



Council Summons

Wednesday 10th December 2025

11.00 am

**The Tenants' Hall, Tatton Park,
Knutsford WA16 6QN
(postcode for Sat Nav WA16 6SG)**

To all Members of the Council

You are hereby invited to attend a meeting of the Cheshire East Council for the transaction of the business specified in the agenda below.

Yours faithfully

Helen Charlesworth-May
Executive Director Adults, Health and Integration

Agenda

The agenda is divided into two 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 top of each report.

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

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

1. Apologies for Absence

2. Declarations of Interest

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

3. Minutes of Previous Meeting (Pages 7 - 18)

To approve as a correct record the minutes of the meeting of Council held on 15 October 2025.

4. Mayor's Announcements

To receive such announcements as may be made by the Mayor.

5. Public Speaking Time/Open Session

In accordance the Council Procedural Rules, a total period of 30 minutes is allocated for members of the public to speak at Council meetings. Individual members of the public may speak for up to 2 minutes, but the Chair will have discretion to vary this requirement 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 and should include the question with that notice. Requests to speak and questions should be submitted via the [Register to Speak form](#).

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.

6. Notices of Motion (Pages 19 - 26)

To consider any Notices of Motion that have been received in accordance with the Council Procedure Rules.

7. **Leader's and Deputy Leader's Announcements**

To receive such announcements as may be made by the Leader and Deputy Leader.

8. **Recommendation from Corporate Policy Committee: Changes to the Finance and Contract Procedure Rules** (Pages 27 - 44)

To consider the recommendation from the Corporate Policy Committee.

9. **Recommendations from the Corporate Policy Committee: The Council's Decision-Making Arrangements** (Pages 45 - 100)

To consider the recommendations from the Corporate Policy Committee.

10. **Recommendation from Corporate Policy Committee: Council Tax Base 2026/27** (Pages 101 - 116)

To consider the recommendations from the Corporate Policy Committee.

11. **Recommendation from Finance Sub Committee : Approval of Supplementary Revenue Estimate** (Pages 117 - 122)

To consider the recommendation from the Finance Sub Committee.

12. **Recommendation from Environment and Communities Committee: Statement of Gambling Principles** (Pages 123 - 180)

To consider the recommendations from the Environment and Communities Committee.

13. **Recommendation from Children and Families Committee: Youth Justice Plan (2025-26 update)** (Pages 181 - 262)

To consider the recommendation from the Children and Families Committee.

14. **Warm Homes Local Grant** (Pages 263 - 270)

To approve a supplementary capital estimate of £600,000 in relation to the Warm Homes Local Grant uplift.

15. **Recommendations from Corporate Policy Committee: Budget Approval and acceptance of DfT Grant for the Middlewich Eastern Bypass** (Pages 271 - 294)

To consider the recommendations from the Corporate Policy Committee.

16. **Questions**

In accordance the Council Procedure Rules, opportunity is provided for Members of the Council to ask the Mayor or the Chair of a Committee any question about a matter which the Council, or the Committee has powers, duties or responsibilities.

At Council meeting, there will be a maximum question time period of 30 minutes. A period of two minutes will be allowed for each Councillor wishing to ask a question. The Mayor will have the discretion to vary this requirement where they consider it appropriate.

17. **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 Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

18. **PART 2 - MATTERS TO BE CONSIDERED WITHOUT THE PUBLIC AND PRESS PRESENT**

19. **Recommendations from Corporate Policy Committee: Budget Approval and acceptance of DfT Grant for the Middlewich Eastern Bypass (Pages 295 - 300)**

To consider the confidential appendices.

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Council**
held on Wednesday, 15th October, 2025 in the Council Chamber, SKA
Observatory, Jodrell Bank, Lower Withington, SK11 9FT

PRESENT

Councillor D Edwardes (Mayor/Chair)
Councillor J Snowball (Deputy Mayor/Vice-Chair)

Councillors S Adams, R Bailey, M Beanland, S Bennett-Wake, L Braithwaite, J Bratherton, M Brooks, D Brown, C Browne, L Buchanan, C Bulman, R Chadwick, C Chapman, D Clark, J Clowes, A Coiley, N Cook, S Corcoran, L Crane, B Drake, S Edgar, K Edwards, M Edwards, H Faddes, A Gage, S Gardiner, E Gilman, M Goldsmith, M Gorman, E Hall, A Harrison, A Heler, S Holland, M Houston, T Jackson, D Jefferay, N Mannion, A Moran, R Moreton, R Morris, H Moss, M Muldoon, J Pearson, J Place, J Pratt, P Redstone, J Rhodes, H Seddon, M Sewart, M Simon, L Smetham, G Smith, J Smith, J Smith, L Smith, R Vernon, M Warren and J Wray

41 APOLOGIES FOR ABSENCE

Apologies were received from Councillors L Anderson, P Coan, T Dean, R Fletcher, K Hauge, G Hayes, R Kain, A Kolker, C O'Leary, B Posnett, B Puddicombe, J Saunders, L Wardlaw, H Whitaker and F Wilson.

42 DECLARATIONS OF INTEREST

The Interim Director of Law and Governance (Monitoring Officer) declared that he would leave the meeting during consideration of Item 12 – Urgent Decisions, as this decision related to his appointment.

43 MINUTES OF PREVIOUS MEETINGS

When proposing the Minutes for the 17 September 2025 meeting, the Leader referred to minute 39 resolution 8 and confirmed the new Cheshire East membership for the Cheshire and Warrington Joint Committee as follows:

Councillor Dawn Clark to be the voting member in respect of the business to be carried out in Part One of Appendix A (Subscriber Members), and Councillor Garnet Marshall to be the further voting member in respect of the business to be carried out in Part Two of Appendix A (Joint Committee Members).

The substitute members to be Councillor Marilyn Houston in respect of the business to be carried out in Part One of Appendix A (Subscriber

Members), and Councillor Mick Warren in respect of the business to be carried out in Part Two of Appendix A (Joint Committee Members).

RESOLVED: That

- 1 the minutes of the Council meeting held on 16 July 2025, and the Extraordinary meeting of Council held on 17 September 2025 be approved as a correct record.
- 2 the Cheshire East membership of the Cheshire and Warrington Joint Committee to be Councillors Dawn Clark and Garnet Marshall with substitutes Councillors Marilyn Houston and Mick Warren.

44 MAYOR'S ANNOUNCEMENTS

The Mayor reported that the details of the mayoral events that he and the Deputy Mayor had undertaken since the last meeting were available on the Council's website.

45 PUBLIC SPEAKING TIME/OPEN SESSION

Ms Lillian Burns spoke on behalf of the Campaign to Protect Rural England (CPRE) about the Adlington New Town proposal. She stated that the New Towns Taskforce report described it as a standalone settlement, but it would not be as it would close the green belt gap between Poynton, Bollington, and Macclesfield. Ms Burns stated that there were already another 1,000 homes planned for the former Woodford Airfield site, in addition to numerous applications for proposed developments between Hazel Grove in Stockport and Poynton in Cheshire East. Ms Burns stated that CPRE supported the right kind of development in the right places, which included some of the new town recommendations located on brownfield sites. However, the Adlington proposal was the worst possible example of unsustainable urban sprawl into the countryside. It would reduce the food resilience of the area; be on parts of the rivers Bollin and Dane that were prone to flooding; and would impact on habitats and wildlife. There were also big questions of the water and sewage capacity, as well as a lack of sustainable transport and infrastructure. It was an unsustainable proposition that should not be supported.

Mr Simon Gleave, Chair of the Adlington Parish Council, referred to the proposals for the Adlington New Town and stated that there had only been silence from Cheshire East Council regarding its views on the proposals. He stated that the residents of North East Cheshire were waiting to hear the view of the principal authority on this hugely important issue, which would have far reaching effects on them. Mr Gleave respectfully asked that the Council engage in discussion of this matter.

In response to the speakers, Cllr M Gorman, Deputy Leader of the Council, stated that the recommendations of the independent New Towns Taskforce had been prepared independently and not proposed by Cheshire East Council. The Council had no role in the proposals. The applicants had

contacted the Council to make them aware, in confidence, of their applications. The Taskforce had met with officers in May 2025 to ask questions on locations, economic opportunities, and challenges. Subsequently, the Council wrote to the Taskforce supporting opportunities in principle for New Towns, but highlighting the major planning, delivery and infrastructure challenges as highlighted today by the public speakers. The Council had no role or influence – it was an independent review. Cllr Gorman stated that the Council awaited further information from the Government on the proposals, with an expectation that more information would be published in Spring 2026, which would then be presented at full Council for discussion and debate.

Mr Richard Slater stated that he had recently received a communication from Jones Homes regarding the proposed roundabout between Broken Cross and The Cock Inn, Macclesfield, and the full closure of A537. He stated that there was no entry on the One Network portal for these works, which raised concerns as to whether the statutory notice had been properly published, so these works must not proceed. He asked that the Council confirm that no works would begin until the full three-month statutory notice had been issued and clearly visible on the One Network system and that there would be appropriate temporary restrictions or controls to prevent dangerous rat-running through Henbury's narrow lanes and Whirley Road.

In response Councillor M Goldsmith, Chair of Highways and Transport Committee, stated that the developer had been working with the Council's Highways Team to put in place the legal agreement to construct these roundabout works, which allowed the developer to seek a Highways Permit to proceed with works. He explained that this would be agreed with the Council's Network Management Team and would include the need for advance notice, as per the regulations. Any communications from the developer thus far should be seen as additional to this and not part of any formal notice period. He stated that discussions with the developer were ongoing about the precise detail of the traffic management arrangements but confirmed that the team were fully aware of the sensitivities of this location and would be seeking to ensure disruption was kept to a minimum. This would also ensure that the roadworks could take place as safely as possible for everyone involved.

Mr Robert Douglas stated that fly-tipping was a risk to public health, endangered local wildlife and livestock and that every year, it cost Cheshire East's communities about £200,000 to clear up. He referred to the Government's published information about fly-tipping and fixed penalty notices for every council in England and stated that that for the year to March 2024, the level of fly-tipping per person in Cheshire East was 42% higher than Cheshire West, 71% worse than Warrington and over two and a half times that of Staffordshire Moorlands. Mr Douglas stated that two years ago, he pointed out to Cheshire East Council that for the year to March 2022, while Cheshire West was issuing one fixed penalty notice for every 20 incidents, Cheshire East Council was only issuing one for every

200. Two years later while Cheshire West was issuing one fixed penalty notice for every 16 incidents, Cheshire East was only issuing one for every 500. Every time Cheshire East issued a fixed penalty notice, Cheshire West would have issued 31. He stated that Councils were allowed to levy fines of up to £1,000 for fly tipping yet the Council's maximum remained at £400. He asked that the Council immediately increase the maximum fine for fly-tipping to £1,000, and that all fly-tipping incidents were investigated and pursued.

In response Councillor D Jefferay, Chair of Environment and Communities Committee, explained that the Council had recently improved reporting systems for members of the public to provide more information in relation to whether there might be information within the waste, or if they had witnessed the incident or had evidence that might lead to further investigation of the fly tip. This ensured that more cases were sent directly to the community enforcement team for investigation ahead of any clearance. He reported that from September 2024 to the present date, there had been 34 Fixed Penalty Notice's issued for breaches of waste legislation, i.e. Fly tipping, Domestic Waste Duty of Care and Breach of Section 46 waste receptacle notice. Twenty-three of these were paid in full; two had been referred to court for prosecution; four were currently outstanding, though still within payment time; and five had been cancelled. Councillor Jefferay stated that he had recently attended a conference in respect of Waste Crime, organised by the Police and Crime Commissioner. At this conference, actions were placed for more collaborative working between Cheshire East and neighbouring Councils and agencies, such as the Police and the Environment Agency. This would allow lessons learnt to be shared to help improve performance and disrupt organised waste crime - the perpetrators of which did not respect Council boundaries.

46 LEADER'S AND DEPUTY LEADER'S ANNOUNCEMENTS

The Leader, in summary:

- 1 reported that work continued on devolution with workshops and stakeholder sessions planned for November. Priorities for the Combined Authority would include transport, skills, rural economy, and regeneration, with a £10 million investment fund expected in year one. The first meeting of the Cheshire and Warrington Combined Authority Shadow Board would be held on 31 October 2025.
- 2 reported that the third Ofsted monitoring visit was currently under way, with the findings expected to be reported on 13 November.
- 3 stated that the Council was awaiting further information from the Government on the Adlington New Town proposals.

- 4 reported the appointment of Councillor Fiona Wilson as Member Champion for Councillor Safety and Councillor David Jefferay as Member Champion for Animal Welfare.
- 5 reported that the second round of consultation on the Local Transport Plan had commenced, which would close on 7 December 2025. He asked Members to promote participation in this consultation.
- 6 highlighted the recruitment campaign video for 'Someone Like You.'
- 7 reported that a commemorative plaque had been unveiled at Sound Common, Nantwich, to honour the British Romanichal families who once called the site home.
- 8 encouraged staff and Members to get flu and COVID vaccinations.

The Deputy Leader, in summary:

- 1 reported that work was underway on the transition to the Leader and Cabinet system of governance, with recommendations being brought to the December full Council meeting and the possibility of an additional meeting of full Council next spring.
- 2 reported that the Annual Household Canvass had taken place and resulted in 325,000 electors registered.
- 3 reported that the Registration Service had been awarded "Best in the Northwest" for marriage ceremonies.
- 4 reported changes in the Democratic Services team, with Katie Small now coordinating Council meetings and Chris Lunn joining the team.
- 5 reported in relation to the Council's finances that an overspend of £3.1 million had been identified with work being undertaken to reduce this ongoing, and the budget gap of £33 million being addressed. A Budget prioritisation survey had been launched with a strong initial response.
- 6 reported that two community assemblies were being planned in Macclesfield and Crewe with the aim to increase transparency and residents' involvement in budget decisions.
- 7 reported that the Council supported a dedicated BBC News page for Cheshire and Warrington devolution.
- 8 reported that major repairs were being carried out to the Mill House Bridge in Adlington following damage caused by a flash flood. Work would commence on the B5470 Macclesfield Road in Rainow later

in the month to repair the collapsed road with £1.6 million being invested in the embankment and road restoration.

- 9 reported that the Council had been awarded the Platinum Accreditation from the Domestic Abuse Housing Alliance for work in tackling domestic abuse.

47 RECOMMENDATIONS FROM FINANCE SUB COMMITTEE: FIRST FINANCIAL REVIEW OF 2025/26 - SUPPLEMENTARY REVENUE ESTIMATES REQUESTS AND SUPPLEMENTARY CAPITAL ESTIMATE REQUESTS

Consideration was given to the recommendations from the Finance Sub Committee held on 10 September 2025 and the Corporate Policy Committee held on 2 October 2025 in relation to the approval of supplementary revenue estimates and supplementary capital estimates.

RESOLVED: That Council

- 1 approve the Supplementary Revenue Estimate request for Allocation of Additional Grant Funding over £1,000,00 as set out in Annex 1, Section 3, Table 1 to the report, as follows:

Extended Producer Responsibility Grant	£2,591,000
Enterprise Cheshire & Warrington: Skills Bootcamp	£1,371,000

- 2 approve the Supplementary Capital Estimate request for Allocation of Additional Grant Funding over £1,000,000 as per Annex 1, Section 4, updated Table 5 to the report, as follows:

King George Playing Fields	£1,522,000
BSIP Phase 4 grant distributed over 4 projects:	
Public Transport Infrastructure	£ 700,000
Bus Priority	£ 623,000
Real Time Passenger Information	£ 750,000
Macclesfield Bus Station	£ 50,000

48 POLITICAL REPRESENTATION ON THE COUNCIL'S COMMITTEES

Consideration was given to a report relating to the political representation on the Council's committees. The report addressed the changes in political group membership since the last report to Council in May 2025.

RESOLVED:

That the political group and other representation, as set out in the Appendix to the report, and the methods, calculations and conventions used in determining this, as outlined in the report, be adopted and the allocation of places to Committees be approved.

49 ANNUAL REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE 2024-25

Cllr Michael Beanland, Chair of the Audit and Governance Committee, presented the Audit and Governance Committee Annual Report 2024/25 to Council.

The report provided details of the work undertaken by the Committee and the assurances received during that year.

The Annual Report was received and noted.

50 NOTICES OF MOTION

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

Historical Rural Signage

Proposed by Councillor R Chadwick and Seconded by Councillor R Bailey

That Council resolves:

1. To acknowledge the historic importance of Cheshire East's rural signage and commit to safeguarding this aspect of our cultural heritage.
2. To request that the Highways and Transport Committee, in consultation with heritage and conservation officers, conduct an audit of surviving rural signage assets within the Borough.
3. To explore opportunities to adopt a preservation and maintenance programme for historic signs, working alongside volunteer groups, heritage organisations, and parish councils.
4. To ensure that, wherever possible, historic signage is restored, maintained in situ, or—if removal is unavoidable—recorded and, where appropriate, relocated to local museums or heritage centres.
5. To promote greater public awareness of rural signage heritage, encouraging residents to report damaged or at-risk signs.

RESOLVED:

That the Motion be referred to the appropriate committee.

51 QUESTIONS

Cllr M Brooks noted that Cheshire East was in the top 10 areas for the number of puppy breeding farms and stated that there were concerns nationally around the practice of some of those establishments. She asked whether the Council was confident that sufficient resources were allocated to ensure that licensing conditions were being robustly monitored and strictly enforced.

In response Cllr D Jefferay, Chair of Environment and Communities Committee, stated that Cllr Brooks was referring to a 2023 report and at that time the Council was reported as having 36 licensed dog breeding businesses. As of today, there were 26 licensed premises. Two larger sites had closed in the past two years, both as the result of business decisions. The Council's enforcement action was underpinned by the corporate and service specific enforcement policies and the Animal Welfare Licensing Policy.

Cllr R Chadwick asked that given the mobile waste recycling centres serving Bollington, Poynton and Middlewich were currently providing only an emergency service, covering a combined population of around 39,000 residents, could the administration confirm what the long-term plan was for restoring full recycling provisions in those communities, and if they would commit to reinstating permanent, fully functional recycling centres, or should residents now assume that those temporary arrangements were the new normal under the Council's financial strategy.

In response Cllr D Jefferay, Chair of Environment and Communities Committee stated that a briefing was being arranged for members of the Environment and Communities Committee regarding the Mobile Household Waste Recycling Centre. The briefing would also be extended to all other Members who expressed an interest in attending.

Cllr S Bennett-Wake stated that residents from Bollington and Macclesfield and Crewe were delighted with the new Sunday bus service enabling them to meet with family and friends. She asked the Chair of Highways and Transport Committee if, with the power and finances that come with devolution, was it envisaged that there would be easier access for residents with disabilities and also could an Under 16 travel card, similar to the IGO card in Greater Manchester, be introduced. She stated that in Macclesfield it cost children more to travel to school than it did for adults who could buy a weekly £12 Silk town bus ticket.

Cllr M Goldsmith, Chair of Highways and Transport Committee, responded by stating that Mayoral combined authorities, otherwise known as strategic authorities, had various powers in relation to local transport, including bus services, fares, and ticketing across their region. Although, the three constituent authorities had agreed to set up a Cheshire and Warrington Combined Authority, it was not anticipated to be established until 2026 and Mayoral Elections planned for 2027. It would be up to the Combined Authority itself to consider future bus services and ticketing as part of a strategic planning process and therefore, the Council was not able to determine at this stage, what future operations or ticketing regimes would be delivered through the combined authority, once established.

Cllr M Beanland asked if the Council supported the New Towns Taskforce Adlington application, who knew details of what and when regarding the Expression of Interest, and who decided it should be embargoed following the email to officers. He further asked if the Combined Mayoral Authority

would be ruling on this application and who residents should raise objections with.

In a separate question Cllr Beanland referred to the closure of Westfields and asked if the current cost of closure and expected future costs of the Westfields conversion be provided, along with the costs of refurbishing the Macclesfield and Crewe rooms.

Cllr M Gorman, Chair of Economy and Growth Committee, undertook to provide a written response.

Cllr L Braithwaite referred to the proposed sale of the Grosvenor Centre in Macclesfield and asked if there would be any impact on the operation of the council-owned refurbished Indoor Market, toilet facilities, and the multi-story car park?

In response Cllr M Gorman, Chair of Economy and Growth Committee, confirmed that the Council was near to completing a refurbishment project at the Market Hall, designed to attract more traders, reduce vacancies, and improve the offer for its residents. He stated that the Council would work with the new owners, once identified, and it was hoped more traders would come as works were completed. The sale of the Centre was by no means necessarily bad news. The Centre was being sold as a going concern with many existing leases in place and therefore there was unlikely to be any immediate impact as far as the public was concerned or on the Indoor Market. A new owner could bring a fresh outlook and creativity in terms of the tenant mix to fill vacant units. It was understood that potential purchasers had been invited to place bids by 5th November; bids would then be considered, and best and final offers may be called. Council officers would be ready to reach out to the new owners to understand their aspirations for the Centre and would of course want to work to support them in bringing forward any plans, to benefit the town centre offer for residents as well as to protect the value of the Council's adjoining asset.

Cllr L Smetham noted that there were several planning applications approved with certain amounts of Biodiversity Net Gain (BNG) approved at sites elsewhere, due to the planning site being unable to accommodate land for BNG provision. She raised a query in respect of a site at Adlington, which was currently in the news for up to 20,000 new homes, but had previously been designated / agreed to provide this BNG, and asked how the BNG would be achieved instead.

In response Cllr D Jefferay, Chair of Environment and Communities Committee, stated that there were three legal agreements which specifically identify sites for BNG on areas of land which was part of the Adlington Estate. The current landowners were aware that these obligations run with the land for 30 years so would need to be safeguarded in the future. There were other sites available for BNG.

Cllr J Clowes stated that in 2019 the conservative group prepared MTFS Proposals for Adult Social Care Assets including Bexton Court, Stanley House, and Mountview. Those proposals provided alternative supported living options for LD Adults and Young People with additional needs entering Adult Social Care. The proposals were fully costed with oversight by the S151 Team, approved by Cabinet, and approved for inclusion in the MTFS by full Council in February 2020. These plans offered a return on expenditure within five years and associated social care saving thereafter. Even after Covid and inflated construction costs, the corresponding rise in that area of care costs had meant that those proposals were still valid in principle. However, despite repeated requests for information about the future of those assets and bearing in mind the importance of Council assets to our Transformation Planning, no definitive information had yet been provided. Cllr Clowes asked how much Cheshire East Council had spent on maintenance and security costs for each of those empty assets since the MTFS decision was made in February 2020, and when would Councillors be provided with a definitive timeline for the effective disposal or re-use of these assets and for the information to be presented to members of the Adults and Health Committee at the earliest opportunity.

Cllr J Rhodes, Chair of Adults and Health Committee, undertook to provide a written response.

Cllr M Muldoon referred to the letter sent by the Leader and Deputy Leader in response to the Notice of Motion on Housing Targets to Rt Hon Angela Rayner on 29 August 2025. He asked the Leader to explain the apparent redirection away from the Motion that was agreed in July, and why did they not see fit to carefully and accurately reflect not only the Motions put forward by Cllrs Gardiner supported by Cllr Edgar and Cllr Browne, but also the further amendment put forward themselves regarding affordable housing. He asked that a more clear and consistently accurate letter be sent to Steve Reed MP, the new Secretary of State, making it perfectly clear that a period of grace, rather than a ramping up, was what was requested, and the wording of the letter be accurately and carefully in line with the Motions and amendment previously agreed by the Council in July 2025. He also requested that a copy of the letter be sent to local Members of Parliament.

In response Cllr N Mannion, Leader of the Council, said that the letter clearly stated that an uplift of 166% was incredibly challenging to the Council and called upon the Government to meet and agree tangible and realistic housing targets and provide assurances they would work with the Council on all the issues that had been pointed out. The issue was not that the Council had not got allocated sites, it was that some of those sites were outside the current local plan, and therefore greater control was needed on how and when they were presented to the Council and came forward as the Council prepared the new local plan, with assurances from the Government on their commitment to deliver the infrastructure that was required to meet the targets the Council would negotiate with them in dialogue. This would include what would be considered as green belt sites

that currently sat outside the local plan and may come forward if the Council could demonstrate land supply sufficiently and quickly enough – hence the purpose of the letter, and the ask for a leading in period to the Council's Local Plan. Cllr Mannion stated that affordable housing was just one element of the wider failures in the entire housing market system which the administration would seek to address – some of which would be social, others would be starter homes, and specialist housing for the eldest and youngest. Affordable housing alone was highlighting just one small aspect, where the council's strategies would be inclusive. Additionally, the Council had requested a named senior civil servant through whom it would work with. All of which would go much further than what was proposed at Full Council in July through the original motion.

Cllr S Corcoran asked if the Leader of the Council had written to the new Secretary of State for Housing, Communities and Local Government, Steve Reed, to ask for a grace period for Cheshire East before new housing targets applied and would the Leader also write asking that any new town in Cheshire East should, at least in part, count towards Cheshire East's housing land supply.

In response Cllr N Mannion, Leader of the Council, stated that the Council did not have clarification if the Adlington new town proposal would contribute towards Cheshire East's housing land supply targets, but it was seeking clarification, and a response would be shared with Members.

Cllr R Bailey stated that she had concerns regarding delays in the development of the Cheshire Road Safety Strategy due to the consideration of devolution and sought assurance that the Council would actively contribute to the delivery of the updated strategy. She stressed the importance of progressing a modern and responsive road safety strategy, particularly considering changing demographics and increased road usage within the borough.

Cllr M Goldsmith, Chair of Highways and Transport Committee, undertook to provide a written response.

Cllr J Bratherton raised concerns regarding the lack of effective inter-agency cooperation and delays in enforcement in animal welfare cases and recent incidents in Crewe where animals were left in distressing conditions due to slow or absent responses from relevant authorities, including the police, housing associations, and the RSPCA. She asked Cllr D Jefferay, Animal Welfare Champion, what actions would be taken to strength enforcement, what steps would be taken to speed up the removal of an animal from an abusive situation and how would he fight for those who had no voice.

Cllr D Jefferay, Animal Welfare Champion, expressed a desire to establish collaborative links with external organisations not currently engaged with the Council, in order to expedite action on shared concerns. He referred to a recent discussion with a representative from Cheshire Police,

specialising in wildlife crime, which had highlighted opportunities for increased engagement. He emphasised the importance of broadening engagement beyond commercial animal welfare issues, recognising that the Council's remit was limited to welfare in commercial settings and does not extend to domestic cases and, despite these limitations, committed to encouraging public involvement by inviting residents to act as the Council's "eyes and ears" and welcomed direct contact from individuals with concerns outside the Council's formal responsibilities, pledging to assist where possible.

Cllr S Gardiner asked under what authority, did the Council as a corporate body, respond to consultations from government departments or affiliated organisations such as QWANGOs and specifically asked whether such responses were issued under the authority of the full Council, an appropriate committee of the council, or under officer delegation. Cllr Gardiner referred to a letter sent in June to the New Towns Board, which expressed views on the generic issue of new towns and additional development in northern England and expressed concern that this correspondence may have been issued without prior discussion or approval by the Council or its relevant committee.

Cllr N Mannion, Leader of the Council, acknowledged concerns regarding correspondence and clarified that the pathway the correspondence was allocated to was determined by the nature of the inquiry and may involve multiple factors, including local authority responsibilities and political considerations. Cllr Mannion confirmed that a substantive reply would be provided following consultation with the Monitoring Officer and the Chief Executive.

52 REPORTING OF URGENT DECISION TAKEN BY CHIEF EXECUTIVE

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

RESOLVED:

That the schedule of urgent decisions be noted.

The meeting commenced at 11.00 am and concluded at 12.58 pm

Councillor D Edwardes (Mayor/Chair)

COUNCIL – 10 DECEMBER 2025**NOTICES OF MOTION****Submitted to Council in Accordance with the Council Procedural Rules****1 Adlington New Town****Proposed by Councillor Fiona Wilson and Seconded by Councillor Judy Snowball**

1. This Council notes the report and recommendations to the Government by the Independent New Towns Task Force (NTTF) and the urgent need to provide additional housing to include affordable and social housing along with the medical, educational, transport and community services to enable sustainable living. Council also notes the requirement in the NTTF report for these to be in the right locations with priority given to affordable housing and have the public services and amenities required from the outset along with climate resilience and protecting, restoring and enhancing biodiversity.
2. It is widely accepted across mainstream political parties that we need to build over one million homes as soon as possible. Council agrees that we need more housing and also that this must be delivered in the right places. Prioritising developments on brownfield and regeneration areas rather than on valuable green belt and farming land. Government needs to make it easier for brownfield sites to be brought back into use.
We support the commitment of the NTTF for specific sites to have the local support of communities and Councils. Council welcomes future discussions and close involvement in the choice of any suitable sites within our Borough.
3. Council has concerns over the consideration of a site wholly within the green belt on a private estate in Adlington. We must protect our medium and small settlements from urban sprawl. We are disappointed at the lack of any prior or meaningful engagement by the NTTF with local communities, local businesses and the Council prior to their announcement of this potential site as one of the 12 identified locations. This is not in line with the principle commitment of the NTTF that specific sites have the support of local communities.
4. The statement in the NTTF report that 'these are specific sites with a degree of local support and landowners, developers, councils and others ready to welcome a new town' does not reflect the views of local stakeholders or take account of the fact that Adlington has some of the best pastures in the Borough nor the impact on rural communities. Council also notes the commitment to rurality by the

emerging Cheshire and Warrington Combined Authority Shadow Board as part of the Devolution process.

5. Council therefore urges the Government to abandon the proposal for a new town in Adlington, Cheshire and to focus on the development of existing brownfield and town centre sites along with the call for new sites as part of the Local Plan process and the involvement of communities in the discussions.
6. Should the Minister decide to move to the next stage with the current Adlington site this will require the preparation and publication of the draft proposals and final Strategic Environmental Assessment (SEA). Council in drawing up its submission to any consultation will require that if any site in our Borough was eventually considered, infrastructure would be provided that ensures:
 - a) The provision of a New Town, with a focus on affordable and social housing with good employment opportunities.
 - b) Primary health care (GPs), hospitals, education and community services and facilities must be in place prior to first occupation.
 - c) Families can use public open space, sporting and leisure facilities, and access retail needs, within walking distance, and sustainable and affordable public transport.
 - d) Drainage and flood protection to reflect the current environmental experience along with protecting and enhancing biodiversity and ensuring food security.
7. Council re-states its concern over the sudden and significant increase in the housing target for Cheshire East and calls on the Government to halt the speculative housing development applications and restore plan-led development by phasing in the new targets over time. Council also calls on the Government to confirm that additional housing provided through new towns will count towards 5-year housing land supplies.

Council resolves:

- a) Not to support the current proposals for a new town at Adlington.
- b) To ask the Leader and Deputy Leader to write to the Secretary of State for Housing, Communities and Local Government (the decision maker) to confirm the Council's position.
- c) That the Economy and Growth Committee to be asked to consider any further details of any other proposals brought forward for Cheshire East.

2 Adlington New Town

Proposed by Councillor Mike Sewart and Seconded by Councillor Thelma Jackson

This motion seeks to require the Cheshire East Borough Council, as the principal representative authority of the people of the area, to inform the New Towns Task Force and the Ministry of Housing, Communities and Local Government of its opposition to the proposal, by a private landowner, for a new town of between 14 and 20,000 dwellings at Adlington.

The decision to put forward this motion has been taken because of the wholesale opposition to the new town proposal by the people of Adlington, a small village in some of the greenest greenbelt in the county.

That opposition has been unequivocally supported by all the surrounding town and parish councils in Bollington, Pott Shrigley, Poynton and Prestbury.

The principal reasons for opposition include:-

The merging of the communities of Bollington, Macclesfield, Prestbury and Poynton with the Greater Manchester conurbation (which borders the proposed new town site).

Loss of high-grade agricultural land,

Destruction of biodiversity,

Loss of trees (there are more trees in Adlington than any other CE parish),

Destruction of the natural environment.

3 Protecting the Role of Police Community Support Officers across Cheshire and Warrington.

Proposed by Councillor Janet Clowes and seconded by Councillor Julie Smith

This Council notes with significant concern, the proposal, announced on 21st November 2025, by Chief Constable Mark Roberts and later confirmed by the Police and Crime Commissioner Dan Price, to axe

sixty PCSO jobs, reducing the current number from 87 to just 27 PCSOs by Spring 2026.

A 30-day internal consultation to consider how £13m savings might be achieved by 2029, was launched on 17th November and is still live, however all PCSOs have already received a notice of redundancy commencing

31st March 2026, (stating that any applications for non-uniform posts must be submitted by 16th December).

The Chief Constable has stated that this drastic action is to enable the introduction of a new Neighbourhood Policing Model that will “meet the needs of modern-day policing” and for which “a reduction in the current number of PCSOs is required”.

In addition, the Chief Constable has stated that the reduction of PCSOs will put more warranted Police Officers in local policing teams, in order to support the Government’s Neighbourhood Policing Guarantee.

This statement and action related to Cheshire PCSOs directly contradicts the Labour Government’s own Recommended protocol (13th May 2025), for the implementation of the Neighbourhood Policing Guarantee Problem Statement which states:

“The Neighbourhood Policing Guarantee (NPG) aims to rebuild the link between police forces and the communities they serve through delivering 13k additional neighbourhood officers and PCSOs. This will be set out through activities that will be delivered through 5 pillars of the NPG”

“INPUT

- £200m commitment for Year 1 (2025/2026)
- Delivery of 13,000 additional police officers, PCSOs and special constables into neighbourhood policing roles”

In addition, each Police Authority is to be assessed every six months by the Home Office with regard to their progress against delivery of the five pillars that underpin the NPG.

In light of the current legislation that demands an increase in the numbers of both warranted police officers **AND** PCSOs on the streets of our neighbourhoods, the proposed actions of both the Chief Constable and the Police and Crime Commissioner are counter intuitive.

In light of this significant inconsistency:

This Council requires answers to the following concerns and resolves to:

1. Contact the Chief Constable and Police and Crime Commissioner and request the following definitive information:
 - i) Please confirm that just £3m has been allocated to the Cheshire Police Force of the £200m funding identified by the Labour Government, for the implementation of the Neighbourhood Policing Guarantee (NPG)
 - ii) How will the loss of the majority of Cheshire's PCSOs by April 2026 enable the Cheshire Police Force to meet key performance indicators (KPI's) for PCSOs that the Home Office expects?
 - iii) What is the fiscal evidence-base for making 60 of 87 PCSOs redundant?
 - iv) Will the proposed new warranted police officers be funded by these redundancies or by the Government's NPG allocation to the Cheshire Police Force?
 - In either case, how sustainable are these new appointments?
 - v) Will the number of the new warranted police officers to be appointed, be commensurate with the number of PCSOs lost?
 - vi) How has the loss of the invaluable local community knowledge (acquired and shared over many years by Cheshire's PCSOs) been accounted for in implementing the NPG model?
 - vii) How will the allocation of warranted officers across communities address the current sparsity of policing human resources across the wider geographies of rural communities as rural crime continues to rise?
2. Considering the NPG and the concerns raised above, this Council requests that the Chief Constable and Police and Crime Commissioner reconsider their decision to reduce their PCSO cohort.

References:

<https://www.gov.uk/government/publications/neighbourhood-policing-guarantee>

<https://www.chesterstandard.co.uk/news/25634171.consultation-starts-cheshire-police-pcsos-redundancies/>

4 Prohibiting Smartphone Use in Local Authority Schools

Proposed by Councillor David Jefferay, seconded by Councillor Emma Gilman

Recent non-statutory guidance put forward by the Department for Education (DfE) (2024) states that

"All schools should develop and implement a policy that creates a mobile phone-free environment by prohibiting the use of mobile phones and other smart technology with similar functionality to mobile phones throughout the school day, including during lessons, the time between lessons, breaktimes and lunchtime".

However, even the schools that do have a ban vary in how it is applied. A recent review of smartphone policies in the UK by Mansfield et al. (2024) found that, among secondary schools,

- 11 per cent implemented what they term an 'Effective ban' (where phones are not allowed in school or are stored in lockers or equivalent, e.g., Yondr pouches, at the start of the day).
- 52 per cent 'Ban, but phone present' (e.g., in school bags).
- 36 per cent 'Partial ban' (phones banned in class, but allowed at some times, such as break or lunch).

Research commissioned by the Children's Commissioner (School phone policies in England, April 2025) found a similar breakdown with very few schools having an effective ban. This research also indicates that exclusion rates in schools with pouches are drastically falling as the addictive nature of smartphones is broken during the school day.

There are some studies which suggest that having smartphones in schools does not affect grades but the more recent studies, where phone and social media use is widespread tend to indicate an adverse effect. The problem with the weaker bans is that they assume the use of the phone is the distraction but even having access to the phone is in itself distracting. Skowronek, J., Seifert, A. & Lindberg, S. (2023) demonstrated that the presence of the smartphone results in lower attentional performance and has a negative influence on the working speed (and thus on cognitive performance and attention). The paper concludes that "Students should avoid having their smartphone with them while attention is required".

It is further noted that the *Phone-Free Schools Movement* and international best practice highlight the benefits of phone-free school days, including improved concentration and learning outcomes,

healthier peer-to-peer interactions, a reduction in classroom disruptions, cheating, and disciplinary incidents; and better safeguarding of pupils during the school day.

Bans are supported by the Cheshire Police and Crime Commissioner who has launched an initiative for mobile phones to be locked away during the school day in every state high school in Cheshire. The PCC wants Cheshire to be the first county in the UK where all state high schools have lockable phone pouches. It is worth noting that he has a funding plan of up to £150k to launch the initiative. The PCC reports that schools with lockable pouches are seeing immediate, widespread, positive results in wellbeing and a dramatic reduction in online safeguarding incidents; one quoting an 80% reduction in these.

Based on the above, it is proposed that this Council moves to:

1. Prohibit pupils' access to smartphones and similar personal electronic devices during the school day in all local authority maintained schools in Cheshire East, with reasonable exemptions for documented medical or special educational needs.
2. Instruct the Director of Education to work with headteachers and governing bodies to develop and implement a consistent, enforceable policy across all maintained schools, in line with the *Phone-Free Schools* model of a "first bell to last bell" ban.
3. Ensure that alternative communication systems are in place so that parents can contact schools during the day and pupils can access support in emergencies without recourse to personal devices.
4. Support schools, staff, pupils and parents through clear communication, guidance and phased implementation, with a view to commencing the policy in the next academic year.

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COUNCIL MEETING – 10 DECEMBER 2025**RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE:
UPDATED DRAFT FEES AND CHARGES POLICY****Recommendation:**

Council is recommended approve the proposed changes, as set out in paragraph 7 of the report, to the Council's Finance and Contract Procedure Rules

Extract from the minutes of the meeting of the Corporate Policy Committee held on 30 October 2025.

43 UPDATED DRAFT FEES AND CHARGES POLICY

The Committee considered the report which sought approval for a new Fees and Charges Policy to replace the Council's Charging and Trading Strategy from 2017. In presenting the report to the Committee a minor amendment to the original officer recommendation (2) was highlighted and it was clarified that recommendation 2 should read as follows:

1. Recommend the proposed changes (as set out in paragraph 7 of the report) to the Council's Finance and Contract Procedure Rules to the next Full Council meeting.

Members noted that the existing policy was outdated and did not reflect current practice or best practice across other Councils. The proposed policy introduced a consistent corporate approach to setting fees and charges, based on the principle of full cost recovery, annual inflationary uplifts, and benchmarking against other authorities. It was noted that the new policy aligned with the Council's Medium-Term Financial Strategy and would support financial sustainability by maximising income and reducing reliance on council tax subsidies. It also set out governance arrangements for approving deviations from the policy. Members were advised that the policy would apply to discretionary services and certain statutory services where charges were locally determined, but would not apply to Council Tax, Business Rates, or nationally set fees.

The Committee noted that the policy had not been updated for eight years and sought assurance that this would not lead to any legal challenge of past decisions. It was clarified that no decisions had been made that breached the Contract and Finance Procedure Rules set out within the Council's Constitution. The S151 and Head of Democratic Services confirmed that work undertaken on

revising the policy and the Finance and Contract Procedure Rules would be done alongside the anticipated change of Council governance arrangements in May 2026 to a Leader/Cabinet model, and that this would ensure that such policies were regularly reviewed and considered by the appropriate decision-making body.

RESOLVED (unanimously):

That the Corporate Policy Committee

1. Approve the new Fees and Charges Policy as at Annex 1.
2. **Recommend the proposed changes (as set out in paragraph 7 of the report) to the Council's Finance and Contract Procedure Rules to the next Full Council meeting.**

OPEN

Corporate Policy Committee

30 October 2025

Updated Draft Fees and Charges Policy

**Report of: Ashley Hughes, Executive Director of Resources,
Section 151 Officer**

Report Reference No: CPC/49/25-26

Ward(s) Affected: All wards

For Decision

Purpose of Report

- 1 This report seeks approval for a new Cheshire East Council Fees and Charges policy. This policy will replace the Council's Charging and Trading Strategy from 2017, which requires updating as it does not fully reflect the Council's existing approach to setting fees and charges. The adoption of the new policy will also require the Council's Finance and Contract Procedure Rules to be updated. It is proposed that the new policy is applied to MTFS policy proposals for the 2026-27 budget setting process, with the resulting fees and charges being implemented from April 2026.

