely the local economy risk has seen a significant reduction in its net score, currently being the lowest rated risk in the register.
- 9 The Childrens' directorate, while having no change in its existing risks, has added two new risks this quarter, Delivery of the ILACS Improvement Plan and SEND Inspection. Both of these risks have a net impact of 4 out of 4, the highest possible impact rating and an overall net score of 12 out of 16.

- 10 The main underlying driver of uncertainty, the financial position of the Council remains. The two highest rated Place risks, capital projects and carbon neutral, both reference the management of capital investment in their mitigating actions.
- 11 The strategic register now contains 20 risks with the directorate split shown in table 1 below:

Table 1 – Strategic Risks by Directorate

Directorate	Number of Risks	Average Net Score	Highest Net Score
Adult	2	11	12
Childrens	5	12	16
Corporate	9	11	16
Place	4	11	16

- 12 Table 2 shows the position of the Strategic Risk Register after the Quarter 1 assessments: with the gross, net and target score for each risk. The table is organised by highest to lowest net risk for Q1.
- 13 Table 3 shows the position of the Strategic Risk Register based on the Q1 assessments against the previous quarter.
- 14 The heat map below the tables (Chart 1) shows the concentration of critical and material rated risks. All risk now sit in the top, righthand quadrant.
- 15 As requested by Corporate Policy Committee the strategic risk registers of the Council's Wholly Owned Companies are included in Part 2 of this report. Full details are included in Appendix B, C and D.

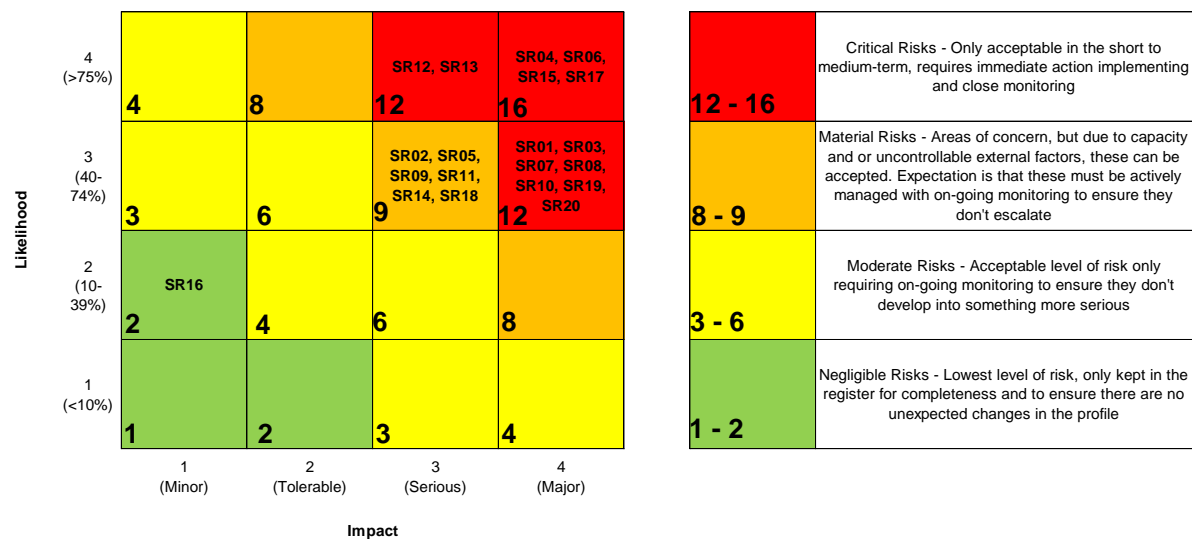
Table 2 – Strategic Risk Register, highest net score to lowest

Ref	Risk	Q1 Gross	Q1 Net	Q1 Target
SR04	Dedicated School Grant Deficit	16	16	16
SR17	CEC Carbon Neutral Status	16	16	16
SR15	Capital Projects – Place	16	16	12
SR06	Failure to Achieve the MTFS	16	16	9
SR03	Complexity and Demand for Children's Services	16	12	12
SR13	Information Security and Cyber Threat	16	12	12
SR19	Delivery of the ILAC Improvement Plan	16	12	12
SR01	Increased Demand for Adult's Services	16	12	9
SR07	Leadership Capacity	16	12	9
SR12	Stakeholder Expectation & Communication	16	12	9
SR08	Ability to Achieve Organisational Change	16	12	8
SR10	Failure to Manage the Consequences of Policy Uncertainty and National Policy Frameworks	12	12	8
SR20	SEND Inspection	16	12	8
SR02	Fragility and failure in the Social Care Market	16	9	9
SR09	Recruitment & Retention	16	9	9
SR05	Failure to Protect Vulnerable Children	16	9	6
SR11	Failure to Adhere to Agreed Governance Processes	16	9	6
SR14	Business Continuity	12	9	6
SR18	Local Planning Authority Modernisation Plan	16	9	6
SR16	Failure of the Local Economy	4	2	12

Table 3 – Strategic Risks Direction of Travel

Ref	Risk	Q2 Net	Q3 Net	Q4 Net	Q1 Net	Direction of Travel (Q4 to Q1)
SR01	Increased Demand for Adult's Services	12	12	12	12	↔
SR02	Fragility and failure in the Social Care Market	9	9	9	9	↔
SR03	Complexity and Demand for Children's Services	12	12	12	12	↔
SR04	Dedicated School Grant Deficit	16	16	16	16	↔
SR05	Failure to Protect Vulnerable Children	N/A	N/A	9	9	↔
SR06	Failure to Achieve the MTFS	16	16	16	16	↔
SR07	Leadership Capacity	12	12	12	12	↔
SR08	Ability to Achieve Organisation Change	12	12	12	12	↔
SR09	Recruitment & Retention	9	9	9	9	↔
SR10	Failure to Manage the Consequences of Policy Uncertainty and National Policy Frameworks	12	12	12	12	↔
SR11	Failure to Adhere to Agreed Governance Processes	9	9	9	9	↔
SR12	Stakeholder Expectation & Communication	12	12	12	12	↔
SR13	Information Security and Cyber Threat	12	12	12	12	↔
SR14	Business Continuity	9	9	9	9	↔
SR15	Capital Projects - Place	8	8	12	16	↑
SR16	Failure of the Local Economy	12	12	12	2	↓
SR17	Climate Change (CEC Carbon Neutral Status)	9	12	16	16	↔
SR18	Local Planning Authority Modernisation Plan	9	9	9	9	↔
SR19	Delivery of the ILAC Improvement Plan	-	-	-	12	NEW
SR20	SEND Inspection	-	-	-	12	NEW

Chart 1 – Strategic Risks Heat Map



Risks Updates by Service Committee

Adults and Health Committee

- 16 **Increased Demand for Adults Services:** The level of demand into Adult Social Care has remained constant with the First Point of Contact Teams working well to 'prevent, reduce, delay' traditional care services. However, the cases that progress to assessment demonstrate increased care needs and complex behaviours. Complex cases involving Hoarding, self-neglect and Court of Protection intervention, places increasing pressure on teams. The reduction in the use of Agency staff will result in a build-up of referrals waiting for assessment and support.
- 17 The demands of Care Agencies requesting higher fee increases, with threats to terminate placements, further increases the pressure. Families are demanding more costly care options than the council can realistically provide, and the result is in increased complaints and requests for further reassessments. The increases in Domestic Homicide Reviews and Safeguarding Adult Reviews continues to add additional demand on staff and Managers.
- 18 Adult Social Care is currently facing a projected £20 million overspend in this year, this will require robust and strict application of eligibility to bring this down and will result in individuals not being offered the packages of care that they would wish for.
- 19 **Fragility and failure in the Social Care Market:** The overall position to the risk status remains unchanged currently. It should be noted that a small cohort of providers are continuing to press the Local Authority for fee increases which are being managed through a fee oversight group.

During Q1 we have received 26 hand backs of care at home packages. The current care at home waiting list remains at 16 people which equates to 110 hours per week. Operational colleagues continue to “RAG” rate individuals placed on the waiting list for care at home. In relation to the overall quality position, we have one home across the Borough that remains inadequate rated with CQC. The June Northwest ADASS monthly CQC data update confirms we have 77% of our care homes rated as Good or Outstanding across the Borough.

Children and Families Committee

- 20 **Complexity and Demand for Children’s Services:** No change to the net rating, it remains 12, a material risk, equal to the target score. A new improvement plan has been developed to the findings from the Ofsted inspection of children’s services in February and March 2024. This was received by full Council on 17 July 2024. An independently chaired Improvement and Impact Board is monitoring progress against the plan on a monthly basis. Sufficiency of placements is one of the areas covered by the improvement plan.
- 21 **Dedicated Schools Grant (DSG) Deficit:** Q1 expenditure is currently being collated and a forecast will be produced. We have been asked by our DfE advisor to refresh the DSG management plan to reflect the reduced growth of EHCPs in 2023-2024. By doing this, targets for performance indicators (financial and numerical) will change, but we will also know the impact of the reduced growth of EHCPs and therefore the reduced forecast deficit position. As part of this refresh, we will also be revisiting the dates and milestones of the actions under each mitigation. Work on the mitigations are progressing. Children and Families Committee are receiving monthly updates on progress of the mitigations.
- 22 **Failure to Protect Vulnerable Children:** In May 2024, Ofsted undertook an ILACs inspection of Children’s Social Care. Ofsted reported:

‘Since the JTAI, there have been significant improvements in safeguarding practice for children missing from home and for those at risk of, or affected by, criminal and sexual exploitation. Focused work by leaders, to integrate and align multi-agency strategic and operational groups, has resulted in a clearer understanding and shared approach to prioritising and meeting children’s needs earlier. There are now effective multi-agency forums in place to share intelligence about risks to children. Persistent work by committed staff in children’s social care, and across the partnership, engages many highly vulnerable children. This is effective in responding to, and reducing the risk of, further serious harm.’

- 23 Based on the outcome of Ofsted, particularly relating to children at risk of exploitation, we are not changing the net score. We have updated the timescale for managing the risk. We have reviewed and updated the controls, actions and key risk indicators. A multi-agency audit is being undertaken around children at risk of exploitation, the findings of which, will be presented initially to the Learning and Improvement partnership board and then to the Quality and Impact Executive board.
- 24 **Delivery of the ILAC Improvement Plan:** This is a new risk following the Ofsted children's services inspection in February and March 2024, and the publication of the inspection findings on 16 May 2024.
- 25 A comprehensive improvement plan is in place which addresses all the inspection findings detailed in the inspection report. The plan has been scrutinised by the Safeguarding Children's Partnership, the council's leadership team, members of the two children's committees, and full Council. Advice from the LGA and Ofsted, along with good practice from other authorities, has been sought and incorporated into the plan.
- 26 An independently chaired Improvement and Impact Board was established in July 2024. Progress and impact against the improvement plan is being monitored monthly through this board to ensure changes are achieved at pace. This includes scrutiny of quality assurance and performance in relation to the plan. Independent improvement specialists from the DfE and LGA, along with key partners, are members of the board. The Children and Families Committee will receive progress updates against the plan at each Committee meeting.
- 27 **SEND Inspection:** This is a new risk following the Ofsted children's services inspection in February and March 2024, and the publication of the inspection findings on 16 May 2024 where the council's children's services were found to be inadequate overall. As a 0-25 partnership, Cheshire East is also expecting to receive an Ofsted and CQC area SEND inspection.
- 28 A partnership SEND inspection planning group is in place to drive and monitor activity to support inspection readiness. A SEND improvement team is being stepped up to drive service transformation. A project plan is being developed for the transformation activity, based on the Safety Valve submission and the SEND Strategy priorities. A self-evaluation of the quality of our SEND services has been completed ensuring we understand ourselves well against the Ofsted framework. This will continue to be refreshed on at least a six-monthly basis.

Corporate Policy Committee

- 29 **Failure to achieve the MTFS:** No change to the risk ratings. The draft outturn figures for 2023/24 show a net overspend of £8.5m; this compares favourably with the £13m overspend forecast in the Third Financial Review. However, the final position showed a greater adverse variance in Adult Social Care spending (£11.8m overspend; £6.8m more than anticipated in Third Review) – but this was more than offset by favourable variances across other Services. The outturn position has been analysed, and any further cost pressures (or reductions) which will continue to have an effect in the current year will be reflected in future reporting, alongside progress on the delivery of the 2024/25 approved change items, and any other variances arising in the year.
- 30 The Council's Transformation Programme is underway – and along with other activities led and managed by the new Strategic Financial Management Board (made up of Corporate Leadership Team, as supported by other senior officers) will shape the development of the Council's updated MTFS for 2025-29.
- 31 With regard to the offer of Exceptional Financial Support (capitalisation directions), as required by DLUHC (now MHCLG again) CIPFA are currently conducting a financial resilience review. Should the Council wish to take up the capitalisation directions, a plan must be submitted to MHCLG by 27 August.
- 32 **Leadership Capacity:** The Local Government Association (LGA) has undertaken a Decision Making Accountability (DMA) review to examine current senior management roles to help ensure a stable senior management structure is in place. This will provide recommendations for a revised organisational structure which is effective at making decisions, with clear accountabilities and roles, and that are efficient in their use of management resources. An update on progress in relation to the DMA review was presented to Council in July 2024.
- 33 A series of development sessions for Corporate Leadership Team (CLT) and Wider Leadership Community (WLC) has been developed, with the first of these sessions held on 12th April. Additional sessions for CLT and WLC will continue through the year.
- 34 Recruitment to a number of key senior interim roles has also taken place to provide cover for the Director of Finance and Customer Services & s151 Officer, Director of Policy and Change, Director of Commissioning, Director of Family Help & Children's Social Care, Director of Environment and the Director of Transformation. Recruitment to the Executive Director of Place was undertaken during

the start of the year. Proposals for a senior management restructure were considered by Council in July.