Executive Summary

- 2 The Council's existing Charging and Trading Strategy was last updated eight years ago and does not adequately reflect either current practice by the Council or best practice from other councils across the country.
- 3 The new Fees and Charges policy ensures that there will, in future, be full alignment between the policy and the Council's current practice and also brings the Council's approach into line with best practice in other councils.
- 4 The adoption of the new Fees and Charges policy will also require the Council's Finance and Contract Procedure Rules to be amended,

specifically to reflect the responsibility of Corporate Policy Committee to approve any variations from the policy.

RECOMMENDATIONS

The Corporate Policy Committee is recommended to:

1. Approve the new Fees and Charges Policy as at Annex 1.
2. Approve the proposed changes (as set out in paragraph 7) to the Council's Finance and Contract Procedure Rules.

Background

- 5 Cheshire East Council's current approach to the setting of fees and charges is set out in the Council's Finance and Contract Procedure Rules and a Charging and Trading Strategy (published in 2017).
- 6 The Council's Finance and Contract Procedure Rules permit Heads of Service to set fees and charges for any chargeable goods or services supplied. This delegated approach means the Council risks not having a consistent corporate approach to the setting of fees and charges. This may result in different service areas adopting varying approaches with a consequential inconsistent approach to the subsidy of fees and charges by council taxpayers. This report proposes that a more consistent approach to the setting of fees and charges is embedded in the Council with the application of the default principle that all charges should reflect the full cost of providing the service (including overheads), and that all charges should increase annually in line with inflation. In those instances where proposed fees and charges do not adhere to this default approach, then approval for this variation must be sought from Corporate Policy Committee.
- 7 To reflect these principles the following changes to the Council's Finance and Contract Procedure Rules are proposed:

Para	Existing text	Proposed Change
5.9	<i>Heads of Service shall determine the level of fees or charges payable in respect of any chargeable goods or services supplied, work undertaken or the loan or use of plant, equipment or machinery.</i>	Corporate Policy Committee approves all variations from the 2025 Fees and Charges Policy. New text for Finance and Contract Procedure Rules:

		<p><i>Corporate Policy Committee will approve any proposal NOT to charge service users the full cost of service provision and/or NOT to increase existing charges by the corporately set level of CPI each year. In addition, the Committee will approve any proposal to offer concessionary prices to service user groups and will approve any proposal to introduce new fees and charges.</i></p>
5.10	<p><i>Charges must be reviewed annually by the Corporate Leadership Team in the light of all relevant information, to the service area, including consideration of appropriate inflation factors</i></p>	<p>CLT will still review all proposed fees and charges as part of Council's established budget setting process. New text formalises the role of Council in the process and commits the Council to publishing a full annual schedule of fees and charges in line with standard practice in other councils:</p> <p><i>Each year Budget Council will review the complete schedule of proposed fees and charges and approve and publish the schedule as part of the Council's budget for the forthcoming financial year.</i></p>
5.14	<p>The cost of collection should be taken into account when raising accounts. The Corporate Leadership Team must ensure that the method of collection is the</p>	<p>No change – full cost recovery to include cost of income collection.</p>

	most cost effective relative to the value of the transaction.	
5.15	<i>Payment shall be collected before the service or goods are provided unless explicitly agreed or stated otherwise in the fees and charges register.</i>	No change.

- 8 The Council's existing Charging and Trading Strategy was last updated in 2017 and does not reflect current Council practice or best practice amongst other councils.
- 9 Specifically, the existing Charging and Trading strategy:
- (a) Does not mandate that wherever possible fees and charges should reflect the full cost of service provision. This key principle was included in the 2025-26 Budget Report approved by Council on 26 February 2025, which stated that fees and charges need '*to ensure that they at least cover the cost of services*'.
 - (b) Does not fully reflect the approach taken by the Transformation project on Fees and Charges (reflected in the Council's 2025-26 budget via MTFs Ref No. 55), which is to: '*to compare our existing prices with those of other councils across the country, to identify opportunities to maximise income and fully recover costs of delivery*'.
 - (c) Does not reflect the approach taken by most other councils across the country, which is to maximise income and to ensure that all decisions to subsidise services i.e. to not charge the full cost of service provision, are approved politically.
 - (d) Does not mandate the annual review and uplift of fees and charges in line with inflation. This principle was again included in the 2025-26 Budget Report which stated that fees and charges '*will keep pace with inflation*'.
 - (e) Does not adequately reflect the challenging financial scenario currently facing the Council and the scale of savings required for the Council to maintain financial stability.

- 10 To ensure consistency with the revised Finance and Contract Procedure Rules and current best practice, the new Fees and Charges Policy sets out nine key principles:
- Maximise income – where permitted by legislation, the Council will seek to maximise income from fees and charges to ensure that subsidies from council tax payers are kept to a minimum.
 - Full Cost Recovery – The default position is that charges for discretionary services should reflect the full cost of service, including overheads. It is only in limited circumstances, where demand for the service is elastic (i.e. where demand varies in line with price changes), that a full cost approach may not be possible.
 - Approval for subsidies - Where charges for discretionary services are set at a level below the cost of provision, then approval must be sought for this subsidy in line with the governance set out in this policy.
 - Subsidy reduction/removal – wherever possible subsidies for discretionary services should be reduced with the intention of removing all subsidies completely. Where there is a multi-year transition to full cost recovery, then this must be approved in line with the governance set out in this policy.
 - Benchmarking/comparisons - Charges for discretionary services should be benchmarked against other local authorities and, where the Council is operating in a competitive market, against other service providers.
 - Transparency - Charges must be clear, published, and communicated in advance to service users.
 - Annual Inflation uplift – where permissible, charges will be subject to an annual inflationary uplift, which will be set centrally. Fees should not be frozen from one year to the next and any proposal to do so requires approval from Corporate Policy Committee.
 - Annual Review – all charges must be reviewed each year as part of the annual budget setting process.
 - Payment - service users should pay in advance of service delivery unless there is a clear rationale for collecting the income in arrears.
- 11 The fees and charges within the scope of the proposed new policy are:

- Discretionary services that the Council has the power to provide, but does not have a duty to provide and where charging is permitted under legislation;
- Statutory (non- discretionary services) which the Council has a duty to provide and where charging is permitted, but where the level of charge is determined locally by the Council.

12 The new policy does not apply to:

- Council Tax and Business Rates;
- Statutory services where the level of charge is determined nationally by central Government e.g. planning application fees;
- Contributions to the cost of care, as defined by the Care Act 2014 and other relevant legislation;
- Commercial property rents;
- Services provided to other public bodies under the Local Authority (Goods and Services) Act 1970, which permits the body providing the service to make a surplus.

13 Once approved, it is proposed that the new policy is applied to all existing fees and charges for inclusion in the Council's 2026-27 budget and where appropriate, reflected in MTFS policy proposals. The full schedule of proposed fees and charges for 2026-27 will be recommended by the Council's Executive Director of Resources for consideration by Corporate Policy Committee in January 2026. The schedule will then be presented to Council for approval in February 2026 as part of the consolidated budget report. Any proposals to deviate from the policy for 2026-27 fees and charges e.g. not to apply the corporately set inflationary uplift, will need to be approved by Corporate Policy Committee in January 2026.

14 Once fees and charges have been uplifted for inflation and implemented from April 2026, it is proposed that subsequent inflationary uplifts are applied from January each year i.e. wherever permitted by legislation, annual inflationary uplifts will move forward and be applied from January 2027 and from each January in subsequent years.

Consultation and Engagement

15 This policy will be implemented in policy proposals within the Council's Medium Term Financial Strategy for the period 2026-2030. The Council will engage and consult on the MTFS package and will consider representations prior to the budget being approved in February 2026.

Proposals for specific fees and charges to deviate from the policy will be considered by Corporate Policy Committee.

Reasons for Recommendations

- 16 The adoption of a new Fees and Charges policy and the proposed changes to the Council's Finance and Contract Procedure Rules will mean the two documents are fully aligned with each other and will also ensure consistency with the approach set out in the Council's 2025-26 Budget Report. Furthermore, the recommendations align with the commitment in the Council's Corporate Plan 2021-25 to be 'an effective and enabling council.' In particular, adopting a policy to ensure fees and charges reflect the full cost of providing the service will support the Council's additional Corporate Plan commitment to be a 'financially sustainable council, enabled by council-wide service transformation and improvement.'

Other Options Considered

- 17 The Council's existing Trading and Charging Strategy is out of date and need revising. Continuing to work to the old policy risks the Council adopting an inconsistent approach when setting fees and charges.

Implications and Comments

Monitoring Officer/Legal/Governance

- 18 Under the Local Government Act 2003, the Council can charge for discretionary charges for the services that it provides. Discretionary services are services where the council has the power but it not obliged to provide. The Local Government Act 2000 gave local authorities a general power to promote the economic, social and environmental well-being in local communities. The 2003 Act allows authorities to set the level of the charge for each discretionary service as they think fit within the restriction that the income from charges for each kind of service must not exceed the costs of its provision nor can the Council charge for services that it mandated to provide or has a legal duty to provide.
- 19 The Localism Act 2011 introduced the General Power of Competence, which allows the Council to do anything an individual can do, provided it is not prohibited by other legislation. These powers have replaced the previous well-being powers; however, the use of these powers must be in support of a reasonable and accountable decision made in line with public law principles. This includes the ability to charge for services .
- 20 Currently the Constitution dated July 2025 at Chapter 2 Part 5 paragraph 34 delegation was given to all Executive Directors to determine a Pricing Strategy that articulates the level of fees or charges

payable in respect of any goods or services supplied, work undertaken or the loan or use of plant, equipment or machinery. Therefore, as this does not align with the current proposed policy it is necessary to amend the Constitution with the text provided above. This will then align the Constitution with the proposed policy, if Executive Directors set fees and charges that do not align with the policy, then Corporate Policy Committee approval must be sought.

- 21 The Council has a fiduciary duty at all times to the taxpayers and must fulfil its duty in a way that is accountable to local people as to how it spends its public funds.

Section 151 Officer/Finance

- 22 The adoption of the Fees and Charges policy should ensure that fees and charges reflect the full cost of provision, increase in line with inflation each year and are benchmarked against similar charges made by other councils. These changes should facilitate the generation of increased income from fees and charges with the net revenue impact reflected in service MTFS policy proposals for the period 2026-30.

Human Resources

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

Risk Management

- 24 This policy will be enacted via MTFS policy proposals for the period 2026-30 and any impact on the Council's strategic risk register will be considered alongside these proposals.

Impact on other Committees

- 25 This policy will be enacted via MTFS policy proposals for the period 2026-30 and all committees will review these proposals as part of the Council's established budget setting process.

Policy

- 26 This policy will be enacted via MTFS policy proposals for the period 2026-30 and the policy implications of increasing specific fees and charges will be considered as part of the Council's established budget setting process.

Equality, Diversity and Inclusion

- 27 There are no immediate implications associated with this report and its recommendations. Any implications from the application of the policy will be considered as part of the Council's budget setting process.

Other Implications

- 28 There are no immediate implications relating to rural communities, Children and young people, Public Health or Climate Change from this report and its recommendations.

Consultation

Name of Consultee	Post held	Date sent	Date returned
Statutory Officer (or deputy) :			
Ashley Hughes	S151 Officer	21/10/25	22/10/25
Kevin O’Keefe	Interim Monitoring Officer	21/10/25	22/10/25
Legal and Finance			
Julie Gregory	Mandy Withington Principal Lawyer	20/10/25	21/10/25
Steve Reading	Finance Manager Resources		
Other consultees:			
Directors			
Sal Khan	Interim Director Financial Improvement	01/10/25	01/10/25
Chris Benham	Director of Finance		

Access to Information	
Contact Officer:	Steve Wilcock, Interim Finance Manager Steven.wilcock@cheshireeast.gov.uk
Appendices:	Annex 1
Background Papers:	None

Fees and Charges Policy

1. Introduction

Income from levying fees and charges for discretionary local public services forms a critical part of the Council's overall resources. The total level of charges levied by Cheshire East Council (CEC) makes up approx. 11% of the total income to the Council (2025-26 Budget Report), providing funds to meet the corporate objectives of CEC and reducing the amount required to be raised from Council Tax.

The purpose of this policy is to establish a framework and principles for setting, reviewing, and managing fees and charges for services provided by Cheshire East Council. The framework confirms the Council's overarching policy that charges for services should fully recover their costs, unless there is a specific decision by the authorised decision maker(s) to subsidise the charge to the payers. The application of this policy will ensure the Council has a consistent, fair, and transparent approach to all the charges that it makes for discretionary services.

2. Scope

This policy applies to:

- Discretionary services that the Council has the power to provide, but does not have a duty to provide and where charging is permitted under legislation;
- Statutory (non- discretionary services) which the Council has a duty to provide and where charging is permitted but where the level of charge is determined locally by the Council.

This policy does not apply to:

- Council Tax and Business Rates;
- Statutory services where the level of charge is determined nationally by central Government e.g. planning application fees;
- Contributions to the cost of care, as defined by the Care Act 2014 and other relevant legislation;
- Commercial property rents;
- Services provided to other public bodies under the Local Authority (Goods and Services) Act 1970, which permits the body providing the service to make a surplus.

3. Legal Framework

The Council's powers to charge are derived from:

- Local Government Act 2003 (Section 93) – allows charging for discretionary services on a cost recovery basis and for councils to trade and create a profit in activities on a commercial basis through a council owned company.
- Localism Act 2011 (Section 3) – General Power of Competence, enabling charging and trading where not otherwise prohibited.
- Local Authorities (Goods and Services) Act 1970 allows councils to provide services to each other and with other designated public bodies.
- Other relevant legislation specific to service areas.

In most circumstances, councils, when setting discretionary charges, are permitted to recover the full cost of providing the service. As levels of income are dependent on demand and therefore difficult to predict, the legislation permits councils to balance income and expenditure over a period of time (between 1-3 years). This allows councils to address any under or over recovery issues when setting charges for future years.

4. Charging Principles

The Council will apply the following principles when setting and reviewing charges:

Maximise income – where permitted by legislation, the Council will seek to maximise income from fees and charges to ensure that subsidies from Council Tax payers are kept to a minimum.

Full Cost Recovery - The default position is that charges for discretionary services should reflect the full cost of service, including overheads. It is only in limited circumstances, where demand for the service is elastic (i.e. where demand varies in line with price changes), that a full cost approach may not be possible.

Approval for subsidies - Where charges for discretionary services are set at a level below the cost of provision, then approval must be sought for this subsidy in line with the governance set out in this policy.

Subsidy reduction/removal – wherever possible subsidies for discretionary services should be reduced with the intention of removing all subsidies completely. Where there is a multi-year transition to full cost recovery, then this must be approved in line with the governance set out in this policy.

Benchmarking/comparisons - Charges for discretionary services should be benchmarked against other local authorities and, where the Council is operating in a competitive market, against other service providers.

Transparency - Charges must be clear, published, and communicated in advance to service users.

Annual Inflation uplift - where permissible, charges will be subject to an annual inflationary uplift, which will be set centrally. Fees cannot be frozen from one year to the next and any

proposal to do so requires political approval. Where permitted by legislation, and where practicable, it is proposed that annual increases take effect from 1st January each year, starting from January 2027. This means that in 2026-27 there will be two inflationary linked increases – one taking effect from April 2026 and another from January 2027.

Annual Review – all charges must be reviewed each year as part of the annual budget setting process.

Payment - service users should pay in advance of service delivery unless there is a clear rationale for collecting the income in arrears.

5. Types of Charge and cost recovery approach

Type	Objective	Approver
Full Cost Recovery	The Council wishes to make the service generally available. The full cost of service provision is recovered and there is no subsidy.	In line with Finance Procedure Rules
Full Cost Recovery with concessionary discounts	The Council wishes to make the service generally available and is prepared to subsidise the service to ensure target groups such as young people/senior citizens have access at a reduced cost.	Corporate Policy Committee
Subsidised	The Council wishes to make the service generally available but has agreed that services users should not pay the full cost of providing the service. It will therefore be subsidised by council tax payers.	Corporate Policy Committee
Nominal	The Council wishes the service to be generally available but sets a small charge to discourage misuse.	Corporate Policy Committee
Statutory	Charges are set in line with statutory obligations and central government requirements.	N/A
Fully Funded	The Council has decided to fully fund the service which are provided free at the point of service.	Corporate Policy Committee

When calculating the total cost of delivering a service guidance is available from the Chartered Institute for Public Finance and Accountancy (CIPFA). This provides the ability to recover all the cost in the organisation, including a proportion of all central and unallocated overheads

including democratic costs, depreciation interest, working capital costs and any pension back funding costs.

The main categories of costs to include in the calculation of total costs include:

Category of Cost	To include
Direct Service Costs	<ul style="list-style-type: none"> • Total salary costs of staff delivering the service (incl. oncosts) • Other service costs involved in delivering the service i.e. administration, and management
Corporate and Support Service costs	<ul style="list-style-type: none"> • Accommodation • ICT • Finance & Procurement • Legal • Audit • Democratic services • Communications • Transformation
Financial costs	<ul style="list-style-type: none"> • Depreciation • Interest on loans • Debt collection and bad debt write off

Differential service levels and pricing – where appropriate services should consider the merits of adopting differential charging to reflect those instances where the standard level of service is uplifted to an enhanced level.

6. Governance and Approval

The Council may wish to provide discretionary services with no charge or charge at a level that does not fully recover the cost of providing the service. This decision means that the Council has decided that general Council Tax payers should subsidise the provision of the service. Such a decision could be made in order to support the delivery of a key corporate policy or objective. All decisions to provide a subsidy and/or concessionary pricing for a discretionary service must be approved by Corporate Policy Committee . Where a subsidy has been approved, then the reason for the provision of the subsidy should be recorded and reviewed every three years.

Where Corporate Policy Committee does not approve a subsidy or concession, then the full cost of providing the service must be charged. If this makes the provision of the service unviable then it should cease to be provided.

Any proposal not to increase the charge year on year for a discretionary service in line with the corporately set inflation rate must also be approved by Corporate Policy Committee.

Any proposals to introduce new fees and charges should be considered by Corporate Policy Committee and take into account the outcome of any consultation and equalities and impact assessment.

Each year the full schedule of fees and charges will be presented to Council for approval as part of the Council's budget setting process. The final officer recommendations on all fees and charges will be made by the Executive Director of Resources.

7. Administration

Charges must be published and communicated clearly so that users of discretionary services are aware of the charges prior to ordering a service. VAT must be applied as required, with charges to members of the public quoted inclusive of VAT. It is expected that payment will be collected in advance off the service being delivered, unless there is a strong and explicit rationale for collecting the income in arrears.

8. Review

Charges, and any decision not to charge, will be reviewed by services annually in sufficient time to allow the impact of any changes to be included in the budget setting process. All charges are expected to be increased by CPI unless there are exceptional reasons for not doing so and approval for this treatment has been secured in line with the governance set out in this policy.

In addition to this annual light-touch review of all charges, services should undertake a thorough review every three years; this review will provide assurance that all costs are still being recovered. The Finance service will advise on appropriate overheads and the full cost recovery position.

This policy will be reviewed at least every three years or as required by legislative changes or any other major change.

9. Recording of Fees and Charges

Services are expected to maintain a schedule of all fees and charges levied. This schedule should include and separately identify those charges that are set nationally. The schedule should include the date of the most recent date in-depth review and, where applicable, the date of the Corporate Policy Committee to approve a subsidy or concession.

The Council's complete schedule of fees and charges are reviewed each year as part of the Medium Term Financial Strategy process and the schedule will be published as part of the agenda pack for the Council's annual budget setting meeting in February of each year.

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COUNCIL MEETING – 10 DECEMBER 2025**RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE: THE COUNCIL'S DECISION-MAKING ARRANGEMENTS****Recommendations:****That Council**

- 1. agree and adopt the following procedure rules and other constitutional documents and provisions, as appended to the report; these to take effect at the Council's Annual General Meeting on 13 May 2026:**
 - a) Appendix 1: Recommendations arising from the deliberations of the T&F Group.**
 - b) Appendix 2: Overview and Scrutiny Procedure Rules and Arrangements.**
 - c) Appendix 3: Budget and Policy Framework Procedure Rules.**
 - d) Appendix 4: Executive Arrangements and Cabinet Procedure Rules, these to include the following provisions:**
 - I. 3 clear working days' notice of public and Member questions should be given before Cabinet meetings, and**
 - II. such questions should relate to items on the agenda for the meeting in question.**

(subject to provision being built-in to the Constitution to take account of matters which could not reasonably have been foreseen by the deadline for such questions. It was agreed that such provision would be drafted by the Monitoring Officer, in consultation with Group Leaders, and presented to Council at its December meeting).

- e) Appendix 5: Local Choice Functions.**
- f) Appendix 6: Leader and Cabinet Transitional Provisions.**

Extract from the minutes of the meeting of the Corporate Policy Committee held on 27 November 2025

51 THE COUNCIL'S DECISION-MAKING ARRANGEMENTS

The Committee considered the report on the Council's decision-making arrangements in preparation for the transition to a Leader and Cabinet model of governance from May 2026.

Members noted that the Task and Finish Group (TFG) had reviewed and recommended the adoption of key constitutional documents, including Overview and Scrutiny Procedure Rules, Budget and Policy Framework Procedure Rules, Cabinet Procedure Rules, Local Choice Functions, and transitional provisions.

Councillor M Gorman, Chair of the TFG, proposed the recommendations from the TFG which comprised the first tranche of proposed 'building blocks' of the emerging Leader and Cabinet arrangements. Cllr Gorman thanked officers and members of the TFG for their hard work in preparing the documentation which provided a good and firm foundation for the development and implementation of the new governance model, ensuring clarity, accountability, and effective decision-making going forward.

The Committee debated the arrangements for public and member questions at Cabinet meetings. The Chair proposed that the Committee support the requirement for 3 clear working days' notice of public and Member questions to be given before Cabinet meetings, and that such questions should relate to items on the agenda for the meeting in question. The Chair also proposed that provision should be built-in to the Constitution to take account of matters which could not reasonably have been foreseen by the deadline for such questions. It was agreed that this wording would be drafted by the Monitoring Officer, in consultation with Group Leaders. It was further agreed that a review of the arrangements would be included in the October 2026 review of the new governance arrangements to ensure that they were working effectively for both Members and members of the public.

RESOLVED (by majority):

That the Corporate Policy Committee recommend that Full Council

- 1. Agree and adopt the following procedure rules and other constitutional documents and provisions, as appended to the report; these to take effect at the Council's Annual General Meeting on 13 May 2026:**

- a) **Appendix 1: Recommendations arising from the deliberations of the T&F Group.**
- b) **Appendix 2: Overview and Scrutiny Procedure Rules and Arrangements.**
- c) **Appendix 3: Budget and Policy Framework Procedure Rules.**
- d) **Appendix 4: Executive Arrangements and Cabinet Procedure Rules, these to include the following provisions:**
 - i. **3 clear working days' notice of public and Member questions should be given before Cabinet meetings, and**
 - ii. **such questions should relate to items on the agenda for the meeting in question.**

(subject to provision being built-in to the Constitution to take account of matters which could not reasonably have been foreseen by the deadline for such questions. It was agreed that such provision would be drafted by the Monitoring Officer, in consultation with Group Leaders, and presented to Council at its December meeting).

- e) **Appendix 5: Local Choice Functions.**
 - f) **Appendix 6: Leader and Cabinet Transitional Provisions.**
2. Authorise the Monitoring Officer, in consultation with the Council's political group leaders, to make such general and consequential changes to the Council's Constitution:
- a) as he deems are necessary to give effect to the wishes of Council; or
 - b) as may become necessary at short notice, as referred to in paragraphs 9-11 of the report, and which may be required to be put in place to ensure the efficient and effective administration of the Council's decision-making arrangements with effect from 13 May 2026; or
 - c) which arise from provisions of legislation.
3. Note that the remaining Leader and Cabinet documents and arrangements will be presented to the meeting of Council on 25 February 2026.

4. Agree that the implemented Leader and Cabinet arrangements will be reviewed in or around the autumn of 2026, with a view to introducing changes and improvements, where these are deemed to be necessary or desirable.

OPEN

Corporate Policy Committee

27 November 2025

The Council's Decision-Making Arrangements

Report of: Kevin O'Keefe, Interim Director of Law and Governance (Monitoring Officer)

Report Reference No: CPC/49/25-26

All wards are affected

For Decision

Purpose of Report

To secure recommendations to Council to adopt constitutional and other documents which will form the basis of the Council's Leader and Cabinet decision-making arrangements.

Executive Summary

- 1 The Council will move to a Leader and Cabinet form of governance from the date of its Annual General Meeting on 13 May 2026.
- 2 This report appends various constitutional and other documents which the Leader and Cabinet Task and Finish Group (T&F Group) has recommended to the Committee for adoption by Council.

RECOMMENDATIONS

That the Corporate Policy Committee recommend that Full Council:

1. Agree and adopt the following procedure rules and other constitutional documents and provisions, as appended to this report; these to take effect at the Council's Annual General Meeting on 13 May 2026:
 - a. Appendix 1: Recommendations arising from the deliberations of the T&F Group.
 - b. Appendix 2: Overview and Scrutiny Procedure Rules and Arrangements.
 - c. Appendix 3: Budget and Policy Framework Procedure Rules.
 - d. Appendix 4: Executive Arrangements and Cabinet Procedure Rules subject to a recommendation from the Committee upon whether:
 - i. 3 clear working days' notice of public and Member questions should be given before Cabinet meetings, and

- ii. such questions should relate to items on the agenda for the meeting in question.
 - e. Appendix 5: Local Choice Functions.
 - f. Appendix 6: Leader and Cabinet Transitional Provisions.
2. Authorise the Monitoring Officer, in consultation with the Council's political group leaders, to make such general and consequential changes to the Council's Constitution:
 - a. as he deems are necessary to give effect to the wishes of Council; or
 - b. as may become necessary at short notice, as referred to in paragraphs 9-11 of this report, and which may be required to be put in place to ensure the efficient and effective administration of the Council's decision-making arrangements with effect from 13 May 2026; or
 - c. which arise from provisions of legislation.
 3. Note that the remaining Leader and Cabinet documents and arrangements will be presented to the meeting of Council on 25 February 2026.
 4. Agree that the implemented Leader and Cabinet arrangements will be reviewed in or around the autumn of 2026, with a view to introducing changes and improvements, where these are deemed to be necessary or desirable.

Background

- 3 At its meeting on [17 September 2025](#), Council resolved to approve a change in the Council's governance arrangements from a Committee System to a Leader and Cabinet system; this change to take effect at the Council's Annual General Meeting on 13 May 2026. Council appointed the T&F Group to drive-forward the work required to achieve this, and to make recommendations to Council upon required constitutional and other arrangements.
- 4 The aim of the T&F Group is to ensure that a "good and firm foundation" is created for a seamless transition to Leader and Cabinet decision-making at the Council's Annual General Meeting. It is acknowledged that, due to the volume of work to be undertaken, and the short timescale within which this must be done, there will be the need to review the new arrangements after their implementation to secure improvements and changes where these might be desirable or needed.
- 5 The membership of the T&F Group comprises senior members of the Council's three political groups, including Group Leaders/Deputies, and Councillor Rod Fletcher, who represents the non-grouped independent members.
- 6 The initial work of the T&F Group has focussed upon key procedure rules and other core constitutional documents and requirements. Further work will be undertaken upon other matters which must be determined before May 2026, such as the non-executive committee structure.

- 7 As part of its initial work, the T&F Group considered the procedure rules and other arrangements which applied to comparator local authorities. However, members were satisfied that Cheshire East Council's own former Leader and Cabinet-related procedure rules had been "tried and tested" and had served the Council well from April 2009 to May 2021 under different political administrations. The T&F Group also noted that the rules which applied to other Leader and Cabinet authorities largely followed the model format of "Modular Constitutions" issued by the government department, with small local variations, as was the case with the Council's pre-May 2021 documents.
- 8 The Council's pre-May 2021 procedure rules and other constitutional documents (Appendices 2-6 of this report) are therefore recommended by the T&F Group to the Corporate Policy Committee and thereafter to Council, for agreement and adoption, subject to some consequential changes which will be made by the Monitoring Officer under delegated powers. Appendix 1 provides a summary of various matters of clarification and reassurance sought by the T&F Group before its recommendations were made. The remaining appendices comprise the following:

(a) Appendix 2: Overview and Scrutiny Procedure Rules and Arrangements.

These Rules are in relatively standard format and make provision for the responsibilities of the overview and scrutiny committees, as well as the way in which such committee business is conducted. The statutory powers of the committees are explained, as well as their important pre-decision scrutiny role and post-decision "call-in" provisions.

Appendix 1 provides more information upon the work of the T&F Group, and its recommendations, relating to these rules.

It should be noted that the rules will need to be amended and updated to reflect the number of overview and scrutiny committees formally appointed by Council, as well as their responsibilities, which will align with Cabinet Member responsibilities and those of the Council's directorates. Delegations are proposed in the recommendations to this report, to empower the Monitoring Officer to add these amendments and updates to the Constitution.

(b) Appendix 3: Budget and Policy Framework Procedure Rules.

These rules are common to all Leader and Cabinet authorities. They set out important principles and requirements for the adoption of key budget and policy documents, such as the Budget itself, the Development Plan, and the Crime and Disorder Reduction Strategy. The list of Policy Framework documents is stipulated in legislation and will be updated under the Monitoring Officer's delegated powers.

In respect of the Budget, the rules set out the process which must be followed in its development, for example, ensuring that the Council's overview and scrutiny committees are consulted before Council considers adoption of the Budget.

The appended version of the pre-May 2021 rules contains tables of financial limits which applied to certain decisions of committees, officers and members. The Section 151 Officer is undertaking a separate review of financial and contract procedure rules, which are likely to necessitate changes to these tables, or even to remove them altogether. The Monitoring Officer's delegated powers will be used to make these changes, as and when required.

Appendix 1 provides more information upon the work of the T&F Group, and its recommendations, relating to these rules.

(c) Appendix 4: Executive Arrangements and Cabinet Procedure Rules.

These rules are in relatively standard format and make provision for the responsibilities of the Cabinet and its members, as well as the way in which its business is conducted.

It should be noted that the rules will need to be amended and updated to reflect the number of Cabinet members formally appointed, as well as their responsibilities. Delegations are proposed in the recommendations to this report, to empower the Monitoring Officer to add these amendments and updates to the Constitution once the Cabinet appointments are made, and powers allocated.

In law, the formal Cabinet appointments and allocation of powers cannot be made until the Council Annual General Meeting (AGM), but in practice, it is proposed that the T&F Group should undertake work on the preparation of model arrangements well in advance of the AGM, to assist the process and the smooth transition of powers on the day of the AGM.

Appendix 1 provides more information upon the work of the T&F Group, and its recommendations, relating to these rules.

(d) Appendix 5: Local Choice Functions.

Section 13 of the Local Government Act 2000 permits local authorities to make choices upon whether certain functions should be the responsibility of Council, or the executive. The appendix reflects the Council's pre-May 2021 Local Choice Functions arrangements which served the Council well for 12 years under different political administrations.

Appendix 1 provides more information upon the work of the T&F Group, and its recommendations, relating to these functions.

(e) Appendix 6: Leader and Cabinet Transitional Provisions.

These provisions seek to facilitate and ensure a smooth transition from committee system to Leader and Cabinet decision-making. They provide reassurance that decisions made and arrangements which applied under the previous models of decision-making will not be "lost", vulnerable to challenge

or detrimentally affected due to the change in decision-making arrangements on 13 May 2026.

The provisions set out a methodology for the distribution of decisions within the new arrangements, including the transition of service committee responsibilities into the new arrangements.

Whilst every effort has been made to facilitate a seamless transition to the Leader and Cabinet arrangements in May 2026, it is prudent for the Council to put in place general provisions which will remove any future uncertainty in respect of changes which will be implemented, and issues which might subsequently arise after that transition. Such matters might not only arise in respect of decisions made under or in respect of the committee system but could conceivably relate to matters which pre-dated the introduction of the committee system.

The following is a summary of the transitional provisions:

Every decision made under the arrangements which pre-dates the move to Leader and Cabinet arrangements in May 2026 will create a legacy which extends past the introduction of the new arrangements in May 2026. The Council must be certain that previous decisions and any action or activity under the former arrangements will continue under the new arrangements. Therefore, the principles set out in the Appendix are intended to provide such reassurance.

Any matter in progress, or to be progressed, which involved a decision of the Council's former Cabinet, a decision of a service committee, or which was delegated to an officer is resolved using the principles in Appendix 6.

Provision also needs to be made for the continuity of the work of various bodies appointed by the Council, or attended by Council members, after May 2026, until new arrangements are made. This provision will continue until the next appropriate review date eg in respect of the Council's outside organisation appointments, these will be reviewed following the local elections in May 2027.

The following miscellaneous matters are proposed:

Generally

Any matter currently in progress, to be progressed, or which is reliant upon the Council's former decision-making arrangements will continue to be progressed after the Annual General Meeting in May 2026 via the Cabinet collectively, or in consultation with the appropriate Cabinet member. Appendix 6 applies.

The Cabinet and Cabinet members will review the work programmes of the service committees and build items of work into their own emerging work programmes.

Existing outside organisation appointments will continue until the next appropriate review date. Where appropriate, appointments may be reviewed by the Cabinet and appointees may be replaced by Cabinet members.

Approach to the budget

The budget is and will remain the responsibility of Council. As at the date of budget setting in February 2026, primary budgetary responsibility will rest with the Corporate Policy Committee (and Finance Sub-Committee) and the Chief Officers who are responsible for administering the budget. The statutory obligation of the Chief Financial Officer to ensure, and if required to impose, sound financial management is unchanged.

The Cabinet will be constrained by the budgetary framework and the procedure rules which apply to it. Budgets will, wherever practicable, be aligned with the Cabinet and its members to facilitate expenditure reassurance.

The fundamental principle is that Council will be responsible for the adoption of the Budget, following which it will be the responsibility of the Cabinet to implement it. After adoption, Cabinet will make day-to-day decisions within the adopted Budget.

The Budget process after May 2026 will make provision for the Cabinet to lead through the Finance portfolio holder, and the opportunity to shape future proposals which can be considered within the budgetary consultation process.

Ongoing workstreams

The focus of the pre-May 2026 process of preparation for constitutional change is to establish a “good and firm foundation” for decision-making under the Leader and Cabinet system, with effect from the 2026 Annual General Meeting of Council.

The newly implemented arrangements must be allowed to function, then be reviewed, and then must be improved where necessary or desirable. Some design-principle requirements, as agreed by Council on 17 September 2025, will need to be implemented after the change to the Leader and Cabinet arrangements as the focus must be upon establishing the key elements of Leader and Cabinet governance in the first instance.

Delegated Monitoring Officer powers

- 9 The Monitoring Officer is empowered under the Council’s Constitution to make changes to the Constitution which are “not major in nature”. However, this report seeks further delegated powers to be given to the Monitoring Officer to make changes to the Constitution, and to the Council’s decision-making arrangements, to address what might become necessary at short notice in anticipation of or following the change to the Leader and Cabinet model.

- 10 Whilst much preparation will have gone into the proposed decision-making arrangements prior to the Council Annual General Meeting on 13 May 2026, circumstances could and will arise which necessitate further changes to be made to the Constitution or to the Council's associated arrangements, at short notice.
- 11 The recommendations to this report therefore seek the delegation of further powers to the Monitoring Officer to implement such constitutional changes, as and when required.

Consultation and Engagement

- 12 No formal consultation is required by legislation.

Reasons for Recommendations

- 13 The Council is committed to be an effective and enabling council, with effective and responsive governance, compliance and evidence-based decision making. The move to Leader and Cabinet decision-making achieves this. To ensure that this change in governance arrangements can be made, major changes to the Constitution are required.

Other Options Considered

- 14 The option of not preparing for the change in decision-making arrangements is explored in the options appraisal below.

Options appraisal

Option	Impact	Risk
To do nothing	Major impact, as the organisation would be left with no constitutional framework within which to operate the new arrangements.	Major risk leading to decisions being subject to legal challenge.

Implications and Comments

Monitoring Officer/Legal/Governance

- 15 Because of the Council's resolution of 17 September 2025, Leader and Cabinet arrangements must be introduced with effect from the Council's Annual General Meeting in May 2026. The recommendations of this report seek the adoption of key constitutional procedure rules and other documents which will be essential to the proper administration and functioning of the new arrangements.
- 16 It will be essential for the new arrangements to be allowed to operate for an appropriate period, following which there should be a full review of their effectiveness, thereby facilitating further constitutional and operational changes where needed. The key aim is to establish a good and firm foundation for the

implementation of the new arrangements, which will be achieved by the adoption of key constitutional documentation.

Section 151 Officer/Finance

- 17 The decisions requested in this report do not have direct financial implications in and of themselves. The adoption of the Budget and Policy Framework will have indirect implications as they govern future financial decision making.
- 18 The Council must deliver financial efficiencies as part of its Medium-Term Financial Strategy. All options must remain available to elected members. The move to a Cabinet system of governance presents members with an opportunity to assure themselves of value-for-money arrangements around the cost of democracy.
- 19 The Section 151 Officer advises that the move to a Cabinet system of governance cannot cost more than the current Committee system and would, in their professional judgement, expect to see cost efficiencies arising from the reversion to a Cabinet system. There are currently no expected ongoing additional costs or savings associated with the change in governance model reflected in the Medium-Term Financial Strategy.
- 20 Should there be any additional costs or savings arising from a final governance model these must be subject to future reporting, be that standalone or transparently reported in the budget setting reports to both Corporate Policy Committee and Budget Council.
- 21 Any financial changes are revenue in nature and borne by the General Fund. It is therefore important that the final model of governance meets the value-for-money tests of economy, efficiency and effectiveness.

Human Resources

- 22 No direct human resources implications arise from the recommendations of this report.

Risk Management

- 23 The risks associated with failure to secure a Council resolution to agree the recommended constitutional documentation and arrangements are set out in the options appraisal.

Impact on other Committees

- 24 There is no direct impact on other Committees, associated with the recommendations of this report. However, once approved the recommended constitutional provisions will determine the way in which the Council's decision-making arrangement's function.

Policy

- 25 The Council is committed to be an effective and enabling council (Commitment 3), with effective and responsive governance, compliance and evidence-based decision making. The move to Leader and Cabinet decision-making achieves this. To ensure that this change in governance arrangements can be made, major changes to the Constitution are required.

Equality, Diversity and Inclusion

- 26 No direct equality, diversity and inclusion implications arise from the recommendations of this report.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy):</i>			
Ashley Hughes	Executive Director of Resources, Section 151 Officer	06/11/25	10/11/25
Kevin O'Keefe	Interim Director of Law and Governance (Monitoring Officer)	06/11/25	10/11/25
<i>Legal and Finance</i>			
Steve Reading	Finance Manager (Place & Corporate Services)	04/11/25	06/11/25
Hilary Irving	Head of Legal Services	04/11/25	05/11/25
<i>Other Consultees:</i>			
CLT		29/10/25	
Policy Briefing		11/11/25	

Access to Information	
Contact Officer:	<p>Brian Reed</p> <p>Brian.reed@cheshireeast.gov.uk</p>
Appendices:	<p>Appendix 1: Task and Finish Group recommendations.</p> <p>Appendix 2: Overview and Scrutiny Procedure Rules and Arrangements.</p> <p>Appendix 3: Budget and Policy Framework Procedure Rules.</p> <p>Appendix 4: Executive Arrangements and Cabinet Procedure Rules.</p> <p>Appendix 5: Local Choice Functions.</p> <p>Appendix 6: Leader and Cabinet Transitional Provisions.</p>
Background Papers:	<p>Cheshire East Council pre-May 2021 Constitution</p> <p>Leader and Cabinet Task and Finish Group reports</p>

Appendix 1

Issues upon which the T&F Group sought clarification and reassurance, and the T&F Group's recommendations

1. Overview and Scrutiny Procedure Rules and arrangements

A preference was expressed for a consolidated record of officer delegations to be created and housed in one section of the Constitution.

Recommendation: *this matter be referred for further consideration by the Task and Finish Group or the Constitution Working Group.*

Discussion took place upon the preferred numerical membership of the Overview and Scrutiny Committees.

Recommendation: *that the emerging Overview and Scrutiny Committees should have a membership of 12.*

Discussion took place upon the number of Overview and Scrutiny Committees which the Council should have.

Recommendation: *That there should be four Overview and Scrutiny Committees: Children, Adults, Place (including transportation) and Corporate/ Governance*

It was suggested that non-Overview and Scrutiny Committee members should be allowed to take part in Overview and Scrutiny task and finish group work.

Recommendation: *No further action or decision is required as the recommended draft Rules make provision for this.*

The T&F Group sought reassurance that the proposed "call-in" thresholds were clear and fair.

Recommendation: *the appended Overview and Scrutiny Procedure Rules are appropriate for the purposes of the call-in arrangements.*

“Horizon-scanning” should be an important function of Overview and Scrutiny Committees.

Recommendation: *No further action or decision is required as horizon-scanning is a clearly accepted function of overview and scrutiny committees.*

2. Budget and Policy Framework Procedure Rules

The T&F Group sought clarification upon the process for dealing with urgent decisions outside the budget or policy framework, including the role of the Mayor.

Recommended: *with the protections contained within the Rules, no further action or decision is required. The recommended Rules can proceed in their existing form.*

The T&F Group sought reassurance that list of items which comprise the policy framework aligns with current legislation.

Recommended: *no further action or decision is required as the provisions of legislation will be reflected in the Constitution, under the direction of the Monitoring Officer, and utilising his delegated powers.*

3. Executive Arrangements and Cabinet Procedure Rules

The Task and Finish Group wished to ensure that a standing invitation to attend Cabinet meetings will be offered to Audit and Governance and Overview and Scrutiny committee chairs and vice chairs.