- 35 **Ability to Achieve Organisational Change:** No change to the risk rating or description at this time. During Quarter 1 several key Interim Director appointments have been made; Interim Director of Transformation, Interim Director of Finance and Customer Services (S151) and Interim Director of Policy and Change; these are critical appointments for capacity, skills and experience to ensure the delivery of the transformation plan and delivering the actions arising from the Corporate Peer Challenge.
- 36 The outcome of the Corporate Peer Challenge was received at full Council in July and action plan published at the end of August. Inner Circle Consulting have been appointed as the Council's Transformation Delivery Partner, and the transformation plan was approved at CPC at the 21 August meeting. Inner Circle are providing capacity and capability to support the delivery of the plan, organisational change and skills transfer. The council's senior leadership team is being supported with change management through SOLACE.
- 37 **Recruitment and Retention;** No change to the risk rating at this time, with the same market pressures in place. The outcome of the recent Ofsted inspection during this quarter has also added pressure to the recruitment and retention of staff within Children's Services. The continuing financial position for the Council increases the pressure across the Council. Further amendments have been made to the recruitment process during this quarter and the need for a verbal reference as well as a written reference has been removed to speed up the process. Workshops on the recruitment process have been held at the Manager Share & Support sessions to ensure hiring managers are able to navigate the system more easily.
- 38 Workplace charters to support the relocation of staff from Westfields have been developed by all services across the Council and are now in place. A series of workshops on the Pulse staff survey have been held with the Brighter Future Champions, at the Manager Share & Support and the In the Know sessions as well as with the trade unions and a series of actions taken to address the results. These actions have been communicated out to staff through Team Voice.
- 39 A further review of agency staff is ongoing to ensure a move to a more stable permanent workforce. A number of posts in the senior management structure have been filled with interim staff to ensure capacity and the first part of a transformation skills audit completed to better understand skills gaps, The second and final part of the audit is underway currently. Additional wellbeing support has been delivered for

staff in Children's, as a response to the additional stress Ofsted inspections can cause.

- 40 **Failure to Manage the Consequences of Policy Uncertainty and National Policy Frameworks:** The announcement of the general election was made on 23 May and held on 4 July. The announcement of the general election and observation of pre-election protocols created a pause to central government activity, and the impact of the change of government upon policy and devolution plans is expected to crystallise throughout the rest of the current year. The timescales for delivery of the transformation plan will be agreed confirmed by full council in July, the council's ability to adapt is critical to ensuring its delivery of its obligations (delivery of the plan being a strategic risk in of itself). Overall, no change to the risk score or description at this time
- 41 **Failure to Adhere to Agreed Governance Processes:** The risk has not changed in score or description during Q1. There is a high volume of change and decision making required in the current year, and ensuring our processes enable timely and lawful decision making, and there is compliance with them, will be key to the future successful operations of the council and its ability to avoid a section 114 notice.
- 42 During Quarter 1, reports to Council and Committee's covered a number of recommended changes to refine governance and decision-making processes, however, there were indications to the Audit and Governance Committee in May of a likely limitation on the annual audit opinion for 23/24, which was subsequently confirmed in the annual opinion report to the committee on 29 July.
- 43 Council on 15 May received the recommendations of the Corporate Policy Committee in respect of the review of the Committee structure and resolved to retain the Scrutiny Committee, that the General Licensing Sub-Committee and Licensing Act Sub-Committee be amalgamated to form one sub-committee, and that reports for "noting" would not be placed on agendas (apart from specific exemptions), but would be shared through the Councillors Hub and the Open Data and Transparency Webpages.
- 44 The same meeting of Council also received the recommendations of the Corporate Policy Committee in respect of proposed changes to the Constitution arising from the review of the Committee structure. The proposed changes related to various matters relating to notices of motions, committee terms of reference and delegations to the Executive Director Place.
- 45 At the Finance Sub Committee in June, the committee received the outcomes of the wholly owned companies' strategic options review and

determined that the services provided by Ansa and Orbitas are to be brought back in house and delivered directly by the Council.

- 46 **Stakeholder Expectation & Communication:** There have been a number of significant developments that have impacted on stakeholder perception of the organisation in Q1. These have included:
- Ofsted Inspection of Children's Services
 - Corporate Peer Challenge
 - General Election
 - Household waste recycling centres review
 - Libraries strategy
 - Parking review
 - Poynton Pool flood management works
 - Middlewich Eastern Bypass funding
 - HSE prosecution
- 47 The pre-election period for the general election meant that a number of decisions and consultations, and the publication of the corporate peer challenge report, were delayed until after the general election on 4 July. We will, therefore, see reputational impacts of some of these items carried over into Q2.
- 48 During Q1 we trialled a number of changes to the way we use X (formerly Twitter) and Facebook, recognising the changing environments each platform offers. We will continue to develop and adapt our approach as the platforms and communities using them change.
- 49 Consultation during the period has focussed on some high-profile activities, including Household Waste recycling centres, bus routes and libraries strategy. The outcome of these activities will be used to inform the council decision making activities.
- 50 Ensuring that the capacity, development and planning within the consultation team is appropriate for the transformation activities will be important to ensure that capacity and delivery of engagement activity remains achievable. Limited resources and resilience are a concern and supporting the transformation work alongside MTFS and other BAU will require careful planning at a strategic level.
- 51 Efforts continue to be made to provide support to the team and it is envisaged that a clear prioritisation of work can further support the focus of the team over the next period.
- 52 **Information Security and Cyber Threat:** No change to the risk rating at this time but there is a continued heightened alerts across the public

sector, disruption could be expected particularly to coincide with high profile national events such as the Election period.

- a) Identity Management – projects are continuing to ensure that identities are protected through increased monitoring and controls. Access from locations outside of the UK are automatically blocked reducing the attack surface. There are regular phishing tests to understand the behaviours of staff and their understanding of cyber risks.
- b) Application Management – work is ongoing to ensure that MFA and SSO is applied to applications that are cloud hosted.
- c) Data Security – continued enhancement of the existing security controls to ensure that the latest threats are mitigated and protected. Work is continuing to strengthen the resilience capabilities of data storage and protection. Work has progressed to refresh the Cyber Incident Response Plan and associated workbooks to ensure that the Council is best equipped should an incident occur. There has been changes to cloud backups to ensure that there is coverage in the event of a cyber incident.
- d) Data Quality – Continuation of the MDM projects across several data fields to ensure that the councils' solutions have the correct data embedded with them, updated seamlessly across multiple systems. This is a key area to support any future drive to AI and Digital.
- e) Information Management – continuation of projects to deliver and improve the maturity of information both through its storage and use of information. This will enable both greater protection for that information but also enable efficiencies through accurate management information and improved compliance through controlled retention and ease and speed of access to critical information. Analysis of file storage within the organisation has begun at a service level, the process to apply retention and classification has been agreed and the first area has had this applied. This is a key area to support any future drive to AI and Digital.

53 **Business Continuity:** Planning for business continuity workshops to be held in Quarter 2 has been undertaken with the support of colleagues from the Emergency Planning team, ICT Services and Communications. There are several desired outcomes from the sessions, which will inform individual plan content, as well as the wider organisational approach to responses. No change to risk score or descriptor.

Economy and Growth

- 54 **Capital Projects – Place:** Narrative and scores updated to reflect the current situation in respect of the financial challenges Capital Programme Review and on some major capital projects. Net score now at the highest possible rating.
- 55 Current delays to some projects and to the Capital Programme Review has brought uncertainty to overall programme delivery. It has impacted the ability to build some of the Council's priority projects to deliver economic growth as published in the Local Plan Strategy. This could have significant financial and reputational implications for the Council. Due to the nature of the projects and their large cost, delays can materially impact the ability to deliver future projects, thus negatively impacting the borough.
- 56 The uncertainty could lead to cancellation of major economic regeneration projects. This in turn would mean that very significant costs expended to date would need to be charged to revenue budgets in the year that the projects were cancelled. These costs would be significant and would exacerbate the Councils revenue budget challenges. The Transformation Plan for the Council is intended to bring about far more effective prioritisation and management of capital investment.
- 57 **Failure of the Local Economy:** The Office for National Statistics estimate that real gross domestic product (GDP) is estimated to have shown no growth in April 2024, following growth of 0.4% in March 2024. Further to the positive outlook and having had local economies respond to the pandemic, inflation, and cost of living crisis it is determined that the local economies have constrained but survived, and therefore a robust resilience demonstrated. Therefore, the robustness against the risk of failure has seen improvement, and this is reflected in the reduction of the net risk score.

Environment and Communities Committee

- 58 **CEC's Carbon Neutral Status:** The Council's capital review remains paused throughout this quarter and now presents a significant risk to the project preventing the ordering of the next phase of EV vehicles and progression of the Council's second solar farm. Without early approval the 2027 target of the program remains at risk. Net and target scores are therefore left at the highest possible rating.
- 59 **Local Planning Authority Modernisation:** Overall risk score remains, mainly due to the implementation of the new IT system and the wider impacts on the whole Service as a result. Further progress has been

made on the data migration and functionality of the new system but CEC have been forced into a number of compromises with the new system in order to seek a revised go-live date of September 2024. Executive escalation calls remain ongoing to ensure the suppliers commitment to meet revised Project Plan, both for Planning and Land Charges. Significant staff input from Service will be required for testing and training over Q1, as well as during the transition phase between systems.

- 60 The consultation on the restructure has been completed and the final structure will be completed with vacancies to be populated early in Q2. Application 'backlog' is now close to a normal level of live applications albeit the drop in application number more widely have assisted in this. S106 audit recommendations are now largely completed, with multiple cross-service discussions to ensure new processes are adopted going forward and members updated.
- 61 The Modernisation Plan has seen a number of significant changes and improvements brought forward since its inception. During Q1 the Plan has now been recast as a Service Improvement Plan with a new Service Improvement Board to push forward on identified key workstreams across the Service.

Highways and Transport Committee

- 62 The Highways and Transport Committee have no specific strategic risks at this time but this remains under on-going review.

Wholly Owned Company Risk Registers

- 63 See Appendix B, C and D (Part 2 item)

Emerging Risks

- 64 On the 19 September Highways and Transport Committee noted the urgent decision taken by the Chief Executive for the approval and agreement to the submission of a revised Final Full Business Case for the Middlewich Eastern Bypass to the Department of Transport (DfT). DfT approval of this business case is critical to the delivery of the scheme, and the submission of the revised business case to DfT in early September ensures the matter is placed at the earliest opportunity before the DfT Investment Committee in November. The progression of the business case will be monitored and considered as part of the review of the strategic risk register over the forthcoming year.

Looking Forwards

- 65 The Corporate Policy Committee will receive the Quarter 2 update at the November 28 meeting. There are several factors that could influence the risks over the coming quarters:
- (a) Progress on the Senior Management Restructure
 - (b) Implementation of the Transformation Project
 - (c) Implementation of the Corporate Peer Challenge Action Plan
 - (d) The outcomes of the Corporate Capital Review
 - (e) The impact of the UK 2024 Autumn budget

Consultation and Engagement

- 66 Each risk included in on the Strategic Risk Register is “owned” by a member of the Council’s Corporate Leadership Team. At each quarter, the risk detail is updated through managers in their areas of responsibility, and the updated register is reviewed collectively by the Corporate Leadership Team.

Reasons for Recommendations

- 67 Risk management is central to facilitating good governance and the achievement of corporate objectives. As a publicly accountable body, the Council must demonstrate effective identification and management of the risks that threaten the achievement of its corporate objectives and the effectiveness of its operations.

Other Options Considered

- 68 No alternative options considered; this is an assurance update report to support the Committee in meeting its responsibilities under its Terms of Reference.

Implications and Comments

Monitoring Officer/Legal

- 69 There are no direct legal implications arising from the recommendations of this report. This report provides assurance that the Council achieves its strategic aims and operates its business, under general principles of good governance, that it identifies risks which threaten its ability to be legally compliant and operates within the confines of the legislative framework.

Section 151 Officer/Finance

- 70 There is no direct impact upon the MTFS from the recommendations of this update report. Costs relating to implementing risk treatment plans are included within service budgets. The need to provide financial security against the impact of risks is considered on a case-by-case basis and either included within specific budgets within the MTFS or considered under the overall assessment of the required level of General Reserves as part of the Reserves Strategy. The risk to the Council of failing to achieve savings identified in the MTFS has been identified as an emerging risk.

Policy

- 71 Cheshire East Council has adopted the Risk Management Framework approved by Cabinet in June 2020. Risk management is integral to the overall management of the authority and, therefore, considerations regarding key policy implications and their effective implementation are considered within departmental risk registers and as part of the risk management framework.

An open and enabling organisation	A council which empowers and cares about people	A thriving and sustainable place
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Equality, Diversity and Inclusion

- 72 There are no direct implications arising from the recommendations of this update report.

Human Resources

- 73 There are no direct implications arising from the recommendations of this update report.

Risk Management

- 74 This report relates to overall risk management and provides the Corporate Policy Committee with awareness of the most significant risks facing the Council, where strategic risks are emerging and assuring the Committee on how these are being managed.

Rural Communities

- 75 There are no direct implications arising from the recommendations of this update report.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

76 There are no direct implications arising from the recommendations of this update report.

Public Health

77 There are no direct implications arising from the recommendations of this update report.

Climate Change

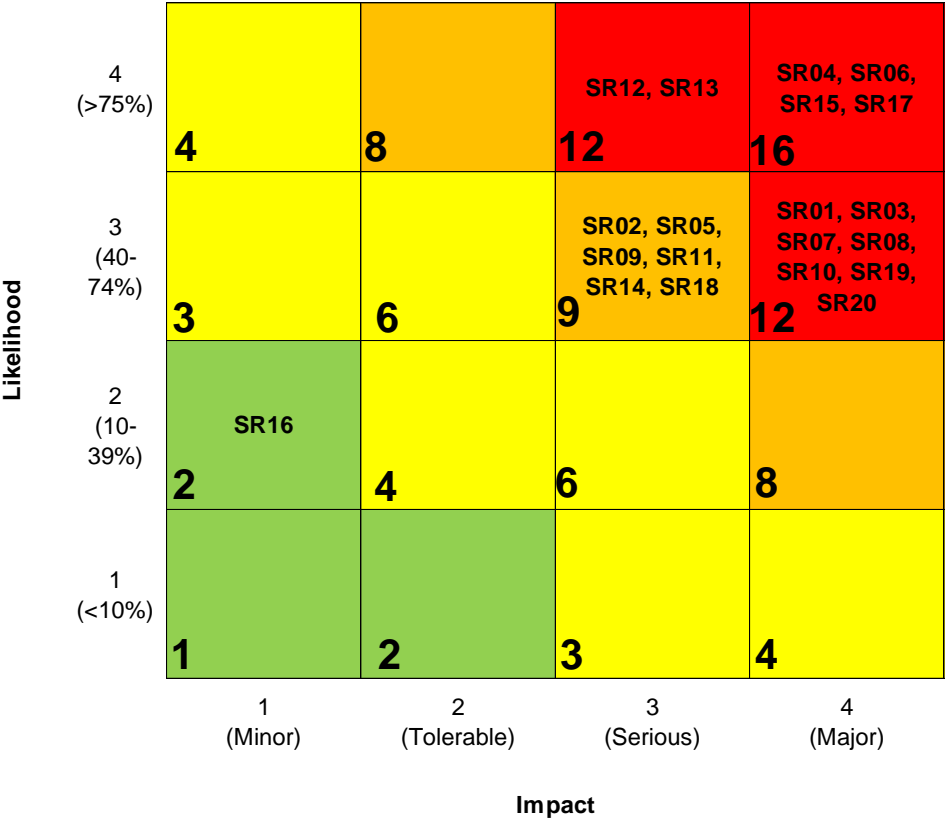
78 There are no direct implications arising from the recommendations of this update report.