Recommended: *that the Procedure Rules be amended to reflect standing invitations to Cabinet meetings for the Audit and Governance and Overview and Scrutiny Committee Chairs and Vice Chairs.*

The T& F Group considered that public and member speaking time at Cabinet meetings should both have a duration of 15 minutes, with flexibility built-in.

Recommendation: *This will be built-into the Rules and will form part of the recommendations. No clear recommendation was made upon whether 3 clear working days’ notice of member and public questions should be required to be*

given or upon whether such questions should be required to relate to agenda items for the meetings in question.

4. Local Choice Functions

The T&F Group considered whether the proposed local choice functions should be reviewed on an annual basis.

Recommendations: *That the operation of all constitutional provisions relating to the Leader and Cabinet arrangements be reviewed by the Leader and Cabinet Task and Finish Group or Constitution Working Group in the autumn of 2026 with a view to agreement upon the introduction of improvements and changes where appropriate.*

The T&F Group sought reassurance that “high profile” decisions (eg devolution) would be reserved to Council.

Recommendation: *It was accepted that legislation will always determine the formal decision-making route for high-profile decisions these being required to be made either by the executive or Council, as a matter of law.*

Therefore, no further action or decision was required.

Overview and Scrutiny Procedure Rules and arrangements

Overview and Scrutiny Committee arrangements

[NB: the number and responsibilities of the overview and scrutiny committees are subject to confirmation and agreement by Council, but the detail below has been inserted to reflect the recommendations of the Task and Finish Group]

- 1 The Council has established four overview and scrutiny committees:
 - 1.1 *Children*
 - 1.2 *Adults*
 - 1.3 *Place (including transportation)*
 - 1.4 *Corporate/governance.*
- 2 The Council fully supports the role of its overview and scrutiny committees in holding the Cabinet and others to account in discharging their functions and in policy formulation. In addition to the functions set out in Section 9F of the Local Government Act 2000, the Council believes that the important parts of the role are:
 - 2.1 to assist the Council and Cabinet in reviewing its major plans, policies and strategies, which will set the climate in which the Cabinet and other decision-making bodies are required to operate;
 - 2.2 to assist with policy formulation
 - 2.3 to undertake specific reviews of the Council's organisation and service provision so that improvements can be made to service delivery.
- 3 The Council's overview and scrutiny functions include responsibility for reviewing the health service provision within its area, health promotion and the health and well-being of local communities. The XXX Scrutiny Committee will undertake the scrutiny role in relation to health service provision in the Council's area. The Committee discharges the duties imposed on the Council under the relevant health legislation.
- 4 The Agenda for overview and scrutiny committees sets out arrangements for the operation of the overview and scrutiny committees.

Role of the Overview and Scrutiny Committees

- 5 The overview and scrutiny committees:
 - 5.1 will discharge the Council's functions under Section 9F of the Local Government Act 2000 (Overview and Scrutiny Committees)
 - 5.2 will be responsible for the Council's scrutiny function including the preparation, implementation, monitoring and review of an annual work

programme for overview and scrutiny in accordance with the objectives of the Corporate Plan and arrangements for the scrutiny of other public bodies particularly where required to do so by law

- 5.3 may establish such task and finish groups, appointing the chair in accordance with the Council's criteria and with such membership as it sees fit, to undertake scrutiny on a task and finish basis
- 5.4 will, as part of the overall role, ensure the Chief Executive and Corporate Leadership Team discharge their responsibilities effectively and efficiently in relation to the overview and scrutiny function
- 5.5 will scrutinise decisions of or actions taken by the Cabinet, and offer advice or make recommendations on the matter under scrutiny once the committee has considered the issues
- 5.6 may scrutinise matters coming before Cabinet for decision and respond appropriately to the Cabinet on the matter once the committee has considered the issues fully
- 5.7 will review or scrutinise decisions or actions taken in respect of any functions which are not the responsibility of the Cabinet and make reports or recommendations to the Council, or appropriate body of the Council
- 5.8 may refer to the Council or appropriate committee/sub-committee any matter which, following scrutiny, the committee determines should be brought to the attention of the Council or the committee or sub-committee and may, if requested, offer any views or advice to the Cabinet in relation to any matter referred to the committee for consideration
- 5.9 may undertake reviews with a cross-service approach and make reports and recommendations to the Council (or other appropriate Council body) or the Cabinet to assist in the review of policies and strategies
- 5.10 may offer advice and make recommendations to the appropriate body of the Council on the review of policy
- 5.11 in performing its role, the committee may consult and involve the local community and other local public, private and voluntary bodies or organisations
- 5.12 may review the Council's response to its obligations in respect of the overall performance management regime and, where appropriate, advise the Cabinet or appropriate body of the Council of its findings
- 5.13 may advise the Cabinet and Council, as appropriate, of the scrutiny response to the formulation of the Council's Budget and performance management reports

- 5.14 may recommend that a decision made but not yet implemented and taken in respect of a function which is the responsibility of the Cabinet be reconsidered by the Cabinet
- 5.15 may scrutinise decisions after implementation to examine their effect and outcomes
- 5.16 may make reports or recommendations to the appropriate body of the Council in respect of any matters which affect the Council's area or its inhabitants
- 5.17 may review and make recommendations in relation to matters which are not the direct responsibility of the Council but which affect the social, economic or environmental well-being of an area or the Council's area as a whole or under any statutory requirement or Council contract, procedure or practice
- 5.18 may give partner authority notice in writing requiring them to have regard to the report or recommendations of the committee in exercising their functions
- 5.19 may invite expert witnesses, members, officers and partners to answer questions
- 5.20 will ensure, in conjunction with the Constitution Committee *[to be confirmed]*, that the Council has in place appropriate mechanisms to protect organisational integrity, including the development of appropriate policies and guidance
- 5.21 will consider and advise the Cabinet in respect of "call-in" notices under the Council's relevant procedures.

Chairs and Vice-Chairs of Overview and Scrutiny Committees

- 6 Nominees for appointment to these offices shall be notified by the political group leaders or group whips prior to the Annual Council Meeting.

Membership of Overview and Scrutiny Committees

- 7 Overview and scrutiny committees will comprise 12 members.

General Responsibilities of all Overview and Scrutiny Committees

- 8 Any of the committees may be invited to provide advice and recommendations on the development and updating of the policies of the Council and other bodies.
- 9 The committee memberships are appointed on a politically proportionate basis (plus appropriate co-option).

Specific Responsibilities of Overview and Scrutiny Committees

- 10 The following sections set out the specific responsibilities of each overview and scrutiny committee. These have some alignment with the responsibilities of Cabinet members and the Council's directorates. Where there is a change in the responsibilities of the Cabinet Members, the following section of the Constitution shall be changed by the Monitoring Officer using his/her delegated powers to ensure the specific responsibilities of each overview and scrutiny committee reflect this.

[This section will be updated to reflect the formal appointment of the overview and scrutiny committees and their responsibilities]

1. Overview and Scrutiny Procedure Rules

Agenda for Overview and Scrutiny Committees

- 1.1 Any member of an overview and scrutiny committee shall be entitled to require, in writing, that an item be included on the agenda, provided that the item is within the remit of the committee in question; the item will then appear on the agenda for the next meeting, subject to such requirement being made prior to the agenda publication date. The committee will decide how the item should be considered and whether or not it can be included in its work programme.
- 1.2 Similarly, the Leader, Deputy Leader of the Council or a Cabinet Member with specific portfolio responsibilities may give notice in writing requiring an item to appear on an agenda of an overview and scrutiny committee, relating to their area of responsibility. The committee will decide how the item should be considered and whether or not it can be included in its work programme.
- 1.3 Subject the Council Procedure Rules, any other member may give notice in writing to the Monitoring Officer, requesting an item to appear on an agenda of an overview and scrutiny committee. The item may be included after consulting the chair of the committee.
- 1.4 Any member raising an item under the above provisions shall be precluded from raising the matter again for a period of six months from the date it was considered by the committee in question.

Policy Review and Budget Development

- 1.5 The overview and scrutiny committees have a key role in budget and policy development.
- 1.6 The Budget and Policy Framework contains details of the process by which the overview and scrutiny committees may perform that role.
- 1.7 In relation to the development of the Council's approach to other matters not forming part of its Budget and Policy Framework, the overview and scrutiny

committees may make proposals to the Cabinet for development in so far as they relate to matters within their terms of reference.

1.8 Overview and scrutiny committees may hold inquiries in relation to policy review and may appoint specialists to assist them in this process. They may visit sites, conduct public surveys, hold public meetings, commission research and undertake such other things they consider reasonable and necessary to inform their deliberations. They may call witnesses on any matter under consideration and may pay to any specialists and witnesses a reasonable fee and expenses for doing so within budgetary provision.

Reports from the Overview and Scrutiny Committees

- 1.9 The Council or Cabinet (as appropriate) shall consider any report from the committees at their next programmed meeting.

Co-option

- 1.10 There are four statutory co-optees in respect of the Council's Education function as follows:
- 1.10.1 A Church of England Diocese representative
 - 1.10.2 A Roman Catholic Diocese representative
 - 1.10.3 Two parent governor representatives
- 1.11 In respect of education matters only, as defined in the relevant guidance, the statutory co-optees will be voting members of the XXX Scrutiny Committee. They will be only invited to attend other overview and scrutiny committee meetings where relevant matters are under consideration, subject to any exclusions in law or statutory guidance.
- 1.12 At those other bodies to which they have not been appointed, they shall be entitled only to speak on matters relating to such issues. They may speak on other issues only with the consent of the chair.
- 1.13 The overview and scrutiny committees shall be entitled to appoint persons to be non-voting co-optees, taking into account any advice or guidelines issued from time to time by the Council. Such co-options may relate to a prescribed period of office or to specific issues under consideration. Any person co-opted under these arrangements will be entitled to participate fully in the work of the committees subject to any conflicts of interests.

Rights of Scrutiny Members to Documents

- 1.14 In addition to their rights as Councillors, members of overview and scrutiny committees have the additional right of access to documents, and to notice of meetings as set out in the Access to Information Procedure Rules.

- 1.15 Nothing in this paragraph prevents more detailed liaison between the Cabinet and the overview and scrutiny committees, depending on the particular matter under consideration.

Members and Officers Giving Account

- 1.16 The overview and scrutiny committees may scrutinise and review decisions made or actions taken in connection with the discharge of any Council function. As well as reviewing the documentation, in fulfilling its scrutiny role, they may require any member of the Cabinet to attend before them to explain the following matters within their remit:

- 1.16.1 any particular decision or series of decisions;
- 1.16.2 the extent to which the actions taken implement Council policy; and/or
- 1.16.3 their performance.

and it is the duty of those persons to attend if so required.

- 1.17 Where any overview and scrutiny committee wishes to ask an officer to attend to answer questions or discuss issues, this will be subject to agreement with the Chief Executive.
- 1.18 Where it is agreed that an officer should appear to answer questions, their evidence should, as far as possible, be confined to questions of fact and explanation relating to policies and decisions. Officers may explain:
- 1.18.1 what the policies are
 - 1.18.2 the justification and objectives of those policies as the Cabinet sees them
 - 1.18.3 the extent to which those objectives have been met, and
 - 1.18.4 how administrative factors may have affected both the choice of policy measures and the manner of their implementation.
- 1.19 Officers may be asked to explain and justify advice they have given prior to executive decisions being taken. They may also be asked to explain and justify executive decisions they have taken under delegated powers.
- 1.20 Officers should not be expected to discuss politically contentious matters, and any officer input should be consistent with the requirements for political impartiality.
- 1.21 The requirements of the Officer Code of Conduct must be adhered to where an officer is attending a meeting of an overview and scrutiny committee.
- 1.22 Where any member or officer is required to attend an overview and scrutiny committee under this provision, the chair of that committee will inform the Monitoring Officer, who will inform the member or officer in writing, giving at least ten clear working days' notice of the meeting. The notice will state the nature of the item on which he/she is required to attend and whether any papers are required to be produced for the committee. Where the account to be given to the

committee will require the production of a report, then the member or officer concerned will be given reasonable and sufficient notice to allow for its preparation.

- 1.23 Where, in exceptional circumstances, the member or officer is unable to attend on the required date, then the committee shall, in consultation with the member or officer, arrange an alternative date for attendance.

Attendance by Others

- 1.24 The overview and scrutiny committees may invite individuals other than those referred to above to address it, discuss issues of local concern and/or answer questions.

Call-in

- 1.25 When a decision is made by the Cabinet, or a Committee or Sub-Committee of the Cabinet, by an individual Cabinet Member, or when a key decision is made by an officer with delegated authority from the Cabinet, the decision shall be published, by electronic means. All members of the Council will be sent an electronic record of all such decisions within the same timescale.
- 1.26 Subject to paragraphs 1.27 and 1.28 below a decision taken and to which paragraph 1.25 above refers will not come into force, and may not be implemented, until the expiry of 5 clear working days after the decision was made and published.
- 1.27 Where a decision referred to in paragraph 1.25 has been made, any 9 or more Members of the Council may submit a call-in notice, in writing, within the period specified in paragraph 1.26 above, to the Monitoring Officer. Where the notice is valid, the decision cannot be implemented until the procedures in this section have been followed. Where a valid notice is received, the decision shall stand referred to the appropriate overview and scrutiny committee for advice.

The grounds for a valid call-in, in the opinion of the Monitoring Officer, are as follows:

- a) Decision is outside the Budget and Policy Framework
- b) Inadequate consultation relating to the decision
- c) Relevant information not considered
- d) Insufficient consideration of legal or financial advice
- e) Viable alternatives not considered
- f) Justification for the decision open to challenge on the basis of the evidence considered

The Monitoring Officer may discuss the call-in with the lead member signatory, the Cabinet Member and the Mayor with a view to achieving an outcome to resolve the issue without the need for referral to an overview and scrutiny committee or to Council. If an informal call-in meeting is held to consider alternative options which

would resolve the matter without reference onwards, the meeting should include the Group Leader for the largest opposition group, the Leader/Deputy Leader of the Council, the Leader of the group whose member has requested that the decision be called-in, and the member who has made the request.

Where a valid call-in is received, the decision shall stand referred to the next overview and scrutiny committee meeting for review. A representative of the referral signatories shall have the opportunity to address the meeting on the subject of the decision that has been referred. The committee may either:

- a) uphold the original decision with or without modifications, in which case the decision has immediate effect,
- b) make recommendations to the original decision-maker, or
- c) make recommendations to Council.

A decision may only be the subject of a call-in once.

- 1.28 Requests to call-in decisions should be made on a standard form obtained from the Democratic Services Team, and members must give reasons for the request. The form will include guidance to assist Members to establish and set out the grounds for call-in, as above.
- 1.29 The lead member of the call-in group should send an email enclosing the call-in form, to all members of the call-in group, Monitoring Officer, and Democratic Services Team and request that all signatories confirm their consent to the call-in by email to the appropriate Democratic Services officer.
- 1.30 Where a corporate electronic system failure, or planned shutdown, prevents the issuing of or access to Cabinet decisions or the submission of a call-in notice by electronic means in accordance with the Council's call-in provisions, the periods for notification or submission shall be extended by the period of delay, provided that period is in excess of four hours. When, in the opinion of the Monitoring Officer, the period of delay is likely to extend beyond two clear working days, he/she shall agree with the chair of the appropriate overview and scrutiny committee, alternative arrangements to avoid any delay in implementing Cabinet decisions not subject to call-in.
- 1.31 Where a matter is considered and advice is offered by an overview and scrutiny committee, its advice will be submitted to the decision-maker for a decision to be made on the matter. The decision-maker shall consider the advice but shall not be bound to accept it in whole or in part. The decision-maker shall have sole discretion to decide on any further action to be taken in relation to the decision in question, including confirming the original decision, with or without amendment, or deferral pending further consideration, or making a different decision. There are no further rights to enable a member of the Council to submit a call-in notice. The decision may then be implemented.
- 1.32 A submitted call-in notice can only be withdrawn with the written consent of all signatories.

- 1.33 The call-in facility does not apply to the determination of a Notice of Motion.

Call-in and Urgency

- 1.34 The call-in procedure set out above shall not apply where the decision being taken is urgent. A decision will be urgent if any delay, caused by the call-in process, would be likely to seriously prejudice the Council's or the public's interests. The chair of the appropriate overview and scrutiny committee or, in his/her absence, the Mayor must agree that the decision should be treated as urgent, and that the call-in procedure should not apply. In the absence of the chair, the vice chair's consent shall be required. In the absence of both, the Chief Executive or his/her nominee's consent shall be required. Where such agreement is reached, all Members of the Council shall be notified by electronic means.

The Party Whip

- 1.35 It is generally accepted that the Party Whip should be suspended in respect of scrutiny matters. However, when considering any matter in respect of which a member of an overview and scrutiny committee is subject to a formal party whip, the member must declare the existence of the whip, and the nature of it, before the commencement of the committee's deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the Minutes of the meeting.

Procedure at Overview and Scrutiny Committee Meetings

- 1.36 Overview and scrutiny committees shall consider the following business:
- 1.36.1 Record of the last meeting
 - 1.36.2 Consideration of any matter referred to the committee by the Council or by the Cabinet
 - 1.36.3 Consideration of any matter referred to the committee for advice in relation to call-in or a decision
 - 1.36.4 Responses of the Cabinet on reports of the overview and scrutiny committee, and
 - 1.36.5 the business otherwise set out on the agenda for the meeting.
- 1.37 Where an overview and scrutiny committee conducts investigations (e.g. with a view to policy review), it may also ask people to attend to give evidence at its meetings, which are to be conducted in accordance with the following principles:
- 1.37.1 The investigation is to be conducted fairly, and all members of the committee are to be given the opportunity to ask questions of attendees, and to contribute and speak
 - 1.37.2 Those assisting the committee by giving evidence are to be treated with respect and courtesy, and

1.37.3 The investigation is to be conducted so as to maximise the efficiency of the investigation or analysis.

- 1.38 Following any investigation or review, the committee shall prepare a report, for submission to the Cabinet and/or Council as appropriate and shall, unless there are exceptional reasons, make its report and findings public.
- 1.39 There is no facility to allow questions by members of the public at meetings of overview and scrutiny committees. However, a period of 15 minutes will be provided at the beginning of such meetings to allow members of the public to make a statement on any matter that falls within the remit of the committee, subject to individual speakers being restricted to five minutes.

Matters within the remit of more than one overview and scrutiny committee

- 1.40 Where a matter before an overview and scrutiny committee also falls within the remit of one or more other overview and scrutiny committee, the decision as to which body will consider it, including any arrangements for joint working or sharing information, will be resolved by the XXX Committee.

Joint Scrutiny Protocol

- 1.41 The Council has approved a joint scrutiny protocol for Cheshire, Merseyside and Wirral to consider consultations by NHS bodies or service providers in connection with substantial developments or variations in service. Nominations to any joint scrutiny committee established under the protocol will be made by the chair of the XXX Overview and Scrutiny Committee (or any successor body).

Budget and Policy Framework Procedure Rules

The Framework for Executive Decisions

- 1 The Council will be responsible for the adoption of its Budget and Policy Framework. Once the Budget and Policy Framework are in place, it will be the responsibility of the Cabinet to implement them.
- 2 The Cabinet has responsibility for proposing to Council a budget and policies that will form part of the Budget and Policy Framework. It also has responsibility for making day-to-day decisions within that Budget and Policy Framework.
- 3 This part of the Constitution is concerned with the process of developing the Budget and Policy Framework and settling any differences between the Council and the Cabinet on those matters. Call-in and consideration of day-to-day decisions made by the Cabinet are dealt with in the Cabinet Rules of Procedure and the Overview and Scrutiny Procedure Rules.

Process for Developing the Framework and Budget

- 4 The process by which the documents forming part of the Local Plan shall be developed and approved is set out in legislation.
- 5 The process by which all other aspects of the Budget and Policy Framework shall be developed is:
 - 5.1 The Cabinet will draw up initial proposals regarding the adoption of any plan, strategy or Budget forming part of the Budget and Policy Framework. The Cabinet will consult on those initial proposals and publish a timetable in which responses to the consultation are to be received. The relevant overview and scrutiny committees shall be asked to give their views as part of that consultation. The consultation period shall in each instance be determined by Cabinet but will not be less than four weeks
 - 5.2 At the end of the consultation period, the Cabinet will draw up firm proposals having regard to the responses received from the consultation
 - 5.3 Overview and scrutiny committees are responsible for fixing their work programmes and may investigate, research, or report in detail with policy recommendations in response to any such consultations within the period specified
 - 5.4 The Cabinet will submit those firm proposals to the Council together with a report that will set out the comments made by consultees and, in particular the views of the overview and scrutiny committees and the Cabinet's response to those views
 - 5.5 Once Cabinet has approved the firm proposals they will be referred at the earliest opportunity to Council for decision

- 5.6 In reaching a decision, the Council may adopt the Cabinet's proposals, amend them, refer them back to the Cabinet for further consideration, or substitute its own "in principle proposals" in their place
- 5.7 If it accepts the recommendation of the Cabinet without amendment, the Council may make a decision, which has immediate effect. Otherwise, it may only make an in-principle decision
- 5.8 The decision will be published and, if an in-principle decision has been made, a written copy shall be given to the Leader as soon as possible for the Cabinet to consider
- 5.9 An in-principle decision will automatically become effective 5 working days from the day following the date of written notification to the Leader of the Council's decision, unless the Leader informs the Chief Executive in writing within those 5 days that the Leader objects to the decision becoming effective and provides reasons why in writing
- 5.10 Where notification of an objection is received, a meeting of Council will be called to be held within 28 days of the objection being received by the Chief Executive, to reconsider the decision that is the subject of the objection. In reconsidering the decision, the Council must take into account the objection of the Cabinet and reasons for it and any revised proposals submitted by the Cabinet and the Cabinet's reasons for those revised proposals. The Council may either:
- 5.10.1 approve the Cabinet's recommendation, or
 - 5.10.2 approve a different decision which does not accord with the recommendation of the Cabinet
- 5.11 The decision shall then be published and implemented immediately.
- 6 In approving its Budget each year, the Council may specify in addition to such matters dealt within the Finance Procedure Rules, the extent to which the Cabinet can agree virements within the budget and the degree to which in-year changes can be agreed by Cabinet to the Policy Framework. Any other changes to the policy and budgetary framework are reserved to the Council.
- 7 Where a new plan or strategy is required to be produced as part of the Policy Framework, either by Council of its own motion, or following a recommendation to Council by an overview and scrutiny committee, Cabinet shall develop the plan or strategy in accordance with the process set out within paragraph 5.

Decisions Outside the Budget or Policy Framework

- 8 Subject to the provisions of paragraphs 13 and 14 (virement), the Cabinet, or any decision-making arm of the Cabinet, may only take decisions that are in line with the Budget and Policy Framework. If it wishes to make a decision which is contrary to the Policy Framework, or contrary to or not wholly in accordance with the Budget approved by full Council, then that decision may only be taken in accordance with the provisions of paragraphs 10 to 12 below.

- 9 If the Cabinet, or any decision-making arm of the Cabinet, wants to make a decision, advice shall be taken first from the Monitoring Officer and/or the Section 151 Officer as to whether the decision would be contrary to the Policy Framework, or contrary to or not wholly in accordance with the Budget. If the advice of any of those Officers is that the decision would not be in line with the existing Budget and/or Policy Framework, then the decision must be referred to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in paragraphs 10 to 12 (urgent decisions outside the budget or Policy Framework) shall apply.

Urgent Decisions Outside the Budget or Policy Framework

- 10 The Cabinet or an individual member of the Cabinet may take a decision, which is contrary to the Council's Policy Framework or contrary to or not wholly in accordance with the Budget approved by full Council, in exceptional circumstances and if the decision is a matter of urgency. However, the decision may only be taken:
- 10.1 if it is not practical to convene a quorate meeting of the full Council, and
- 10.2 if the chair of a relevant overview and scrutiny committee agrees that the decision is a matter of urgency.
- 11 The reasons why it is not practical to convene a quorate meeting of full Council and the consent of the Chairman of the relevant overview and scrutiny committee to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the chair of the relevant overview and scrutiny committee the consent of the vice chair or, in the absence of both, the Mayor, will be sufficient.
- 12 Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

Virement

- 13 The Council has set virement limits within which decision-makers can exercise discretion in approving or otherwise financial transfers within the Budget. The limits are set out in the table below *[or, in the Finance Procedure Rules]*.
- 14 Where the Cabinet or an individual is discharging executive functions to implement Council policy, then any decision to spend or make savings shall not exceed those budgets allocated to each budget head for which they have responsibility. However, the Cabinet or those individuals shall be entitled to vire across budget heads provided there is compliance with the financial limits in the table below *[or, in the Finance Procedure Rules]* and the Finance Procedure Rules.

Policy Framework – In-year Changes

15 The responsibility for agreeing the Budget and Policy Framework lies with the Council, and decisions of the Cabinet or an individual member of the Cabinet must be in line with it. Changes (including modifications, revisions, variations, withdrawal or revocation) to Policy Framework plans or strategies must ordinarily be approved by the Council. However, the Council may, at the time when the plan or strategy is approved, authorise the Cabinet, or a body or individual exercising Cabinet functions, to make such changes, provided that those changes will:

- 15.1 result in the closure or discontinuing of a service, in whole or in part to meet a budgetary constraint, or
- 15.2 ensure compliance with the law, ministerial direction or Government guidance, or
- 15.3 in relation to the Policy Framework in respect of a policy which would normally be agreed annually by the Council following consultation, determine matters where the existing policy document is silent on the matter under consideration.

Call-in of Decisions Outside the Budget or Policy Framework

16 Where an overview and scrutiny committee is of the opinion that a decision of the Cabinet, or any decision-making arm of the Cabinet, is, or if made would be, contrary to the Policy Framework, or contrary to or not wholly in accordance with the Council's budget, then it shall seek advice from the Monitoring Officer and Section 151 Officer.

17 In respect of functions which are the responsibility of the executive, and where the decision has already been made and implemented, the Monitoring Officer/Section 151 Officer, shall report to the Cabinet on the advice that has been given to the overview and scrutiny committee and shall copy that report to each Member of the Council. The Cabinet must consider the report of the relevant officer and decide what action to take in respect of the report. Where the advice concluded that there was a departure from the Budget or Policy Framework, the Cabinet must report to Council on the action it intends taking.

18 Where there was no such departure, the Cabinet must report to the overview and scrutiny committee on any action to be taken.

19 If the decision has yet to be made or, has been made but not yet implemented, and the advice of the relevant Officer is that the decision is or would be contrary to the Policy Framework or contrary to or not wholly in accordance with the Budget, the overview and scrutiny committee may refer the matter to the Council. In such cases, no further action may be taken in respect of the decision or its implementation until the Council has met and considered the matter. The Council shall meet within 28 days of the request by the overview and scrutiny committee or sub-committee. At the meeting the Council will receive a report of the decision or proposals and the advice of the relevant Officer. If the Cabinet has prepared a report on the matter, this will also be submitted to the Council. The Council may either:

- 19.1 endorse the decision or proposal of the Cabinet, or its decision-making arm, as falling within the existing Budget and Policy Framework of the Council. In this case, no further action is required other than the decision of Council be minuted and circulated to all Councillors; or
- 19.2 amend the Council's Finance Procedure Rules or the policy concerned, to encompass the decision or proposal and agree to the decision with immediate effect. In this case, no further action is required other than the decision of Council being minuted and circulated to all Councillors; or
- 19.3 where the Council accepts that the decision or proposal is contrary to the Policy Framework or contrary to or not wholly in accordance with the Budget and does not amend the existing framework or budget to accommodate it, it may require the Cabinet to reconsider the matter in accordance with the advice of the relevant officer(s).

The Policy Framework

20 The Council's Policy Framework comprises:

[The Corporate Plan](#)

Crime and Disorder Reduction Strategy - delivered through Safer Cheshire East Partnership (SCEP) [Safer Cheshire East Partnership](#)

[Local Transport Plan](#)

[Local Development Plan and Development Plan Framework documents](#)

[Licensing Authority Policy Statement](#)

[Gambling Statement of Principles](#)

[Equality and Diversity Strategy](#)

[Environment Strategy 2020-24](#)

[Annual Pay Policy Statement](#)

[Youth Justice Plan](#)

[Children and Young People Plan](#)

Financial Limits

21 The next section of these Budget and Policy Framework Rules is a table setting out the financial limits contained in various parts of this Constitution. The purpose of this table is to assist readers in identifying relevant financial limits and their location in the Constitution. The table itself is not an operative part of the Constitution – it sets out what the various financial limits are and signposts where they can be found in the document.

[The Section 151 Officer will undertake a review of the Finance Procedure Rules and determine whether the information below should be amended or removed altogether]

Page	Reference	Area	Financial Limit
14	Chapter 2, Part 2	Key Decisions	Equal to or above £1,000,000
36	Chapter 2 Part 4	Limitations of Portfolio Holder Decisions	Below £1,000,000
54	Chapter 2, Part 5	Staffing Committee	To make recommendations to Council in relation to decisions affecting the remuneration of any new post whose remuneration is or is proposed to be or would become £100,000 p.a. or more.
54	Chapter 2, Part 5	Staffing Committee	To make decisions in relation to proposed severance packages with a value of £100,000 or more as appropriate (including any pension strain)
90	Chapter 2, Part 6	Delegations to Chief Executive / Head of Paid Service	To make decisions affecting the remuneration of any existing post whose remuneration is or is proposed to be or would become £100,000 p.a. or more in consultation with the Leader and Chairman of the Staffing Committee
98	Chapter 2 Part 6	Delegations to the Monitoring Officer	To authorise the settlement of actual or potential uninsured claims, borehole claims or Local Government Ombudsman cases across all functions of the Council up to £25,000 (which after settlement shall be reported to Cabinet)

98	Chapter 2, Part 6	Delegations to the Monitoring Officer	To authorise the settlement of actual or potential uninsured claims, borehole claims or Local Government Ombudsman cases across all functions of the Council above £25,000 and below £100,000 in consultation with the Finance and Communication Portfolio Holder and
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Page	Reference	Area	Financial Limit
			the Executive Director (Corporate Services) (which after settlement shall be reported to Cabinet)
98	Chapter 2, Part 6	Delegations to the Monitoring Officer	Claims in respect of actual or potential uninsured claims or Local Government Ombudsman cases in excess of £100,000 require Cabinet approval
137	Chapter 3, Part 1, Appendix 4	Urgent Decisions	For the purposes of this urgency provision, the limit placed on the decision-making powers of individual Portfolio Holders in relation to decisions involving expenditure or savings of £1,000,000 or more would not apply
201	Chapter 3, Part 4, Section 3	Capital Approvals	Individual items estimated to cost £250,000 and above will be treated as separate schemes or provisions
202	Chapter 3, Part 4, Section 3	Capital Approvals	Block provisions may be approved within the Capital Programme for individual schemes costing less than £250,000. A detailed breakdown of the expenditure proposed must be submitted as part of the policy and planning process
214	Chapter 3, Part 4, Section 4	Asset Disposal / write Offs	The S.151 Officer may authorise the write off of losses up to £5,000, or disposals, of obsolete or surplus equipment, materials, vehicles or stores up to a disposal value of

			£5,000
214	Chapter 3, Part 4, Section 4	Asset Disposal / write Offs	Where the sum exceeds £5,000 but is less than or equal to £25,000 this should be done in consultation with the Portfolio Holder for Finance, IT and Communication
214	Chapter 3, Part 4, Section 4	Asset Disposal / write Offs	Where the value exceeds £25,000, approval must be sought from the Portfolio Holder for Finance, IT and Communication
216	Chapter 3, Part 4, Section 4	Salaries and Wages	The Chief Executive or Executive Director (Corporate Services) must approve all requests up to £100,000 including pension strain
216	Chapter 3,	Salaries and	All requests in excess of £100,000

Page	Reference	Area	Financial Limit
	Part 4, Section 4	Wages	including pension strain must be approved by the Staffing Committee
223	Chapter 3, Part 4, Section 5	Ordering and Paying for Work, Goods and Services	Where a requisition for the purchase of goods or services exceeds £10,000 in value, Contract Procedure Rules Part 5 Section 3 applies
236	Chapter 3, Part 4, Annex	Block Provisions	Annual capital allocations made to cover minor schemes with starting values of less than £250,000
244	Chapter 3, Part 4, Annex	Request for Quotation	An invitation to providers to submit quotations for Contracts to provide goods, services or works valued between £25,000 and the relevant EU Threshold

250	Chapter 3, Part 5, Section 2	Electronic Tendering	All tendering above the relevant EU Threshold (and for Contracts which are below the EU thresholds but higher than £25,000 in value) must be undertaken via an electronic tendering method and shall use the e-tendering Portal accessible through the CPU.
251	Chapter 3, Part 5, Section 2	Contracts Register	The Contracts Register shall be controlled by the CPU and the Commissioning Officer must ensure that all Contracts above £5,000 in value are recorded.
253	Chapter 3, Part 5, Section 3	Competition Requirements	Up to £10,000 – 3 quotes are advisable but not mandatory (local firms being preferable where appropriate)
253	Chapter 3, Part 5, Section 3	Competition Requirements	Between £10,000 and £25,000 – A minimum of three quotations shall be sought, together with advice from the CPU or Legal Services on the appropriate form of Contract
253	Chapter 3, Part 5, Section 3	Competition Requirements	Between £25,000 and the applicable EU Threshold – A minimum of three quotations shall be sought via the Etendering Portal, and/or Contracts Finder together with advice from the CPU or Legal Services on the appropriate form of Contract

Page	Reference	Area	Financial Limit
258	Chapter 3, Part 5, Section 5	Opening Bids	Bids above £1,000,000 will be verified by Legal Services

258	Chapter 3, Part 5, Section 5	Opening Bids	Bids from the EU Threshold up to £1,000,000 will be verified by the Procurement Manager or a Category Manager that has not been involved in the tender in question
258	Chapter 3, Part 5, Section 5	Opening Bids	Bids between £25,000 and the EU Threshold will be verified by a Procurement Officer that has not been involved in the procurement process in question
258	Chapter 3, Part 5, Section 5	Opening Bids	Bids between £10,000 and £25,000 will be opened in accordance with any guidance issued by CPU from time to time
263	Chapter 3, Part 5, Section 6	Signed Contracts	Contracts (with a value not exceeding £1,000,000) shall be signed on behalf of the Council by a duly authorised Officer in accordance with the local Scheme of Delegation
263	Chapter 3, Part 5, Section 6	Contract Sealing	A Contract must be executed under seal by Legal Services where it exceeds £1,000,000 in value
284	Chapter 4, Part 1	Gifs and Hospitality	You must within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £100 which you have accepted as a Member from any person or body other than the Authority

286	Chapter 4, Part 1	Personal Interests	For the purposes of this Code, a relevant person is any person or body in whom such persons have a beneficial interest and a class of securities exceeding the nominal value of £25,000 or one hundredth of the total issued share capital of that body
Page	Reference	Area	Financial Limit
290	Chapter 4, Part 1	Dispensations: Securities	The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body
294	Chapter 4, Part 2	Gifts and Hospitality	Small insignificant gifts of a value of less than £5, such as pens, diaries, calendars, mouse mats or mugs, may be accepted
325	Chapter 6	Block Provisions	Annual capital allocations made to cover minor schemes with starts values of less than £250,000
333	Chapter 6	Requests for Quotation	An invitation to providers to submit quotations for Contracts to provide goods, services or works valued between £25,000 and the relevant EU Threshold

EU Thresholds (page 254)

	Supply, Services¹ and Design Contracts	Works Contracts²	Social and Other Specific Services³
Other public sector Contracting authorities	£181,302 (€221,000)	£4,551,413 (€5,548,000)	£615,278 (€750,000)

¹ With the exception of the following services which have different thresholds or are exempt:

- Social and other specific services (subject to the light touch regime) Article 74

- Subsidised services contracts specified under Article 13
- Research and development services under Article 14 (specified CPV codes are exempt).

² With the exception of subsidised works contracts specified under Article 13.

³ As per Article 74. Services are listed in Annex XIV.

Revenue Virements (*page 188*)

Virement Amount	Approval Level
Up to and including £100,000	Head of Service
In excess of £100,000 up to and including £500,000	Corporate Leadership Team (Relevant Executive Director)
In excess of £500,00 up to and including £1,000,000	Corporate Leadership Team (Relevant Executive Director) in consultation with Portfolio Holder for Finance, IT and Communication and relevant Portfolio Holder
Over £1,000,000 (where virement is within budget and policy framework)	Cabinet
Over £1,000,000 (where virement is outside budget and policy framework)	Council

Capital Virements (*page 188*)

Virement Amount	Approval Level
Up to and including £100,000	Head of Service
In excess of £100,000 up to and including £500,000	Corporate Leadership Team (Relevant Executive Director)
In excess of £500,000 up to and including £1,000,000	Corporate Leadership Team (Relevant Executive Director) in consultation with Portfolio Holder for Finance, IT and

	Communication and relevant Portfolio Holder
In excess of £1,000,000 up to and including £5,000,000	Cabinet
Over £5,000,000	Council with recommendation from Cabinet

Supplementary Revenue Estimates (*pages 189-190*)

Fully Funded

Supplementary Estimate Amount	Approval Level
Up to and including £100,000	Corporate Leadership Team (Relevant Executive Director)
In excess of £100,000 up to and including £250,000	Corporate Leadership Team (Relevant Executive Director) in consultation with the Portfolio Holder for Finance, IT and Communication
In excess of £250,000 up to and including £500,000	Portfolio Holders and (Relevant Executive Director) in consultation Portfolio Holder for Finance, IT and Communication
In excess of £500,000 up to and including £1,000,000	Cabinet
Over £1,000,000	Council with recommendation from Cabinet

Funded from Earmarked Reserves or Contingencies

Supplementary Estimate Amount	Approval Level	
	From Earmarked Reserves	From Contingencies
Up to and including £250,000	Section 151 Officer	Section 151 Officer
In excess of £250,000 up to and including £500,000	Section 151 Officer in consultation with the Portfolio Holder for Finance, IT and Communication	Section 151 Officer
In excess of £500,000 up to and including £1,000,000	Cabinet	Section 151 Officer in consultation with the Portfolio Holder for Finance, IT and Communication
Over £1,000,000	Council with recommendation from Cabinet	Cabinet

Supplementary Capital Estimates (pages 191)

Supplementary Estimate Amount	Approval Level
Up to and including £100,000	Corporate Leadership Team
In excess of £100,000 up to and including £250,000	Corporate Leadership Team in consultation with the Portfolio Holder for Finance, IT and Communication
In excess of £250,000 up to and including £500,000	Portfolio Holders and Corporate Leadership Team in consultation Portfolio Holder for Finance, IT and Communication
In excess of £500,000 up to and including £1,000,000	Cabinet

Over £1,000,000	Council with recommendation from Cabinet
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Grants (*page 235*)

Approval level	Amount
Officers	Up to and including £50,000 (where grant is within approved grant policy)
Portfolio Holder	Between £50,000 and £100,000 (where grant is within approved grant policy)
Cabinet	All Grants of £100,000 or more. All grants which do not fall within existing approved grant policy require Cabinet approval.

1. Executive Arrangements and Cabinet Procedure Rules

Appointing the Cabinet and Responsibility for Functions

1.1 At the Annual Meeting of Council, the Leader will present to the Council a report containing the following information about executive functions in relation to the coming year:

1.1.1 the names of the people appointed to the Cabinet

1.1.2 the extent of any authority delegated to Cabinet Members individually, including details of the limitation on their authority

1.1.3 the terms of reference and constitution of such Cabinet committees as are appointed and the names of Cabinet Members appointed to them

1.1.4 the nature and extent of any delegation of executive functions to area committees, any other authority or any joint arrangements, and the names of those Cabinet Members appointed to any joint committee for the coming year

1.1.5 the nature and extent of any delegation to officers with details of any limitation on that delegation, and the title of the officer to whom the delegation is made (where this is not already covered in the Council's Constitution).

1.2 Where the Cabinet, a committee of the Cabinet, or an individual Member of the Cabinet is responsible for an executive function, they may delegate further to a committee of the Cabinet, an area committee, joint arrangements, or an officer.

1.3 Even where executive functions have been delegated, that does not prevent the discharge of delegated functions by the person or body who delegated them.

The Law and Executive Functions

1.4 Those responsible for discharging executive functions will ensure that they are acting within the law and this Constitution.

1.5 The functions in question are set out in this Constitution. This also sets out the body or individual responsible for taking decisions in respect of executive functions.

1.6 The Cabinet, and any individual member or committee thereof, must ensure, and be satisfied, that they have appropriate and adequate legal, financial and other relevant professional advice from officers before taking a decision on any matter before them. Advice from the Council's Monitoring

Officer and Section 151 Officer should always be obtained where there is doubt about vires, procedure or probity.

Conflicts of Interest

1.7 Where the Leader or any Cabinet Member has a conflict of interest, s/he will follow the requirements of the Council's Code of Conduct for Members.

1.8 If all (or a majority) of the members of the Cabinet present have a conflict of interest, then consideration will be given to applying to the Audit and Governance Committee for a dispensation from the provisions of the Code.

1.9 If the discharge of an executive function has been delegated to another body or individual and a conflict of interest arises, then it will fall to the body or individual who delegated the matter to take the decision. Where that body or individual also has a conflict of interest, then the action set out in paragraph 1.8 shall be considered.

Meetings of the Cabinet

1.10 The Cabinet will meet as indicated in the Council's Calendar of Meetings. The Cabinet or the Leader/Deputy may agree to change the date of any programmed meeting, to cancel a meeting, or to arrange additional meetings as he/she sees fit.