Access to Information	
Contact Officer:	Josie Griffiths, Head of Audit and Risk Management josie.griffiths@cheshireeast.gov.uk
Appendices:	CPC Q1 Strategic Risk Assurance - Appendix A CPC Q1 Wholly Owned Company Risk Registers (PART 2)
Background Papers:	CPC Q4 Strategic Risk Assurance Report 13 June 2024

Strategic Risk Summary – Changes in Net Scores Q1 2024/25

Ref	Risk	Q4 Net	Q1 Net	Travel	Target
SR01	Increased Demand for Adult's Services	12	12	↔	9
SR02	Fragility and failure in the Social Care Market	9	9	↔	9
SR03	Complexity and Demand for Children's Services	12	12	↔	12
SR04	Dedicated School Grant Deficit	16	16	↔	16
SR05	Failure to Protect Vulnerable Children	9	9	↔	6
SR06	Failure to Achieve the MTFs	16	16	↔	9
SR07	Leadership Capacity	12	12	↔	9
SR08	Ability to Achieve Organisation Change	12	12	↔	8
SR09	Recruitment & Retention	9	9	↔	9
SR10	Failure to Manage the Consequences of Policy Uncertainty and National Policy Frameworks	12	12	↔	8
SR11	Failure to Adhere to Agreed Governance Processes	9	9	↔	6
SR12	Stakeholder Expectation & Communication	12	12	↔	9
SR13	Information Security and Cyber Threat	12	12	↔	12
SR14	Business Continuity	9	9	↔	6
SR15	Capital Projects - Place	12	16	↑	12
SR16	Failure of the Local Economy	12	2	↓	12
SR17	CEC Carbon Neutral Status	16	16	↔	16
SR18	Local Planning Authority Modernisation Plan	9	9	↔	6
SR19	Delivery of the ILACS improvement plan	-	12	NEW	12
SR20	SEND Inspection	-	12	NEW	8

Strategic Risks Heat Map Q1 2024/25

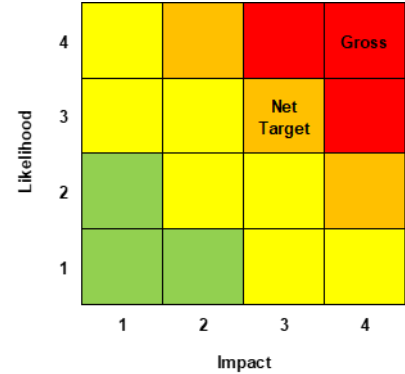


12 - 16	Critical Risks - Only acceptable in the short to medium-term, requires immediate action implementing and close monitoring
8 - 9	Material Risks - Areas of concern, but due to capacity and or uncontrollable external factors, these can be accepted. Expectation is that these must be actively managed with on-going monitoring to ensure they don't escalate
3 - 6	Moderate Risks - Acceptable level of risk only requiring on-going monitoring to ensure they don't develop into something more serious
1 - 2	Negligible Risks - Lowest level of risk, only kept in the register for completeness and to ensure there are no unexpected changes in the profile

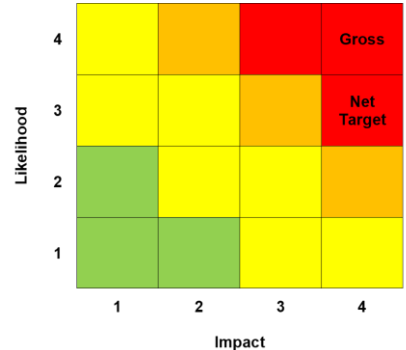
Individual Risk Details – Q1 2024/25

Risk Name: Increased Demand for Adult Services		Risk Owner: Executive Director of Adults, Health, and Integration
Risk Ref: SR01	Date updated: 15 th July 2024	Risk Manager: Director of Adult Social Care Operations
<p>Risk Description: An increase in demand for adult social services that cannot be met within the existing budget.</p> <p>There is currently a historically high demand for services from young adults right through to the elderly. This has been caused by an overall decrease in national adult health and wellbeing and other socio-economic factors. There has been an increase in responsibility and duties being transferred to LA i.e. RCRP.</p> <p>Detailed consequences; a failure in one area of social care, either internal or external to the council, has knock-on effects and increases pressure on other services. This can cause an on-going downwards trend in adult health and wellbeing. In addition, the council may fail in its duty of care and its objective of supporting its most vulnerable individuals. Specific failures that have been seen are a reduction in preventative measure and early intervention, which ultimately increase demand. Increased pressure on practitioners causes stress related issues and reduces the appeal of working in the sector.</p> <p>Detailed causes; due to the additional wellbeing pressures placed on residents, council staff, third-party providers and the NHS, the volume and complexity of demand for adult services has increased materially. As have political factors such as changes in legislation and resettlement agreements. Due to several different socio-economic factors recruitment and retention of staff is difficult resulting in increased use of agency staff. The increase in demand and complexity for services has not been recognised with increased established staffing, resulting in use of Agency Staff to fill the void.</p>		<p>Likelihood</p> <p>4</p> <p>3</p> <p>2</p> <p>1</p> <p>1 2 3 4</p> <p>Impact</p> <p>Target</p> <p>Gross</p> <p>Net</p>
Interdependencies (risks): Failure of Council Funding, Fragility in the social care market, Failure of the local economy, Organisational capacity and demand		Lead Service Committee: Adults and Health Committee
<p>Key Mitigating Controls (Existing):</p> <ul style="list-style-type: none"> • Delivery of market engagement events, keeping providers / people informed of preventative change resulting from the People Live Well, for Longer Transformation Programme. • Contracts and Quality Monitoring Policy Framework, monitoring the user outcomes that partners are delivering. This helps to inform the managed decommissioning of services, in an effort to reduce service disruption. Maintaining a provider risk register with the Care Quality Commission to ensure market oversight. A standard set of fit for the future contracts, designed to ensure quality outcomes for users and ensure provider's business models remain sustainable as demand changes. • Monthly quality monitoring partnership forum that reports to relevant DMTs and the Safeguarding Board. Attendees include the Police, Safeguarding, Care Quality Commission, ASC operations, Legal, CCG's and ASC lead commissioner. • People Helping People programme, working collaboratively with partners and local volunteers to channel community-based support, reducing demand on adult social care. The sourcing/brokerage team support the co-ordination of these services, helping vulnerable people to access non-council support where appropriate. • Direct payment scheme, allowing users identify and manage their own care support. • The preventative policy framework standardises the approach to prevention across adult social care "front door. When appropriate, directing users to approved community solutions, which can provide non-traditional benefits to those individuals and help maintain their independence. 		

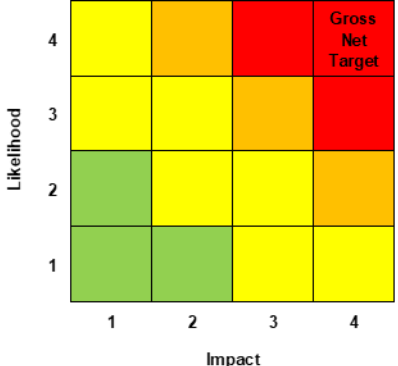
<ul style="list-style-type: none"> • Annual financial and resource planning by ASC services, considering expected demand, funding, the local social care market and other socio-economic trends. • Regular service/team meetings to disseminate information and discuss operational issues. • Involvement in the North West regional and local programme of work pertaining to health and care staff recruitment, retention, and selection – resulting in a robust career path being developed with key partners and in being clear pertaining to local strategy. • Collaborative working with other services, such Public Health, where objectives align and communication is required to delivery value for money. Utilisation of Public Health JSNA and wider regional data sets inform future planning. The joint commissioning management monthly working group seeks to ensure ASC is working effectively and efficiently with other Children and Family services. • Engagement with the Integrated Care Partnership, including health partners. • Regular ASC reporting to CLT and Adult and Health Committee on performance, expenditure/budget and demand. On-going management of services, based on performance, expenditure/budget and demand management information. Trend analysis used to help predict future demand. • Engagement with service users, collaboration with Healthwatch and other independent organisations to help drive service improvements and cost savings. • Business continuity assessments and resiliency preparation, both internally and with key partners. • Implementing recommendations of independent review. All care plans presented to Senior Leasers board for authorisation of spend. • Tighter controls on hospital discharge will impact relationship with ICB colleagues. • 3 times weekly Quality, Performance and Authorisation Board to review every request for care, since the start of this regime over 2000 cases have been reviewed to ensure that the package of care is effective and efficient. • Weekly Extended leadership meeting to review budget, spend and activity. 	
Actions (Monitoring):	Target Date for Completion:
Implementation of Impower Consulting review (Weekly CEBERT meetings)	Q4 2023/24
<p>Comments this quarter: The level of demand into Adult Social Care has remained constant with the First Point of Contact Teams working well to ‘prevent, reduce, delay’ traditional care services. However the cases that progress to assessment demonstrate increased care needs and complex behaviours. Complex cases involving Hoarding, self neglect and Court of Protection intervention, places increasing pressure on teams. The reduction in the use of Agency staff will result in a build up of referrals waiting for assessment and support.</p> <p>The demands of Care Agencies requesting higher fee increases, with threats to terminate placements, further increases the pressure. Families are demanding more costly care options than the council can realistically provide and the result is in increased complaints and requests for further reassessments. The increases in Domestic Homicide Reviews and Safeguarding Adult Reviews continues to add additional demand on staff and Managers.</p> <p>Adult Social Care is currently facing a projected £20 million overspend in this year, this will require robust and strict application of eligibility to bring this down and will result in individuals not being offered the packages of care that they would wish for.</p>	
<p>Timescale for managing risk to an acceptable level: The outcomes from the work commissioned with Impower is being actioned via HLBC, we are monitoring all support and care plans and calls for services on a 3x per week basis, Director is monitoring approx 150 cases per week. Demand is constant especially for those who are 90+ yrs, and for those with dementia. Cost of individual care packages remains very high with an increasing number £2000 per week.</p>	

Risk Name: Fragility and Failure in the Social Care Market		Risk Owner: Executive Director of Adults, Health and Integration
Risk Ref: SR02	Date updated: 8 th July 2024	Risk Manager: Director of Commissioning
<p>Risk Description: A failure of the local social care market.</p> <p>Increases in the volume and complexity in demand and financial pressures have caused weaknesses in the national social care market which have yet to be resolved.</p> <p>Detailed consequences; the council is unable to deliver a robust adult social care package without the use of third-party providers, without these outsourced services the overall social adult care package would fail and the council would not be able to achieve its objective of people living well and for longer. If the Council is unable to increase fees for providers it will impact on the sustainability of some care providers and result in some packages of care being handed back to the Council or notices served on care home resident's placements. This could lead to a need to increase the use of care providers who have not been through a formal tendering process which in some cases could result in higher costs and/or poorer quality. While due diligence is undertaken for these providers, some providers do not fully co-operate with this process. It will also bring challenges in managing budgets in 2024/25.</p> <p>Detailed causes: the major risk going forward is the financial impacts on providers resulting from the 9.8% uplift in National Living Wage from April 2024 and high rates of inflation. The current financial position of the Local Authority precludes it from uplifting care fees for all care contracts in 2024/25.</p>		
Interdependencies (risks): Failure to Achieve the MTFS, Business Continuity, Failure of the Local Economy		Lead Service Committee: Adults and Health Committee
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> Contracts and Quality Monitoring Policy Framework, monitoring the people's outcomes that partners are delivering. Localised quality assurance risk management oversight tool embedded which provides pertinent intelligence that will identify any escalation of providers quality and safety of service delivery in an effort to reduce service disruption. This risk matrix connects to an overarching provider risk register with the Care Quality Commissioning to ensure market oversight. A standard set of fit for the future contracts, designed to ensure quality outcomes for users and ensure provider's business models remain sustainable as demand changes. Increasing the robustness of due diligence on care providers who have not been through a formal tendering process. Comprehensive cost of care exercise to be undertaken with all care providers to ensure that care packages are sustainable and available resources are distributed fairly. Delivery of market engagement events, keeping providers / people informed of preventative change resulting from the People Live Well, for Longer Transformation Programme. The preventative policy framework standardises the approach to prevention across adult social care "front door. When appropriate, directing users to approved community solutions, which can provide non-traditional benefits to those individuals and help maintain their independence. Annual financial and resource planning by ASC services, undertaken capacity and demand modelling, funding, the local social care market, and other socio-economic trends. Development and publication of the Market Sustainability Plan. Completion and submission of the Cheshire East Market Availability and Capacity Plan to DHSC. 		

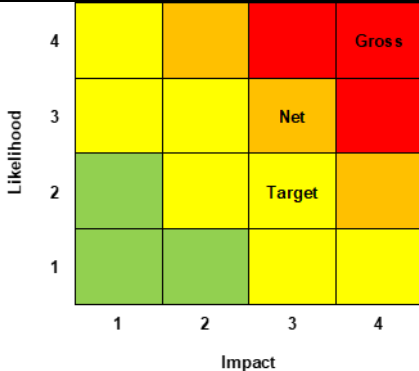
<ul style="list-style-type: none"> • Involvement in the Northwest regional and local programme of work pertaining to health and care staff recruitment, retention, and selection – resulting in a robust career path being developed with key partners and in being clear pertaining to local strategy. • Update of the joint Market Position Statement with ICB to ensure that care providers receive timely information about commissioning intentions. • Regular ASC reporting to DLT, CLT and Adult and Health Committee on performance, expenditure/budget and demand. On-going management of services, based on performance, expenditure/budget and demand management information. Trend analysis used to help predict future demand. • Engagement with service users, collaboration with Healthwatch and other independent organisations to help drive service improvements and cost savings. • Business continuity assessments and resiliency preparation, both internally and with key partners. • The Council is working with skills for care to see what support it can give to the market in terms of recruitment and retention and build knowledge. Providers have access to recruiting staff from abroad if there isn't a sufficient supply available locally. Development of a Workforce Strategy for the external care workforce. • Investigation and investment into new health and care technologies. Use of new technologies to be driven by considering performance, capacity, and value for more against more traditional methods. • Quality Performance Authorisation Board meets three times a week to ensure that the Council is obtaining value for care money for commissioned placements and making best use of all commissioned block booked assets across the Borough. • A Transfer of Care Hub has been set up in both hospitals with key staff from CEC and Hospital Trusts co-located to improve joint working and ease pressures on hospital discharge and ensure people are supported through the correct pathway at the point of discharge. • Commissioners undertake Market Engagement activities with Care at home Providers to Coproduce new models of care. Joint working with 'Skills for Care' to encourage individuals to take up employment within the care sector. 'Hidden Carer's' initiative launched through Carer's Hub to help identify and support carers not known to the system. • Low level support for the British Red Cross who respond to crisis situations in the community. • A tool called Care Cubed has been commissioned to assess the actual cost of delivering care for individual care providers and benchmark against market prices. 	
Actions (Monitoring):	Target Date for Completion:
Develop engagement with community groups and 3rd sector (VCFSE Project Group, monthly and Commissioning SMT, weekly)	December 2023
Commissioning of Care Cubes (Monthly DMT)	March 2024
<p>Comments this quarter: The overall position to the risk status remains unchanged currently. It should be noted that a small cohort of providers are continuing to press the Local Authority for fee increases which are being managed through a fee oversight group.</p> <p>During Q1 we have received 26 hand backs of care at home packages. The current care at home waiting list remains at 16 people which equates to 110 hours per week. Operational colleagues continue to RAG rate individuals placed on the waiting list for care at home.</p> <p>In relation to the overall quality position, we have one home across the Borough that remains inadequate rated with CQC. The June North West ADASS monthly CQC data update confirms we have 77% of our care homes rated as Good or Outstanding across the Borough.</p>	
<p>Timescale for managing risk to an acceptable level: N/A (Net score is equal to target). To a certain extent the risk is outside the Council's control as there is a reduced pool of people who wish to work in Social Care.</p>	