1.11 The Cabinet may meet in public or in private, subject to legal requirements and the Access to Information Procedure Rules contained in the Constitution.

1.12 The Leader will preside at meetings of the Cabinet. If the Leader is absent, then the Deputy Leader will preside. Where both the Leader and Deputy Leader are absent, the Cabinet Members present shall appoint one of their number to be the chair of that meeting.

1.13 All members of the Cabinet shall be entitled to attend meetings of the Cabinet unless the Cabinet determine otherwise.

1.14 Attendance by other members of the Council or the public shall be in accordance with the Access to Information Procedure Rules, by invitation, or as set out in paragraphs 1.15 to 1.18 below.

Quorum at Cabinet Meetings

1.14 The quorum at a meeting of the full Cabinet, or a Committee or Sub Committee established by the Cabinet, shall be 50% of its voting membership.

Attending and speaking at Cabinet Meetings

1.15 The Chair and Spokesperson(s) of the Council's overview and scrutiny and Audit and Governance committees shall be entitled, at any formal public meeting of the Cabinet, to speak to any matter on the agenda for that meeting.

1.16 Other members not previously described above may also speak at such meetings with the permission of the Leader or person presiding in his/her absence.

1.17 At every formal public meeting of the Cabinet there shall be a period of 15 minutes for questions to be put to Cabinet Members by members of the Council, and a period of 15 minutes for questions to be put to Cabinet members by members of the public. *[No recommendation was agreed by the T&F Group as to whether 3 clear working days' notice of such questions would be required to be given, nor whether such questions would be required to be upon agenda items only]*

1.18 The following rules shall apply:

1.18.1 Questions must relate to the powers, duties or responsibilities of the Cabinet.

1.18.2 Questions put to Cabinet Members must relate to their portfolio responsibilities.

1.18.3 A maximum period of two minutes will be allowed for each member wishing to ask a question during question time. The Leader or person presiding will have discretion to vary this requirement where he/she considers it appropriate.

1.18.4 Questions will be brief, clear and focussed.

1.18.5 Questions which the Leader deems to be:

- inappropriate, frivolous, derogatory or vexatious;
- related to a Council employment or staffing matter; or
- defamatory

will not be allowed.

1.18.6 Questions will not be allowed which repeat, or which are substantially the same as questions asked at a meeting of Council or Cabinet within the preceding 6 months.

1.18.7 Where any question might be disallowed under the agreed provisions, the Leader, as chair of the Cabinet, will have absolute discretion to determine whether to do so.

1.18.8 Questions will be asked and answered without discussion. In replying, the Cabinet Member responding will use their reasonable endeavours to address the matters raised in the question. The Cabinet Member responding may decline to answer any question or may: reply direct, reply by reference to a publication, or reply by written answer.

1.18.9 Following each answer, the Leader may permit the questioner to ask a concise and focussed supplementary question which relates to the subject matter of the initial question and answer.

1.18.10 Where appropriate, the Leader may allow the question to be asked at the beginning of consideration of that item.

1.18.11 The Cabinet may invite any person to its meetings to discuss matters of mutual interest or concern or to advise. Such persons may only be given access to confidential and/or exempt information on terms to be decided by the Monitoring Officer to ensure that the Council's obligations under the Local Government Acts in respect of Access of Information and Data Protection are observed.

Business at Cabinet Meetings

1.19 The business to be transacted at a meeting of the Cabinet will be set out in an agenda for that meeting, subject to any requirements or exemptions under the Access to Information Procedure Rules.

1.20 The agenda may be supported by additional papers prepared by the officers or by or on behalf of other bodies, subject to requirements about disclosure of confidential or exempt information. Full agendas for meetings of the Cabinet will be made available, electronically, in advance of the respective meeting, to all Members of the Council and in accordance with the Council's current policy.

1.21 The Cabinet is obliged to consider matters referred to it by an overview and scrutiny committee, or by the Full Council, for consideration under the Overview and Scrutiny Procedure Rules.

1.22 The Cabinet will, at each formal meeting, consider confirming the record of decisions taken at its previous meeting as a correct record.

1.23 The Monitoring Officer, or his/her nominated officer, shall be responsible for preparing and distributing the agenda for Cabinet meetings, attending meetings for the purpose of advising the Cabinet on matters within his/her area of responsibility and recording decisions as required under this Constitution.

1.24 In taking decisions, the Cabinet must satisfy itself that it has before it adequate and appropriate advice from the relevant service, and from legal and financial advisers who shall, where appropriate, be present at any meeting where a decision is being taken and that that advice is taken into consideration in determining the matter. Where there is any doubt about vires, procedure or probity then advice must be obtained from the Monitoring Officer and the Section 151 Officer.

1.25 Meetings of the Cabinet will be programmed into the Council Calendar of Meetings. The Cabinet may agree to change the date of any programmed meeting, to cancel a meeting or to arrange additional meetings as it sees fit.

1.26 The order of business at Cabinet meetings is a matter for the Cabinet to determine.

1.27 Any member of the Cabinet may require the Monitoring Officer to place an item on the agenda for a stipulated meeting of the Cabinet.

1.28 Any member of the Council may ask the Leader to place an item on the agenda of a meeting of the Cabinet. The Leader shall have sole discretion as to whether or not to accede to such a request and, if such a request is granted, whether the member in question may be allowed to speak to the item.

2. The Head of the Paid Service, the Monitoring Officer and/or the Section 151 Officer may include an item for consideration on the agenda of a Cabinet meeting. In pursuance of their statutory duties, they may require that a special meeting of the Cabinet be convened.

2.1 Except where it is urgent, business cannot be conducted at formal meetings of the Cabinet unless it is included in the agenda for the meeting. An item of business which is not included on an agenda for a Cabinet meeting may not be considered unless the Leader or person presiding is of the opinion that the matter is urgent and cannot await another meeting, and unless the requirements of the Access to Information Procedure Rules have been complied with. This shall also apply to any committee of the Cabinet or to an individual Portfolio Holder.

2.2 The Cabinet will report to the Council, as required under the Access to Information Procedure Rules, on any matter which is classified as a key decision, and which is dealt with under special urgency procedures.

2.3 Cabinet decisions, including those taken under delegated powers, shall not take effect until they have been recorded in writing, as required under the Council's procedures, and shall not be implemented where the right of call-in applies until any valid call-in process has been concluded. Where the right of call-in applies but is not exercised, a Cabinet decision may be implemented immediately after the expiry of the call-in period.

2.4 A written record of all Cabinet decisions will be kept by the Head of Democratic Services, and this will be made available publicly as soon as practicable after decisions have been taken (excluding the disclosure of confidential and exempt information and in accordance with the Overview and Scrutiny Procedure Rules). In recording decisions of the Cabinet, the Head of Democratic Services will set out the decision, the reasons for the decision and alternative options considered as required under the Access to Information Procedure Rules in the Constitution.

Voting at Cabinet Meetings

2.5 Voting at Cabinet meetings will be by a show of hands, and any Cabinet Member may require, immediately after the vote is taken, that the minutes of the meeting record how (s)he voted or that (s)he abstained. Where there are equal

votes cast and the Leader or person presiding has voted, the Leader or person presiding will have a second or casting vote. Voting for any office or appointment, including any paid appointment, where more than one person is nominated shall be by a vote conducted in accordance with Council Procedure Rules.

Cabinet Committees/Sub-Committees and Task Groups

2.6 The Leader or the Cabinet may appoint such committees or sub committees as are considered necessary and appropriate to assist in the discharge of executive functions. In making such appointments, the name of the committee/sub-committee must be specified, along with its membership (including its chair and, if appropriate, vice-chair) and its powers.

2.7 The Cabinet may also appoint whatever task or advisory groups it deems necessary, comprising some or all of its own membership, any other member or non-member of the Council.

Decision Making by individual Cabinet Members (Portfolio Holders)

2.8 Where the Leader has delegated decision making powers to individual Portfolio Holders they will exercise their powers and duties in accordance with these rules and Constitution.

Notices of Motion

2.9 The proposer of a Notice of Motion, which has been referred to the Cabinet for consideration, may attend the meeting of the Cabinet when his/her motion is under consideration to explain the motion. The proposer of the motion will be advised of the date and time of the meeting when the matter is to be considered, and (s)he will be sent a copy of the relevant papers. This does not affect the right of the proposer or seconder of the motion to attend a Scrutiny body when his/her motion is being considered.

Resolving Disputes

2.10 In the case of any dispute during the proceedings of the Cabinet, the relevant parts of this Constitution will apply and, after considering the relevant provisions, the person presiding at the meeting will rule on the issue in question and his/her ruling will be final.

Reserves/substitute members

2.11 There shall be no reserve or substitute members of the Cabinet.

Urgent Decisions – Executive Matters

2.12 Where any matter is urgent and cannot await the next meeting of the relevant executive body or Portfolio Holder, the matter may be determined in accordance with the Council Procedure Rules.

The Forward Plan and Key Decisions

2.13 The Leader will ensure that the requirements of the Access to Information Procedure Rules are met in relation to the publication of Key Decisions.

2.14 Where the Cabinet as a body is making Key Decisions, that meeting shall be held in public in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The requirements of these Regulations also apply to any body, Portfolio Holder or officer to whom the relevant executive powers have been delegated.

2.15 When the Cabinet or a Portfolio holder exercising an executive function under delegated powers receives a report or background information which (s)he intends to take into consideration when making a Key Decision (and the report or papers are not exempt or confidential) that decision shall not be taken until the report has been made available for inspection by the public for five clear working days following receipt of the report by the decision taker. A copy of such report must be supplied as soon as reasonably practicable to the chair of the relevant overview and scrutiny committee or, in his/her absence, the vice-chair of the committee. The report must also list any background papers.

2.16 Where the inclusion of a matter in the Forward Plan is impracticable (28 clear days' notice being required for key and private decisions) and the matter would be a Key Decision, that decision shall only be made:

2.16.1 where the Monitoring Officer has notified the chair of the relevant overview and scrutiny committee, or in his/her absence the vice-chair of the committee, of the matter about which the decision is to be made;

2.16.2 where the Monitoring Officer has made available for public inspection a copy of the notice given under paragraph 2.16.1 above; and

2.16.3 where a period of five clear working days has elapsed since the Monitoring Officer made available the notice referred to in paragraph 2.18.2 above.

2.17 Where the date by which a Key Decision must be made makes compliance with the requirements under paragraph 2.16 above impracticable, the decision shall only be made where the decision maker has obtained agreement from:

2.17.1 the chair or, in his/her absence, the vice-chair of the relevant overview and scrutiny committee, or

2.17.2 if there is no chair or vice-chair of the relevant overview and scrutiny committee, or if neither is able to act, the Mayor or, in his/her absence, the Deputy Mayor

that the making of the decision is urgent and cannot reasonably be deferred. Such decisions when made are not subject to the provisions relating to call-in.

All members will be sent electronic notification of the agreement reached that compliance with the requirements of paragraph 2.17 above was impractical.

2.18 The Leader shall submit a report to the Full Council containing details of each Key Decision taken during the preceding three months under paragraph 2.17 above and agreed as urgent. The report will include particulars of each such Key Decision and a summary of the matters in respect of which each decision was made.

2.19 Where an executive decision which was not classified as being a Key Decision has been made and the relevant overview and scrutiny committee is of the opinion that the decision should have been so classified, that committee may require the Cabinet to submit a report to the Full Council within such reasonable period as the committee may specify, containing the following details:

- 2.19.1 the decision and the reasons for it
- 2.19.2 the decision maker, and
- 2.19.3 if the Cabinet is of the opinion that the decision was not a Key Decision, the reasons for this view.

Appendix 5

Local Choice Functions

- 1 Certain functions of local authorities are classified as “Local Choice” functions under the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) Regulations 2000, Schedule 2. This means that the Council can decide which of these decisions should be taken by the Full Council and which should be taken by the Cabinet.
- 2 The following table sets out who makes decisions on Local Choice Functions:

Local Choice Functions	Decision Making Body	Delegation of functions (where applicable)
Functions under a local Act (other than one specified or referred to in Reg 2 or Schedule 1 of the Regulations 2000)	Cabinet	Delegated to Chief Officers within their areas of responsibility
To determine appeals ¹ against any decision of the authority	Full Council	Appeals Panel insofar as not delegated to any other Committee or officer
To make arrangements for appeals against exclusion of pupils from maintained schools	Full Council	Appeals Panel
To make arrangements for appeals regarding school admissions ²	Full Council	Appeals Panel
To make arrangements for appeals by governing bodies ³	Full Council	Appeals Panel

¹ Including appeals in relation to access to information by Members under s100F Local Government Act 1972, Part 5 Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012, and the common law “need to know” rules

² s94(1), (1A) and (4) School Standards and Framework Act 1998

³ s95(2) School Standards and Framework Act 1998

Any function relating to contaminated land ⁴	Cabinet	Chief Officers
The control of pollution or the management of air quality ⁵	Cabinet	Chief Officers
To serve an abatement notice in respect of a statutory nuisance ⁶	Cabinet	Chief Officers
To pass a resolution that Schedule 2 of the Noise and Statutory Nuisance Act 1993 should apply in the authority's area ⁷	Full Council	Not delegated
To inspect the authority's area to detect any statutory nuisance ⁸	Full Council	Chief Officers
To investigate any complaint about the existence of a statutory nuisance ⁹	Full Council	Chief Officers
To obtain information about interests in land ¹⁰	Full Council	Chief Officers

To obtain particulars of persons interested in land ¹¹	Full Council	Chief Officers
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⁴ Part IIA Environmental Protection Act 1990 and subordinate legislation

⁵ Pollution Prevention and Control Act 1999; Part IV Environment Act 1995; Part I Environmental Protection Act 1990; Clean Air Act 1993

⁶ s80(l) Environmental Protection Act 1990

⁷ s8 Noise and Statutory Nuisance Act 1993

⁸ s79 Environmental Protection Act 1990

⁹ s79 Environmental Protection Act 1990

¹⁰ s330 Town and Country Planning Act 1990

¹¹ s16 Local Government (Miscellaneous Provisions) Act 1976

To make agreements for the execution of highways works ¹²	Cabinet	Chief Officers
<p>To appoint any individual</p> <p>(a) to any office other than an office in which s/he is employed by the authority</p> <p>(b) to any body other than</p> <p>(i) the authority;</p> <p>(ii) a joint Committee of two or more authorities; or</p> <p>(c) to any Committee or Sub-Committee of such a body</p> <p>and to revoke any such appointment</p>	Cabinet or individual Portfolio Holders in respect of organisations listed in the document accessed through the link in paragraph 11 below and the Full Council in respect of other organisations.	In respect of appointments by Full Council delegated to the Constitution Committee.
To make agreements with other local authorities for the placing of staff at the disposal of those other authorities	Cabinet	Chief Officers
The appointment of review boards under regulations under subsection (4) of section 34 (determination of claims and reviews) of the Social Security Act 1998	Cabinet	Director of Education
Functions under Sections 106, 110, 111 and 113 of the Local Government and Public Health Act 2007 relating to local area agreements	Cabinet	Chief officers, within their areas of responsibility

¹² s278 Highways Act 1980

- 3 Local Choice Functions can be delegated further to other Member bodies and/or officers.

Leader and Cabinet Transitional ProvisionsCommittee System/historical Cabinet arrangements

Any executive matter which involves a decision of a Council service committee, or the arrangements which predated the committee system, will continue to be progressed by the new Cabinet or Cabinet members.

Officer delegations

Where a service committee (or the previous Cabinet) delegated the making of any decision to an officer, that decision will remain with or will be allocated to the appropriate officer.

Service committee chair/vice chair consultation

Where a decision is delegated to an officer but requires consultation with a service committee chair/vice chair, the matter will remain with or will be allocated to the appropriate officer. Consultation will be with the appropriate Cabinet member.

Scrutiny

Matters currently under consideration by the Council's existing scrutiny committee, or as a matter of "internal scrutiny" by a service committee, will become the responsibility of the appropriate overview and scrutiny committee, appointed by the Council under the new Leader and Cabinet arrangements.

Service committee decisions

If any decision of a service committee is subject to the decision-referral process on 13 May 2026 the existing decision-referral arrangements will apply, subject to the following. Every effort will be made to conclude any outstanding decision-referral processes prior to this date. Outstanding matters may be referred to the relevant overview and scrutiny committee in accordance with the adopted Overview and Scrutiny Procedure Rules.

Continuation of committees, sub-committees and other bodies

Of itself, the change in decision-making arrangements on 13 May 2026 will not alter the Council's non-executive decision-making arrangements, except where the Council specifically decides to do so.

Regulatory and other non-executive committees and sub-committees will be retained, and new non-executive committees may be appointed.

These non-executive committees will be appointed at the Council's Annual General Meeting or by Council at a later date, and sub-committees will be appointed by their parent committees.

Bodies such as the Health and Wellbeing Board will continue to exist and function, with terms of reference and functions appropriately adapted to apply to Leader and Cabinet Governance, rather than committee system governance.

Joint Extra-Care Housing Management Board:

Whilst this Board last met in December 2026, it might potentially be required to carry out further work in the future. The Board will comprise three Portfolio Holders nominated by the Leader and Deputy.

Shared Services Joint Committee:

The Joint Committee will continue to undertake the functions currently allocated to it, with the Council's nominees being chosen by the Leader and Deputy. Any work allocated to or being undertaken by the Joint Committee will continue after the move to the Leader and Cabinet system.

Cared for Children and Care Leavers' Committee:

This is a cross-party advisory committee, appointed by the Cabinet

General Appeals Sub-Committee:

Appointment by proposed Constitution Committee (further decision to be made)

Staffing Appeals Sub Committee:

Depending upon further decisions to be made, this may be a sub-committee of the Appointments (or Staffing) Committee

Hearing Sub-Committee:

Is a sub-committee of the Audit and Governance Committee, and will remain as such, with its three members being drawn from that Committee.

Investigation and Disciplinary Committee:

Standalone ad-hoc committee, appointed as and when needed

Appointments to outside bodies:

Where an appointment is made entirely on the basis of service committee membership, the relevant Cabinet member shall continue in that role. Any other outside organisation appointments will continue until the next appropriate review date.

COUNCIL MEETING – 10 DECEMBER 2025**RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE:
COUNCIL TAX BASE 2026/27****Recommendation:**

Council is recommended to approve, in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012, the amount to be calculated by Cheshire East Council as its Council taxbase for the year 2026/27 as 165,549.87 for the whole area (Annex 2 of the report).

Extract from the minutes of the meeting of the Corporate Policy Committee held on 27 November 2025

**58 MEDIUM TERM FINANCIAL STRATEGY CONSULTATION 2026/27 - 2029/30
AND COUNCIL TAX BASE 2026/27**

The Committee considered a report on the Medium-Term Financial Strategy (MTFS) Consultation for 2026/27–2029/30 and the Council Tax Base for 2026/27.

Members noted that the Council continued to face significant financial challenges, with a forecast budget gap of £18.2m for 2026/27, reduced from £33.3m following recent refinements. The report outlined key assumptions, including growth allocations for Adult Social Care and Children’s Services, a 5% vacancy factor across staffing budgets, and above-inflation increases in fees and charges.

Members were advised that a programme of public consultation and engagement would run from November 2025 to January 2026, and that the Council Tax Base for 2026/27 had been calculated in accordance with statutory requirements.

RESOLVED (unanimously):

That the Corporate Policy Committee

1. Note the current budget position for the period 2026/27 to 2029/30 as set out in Table 1 of the report.
2. Note the list of Corporate Policy budget savings proposals that are contained in the budget consultation launched in November 2025 as contained in Annex 1 of the report.

3. Note the Council Tax Support scheme is agreed for 2026/27 as unchanged other than the increases in line with CPI as agreed in the last consultation.

Corporate Policy Committee recommends to Council that:

- 4) **Approve, in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012, the amount to be calculated by Cheshire East Council as its Council taxbase for the year 2026/27 as 165,549.87 for the whole area (Annex 2).**

OPEN

Corporate Policy Committee

27 November 2025

Medium Term Financial Strategy Consultation 2026/27 - 2029/30 and Council Tax Base 2026/27

**Report of: Ashley Hughes, Executive Director of Resources,
Section 151 Officer**

Report Reference No: CPC/13/25-26

Ward(s) Affected: Not applicable

For Decision or Scrutiny: Both

Purpose of Report

- 1 The Corporate Policy Committee is being asked to provide feedback, as consultees, on the development of the Cheshire East Medium-Term Financial Strategy 2026/27 to 2029/30. Feedback is requested in relation to the responsibilities of the Committee.
- 2 The report sets out the latest budget position for 2026/27 to 2029/30 and the list of budget savings proposals. relevant to the remit of this Committee. that has been included in the public consultation which was launched in November 2025.
- 3 This report also sets out the Council taxbase calculation 2026/27 for recommendation from Corporate Policy Committee to Council in December 2025.

Executive Summary

- 4 The Medium-Term Financial Strategy (MTFS) for Cheshire East Council for the four years 2025/26 to 2028/29 was approved by full Council on 26 February 2025.
- 5 The MTFS is underpinned by a set of assumptions around income, expenditure and core funding that result in a 4-year position. The budget could only be balanced for the 2025/26 financial year by use of

Exceptional Financial Support (EFS) by way of a capitalisation direction. This is not sustainable in the medium to long term and needs to be addressed urgently for the Council to be financially sustainable. The gaps forecast in later years are being addressed as part of the business planning process this year, as well as the Council learning to live within its means by delivering all savings and containing approved growth within 2025/26, otherwise there will be increased pressures in future years and preparing a balanced budget/ MTFS will continue to be challenging.

- 6 The budget gap in the update paper received by Corporate Policy Committee and Finance Sub Committee in September and October, without mitigations, was £33.3m on the General Fund Revenue budget for 2026/27. This is the year, by law, that elected members must set a legal budget by no later than the 11 March 2026.
- 7 Since that budget assumptions report there have been further changes identified that needed to be worked towards, and details were set out in the last report to this committee on 30 October 2025.
- 8 The proposals are those being consulted on, and not necessarily the final budget that this committee will recommend to Budget Council in February 2026. All service committees are receiving their own list of proposals for them to feedback on.
- 9 Finance Sub-Committee received a further [update](#) highlighting risks and issues that have not been taken into account at this point due to uncertainty or inability to quantify those risks. The risks relating to the Corporate Policy Committee remit include:
 - (a) An MTFS can only succeed when a Council's policies and procedures, plans and strategies, and outcomes are focused on the Council's core business. There will be tension between delivering financial sustainability across both capital and revenue budgets and meeting wider objectives which the Council must navigate through the MTFS process.
- 10 A programme of public engagement during November and December is underway to support the 2026/27 budget setting and consultation.
- 11 The Council must ensure the conditions for successful delivery of budget proposals are in place. These were included in the last [Corporate Policy Committee](#) report.
- 12 The current position includes the taxbase as calculated at the beginning of October 2025 in line with the statutory Council Tax Base return made to central government.

- 13 The calculation sets out the estimates of new homes less the expected level of discounts and the level of Council Tax Support (CTS). This results in a band D equivalent taxbase position for each Town and Parish Council.
- 14 The 2026/27 taxbase of 165,549.87 reflects an increase of £4.3m (1.38%) on the 2025/26 budgeted position which is £1.3m higher than the £3.0m (0.9%) forecast increase reported in February 2025. This is due in part to forecasting more new homes (1,950) compared to the 1,800 in the February 2025 estimates.
- 15 No changes are proposed to the Council Tax Support Scheme for 2026/27 other than to increase the income bands and non-dependant deductions in line with CPI. The scheme will be reviewed again during 2026/27 for the 2027/28 taxbase. A separate committee paper was received by this committee on 30 October 2025.

RECOMMENDATIONS

The Corporate Policy Committee is asked to:

1. Note the current budget position for the period 2026/27 to 2029/30 as set out in Table 1.
2. Scrutinise and feedback on the list of Corporate Policy budget savings proposals that are contained in the budget consultation launched in November 2025 as contained in Annex 1.
3. Note the Council Tax Support scheme is agreed for 2026/27 as unchanged other than the increases in line with CPI as agreed in the last consultation.

Corporate Policy Committee recommends to Council that:

4. In accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012, the amount to be calculated by Cheshire East Council as its Council taxbase for the year 2026/27 as 165,549.87 for the whole area (Annex 2).

Background

- 16 The Medium-Term Financial Strategy (MTFS) for Cheshire East Council for the four years 2025/26 to 2028/29 was approved by full Council on 26 February 2025.
- 17 Please see the last paper received on 30 October 2025 as a reminder of how the MTFS has developed since this time including the assumptions making up the current position in Table 1 below.

Table 1: Base Scenario position for 2026/27 to 2029/30	Approved Budget 2025/26 £m	Estimated Net Budget 2026/27 £m	Estimated Net Budget 2027/28 £m	Estimated Net Budget 2028/29 £m	Estimated Net Budget 2029/30 £m
Adults & Health	159.449	162.601	162.435	164.189	166.697
Children & Families	97.290	94.245	92.766	91.194	96.194
Corporate Policy	42.786	44.537	44.536	44.172	44.172
Economy & Growth	28.441	26.235	25.771	25.051	24.801
Environment & Communities	45.701	45.673	45.065	50.228	52.234
Highways and Transport	16.901	18.084	18.175	18.083	17.815
Council Wide Transformation savings	(13.452)	(26.943)	(37.973)	(37.973)	(37.973)
Transformation pump priming	-	10.000	5.000	5.000	-
Total Service Budgets	377.116	374.432	355.775	359.943	363.939
<i>CENTRAL BUDGETS:</i>					
Capital Financing	35.039	34.997	37.637	38.932	38.690
Past Pensions Adjustment from Actuary results	-	-	-	-	-
Flexible use of Capital Receipts	(1.000)	(15.000)	(10.000)	(10.000)	-
Bad Debt Provision (change)	(0.050)	(1.000)	(0.050)	(0.050)	(0.050)
Contingency Budget	15.953	48.538	53.620	65.336	73.330
Pay inflation (moved from service budget to contingency budget from 2026/27 until final pay agreement reached)	-	10.223	18.451	26.815	35.179
Pension adjustment relating to ASDVs only	(0.727)	-	-	-	-
Use of (-) / Top up (+) Reserves	1.304	5.001	15.456	14.479	12.011
Total Central Budgets	50.519	82.759	115.114	135.512	159.160
Additional changes to balance future years		-			
TOTAL: SERVICE + CENTRAL BUDGETS	427.635	457.192	470.889	495.456	523.100
<i>FUNDED BY:</i>					
Council Tax	(307.264)	(327.119)	(346.587)	(367.173)	(388.962)
Business Rate Retention Scheme	(57.122)	(47.084)	(46.767)	(46.919)	(47.048)
Revenue Support Grant	(0.849)	(63.851)	(79.786)	(85.300)	(86.161)
Specific Unring-fenced Grants + DAMPING	(37.140)	(0.929)	2.251	3.936	(0.929)
TOTAL: FUNDED BY	(402.375)	(438.983)	(470.889)	(495.456)	(523.100)
Exceptional Financial Support - Capitalisation Direction	(25.261)				
Funding Position (+shortfall)	-	18.209	-	-	-

Next Steps in budget development

- 18 There has been further work carried out to challenge this updated position. Business case submissions for future planned savings were presented to Corporate Leadership Team on 13 October. Further changes that could be made to the above position have been included in the latest figures and a list of savings proposals is included at Annex 1 relevant to this Committee. For a full list of proposed budget savings please see the last [Corporate Policy Committee](#) paper.
- 19 The Council will continue to review its MTFS and budget reductions programme going forward as set out in the last paper. The assumptions included within this report will be refreshed through November and December to take account of available information on Government funding decisions as well as the macro-economic environment.

- 20 This position includes the list of savings proposals as contained in Annex 1 and summary Table 2 has been provided below.

TABLE 2 - DRAFT BUDGET SAVINGS PROPOSALS 2026/27 TO 2029/30	2026/27 £m	2027/28 £m	2028/29 £m	2029/30 £m
	(57.781)	(14.562)	(8.158)	7.086
Children and Families	(3.826)	(0.725)	(0.725)	-
Adults and Health	(11.769)	(5.984)	(4.537)	(2.961)
Corporate Policy	(5.988)	(1.423)	(1.517)	-
Corporate Policy - Council Wide Transformation	(13.491)	(11.030)	-	-
Economy and Growth	(2.885)	(0.543)	(0.597)	(0.250)
Environment and Communities	(4.615)	(0.653)	(0.544)	0.580
Highways and Transport	(0.257)	(0.154)	(0.238)	(0.283)
Finance Sub Committee - Central Budgets	(14.950)	5.950	-	10.000

Council Taxbase 2026/27

- 21 Cheshire East Council is required to approve its taxbase before 31 January 2026 so that the information can be provided to the Cheshire Police and Crime Commissioner and Cheshire Fire Authority for their budget processes. It also enables each Town and Parish Council to set their respective budgets. Details for each parish area are set out in **Annex 2**.
- 22 The taxbase for the area is the estimated number of chargeable dwellings expressed as a number of band D equivalents, adjusted for an estimated number of discounts, exemptions and appeals plus an allowance for non-collection. A reduction of 1% is included in the taxbase calculation to allow for anticipated levels of non-collection.
- 23 Processes to collect Council Tax locally continue to be effective despite the challenges of the impact on residents of the cost of living. However, strong collection is continuing and the forecast level of non-collection at Cheshire East has been maintained at 1% for 2026/27.

Premium Charges

- 24 Since April 2013, Councils in England have had the power to apply an Empty Homes Premium Charge to properties that are left unoccupied and substantially unfurnished for long periods.

- 25 Following an amendment to Section 11B of the 1992 Local Government Finance Act through the Levelling-up and Regeneration Act 2023, the empty home premium could be applied to properties which have been empty for one or more years from 1 April 2024. The empty home premium charge increases in value based on the number of years the property remains empty.
- 26 In addition to amending the empty home premium, the Levelling-up and Regeneration Act 2023 also introduced new powers for councils to charge premiums on second homes under Sections 11C and 11D of the 1992 Local Government Finance Act.
- 27 From 1 April 2025, a new Second Home Premium Charge of an additional 100% Council Tax charge is being applied to properties that are unoccupied and furnished. The second home premium charge will be applied to properties from the first day they are classified as a second home and will be levied at an additional 100% of the annual Council Tax charge. The current regulations do not allow it to increase in value in proportion with the empty home premium charge.
- 28 The Government have recognised that there are certain circumstances where it would be inappropriate to apply a premium charge. More information is contained on the website [here](#).
- 29 Below is a summary of the current charges being levied. There are no changes planned for 2026/27.

Time empty/unfurnished	Premium charge	What is actually paid
0 to 1 year	N/A	100%
1 to 5 years	100%	200%
5 to 10 years	200%	300%
10 years or more	300%	400%

Time furnished but not used as anyone's sole or main residence	Premium charge	What is actually paid
From day 1	100%	200%

Council Tax Support

- 30 The taxbase also reflects assumptions around Council Tax Support payments. The Cheshire East CTS scheme was introduced in 2013/14 and subsequently amended following consultations in 2016/17, 2020/21 and was amended again for 2022/23 to make the scheme more supportive in the light of funding being provided by central government (£3.3m) to be able to assist the pandemic recovery.

- 31 The funding for this Local Council Tax Support grant was received in 2020/21 and was transferred to the Collection Fund Earmarked reserve. The funding has been used over the last four years to support the revenue budget to compensate for suppressed Council Tax levels as a result of higher Council Tax Support payments. This funding has now been used in full and no further funding has been made available.
- 32 There is a reduction in budget of c.£0.5m for 2026/27 within the overall CTS budget. Whilst there has been a slight increase in awards to pensioners following uptake campaigns related to winter fuel payments, overall expenditure has reduced as a result of Government policy to migrate working-age claimants from Housing Benefit to Universal Credit.
- 33 No changes are proposed to the Council Tax Support scheme for 2026/27 other than to increase the income bands and non-dependant deductions in line with CPI. The scheme will be reviewed again during 2026/27.

Risks

- 34 The taxbase and subsequent collection of Council Tax is subject to overall risks from a variety of sources, such as inaccuracies within:
- Numbers of new homes forecast;
 - Levels of discounts and premium charges estimated;
 - Under collection rate.
- 35 Risks particularly associated with Council Tax Support levels include:
- Challenges over the medium-term economic position, especially in the light of increased inflation and economic slowdown;
 - The risk of a major employer leaving the area;
 - The risk of delay in the significant development projects delaying employment opportunities;
 - The prospect of a greater number of residents becoming of pensionable age and potentially becoming eligible for CTS;
 - The risk of increased non-collection due to the increasing demand on non-protected residents.
- 36 Risks are managed throughout the year and regular monitoring and reporting takes place to ensure that preceptors are made aware of any shortfalls in the Collection fund.

Consultation and Engagement

- 37 The annual business planning process involves engagement with local people and organisations. Local authorities have a duty to consult on their budget with certain stakeholder groups and in Cheshire East we include

the Schools Forum as well as business rate payers (with whom the Council has a statutory duty to consult with). In addition, the Council chooses to consult with other stakeholder groups. The Council continues to carry out stakeholder analysis to identify the different groups involved in the budget setting process, what information they need from us, the information we currently provide these groups with, and where we can improve our engagement process.

38 All committees will receive reports during the November cycle of meetings for them to scrutinise proposals relating to the remit of the committee. There will be a further opportunity during the January 2026 committee meeting cycle to comment further as feedback is received.

39 The calculation of the taxbase is not subject to consultation.

Reasons for Recommendations

40 In accordance with the Constitution Committees play an important role in planning, monitoring and reporting on the Council's finances. Each Committee has specific financial responsibilities.

41 The Council's annual budget must be balanced. The proposals within it must be robust and the strategy should be supported by adequate reserves. The assessment of these criteria is supported by each Committee having the opportunity to help develop the financial proposals before they are approved by Full Council.

42 In accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012 Cheshire East Council is required to agree its taxbase before 31 January 2026.

Other Options Considered

43 The Council has a legal duty to set a balanced annual budget, including legally setting the Council tax base, taking regard of the report from the Chief Financial Officer. As such options cannot be considered that would breach this duty. Any feedback from the consultation process and individual committee feedback must still recognise the requirement for Council to fulfil this duty.

Option	Impact	Risk
Do nothing	Not an option as the council must legally set a balanced budget for the coming financial year	The Council would be acting unlawfully if budgets are not aligned to available resources and council tax levels

		need to be set in accordance with the Local Government Finance Act 1992 (as amended); The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.
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Implications and Comments

Monitoring Officer/Legal/Governance

- 44 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.
- 45 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.
- 46 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.
- 47 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.

- 48 This report provides an update on progress towards the setting of the 2026/27 budget.
- 49 It also provides updates and comments regarding the Council's use of 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.
- 50 In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended and Chapter 4 of the Council's Constitution, the calculation of the Council taxbase is a matter for full Council following a recommendation by Corporate Policy Committee.

Section 151 Officer/Finance

- 51 Please see all sections of this report.
- 52 The calculation of the taxbase provides an estimate that contributes to the calculation of overall funding for Cheshire East Council in each financial year. The taxbase calculation as set out in this report will be used to calculate the Council Tax budgeted income for 2026/27 and will be included in the Medium-Term Financial Strategy 2026-30.

Human Resources

- 53 Any HR implications that arise from activities funded by the budgets that the budget report deals with will be dealt with in the individual reports to Members or Officer Decision Records to which they relate.

Risk Management

- 54 Financial risks are assessed and reported on a regular basis, and remedial action taken if required. Risks associated with the achievement of the 2025/26 budget and the level of general reserves were factored into the 2025/26 financial scenario, budget, and reserves strategy.
- 55 Estimates contained within the Council taxbase calculation, such as the loss on collection and caseload for Council Tax Support, will be monitored throughout the year. Any significant variation will be reflected in a surplus

or deficit being declared in the Collection Fund which is then shared amongst the major precepting authorities.

Impact on other Committees

- 56 All committees will work towards bringing forward budget change proposals to assist with the medium term financial strategy.

Policy

- 57 The Cheshire East Plan sets the policy context for the MTFS and the two documents are aligned. Any policy implications that arise from activities funded by the budgets that this report deals with will be dealt with in the individual reports to Members or Officer Decision Records to which they relate. This contributes to Commitment 3: An effective and enabling Council.

Equality, Diversity and Inclusion

- 58 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.

Consultation

Name of Consultee	Post held	Date sent	Date returned
Statutory Officer (or deputy):			
Ashley Hughes	S151 Officer	3/11/2025	10/11/2025
Kevin O'Keefe	Interim Monitoring Officer	3/11/2025	4/11/2025
Legal and Finance			
Chris Benham	Director of Finance	3/11/2025	11/11/2025
Hilary Irving	Interim Head of Legal Services	3/11/2025	10/11/2025

Access to Information	
Contact Officer:	Chris Benham – Director of Finance Chris.benham@cheshireeast.gov.uk
Appendices:	Annex 1 – Proposals Budget Savings for Consultation Annex 2 – Council Taxbase 2026/27
Background Papers:	The following are links to key background documents: MTFS 2025-2029 Financial Review 1 2025/26 Corporate Policy Committee 30 October 2025 Finance Sub Committee MTFS update 3 November 2025

ANNEX 2

COUNCIL TAX - TAXBASE 2026/27

CHESHIRE EAST	BAND D EQUIVALENTS	TAX BASE 99.00%
Acton	145.01	143.56
Adlington	653.83	647.29
Agden	95.43	94.47
Alderley Edge	2,810.31	2,782.21
Alpraham	259.33	256.74
Alsager	5,880.34	5,821.53
Arclid	198.59	196.61
Ashley	186.76	184.89
Aston by Budworth	201.49	199.48
Aston-juxta-Mondrum	91.80	90.88
Audlem	1,080.40	1,069.60
Austerson	47.89	47.41
Baddiley	96.36	95.40
Baddington	63.23	62.60
Barthomley	104.28	103.24
Basford	90.92	90.01
Batherton	30.56	30.25
Betchton	313.38	310.24
Bickerton	138.20	136.81
Blakenhall	73.70	72.96
Bollington	3,285.93	3,253.07
Bosley	225.83	223.58
Bradwall	95.83	94.88
Brereton	883.61	874.77
Bridgemere	73.78	73.04
Brindley	70.67	69.96
Broomhall	90.08	89.18
Buerton	260.34	257.74
Bulkeley	154.69	153.14
Bunbury	733.58	726.24
Burland	336.02	332.66
Calveley	147.97	146.49
Checkley-cum-Wrinehill	49.19	48.70
Chelford	840.28	831.88
Cholmondeley	105.08	104.03
Cholmondeston	86.51	85.64
Chorley	284.29	281.45
Chorley (Crewe)	67.29	66.61
Chorlton	685.23	678.38
Church Lawton	895.52	886.56
Church Minshull	219.95	217.75
Congleton	11,580.65	11,464.84
Coole Pilate	38.40	38.02
Crnage	689.44	682.55
Crewe	15,258.81	15,106.23
Crewe Green	127.26	125.99
Disley	2,107.33	2,086.25
Dodcott-cum-Wilkesley	216.71	214.54
Doddington	21.17	20.96
Eaton	191.81	189.89
Edleston	37.08	36.71
Egerton	36.65	36.29
Faddiley	85.66	84.80
Gawsworth	852.74	844.21
Goostrey	1,104.27	1,093.23
Great Warford	464.86	460.21
Handforth	2,769.95	2,742.25
Hankelow	189.81	187.91
Haslington	2,856.62	2,828.05
Hassall	114.20	113.06
Hatherton	190.61	188.70
Haughton	103.60	102.57
Henbury	380.63	376.83
Enhull	21.54	21.32
High Legh	915.44	906.29
Higher Hudsfield	335.19	331.83
Holmes Chapel	2,970.35	2,940.65
Hough	360.01	356.41
Hulme Walfield & Somerford Booths	653.24	646.71
Hunsterson	80.98	80.17
Hurleston	39.93	39.53

COUNCIL TAX - TAXBASE 2026/27

CHESHIRE EAST	BAND D EQUIVALENTS	TAX BASE 99.00%
Kettleshulme	175.75	174.00
Knutsford	6,374.76	6,311.01
Lea	21.79	21.57
Leighton	2,147.52	2,126.05
Little Bollington	132.66	131.33
Little Warford	41.56	41.15
Lower Peover	78.81	78.02
Lower Withington	322.14	318.92
Lyme Handley	73.39	72.66
Macclesfield	20,072.10	19,871.34
Macclesfield Forest/Wildboarclough	132.85	131.52
Marbury-cum-Quoisley	144.06	142.62
Marton	127.79	126.51
Mere	477.93	473.15
Middlewich	5,223.26	5,171.03
Millington	113.50	112.37
Minshull Vernon	141.16	139.75
Mobberley	1,542.44	1,527.02
Moston	193.25	191.32
Mottram St Andrew	436.77	432.41
Nantwich	6,815.92	6,747.76
Nether Alderley	694.88	687.93
Newbold Astbury-cum-Moreton	367.84	364.16
Newhall	486.88	482.01
Norbury	113.69	112.55
North Rode	137.31	135.94
Odd Rode	2,059.79	2,039.19
Ollerton with Marthall	372.70	368.97
Over Alderley	303.74	300.70
Peckforton	81.47	80.66
Peover Superior	430.69	426.38
Pickmere	404.41	400.37
Plumley with Toft and Bexton	429.36	425.07
Poole	85.43	84.58
Pott Shrigley	165.03	163.38
Poynton with Worth	6,454.63	6,390.09
Prestbury	2,299.98	2,276.98
Rainow	631.41	625.09
Ridley	87.85	86.97
Rope	814.81	806.66
Rostherne	85.67	84.81
Sandbach	9,135.85	9,044.49
Shavington-cum-Gresty	2,686.39	2,659.53
Siddington	184.15	182.31
Smallwood	333.14	329.81
Snelson	84.56	83.71
Somerford	1,110.07	1,098.97
Sound	118.39	117.21
Spurstow	208.79	206.70
Stapeley	1,756.88	1,739.31
Stoke	129.06	127.77
Styal	399.21	395.22
Sutton	1,392.40	1,378.48
Swettenham	189.66	187.76
Tabley	269.56	266.86
Tatton	14.45	14.31
Twemlow	123.45	122.22
Walgerton	69.46	68.77
Wardle	82.12	81.29
Warmingham	124.35	123.11
Weston	1,056.17	1,045.61
Wettenhall	119.75	118.55
Willaston	1,618.35	1,602.16
Wilmslow	12,486.51	12,361.65
Wincle	95.77	94.81
Wirswall	45.25	44.80
Wistaston	3,396.46	3,362.50
Woolstanwood	242.92	240.49
Worleston	118.40	117.22
Wrenbury	541.48	536.07
Wybunbury	843.69	835.25
	167,222.09	165,549.87

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COUNCIL MEETING – 10 DECEMBER 2025**RECOMMENDATIONS FROM FINANCE SUB-COMMITTEE: APPROVAL OF SUPPLEMENTARY REVENUE ESTIMATE****Recommendation:**

That Council approves the Supplementary Revenue Estimate Request for Allocation of Additional Grant Funding over £1,000,000 as per Annex 1, Section 3, Table 1.

Link to Finance Sub-Committee Report and Annexes 1, 2 and 3
[Finance Sub Committee 3 Nov 2025 - Second Financial Review 2025/26](#)

Extract from the minutes of the meeting of the Finance Sub-Committee held on 3 November 2025.

30 Second Financial Review 2025/26

The committee considered the report which set out the Second Financial Review 2025/26 position based on income, expenditure and known commitments as at the end of August 2025. It also identified actions that were being taken to address adverse variances to urgently address the Council's financial sustainability.

The Second Financial Review 2025-26 (FR2) reported a forecasted revenue outturn position as an adverse variance of £2.345m, after the application of planned use of Exceptional Financial Support (EFS) of £25.261m.

Councillor D Brown joined the meeting at 14:06.

It was noted that the value of additional mitigation plans to improve the overall forecast, which had not been reflected as delivered at FR2, were estimated at £1.933m, giving an improved overall forecast of £0.412m overspend. However, the committee noted that should the mitigations not materialise, alongside further risks identified within the report, the forecasted overspend position could increase to £21.191m adverse.

The committee agreed that the overall forecasted revenue overspend of £2.345m remained a significant financial challenge for the Council when considered in addition to the planned use of EFS of £25.261m. It was noted that the Council's reserves (£27.131m) were insufficient to cover the forecasted revenue outturn for 2025/26 without further action.

The committee noted that, in summary, improvements were being made and positive outcomes being achieved, but it was acknowledged that significant further work was required.

The committee queried the term 'temporary virement' in recommendation three. It was clarified that this referred to an authorised transfer of funds that was in-year and affected only the current financial year. At the end of the financial year, the transfer of funds would be reversed and would revert to their original state.

The committee raised concerns around the significant pressures on Adult Social Care budgets, rising healthcare costs and provision of care that may not be eligible for NHS Continuing Healthcare funding. The report referenced budgets in relation to mental health and cognitive care, including dementia. The committee queried the level of NHS contributions and potential future financial pressures. It was clarified that there had been pressure from the NHS in terms of Continuing Healthcare over the summer months. Assessments were complex and once agreed the funding would be backdated. A breakdown of NHS-funded elements was requested for a future meeting, which officers would look into.

The committee welcomed improvements in the financial position from FR1 to FR2 but also stressed the need for continued effort from officers and members on service committees, as there was still significant progress to be made. Reference was made to Adult Social Care and Children's Services where there was a statutory responsibility to deliver support, which it was important to recognise.

The committee welcomed business case briefings and highlighted interest in capital projects going forward. It was stressed that Adult Social Care and Dedicated Schools Grant outcomes depended on the pace of transformation, and all committees needed to monitor progress closely between now and April 2026. Reference was made to the governance changes that would be implemented in May 2026.

The committee took the opportunity to thank the finance team for the report and their continued hard work and efforts. It was acknowledged that service departments were working hard with the finance team to develop mitigation plans and implement the necessary budget changes. The committee recognised the challenges faced and commented that the tasks ahead could not be underestimated.

RESOLVED (unanimously):

That the Finance Sub Committee:

1. Note the factors leading to a forecast adverse Net Revenue financial pressure of £2.345m against a revised budget of £360.198m (0.65%). To note the contents of Annex 1, Section 2 of the report 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. Note the in-year forecast capital spending of £167.700m against an increased capital budget of £208.491m.
3. Approve the temporary virement of £1.415m budget from the Place Directorate to the Transformation budget, this relates to in year savings delivered of £1.039m to offset third party spend and £0.376m fees and charges.
4. **Recommend to Council to approve the Supplementary Revenue Estimate Request for Allocation of Additional Grant Funding over £1,000,000 as per Annex 1, Section 3, Table 1 of the report.**
5. Note the Capital Virements above £500,000 up to and including £5,000,000 as per Annex 1, Section 4, Table 4 of the report to be approved in accordance with the Council's Constitution.
6. Note the Capital Budget Reductions as per Annex 1, Section 4, Table 5 of the report.
7. Note the available reserves position as per Annex 1, Section 5 of the report.

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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. Spending in relation to specific purpose grants must be in line with the purpose for which it is provided.
- 3.2 General use grants, also known as unring-fenced grants, are funds provided by the Government to local authorities without specific restrictions on how the money is spent. They allow councils to determine how best to utilise the funding to address local needs and priorities.
- 3.3 **Table 1** shows additional grant allocations that have been received over £1m that **Council** will be asked to approve and grant allocations that have been received which are over £0.5m and up to £1m and are for **Committee** approval.

Table 1

Committee	Decision	Reason	Type of Grant	£m	Details
Children & Families - Schools	Council	Core Schools Budget Grant (special schools)	Specific Purpose	2.459	A Department for Education initiative to support special schools, AP settings, and post-16 institutions with rising staffing costs. It consolidates previous grants and introduces new support for employer contributions and anticipated pay increases. Funding is distributed via local authorities with strict conditions on use and full pass-through to eligible settings.

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COUNCIL MEETING – 10 DECEMBER 2025**RECOMMENDATION FROM ENVIRONMENT AND COMMUNITIES COMMITTEE: STATEMENT OF GAMBLING PRINCIPLES****Recommendation:**

Council is recommended to approve the draft revised Statement of Gambling Policy for formal adoption

Extract from the minutes of the meeting of the Environment and Communities Committee held on 13 November 2025.

27 STATEMENT OF GAMBLING PRINCIPLES

The committee considered the report which sought approval of the Statement of Gambling Principles 2026-2029 which is required under the Gambling Act 2005 to be published by all licensing authorities every three years. The document sets out how the Council will exercise its functions under the Act, focusing on the three licensing objectives and providing a local decision-making framework alongside national guidance and legislation.

The committee were advised that the revised statement remains largely unchanged from the previous version, with amendments limited to correcting grammatical errors. The draft statement had been considered by the Licensing Committee on 8 September 2025 following a statutory consultation process and was approved for submission to this Committee prior to onward recommendation to Full Council for adoption in December.

The committee queried the use of demographic data within the document and noted that some figures dated back to 2015. It was noted that updates are dependent on census data and advised the committee that future revisions should hopefully include more comprehensive and current information.

The committee thanked the officers for the work that had been put into the report and understood the importance and requirements for it to be brought to the committee for approval.

RESOLVED (unanimously):

That the Environment and Communities Committee:

1. Note the draft revised Statement of Gambling Policy as set out at appendix 1 to the report

2. **Recommend the draft revised Statement of Gambling Policy to Council for formal adoption**

OPEN

Environment and Communities Committee**13 November 2025****Revised Statement of Gambling Principles**

Report of: Phil Cresswell, Executive Director Place**Report Reference No: EC/09/25-26****Ward(s) Affected: All****For Decision****Purpose of Report**

- 1 To give the Environment and Communities Committee the opportunity to consider the revised Statement of Gambling Principles, prior to its adoption.

Executive Summary

- 2 The Gambling Act 2005 requires local authorities to prepare and publish a statement of the principles that they propose to apply when exercising their functions under the Act during the three-year period to which the statement applies.
- 3 The Council is required to review its existing statement of principles and publish a revised version. In preparing a revised statement the Council must undertake a consultation exercise with stakeholders identified within the Gambling Act 2005.

RECOMMENDATIONS

The Environment and Communities Committee is recommended to:

1. Note the draft revised Statement of Gambling Policy as set out at appendix 1 to the report
2. Recommend the draft revised Statement of Gambling Policy to Council for formal adoption.

Background

- 4 The Gambling Act 2005 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, remains substantially the same as the previous iteration. There have been no matters in the previous 3 years that would require a change of content.
- 6 The Statement of Gambling Principles is the policy document that the Licensing Act Sub-Committee will use when determining contested applications under the Gambling Act 2005. Consequently, it needs to adequately guide applicants, objectors, Licensing Authority Officers, and Committee Members.
- 7 The statement must reflect that the Council is required to discharge its responsibilities under the Act with a view to promoting the three licensing objectives:
 - i. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - ii. Ensuring that gambling is conducted in a fair and open way
 - iii. Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 8 When undertaking the review officers have undertaken a light touch approach. This is because the gambling landscape, which needs to be addressed in the statement, has changed little in the last three years. Most gambling developments have taken place in areas such as online gambling and control of offshore gambling providers. These aspects of gambling are outside the scope of local authority powers and therefore not appropriate for inclusion in our Statement of Gambling Principles.
- 9 There have been no contested applications, and it has not been necessary for the Sub-Committee to use the statement in any decision-making process.

Consultation and Engagement

- 10 The consultation process followed was that laid down by The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006.
- 11 Given the minor and inconsequential changes to the statement, a decision was taken to run a shorter consultation period reflective of these limited changes.
- 12 The consultation ran between 9 June 2025 and 7 July 2025 and was limited to prescribed stakeholders only.
- 13 One consultation response was received, from the Beacon Counselling Trust. While the comments have been considered, no changes to the draft policy are proposed following this response. This is because the policy already deals with some suggestions and some suggestions are outside the scope of the policy. However, the response does suggest that there are opportunities for the Licensing Team to engage with the Trust and these will be explored further. The response is set out at Appendix 2.
- 14 The draft revised statement will be considered by the Licensing Committee at their meeting on 9 September 2025. The statement will then proceed to full Council for final adoption in December.

Reasons for Recommendations

- 15 The Statement of Gambling Principles is the policy document used by the Licensing Authority when making decision under the Gambling Act 2005. It forms part of the Council's Budgetary and Policy Framework.
- 16 The Council is required to adopt a Statement of Gambling Principles in accordance with section 349 of the Gambling Act 2005. By virtue of the legislation, final adoption of the Statement is reserved to full Council.

Other Options Considered

- 17 No other options have been considered. The Council is required by section 349 of the Gambling Act 2005 to adopt a Statement of Gambling Principles. The route for adopting this document is set out both in legislation and by the requirements in the Council's Constitution.

Option	Impact	Risk
Do Nothing	Council will be in contravention of the	The decision-making process will be compromised leading

	requirements of the Gambling Act 2005	to legal and reputational risks
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Implications and Comments

Monitoring Officer/Legal/Governance

- 18 By virtue of section 349 of the Gambling Act 2005 ('the 2005 Act') the Licensing Authority is required to prepare and publish a statement of the principles that it proposes to apply in exercising its functions under the 2005 Act during the three-year period to which the policy applies.
- 19 The drafting of the Statement of Principles must take into account the requirements of The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 ('the 2006 Regulations'). In addition, the Gambling Commission's Guidance to Licensing Authorities ('the Guidance') prescribes that in determining its statement, the Licensing Authority must have regard to the Guidance and give appropriate weight to the views of those it has consulted.

Section 151 Officer/Finance

- 20 There are no financial implications in relation to the requested decision.
- 21 The work to review and revise the Statement of Gambling Principles has been delivered within existing resources and is funded through the Licensing Team's current budget provision.

Human Resources

- 22 There are no human resource implications.

Risk Management

- 23 It should be noted that the Gambling Act 2005 requires the Licensing Authority to have a Statement of Gambling Principles. 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.

Impact on other Committees

- 24 There are no impacts on other Committees.

Policy

- 25 The Council is required to revise and adopt a Statement of Gambling Principles every three years.

Equality, Diversity and Inclusion

- 26 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.'
- 27 As part of the research undertaken when writing the Local Area Profile within the Statement of Policy, it has been identified that white, working-class males in the lower age ranges are most at risk from problem gambling. That profile includes characteristics which are protected under the Equality Act 2012
- 28 As part of the Gambling Commissions Operating Licence conditions and the Licence conditions and codes of practice, all gambling operators must have a policy setting out how they will ensure that gambling is conducted appropriately and in accordance with the Licensing Objectives. This is usually called a social responsibility policy and would include provisions setting out how an operator would protect those with protected characteristics from the harms caused by problem gambling.

Other Implications

- 29 Gambling as an activity can have significant and devastating effect on problem gamblers and their families and friends. As identified in the Area Profile the number of premises licensed for gambling in Cheshire East is comparatively low. Additionally, we have recently seen a number of betting shops surrender their licences. Statistically, there could be either 3,354 or 1,864 problem gamblers in the Borough (depending on which measure is used). It can therefore be seen that despite the relatively low number of licensed premises there could still be significant harm being caused to residents. What we are not able to identify is by which method problem gamblers are gambling in Cheshire East (e.g. betting shops, scratch cards, or online gambling etc).
- 30 The Council cannot regulate online gambling within Cheshire East. The regulation of these activities is within the remit of the Gambling Commission. The Commission, in their participation in gambling annual report, has recently reported that online gambling activity has increased.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Ashley Hughes	S151 Officer	22/10/25	27/10/25
Hilary Irving	Interim Deputy Monitoring Officer	30/10/25	30/10/25
<i>Legal and Finance</i>			
Wendy Broadhurst	Principal Accountant	05/08/25	05/08/25
Julie Gregory	Head of Legal Services	05/08/25	11/08/25
<i>Other Consultees:</i>			
<i>Executive Directors/Directors</i>			
Chris Allman	Director of Planning & Environment	12/08/25	12/08/25
Phil Cresswell	Executive Director - Place	24/10/25	27/10/25

Access to Information	
Contact Officer:	Kim Evans, Licensing Team Leader licensing@cheshireeast.gov.uk
Appendices:	1. Draft Revised Policy 2. Consultation Response

Background Papers:	Gambling Act 2005 The Gambling Commission's guidance for licensing authorities
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Cheshire East Council

Statement of Gambling Principles

Gambling Act 2005

2026 to 2029

Contents

1	Introduction
2	General Principles
3	Gambling Prevalence and Problem Gambling
4	Cheshire East Area Profile
5	The Gambling Act 2005
6	Responsible Authorities
7	Interested Parties
8	Premises Licences
9	Adult Gaming Centres
10	Betting Premises (other)
11	Betting Tracks including other sporting venues
12	Bingo Premises
13	Casinos
14	(Licensed) Family Entertainment Centres
15	Licence Conditions
16	Primary Gambling Activity
17	Buildings divided into more than one premises
18	Separation of premises within a single building
19	Access to premises
20	Provisional Statements
21	Reviews of Licences
22	Permits
23	(Alcohol) Licensed Premises Gaming Machine Permits
24	Club Gaming and Club Machines Permits
25	Prize Gaming Permits
26	Unlicensed Family Entertainment Centre Gaming Machine Permits
27	Temporary Use Notices
28	Occasional Use Notices
29	Travelling Fairs
30	Small Society Lotteries
31	Exchange of Information
32	Enforcement
33	Scheme of Delegation

34 Definitions of Gambling Activities

35 Glossary of Terms

Appendices

Appendix 1 Cheshire East Area Profile

Appendix 2 Summary of gaming machine categories and entitlements

Appendix 3 Summary of machine provisions by premises

Appendix 4 Summary of gaming entitlements for clubs and alcohol-licensed premises

Appendix 5 Scheme of Delegation

Appendices 1 - 5 are included to provide further information to those interested in these matters. As the information contained within these appendices are subject to change by Central Government, they are not to be considered a part of the Statement of Principles required by section 349 of the Act. They will be subject to reasonable amendment to ensure that they remain accurate and correctly reflect the appropriate entitlements. Any amendment of this nature will not be considered a review of the Statement. As such the requirements for consultation will not apply.

1 Introduction

- 1.1 This Statement of Gambling Principles is published by Cheshire East Council, as the Licensing Authority, in accordance with Section 349 of the Gambling Act 2005. The Act requires the Licensing Authority to prepare and publish a Statement of Principles which sets out the policies that the Licensing Authority will generally apply to promote the Licensing Objectives when making decisions on applications made under the Act.
- 1.2 The Licensing Authority has produced this Statement of Principles in accordance with the provisions of the Act and having regard to the provision of the Guidance issued by the Gambling Commission under Section 25 of the Act.
- 1.3 In exercising most of its functions under the Act, the Licensing Authority must have regard to the Licensing Objectives as set out in section 1 of the Act. The Licensing Objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 1.4 As required by the Gambling Act 2005, the draft Statement of Principles was subject to formal consultation with:
- Cheshire Constabulary
 - Representatives of those carrying on gambling businesses within the Borough of Cheshire East.
 - Representatives of those persons likely to be affected by the exercise of the Licensing Authority's functions under the Act

2 General Principles

- 2.1 The Licensing Authority recognises the need to avoid, so far as possible, duplication of existing legislation and other regulatory regimes.
- 2.2 The Licensing Authority recognises that it may only consider matters within the scope of the Guidance issued by the Gambling Commission, the Act and the Codes of Practice. It is also recognised that there may be issues raised, such as the likelihood of the applicant obtaining planning permission, which are not relevant for the purposes of the Act.
- 2.3 Nothing in this Statement will undermine the rights of any person to make an application under the Act and have the application considered on its individual merits; or undermine the right of any person to make representations on any application or seek a review of a licence or permit where provision has been made for them to do so within the Act.
- 2.4 The Licensing Authority recognises that unmet demand is not a relevant consideration when considering an application for a premises licence under the Act. Each application will be considered on its merits without regard to demand.

- 2.5 The Licensing Authority also recognises that the location and proximity of premises to be used for gambling to other premises such as, for example, schools and premises used by vulnerable persons, may be a relevant consideration with respect to the objective of protecting children and other vulnerable persons from being harmed or exploited by gambling. The type of gambling which is to be offered will also be relevant.
- 2.6 Each application will be considered on its merits and the Licensing Authority will take into account any proposals by the applicant or licence holder which show how the licensing objectives may be satisfied.
- 2.7 In carrying out its licensing functions under the Act the Licensing Authority will aim to permit the use of premises for gambling as long as it is considered to be:
- In accordance with any relevant Codes of Practice issued by the Gambling Commission
 - In accordance with any relevant Guidance issued by the Gambling Commission in accordance with this Statement of Principles, and
 - Reasonably consistent with the licensing objectives

3 Gambling Prevalence and Problem Gambling

- 3.1 In 2010 NatCen's British Gambling Prevalence Survey showed that 73% of the population, had participated in some form of gambling in the past year with 56% of the population participating in some form of gambling other than the National Lottery. The 2010 survey remains the most current survey conducted by NatCen.
- 3.2 The most popular gambling activities are:

Type	% of adult population
National Lottery	59%
National Lottery scratch cards	24%
Betting on horse races	16%
Playing slot machines	13%
Online gambling	5%
Placed bets by internet	4%
Fixed Odds Betting Terminals	4%
Gambled in a casino	4%

- 3.3 Men were more likely to gamble than women (75% compared with 71%). People in higher income households were more likely to gamble; 72% in the highest income households; 61% in the lowest income households. Those with higher levels of education were less likely to gamble; 61% of those with a degree gambled compared with 73% who were educated to GCSE/O level equivalent.
- 3.4 Gambling participation was lowest among the youngest and oldest age groups and highest among those aged 44-64.
- 3.5 Gambling prevalence rates were highest among those who were either married or had been married (75%), respondents who were White/White British (76%), those whose highest educational attainment was GCSEs or equivalent (76%) or had other

qualifications (78%), those from lower supervisory/technical households (79%), those in paid work (78%), those with the highest personal income (79% for the 4th income quintile and 76% for the highest income quintile) and those living in the East Midlands (80%).

- 3.6 Two measures of problem gambling showed rates of problem gambling in the general population of 0.9% and 0.5%. A significant association was found between problem gambling and being a young male with parents who gambled. It was also associated with smoking and poor health.
- 3.7 The GamCare Annual Review 2020/2021 showed that the number of calls made to the National Gambling Helpline were up by 9% based on the previous year's figures with the number of individuals seeking support or treatment increased by 8%. Working males under 35 years were most likely to see support and treatment. Anxiety and stress, family/relationship difficulties, financial problems, and debt are the primary reasons for gambling given by those seeing support or treatment services.
- 3.8 A pilot project in Cheshire was commenced in collaboration with Beacon Counselling Trust in 2017. This project trained Cheshire Constabulary custody staff to screen for problem gambling, understand the complexities of the issue and, where possible, to signpost to local support services.
- 3.9 The pilot was launched in three custody suites across Cheshire with 609 screening have taken place and 85 (14%) resulted in a brief intervention to minimise gambling-related harm. Of those 17 (20%) have been referred into more structured counselling treatment with local providers.
- 3.10 In April 2021, following the successful pilot, the project has been rolled out to a further five police forces. This includes our neighbours in Manchester and Merseyside.
- 3.11 When gambling becomes a problem it can have devastating repercussions on a person's everyday life and functioning. For many clients who access GamCare's services (eg counselling) this may mean the breakdown or near breakdown of their relationships, damage to their physical and psychological health and substantial financial loss and debt. It should be acknowledged that the harm caused by problem gambling extends beyond the problem gambler themselves to include their family and friends. And can disproportionately affect the most vulnerable in society.

4 Cheshire East Area Profile

- 4.1 Cheshire East's administrative area contains the industrial town of Crewe, the old mill towns of Macclesfield, Bollington and Congleton, the market towns of Alsager, Nantwich, Knutsford and Sandbach, the salt town of Middlewich, the town of Wilmslow as well as the smaller settlements of Holmes Chapel and Poynton.
- 4.2 A full profile of the Borough is set out at Appendix 1.
- 4.3 As the persons most at risk from problem gambling are white, young males from a low income background this is most likely to affect the residents of Crewe and to a lesser extent Macclesfield. These are also the areas that already have the highest

numbers of licensed gambling premises. It will therefore be incumbent upon applicants to demonstrate that they will take appropriate steps to follow the Gambling Commission's relevant Codes of Conduct and the Council's Statement of Gambling Principles to ensure that none is exploited or harmed by gambling.

5 The Gambling Act 2005

- 5.1 Gambling is defined in the Act as either gaming, betting, or taking part in a lottery.
- Gaming means playing a game of chance for a prize
 - Betting means making or accepting a bet on the outcome of a race, competition, or any other event ; the likelihood of anything occurring or not occurring; or whether anything is true or not
 - A lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance
- 5.2 The Act provides for three categories of licence:
- Operating licences
 - Personal licences
 - Premises licences
- 5.3 In accordance with the Act, the Gambling Commission has responsibility for issuing operating and personal licenses and the Licensing Authority is responsible for issuing premises licenses.
- 5.4 The main functions of the Licensing Authority, and the functions subject to this Statement, are:
- Licence premises for gambling activities
 - Grant permits for gambling and gaming machines in clubs
 - Regulate gaming and gaming machines in alcohol licensed premises
 - Grant permits to family entertainment centres for the use of certain lower stake gaming machines
 - Grant permits for prize gaming
 - Consider notices given for the temporary use of premises for gaming
 - Consider occasional use notices for betting at tracks
 - Register small societies lotteries
- 5.5 It should be noted that:
- Spread betting is regulated by The Financial Services Authority
 - Remote (on-line) gambling is dealt with by the Gambling Commission
 - The National Lottery is regulated by The National Lottery Commission (which merged with the Gambling Commission in October 2013)
- 5.6 This Statement of Principles relates to all those licensable premises, notices, permits and registrations identified as falling within the provisions of the Act, namely:

- Casinos
- Bingo Premises
- Betting Premises
- Tracks
- Adult Gaming Centres
- Family Entertainment Centres
- Club Gaming and Club Machine Permits
- Prize Gaming and Prize Gaming Permits
- Temporary and Occasional Use Notices
- Registration of small society lotteries

5.7 The Categories of Gaming Machine Regulations 2007 (as amended) define four classes of gaming machine, categories A, B, C and D, with category B divided into a further 5 sub-categories. A full list of the categories of Gaming Machine, together with the current maximum stakes and prizes, is set out in Appendix 2.

5.8 A breakdown of automatic entitlements in gambling premises is set out appendix 3 and a break down of automatic entitlements in alcohol licensed premises is set out at appendix 4.

6 Responsible Authorities

6.1 A Responsible Authority may make representations about an application for a premises licence or may request a review of a premises licence. Sections 157 and 349 of the Gambling Act 2005 set out those bodies classified as Responsible Authorities in terms of the Act.

6.2 The Licensing Authority will apply the following principles when designating, in writing, a body which is competent to advise the authority about the protection of children from harm:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc

6.3 Therefore the Licensing Authority will continue to designate the Cheshire East Local Safeguarding Children Board for the purpose of advising it on the protection of children from harm.

6.4 Section 211(4) of the Act provides that in relation to a vessel, but to no other premises, responsible authorities should also include navigation authorities within the meaning of section 221(1) of the Water Resources Act 1991 that have statutory functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is proposed to be navigated at a time when it is used for licensable activities. These would include:

- The Environment Agency
- The British Waterways Board
- The Secretary of State acting through the Maritime and Coastguard Agency

- 6.5 The contact details of all the Responsible Bodies under the Gambling Act 2005 will be available on the Licensing Authorities website.

7 Interested Parties

- 7.1 In addition to Responsible Authorities, 'Interested Parties' can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in Section 158 of the Gambling Act 2005 as follows:
- Lives sufficiently close to the premises to be likely to be affected by the authorised activities, or
 - Has business interests that might be affected by the authorised activities, or
 - Represents persons in either of the two groups above
- 7.2 In determining whether someone lives sufficiently close to a particular premises so as to be affected the Licensing Authority will take into account, among other things:
- The size of the premises
 - The nature of the premises
 - The distance of the premises from the person making the representation
 - The nature of the complainant
 - The potential impact of the premises
- 7.3 In determining whether a person has a business interest which could be affected the Licensing Authority will consider, among other things:
- The size of the premises
 - The catchment area of the premises, and
 - Whether the person making the representation has business interests in the catchment area that might be affected
- 7.4 Business interests will be given a wide interpretation and could include for example partnerships, faith groups and medical practices.
- 7.5 Representations made on the grounds that an applicant would be in competition with an existing business or that there is allegedly no demand for additional gambling premises will not be considered to be relevant.
- 7.6 Trade associations, trade unions, residents' and tenants' associations will not, however, generally be viewed as interested parties unless they have a member who can be classed as one under the terms of the Gambling Act 2005 i.e. lives sufficiently close to the premises to be likely to be affected by the authorised activities.
- 7.7 Representatives of Interested Parties may include MPs, Ward Councillors and Parish Councillors. Residents' and tenants' associations, trade unions and trade associations may also represent interested parties if they have members living sufficiently close to the premises. Except in the case of Councillors or MPs representing the ward or wards likely to be affected, when written evidence will be required that a person or body represents an interested party.

- 7.8 If individuals approach Ward Councillors or Parish Councillors, care should be taken that the Councillor is not a member of the Licensing Committee or Licensing Act Sub-Committee, which will deal with the application, nor has an interest which would prevent them from addressing the Committee or Sub-Committee. If there is any doubt, advice should be sought from the Legal Team or Licensing Team.
- 7.9 Details of those persons making representations will be made available to applicants and, in the event of a hearing being held, will form part of a public document (including publication on the Council's website).

8 Premises Licences

- 8.1 Premises can be 'any place' but the Act prevents more than one premises licence applying to any one place. A single building could be subject to more than one premises licence provided they are for different parts of the building and those parts can be genuinely regarded as being different 'premises'.
- 8.2 There are particular requirements for entrances and exits from parts of a building covered by one or more licences to be separate and identifiable so that the separation of the premises is not compromised and that people are not allowed to 'drift' accidentally into a gambling area. The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 set out the access provisions for each type of premises.
- 8.3 A licence to use premises for gambling will normally be issued only in relation to premises that are ready to be used for gambling. Where premises have not yet been constructed, an applicant may apply for a provisional statement – See Section 20.
- 8.4 An application for a premises licence may only be made by persons who have a right to occupy the premises.
- 8.5 Except in the case of a betting track premises licence, an application for a premises licence can only be made by a person who either holds an operating licence authorising him to carry on the activity in respect of which a premises licence is sought, OR has made an application for an operating licence which has not yet been determined.
- 8.6 When considering applications for premises licences the licensing authority cannot take into consideration the expected 'demand' for facilities. It should also be noted that moral objections to gambling are not a valid reason to reject applications.
- 8.7 Applications for the grant, transfer or variation of a Premises Licence should be accompanied by an assessment that demonstrates how the applicant will promote all the Licensing Objectives.
- 8.8 Premises licences granted must be reasonably consistent with the licensing objectives as follows:

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

- 8.9 The Gambling Commission will be taking a leading role in preventing gambling from being a source of crime.
- 8.10 The Gambling Commission will deal with Operating Licences and Personal Licences so the Licensing Authority will not be concerned about the suitability of an applicant. If concerns arise about a person's suitability, the Licensing Authority will bring those concerns to the attention of the Commission.
- 8.11 The Licensing Authority will take into consideration the proposed location of gambling premises in terms of this Licensing Objective. Where an area has known high levels of organised crime, the Licensing Authority will consider carefully whether gambling premises are suitable to be located there.
- 8.12 Where appropriate, conditions may be attached to a premises licence requiring the provision of door supervisors. For example, if the premises cannot be adequately supervised from the counter, door supervision may be necessary.
- 8.13 There is a distinction between disorder and nuisance. The Licensing Authority will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see or hear it in determining that distinction. It should be noted that issues of nuisance cannot be addressed under the Act.

Ensuring that gambling is conducted in a fair and open way

- 8.14 The Gambling Commission does not expect Licensing Authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will either be a matter for the management of the gambling business or will relate to the suitability and actions of an individual. Both issues will be addressed by the Commission through the Operating and Personal Licensing regime.
- 8.15 Because betting track operators do not need an operating licence from the Commission the Licensing Authority may, in certain circumstances, require conditions to ensure that the environment in which betting takes place is suitable.

Protecting children and other vulnerable persons from being harmed or exploited by gambling

- 8.16 Apart from one or two limited exceptions, the intention of the Act is that children and young persons should not be allowed to gamble and should therefore be prevented from entering gambling premises which are 'adult-only' environments.
- 8.17 In practice, steps will generally be taken to prevent children from taking part in, or being in close proximity to, gambling. There may also be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.
- 8.18 The Licensing Authority will not normally grant a premises licence for premises which are located close to schools.

- 8.19 When considering whether to grant a premises licence or permit the Licensing Authority will consider whether any measures are necessary to protect children, such as the supervision of entrances, the segregation of gambling from areas frequented by children and the supervision of gaming machines in non-adult gambling specific premises, such as pubs, clubs, betting tracks etc.
- 8.20 The Act does not define the term 'vulnerable persons' but the Licensing Authority considers that this will include people who gamble more than they want to, people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling, perhaps due to a learning disability, the state of their mental health or the effects of alcohol or drugs.
- 8.21 Licence Holders will be expected to make information publicly available about organisations that can provide advice and support, both in relation to gambling itself and to debt e.g. GamCare, Gamblers Anonymous, National Debtline, local Citizens Advice Bureau and relevant independent advice agencies.
- 8.22 The Licensing Authority is aware of the general concern surrounding betting machines that permit high volumes of betting activity by individuals, for example Fixed Odds Betting Terminals (FOBTs). Applicants should consider where such betting machines are located and monitor use to ensure excessive gambling does not take place. The Licensing Authority is also aware that Central Government is considering this issue.

9 Adult Gaming Centres

- 9.1 The Licensing Authority will expect applicants to demonstrate that there will be sufficient measures in place to meet the Licensing Objectives, for example, to ensure that under 18 year olds do not have access to the premises.
- 9.2 Appropriate licence conditions may cover issues such as:
- Proof of age schemes
 - CCTV Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-barring schemes
 - Provision of posters and/or information leaflets and helpline numbers/website addresses for organisations such as GamCare, Gamblers Anonymous, Gordon House Association, National Debtline and local Citizens Advice Bureau and other relevant independent advice agencies.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

10 Betting Premises (other)

- 10.1 The Licensing Authority must be satisfied that the primary use of the premises is to operate as a betting premises in accordance with the principles outlined in paragraph 16 of this Statement. The applicant will be expected to demonstrate that

they can offer sufficient facilities for betting and, unless it does so, should not be making gaming machines available on the premises.

10.2 The Licensing Authority will take the following into account when considering the number, nature and circumstances of betting machines an operator wants to offer:

- the size of the premises
- the number of counter positions available for person-to-person transactions
- the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people

11 Betting Tracks including other sporting venues

11.1 Tracks may be subject to one or more than one premises licence, provided that each licence relates to a specified area of the track.

11.2 The Licensing Authority will expect applicants to demonstrate that there will be sufficient measures in place to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas and do not have access to adult only gaming facilities.

11.3 It should be noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

11.4 Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

11.6 Where the applicant holds a Pool Betting Operating Licence and is going to use the entitlement to four gaming machines, if these machines are above category D, the applicant must demonstrate that they will be located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

11.7 The Licensing Authority will consider restricting the number and location of betting machines in respect of applications for track premises licences.

- 11.8 When considering the number, nature and circumstances of betting machines an operator wants to offer, the Licensing Authority will take into account:
- the size of the premises
 - the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people
- 11.9 The Licensing Authority will normally attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.

12 Bingo Premises

- 12.1 It is important that, if children are allowed to enter premises licensed for bingo, they do not participate in gambling, other than on category D machines.
- 12.2 Where category C or above machines are available in premises to which children are admitted the Licensing Authority will expect applicants to demonstrate that there will be sufficient measures in place to ensure that:
- all such machines are located in an area of the premises separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
 - only adults are admitted to the area where the machines are located
 - access to the area where the machines are located is supervised
 - the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder
 - at the entrance to, and inside any such area, there are prominently displayed notices indicating that access to the area is prohibited to persons under 18
- 12.3 The Licensing Authority will take account of any guidance issued by the Gambling Commission about the particular issues which should be taken into account in relation to the suitability and layout of bingo premises and appropriate conditions will be attached to the premises licence.

13 Casinos

- 13.1 This Licensing Authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005 but is aware that it has the power to do so. Should the Council decide in the future to pass such a resolution, this Statement of Principles will be updated. Any such decision must be made by the full Council.
- 13.2 This Licensing Authority is not currently able to issue premises licences for casinos. Should the Government propose that more casinos can be licensed in the future, the Licensing Authority will review its position and this Statement of Principles will be updated.

14 (Licensed) Family Entertainment Centres

14.1 The Licensing Authority will expect applicants to demonstrate that there will be sufficient measures in place to meet the Licensing Objectives, for example, to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

14.2 Appropriate licence conditions may cover issues such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare, Gamblers Anonymous, the Gordon House Association, National Debtline and local Citizens Advice Bureau.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

15 Licence Conditions

15.1 There are three types of conditions that can be attached to premises licences:

- Mandatory – Conditions prescribed in regulations made by the Secretary of State which must be attached
- Default – Conditions prescribed in regulations made by the Secretary of State which will be attached unless specifically excluded by the Licensing Authority
- Conditions attached by the Licensing Authority

15.2 Any conditions imposed by the Licensing Authority will be appropriate, proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises and the type of licence applied for
- fairly and reasonably related to the scale and type of premises
- reasonable in all other respects

15.3 Applicants are encouraged to offer their own suggested conditions to demonstrate how the Licensing Objectives can be met.

15.4 There are conditions which the Licensing Authority cannot attach to premises licences which are:

- any condition which makes it impossible to comply with an operating licence condition

- conditions relating to gaming machine categories, numbers, or method of operation
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs)
- conditions in relation to stakes, fees, winnings or prizes

15.5 Where a condition is attached to a premises licence requiring door supervisors, the Licensing Authority will normally require those door supervisors to be Security Industry Authority (SIA) registered.

15.6 Door supervisors employed in house at casinos or bingo premises are exempt from being registered by the SIA but the Licensing Authority considers that it is best practice for door supervisors working at casinos or bingo premises to have SIA training or similar. The Licensing Authority will also expect door supervisors employed at casinos or bingo premises to have a clear Disclosure and Barring check over the previous three years prior to their employment at the casino or bingo premises.

16 Primary Gambling Activity

16.1 The primary activity of each premises licence type is specified on the premises licence when it is issued. Section 150 of the Gambling Act 2005 authorises the provision of gambling facilities for the following types of premises licences:

- Casino premises
- Bingo premises
- Betting premises, including tracks and premises used by betting intermediaries
- Adult gaming centre premises (for category C and D machines)
- Family entertainment centre premises (for category C and D machines) (note that, separate to this category, the Licensing Authority may issue family entertainment centre gaming machine permits, which authorise the use of category D machines only).

16.2 In betting premises the primary activity will be betting, with gaming machines as an ancillary offer on the premises. The Commission have provided information relating to the primary gambling activity. This guidance sets out the requirements on the operator to ensure that their premises operate within the terms of the Act and the relevant conditions. It should be noted that the Act does not permit a premises to be licensed for more than one gambling activity.

16.3 The Licensing Authority will take decisions in accordance with the Commission's guidance and codes of practice on primary gambling activity, and will have regard to the advice which it issues from time to time, and will expect applicants to operate premises in line with the Commission's Guidance and conditions on their operator licence. The Licensing Authority will monitor the operation of premises and report any potential breach of operating licence conditions to the Commission. Applications for new premises licences, or to vary an existing licence, will be expected to be clear that the premises are intended to be used for the primary gambling activity proposed. For example a betting (other) premises licence application that only has 4 gaming machines but no betting counter or associated

betting facilities shown on the proposed plans, will not be considered as offering the primary gambling activity in accordance with that indicated on the application.

17 Buildings divided into more than one premises

- 17.1 The Guidance states that a building can, in principle, be divided into more than one premises, and subject to more than one premises licence provided they are for different parts of the building, and the different parts of the building can be reasonably regarded as being different premises. An example is given of the units within a shopping mall, where each unit is a separate self-contained premises that is contained within one building. It is also possible for licensed premises to be located next to each other. The Licensing Authority will follow this guidance.
- 17.2 Whether different parts of a building can be reasonably regarded as different premises will depend on the circumstances of the individual building and how any division is proposed. To agree to accept applications to grant or vary a licence for a building which has been divided, the Licensing Authority will need to be satisfied that the different premises are genuinely separate premises, and not an artificially created part of what is readily identifiable as a single premises.
- 17.3 In considering whether different areas of a building are genuinely separate premises the Licensing Authority will take into account factors which will include:
- whether there are separate registrations for business rates in place for the premises
 - whether the premises are owned or operated by the same person
 - whether the premises are operated independently of each other

18 Separation of premises within a single building

- 18.1 When considering proposals to divide a building into genuinely separate premises the Licensing Authority will also need to be satisfied that the form of separation between the premises is appropriate.
- 18.2 The separation between one premises and another must be clearly defined. Any barrier used to separate one premises from another must be permanent and constructed so the public cannot go from one premises to another. The Licensing Authority would not, for example, be likely to consider that separation of areas of a building by ropes, or by low level, or moveable partitions to be appropriate.
- 18.3 It may be acceptable for staff working in adjacent premises to have access through barriers between premises to enable them access one premises from the other. The applicant must demonstrate that in providing this staff access there are suitable control measures in place that will ensure the safety and security of staff and that will effectively prevent the public from using the same access point to enter the other premises.

19 Access to premises

- 19.1 The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 restrict access to different types of licensed gambling premises. In considering proposals to divide a building into different premises the Licensing Authority will

have to be satisfied that proposals to divide buildings are compatible with the mandatory conditions which relate to access between premises.

- 19.2 The requirement and restrictions relating to access are set out in paragraph 7.26 of the Commission's Guidance. In certain circumstances customers are restricted from accessing different types of gambling premises directly from other licensed premises.
- 19.3 The Guidance at paragraph 7.25 states 'There is no definition of "direct access" in the Act or regulations. However, it could be said that there should be an area separating the premises concerned (for example a street or café), which the public go to for purposes other than gambling, for there to be shown to be no direct access.'
- 19.4 It is the Licensing Authority's opinion that any area which separates licensed premises, and from which those premises can be accessed, must be genuinely separate premises which are habitually and actually used by members of the public other than those using the licensed premises.
- 19.5 The Licensing Authority does not consider that provisions which prohibit direct access between licensed premises are satisfied where licensed premises are separated by an area created artificially within a building principally for members of the public attending the licensed premises, irrespective of whether this area is unlicensed or provides non-gambling facilities, for example refreshments or ATMs.
- 19.6 Where the Licensing Authority is satisfied that a building can be divided into separate premises and properly satisfy the statutory provisions, the Licensing Authority will expect applicants to ensure that:
- Premises are configured so that children are not invited to participate in, have accidental access to, or closely observe gambling to which they are prohibited from taking part
 - Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not 'drift' into a gambling area. In this context it should be possible to access the premises without going through another licensed premises or premises with a permit
 - Customers should be able to participate in the activity named on the premises licence

This is not an exhaustive list and the Licensing Authority will consider other aspects based on the merits of the application.