Risk Name: Complexity and Demand for Children's Services		Risk Owner: Executive Director of Children's Services
Risk Ref: SR03	Date updated: 16 th July 2024	Risk Manager: Children's Services Directorate Leadership Team
<p>Risk Description: That Cheshire East's local social, economic and demographic factors, including the impact of the pandemic, lead to an increase in the level and/or complexity of need and demand for children's services, which the council cannot meet effectively. This risk would mean that we would not achieve the council's desired outcomes for children and young people as set out in the council's Corporate Plan.</p> <p>The service received growth through the MTFS to help address the pressures but the challenge to deliver to budget and achieve the required savings remains present. Significant action is still required to deliver savings to live within the budget as all indications are that demand, complexity and cost will continue to increase.</p>		
Interdependencies (risks): Increased Demand for Adult Services, Insufficient and Non-Compliance with Financial Processes, Organisation Capacity and Demand, Failure to Achieve the MTFS, Failure of the Local Economy		Lead Service Committee: Children and Families Committee
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> • Growth to address budget pressures within services was agreed in the MTFS for 2024/25, including £10.8m to address placement costs for children. • Extensive activity is taking place to manage and reduce costs. A fundamental review and realignment exercise for children's services will be carried out to future-proof services to deliver differently for less as part of our integrated children's services 4-year strategy. • We are closely monitoring the demand to services and the reasons that are driving demand so that we can be responsive and mitigate any risks to service delivery. Performance is monitored by services. • We have a range of support available to families through early help and prevention services, including council, partner, voluntary, community, faith sector and commissioned services. These services support families and help prevent needs from escalating and requiring higher level intervention. • Our approach is to ensure only the right children come into care; this is right for children and young people and will also reduce demand to Children's Social Care services, however this is a challenging landscape. Increased demand for placements has increased costs. We will continue to look to identify options for children to live within their family networks where this is the best outcome for them. We have been successful in gaining DfE funding for innovation and supporting family networks which will increase opportunities for children to remain living in their families. • We are continuing to support children and young people who are most vulnerable through the Household Support Fund and the Holiday Activity Fund. Vouchers worth £4m were distributed on behalf of the Department of Work and Pensions over 2023/24 to support the most vulnerable households across the county with food, utilities, housing costs, and other essentials. • A workforce strategy has been developed for children's social care to support recruitment and retention as we know the quality and stability of our workforce is critical in offering strong support and enduring relationships to children and their families. • We have implemented Family Hubs, bringing council, health and community services together – improving access and reach of services, supporting earlier intervention, and improving partnership working. Over the past 12 months the council has opened five family hubs across the borough, including a SEND Centre of Excellence, as well as a new digital offer so families can also access advice and information online. 		
Actions (Monitoring):		Target Date for Completion:

A fundamental review and realignment exercise for children's services will be carried out to future-proof services to deliver differently for less as part of our integrated children's services 4-year strategy (Progress will be monitored through the MTFS arrangements)	March 2027
Expanding our in-house residential provision to offer more local and cost-effective homes for children and young people (Children's social care senior leadership team to monitor progress)	September 2024
Develop and deliver a new improvement plan to respond to the Ofsted ILACS inspection findings (Progress on the improvement plan will be monitored on a monthly basis by the independently chaired Improvement and Impact Board)	June 2024
Develop a Corporate Parents Working Group to drive improved outcomes	October 2024
<p>Comments this quarter: No change to the net rating, it remains 12, a material risk, equal to the target score.</p> <p>A new improvement plan has been developed to the findings from the Ofsted inspection of children's services in February and March 2024. This was received by full Council on 17 July 2024. An independently chaired Improvement and Impact Board is monitoring progress against the plan on a monthly basis. Sufficiency of placements is one of the areas covered by the improvement plan.</p> <p>Timescale for managing risk to an acceptable level: March 2026. The integrated children's services strategy is a 4-year plan. We aim to see an incremental reduction in the risk as we implement our strategy with aim to be at a low level of risk by 2026.</p>	

Risk Name: Dedicated School Grant Deficit		Risk Owner: Executive Director of Children's Services
Risk Ref: SR04	Date updated: 16 th July 2024	Risk Manager: Children's Services Directorate Leadership Team
<p>Risk Description: That the deficit held in the dedicated schools grant (DSG) continues to rise and/or is not recoverable.</p> <p>The final outturn position for the financial year 2023-24 outlines a reduced deficit position of the DSG high needs budget of £79.5M compared to the forecast deficit of £89.6M resulting in a reduction of £10.1m. The mitigated cumulative forecast reserve deficit identified through the Safety Valve programme is £285m. This is in part as a result of the growth in the number of pupils with an education, health and care plan greatly exceeding the funding and insufficient local placement options. This is a national issue and local authorities are required to hold a negative reserve for this purpose which is in place until March 2026. This position is unaffordable and unsustainable. The arrangements beyond March 2026 are not confirmed by the Department for Levelling Up, Housing and Communities (DLUHC). This risk continues to be a feature of ongoing liaison with the Department for Education and the DLUHC.</p> <p>Without significant changes to funding the DSG reserve deficit is not recoverable. Significant action is required to deliver savings to live within the budget as all indications are that demand, complexity and cost will continue to increase.</p>		
Interdependencies (risks): Increased Demand for Adult Services, Insufficient and Non-Compliance with Financial Processes, Organisation Capacity and Demand, Failure to Achieve the MTFs, Failure of the Local Economy		Lead Service Committee: Children and Families Committee
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> On 7 September 2023, we accepted an invitation from the Department for Education to start negotiations to join their Safety Valve programme, which would provide more help from the government to balance our budget. The aim of the Safety Valve programme is to agree a package of reform to improve the performance of local authorities' high needs systems and ensure this is delivered in a sustainable way, for the benefit of children and young people, whilst bringing DSG deficits under control. We submitted detailed plans to the government in January 2024. In March 2024 Ministers advised that they are currently unable to enter into an agreement with Cheshire East as Cheshire East's Safety Valve submission included an ask of the Department which is significantly above the level which the Department could reasonably afford in comparison to other agreements. Ministers recognise that the DSG deficit as forecasted poses a substantial risk to Cheshire East, and propose to work with us over the coming months, alongside colleagues from DLUHC, to seek an appropriate solution. The DSG management plan is in place to monitor the impact of demand to SEND services on financial pressures and monitor the delivery and impact of mitigations that have been put in place. A revised DSG management plan for 2024/25 to 2030/31 was approved by the Children and Families Committee on 29 April 2024. The committee also received an update on the Safety Valve submission. The Children and Families Committee is receiving monthly updates on the DSG management plan. The council has updated the SEN sufficiency statement for 2023/24 to 2025/26, and the SEND strategy, which were received and agreed by the Children and Families Committee in September 2023. The SEN sufficiency statement sets out the additional provision needed over the next three years. The SEND strategy has been refreshed to include priority actions relating to the mitigations with the revisited DSG management plan 2024-2031. There is significant capital investment in local SEND provision to meets children's needs more locally but also reduce dependency on high-cost independent school placements. As part of the Safety Valve programme we were invited to submit a Capital bid. The bid was successful and we have been awarded £16m to create more specialist provision. The capital grant will allow us to create the following <ul style="list-style-type: none"> 3 x special school satellite sites providing in total 140 additional places 1 x 14 place new SEN unit 		

<ul style="list-style-type: none"> ○ Generic funding to support the refurbishment/adaption of space within mainstream settings which could support the current demand by way of resource provisions and/or SEN units. • We are embedding a graduated approach and inclusion across all schools and settings and strengthening SEN support. • We participated in the DfE's delivering better value (DBV) programme to support the council to achieve a more sustainable financial position in relation to SEND. This identified two priority areas of cultural change that will make the biggest difference on managing demand – inclusive practice and transition. Cheshire East has been awarded £1 million to support the delivery of this transformational change. These areas have been incorporated within our SEND Strategy. • A fundamental review and realignment exercise for children's services will be carried out to future-proof services to deliver differently for less as part of our integrated children's services 4-year strategy. • We have a range of support available to families through early help and prevention services, including council, partner, voluntary, community, faith sector and commissioned services. These services support families and help prevent needs from escalating and requiring higher level intervention. 	
Actions (Monitoring):	Target Date for Completion:
A fundamental review and realignment exercise for children's services will be carried out to future-proof services to deliver differently for less as part of our integrated children's services 4-year strategy. (Progress will be monitored through the MTFS arrangements)	March 2027
Delivery of the delivering better value implementation plan (Children's services senior leadership team)	March 2025
Continue to increase SEND provision in Cheshire East (Reviewed quarterly)	September 2024
Embed the graduated approach and inclusion across all schools and settings and strengthen SEN support (Reviewed quarterly)	September 2025
Implement the Safety Valve plan (Quarterly by the DfE if accepted onto the programme. If not accepted the plan will be monitored internally through a CEX lead board with member involvement).	March 2031
<p>Comments this quarter: Q1 expenditure is currently being collated and a forecast will be produced.</p> <p>We have been asked by our DfE advisor to refresh the DSG management plan to reflect the reduced growth of EHCPs in 2023-2024. By doing this, targets for performance indicators (financial and numerical) will change, but we will also know the impact of the reduced growth of EHCPs and therefore the reduced forecast deficit position. As part of this refresh, we will also be revisiting the dates and milestones of the actions under each mitigation.</p> <p>Work on the mitigations are progressing. Children and Families Committee are receiving monthly updates on progress of the mitigations.</p>	
<p>Timescale for managing risk to an acceptable level: March 2025. We aim to see an incremental reduction in the risk as we implement our plan. By the end of March 2025, we aim for the risk to be reduced to a score of 12, then to see this continue to reduce over the following years with aim to be at an acceptable level of risk by 2026.</p>	

Risk Name: Failure to Protect Vulnerable Children		Risk Owner: Executive Director of Children's Services	
Risk Ref: SR05	Date updated: 5 th July 2024	Risk Manager: Quality and Impact Board	
Risk Description: The risk, that as a part of the local safeguarding children's partnership, Cheshire East Council's children's services are unable to fulfil their responsibilities relating to the protection of vulnerable children at risk of criminal exploitation and child sexual abuse. To do this Cheshire East seeks to be an effective and collaborative partner in the partnership. Ofsted are responsible for conducting inspections into the quality of children's social care provided by Cheshire East and as the local authority responsible Cheshire East is continually looking to meet those expectations in an ever-changing and challenging environment.			
Interdependencies (risks): Increased Demand for Adult Services, Complexity and Demand for Children's Services		Lead Service Committee: Children and Families Committee	
Key Mitigating Controls: <ul style="list-style-type: none">• The Quarterly Quality and Impact board has oversight of the Multi Agency Safeguarding Arrangements. There are 3 Statutory Partners; Health, Local Authority and Police. The Statutory Partners form the Cheshire East Safeguarding Children's Partnership. Working Together 2023 outlines the responsibility of the Statutory Partners to involve other agencies.• An Executive Board is in place which consists of the Chief Executive of the council, Chief Constable and Chief Nurse, which scrutinises partnership progress against the improvement plan.• Ofsted regularly inspect the Local Authority and the partnership arrangements.• The partnership ensures awareness within all agencies by providing regular training focused on exploitation. The training facilitates communication, increased knowledge and understanding and working together.• We have an Exploitation Strategy, practice guidance, and training for frontline practitioners. This all ensures there is a clear partnership approach to supporting children and young people at risk of exploitation.• There is a shared understanding of the children and young people who are at risk of exploitation across the partnership.• There are regular multi agency audit of practice are completed for children at risk of exploitation to evaluate the impact of changes on quality of practice.• Committee will have oversight through the annual report and any inspection reports.• Quarterly reports are developed through the Learning and Improvement sub group and the CS/SOC Strategic group to provide the direct line of sight from practitioners to Executive members.• Voice of the child case study is presented at every Executive Board. This demonstrates the impact that services and intervention are making for the child.• Improvement board following the recent Ofsted inspection and this has oversight of the ILACS Improvement plan, with independent scrutiny from the DfE.			
Actions (Monitoring):		Target Date for Completion	
CS SOC Impact report to be presented to the Quality and Impact board (Quality and Impact Board)		Q2 2024	
Quality and Impact board to continue to have oversight of children at risk (Quality and Impact Board)		November 2024	

Comments this quarter: In May 2024, Ofsted undertook an ILACs inspection of Children's Social Care. Ofsted reported:

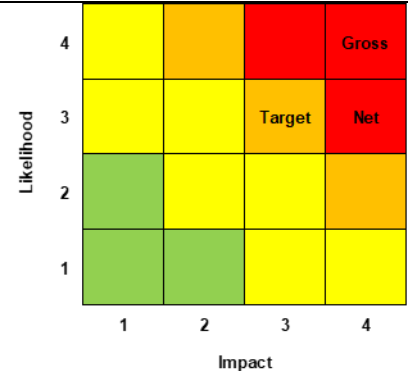
'Since the JTAI, there have been significant improvements in safeguarding practice for children missing from home and for those at risk of, or affected by, criminal and sexual exploitation. Focused work by leaders, to integrate and align multi-agency strategic and operational groups, has resulted in a clearer understanding and shared approach to prioritising and meeting children's needs earlier. There are now effective multi-agency forums in place to share intelligence about risks to children. Persistent work by committed staff in children's social care, and across the partnership, engages many highly vulnerable children. This is effective in responding to, and reducing the risk of, further serious harm.'

Based on the outcome of Ofsted, particularly relating to children at risk of exploitation, we are not changing the net score. We have updated the timescale for managing the risk. We have reviewed and updated the controls, actions and key risk indicators. A multi-agency audit is being undertaken around children at risk of exploitation, the findings of which, will be presented initially to the Learning and Improvement partnership board and then to the Quality and Impact Executive board.

Timescale for managing risk to an acceptable level: December 2024

Risk Name: Failure to Achieve the MTFS		Risk Owner: Director of Finance and Customer Services (s151 Officer)																																		
Risk Ref: SR06	Date updated: 30 th July 2024	Risk Manager: Head of Finance																																		
Risk Description: Failure to achieve approved changes and manage net spending within the MTFS agreed by Council within the expected timescales will undermine the Council's ability to manage its budget effectively in the current and future years. Potential impacts: Failure to achieve the agreed annual budget will reduce the Councils reserves and may endanger its medium-term financial stability, ultimately leading to reduction in the services it can provide to its residents, due to having to issue a Section 114 Notice. Poor management of specific grant funding can also result in the Council having to repay those monies. Drivers of likelihood: Key drivers of this risk are a lack of effective strategic and/ or operational management, and a lack of ability and/ or authority to implement change, along with global and national events adversely affecting levels of inflation and prices.		<table><tr><td rowspan="4">Likelihood</td><td>4</td><td></td><td></td><td></td><td>Gross Net</td></tr><tr><td>3</td><td></td><td></td><td>Target</td><td></td></tr><tr><td>2</td><td></td><td></td><td></td><td></td></tr><tr><td>1</td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td></tr><tr><td></td><td></td><td colspan="4">Impact</td></tr></table>		Likelihood	4				Gross Net	3			Target		2					1							1	2	3	4			Impact			
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		Impact																																		
Interdependencies (risks): all		Lead Service Committee: Corporate Policy Committee																																		
Key Mitigating Controls: <ul style="list-style-type: none">Financial planning arrangements include preparation by the Finance Team, in liaison with senior operational managers, of detailed financial forecasts, based on the best available information and including prudent assumptions based on professional judgement and external advice.Use of quality financial systems, with appropriate training and subsequent audit of their effectiveness to provide management and control of the Council's financesBalanced budget to put into effect the Council's service plans for the forthcoming year, matched by available funding and including a risk assessment of the adequacy of general reservesMTFS sets out how the Council will deliver the Council's Corporate PlanUse of a standard report format and report clearance process which ensures provision of relevant information on financial impact and risk exposure to the decision makers.Clear and effective communication of changes or updates to Finance and Contract Procedure Rules with the ConstitutionSources of specialist advice and guidanceBudget monitoring, comparing actual performance against approved budget, is undertaken throughout the financial year and presented to service committees, in the form of forward-looking forecast outturn reportsOutturn reporting and audit of statements supports in-year monitoring and future year planningRisk-based approach to the use of reserves, identifying appropriate reserve levels and ensuring that reserves are not depleted without first identifying a strategy to restore them to risk-assessed levels during the MTFS period.Where a residual deficit is forecast in a financial year, a number of actions will be explored including:-<ul style="list-style-type: none">use of any service or non-specific underspend to offset pressures elsewhere within the budgetaccessing external funding, ensuring compliance with any funding conditionsuse of reservesuse of general balancesTreasury Management Strategy to manage the Council's cash flows, including an investment strategy focused on the security of principal sums and a borrowing strategy to manage interest payable and other charges																																				

<ul style="list-style-type: none"> • A Capital Strategy that prioritises capital investment programmes, identifies the financial impact of investment in schemes and limits the amount of unsupported borrowing to be taken • Engagement with government departments related to financial models and consultation • Education and training for officers and Members, including financial management in local government, the CIPFA FM Code, and Finance and Contract Procedure rules • Reporting of status and action plan on CIPFA FM Code • Budget management regime implemented early in 2023/24 to track activities relating to delivery of approved budget changes • Spending management regime implemented in October 2023, to control and reduce spending on staffing and supplies and services; review fees and charges to customers; and approaches to charging costs to capital projects and using capital receipts • Strategic Financial Management Board, with a number of groups – Procurement; Strategic Assets; Workforce Oversight; Financial Management – each with terms of reference and various assigned tasks; and with a further link for all groups/ activities to the Transformation Programme. any Directorate forecasting spend >5% over approved budget will be subject to focussed budget management, reporting progress to SFMB weekly 	
Actions (Monitoring):	Target Date for Completion:
Ongoing reporting of spending management effectiveness and latest forecasts to SFMB/CLT (Weekly reporting and review by SFMB/CLT)	March 2025
Directly or via professional or political networks, liaise with Government departments on the severity of the many financial issues (Reporting to CLT, and to Members in the MTFS update)	February 2025
Preparation and approval of the 2025/26 annual budget (Formal Financial Reviews to Committees; with progress on all change proposals reported to each committee cycle)	February 2025
<p>Comments this quarter: No change to the risk ratings. The draft outturn figures for 2023/24 show a net overspend of £8.5m; this compares favourably with the £13m overspend forecast in the Third Financial Review. However, the final position showed a greater adverse variance in Adult Social Care spending (£11.8m overspend; £6.8m more than anticipated in Third Review) – but this was more than offset by favourable variances across other Services. The outturn position has been analysed, and any further cost pressures (or reductions) which will continue to have an effect in the current year will be reflected in future reporting, alongside progress on the delivery of the 2024/25 approved change items, and any other variances arising in the year.</p> <p>The Council's Transformation Programme is underway – and along with other activities led and managed by the new Strategic Financial Management Board (made up of Corporate Leadership Team, as supported by other senior officers) will shape the development of the Council's updated MTFS for 2025-29.</p> <p>With regard to the offer of Exceptional Financial Support (capitalisation directions), as required by DLUHC (now MHCLG again) CIPFA are currently conducting a financial resilience review. Should the Council wish to take up the capitalisation directions, a plan must be submitted to MHCLG by 27 August.</p>	
Timescale for managing risk to an acceptable level: March 2025	

Risk Name: Leadership Capacity		Risk Owner: Chief Executive	
Risk Ref: SR07		Risk Manager: Head of HR	
Date updated: 2 nd July 2024			
<p>Risk Description: There are a number of vacancies and temporary acting up arrangements in place across CEC’s leadership team are not functioning. These limit its capacity and prevents the team from operating as effectively as possible. Without the right capacity across the leadership team, the organisation is unable to flex and be respond to its challenges.</p> <p>Potential impacts: The impact may be a failure to achieve priorities, which is ever more critical in light of current financial challenges as well as the Council’s requirement to deliver a large-scale transformation programme. It could also be the case that priorities are delivered at higher cost than could otherwise be achieved. Without maintaining value for money throughout the organisation, overall amount of effectiveness is reduced.</p> <p>Drivers of likelihood: Reputational risk from Section 114 notice and impact on recruitment and retention. Failure to recruit and retain individuals for senior management positions. Failure to complete DMA exercise and implement a revised structure, Failure to implement management development for the leadership team. Failure to communicate and motivate the wider workforce.</p>			
Interdependencies (risks): All other strategic and operational risks.		Lead Service Committee: Corporate Policy Committee	
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none">• Council Constitution and decision-making structure, including the Committee system and defined terms of reference.• Corporate Plan and Annual Service Business Plans.• Support from Governance functions.• Leadership team recruitment processes, including skills and experience requirements.• Leadership team performance management processes.• Organisation structure and internal reporting.• Workforce Strategy			
Actions (Monitoring):		Target Date for Completion:	
Undertake Decision Making Accountability (DMA) exercise from Heads of Service level to develop a revised organisational structure and implement new structure (Introduction of new populated structure)		TBC	
Leadership development programme for CLT and WLC (Evaluation of programme once completed and sessions delivered)		30/06/2024	
Interim arrangements for key posts (Interim recruitment exercise to a number of key posts)		31/05/2024	
<p>Comments this quarter: The Local Government Association (LGA) has undertaken a Decision Making Accountability (DMA) review to examine current senior management roles to help ensure a stable senior management structure is in place. This will provide recommendations for a revised organisational structure which is effective at making decisions, with clear accountabilities and roles, and that are efficient in their use of management resources.</p> <p>An update on progress in relation to the DMA review will be presented to Council in July 2024.</p> <p>A series of development sessions for Corporate Leadership Team (CLT) and Wider Leadership Community (WLC) has been developed, with the first of these sessions held on 12th April. Additional sessions for CLT and WLC will continue through the year.</p>			

Recruitment to a number of key senior interim roles has also taken place to provide cover for the Director of Finance and Customer Services & s151 Officer, Director of Policy and Change, Director of Commissioning, Director of Family Help & Children’s Social Care, Director of Environment and the Director of Transformation.
Recruitment to the Executive Director of Place is currently underway and recruitment to the role of Executive Director Corporate Services (including s151 officer) is planned to commence after Council in July 2024.
Timescale for managing risk to an acceptable level: August 2024

Risk Name: Ability to Achieve Organisation Change		Risk Owner: Chief Executive
Risk Ref: SR08	Date updated: Q1 2024	Risk Manager: Director of Transformation
<p>Risk Description: The risk that the council is unable to achieve organisational change due to a lack of resources and capacity to focus on transformation as people focus on the delivery of business as usual. Recently received advice from government commissioners advised that organisational change capacity is a key ingredient to support the council in delivering transformation to achieve medium to long term change that will support achievement of savings and also, in the event of a section 114 notice being issued, organisational change capacity is also essential to deliver necessary actions arising from interventions.</p> <p>Potential impacts: The council is required to deliver transformation activity at pace in order to balance the budget and avoid section 114. If a section 114 notice is issued and commissioners intervene, the council bears their costs. These costs are estimated at up to £200K per commissioner and there are usually 2-6 commissioners, for a period of up to 5 years. Therefore it is more prudent to ensure that there is capacity for organisational transformation to avoid more significant costs and reputational damage.</p> <p>Drivers of likelihood: A focus on delivery of frontline and statutory services and a de-prioritisation of corporate, enabling functions. A lack of clear governance and oversight of delivery of transformation. No clearly identified medium- and long-term transformation programme. Failure to recruit and retain individuals for senior management positions. Failure to identify and implement required change initiatives effectively and in a timely fashion. Failure to oversee efficient and effective operations, including dealing with poor performing individuals and to communicate and motivate the wider workforce.</p>		
Interdependencies (risks): Recruitment and Retention, Failure to Achieve the MTFS		Lead Service Committee: Corporate Policy Committee
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> A “doing things differently” initial list of change proposals has been collated and is being discussed with members. A weekly CEBERT meeting is in place with Senior Level Membership to review the activities required to meet budget savings targets A Bright Ideas scheme is in operation to enable the workforce to contribute their ideas for transformation A new Corporate Plan has been consulted on to clarify the vision and priorities for Cheshire East Appointment of a Delivery Partner to provide additional capacity and to produce the council transformation plan Formation and weekly meetings of the transformation board Establishment of a core project team to support the next phase of transformation 		
Actions (Monitoring):		Target Date for Completion:
Strategic CLT discussion planned on structure necessary to achieve transformation.		September 2024
Medium to Long Term Transformation Plan to be developed.		August 2024
<p>Comments this quarter: No change to the risk rating or description at this time. During Quarter 1 several key Interim Director appointments have been made; Interim Director of Transformation, Interim Director of Finance and Customer Services (S151) and Interim Director of Policy and Change; these are critical appointments for capacity, skills and experience to ensure the delivery of the transformation plan and delivering the actions arising from the Corporate Peer Challenge. The outcome of the Corporate Peer Challenge was received at full Council in July and action plan published at the end of August. Inner Circle Consulting have been appointed as the Council’s Transformation Delivery Partner, and the transformation plan was approved at CPC at the 21 August meeting. Inner Circle are providing capacity and capability to support the delivery of the plan, organisational change and skills transfer. The council’s senior leadership team is being supported with change management through SOLACE.</p>		
Timescale for managing risk to an acceptable level: TBC		

Risk Name: Recruitment and Retention		Risk Owner: Director of Finance & Customer Services																																		
Risk Ref: SR09	Date updated: 2 nd July 2024	Risk Manager: Head of HR																																		
Risk Description: Recruitment and retention of skilled and motivated staff is required to allow the organisation to deliver its Corporate Plan and its transformation programme. Achievement of the plan and programme requires operational changes which allow the council to adapt and improve. Impact of the risk occurring: High staff turnover and, or skills shortages, insufficient capacity within services. Failure to achieve annual budget and deliver the council's transformation programme and a detrimental impact upon the physical, emotional, and mental wellbeing of staff. Drivers of failure: National and local demographics alongside external factors led to increasing and changing demands on services. Increases to the cost of living also present risks to the resilience and wellbeing of our workforce and therefore the capacity to respond to demand. Outcome of Ofsted inspections as well as current financial challenges. WorkplaCE programme and the DMA review also impact.		<table><tr><td rowspan="4">Likelihood</td><td>4</td><td></td><td></td><td></td><td>Gross</td></tr><tr><td>3</td><td></td><td></td><td>Net Target</td><td></td></tr><tr><td>2</td><td></td><td></td><td></td><td></td></tr><tr><td>1</td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td></tr><tr><td></td><td></td><td colspan="4">Impact</td></tr></table>		Likelihood	4				Gross	3			Net Target		2					1							1	2	3	4			Impact			
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Interdependencies (risks): Business Continuity, Increased demand for Adults Services, Complexity and Demand for Children's Services		Lead Service Committee: Corporate Policy Committee																																		
Key Mitigating Controls: <ul style="list-style-type: none">• Workforce planning is in place via the Council's Workforce Strategy 2021-2025. This is a 4-year strategy with ongoing review. Work is underway on the development of a new Workforce Strategy for 2025-2028. Service Workforce Plans are also undertaken on an annual basis as part of the wider business planning process to review and support workforce planning on a service-by-service level• Benchmarking exercises and workforce metrics are used to identify potential issues and service workforce plans developed as above to mitigate. Work on the refinement of a workforce assessment for the Council has been completed and a monthly workforce dashboard is available to identify potential issues. The workforce assessment is then updated twice a year, to ensure services have regular focused workforce data available.• Focused apprenticeship levy funding, specific succession planning and talent management initiatives are used to support high priority areas. This is supported by the introduction of a manager and director dashboard on Learning Lounge that will help the identification of training and skills gaps.• Recruitment and retention programme has delivered attendance at a programme of local and regional recruitment fairs, an end-to-end review of the recruitment process, improved recruitment advertising, an employee offer brochure, a review, and the planned implementation of additional employee benefits, a social work academy in Children's Services and the development of additional career pathways. The introduction of employee profile videos on social media and on Cheshire East Council's website to enhance the Council's profile have also been introduced. Further work will be undertaken to streamline the recruitment process to ensure improved efficiency and a better user experience.• Review of the provision of agency staff, including an audit of spending, to reduce reliance and transition to a more stable permanent workforce base with reduced costs has also been undertaken. The Council have implemented the provisions of the Government proposal on capping the pay rates for agency social workers and have also engaged with the proposals for capping agency pay rates for Children's Social Workers as part of the Greater Manchester Pledge.• Analysis of exit interview and questionnaire data with the relevant Executive Director to support the retention of staff.• Wellbeing and engagement support, including delivery of EAP services, the introduction of 'In the Know' sessions for all staff, a revitalised recognition scheme, monthly organisation wide wellbeing updates for all staff, and the promotion of the government funded initiative Able Futures.• Senior manager support in the redesign and restructure of services to meet MTFS targets, including MARS to minimise the impact on the workforce. A workforce planning toolkit is now in place to support services in identifying skills gaps and identify actions to address any identified gaps.																																				