20 Provisional Statements

- 20.1 An applicant may apply for a provisional statement in respect of premises expected to be constructed, altered or acquired.
- 20.2 Applications for provisional statements will be dealt with in a similar manner to applications for a premises licence.

- 20.3 Where a provisional statement is granted and an application subsequently made for a premises licence, the Licensing Authority will disregard any representations made which address matters that could have been addressed when the provisional statement was considered unless there has been a change of circumstances.
- 20.4 A premises licence will be granted in the same terms as the provisional statement unless
- representations are received which address matters that could not have been addressed when the provisional statement was considered
 - there has been a change of circumstances
 - the premises have been constructed or altered otherwise than in accordance with the plans and information included with the application for the provisional statement

21 Reviews of Licences

- 21.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities, including the Licensing Authority. However, it is for the Licensing Authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below:
- any relevant code of practice issued by the Gambling Commission
 - any relevant guidance issued by the Gambling Commission
 - the Licensing Objectives
 - the Licensing Authority's Statement of Principles
- 21.2 The Licensing Authority may reject an application for review if it thinks that the grounds on which the review is sought:
- are not relevant to the relevant code of practice or guidance issued by the Gambling Commission, the Licensing Objectives or the Licensing Authority's Statement of Principles
 - are frivolous
 - are vexatious
 - 'will certainly not' cause the Licensing Authority to revoke or suspend the licence or to remove, amend or attach conditions on the premises licence
 - are substantially the same as grounds cited in a previous application relating to the same premises (the Licensing Authority will consider the length of time that has passed since the earlier application in deciding whether this is a reasonable reason to reject the review application)
 - are substantially the same as representations made at the time the application for the premises licence was considered. While the licensing authority will consider the length of time that has passed since the representations were made, it will not normally review a licence on the basis of the same arguments considered on the grant of the premises licence
- 21.3 General objections to gambling as an activity are not likely to be considered relevant reasons for a review. Other examples of irrelevant considerations include demand for gambling premises, issues relating to planning, public safety and traffic congestion.

- 21.4 The Licensing Authority itself, as a responsible authority can initiate a review of a particular premises licence, or any particular class of premises licence, for any reason which it thinks is appropriate. This includes reviewing a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them, or to ensure that the principle of primary use is applied.
- 21.5 The Licensing Authority may review any matter connected with the use made of a particular premises if it has reason to believe that the premises licence conditions are not being observed, or for any other reason which gives it cause to believe a review may be appropriate.
- 21.6 A responsible authority or interested party may apply to the Licensing Authority to review a premises licence. Such reviews can be made in relation to, amongst other things:
- if there are repeated incidents of crime and disorder associated with the premises or the gambling activity which the premises operator has failed to adequately address
 - where incidents that have adversely affected one or more Licensing Objectives have occurred at a premises that could have been prevented if advice and guidance from a responsible authority had been heeded
 - if the premises due to the activities being undertaken is either attracting children or people likely to be involved in crime and disorder
- 21.7 As a review of a premises licence can lead to its revocation the Licensing Authority will consider whether informal actions to ensure timely or immediate compliance have been exhausted prior to an application being made. The Licensing Authority accepts that an application for review may be appropriate without informal measures being taken, but will seek to establish that all options have been considered in determining review applications.

22 Permits

- 22.1 Permits regulate gambling and the use of gaming machines in a premises which does not hold a premises licence. They are required when a premises provides gambling facilities but either the stakes are very low or gambling is not the main function of the premises.
- 22.2 The Licensing Authority is responsible for issuing the following permits:
- alcohol licensed premises gaming machine permits
 - club gaming permits and club machine permit
 - prize gaming permits
 - unlicensed family entertainment centre gaming machine permits
- 22.3 The Licensing Authority can only grant or reject an application for a permit and cannot attach conditions. Therefore, the Licensing Authority will consider a number of factors before determining an application for a permit to ensure that the permit holder and the premises are suitable for the proposed gambling activities.

23 (Alcohol) Licensed Premises Gaming Machine Permits

- 23.1 Premises licensed to sell alcohol are automatically entitled to have 2 gaming machines of categories C or D provided that:
- the requisite notice has been served on the Licensing Authority
 - the appropriate fee has been paid
 - any code of practice relating to the location and operation of gaming machines is complied with
- 23.2 The Licensing Authority can remove the automatic authorisation if:
- provision of the machines is not reasonably consistent with the pursuit of the Licensing Objectives
 - gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the Licensing Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
 - the premises are mainly used for gaming
 - an offence under the Gambling Act has been committed on the premises
- 23.3 If a licensed premises wishes to have more than 2 machines, then a permit is required.
- 23.4 The Licensing Authority must take account of the Licensing Objectives and any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005 when considering an application for a permit. The Licensing Authority may also consider such matters as it thinks are relevant. Such matters will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed or exploited by gambling.
- 23.5 The Licensing Authority will expect the applicant to demonstrate that there will be sufficient measures to ensure that children and young people do not have access to the adult only gaming machines. Such measures may include notices and signage, adult machines being in sight of the bar or in sight of staff that will monitor that the machines are not being used by those under 18. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare, Gamblers Anonymous, the Gordon House Association, National Debtline, local Citizens Advice Bureau, and any other relevant and independent advice agencies.
- 23.6 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.
- 23.7 The Licensing Authority may decide to grant an application with a smaller number of machines and/or a different category of machines than that applied for. No other conditions can be attached to the permit.

- 23.8 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machines.

24 Club Gaming and Club Machines Permits

- 24.1 Members clubs and Miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a club machine permit. Commercial clubs may apply for a club machine permit. The club gaming permit will enable the premises to provide gaming machines (three machines of categories B, C or D), equal chance gaming, and games of chance as set out in regulations. A club machine permit will enable the premises to provide gaming machines (three machines of categories B4, C or D).

- 24.2 A club must meet the following criteria to be considered a members' club:

- It must have at least 25 members
- It must be established and conducted wholly or mainly for purposes other than gaming (unless the gaming is permitted by separate regulations)
- It must be permanent in nature
- It must not be established to make a commercial profit
- It must be controlled by its members equally

Examples of these include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.

- 24.3 The Licensing Authority may only refuse an application on the grounds that:

- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
- the applicant's premises are used wholly or mainly by children and/or young persons
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
- a permit held by the applicant has been cancelled in the previous ten years
- an objection has been lodged by the Gambling Commission or the Police

- 24.4 There is also a 'fast-track' procedure available under the Act for premises which hold a club premises certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the Police, and the grounds upon which a Licensing Authority can refuse a permit are reduced. The grounds on which an application under this process may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled

- 24.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

25 Prize Gaming Permits

- 25.1 Gaming is prize gaming if the prize is not affected by the number of people playing or the amount paid for or raised by the gaming. Prize gaming may take place without a permit in various premises. These are casinos, bingo halls, adult gaming centres, licensed and unlicensed family entertainment centres and travelling fairs.
- 25.2 In exercising its functions in respect of prize gaming permits, the Licensing Authority need not, but may, have regard to the Licensing Objectives and must have regard to any guidance issued by the Gambling Commission.
- 25.3 It should be noted that there are conditions in the Act with which the permit holder must comply, but that the Licensing Authority cannot attach conditions. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with
 - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day
 - the game must be played and completed on the day the chances are allocated and the result of the game must be made public in the premises on the day that it is played
 - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize)
 - participation in the gaming must not entitle the player to take part in any other gambling
- 25.4 The Licensing Authority cannot attach any other conditions to this type of permit.
- 25.5 During the application process, the applicant will be expected to set out the types of gaming that they are intending to offer and will also be expected to demonstrate:
- an understanding of the limits to stakes and prizes set out in regulations
 - That the gaming offered is within the law
 - Clear policies that outline the steps to be taken to protect children from harm
- 25.6 The Licensing Authority will only grant a permit after consultation with the Chief Officer of Police. This will enable the Licensing Authority to determine the suitability of the applicant in terms of any convictions that they may have that would make them unsuitable to operate prize gaming, the suitability of the premises in relation to their location, and issues about disorder.
- 25.7 Given that the prize gaming will particularly appeal to children and young persons, the licensing authority will give weight to child protection issues.

26 Unlicensed Family Entertainment Centre (uFEC) Gaming Machine Permits

- 26.1 Where Category D gaming machines are to be provided at premises which do not have a premises licence but will be wholly or mainly used for making Category D gaming machines available for use, an application may be made for a permit.
- 26.2 A uFEC can form a part of larger premises provided it is separate and identifiable.
- 26.3 In exercising its functions in respect of uFEC permits, the Licensing Authority need not, but may have regard to the licensing objectives and must have regard to any guidance issued by the Gambling Commission.
- 26.4 The Licensing Authority cannot attach conditions to this type of permit but will consider the following matters in determining the suitability of an applicant for a permit.
- 26.5 Applicants will be expected to show that there are policies and procedures in place to protect children from harm. These may include appropriate measures and training for staff in dealing with:
- Suspected truant school children on the premises
 - Unsupervised young children on the premises
 - Children causing problems on or around the premises
- 26.6 Applicants will be expected to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in uFECs and that staff are trained to have a full understanding of the maximum stakes and prizes.
- 26.7 Applicants will be required to demonstrate that they have no relevant convictions as set out in Schedule 7 of the Act.
- 26.8 The Licensing Authority will not normally grant a uFEC permit for premises that are located close to schools.

27 Temporary Use Notices

- 27.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for gambling would include hotels, conference centres and sporting venues.
- 27.2 The Licensing Authority can only grant a Temporary Use Notice to a person or a company holding a relevant operating licence.
- 27.3 Currently, Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single overall winner.
- 27.4 The Licensing Authority will object to temporary use notices where it appears that they are being used to permit regular gambling in a set of premises.
- 27.5 A set of premises may not be the subject of temporary use notices for more than 21 days within a 12 month period.

- 27.6 In determining whether a place falls within the definition of a 'set of premises' the Licensing Authority will take into consideration ownership/occupation and control of the premises. For example, a large exhibition centre will normally be regarded as one set of premises and will not be allowed separate temporary use notices for each of its exhibition halls. Individual units in a shopping centre may be regarded as different sets of premises if they are occupied and controlled by different people.

28 Occasional Use Notices

- 28.1 The Licensing Authority has little discretion but to accept occasional use notice at 'tracks'. However the Licensing Authority must ensure that the statutory limit of 8 days in a calendar year is not exceeded. The Licensing Authority will, however, consider the definition of a 'track'. The applicant will also need to demonstrate that they are responsible for the administration of the 'track' or is an occupier, and therefore permitted to make use of the notice. It should be noted that the definition of track in the Act is wider than dog tracks or horse racecourses and includes places where races or other sporting events take place. This could include major halls, hotels and other venues in Cheshire East. If notices are given for a single track which would permit betting to occur for more than 8 days per year the Licensing Authority has an obligation to issue a counter notice preventing such a breach occurring.
- 28.2 Where betting takes place on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence.
- 28.3 A track includes a horse racing course, a dog track or any other premises on any part of which a race or other sporting event takes place or is intended to take place. This could include, for example, agricultural land upon which a point-to-point meeting takes place. The track need not be a permanent fixture. Those giving occasional use notices will be expected to demonstrate that the premises fall within the definition of a track.

29 Travelling Fairs

- 29.1 The Act defines a travelling fair as 'wholly or principally' providing amusements and they must be on a site that has been used for fairs for no more than 27 days per calendar year. Travelling fairs do not require a permit to provide gaming machines but must comply with legal requirements about the way the machines are operated.
- 29.2 It will fall to the Licensing Authority to decide whether, where category D machines and/ or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 29.3 The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair. The Licensing Authority notes the 27 day statutory maximum for the land being used as a fair each calendar year applies to the piece of land on which the fairs are held, regardless of whether it is the same or

different travelling fairs occupying the land. The Licensing Authority will monitor any travelling fairs that take place in Cheshire East that offer gambling as an ancillary use to the fair through liaison with the Event Safety Advisory Group. The Licensing Authority will ensure that the 27 day statutory maximum for the land being used is not breached. The Licensing Authority will advise travelling fair operators if requested of the statutory time period remaining for the land they intend to use.

30 Small Society Lotteries

- 30.1 The Licensing Authority is responsible for the registration of small society lotteries.
- 30.2 A society is a non-commercial organisation established and conducted:
- for charitable purposes
 - for the purpose of enabling participation in, or of supporting sport, athletics or a cultural activity
 - for any other non-commercial purpose other than that of private gain and the proceeds of any lottery must be devoted to those purposes
- 30.3 The total value of tickets to be put on sale per single lottery must be £20,000 or less or the aggregate value of tickets to be put on sale for all lotteries in a calendar year must not exceed £250,000. If either of these values is exceeded, the society will need to be licensed by the Gambling Commission to operate large lotteries.
- 30.4 Applications for registration must be made in accordance with the Small Society Lotteries (Registration of Non-Commercial Societies) Regulations 2007.
- 30.5 An application may be refused on the following grounds:
- An operating licence held by the applicant for registration has been revoked or an application for an operating licence by the applicant for registration has been refused within the past 5 years
 - The applicant is not a non-commercial society
 - A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence
 - Information provided in or with the application for registration is found to be false or misleading
- 30.6 Registrations run for an unlimited period, unless the registration is cancelled or revoked.
- 30.7 The limits placed on small society lotteries are as follows:
- At least 20% of the lottery proceeds must be applied to the purposes of the society
 - No single prize may be worth more than £25,000
 - Rollovers between lotteries are only permitted where every lottery affected is also a small society lottery promoted by the same society and the maximum single prize is £25,000

- Every ticket in the lottery must cost the same and the society must take payment for the ticket before entry into the draw is allowed

30.8 No later than three months after each lottery draw, returns must be sent to the Licensing Authority containing the following information:

- The arrangements for the lottery
- The total proceeds of the lottery
- The amounts deducted for prizes
- The amounts deducted for expenses
- The amount applied to the purposes of the society
- Whether any expenses incurred in connection with the lottery were not paid for by deduction from the proceeds and, if so, the amount of such expenses and the sources from which they were paid

31 Exchange of Information

31.1 The Licensing Authority will act in accordance with the provisions of Section 350 of the Act in its exchange of information with the Gambling Commission. The Licensing Authority will also have regard to Guidance issued by the Gambling Commission to Local Authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Act.

3.1.2 The Council will at all times ensure compliance with the General Data Protection Regulations and the Data Protection Act 2018. However, information will be shared with anyone provided there is a lawful basis to do so. This may include the sharing of personal and/or special category data.

32 Enforcement

32.1 The Licensing Authority will operate within the principles of natural justice and take into account the Human Rights Act 1998. It will have regard to Commission Guidance and will endeavour to avoid unnecessary duplication with other regulatory regimes as far as possible and to be:

- Proportionate: only intervening when necessary and remedies will be appropriate to the risk posed, and costs identified and minimised
- Accountable: able to justify its decisions, and be subject to public scrutiny
- Consistent: implementing rules and standards fairly in a joined-up way
- Transparent: open, and keep conditions placed on premises licences simple and user friendly
- Targeted: focusing on the problems, and aiming to minimise the side effects

32.2 The main enforcement and compliance role for the Licensing Authority is to ensure compliance with the premises licences and other permissions which it grants itself. The Gambling Commission will be the enforcement body for operating licences and personal licences. Similarly, concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Licensing Authority, but the Licensing Authority will be alert to the way premises are operated and will notify the Gambling Commission if it becomes aware of matters of concern in the operation of the premises.

- 32.3 The Licensing Authority will comply with the Enforcement Policy approved by the Council. This Policy includes provisions for licensing offences and is available on the Council's website.

33 Scheme of Delegation

- 33.1 The Licensing Committee has delegated certain decisions and functions and has established a Sub-Committee to deal with them.
- 33.2 Many of the decisions and functions will be purely administrative in nature and the grant of non-contentious applications, including for example those licences and permits where no representations have been made, will be delegated to Licensing Authority Officers. The table shown at Appendix 5 sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub-Committee and Officers. This form of delegation is without prejudice to Officers referring an application to a Sub-Committee or Full Committee if considered appropriate in the circumstances of any particular case.

34 Definitions of Gambling Activities

Adult Gaming Centres

Adult gaming centres (AGCs) are a category of gambling premises contained within the Act. Persons operating an AGC must hold a gaming machines general operating licence from the Commission and must seek a premises licence from the licensing authority. The holder of an adult gaming centre premises licence may make available for use up to four category B3 or B4 machines, any number of category C or D machines.

Amusement arcades

These are not referred to as such in the Act. See Adult Gaming Centres and licensed and unlicensed family entertainment centres.

Betting

Betting means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not true.

Bingo

Bingo has no statutory definition in the Act. It has its ordinary and natural meaning. The distinction between cash bingo, where cash prizes are derived from the stakes, and prize bingo, where prizes were not directly related to the stakes paid, under the previous legislation has been removed for commercial operators, and the holder of a bingo operating licence will be able to offer any type of bingo game, whether cash or prize. That means that premises with a bingo premises licence, or a casino premises licence (where the operator holds a bingo as well as a casino operating licence), will be able to offer bingo in all its forms. So too will alcohol-licensed premises, club and miners' welfare institutes (up to a total weekly prize value of less than £2,000).

Prize bingo is traditionally played in arcades, or travelling funfairs. For these operators, prize bingo is subsumed within the allowances for prize gaming in the Act. This means that adult gaming centres, both licensed and unlicensed family entertainment centres, travelling fairs, and any premises with a prize gaming permit will be able to offer prize gaming, which includes prize bingo. There will be Government Regulations issued setting the prize limits.

Casino

‘An arrangement’ whereby people can participate in one or more casino games.

Casino Games

Games of chance not being equal chance gaming ie games in which players stake against a ‘bank’.

Equal chance gaming

This is a game where the chances of winning are equally favourable to all participants, and which does not involve playing or staking against a “bank”. It is immaterial how the ‘bank’ is described and whether or not it is controlled by a player.

Exempt activities

Private betting is betting which takes place between inhabitants of the same premises or between employees of the same employer.

Private gaming (which is gaming that takes place in private dwellings and on domestic occasions) is exempt from licensing or registration providing that no charge is made for participating; only equal chance gaming takes place; and it does not occur in a place to which the public have access.

Non commercial Gambling is when no part of the proceeds/profits will be for private gain. The proceeds/profits are the sums raised by the organisers, for example, by way of fees for entrance or participation, or by way of stakes, minus an amount deducted by the organiser in respect of costs reasonably incurred in organising the event including the provision of a prize. The following conditions would also have to apply:

- The profits will be for a purpose other than that for private gain;
- The players are informed that the purpose of the gaming is to raise money for a specified purpose other than that of private gain;
- The event must NOT take place in premises which either have a premises licence or on premises relying on a temporary use notice under the new act;
- The gaming must not be remote.

Any Regulations made by the Secretary of State will need to be complied with and will include for example regulations limiting the amounts staked and limiting participation fees. If the profits from the activity used for a purpose other than that which was specified, an offence would be committed.

Gambling

Gambling is defined as either gaming, betting or participating in a lottery.

Games of chance

Includes games that involve elements of both chance and skill. This includes games in which skill can eliminate an element of chance and includes games that are presented as involving an element of chance. It does not include a sport. Playing a game of chance need not involve other participants.

Gaming

Gaming means playing a game of chance for a prize

Gaming machines – Categories

The table at appendix 2 sets out the different categories with the maximum stakes and prizes that apply.

Gaming Machines by Premises Type

The table at appendix 3 sets out the different automatic entitlements at each type of premises.

Fixed Odds Betting Terminals

Fixed odds betting terminals (FOBTs) are electronic machines, sited in betting shops, which contain a variety of games, including roulette. Each machine accepts bets for amounts up to a pre-set maximum and pays out according to fixed odds on the simulated outcomes of games.

The Act classifies FOBTs as B2 gaming machines. Up to four machines can be sited on betting premises. The maximum stake on a single bet is £100, the maximum prize is £500.

Licensed Family Entertainment Centres

These premises require operating licences from the Gambling Commission. They will be able to offer gaming machines in categories C and D. Gaming machines are a form of gambling which is attractive to children and Licensed Family Entertainment Centres may contain machines of the Category D machines on which they are allowed to play as well as category C which they are not permitted to play on.

Lottery

A lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.

Operating Licence

The Act requires that individuals or companies who intend to provide facilities for certain types of gambling must obtain an operating licence from the Gambling Commission. In general, these licences cover the principal commercial forms of gambling operation. Operating licences may be issued for the following forms of gambling:

- A casino operating licence
- A bingo operating licence
- A general betting operating licence
- A pool betting operating licence
- A betting intermediary operating licence
- A gaming machine general operating licence (for an adult gaming centre)
- A gaming machine general operating licence (for a family entertainment centre)
- A gaming machine technical operating licence (to manufacture, supply, install, adapt, maintain or repair a gaming machine or part of a gaming machine)
- A gambling software operating licence (to manufacture, supply, install or adapt gambling software)
- A lottery operating licence

Premises Licence

A premises licence issued by a Licensing Authority authorises the provision of facilities on casino premises, bingo premises, betting premises, including tracks, adult gaming centres and family entertainment centres.

Track

A horse-race course, dog track or other premises on any part of which a race or other sporting event takes place or is intended to take place.

Unlicensed Family Entertainment Centres

These premises can provide category D machines providing prizes of up to £5 cash or £8 in goods. Stakes are limited to 10p (or 30p for a goods prize). They can also offer prize bingo.

35 Glossary of Terms

Act:	The Gambling Act 2005
Adult:	Means an individual who is not a child or young person
Applications:	Applications for licences and permits as defined separately in this Policy and the Guidance.
Borough:	The area of Cheshire administered by Cheshire East Borough Council
Child and Young Person:	<p>The Act includes the definition of a child at S.45 as:</p> <p>Meaning of “child” and “young person”</p> <p>(1) In this Act “child” means an individual who is less than 16 years old</p> <p>(2) In the Act “young person” means an individual who is not a child but who is less than 18 years old.</p>
Code of Practice:	Means any relevant code of practice under section 24 of the Gambling Act 2005
Council:	Cheshire East Council
Default Condition:	Means a specified condition provided by regulations to be attached to a licence, unless excluded by Cheshire East Council
GamCare:	GamCare is a leading provider of information, advice, support and free counselling for the prevention and treatment of problem gambling. GamCare is a national charity and was founded in 1997.
Guidance:	The Gambling Commission under section 25 of the Act are required to issue guidance on the manner in which local authorities are to exercise their functions under the Act, in particular, the principles to be applied by local authorities in exercising their functions under the Act.
Interested Party:	<p>Interested parties are defined under section 158 of the Act. To accept a representation from an interested party, the council must take the view that the person:</p> <p>(a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,</p> <p>(b) has business interests that might be affected by the authorised</p>

activities

(c) represents persons in either of these groups.

Interested parties can also be a councillor or an MP

Licensing
Authority:

Cheshire East Council

Licensing
Objectives:

The Act contains three licensing objectives which underpin the functions that the licensing authorities will perform

1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

2. Ensuring that gambling is conducted in a fair and open way

3. Protecting children and other vulnerable persons from being harmed or exploited by gambling

Mandatory
Condition:

Means a specified condition provided by regulations to be attached to a licence

NatCen:

National Centre for Social Research. Conducted the British Gambling Prevalence Surveys of 1999, 2007 and 2010 on behalf of the Gambling Commission

Notifications:

Means notification of temporary or occasional use notices

Premises:

Any place, including a vehicle, vessel or moveable structure

Regulations:

Regulations made under the Gambling Act 2005

Representations:

In dealing with applications the Council is obliged to consider representations from two categories of person, referred to in the Act as interested parties and responsible authorities.

Responsible
Authority:

Responsible authorities are public bodies that must be notified of applications and that are entitled to make representations to the Licensing Authority in relation to applications for, and in relation to, premises licences. All representations made by responsible authorities are likely to be relevant representations if they relate to the licensing objectives.

Section 157 of the Act identifies the bodies that are to be treated as responsible authorities.

They are:

(a) a licensing authority in England and Wales in whose area the premises is wholly or partly situated

(b) the Gambling Commission

(c) the chief officer of police or chief constable for the area in which the premises is wholly or partially situated

(d) the fire and rescue authority for the same area

(e) (i) in England and Wales, the local planning authority, or

(ii) in Scotland, the planning authority

- (f) the relevant authority as defined in section 6 of the Fire (Scotland) Act 2005
- (g) an authority which has functions in relation to pollution to the environment or harm to human health
- (h) anybody, designated in writing by the licensing authority as competent to advise about the protection of children from harm
- (i) HM Revenue & Customs
- (j) any other person prescribed in regulations by the Secretary of State.

Cheshire East – Area Profile (spring 2015)

Introduction

Cheshire East is the third biggest unitary authority in the North West and the thirteenth largest in the country. It therefore has a wide breadth of social grades, age profiles and ranges of affluence. There is a clear link between these measures and the likelihood of a person gambling. It also needs to be acknowledged that there are clear differences between the type of person who gambles responsibly and the type who is identified as a problem gambler. This profile will therefore concentrate on the measures that can contribute to gambling and problem gambling.



People

Cheshire East has an estimated population of 372,700¹, the population density is 3.2 residents per hectare², making Cheshire East less densely populated than the North West (5.0 per hectare) and England (4.1 per hectare).

Between the 2001 and 2011 Census, the median age of residents has increased from 40.6 years to 43.6 years³. Between the same years, the number of over 65s has increased by 11,700 residents or 26%, which is a greater increase than the North West (15%) and England & Wales (20%).

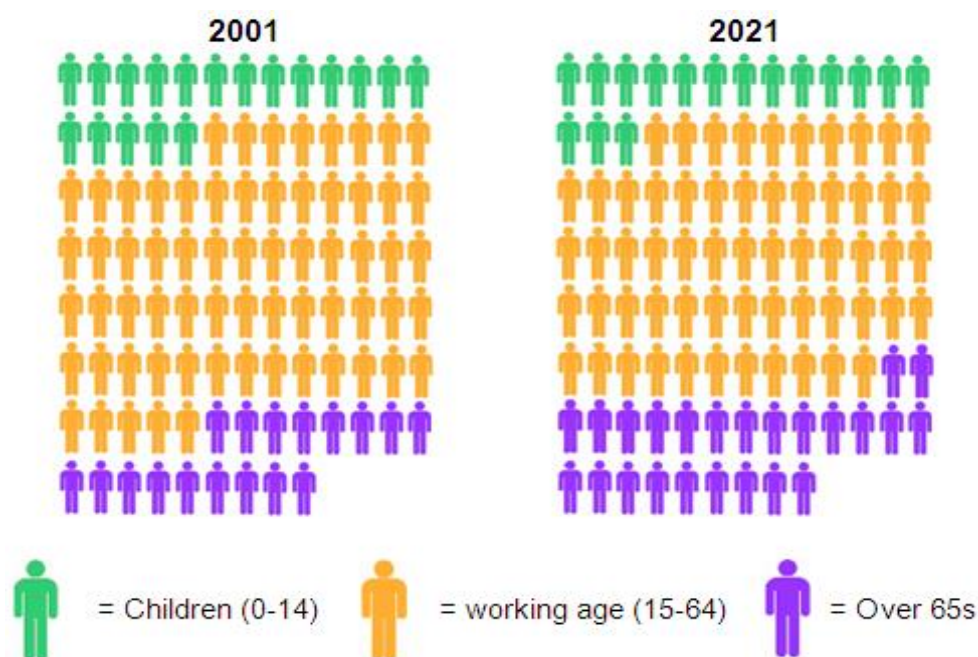
¹ 2013 Mid-year population estimates, Office for National Statistics, NOMIS, Crown Copyright

² 2011 Mid-year population estimates and UK Standard Area Measurements (SAM) 2011, Office for National Statistics, Crown Copyright

³ 2001 and 2011 Census, Office for National Statistics, Crown Copyright

From 2011 to 2021 the population was expected to increase by 15,700 people (4.2%) to 385,800, a greater increase than the North West (3.7%) but less than England (7.5%)⁴. The number of children (aged 0-14) is estimated to increase by 4%, with a slight decrease (-2%) in those of working age (15-64). The number of residents over the age of 65 is expected to increase substantially by 19%, however this increase is similar to England (20% increase). Caution should be exercised when using any predictions about the future population, as they assume trends in recent years will continue into future years.

Figure 1: Proportion of residents by broad age groups – change over 20 years⁵



Economy

Cheshire East contains 5.1% of the North West region's working-age residents⁶, but accounts for an even greater share (5.7%) of the region's employees⁷. In terms of economic output, its contribution is much greater still, at 6.9%⁸.

The proportion of working age residents who are claiming job seekers allowance benefit is low (1.0%) when compared to the North West (2.0%) and England (1.9%) averages⁹. Within Cheshire East there are large disparities – from 0.1% in Adlington & Prestbury to 2.7% in West Coppenhall and Grosvenor. If all out-of-work benefits are included rather than just those actively seeking work, 7.8% of residents of working age receive an out-of-work benefit¹⁰, ranging from 1.4% in

⁴ 2012 Sub-National Population Projections, Office for National Statistics, Crown Copyright

⁵ 2001 and 2011 Census, Office for National Statistics, Crown Copyright & 2012 Sub-National Population Projections, Office for National Statistics, Crown Copyright

⁶ 2013 Mid-year population estimates, Office for National Statistics, Crown Copyright

⁷ 2013 Business Register and Employment Survey, Office for National Statistics, Crown Copyright

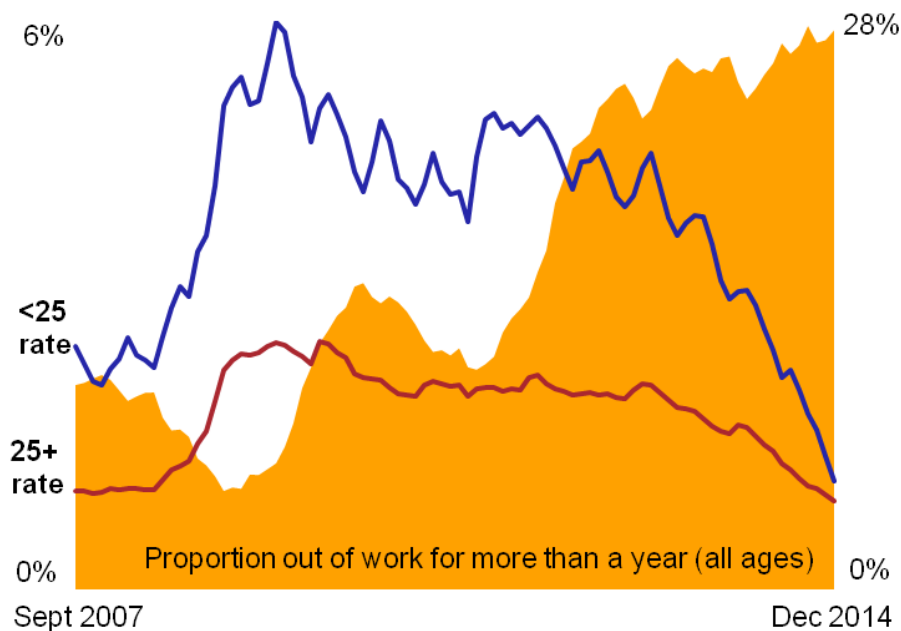
⁸ Regional GVA NUTS3 (1997-2013), Table 3.1, Regional Gross Value Added (Income Approach), Office for National Statistics

⁹ December 2014, JSA Claimant Count, DWP and 2013 mid-year estimates, Office for National Statistics, NOMIS, Crown Copyright

¹⁰ Out-of-work benefits, 4 quarter average July 2013 – June 2014, Department for Work and Pensions. Calculations consistent with NI 152/153

Macclesfield Town Tytherington to more than one in four residents of working age (26.5%) in East Coppenhall, Crewe.

Figure 2: Job Seekers Allowance claimants (unemployment) for young people (under 25) and others (over 25), with the proportion of people of all ages claiming for more than one year¹¹



Average (median) household income levels are high (£33,000) compared to Great Britain (£28,500)¹². However, there is a considerable range of average household income levels at ward level, from £18,800 in Crewe St Barnabas ward to £56,900 in Prestbury. Across Cheshire East there are 16 of 231 statistical areas (LSOAs)¹³ which are within the top 20% of most deprived areas in England (figure 3), affecting 28,800 or 7.7% of Cheshire East's population¹⁴. 11 of these areas are in Crewe, with 2 in Wilmslow/Handforth, 2 in Macclesfield and 1 in Congleton. Overall, relative deprivation levels were worse in 2010 than 2007, as only 14 areas were within the top 20% of most deprived areas.

Acorn data is socio-economic data that analyses the residents and places them in classifications, depending on various factors such as demographics, affluence and spending habits. There are seventeen Acorn groups, with the 'Executive Wealth' group being the largest in Cheshire East (27%) a considerably higher proportion than the UK average (12%). There are also approximately five times more residents in the 'lavish lifestyles' groups within Cheshire East compared to the UK, although this group constitutes a small proportion of all Cheshire East's residents (6%).

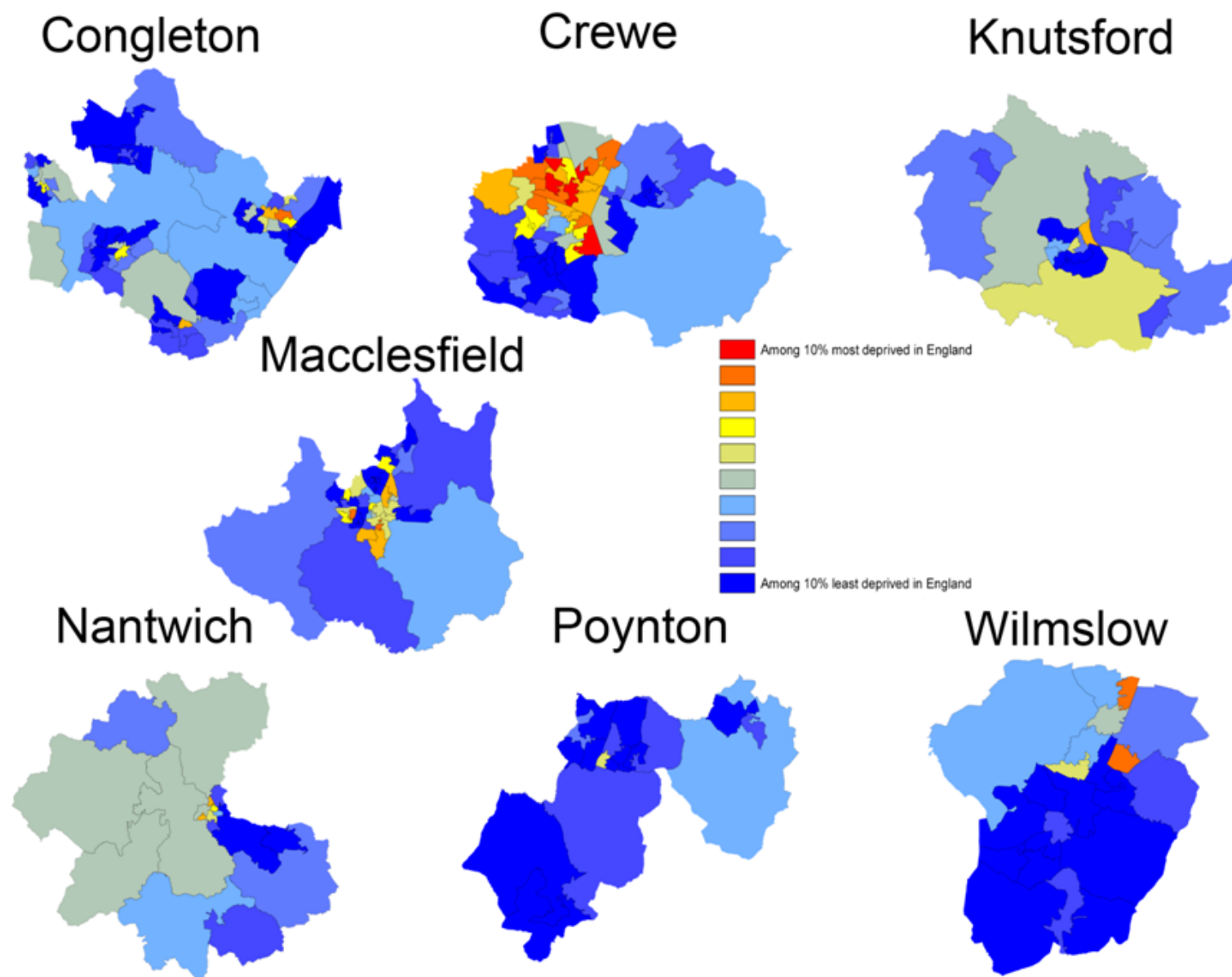
¹¹ December 2014, JSA Claimant Count, DWP and 2013 mid-year estimates, Office for National Statistics, NOMIS, Crown Copyright

¹² 2013/14 Paycheck, CACI Ltd. Figures are median values

¹³ Lower Super Output Areas

¹⁴ Indices of Deprivation 2007 and 2010, Department for Communities and Local Government with mid-year population estimates, 2013, Office for National Statistics

Figure 3 Deprivation by LAP, Index of Multiple Deprivation 2010



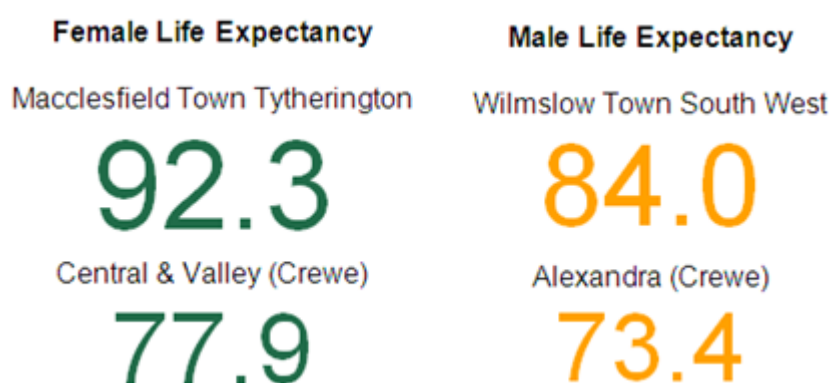
Health

In the 2011 Census, 17.5% of residents reported they had a long term problem or disability which limited their day to day activities, an increase from 16.7% in 2001¹⁵. In a recent survey of the Council's Citizens Panel, 74% of respondents described their general health as 'good or very good' and 5% described it as 'bad or very bad'¹⁶.

Life expectancy (LE) in Cheshire East is higher than regional (North West) and the national (England & Wales) averages. LE at birth for females is 83.6 years, compared to 81.8 years in the North-West and 83.1 years nationally¹⁷. LE at birth for males is 80.4 years, compared to 78.0 in the North West and 79.4 nationally.

There is a noticeable difference within the female population of around 14 years between the lowest rates in Central & Valley (Crewe) and the highest in Macclesfield Town Tytherington¹⁸. For males, there is an 11 year gap between the lowest rates in Alexandra and Crewe and the highest in Wilmslow Town South West.

Figure 4: Male and Female Life Expectancy at birth¹⁹



Smoking rates are generally relatively low. An estimated 16.6% of the adult population are current smokers, which is lower than the North West (23.6%) and England (22.2%). Rates vary from 7.9% in Adlington & Prestbury to 34.3% in St Barnabas²⁰.

Healthy eating rates are relatively high, with an estimated 31.4% regularly consuming their '5 a day', higher than both the North-West average (26.2%) and England (28.7%).

¹⁵ 2001 and 2011 Census, Office for National Statistics, Crown Copyright

¹⁶ Autumn 2011 Survey, InfluenCE, Cheshire East Research and Consultation Team

¹⁷ Life expectancy at birth and at age 65 by local areas in England and Wales, 2011-13, Office for National Statistics. National refers to the figure for England

¹⁸ Life Expectancy at Birth for MSOAs, 2006-10, Department for Health

¹⁹ Life Expectancy at Birth for MSOAs, 2006-10, Department for Health

²⁰ 2006-08 Estimates of Adults' Health and Lifestyles, Office for National Statistics (ONS)

Education

The qualification levels of working age residents in the Borough (aged 16-64) is high. An estimated 31% have a degree level qualification or equivalent and above, much higher than the North West (21%) and England & Wales (25%)²¹. Conversely, the proportion of residents with no qualifications (9%) is lower than the region (12%) and nationally (11%).

Prevalence of Licensed Gambling Premises

There are a total of 30 licensed gambling premises in Cheshire East, broken down into the following categories:

Town	Type	Number
Betchton (M6 Services)	Adult Gaming Centre	2
Crewe	Adult Gaming Centre	2
Macclesfield	Adult Gaming Centre	1
Total		5

Town	Type	Number
Congleton	Betting Shop	2
Crewe	Betting Shop	9
Handforth	Betting Shop	1
Knutsford	Betting Shop	1
Macclesfield	Betting Shop	4
Middlewich	Betting Shop	1
Nantwich	Betting Shop	1
Sandbach	Betting Shop	1
Wilmslow	Betting Shop	3
Total		23

Town	Type	Number
Crewe	Bingo	2
Total		2

There are no casinos and no licensed family entertainment centres.