Actions (Monitoring):	Target Date for Completion:
Introduction of a range of additional employee benefits, enhancing the existing offer (Monthly review by HRMT/Ongoing briefing to CLT on progress and implementation).	September 2024
Use Pulse Survey and Exit Interview data results to gauge employee satisfaction (Reviewed by HRMT and shared with DMTs).	On-going
Completion of a transformation skills audit (Reviewed by HRMT monthly)	July 2024
<p>Comments this quarter: No change to the risk ratings at this time, with the same market pressures in place. The outcome of the recent Ofsted inspection during this quarter has also added pressure to the recruitment and retention of staff within Children's Services. The continuing financial position for the Council increases the pressure across the Council. Further amendments have been made to the recruitment process during this quarter and the need for a verbal reference as well as a written reference has been removed to speed up the process. Workshops on the recruitment process have been held at the Manager Share & Support sessions to ensure hiring managers are able to navigate the system more easily.</p> <p>Workplace charters to support the relocation of staff from Westfields have been developed by all services across the Council and are now in place. A series of workshops on the Pulse staff survey have been held with the Brighter Future Champions, at the Manager Share & Support and the In the Know sessions as well as with the trade unions and a series of actions taken to address the results. These actions have been communicated out to staff through Team Voice.</p> <p>A further review of agency staff is ongoing to ensure a move to a more stable permanent workforce. A number of posts in the senior management structure have been filled with interim staff to ensure capacity and the first part of a transformation skills audit completed to better understand skills gaps, The second and final part of the audit is underway currently. Additional wellbeing support has been delivered for staff in Children's, as a response to the additional stress Ofsted inspections can cause.</p>	
Timescale for managing risk to an acceptable level: N/A	

Risk Name: Failure to manage the Consequences of Policy Uncertainty and National Policy Frameworks		Risk Owner: Director of Governance & Compliance (Monitoring Officer)
Risk Ref: SR10	Date updated: 16th July 2024	Risk Manager: Director of Governance and Compliance (Monitoring Officer)
<p>Risk Description: The risk that the council cannot adequately understand and react to national policy changes or effectively implement them. The scope of the risk covers all central and local government decisions which relate to the operations of local government.</p> <p>The Corporate Plan guides the council's decision-making, it informs what is considered a 'good' policy outcome and areas of priority. Political changes may result in stakeholders no longer being aligned with that current plan. Central government policy decisions can materially impact the council in many ways, while other risks might draw out specific changes and capture their direct impact, this risk brings together the total effect of political uncertainty for consideration.</p>		<p>The risk matrix is a 4x4 grid. The vertical axis is 'Likelihood' (1-4) and the horizontal axis is 'Impact' (1-4). The colors represent risk levels: Green (Low), Yellow (Medium), Orange (High), and Red (Very High). The risk is currently at (4, 4) in the Red zone. The 'Target' zone is Orange at (4, 2). The 'Gross Net' zone is Red at (4, 4).</p>
Interdependencies (risks): Stakeholder Expectations and Communications, Failure to Achieve the MTFS, Failure to Adhere to Agreed Governance Processes		Lead Service Committee: Corporate Policy Committee
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> Engagement with national government, consultations and requests for feedback Application for and funding agreement processes, governance process for ad hoc grants Engagement with political administration of CEBC Engagement with group leaders of CEBC parties Induction, on-going training and committee briefings for CEBC members Service Committee support and briefings for members and senior officers Corporate Plan and MTFS regular and ad hoc (post material changes) review process, including contingency planning Preparation for elections and promoting engagement in democracy. Forward planning for each committee's policy development and areas of political sensitivity The development and delivery of the Corporate Plan New member induction & training programme 		
Actions (Monitoring):		Target Date for Completion
A review of the Committee briefing process to increase flexibility to draw out impact on residents more clearly		2024/2025
Oflog reporting (Oflog)		TBC
<p>Comments this quarter: The announcement of the general election was made on 23 May and held on 4 July. The announcement of the general election and observation of pre-election protocols created a pause to central government activity, and the impact of the change of government upon policy and devolution plans is expected to crystallise throughout the rest of the current year. The timescales for delivery of the transformation plan will be agreed confirmed by full council in July, the council's ability to adapt is critical to ensuring its delivery of its obligations (delivery of the plan being a strategic risk in of itself). Overall, no change to the risk score or description at this time</p>		
<p>Timescale for managing risk to an acceptable level: Controls that mitigate this risk are based on the current landscape and timetable for local and national elections. The ability to manage this risk is not completely within the council's gift.</p>		

Risk Name: Failure to Adhere to Agreed Governance Processes		Risk Owner: Director of Governance and Compliance (Monitoring Officer)
Risk Ref: SR11	Date updated: 16th July 2024	Risk Manager: Director of Governance and Compliance (Monitoring Officer)
<p>Risk Description: The council is a complex public sector organisation with a broad range of objectives, some of which it is legally obligated to deliver, its goals for the borough are identified within its Corporate Plan. Formal reporting and decision-making within the council is, to a degree, prescribed by local authority regulation. The decision-making process at all levels, must comply with regulatory requirements while also delivering those stated goals.</p> <p>Detailed consequences: Robust governance requires clear aims and policy objectives and identified and delivered. Governance processes should facilitate the lawful delivery of those objectives and prevent the misapplication of resources in achieving other goals. Ultimately this can result in a reduction of living standards and physical health and mental wellbeing of residents. Failure to provide a reasonable level of service to residents at an appropriate cost, or to follow legal decision-making protocols, can result in increased regulatory scrutiny and reputational damage. Possible outcomes of which may be, public censure, financial penalties or direct central government intervention.</p> <p>Detailed causes: The volume and complexity of the council's services and objectives, coupled with finite resources and differing stakeholder views, make the application of the Corporate Plan into 'good' decision-making, a challenge. Examples of governance failures are:</p> <ul style="list-style-type: none"> Variations in interpretation and non-compliance with agreed process and internal controls. Deviation from core objectives as result of prioritising presenting issues. Failure to allocate limited resources in line with the requirements of agreed objectives. Inadequate internal controls across the organisation or vertically with a directorate. 		<p>The risk matrix shows a risk level of 'Gross' (Red) based on a Likelihood of 4 and an Impact of 4. The risk is categorized as 'Gross' in the top-right cell of the matrix.</p>
<p>Interdependencies (risks): Failure to Achieve the MTFs, Stakeholder Expectation & Communication, Leadership Capacity, Ability to Achieve Organisation Change, Failure to Manage the Consequences of Policy Uncertainty and National Policy Frameworks</p> <p>Key Mitigating Controls:</p> <p>Council's Constitution covers decision making processes, including finance and contract procedure rules. The Constitution is reviewed and amended on an on-going basis to ensure legal compliance and operational continuity. Following the adoption of the Committee system, mechanisms were put in place to capture Member's feedback and are reported to the (Constitution Working Group). The number, nature and terms of references of the Committees are assessed on an on-going basis, with refinements being implemented via full council decision.</p> <p>Constitution is a publicly available document; guidance on the use of the decision-making processes is provided by enabling services including Legal, Finance, Democratic Services, and Audit and Risk. Constitutional updates are overseen (recommended and administrated) by the Director of Governance and Compliance (also the Monitoring Officer) in response to regulatory changes and Full Council decisions. Administration of local, regional and national elections and monitoring of behaviour in the period of heightened sensitivity beforehand. During which time, appropriate adjustments are made to the publishing or reporting of controversial issues or anything that seeks to influence voters. Reports to Committees are developed and reviewed by senior officers and enabler sign off, briefings are arranged with Committee Members to address any further knowledge requirements ahead of the relevant meeting. All decisions are formally recorded in meeting minutes and administrated in line with delegated authorities as per the constitution.</p>		Lead Service Committee: Corporate Policy Committee

Schemes of delegation; local and financial are in place to provide clarity on responsibilities ensure separation of duties is in place where required and minimise the risk of inappropriate management override.	
Assurance mechanisms on the organisations' compliance with it's decision-making processes are provided through the external audit (Statement of Accounts) and the work of the Internal Audit team. Internal Audit's assurance is achieved through the development and delivery of an annual plan and follow-up monitoring of agreed actions. There are other external inspections, such as Ofsted, which may examine elements of our decision-making processes through their work, although this is not usually the primary focus. The organisation publishes an Annual Governance Statement identifying significant governance issues which have occurred, any known areas which may cause issues if not managed effectively and updates on issues previously identified.	
Actions (Monitoring):	Target Date for Completion
Review of shared service governance arrangements with specific actions to be identified	2024/25
<p>Comments this quarter: The risk has not changed in score or description during Q1. There is a high volume of change and decision making required in the current year, and ensuring our processes enable timely and lawful decision making, and there is compliance with them, will be key to the future successful operations of the council and its ability to avoid a section 114 notice.</p> <p>During Quarter 1, reports to Council and Committee's covered a number of recommended changes to refine governance and decision-making processes, however, there were indications to the Audit and Governance Committee in May of a likely limitation on the annual audit opinion for 23/24, which was subsequently confirmed in the annual opinion report to the committee on 29 July.</p> <p>Council on 15 May received the recommendations of the Corporate Policy Committee in respect of the review of the Committee structure and resolved to retain the Scrutiny Committee, that the General Licensing Sub-Committee and Licensing Act Sub-Committee be amalgamated to form one sub-committee, and that reports for "noting" would not be placed on agendas (apart from specific exemptions), but would be shared through the Councillors Hub and the Open Data and Transparency Webpages.</p> <p>The same meeting of Council also received the recommendations of the Corporate Policy Committee in respect of proposed changes to the Constitution arising from the review of the Committee structure. The proposed changes related to various matters relating to notices of motions, committee terms of reference and delegations to the Executive Director Place.</p> <p>At the Finance Sub Committee in June, the committee received the outcomes of the wholly owned companies' strategic options review and determined that the services provided by Ansa and Orbitas are to be brought back in house and delivered directly by the Council.</p>	
Timescale for managing risk to an acceptable level: TBC	

Risk Name: Stakeholder Expectations and Communication		Risk Owner: Interim Director of Policy and Change
Risk Ref: SR12	Date updated: 14 th August 2024	Risk Manager: Head of Communications, Acting Head of Business Change
<p>Risk Description: The risk that the council does not understand the expectations of its stakeholders and that its communication and engagement with those stakeholders does not result in their understanding of the council's actions, nor appropriate involvement and influence. The council has an obligation to provide as high a level of service to its residents as its funding will allow. This requires not only considering both the short and long-term but also the expectations of all of its stakeholders.</p> <p>Potential impacts: A lack of understanding and poor communication and/or failure to effectively engage with stakeholders will cause damage to the council's reputation, if this is severe enough it may result in poor performance, increased complaints, regulatory inspection, challenge from central government, low morale, increased staff turnover and make the borough a less desirable place to live and work in. Consultation fatigue will result in a poor experience, reduced engagement and a lack of clarity over the changes being proposed.</p> <p>Potential drivers: To a certain degree the council cannot fully control the views that its stakeholders form. At times it will have to make decisions that are unpopular, this can be due to the context of these decisions not being effectively communicated, understood or just being disregarded by stakeholders. Management of this risk should be considered on the basis of the objective regard for and interest in the council its policies and its services (measured via surveys, media coverage, customer relations activity, etc.) and an assessment of the quality of its engagement (both listening and telling).</p>		<p>The Risk Matrix is a 4x4 grid. The Y-axis is labeled 'Likelihood' with values 1, 2, 3, 4. The X-axis is labeled 'Impact' with values 1, 2, 3, 4. The cells are color-coded: Green (1-2 on both axes), Yellow (3 on one axis), Orange (4 on one axis), and Red (4 on both axes). The 'Net' risk is in the top-right cell (4,4) and the 'Gross' risk is in the top-right cell (4,4). The 'Target' risk is in the cell (3,3).</p>
Interdependencies: Increased Demand for Adult's Services, Complexity and Demand for Children's Services, Failure to Achieve the MTFS		Lead Service Committee: Corporate Policy Committee
<p>Key Mitigating Controls:</p> <p>Communication & Media</p> <ul style="list-style-type: none"> Ensure that information about the Council, its services and how to access them is easily available in a range of formats for a wide range of audiences Communications strategies for key projects, issues, decisions and service changes developed agreed and reviewed with senior stakeholders and decision makers (internal and external communication) Positive proactive communication across multiple channels to celebrate the council's successes and achievements. Comms programme is planned and reviewed over the short-term (daily) and the long-term (monthly / annually), including review of committee forward plans, council service plans, consultation and engagement programmes. Communications handling requirement for each service committee/full council meeting agreed with lead officer(s) Continue to develop proactive direct comms to be issued via e-mail / SMS – we currently have 56,426 subscribers for 'push' notifications across a range of topics Regular internal communications to members and officers Monitoring and reporting of organisational reputation and sentiment, (social and traditional media). This includes weekly analysis report for senior managers. Monitor public sector press (e.g. MJ and LGC) and maintain and develop relationships with these media outlets to maximise opportunities for positive coverage. Communications and media function advised at an early stage of all future demand and emerging issues to enable effective planning Media training programme for key spokespersons Use performance management reports for council services and programmes to identify reputational opportunities and risks at an early stage. Providing a 24/7 emergency communications on call function 		

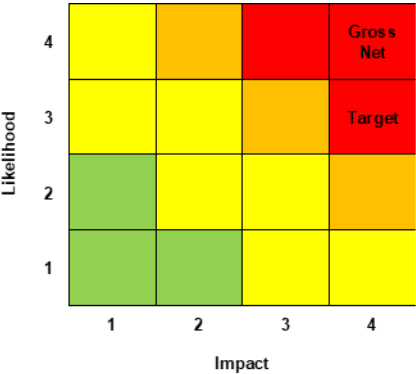
<ul style="list-style-type: none"> Media relations protocol and approvals process – including protocol(s) for partnership communications where required. Review communications business continuity, priorities and emergency / crisis comms protocols and plans Regular meetings with comms leads from public sector partner organisations to collaborate, share plans and intelligence Flexible use of social media and digital communication platforms 	
Consultation <ul style="list-style-type: none"> Endeavor to ensure that consultation is undertaken when proposals are still at a formative stage. Design consultation which gives sufficient reasons for any proposal or change to permit stakeholders to undertake intelligent consideration and response to the options. Consultation and engagement activity will be used as evidence when making decisions and adequate time will be given between the end of a consultation and a decision is made, to allow for consideration of and where required, a response to, the output of a consultation or engagement. Equality Impact Assessments (EIA) are completed, appropriate for the purpose of use and that they are signed off before any consultation can begin. Make it clear HOW consultation and engagement activity, EIA and other intelligence has been conscientiously taken into account when finalising the decision. Use the equality impact assessment toolkit, guidance, and template to provide clarity around what the equality impact assessment is and how it should be used. Equality champions supported by annual impact assessment training Resident surveys 	
Actions (Monitoring):	Target Date for Completion
Communication & Media	
Review communications and engagement strategy in the context of Corporate Peer Challenge Action plan, new Cheshire East plan, and wider transformation and improvement work (Provide progress reports to CPC every six months – once a revised communications and engagement strategy has been approved and adopted)	Q3/Q4 2024/25 (aligned to new Cheshire East plan development)
Provide communications support for transformation and improvement, financial management and implementation of MTFS proposals to ensure all stakeholders are well-informed about any changes to service and policy (Review annually)	March 2025
Review use of social platforms and other digital communications and engagement channels, including email (as Peer Challenge Action Plan) in the context of changing technologies and cultures on those platforms (Review quarterly)	Q2 2024/25
Consultation:	
Complete the service restructure to enable recruitment to vacant posts in the research and consultation team	Q2 2024/25
Better align the relationship between communication, engagement and consultation functions (Review annually)	September 2024
Explore options to strengthen resident engagement to inform decision making e.g. citizen/resident panel (Review annually)	October 2024
Develop a consultation and engagement programme (Review annually)	October 2024
Comments this quarter:	
Communication & Media: There have been a number of significant developments that have impacted on stakeholder perception of the organisation in Q1. These have included: <ul style="list-style-type: none"> Ofsted Inspection of Children's Services Corporate Peer Challenge General Election Household waste recycling centres review Libraries strategy 	

<ul style="list-style-type: none">• Parking review• Poynton Pool flood management works• Middlewich Eastern Bypass funding• HSE prosecution <p>The pre-election period for the general election meant that a number of decisions and consultations, and the publication of the corporate peer challenge report, were delayed until after the general election on 4 July. We will, therefore, see reputational impacts of some of these items carried over into Q2.</p> <p>During Q1 we trialled a number of changes to the way we use X (formerly Twitter and Facebook, recognising the changing environments each platform offers. We will continue to develop and adapt our approach as the platforms and communities using them change.</p> <p>Consultation: Consultation during the period has focussed on some high-profile activities, including Household Waste recycling centres, bus routes and libraries strategy. The outcome of these activities will be used to inform the council decision making activities.</p> <p>Ensuring that the capacity, development and planning within the consultation team is appropriate for the transformation activities will be important to ensure that capacity and delivery of engagement activity remains achievable. Limited resources and resilience are a concern and supporting the transformation work alongside MTFS and other BAU will require careful planning at a strategic level.</p> <p>Efforts continue to be made to provide support to the team and it is envisaged that a clear prioritisation of work can further support the focus of the team over the next period.</p> <p>Timescale for managing risk to an acceptable level: Q4 2024/25</p>

Risk Name: Information Security and Cyber Threat		Risk Owner: Head of Information Communication Technology and CIO
Risk Ref: SR13	Date Updated: 3 rd July 2024	Risk Manager: ICT Programme Manager
Risk Description: (Cause) There is a risk that as the Council continues to move towards using new technology systems to reduce costs and fulfil communication, accessibility, and transaction requirements, (threat) it becomes increasingly vulnerable to a security breach, and, or loss of information, either maliciously or inadvertently from within the Council or from external attacks by cyber-criminals. (Impact) This could result in many negative impacts, such as loss of information, distress to individuals, legal, financial, and reputational damage to the Council, in addition to the possible penetration and crippling of the Council's IT systems preventing it from delivering its Corporate Outcomes.		<p>Likelihood</p> <p>Impact</p>
Interdependencies: This risk has interdependencies with corporate risk Business Continuity and Stakeholder Expectations and Communication. It also has links to the Financial Resilience risk, as funds for maintenance and replacement will be stretched, placing additional strain on assets and resilience of information security controls.		Lead Service Committee: Corporate Policy Committee
Key Mitigating Controls: <ul style="list-style-type: none"> The CIO is an advocate of and reports on Information Risk to the Corporate Leadership Team and the Audit and Governance Committee and makes the Annual Statement of Internal Control of Information Risk. The Council has a number of Information and Data Security policies which are published on the Centranet and help to protect from the Council from inappropriate and unauthorised access and communicates what to do in the case of an incident. Policies; Information Security Policy Overview, ICT Access Policy, ICT Communications and Operations Policy, ICT Computer, Telephone and Desk Use Policy, ICT Email and Messaging Policy, ICT Flexible and Mobile Device Policy, ICT Incident management Policy, ICT Infrastructure Policy, ICT Internet Policy, ICT Legal Responsibilities for Data Policy, ICT Personnel Standards for Information Security, ICT Protection Policy, ICT Removable Media Policy and ICT Software Policy. Policies review and guidance materials updated to strengthen advice to staff on how to manage various information types Progress on Information Risk and Information Security is monitored through the Information Security Steering Committee (ISSC), Strategic Information Governance Group (SIGG) and the IG Collaboration Group. The Council has an Incident Reporting process which has been communicated to staff, all incidents are scored and assessed by SIGG to ensure that the breaches are minimised, and future breaches are reduced. The Council complies with the Public Services Network PSN Code of Connection, NHS Data Security and Protection Toolkit, DWP's MOU and NHS Digital controls, work continues with the consolidation and enhancement of elements of the security estate to meet the ever-developing threat profiles. This includes third party IT hardware and software tests undertaken by accredited security vendors, these validate that the network and hardware are secure and robust, if any vulnerabilities are found then a mitigation plan is drawn up and actioned. The Council has an Information Asset Register which is reviewed on an annual basis and has been published on the open data portal. There is also an Information Assurance Data Management (IADM) programme of activity to increase awareness and maturity of information assurance and governance across the Council. The programme is tasked with guiding the organisation to manage its information in a compliant and efficient way. Data Classification has been rolled out to the organisation; this allows the categorisation of information so that appropriate controls can be employed to protect the information. 		

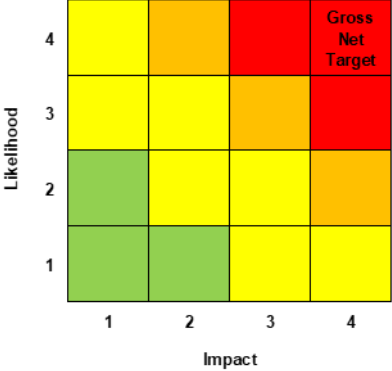
<ul style="list-style-type: none"> The Council provides security and compliance e-learning modules (which are mandatory for all employees) on the Learning Lounge. This includes several modules of Data handling, Cyber Security, and Information Assurance. Work has begun on a new cyber e-learning package developed by NCSC, and this is in a test phase. There are also several best practice guides on the Council's Lighthouse on the best ways to use technology and to protect information. These modules and best practice guides are updated regularly to reflect changes in working practices and as a response to additional threats. Controls are in place to restrict access to the data centres and network equipment and risk assessments of existing systems and networks are on-going. The Council's ICT Services have a strategic direction to move to a "Cloud First" principle, whilst this enables an evergreen environment which is always up to date, additional controls are needed to prevent compromise or inappropriate use and access. This includes contract compliance and monitoring to ensure ongoing protection of information. To support the strategic direction and architecture principles all technical solutions are reviewed at the Technical Design Authority to ensure correct alignment. In addition, the Council is moving to Zero Trust architecture, this is a direct result of increased threats posed to the working infrastructure. This shift is in line with the latest thinking and guidelines issued by the NCSC. In support of this a high-level business case for Infrastructure Investment of which Security & Compliance is an element was submitted and subsequently approved. This additional funding will be used to develop the necessary tools to start the implementation. 	
Actions (Monitoring):	Target Date for Completion:
Identity Management (Information Security Steering Committee (ISSC), Information Assurance and Data Management (IADM))	March 2025 (Multiyear project)
Application Management (Information Security Steering Committee (ISSC))	March 2025 (Multiyear project)
Data Security (Information Security Steering Committee (ISSC))	March 2025 (Multiyear project)
Data Quality (Information Assurance and Data Management (IADM))	March 2025 (Multiyear project)
Information Management (Information Assurance and Data Management (IADM))	March 2025 (Multiyear project)
<p>Comments this quarter: No change to the risk rating at this time but there is a continued heightened alerts across the public sector, disruption could be expected particularly to coincide with high profile national events such as the Election period.</p> <p>Identity Management – projects are continuing to ensure that identities are protected through increased monitoring and controls. Access from locations outside of the UK are automatically blocked reducing the attack surface. There are regular phishing tests to understand the behaviours of staff and their understanding of cyber risks.</p> <p>Application Management – work is ongoing to ensure that MFA and SSO is applied to applications that are cloud hosted.</p> <p>Data Security – continued enhancement of the existing security controls to ensure that the latest threats are mitigated and protected. Work is continuing to strengthen the resilience capabilities of data storage and protection. Work has progressed to refresh the Cyber Incident Response Plan and associated workbooks to ensure that the Council is best equipped should an incident occur. There has been changes to cloud backups to ensure that there is coverage in the event of a cyber incident.</p> <p>Data Quality – Continuation of the MDM projects across several data fields to ensure that the councils' solutions have the correct data embedded with them, updated seamlessly across multiple systems. This is a key area to support any future drive to AI and Digital.</p> <p>Information Management – continuation of projects to deliver and improve the maturity of information both through its storage and use of information. This will enable both greater protection for that information but also enable efficiencies through accurate management information and improved compliance through controlled retention and ease and speed of access to critical information. Analysis of file storage within the organisation has begun at a service level, the process to apply retention and classification has been agreed and the first area has had this applied. This is a key area to support any future drive to AI and Digital.</p>	
Timescale for managing risk to an acceptable level: N/A	

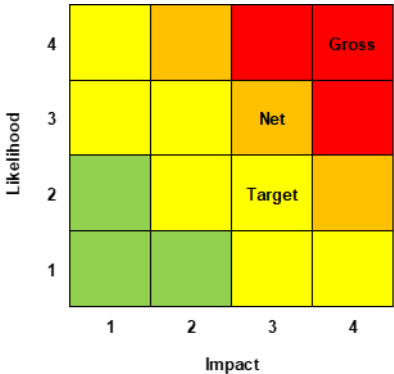
Risk Name: Business Continuity		Risk Owner: Director of Governance and Compliance (Monitoring Officer)
Risk Ref: SR14	Date updated: 19 th September 2024	Risk Manager: Head of Audit & Risk
<p>Risk Description: Failure to maintain business continuity after an unusual or unexpected, disruptive event or events. The risk that, some or all, of the council's services, projects or initiatives are unable to resume operations within the expected timeframes after a disruption. A disruptive event, or multiple events, may occur either in isolation, or across the whole organisation.</p> <p>Detailed consequences: The council has a number of safeguarding obligations to its residents, a failure could result in it being unable to fulfil those obligations, and as such not protect them from mental or physical harm. Failures may also cause an unacceptable loss of local services.</p> <p>Detailed causes: The unavailability of staff, ICT systems, equipment or a suitable working environment are the most common causes of a material failure. Many different social, economic, environmental or public health factors can drive these causes to manifest themselves. Underlying this may also be a failure to reasonably allocate resources to eliminate single points of failure in these areas.</p>		
Interdependencies (risks): Information Security and Cyber Threat, Pandemic Virus, Fragility in the Social Care Market, Council Funding, Organisational Capacity & Demand		Lead Service Committee: Corporate Policy Committee
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> BC Plans held for each service area – clear format, identifying critical and serious priority activities with recovery time objectives. BC impact assessments undertaken across the organisation to understand challenges to service delivery ahead of known events, informing decision making and mitigation plans. High level course on Business Continuity Management has been added to the Council's Learning Lounge ICT Shared Service also have a Crisis Recovery Plan that has been updated to take account of lessons learned as a result of ICT outage incidents. This Crisis recovery plan overview contains key information for the ICT Shared Service disaster recovery Ongoing liaison with Emergency Planning Shared Service 		
Actions (Monitoring):		Target Date for Completion:
Review and refresh of the Business Continuity Framework (2-year review cycle, delayed start due to other work pressures, involvement of BC workshops, policy framework changes more broadly)		November 2024
Development of SharePoint BC system (Work to begin January 2024 - began, but paused for scoping/testing of ideas through BC workshops)		TBC
Rollout and training for the SharePoint BC system (2-year review cycle)		Post SharePoint system development
Work with Emergency Planning on scenario exercises (ad hoc pieces of work since March 2023 – and ongoing)		Began March 2023 – on-going
<p>Comments this quarter: Planning for business continuity workshops to be held in Quarter 2 has been undertaken with the support of colleagues from the Emergency Planning team, ICT Services and Communications. There are several desired outcomes from the sessions, which will inform individual plan content, as well as the wider organisational approach to responses. No change to risk scores.</p>		
Timescale for managing risk to an acceptable level: Q4 2023/24		

Risk Name: Capital Projects - Place		Risk Owner: Executive Director of Place
Risk Ref: SR15	Date updated: 31 st July 2024	Risk Manager: Place Directors and Business Managers
<p>Risk Description: Failure to deliver major capital projects.</p> <p>Impact: The council delivers a broad range of capital projects in support of the aims and objectives of its Corporate Plan. Current delays to some projects and to the Capital Programme Review has brought uncertainty to overall programme delivery. It has impacted the ability to build some of the councils priority projects to deliver economic growth as published in the Local Plan Strategy.</p> <p>This could have significant financial and reputational implications for the Council. Due to the nature of the projects and their large cost, delays can materially impact the ability to deliver future projects, thus negatively impacting the borough. The uncertainty could lead to cancellation of major economic regeneration projects. This in turn would mean that very significant costs expended to date would need to be charged to revenue budgets in the year that the projects were cancelled. These costs would be significant and would exacerbate the councils revenue budget challenges.</p> <p>Likelihood: The uncertainties have already caused delays on some projects and continue to do so. Delays in times of high inflation mean significant cost increases for the projects in question, which have already added to the council's financial challenges.</p>		
Interdependencies (risks): Failure to Achieve the MTFS, CEC Carbon Neutral Status, Failure of the Local Economy		Lead Service Committee: Economy and Growth, Environment and Communities, Highways and Transport
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> The Capital Strategy and overall Capital Programme is presented annually as part of the Medium-Term Financial Strategy at full Council Some new projects and schemes are subject to the approval of detailed business cases in accordance with the Finance Procedure Rules, although the quality of some schemes Appropriate and proportionate governance has been established to oversee many capital projects. including risk registers. This includes project boards to manage individual projects The Place Board provides strategic oversight of all the major Crewe-centric and Macclesfield-centric projects to ensure individual projects are fully aligned to the overarching vision and delivery plan for each town Financial monitoring undertaken quarterly, with summary data reported to Finance Sub-Committee and appropriate service committee High level progress updates are reported to the appropriate service committee twice a year. More detailed progress reports on individual projects or programmes are provided on a periodic basis Regular 121s between Executive Director and Directors which includes updates on key capital projects Capital review of all Scheme included in the MTFS underway to consider affordability. Some schemes delivery may be impacted depending on the outcome Some good work with central government after the cancellation of HS2 has had a significantly positive impact on the Council's future capital funding profile 		
Actions (Monitoring):		Target Date for Completion:
The Transformation Plan for the Council is intended to bring about far more effective prioritisation and management of capital investment (Regular performance updates to CLT)		September 2024
Comments this quarter: Narrative and scores updated to reflect the current situation in respect of the financial challenges Capital Programme Review and on some major capital projects.		