The largest number of licensed premises are in the towns of Crewe and Macclesfield

²¹ Annual Population Survey January 2011 – December 2011, Office for National Statistics, Crown Copyright

Conclusion

According to NatCen's British Gambling Prevalence Survey of 2010 the rates of problem gambling in the general population are 0.9% and 0.5% (depending on the measures used). This would equate to a problem gambling population in Cheshire East of 33,543 and 18,635.

According to information available from the Gambling Commission there are 13,489 licensed gambling premises in the UK.

The number of licensed betting premises has decreased significantly. This decreased predated any economic impacts of the coronavirus pandemic in 2020 and 2021. And may link to the Government's decision to change the law relating to fixed odds betting terminals. The increase in use of online gambling facilities may also be a factor.

Whilst gambling is prevalent across the country this prevalence appears to be concentrated in the main city areas and primarily in the London Boroughs.

As the persons most at risk from problem gambling are white, young males from a low income background this is most likely to affect the residents of Crewe and to a lesser extent Macclesfield. These are also the areas that already have the highest numbers of licensed gambling premises. It will therefore be incumbent upon applicants to demonstrate that they will take appropriate steps to follow the Gambling Commission's relevant Codes of Conduct and the Council's Statement of Gambling Principles to ensure that no one is exploited or harmed by gambling.

Summary of gaming machine categories and entitlements

Category of machine	Maximum stake (from April 2019)	Maximum prize (from Jan 2014)
A	Unlimited - No category A gaming machines are currently permitted	
B1	£5	£10,000*
B2	£2	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D - non-money prize (other than a crane grab machine or a coin pusher or penny falls machine)	30p	£8
D - non-money prize (crane grab machine)	£1	£50
D - money prize (other than a coin pusher or penny falls machine)	10p	£5
D - combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be a money prize)
D - combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)

* With option of max £20,000 linked progressive jackpot on premises basis only

Summary of machine provisions by premises

Premises Type	Machine Category						
	A	B1	B2	B3	B4	C	D
Large casino (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines. Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines. Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)					
Pre-2005 Act casino (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead					
Betting premises and tracks occupied by pool betting			Maximum of 4 machines categories B2 to D (except B3A machines)				
Bingo premises				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**		No limit on category C or D machines	
Adult gaming centre				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**		No limit on category C or D machines	
Family entertainment centre (with premises licence)						No limit on category C or D machines	
Family entertainment centre (with permit)							No limit on category D machines
Clubs or miners' welfare institute (with permits)					Maximum of 3 machines in categories B3A or B4 to D*		
Qualifying alcohol licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol licensed premises (with gaming machine permit)						Number of category C-D machines as specified on permit	
Travelling fair							No limit on category D machines

* It should be noted that members' clubs and miners' welfare institutes are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement. Commercial clubs are entitled to a total of three machines in categories B4 to D.

** Adult gaming centre and bingo premises are entitled to make available a number of Category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises. Premises in existence before 13 July 2011 are entitled to make available four (adult gaming centre premises) or eight (bingo premises) category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Adult gaming centre premises and bingo premises licences granted on or after 13 July 2011 but before 1 April 2014 are entitled to a maximum of four or eight category B gaming machines or 20% of the total number of gaming machines, whichever is the greater; from 1 April 2014 these premises will be entitled to 20% of the total number of gaming machines only, but not B3A machines.

Summary of gaming entitlements for clubs and alcohol-licensed premises

	Members' club or MW institute with club gaming permit	Bridge or whist club	Members' club or commercial club with club machine permit	Members' club, commercial club or MW institute without a club gaming permit or club machine permit	Pubs and other alcohol licensed premises
Equal chance gaming	Yes	Bridge and/or Whist only	Yes	Yes	Yes
Limits on stakes	No limit	No limit	Poker £1000 per week £250 per day £10 per person per game Other gaming No limit	Poker £1000 per week £250 per day. £10 per person per game Other gaming No limit	Poker £100 per premises per day. Other gaming £5 per person per game Cribbage & dominoes No limit
Limits on prizes	No limit	No limit	Poker £250 per game Other gaming No limit	Poker £250 per game Other gaming No limit	Poker £100 per game Other gaming No limit
Maximum participate on fees – per person per day	Bridge and/or whist* £20 Other gaming £3	£18 (without club gaming permit) £20 (with club gaming permit)	Bridge and/or whist* £18 Other gaming £3 (commercial club) £1 (members' club)	Bridge and/or whist* £18 Other gaming £1	None permitted
Bankers or unequal chance gaming	Pontoon Chemin de Fer	None permitted	None permitted	None permitted	None permitted
Limits on bingo	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	No bingo permitted	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.

* On a day when no other facilities for gaming are provided

TABLE OF DELEGATION OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE	OFFICERS
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting - when appropriate		X (Full Committee)	
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice and occasional use notices			X
Decision to give a counter notice to a temporary use notice		X	

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Consultation Response from Beacon Counselling Trust:

Thank you for asking Beacon Counselling Trust to comment on the Cheshire East revised Gambling Statement of Licensing Principles. We were pleased to see recognition of the work we have done with Cheshire Constabulary. This work has developed, and we continue to work with Public Health and the Criminal Justice System across the NW to promote awareness of gambling related harm (GRH) and this work informs our comments below:

The figures used in the Principles Statement state that the main vulnerable group in Cheshire East is young white males on low incomes. This information should be informed by an Area Risk Assessment that looks at the key factors that increase the risk of GRH. Deprivation is without doubt a key factor but recent surveys by the Gambling Commission and research (for example by Liverpool John Mores University and Swansea University) have indicated that gambling related harm is more prevalent than previously thought and there are some particularly vulnerable groups that need to be considered. For example : Armed Forces Veterans are 10 times more likely to suffer GRH and those with neurodiverse conditions are also at significantly increased risk. Young people and those living on their own are also at increased risk as well as those with co-morbidities such as drug and alcohol addiction. It would be good to see recognition of this in the principles document and identification of the high-risk areas in which people need to be upskilled in their awareness of GRH.

The lack of awareness in society and in many public and private employers means that it is important that advertising and location of gambling activity is controlled so that vulnerable groups (especially young people) are not impacted as the Principles correctly state. . We believe this should be accompanied by a requirement for licenced facilities to promote awareness of the risk of GRH and of local services that can support and help those impacted by their gambling or by that of a significant other. Between 6-10 people are impacted by an individual's harmful gambling.

Beacon Counselling Trust (BCT) has reached more than 20,000 individuals in the past year through its community outreach and support programmes leading to over 8,000 people accessing treatment and support for gambling-related harms. Through a combination of community outreach, education, and therapeutic intervention, this extensive engagement led to 8,174 individuals taking the crucial step of accessing free timely support. Beacon Counselling Trust has seen a steep rise in self-referrals, and this is part in due to the presence of awareness raising with professionals and BCT outreach

teams in the wider community with presence in community centres to GP surgeries, attending health events, engaging with other third-sector organisations and developing referral pathways with other health services and local authorities. BCT's flagship Bet You Can Help training programme (which is delivered free) has also empowered hundreds of professionals and community members across healthcare, education, criminal justice and armed forces sectors to identify and respond to gambling harms. By breaking down stigma and making help more accessible, Beacon's work is transforming how communities respond to gambling harms - one conversation at a time. The figure of people impacted in Cheshire East could be 60-70,000, possible higher if affected others are taken into account. The Area Risk Assessment would identify where this help might best be targeted.

The requirements for notices/signage should include information on how and where to get advice, treatment and support and be prominently and clearly displayed. In many cases the industry has made such information hard to access for example by putting advice/warnings in small print or in places where it is less likely to be noticed. The policies and procedures required should also indicate what training and awareness raising applicants should make sure are in place to ensure staff are able to identify and signpost those at risk or in need of help.

We welcome working further with Cheshire East to provide prevention, education and early intervention and offer treatment service that currently have no waiting list. Our training programme is free and our treatment and support also.

Thank you once again for asking us to comment.

COUNCIL MEETING – 10 DECEMBER 2025**RECOMMENDATIONS FROM CHILDREN AND FAMILIES COMMITTEE:
YOUTH JUSTICE PLAN (2025-26 UPDATE)****Recommendation:**

That Council approves the content of the 2025-2026 refreshed and updated Youth Justice Strategic Plan for Cheshire.

Extract from the minutes of the meeting of the Children and Families Committee held on 10 November 2025.

39 Youth Justice Plan (2025-26 update)

The committee received a report which provided an update of the Youth Justice Plan 2025-26.

Officers explained that Local authorities had a statutory duty to submit an annual youth justice plan relating to their provision of Youth Justice Services (YJS). Section 40 of the Crime and Disorder Act 1998 set out the youth justice partnership's responsibilities in producing a plan.

Officers highlighted key performance and statistical data, including offending and reoffending rates; the potential causes and motivation behind violent and criminal behaviour, including childhood adversity and trauma; progress on priorities; preventative work taking place with children and young people to develop pro-social behaviours; and the victims of crime.

Members asked questions and provided comments in respect of the following:

- Online-related harms and the impact on physical behaviour.
- Low offending but high reoffending rates among young people.
- The multi-agency approach and effective communication.
- Progress in tackling child exploitation and the apparent lack of a prevention-first approach.
- Hate crime among young people and related statistics.
- The number of young people in the system at any one time.
- Whether those young people receiving custodial sentences were previously known to services.
- How the needs of those entering the system were addressed.
- Wider factors, such as drug use and self-harm, and links to violent and criminal behaviour.
- Any child or young person that appeared to present a need for social care support would be referred for assessment.

- Gender and offending rates.
- The impact of youth homelessness and temporary accommodation on education and wellbeing.
- 'Self-medicating' terminology and the suggestion that this sanitises illegal behaviour.
- The issue of perception and fear of crime among young people.
- The need to consider county lines and the importance of communication and advocacy in safeguarding children and young people.
- The need for updated responses to modern challenges including online and media influence, and drug use in affluent areas.
- The role of Elected Members as Corporate Parents.
- Consideration that behaviour often reflects underlying issues, such as undiagnosed SEND, domestic violence and trauma. It was important to support children and young people in accessing assistance and resources appropriate to their needs.

In response officers reported that:

- There had been a shift in the typology of youth offending, with a move from physical contact offences to online-related behaviours. This was influenced by the content young people consumed and algorithm-driven exposure. YJS staff were well-trained on the issue of online perpetrators, though concerns remained about the nature of content being accessed.
- Youth reoffending rates had remained stable at around 30% over the past 20 years. Early intervention was key: 90% of those released from custody reoffended, compared to only 10% of those engaged early. The issue was linked to complex needs and adversity, rather than a new trend.
- The YJS operated as a multi-disciplinary service with strong communication between professionals.
- The sub-regional YJS, covering four local authorities, was funded to work from the point of arrest and did not provide targeted prevention. However, other local prevention services were in place. Officers acknowledged that while the current model brought benefits, there were trade-offs and so it was important to achieve a balance. Drug markets remained a significant exploitation risk, though communication between partners on this issue had improved. It was felt that the Families First programme would help strengthen early intervention.
- Very low levels of hate crime were reported among children and young people across Cheshire.
- Approximately 250 young people were in the Youth Justice System across Cheshire, with around 40 in Cheshire East at any one time. The 39 new entrants in 2024/25 were all first-time entrants by definition.
- Of the four young people sentenced to custody, officers would confirm whether they were previously known to services. These individuals were sentenced for the most serious violent or sexual offences.

- The Youth Justice Plan had been approved by the other three local authorities.
- Female offending was a priority area for the next 12 months. Nationally, there had been a general increase. Work needed to be undertaken to determine the reasons for this, as well as the treatment that females received in comparison to male offenders. No serious offences by females were recorded in the first quarter of this year in Cheshire East.

RESOLVED: (Unanimously)

That the Children and Families Committee

1. Note the update on performance and progress made against priority areas during the financial year April 2024 to March 2025 as set out in the refreshed and updated Youth Justice Strategic Plan for Cheshire (attached at Appendix 1 of the report).
2. **Recommend that full Council approves the content of the 2025-2026 refreshed and updated Youth Justice Strategic Plan for Cheshire.**
3. Delegate authority to the Executive Director Children's Services to approve the annual refresh of the Youth Justice Plan for 2026-27 and submission to the national Youth Justice Board in June 2026 prior to it being presented for formal approval, sign-off by members and subsequent publication.

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OPEN

Children and Families Committee**10 November 2025****Youth Justice Plan (2025-26 update)**

Report of: Dawn Godfrey, Executive Director of Children's Services**Report Reference No: CF/18/25-26****Ward(s) Affected: All****For Decision****Purpose of Report**

- 1 Local authorities have a statutory duty to submit an annual youth justice plan relating to their provision of youth justice services (YJS). Section 40 of the Crime and Disorder Act 1998 sets out the youth justice partnership's responsibilities in producing a plan. It states that it is the duty of each local authority, after consultation with the partner agencies, to formulate and implement a youth justice plan, setting out how youth justice services in their area are to be provided and funded, how they will operate, and what functions will be carried out.
- 2 Cheshire East have a shared service arrangement for Youth Justice Services with the other three Local Authorities in the sub-region and as such the Governance arrangements for Youth Justice are overseen by a pan Cheshire Partnership Management Board. The Director of Children Services represents each of the four local authorities on the partnership board and chairing rotates bi-annually. The Executive Director for Children and Families in Cheshire West and Chester Council (Amanda Perraton) currently chairs the Youth Justice Management Board. The Youth Justice Service have refreshed the sub-regional Youth Justice Plan for 2025-26 in partnership with Cheshire Police and the other statutory partners (LAs, NHS, National Probation Services and PCC) and it was approved by Cheshire Youth Justice Management Board on the 24th of June.
- 3 This report will brief committee on the content of the 2025-26 Youth Justice Plan for Cheshire and seek formal sign off in compliance with Youth Justice Board Guidance (Ministry of Justice) and Regulation 4 of

the 'Local Authorities (Functions and Responsibilities) (England) Regulations 2000'.

Executive Summary

- 4 The Cheshire sub-region is a large complex area and the Youth Justice partnership between and across the four local authorities provides a powerful base to meet the various complexities and challenges faced by the county's children, families, and victims.
- 5 Despite the scale, Cheshire YJS is a comparatively small organisation comprising 77 WTE staff, including seconded workers. The YJS also has approximately forty active volunteers. This committee approved in April 2024 the transition to a simpler fully hosted model for the Youth Justice Service which went live in April 2025 and means Cheshire West and Chester Council (CWAC) now function as 'lead authority' on behalf of the pan Cheshire partnership. To be clear, the actual delivery of youth justice services to children, families and victims in Cheshire East has not changed because of CWAC being lead authority on behalf of the four local authorities. The statutory responsibility for providing youth justice remains with each of the four local authorities so an annual update of the Youth Justice Strategic Plan will still be presented formally for approval at this committee.
- 6 The national body responsible for inspecting Youth Justice Services are His Majesty's Inspectorate of Probation (HMiP) with national oversight provided by the Youth Justice Board (YJB). Both HMiP and the YJB recognise Cheshire YJS as of a high standard. The former rated Cheshire YJS as 'Good' in the last full joint inspection (Governance and leadership were rated as 'Outstanding') and the latter granted 2-year pathfinder status for Cheshire's successful youth diversion programme.
- 7 A new three year Inspection programme was launched by HMiP in April 2025 so the youth justice partnership (note not just the Youth Justice Service as an operational team but the youth justice partnership as a whole of which Cheshire East Children Services is an integral part) will be inspected under this new programme at some time between now and March 2028 (with a three week notice period).

RECOMMENDATIONS

The Children and Families Committee

1. Note the update on performance and progress made against priority areas during the financial year April 2024 to March 2025 as set out in the refreshed and updated Youth Justice Strategic Plan for Cheshire (attached at Appendix 1).
2. Recommend that full Council approves the content of the 2025-2026 refreshed and updated Youth Justice Strategic Plan for Cheshire.
3. Delegate authority to the Executive Director Children's Services to approve the annual refresh of the Youth Justice Plan for 2026-27 and submission to the national Youth Justice Board in June 2026 prior to it being presented for formal approval, sign-off by members and subsequent publication.

Background

- 8 Youth Justice (YJ) plans are an opportunity to review performance and developments and plan for the year ahead. This allows services to be able to respond to any changes that have taken place including new legislation, demographic changes, delivery of key performance indicators, and developments in service delivery. The production of a youth justice plan is beneficial to partnership working and service delivery to ensure the best outcomes for children, families, victims, and communities.
- 9 The Plan has been produced in accordance with National Youth Justice Board guidance and follows their prescribed template to include, introduction, vision and strategy, governance, leadership and partnership arrangements, board development, progress on the previous year(s), resources and services, performance including national key performance indicators, priorities, information on children from groups which are over-represented, prevention, diversion, education, restorative approaches and victims, serious violence and exploitation, detention in police custody, remands, use of custody, standards for children in the justice system, workforce development, evidence-based practice and innovation, service development, challenges, risks and issues.
- 10 Performance figures included within the YJ Plan show that Cheshire YJS continue to achieve good levels of performance against the three main key performance indicators: First time entrants to the criminal justice system (FTEs), custody rates and re-offending (detailed within the YJ Plan). These are all comprehensively detailed within the plan and are below regional and national averages which is attributable (at least in part) to the strength of the service and a partnership commitment to seeing children in the justice system as children first and offenders

second and adopting an evidence based, trauma informed and restorative approach.

- 11 In 2024-25 there were 39 Cheshire East first time child entrants to the justice system and 4 Cheshire East children were sentenced to custody. Rates of Serious Youth Violence in Cheshire in 2024-25 were well below the national average at 3.4 offences per 10,000 children compared to a regional average of 7.2 and national average of 6.2 (page 56 of YJ Plan) A continued partnership commitment to reducing the unnecessary criminalisation of cared for children means very few cared for children or care leavers are prosecuted with most now receiving out of court disposals in recognition their offending behaviour is often symptomatic of vulnerability or exploitation and rarely presents a risk of harm to the general public (page 47 of the YJ Plan).
- 12 Other notable achievements described in the YJ Plan include the continued development of social prescribing which emerged from the recognition that many justice services involve children arriving in the system with previously unmet health needs and/or where clinical models of healthcare have proven ineffective. Examples of activity are illustrated on pages 38-39 of the YJ Plan and include gardening, fishing, and music as psychosocial therapy. Cheshire's social prescribing has been recognised by the Local Government Association as innovative practice and the first application of social prescribing in a youth justice context. It has also been nominated for a Children and Young People Now award in two categories (Mental Health and Wellbeing Award and the Youth Justice Award).
- 13 The priorities for Youth Justice in Cheshire over the next 12 months are described fully in the YJ Plan but include; 1) Continuing to develop participation and amplifying the voice and influence of children, families and victims 2) Enhance the offer to victims of youth crime, ensuring the Youth Justice service partnership is compliant with the new Victim and Prisoners Act 2024 and 3) Undertake comprehensive quality assurance audits in the following areas of practice; custody and resettlement, the quality and impact of education, training and employment support to justice involved children and work with children subject to out of court disposals.

Consultation and Engagement

The Youth Justice Service have consulted with children, families, victims of youth crime, and professional stakeholders (including specialist academic advisors) in the development of the Youth Justice plan. The sub-regional partnership board have approved it as ready for publication.

Reasons for Recommendations

- 14 There is provision within the national Youth Justice Board guidance for the Chair of the local Youth Justice Management Board to sign off the Youth Justice Plan and for retrospective approval to be sought from Council(s). Given the timescales and the complex multi-authority configuration of Youth Justice Services across Cheshire this is the approach that was given approval by committee last year (and by cabinet in CWAC, Halton and Warrington councils). It is recommended again that Cheshire East council (along with the other three councils in the partnership) delegate responsibility to their respective Executive Director of Children Services to approve a final draft of the annual update to next year's Youth Justice Plan so it can be submitted to the national board in June 2026 prior to being presented for formal approval, sign-off and publication.

Other Options Considered

- 15 The only other option is for the annual Youth Justice plan to be presented to full council in four local authority areas prior to the deadline for submission at the end of June. Given the timelines and different processes across four separate councils this would be logistically challenging hence the recommendation for councils to delegate authority for sign-off to the Chair of the pan Cheshire Board which is permissible within the guidance.

Implications and Comments

Monitoring Officer/Legal/Governance

- 16 Production of an annual Youth Justice plan is in compliance with section 40 of the Crime and Disorder Act 1998. Refreshed guidance published by the Youth Justice Board in March 2023 made clear that to comply with Regulation 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 there is a requirement for Full Council to approve and sign off their local areas annual Youth Justice Plan.

Section 151 Officer/Finance

- 17 Cheshire Youth Justice Service is a shared service partnership arrangement and is funded by the four Local Authorities, with contributions from statutory partner agencies (Police, Health, National Probation Service) with the largest amount of funding coming from the National Youth Justice Board as a ring-fenced national grant.
- 18 There are no financial implications relevant to this decision. Cheshire East Council formally entered into a partnership agreement for the provision of Youth Justice Services as a shared service delivery model

with Cheshire West and Chester Council as the lead authority. CEC financial contributions are set out within that legal agreement. Because of the economies of scale achieved by delivering youth justice on a shared service basis across the sub-region it represents excellent value for money (less spend on the statutory provision of youth justice services than comparable councils regionally or nationally).

- 19 The CEC annual budget for 2025.26 is £615k which includes the Youth Justice element of the MTFs (15) Growth to Deliver Statutory Youth Justice Service and Meet Safeguarding Partnership Duties budget increase of £198k. The forecast is £607k producing an underspend of £8k.

Human Resources

- 20 None

Risk Management

- 21 No significant risks identified.
- 22 Section 3 on page 24 of the Youth Justice Plan identifies modest risks to service delivery. These relate to the complexity of the geographical and multi-stakeholder landscape across which YJS operates and the high level of risk and need within the cohort of children it supports.

Impact on other Committees

- 23 None

Policy

- 24 No policy implications

Equality, Diversity, and Inclusion

- 25 The Youth Justice plan has been produced with due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equalities Act 2010 and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 26 The plan provides data relating to the proportion of children in the criminal justice system from different ethnic backgrounds because historically children from certain ethnic backgrounds are over-represented in the criminal justice system. Note data shows that (unlike most regions) children from Black or dual heritage backgrounds are not over-represented in the criminal justice system.

- 27 Similarly, the plan takes full consideration of and makes explicit reference to cared for children and those with SEND – both of whom are over-represented in the Criminal Justice System (see section 11 pages 47-50 in the YJ Plan on over-represented groups in the justice system).

Other Implications

- 28 No specific public health implications of this report other than to state the strategy for Youth Justice partnership is to minimise the volume of children with previously unmet health needs that are criminalised for offences/behaviour that is symptomatic of previously unidentified health needs.
- 29 There are no specific implications relating to climate change, rural communities (the YJS outreaches into all communities across the Cheshire sub-region).

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Ashley Hughes	S151 Officer	14/10/25	21/10/25
Kevin O'Keefe	Interim Director of Law and Governance (Monitoring Officer)	14/10/25	17/10/25
<i>Legal and Finance</i>			
Diane Green	Finance Manager	05/09/25	11/09/25
Jennie Summers	Legal Team Manager (People	05/09/25	05/09/25
<i>Other Consultees:</i>			
<i>Executive Directors/Directors</i>			

Dawn Godfrey	Executive Director Children's Services	21/10/25	22/10/25
Tracy Stephen	Director Family Help and Children's Social Care	13/10/25	14/10/25

Access to Information	
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Contact Officer:	Tom Dooks – Head of Youth Justice Services (pan Cheshire)
Appendices:	Annual Refresh 2025 3-Year Strategic plan 2024-2027

Youth Justice Services

Cheshire East, Cheshire West,
Halton and Warrington

Annual Refresh 2025 3-Year Strategic plan 2024-2027



Page 193

Head of Service: Tom Dooks

Chair of the Management Board: Amanda Perraton

Contents

Abbreviations	2
Foreword	3
Executive Summary	4
Vision, mission and values	6
Regional and local context	7
Governance, leadership and partnership arrangements	10
Board membership and leadership	11
1. Update on 2024-2025	14
1.1 Progress on priorities in previous plan	14
2. Performance over the previous year	18
2.1 National Standards Audit	24
3. Risks and issues	24
4. Building on our strengths: Plan for 2024-2025	26
4.1 Child First	26
5. Resources and services	30
6. Board development	31
7. Workforce development	32
8. Evidence-based practice and innovation	38
9. Evaluation	41
10. Priorities for the coming year	42
10.1 Standards for children	42
10.2 New performance framework	44
10.3 Service development	45
11. National priority areas	47
11.1 Children from groups which are over-represented	47
11.2 Policing	50
11.3 Prevention	51
11.4 Diversion	51
11.5 Education	53
11.6 Restorative approaches and victims	54
11.7 Serious violence, exploitation and contextual safeguarding	55
11.8 Detention in police custody	59
11.9 Remands	60
11.10 Use of custody and constructive resettlement	62
11.11 Working with families	63
References	64
Appendices	66

List of abbreviations

AYM	Association of Youth Offending Team Managers
CJB	Cheshire Criminal Justice Board
CJS	Criminal Justice System
CWCC	Cheshire West and Chester Council
FTE	First Time Entrant
GRT	Gypsy, Roma and Traveller
HMCTS	HM Courts and Tribunal service
HMIP	HM Inspectorate of Probation
HNA	Health Needs Assessment
ICB	Integrated Care Board
KPI	Key performance indicator
LGA	Local Government Association
MOJ	Ministry of Justice
NPCC	National Police Chiefs' Council
OCD	Out of Court Disposal
OPCC	Office of the Police Crime Commissioner
PACE	Police and Criminal Evidence
PDAT	Prevention and Diversion Assessment Tool
PNC	Police National Computer
SVS	Serious Violence Strategy
SEND	Special Educational Needs and Disabilities
SWAP	Safety Working Together Action Prevention
VCS	Voluntary Community Sector
VPA	Victim and Prisoners' Act
VRU	Violence Reduction Unit
YEF	Youth Endowment Fund
YFPP	Young Futures Prevention Partnership
YJAF	Youth Justice Application Framework
YJB	Youth Justice Board
YJS	Youth Justice Services (Cheshire)

Foreword

In my first year as chair, I am delighted to present this comprehensive annual update to our 3-year Youth Justice Strategic Plan for the Cheshire sub-region.

It has been agreed by the YJS Partnership Board and provides an overview of the pan-Cheshire Youth Justice Service, sets out details of performance over the past year and outlines our priorities for 2025-2026. It describes how the partnership will meet our ambitions to deliver a high-quality service for children, families, and victims of youth crime. Our plan is both strategic and operational and describes a committed service that has continued to perform strongly, with a low volume of children entering the Criminal Justice System and we are also encouraged to see reoffending rates declining in 2024-2025. The use of youth custody is also at a record low in Cheshire, with a total of only eight children sentenced to custody in the last year. This reflects the strong relationships Cheshire Youth Justice Service has with the courts and high local confidence in effective alternatives to custody.

The service has operated extremely well against the backdrop of a significantly challenging back-office infrastructure change programme with Cheshire West and Chester Council now hosting on behalf of the multi-authority partnership. I'm extremely proud of the way the service and wider partners came together to deliver this change with minimal impact on services to children, families and victims, while continuing to achieve such impressively consistent performance. I know Tom and the team work hard to ensure Child First, Trauma Informed and Relational Practice are at the core of all their work and it is genuinely heartwarming to hear about and read examples in here of evidence-based values making such a positive difference for some of Cheshire's most vulnerable people.

The YJS Management Board is committed to delivering this plan and will oversee its progress through to approval and publication by all four local councils. We have welcomed some new Board members recently and came together in June for an extended development session. This was to ensure we all fully understand the role and expectation on Board members to embrace Child First principles and set the strategic direction for all things related to Youth Justice across Cheshire, Halton and Warrington.

I am strongly committed to this approach and will ensure the guiding principle of recognising the potential of all children is reflected across all the work we do.

Amanda Perraton
Chair of YJS Management Board

Executive summary

This is the 2025-2026 update of the 3-year (2024-2027) Youth Justice Plan for the Cheshire sub-region. While the foreword from our new Chair, the performance data and accompanying narrative and images have all been refreshed, the broad strategic direction of travel for the Youth Justice Partnership and Cheshire Youth Justice Service (YJS) remain unchanged.

It is evident from national research and two recently commissioned local needs analyses (1), that children entering the Criminal Justice System (CJS) experience multiple adversities and trauma. Early childhood exposure to violence, abuse, neglect, poverty, school exclusion and poor health among justice-involved children, are all disproportionate to the general 10-17 year population. This understanding has influenced the strategic direction of travel for YJS across Cheshire. The priorities and content of this plan align with those relating to children and young people from across the four Cheshire places and the public health approach to violence prevention, as articulated in the Serious Violence Strategy (SVS) for the county (2). There has been a significant decrease in the overall number of children entering the justice system over several years, and the historically low levels have been sustained across Cheshire despite the backdrop of the cost-of-living crisis and other societal pressures. Many comparable regions have witnessed an upturn in child entrants to the justice system in the last couple of years, so we are proud to see the sustained impact of our pan-Cheshire youth diversion model. We have worked extensively with the police to ensure national developments, such as the new Child Gravity Matrix have been incorporated into a new out of court disposal (OOCd) protocol and a new joint decision-making process, which went live in April 2025.

We have a relatively new senior leadership team, however this is bringing fresh perspectives and the right balance of continuity and change as Cheshire builds on a solid regional and national reputation for strong performance. This is an exciting time for Cheshire to develop the partnership, while modernising the service and embracing the latest national and international evidence on Child First Youth Justice.

This plan outlines the “three pillars” vision for the service (Figure 1), which is rooted in the latest evidence and research on what works. In addition, the new leadership team has been implementing modest service re-design, intended to retain the economies of scale and equity of service at a sub-regional level, while aligning more effectively with local place-based services for children, victims and families.

Cheshire YJS has a very good regional and national reputation for delivering positive outcomes for children, victims and families. In common with all youth justice services across England and Wales, YJS continues to report against 10 key performance indicators (KPIs), in addition to the three main outcome measures First Time Entrants (FTE) to the justice system, reoffending and the use of custody.

For Cheshire YJS, 2024-2025 was a year of substantial infrastructure and organisational change. The previous shared service arrangements for youth justice delivery had evolved across the sub-region over two decades and had been through several iterations as Cheshire County Council, separated into two unitary authorities and youth justice teams merged incrementally. A comprehensive review of governance arrangements commented on the historical legacies of a service that had evolved over time, with a complex mix of cash and 'in-kind' contributions. These were highlighted as a risk to sustainability.

Consequently, a sub-regional review into the structure, financial arrangements and future sustainability of YJS as a pan-Cheshire partnership, recommended the service should be 'fully hosted' by one local authority. This proposal was agreed by all statutory partners and formerly approved by all four councils in the spring of 2024. The period between April 2024 and April 2025 involved significant infrastructure change, with multiple project workstreams (ICT, Finance, HR, Legal and Comms) all overseen by senior representatives of a pan-Cheshire 'Transitions Board' sitting in parallel to the main Youth Justice Partnership Board. Maintaining service continuity, while in transition to a hosted model was flagged as the principal risk for the partnership, but apart from relatively minor disruption related to ICT migration, the service has been very resilient and staff adapted where necessary, ensuring services to children, families and victims were largely unaffected.

Vision, mission and values

At the Service Development Day in July 2024, the whole service, including volunteers and some Board members, did an exercise to refresh the Vision, Values and Mission of the Service, ensuring they were aligned with national Child First principles and our three strategic pillars. These are shown below:-

Vision

‘To deliver high quality services that make a difference to everyone we work alongside. Helping our children and others be the best they can be and feel safe and valued in their communities’

Mission

Supporting children, young people, parents, carers and victims to make positive changes through working collaboratively;

- Promoting safer communities and reducing the likelihood of reoffending and harm caused – by tackling the root causes of children’s offending.
- Listening and responding to the voice of the victim and empowering them to become involved.
- Connecting with children, helping them to understand the impact of their behaviour and achieve improved outcomes.

In addition we committed to the following four **Values** Statements:

- ***Our children and victims are at the heart of all that we do, we work with optimism, empathy and tenacity;***
- ***We approach all we do with care, respect, understanding and empathy;***
- ***Connections matter: We build relationships through working creatively, consistently and with integrity;***
- ***We collaborate with and empower those we work alongside by listening and responding to what they have to say.***

We will continue to value diversity, challenge social inequality and listen to children and victims, while developing trusted relationships that take their views into account. We understand the wider causes of offending behaviour are often rooted in trauma and social inequality, so trauma-informed practice and systemic ideas are at the heart of how we work. We

continue to work in a restorative way and strive to achieve the best possible outcomes for our children. YJS continue to work with partners on diverting children away from the formal CJS and continue to seek to detain a minimal number of children in custody, believing they are best supported to make changes in their lives whilst in the community, for all but the most serious of offences.

The latest research and evidence is clear that services working with children, who cause harm to others, should adhere to Child First principles and be Trauma-Informed and Relationship-Based in the way they are configured and delivered. Cheshire has taken these tenets and adopted them as our three pillars (Figure 1) to inform the Youth Justice strategy from point of arrest, right through to the resettlement of children following release from custody.

We know the majority of victims of children's offending are other children and the majority of children who perpetrate violence have themselves, experienced previous violent victimisation. So applying Child First practice is as much about reducing harm to victims as it is about improving the life chances of children who offend.

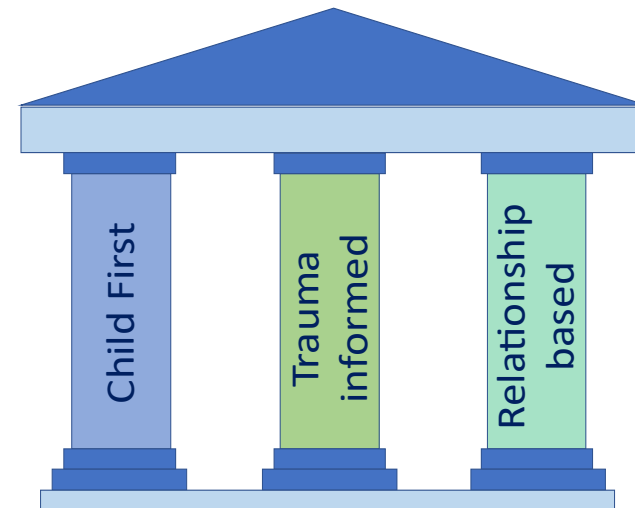


Figure 1. Cheshire YJS Three Pillars Strategic Vision

Regional and local context

The Cheshire footprint covered by YJS comprises the four unitary local authorities of Cheshire East, Cheshire West and Chester (CWCC), Halton and Warrington (Figure 2). Each local authority area has a Children's Safeguarding and Community Safety Partnership and Cheshire is divided into three Probation delivery units (North, West and East) and has nine local policing units. The workforce of Cheshire YJS has staff employed by CWCC and seconded workers from Cheshire Constabulary, the Probation Service, three different NHS Trusts and two private providers. The service also has support in a variety of different roles from 40 volunteers. This provides a strong partnership base to meet the various complexities and challenges faced by the county's children, families and victims. An organisational structure chart of staff is shown in Appendix A and ethnicity and gender of staff is shown in Appendix B.

Cheshire can be viewed as an affluent and rural county with pockets of urban deprivation. The volume of children in the justice system fluctuates between local authority areas but is broadly what would be expected based on population size relative to social deprivation.



8

The place-based graphic in Figure 3 show an overview of demographic data for context only.

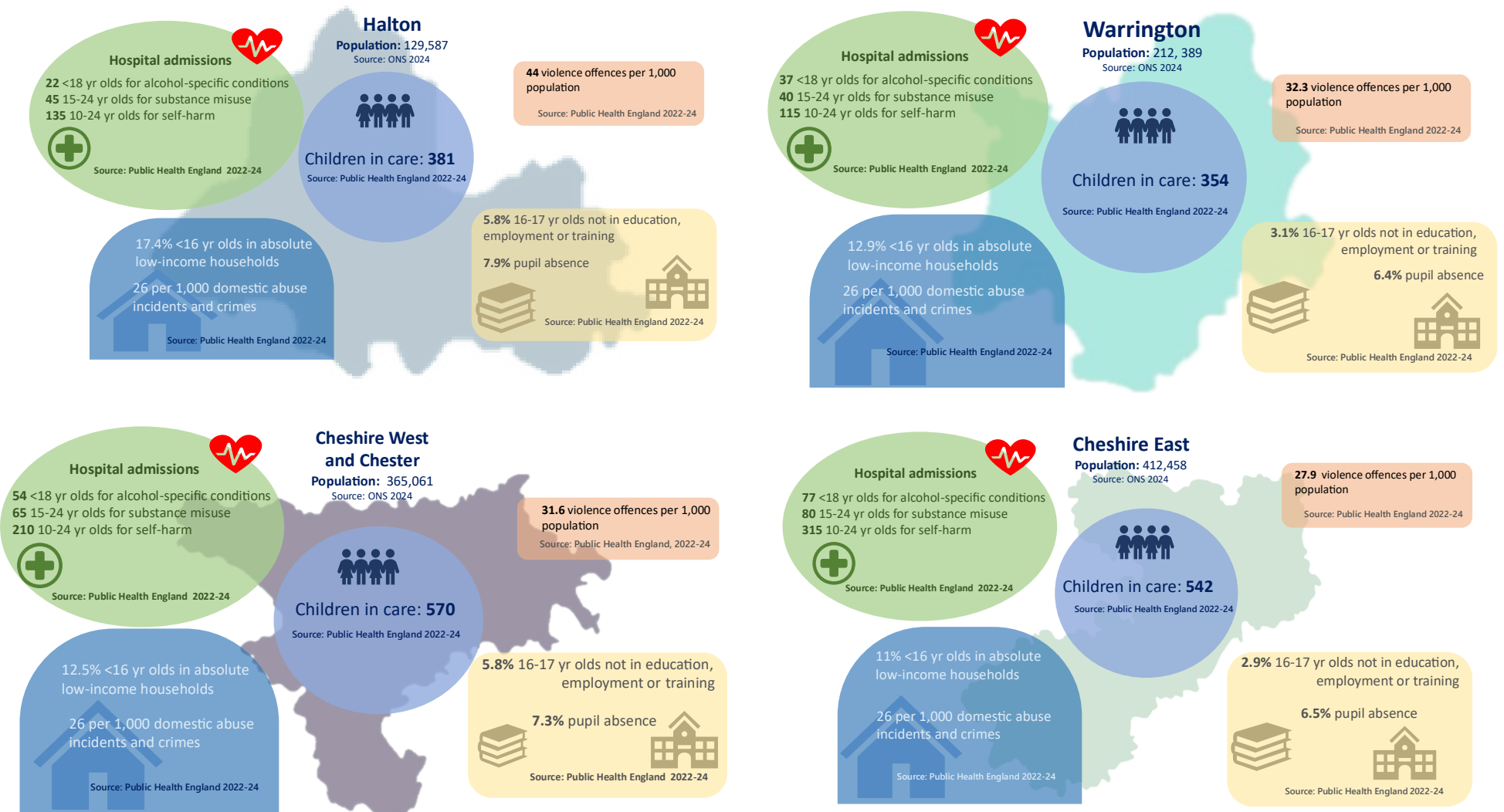
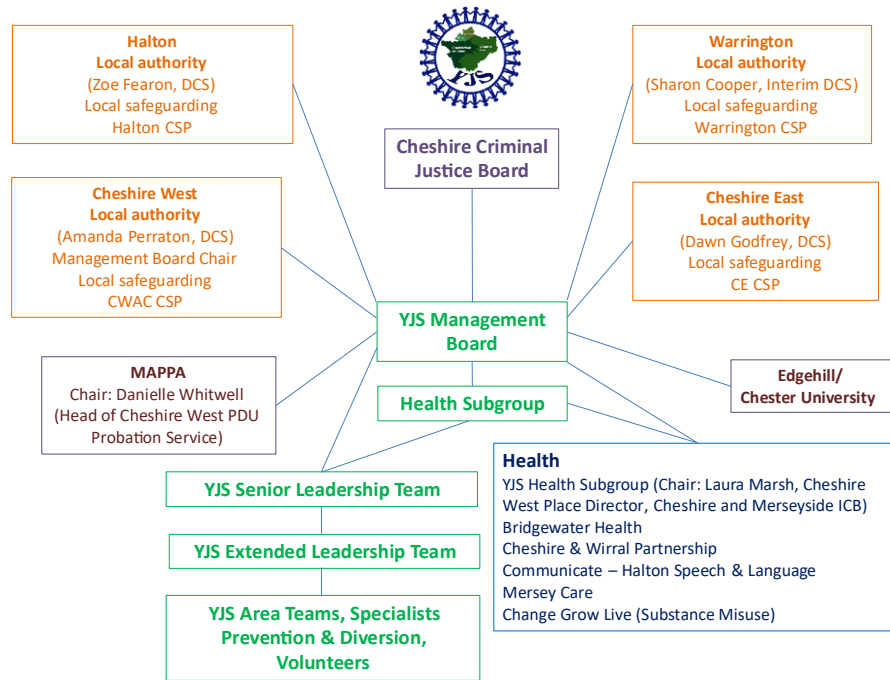


Figure 3. Place-based demographics for Halton, Warrington, Cheshire West and Chester and Cheshire East
(Data sources: NHS Fingerprint [4] and Office of National Statistics [5])



DCS Director of Children's Services. CSP Children's Safeguarding Partnership, PDU Probation Delivery Unit, ICB Integrated Care Board

Figure 4. Sub-regional Youth Justice System Strategic Partnership

Governance, leadership and partnership arrangements

A strength of Cheshire YJS is the strategic and professional links it has with colleagues at a sub-regional level in the public, private, academic, and voluntary sectors (Figure 4). The YJS Head of Service is a core member of both the pan-Cheshire Criminal Justice Board (CCJB) and Serious Violence Duty Partnership Board with senior youth justice management representation at CCJB sub-groups.