Timescale for managing risk to an acceptable level: Major capital projects by their nature are high risk. The controls are designed to proactively manage risks and mitigate their impact if a risk is realised. It is not realistic to expect the risk to be managed any lower.

Risk Name: Failure of the Local Economy		Risk Owner: Executive Director of Place																																	
Risk Ref: SR16	Date updated: 31 st July 2024	Risk Manager: Director of Growth and Enterprise																																	
Risk Description: Failure of the local economy The risk that the local economy does not realise the expected level of growth due to an inability to attract, grow and retain commercial enterprises, residents and visitors. The borough has a strong local economy, an above average Gross Value Added (GVA), some areas of deprivation and is reliant on a number of different industries. Consequences: The failure of enterprises reduces the local money supply, reducing the standard of living for residents and council income. Secondary effects can include a reduction in public health and the loss of highly trained or skilled individuals. Consequences and causes, over the medium to long-term can have a symbiotic relationship, creating either an upward or downwards spiral. An example of this is shops closing in a town centre, then reduced footfall resulting in further closures. Causes: The local economy is significantly driven by changes in the national economy, taxation and other government policies. However the failure to maintain parity, or offer benefits above other boroughs, can lead to a relatively larger economic downturn. As noted above poverty and deprivation, like other issues, can be both a consequence and cause causing a snowball effect.		<table><tr><td rowspan="4">Likelihood</td><td>4</td><td></td><td></td><td></td><td></td></tr><tr><td>3</td><td></td><td></td><td></td><td></td></tr><tr><td>2</td><td>Net Target</td><td>Gross</td><td></td><td></td></tr><tr><td>1</td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td></tr><tr><td></td><td></td><td colspan="4">Impact</td></tr></table>	Likelihood	4					3					2	Net Target	Gross			1							1	2	3	4			Impact			
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Interdependencies (risks): Capital Projects, HS2 Infrastructure Investment, Pandemic Virus, Climate Change		Lead Service Committee: Economy and Growth																																	
Key Mitigating Controls: <ul style="list-style-type: none">Cheshire East Business support hub has been launched.Business forum to engage and plan future support.Investment plans to support regeneration and development.Place marketing and inward investment.																																			
Actions (Monitoring): Launch of business support grants: (Quarterly returns to government) <ul style="list-style-type: none">Repurposing our high street grants from Crewe town centreDecarbonisation grants for businessNew employment space grant		Target Date for Completion: March 2025																																	
Comments this quarter: The Office for National Statistics estimate that real gross domestic product (GDP) is estimated to have shown no growth in April 2024, following growth of 0.4% in March 2024. Further to the positive outlook and having had local economies respond to the pandemic, inflation, and cost of living crisis it is determined that the local economies have constrained but survived, and therefore a robust resilience demonstrated. Therefore, the robustness against the risk of failure has seen improvement.																																			
Timescale for managing risk to an acceptable level: N/A																																			

Risk Name: CEC Carbon Neutral Status		Risk Owner: Executive Director of Place
Risk Ref: SR17	Date updated: 31 st July 2024	Risk Manager: Head of Environmental Services
<p>Risk Description: Failure to achieve Carbon Neutral status for the Council by the 2027 milestone target due to requirement to secure statutory consents, seek viable and affordable solutions and other external market forces outside the Councils control.</p> <p>Likelihood is based on a number of external factors, partnerships and key outcomes being delivered in a timely manner.</p> <p>Impact will result in non-delivery of a key priority in the Council's Corporate Plan. It will also contribute to climate change temperature rise and severe weather events which could have an impact on public health and safety. It could also have financial implications with increased need for adaptation of key infrastructure for severe weather events across the borough.</p>		
Interdependencies (risks): Economy and World Events, Recruitment and Retention, Council funding, Capital Projects		Lead Service Committee: Environment and Communities
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> • Risk is reviewed as part of the Brighter Futures Transformation Projects Board, operational board and member steering group • Carbon Neutral Program established with Program Board reviewing progress and risks monthly • Member Advisory group overseeing its delivery • Annual update on progress reported to relevant committee • Climate change is a key consideration as part of our statutory planning duties as an authority and within the development of local planning policy • Planned natural offset set at 10% more than required to reduce risk of non-delivery in any one project area 		
Actions (Monitoring):		Target Date for Completion:
Cheshire East Capital Spend Review (Awaiting outcome of the corporate capital review, progress paused on 2nd Solar farm, next phase of EV and next tree planting program until the review is complete)		TBC
<p>Comments this quarter: The Council's capital review remains paused throughout this quarter and now presents a significant risk to the project preventing the ordering of the next phase of EV vehicles and progression of the Council's second solar farm. Without early approval the 2027 target of the program remains at risk. Net and target scores are therefore left at the highest possible rating.</p>		
Timescale for managing risk to an acceptable level: TBC		

Risk Name: Local Planning Authority Modernisation Plan		Risk Owner: Executive Director of Place
Risk Ref: SR18	Date updated: 31 st July 2024	Risk Manager: Interim Director of Planning, Head of Planning
<p>Risk Description: Following the completion of the 'Local Planning Authority Review and Service Transformation' report and presentation to Environment & Communities Committee on 31 October 2022 a Modernisation Plan has been developed to achieve the transformation of the service. This Plan will carry forward the recommendations made, document actions and monitor progress. The recommendations are many and varied but failure to complete the actions of the Modernisation Plan will undermine the planned transformation of the service, perpetuating and potentially extending the issues identified and undermining the reputation of the organisation.</p> <p>Detailed consequences: Failure to achieve completion of the Modernisation Plan will undermine the performance of the Council in its Local Planning Authority role, result in non-compliance with statutory processes, and reputational damage to the Council. By not achieving the Modernisation Plan within agreed timescales, the potential for additional budget pressure increases.</p> <p>Detailed causes: Insufficient resource to ensure completion of priority actions in the required timescales (staff and skills) while also 'doing the day job', Interim Service Review Lead/Planning Director limited contract duration, supplier resource to deliver new ICT system, failure to engage with internal and external stakeholders to affect necessary changes, lack of oversight from the Planning Transformation Board/Steering Group.</p>		
Interdependencies (risks): Organisational Capacity and Demand, Reputation, Council Funding,		Lead Service Committee: Environment and Communities
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> Environment and Communities Report 31/10/2022; Local Planning Authority Review and Service Transformation Report and Modernisation Plan. Monitoring of progress against Modernisation Plan by Transformation Board and Environment and Communities Committee. Regular meetings of Interim Director of Planning and Head of Planning and team managers to review action logs and progress on key priorities. Steering Group established to review workstream and focus priorities feeding into Transformation Board. Internal Audit reports on Community Infrastructure Levy and Section 106 will inform the scope of a member/officer working group. IT System Project has its own Project Board attended by supplier. Weekly monitoring of resources / recruitment during manager's meetings. 		
Actions (Monitoring):		Target Date for Completion
IT System Project escalation due to breach of contract (Weekly team and fortnightly Project Board meetings or as needed)		Q2 2024/25
External support from Capita retained to assist with backlog. Backlog funding secured from DLUHC, intervention from senior officers on older applications (Continued monthly reporting on application backlog)		Q2 2024/25
Continued monitoring of resources – recruitment to critical posts ahead of restructure (Weekly manager meetings)		Q2 2024/25
Modernisation Plan recast as Service Improvement Plan (Service Improvement Board reporting against workstreams)		Q2 2024/25
<p>Comments this quarter: Overall risk score remains, mainly due to the implementation of the new IT system and the wider impacts on the whole Service as a result.</p> <p>Further progress has been made on the data migration and functionality of the new system but CEC have been forced into a number of compromises with the new system in order to seek a revised go-live date of September 2024. Executive escalation calls remain ongoing to ensure the suppliers commitment to meet revised Project Plan, both for Planning and Land Charges. Significant staff input from Service will be required for testing and training over Q1, as well as during the transition phase between systems.</p>		

<p>The consultation on the restructure has been completed and the final structure will be completed with vacancies to be populated early in Q2. Application 'backlog' is now close to a normal level of live applications albeit the drop in application number more widely have assisted in this. S106 audit recommendations are now largely completed, with multiple cross-service discussions to ensure new processes are adopted going forward and members updated.</p> <p>The Modernisation Plan has seen a number of significant changes and improvements brought forward since its inception. During Q1 the Plan has now been recast as a Service Improvement Plan with a new Service Improvement Board to push forward on identified key workstreams across the Service.</p> <p>Timescale for managing risk to an acceptable level: 3-12 months (depending on priority)</p>
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Risk Name: Delivery of the ILACS Improvement Plan		Risk Owner: Executive Director of Children's Services
Risk Ref: SR19	Date updated: 16 th July 2024	Risk Manager: Improvement and Impact Board
<p>Risk Description: That children's services do not achieve the improvements needed at the necessary pace to address the findings from the Ofsted inspection in February and March 2024, where children's services received an overall judgement of inadequate. This would mean that vulnerable children and young people in need of a children's social care service would not receive consistently good quality support.</p> <p>There is a significant reputational and financial risk to not delivering improvements. If services remain inadequate at the next inspection, further intervention measures may need to be put in place, for example escalation to a Statutory Direction notice, or Direction that another person or organisation performs the functions on the local authority's behalf. These measures will have a significant cost to the council.</p>		
<p>Interdependencies (risks): Increased Demand for Adult's Services, Complexity and Demand for Children's Services, Failure to Achieve the MTFS</p> <p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> A comprehensive improvement plan is in place to address the inspection findings. The plan has been scrutinised by the Safeguarding Children's Partnership, the council's leadership team, members of the two children's committees, and full Council. Advice from the LGA and Ofsted, along with good practice from other authorities, has been sought and incorporated into the plan Progress and impact against the improvement plan is monitored monthly through an independently chaired Improvement and Impact Board. This includes scrutiny of quality assurance and performance in relation to the plan. Independent improvement specialists from the DfE and LGA are members of the board Progress and impact will be externally evaluated through Ofsted monitoring visits and DfE reviews 		Lead Service Committee: Children and Families Committee
Actions (Monitoring):		Target Date for Completion:
Monitor delivery and impact of the improvement plan monthly (Monthly through the Improvement and Impact Board)		Monthly until April 2025
Report to the Children and Families Committee on progress against the improvement plan (At each Children and Families Committee Meeting)		Every committee meeting from September
Adapt the improvement plan to respond to areas for improvement from Ofsted and DfE monitoring (Through the Improvement and Impact Board and Children and Families Committee following monitoring activity)		January 2025
<p>Comments this quarter: This is a new risk following the Ofsted children's services inspection in February and March 2024, and the publication of the inspection findings on 16 May 2024.</p> <p>A comprehensive improvement plan is in place which addresses all the inspection findings detailed in the inspection report. The plan has been scrutinised by the Safeguarding Children's Partnership, the council's leadership team, members of the two children's committees, and full Council. Advice from the LGA and Ofsted, along with good practice from other authorities, has been sought and incorporated into the plan.</p>		

<p>An independently chaired Improvement and Impact Board was established in July 2024. Progress and impact against the improvement plan is being monitored monthly through this board to ensure changes are achieved at pace. This includes scrutiny of quality assurance and performance in relation to the plan. Independent improvement specialists from the DfE and LGA, along with key partners, are members of the board. The Children and Families Committee will receive progress updates against the plan at each Committee meeting.</p>
<p>Timescale for managing risk to an acceptable level: April 2026</p>

Risk Name: SEND Inspection		Risk Owner: Executive Director of Children's Services
Risk Ref: SR20	Date updated: 22 nd July 2024	Risk Manager: 0-25 SEND Partnership Board and 0-25 SEND Executive Oversight Panel
Risk Description: That as a partnership, Cheshire East's children's and adults services do not receive a positive outcome from an <u>Ofsted and CQC area SEND inspection</u> . This would mean that vulnerable children and young people with SEND would not have been receiving consistently good quality support. There is also a significant reputational and financial risk to a poor inspection outcome.		
Interdependencies (risks): Increased Demand for Adult's Services, Complexity and Demand for Children's Services, Failure to Achieve the MTFS		Lead Service Committee:
Key Mitigating Controls: <ul style="list-style-type: none"> A partnership SEND inspection planning group is in place to drive and monitor activity to support inspection readiness A self-evaluation of the quality of our SEND services has been completed ensuring we understand ourselves well against the Ofsted framework. This will continue to be refreshed on at least a six monthly basis A SEND improvement team is being stepped up to drive service transformation A project plan is being developed for the transformation activity, based on the Safety Valve submission and the SEND Strategy priorities 		
Actions (Monitoring):		Target Date for Completion:
Establish the SEND transformation plan, with delivery firmly underway (Bi-monthly (every 2 months) through the SEND Partnership Board)		April 2025
Refresh the self evaluation of SEND support (Six monthly through the SEND inspection planning group)		Refreshed every six months as a minimum
Comments this quarter: This is a new risk following the Ofsted children's services inspection in February and March 2024, and the publication of the inspection findings on 16 May 2024 where the council's children's services were found to be inadequate overall. As a 0-25 partnership, Cheshire East is also expecting to receive an Ofsted and CQC area SEND inspection. A partnership SEND inspection planning group is in place to drive and monitor activity to support inspection readiness. A SEND improvement team is being stepped up to drive service transformation. A project plan is being developed for the transformation activity, based on the Safety Valve submission and the SEND Strategy priorities. A self-evaluation of the quality of our SEND services has been completed ensuring we understand ourselves well against the Ofsted framework. This will continue to be refreshed on at least a six monthly basis.		
Timescale for managing risk to an acceptable level: December 2024		

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