YJS is well placed to influence strategy and decisions at scale despite working in a complex governance landscape comprising four children's safeguarding partnerships, four community safety partnerships and a plethora of other place-based and sub-regional strategic groups, where Cheshire YJS has a duty (or need) to cooperate.

Cheshire YJS is also a core member of the four Children's Safeguarding Partnerships, the Multi-Agency Public Protection Arrangements (MAPPA), and the four Community Safety Partnerships.

These links have been enhanced by the adoption of a more youth justice-focussed role for the police officers, as recommended by the last HMIP inspection of Cheshire. After a policing review of Integrated Offender Management and the latest National Police Chiefs' Council (NPCC) guidance (6) on the role of seconded police officers, Cheshire Constabulary has increased the number of fully seconded and embedded officers in the service from three to four.

Cheshire does not have a Violence Reduction Unit (VRU) so as a sub-region, it does lack some of the investment, infrastructure and collaborative commissioning at scale brought by a VRUs to urban metropolitan areas. Cheshire YJS is an example of how strong governance and leadership can oversee the delivery of an effective multi-agency / multi-disciplinary service across local authority boundaries. However, the move to a single local authority hosted model

reflected the need to simplify the operating environment, solve some of the organisational challenges and improve efficiency, enabling YJS as a whole to focus more time on delivering a quality service.

Online harm, neglect (including educational neglect), domestic abuse, sexual abuse and exploitation all feature disproportionately in the lives of justice-involved children and these are also priority thematic areas in Children's Safeguarding Partnerships across Cheshire. This plan specifically refers to the youth justice system but the strategic vision to improve outcomes for children, victims and communities across Cheshire is shared by the wider pan-Cheshire partnership. Timelines for approval at full council are complicated given the sub-regional arrangement. However, the four Directors of Children's Services are committed to taking this latest Youth Justice Plan (and annual updates) through their respective council governance channels.

Board membership and leadership

The Management Board Chair rotates every 2 years, across the four local authorities. CWCC's Executive Director of Children and Families is the current chair of the Board and also provides line management to the Head of Service. Chairing of the Youth Justice Partnership is due to pass to Warrington in April 2027 so with continuity in mind, Warrington's Director of Children Services has recently been appointed as Vice Chair.

Board membership is fully constituted with membership at a sufficiently senior level from all statutory partners, supplemented by other key members, including a leading academic advisor, an independent safeguarding advisor and a magistrate. An induction process is in place for new Board members and a new, over-arching legal partnership agreement between the four local authorities with CWCC as lead authority, hosting the YJS was agreed in April 2025. The partnership agreement outlines how local authority contributions to the service are made according to a percentage funding formula. This was calculated following a comprehensive zero-based review exercise into service demand and activity.


The Youth Justice Partnership (Board) will also utilise the children's committee of Cheshire and Mersey Integrated Care Board (ICB) to highlight service achievements and risks. Notwithstanding the financial pressures on the ICB, the Board has noted that cash contributions from health to YJS across Cheshire have not increased in line with inflation for several years, and a new funding formula to ensure equitable flow from Cheshire and Merseyside ICB to place has been

proposed. At the time of refresh in May 2025, this had been accepted by three of the four places across Cheshire but a final formula and total NHS cash contributions for 2025-2026 have yet to be signed off.

The YJS Management Health Sub-group was established as the only explicitly sub-group of the Board because of the complexity of Health commissioning and provider arrangements across the sub-region. The Chair of the Health Sub-Group acts as Management Board representative for health, while also ensuring connectivity to Place Directors and Cheshire and Merseyside ICB.

The sub-group commissioned the Public Health Research Institute at Liverpool John Moores University to undertake a comprehensive Health Needs Assessment (HNA) (1). Published in 2023, the HNA was based on in-depth analysis of 70% of the children Cheshire YJS worked with in 2022. This research remains one of the most comprehensive and statistically valid studies in the UK, into the presenting health needs (sometimes undiagnosed, and frequently unmet) of children in/on cusp of the justice system. The terms of reference of the Health Sub-group were reviewed in 2024 and with wider public health representation, the group is now informing the commissioning of services upstream of the justice system (at place level).

The workplan for the Health Sub-group in 2025-2026 includes reviewing financial contributions to YJS from ICBs in each place and a public health consultant is working on a cost avoidance paper, aimed at demonstrating health investment in YJS avoids downstream costs to NHS, Local Government and the CJS. The Health Sub-group have also noted a rise in ketamine use by children and its associated health problems. In response, public health teams across the sub-region have been delivering a series of training and public health awareness campaigns.



Rea listened to me when I needed her. She helped me with whatever I needed at the time
(Child)

Given the multi-authority constitution, elected members are not on the Youth Justice Management Board, but to raise awareness of youth justice, the service held a bespoke open day for elected members in 2024. This was an opportunity for elected members to learn more about the Child First, trauma-informed and relational way our staff, from different professional disciplines, work together across authorities to support children, caregivers and victims. The event was very positively received by elected members, and YJS staff also welcomed the opportunity to share real examples of how they make a positive difference to the lives of some of the county's most vulnerable people.

This 3-year strategic plan (and subsequent annual updates) will progress through formal local channels for scrutiny, oversight and formal sign off by all four councils in accordance with the legislative requirement after it has been approved by the sub-regional management board. This process remains in place even now CWCC are hosting the service because each authority retains the statutory requirement for provision, scrutiny and oversight of youth justice delivery in their area.

Under a new senior leadership team in 2024-2025, YJS has undertaken some re-design to mirror the area delivery units of policing and probation and to align more effectively with place-based services for children, families and victims (see **Section 10.3 Service Development**).

1. Update on 2024-2025

1.1 Progress on priorities in previous plan

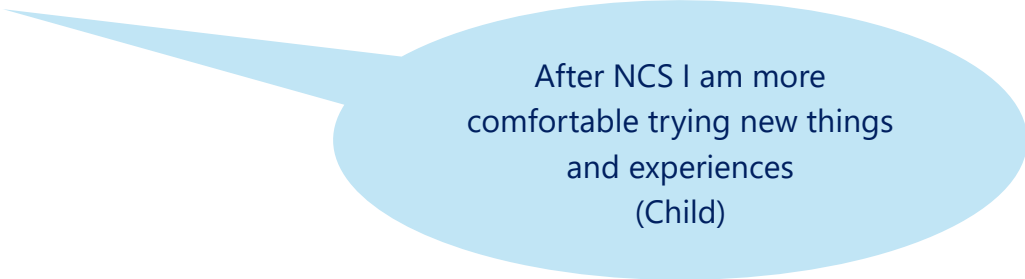
Priority 2024-2025	Progress, what have the outcomes/outputs been?
We will 'ramp-up' participation in creative ways right across the service and facilitate a culture of collaboration where children, volunteers and community groups are enabled to promote prosocial identity and desistance from crime. This will include co-production or co-design of plans, developing projects to support children to desist from crime and reduce harm to victims and communities.	<p>Cheshire YJS' newly created Service Development Hub has been driving participation and application of the Lundy Model (7) of strengthening voice and influence across the service. The organisational re-design and formation of area-based teams is enabling the service to be more outward looking, fostering and nurturing new partnerships with local voluntary community sector (VCS) groups. The YJS Participation Plan has been updated and rebranded as the Participation and Community Development Plan in recognition of the need to connect (or 're-connect') children within their local community. YJS now have designated 'Participation Champions' in each Area Team and managers are influencing local participation strategies. Children supported by the service are now increasingly collaborating on projects with local VCS groups and this will very much continue as a strategic and operational priority, in line with our Child First, Trauma-Informed and Relational principles.</p> <p>The 'My-Plan' document, co-designed with a child, has now been rolled out and is used consistently by professionals and in early 2025, a group of justice-involved children also co-designed an update of the YJS induction booklet. Guides for practitioners on Child First participatory practice have been developed and are being promoted in each area, by our Participation Champions and there have been several excellent examples of co-produced activities (see Section 4). These are designed to help children develop a prosocial identity, sense of achievement and re-integrate them into their local community. The Child First evidence-base is regularly promoted through the monthly 'Power in Participation' feature in the YJS newsletter (YJ News) and our senior practitioners are role-modelling the application of Child First into daily practice. In 2024-2025, Cheshire YJS have introduced the concept of an annual 'impact report' providing evidence of community engagement, voice and influence and social prescribing and have shared this with partners via the Management Board.</p> <p>Embedding Child First practice will remain a priority for the life of this 3-year strategic plan.</p>
We will develop a new comprehensive performance reporting and quality assurance framework, ensuring we are data driven and make full use of the	The new framework was designed and developed as an iterative process throughout 2024 and is now presented in PowerPoint format to the Board each quarter. Several data reporting anomalies came to light and YJS are still working with the software provider (CACI Ltd) and liaising with the Youth Justice Board (YJB) data teams and sector colleagues to refine data sets. As a sub-regional partnership, spanning four local authorities, performance reporting is more complex and

<p>management information system to drive practice development.</p>	<p>nuanced than in most Youth Justice Partnerships because data is sent automatically to the YJB via connectivity and the YJB collate and publish it as a pan-Cheshire figure.</p> <p>Disaggregating data to place level necessitates differentiated recording and coding, which is still under development. Notwithstanding this and some significant staffing gaps throughout 2024, the service now has a new Performance Officer and Business and Performance Manager in post who will work closely with senior management and external partners to explore using Microsoft's Power BI to refine reporting in 2025-2026.</p>
<p>We will refine our internal governance processes to ensure management and back-office functions help facilitate the delivery of high-quality services, including enhanced training monitoring and a training needs assessment to inform the staff training plan.</p>	<p>A major organisational review began in 2024-2025 and will continue into 2025-2026. The transition to CWCC as lead authority has taken priority during the last 6 months of 2024-2025 and the absence of a Business and Performance Manager and other vacancies in Business Support have resulted in the review of business support functions not being finalised. Many internal governance functions have been refined to ensure they align with the service's three pillars and new ways of working: including the shift from High Risk Reviews to Safety Panels and the new triaging process and area-based OOC panels.</p> <p>A staff survey and training needs assessment to inform workforce development was undertaken in 2024 and the service will be commissioning specialist training in a number of areas, based on the findings and priority need. We will also be utilising expertise and experience within the service to deliver more training in-house (see Workforce Development in Section 7).</p>
<p>We will benchmark the YJS support offer to victims against the Victims Code of Practice, new Victims' legislation and HMIPs new inspection criteria (refining the role of Restorative Justice workers in YJS if required) identifying and progressing areas for development</p>	<p>A benchmarking exercise was undertaken and presented at the Management Board in December 2024. In common with most Youth Justice Services, there are some gaps, operationally and strategically, in relation to the responsibilities now enshrined in the Victim and Prisoners' Act (VPA) (8). Some of these are systemic and require updating of information/date exchange between Police and YJS and additional YJS personnel being vetted to access the Police NICHE database.</p> <p>The Board have agreed with a proposal from the service to recruit someone with lived experience who can champion the voice and rights of victims and YJS will be exploring options including replicating the 'lay advisor's role on Strategic MAPPA Boards.</p> <p>The service designed a new victim audit tool, based on the key criteria for supporting victims as outlined in the new HMIP Inspection Framework and undertook an audit of victim casework in early 2025. The audit revealed some areas for improvement and these have been collated and captured within the Youth Justice Service Development Plan for 2025-2026. Cheshire YJS were asked to share this new <u>Victim Audit tool</u> (9) on the national YJS resource hub, as it was considered to be the first of its kind following the VPA.</p>

<p>In partnership with Cheshire Constabulary, we will review the current joint decision-making arrangements for the use of out of court disposals for our children. We will ensure they incorporate the Child Gravity Matrix and children are diverted to the appropriate service according to their level of risk and need.</p>	<p>In 2024, a new joint protocol for youth OOCs was developed in collaboration with Cheshire Constabulary. The Centre for Justice Innovation acted as a 'critical friend' to the partnership by assisting with ensuring the new protocol is supported by the latest evidence and guidance from the sector. The protocol ensures the revised Child Gravity Matrix and latest YJB and NPCC guidance is incorporated. The new triaging process and area-based joint OOC decision making panels were then designed in collaboration with Cheshire Constabulary and went live in April 2025. The panels are chaired by YJS Area Team Managers but with a Police Inspector and/or Police Sergeant also in attendance. The panels have ensured a greater level of defensibility and shared decision making around OOCs. YJS professionals attend panel to present their assessment (using the new YJB Prevention and Diversion Tool) and in line with the new VPA, the victim's voice is sought and considered. These new panels will be refined throughout 2025-2026 and if necessary, adapted in light of Government announcements <i>vis a vis</i> 'Youth Futures Prevention Partnerships' (YFPPs), which for Cheshire are not expected to come on line until April 2027.</p>
<p>We will collaborate with partners to deliver against Priority 1 (Prevention) of Cheshire's 2024-2029 Serious Violence Strategy (2) (SVS) by ensuring funding is targeted appropriately to support children at risk of involvement in serious violence.</p>	<p>The YJS Head of Service continues to be an active member of CCJB and also sits on the Serious Violence Leaders Group that oversees commissioning and the operationalisation of the Serious Violence Duty. Developments in 2024-2025 include a new partnership for Cheshire with the organisation Street Games. YJS have been active and influential in connecting Street Games (who have been awarded Youth Endowment funding [YEF]) into Warrington, where the gap analysis and Serious Youth Violence (SYV) data indicates the need for targeted youth provision is greatest. YJS works closely with the Office of the Police and Crime Commissioner (OPCC) and have also ensured justice-involved children are accessing OPCC-funded provision across the county to provide children at risk of crime, with positive activities, interactions and roles for identity development (Fresh AIR in Child First language). The OPCC's Safety Working together Action Prevention (SWAP) funding comes from depriving organised crime of their assets (Proceeds of Crime Act) and in addition to sporting activities, YJS have developed partnerships with VCS organisations including Culture Warrington, which are providing art and music-based opportunities for children in or on the cusp of the justice system.</p>

Some other notable achievements in 2024-2025 include:-

- Cheshire YJS has been rated consistently within Quadrant 2 (Satisfactory performance) by the YJB's Performance and Oversight Board because of solid and sustained performance across key metrics;
- Our social prescribing model has been cited by the Local Government Association (LGA) (10), YJB and NHS England as innovative practice for supporting children and young people in or on the cusp of the justice system (and has been nominated for a prestigious Children and Young People Now 2025 Award);
- Cheshire Constabulary have refurbished all three custody suites in Cheshire and have adopted trauma-informed and Child First principles through the inclusion of cells designed explicitly with children and neurodiversity in mind;
- YJS ensured justice-involved children participated in the annual 'Big Conversation' with the OPCC and senior police officers, providing their voice and influence on policing priorities across the county;
- The role of volunteering in YJS has expanded with several volunteers being part of our mentoring programme (in line with YEF evidence). Mentors support our children to access other services, to build confidence, learn new skills, and gain employment. One mentor supported a child into employment after helping him with his CV and working on his confidence to approach a local employer directly, who gave him a trial leading to permanent employment;
- Justice-involved children have participated in grass roots VCS community projects, funded by the OPCCs SWAP fund. Examples include the community leaders sports programme at Warrington Youth Zone and DJ workshop delivered by Culture Warrington;
- Justice-involved children participated in the National Citizen Service (NCS) programme in Warrington.



After NCS I am more comfortable trying new things and experiences
(Child)

2. Performance over the previous year

In 2024, Cheshire YJS developed a new comprehensive performance reporting and quality assurance framework so the Management Board, partners and staff can all see areas of strengths and challenge across a wide range of outcomes. We will be data driven, making full use of the management information system to target improvement activity in the areas where it is most needed.

Performance against nationally-measured targets continues to be strong. Since rolling out the Divert scheme in 2017 across all Cheshire local authorities, we have seen fewer children entering the CJS.

Total volume and rates per 100,000 are significantly below regional and national averages and Section 11.4 contains a longer-term trend of FTE data, disaggregated by local authority. Figure 5 shows initial sharp reductions in FTE, with the low base level being sustained again in 2024.

(NB the lowest level of FTE, in 2021 was due to the impact of covid/lockdowns).

Jason, working with him has been fantastic. Jason made everything clear and put it in ways I understand
(Child)

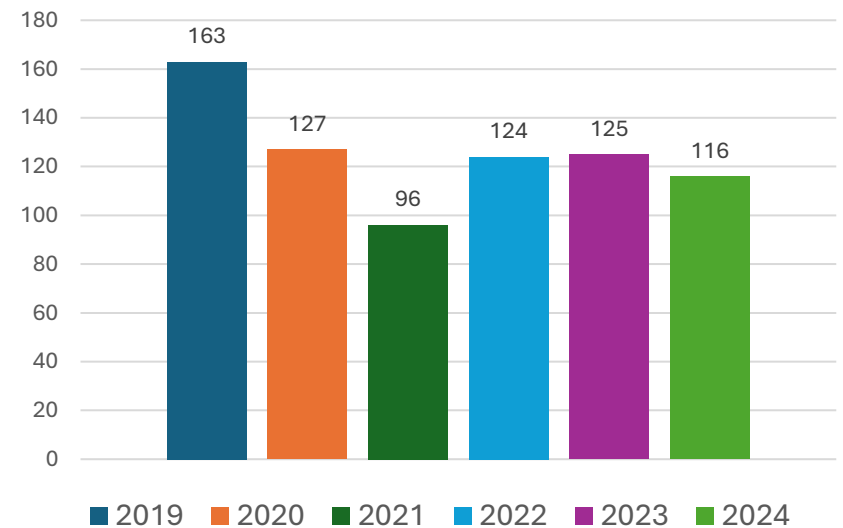


Figure 5. FTEs to the CJS in Cheshire (Jan-Dec 2024)
(Data source: YJAF)

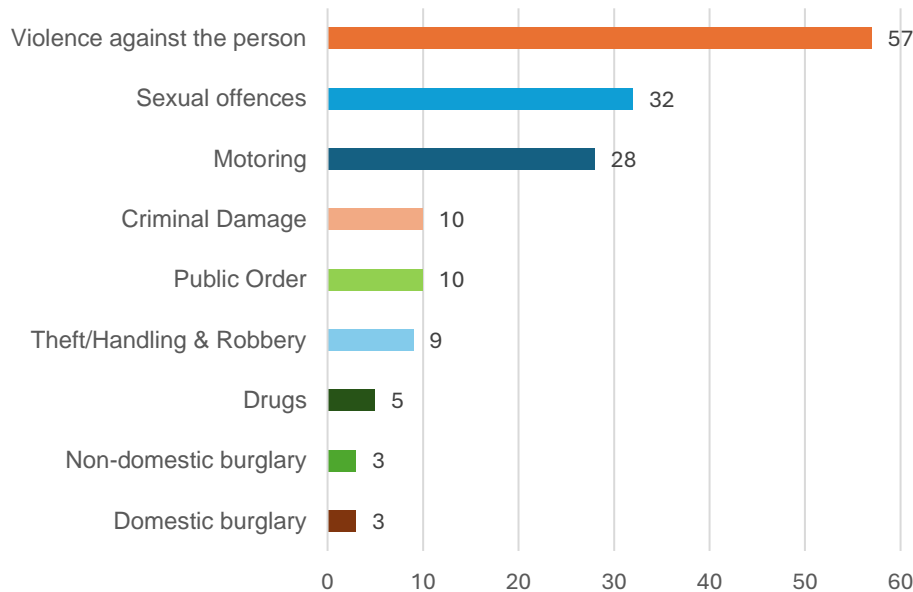


Figure 6. FTE main offence type in 2024-2025
(Data source: YJS local data)

Figure 6 shows violence and sexually harmful behaviour representing the bulk of those committed by children entering the CJS for the first time. This is what we would expect and is compatible with Child First youth justice principles and an effective youth diversion scheme that ensures children are dealt with according to risk and need.

Motoring offences resulting in caution or charge increased slightly in 2024-2025. YJS have developed a partnership with Cheshire Fire and Rescue Service who can deliver an intervention called 'Drive Survive' on our behalf.

Figure 7 shows Cheshire continues to be below the regional and national average for the proportion of sentenced children receiving custody and although the proportion did increase slightly in the 12 months running up to March 2025, it has been trending downwards since 2021.

Cheshire has consistently low numbers of children remanded and sentenced to custody (see Sections 11.9 and 11.10 for place-based detail). Fewer than five children across the whole of Cheshire have been sentenced to custody in any quarterly period going right back to Q2 of 2019.

It is rare for there to be more than 10 children from the four places in Cheshire combined, serving custodial sentences at any one time. While reoffending rates of those children in the system are slightly higher than regional averages, this is attributable to the fact children sentenced by the courts tend to be those with whom we have already exhausted all diversionary options. They are the children who are often more entrenched in criminality and exploitation, so require more intensive intervention and support.

We are also seeing consistently reliable results for those children subjected to OOCs, in terms of successful completions and reoffending rates, with fewer than one in ten children diverted away from formal sanctions going on to reoffend.

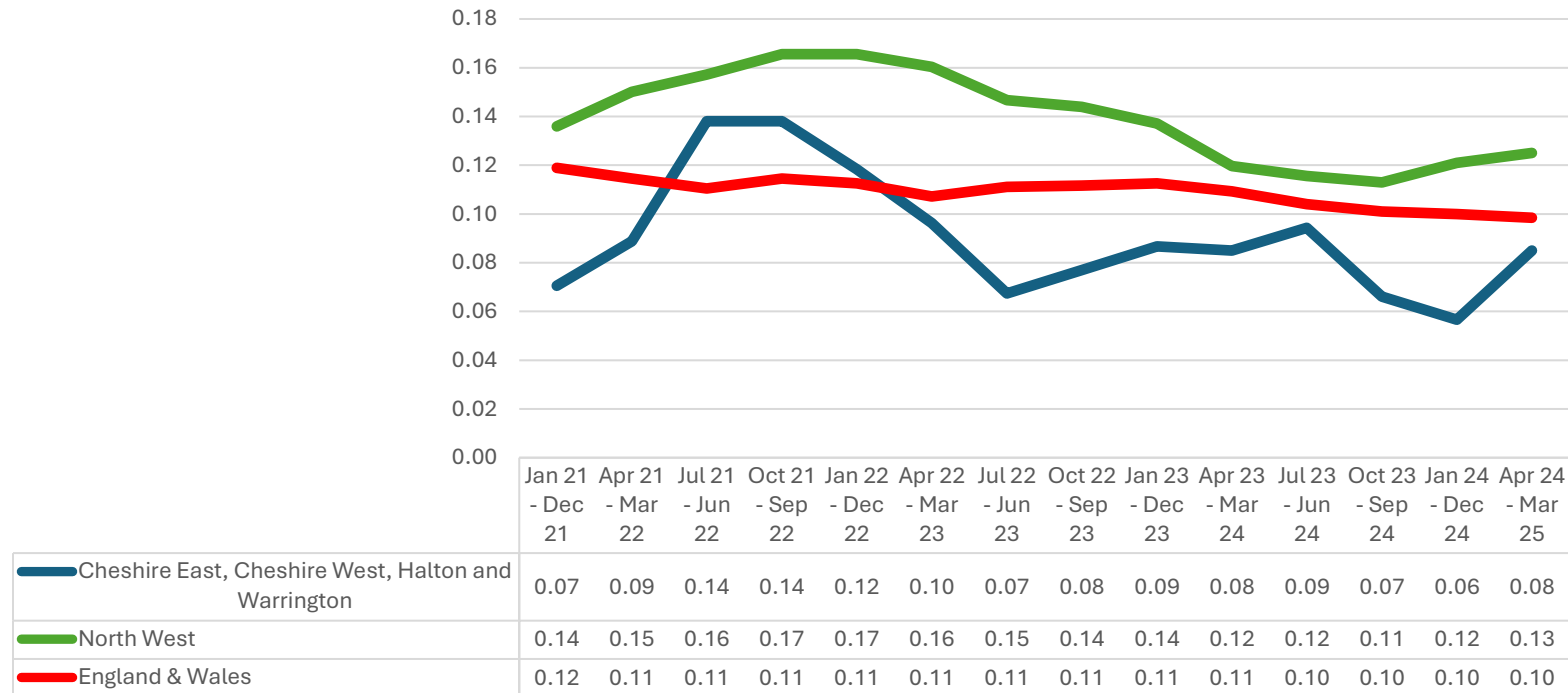


Figure 7. Custody Rate per 1,000 for Cheshire 10-17-year-olds with regional and national comparisons
(Data source: YJAF)

As a service, we are committed to focusing our efforts on reducing reoffending by our children. However, as we continue to prevent children entering the system and, running parallel, have relatively few children in custody, we recognise reoffending rates are understandably our area of greatest challenge. Figure 8 provides the latest published reoffending data, taken from the Police National Computer (PNC).

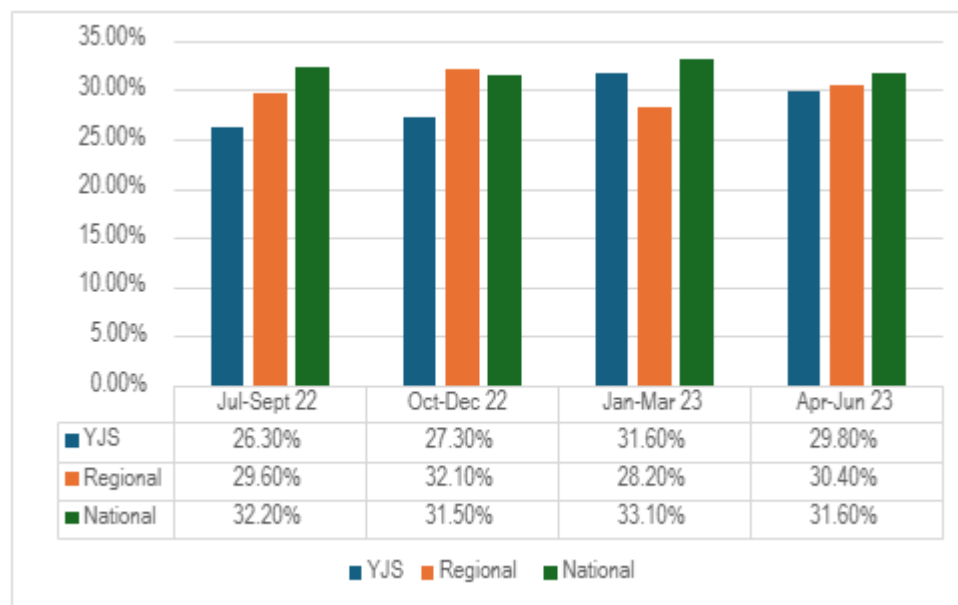


Figure 8. Binary reoffending data for YJS compared with regional and national rates July 2022-June 2023
(Data source: YJAF via PNC)

Figure 8 shows Cheshire rates are similar or slightly lower than regional and national rates. Whilst this serves to give us a national picture, it is important to recognise PNC data has limitations. For example, reoffending data is published 2 years behind the current quarter. In addition, the data also includes:-

- reoffending of adults we no longer work with or have never been known to Cheshire YJS;
- reoffending of children from outside areas who offended in Cheshire but have never been open to Cheshire YJS.

Given the limitations in the national data, Cheshire YJS will create a local reoffending cohort from a sample of children and begin tracking any reoffending from this cohort with effect from April 2025.

Desistance from crime for children who experience significant adversity and trauma is not a linear journey. It requires long-term, trusted, relational support from professionals to try and help children achieve a shift toward a more positive self-identity. This is why the vision for the service is underpinned by the three key pillars of Child First, Trauma-Informed and Relational-Based Practice (Figure 1).

My son has learnt to control himself and his anger more. I have a more focused vision for his future and career

(Parent)

Working with girls

National statistics provided by the YJB indicate the number of girls in the youth justice system has tended to be a fraction of the total caseload at around 15%. However, Table 1 shows a review of Cheshire data and since 2023-2024, we have seen a 35% overall increase in the number of girls in the cohort. This is a significant increase in the proportion of girls relative to boys.

Table 1. Number (and percentage of overall cohort) of girls open to Cheshire YJS in 2023-2024 and 2024-2025

		2023-24 (%)	2024-25 (%)
Q1	April-June	22 (17)	26 (19)
Q2	July-September	17 (14)	40 (28)
Q3	October-December	21 (16)	35 (26)
Q4	January-March	27 (21)	35 (22)
Total number		87	136

(Data source: YJS local data)

*It's hard ...navigating friendships,
being online, school. It's non-stop.
Also feel judged by what you wear.
Doesn't feel a safe world now
(YJS Girl's Focus Group)*

We are aware this is a national trend, noted by other youth justice services but we wanted to explore it in more detail and identify areas for development within the service and across the wider partnership.

Several actions were undertaken to shape and influence our future focus:

- A survey was completed with the girls open to YJS so their experiences could be heard directly and we asked how we can best support them in or on the cusp of the justice system;
- In January 2025, Dr Gilly Sharpe (Senior Lecturer in Criminology at Sheffield University) delivered a whole service presentation on her research findings on girls and young women in the CJS;
- Cheshire YJS is now also on the YJB national forum for work with girls so is learning from and sharing good practice.

Key findings of our review:

- 54% of the offences committed by girls are broadly categorised as violent/harm against a person and research indicates girls can be treated more harshly for certain types of offences, particularly those involving violence.
- Predominantly, girls open to YJS are aged 15-17 years; this is in line with research findings, i.e. girls are likely to offend between the ages of 13 to 16. Early intervention from universal services and targeted services is key to supporting girls with some of the challenges they may be facing, to help reduce them entering the CJS.
- Snapshots indicate for all children in Cheshire, the percentage split across OOC and post court is approximately 70/30%. However, when focussing on girls, this is more evenly split i.e. OOC 22 (54%), compared to court-imposed orders 19 (46%) for girls.

The European Guidelines on Child Friendly Justice recognise girls as a minority whose needs are overlooked. This led to the committee recommending, they are paid special attention through gender sensitive provision (11). As a service, we have explored provision for girls in each of the local authority areas, so girls can have a safe space to attend and receive support and build networks.

In 2025-2026, we will use the evidence found in our Girls' Survey, Dr Gilly Sharpe's Presentation (Girls and Young Women in the Criminal Justice System) and other research to inform the way we work with girls as a service. We will ensure Assessments and Pre-Sentence Reports capture the context of the girl's behaviour (trauma, abuse, exploitation) and ensure girls receive the most proportionate outcome and are not over criminalised. We will also develop our understanding of how gender impacts on identity and ensure interventions are evidence-based and gender-responsive.

Figure 9 shows the Token of Gratitude Certificate awarded to the group who gave their time and voice to help improve how we work with girls.



Figure 9. YJS Token of Gratitude Certificate

2.1 National Standards Audit

Submission of a National Standards (NS) audit is a condition of the YJB national grant and the most recent NS audit was undertaken in October 2023, against NS2: Work in Courts. Cheshire YJS received positive feedback from the YJB Regional Oversight Manager on the quality of both the audit process and its findings.

This NS audit was a comprehensive quality assurance audit of the services delivered before, during and after children's appearances before the three magistrate courts and one crown court in Cheshire. Section A looked at Strategy, Section B on Reports and Section C on Process. Sections B and C involved a deep dive practice audit involving 20 cases.

There were nine areas in Section A 'Strategic performance' with four rated **Outstanding** and five rated as **Good**. Cheshire YJS enjoys a strong partnership with HM Court and Tribunal Service (HMCTS), Magistrates, the Police and Crown Prosecution Service. The Head of Service is a member of CCJB and meets quarterly with youth bench magistrates who sit in Cheshire's three youth courts. A former chair of the Cheshire youth bench and a representative from HMCTS are also members of the Management Board.

For sections B (Reports) and C (Process), the audit revealed the overall quality of work was **Good** or **Outstanding**. One criterion required improvement and this related to the adequate referencing of the impact of the child's offence on their victim, by authors of pre-sentence reports. Improvement action has been addressed through local changes to case management and recording guidance, emphasis on managerial oversight and explicitly evidencing the possible impact on victims (even where victim personal statements are unavailable).

3. Risks and issues

The main risk to service delivery and the achievement of positive outcomes for children, victims and families, relates to the complexity of the pan-Cheshire shared service arrangements. To a large extent, this risk has now been mitigated through the move to a fully hosted model with CWCC acting as lead authority, albeit the risk and challenge of operating a lean service spanning four local authorities is an inherent one. Cheshire YJS operates in a sub-regional (pan-Cheshire context) so sits somewhere between place and the larger Cheshire and Merseyside ICB footprint. This can be a difficult space to navigate, particularly from a stakeholder management perspective because the commissioning and NHS provider footprints do not align with the local authority, police and YJS footprint, and there is high turnover of senior leaders at both place and regional level. The vast majority of Youth Justice Services are integrated into single local

authority structures with much simpler Governance models – albeit their costs are higher because they have to absorb all management, ICT and back-office costs at place level.

National policy initiatives relevant to the youth justice sector sometimes falsely assume that youth justice is integrated within children services at place, so Cheshire YJS frequently has to adapt or compromise to implement national programmes. This was the case with the Troubled Families and Ministry of Justice (MOJ) Turnaround programme and will also be the case with YFPPs, which the Government expects to be established at place level. The Head of YJS is well networked across all four Cheshire places and the internal service redesign undertaken in 2024-2025 was undertaken with the direction of travel toward place-based YFPPs and Families First in mind.

The other main risk to effective youth justice delivery relates to the precarious financial position all funding partners face. Two of the local authorities in Cheshire have experienced Best Value inspections in the last 12 months and Cheshire and Merseyside ICB is in 'turnaround' and making significant spending cuts. With the YJB as the largest single financial contributor to this partnership, also under statutory review, with decisions on multi-year settlements for all departments yet to be made, resourcing remains the biggest single risk to service continuity. Cheshire YJS also has an ageing workforce; there have been several retirements in the last year and a number of experienced staff in front line, managerial and back-office roles are likely to retire within the next few years. Cheshire YJS have recruited younger staff – particularly in front-line practice – and are beginning to explore apprenticeship opportunities with the CWCC organisational development team for workforce planning.

4. Building on our strengths: Plan for 2024-2025

4.1 Child First

In Cheshire, we are committed to Child First principles. As mentioned earlier, these principles, along with Trauma-Informed and Relationship-Based Practice will inform all practice and development activity. YJS will continue to apply the principle of “*Would this be good enough for my child?*” and prioritise the best interests of children, recognise their needs, capacities, rights, and potential.

As well as being child-focused, our work will be developmentally-informed, acknowledge structural barriers and done with children, rather than done to them. YJS has adopted the Lundy Model (7) (Figure 10) as our frame of reference in developing participation across all aspects of service delivery in 2024-2027. The wider partnership are starting to adopt Child First principles in 2024-2025 with all four local authority Children's Services now referencing and training staff on the Lundy Model.

In 2024, Cheshire Constabulary refurbished their three custody suites to become less intimidating for children and in recognition of the fact many children entering police custody are neurodivergent and experience sensory difficulties. Dimmed lighting and foam footballs have been introduced into cells along with chalkboards and edible chalk allowing children to safely express themselves while detained (Figure 11).

YJS has made great strides in this direction of travel in recent years but recognise there is more to do, particularly in relation to meaningful and active participation of children in the justice system.

This is why **participation** remains a strategic, operational and practice priority flowing from this Strategic plan.

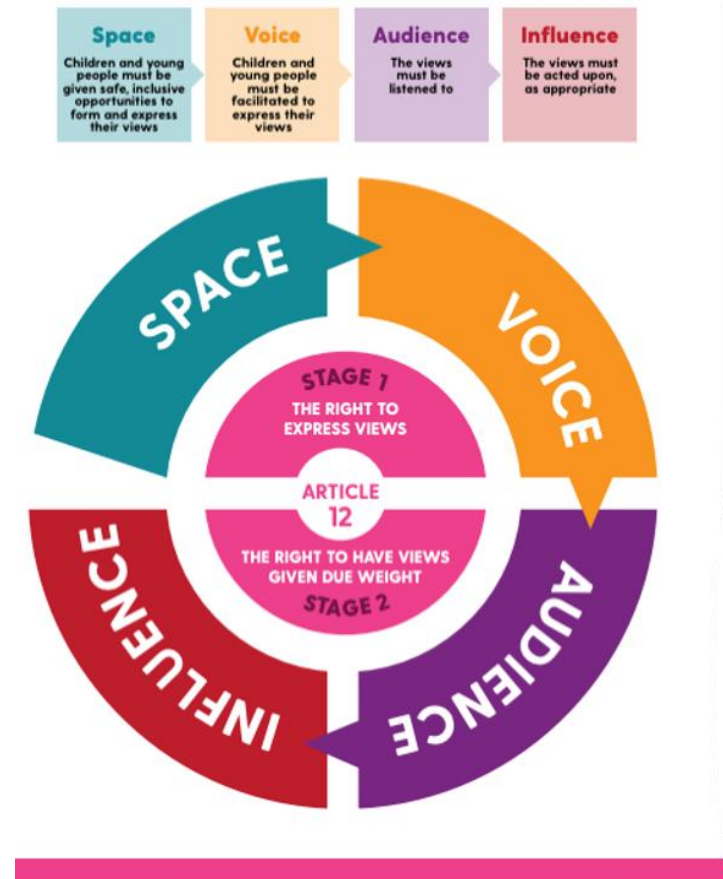


Figure 10. The Lundy Model of Child Participation



Figure 11. Refurbished police custody cell

The new Service Development Hub is the “engine room” to drive forward participation across all areas of YJS. This will not be easy as children sentenced by the courts often feel they have no power and no voice and they have usually experienced significant trauma and adversity. Offending for many children is in part symptomatic of their own childhood abuse or neglect. YJS held a Service Development Day in July 2024, with **participation** as the theme and the leading children’s and social justice charity, Peer Power co-facilitated the day. Through the lived experience of their ‘peer leaders’, Peer Power have helped YJS harness the power and potential of children and young people to be the catalyst for scaling up some of the co-produced (Child First) activity started in 2023-2024 and developed further in 2024-2025.

An example of this involves a child placed in Cheshire under the care of another local authority. A is southeast Asian and Muslim and he participated in a voice and influence project in Warrington and provided feedback on his very personal challenge of moving from an ethnically diverse city to a predominantly white town.

A enthusiastically invited his YJS worker to join him in celebrating his religious festival and sharing food in a lovely, cultural learning exchange. A will be helping YJS to help other children from different cultural and ethnic backgrounds – a textbook example of giving children a voice, influence and then activities and interactions to promote prosocial identity.

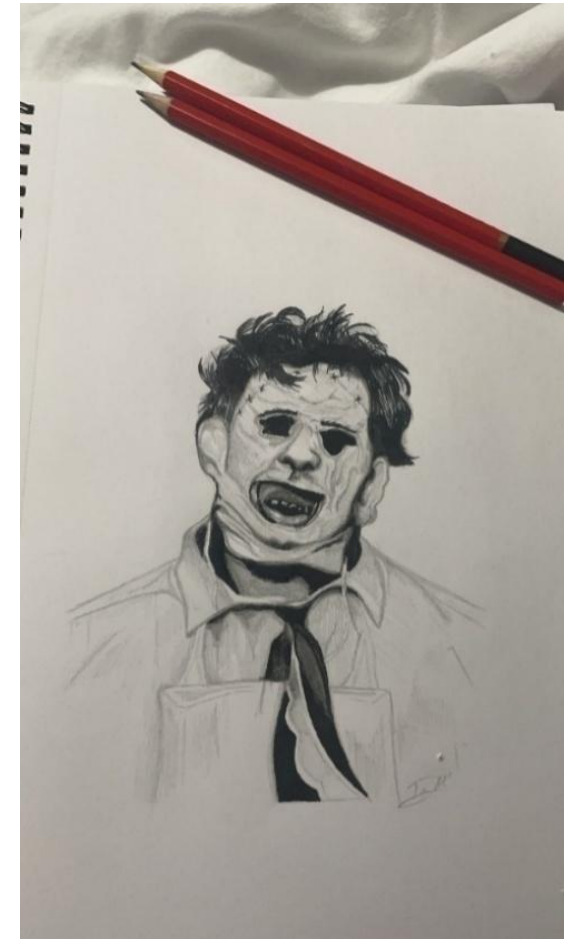


Figure 12. Mural next to site of Crewe Youth Zone

Several justice-involved children from the Crewe area worked with other children and a professional artist to create the mural in Figure 12 on the side of a building next to where a new 'Youth Zone' is being built in the town.

In 2025-2026, YJS will also be working with an arts studio in Halton and Culture Warrington to give justice-involved children similar opportunities to positively (and publicly) express themselves through art.

Each year, YJS encourage and support any children with an interest in art to submit their work to the annual Koestler awards.



**Figure 13 “Leatherface”
Koestler Awards submission**

Figure 13 shows the latest submission and the artist received a highly commended certificate through Koestler’s fast feedback programme.



Figure 14. Cr8 music project in Macclesfield

Music is used therapeutically as a tool to engage children who have experienced trauma and encourage them to express themselves while learning new skills. YJS have partnered with a couple of music-based social enterprises to co-produce projects where justice-involved children work alongside musicians to learn new instruments, write lyrics, try DJ mixing and laying tracks on computer.

One child, supported by YJS on the Cr8 project (Figure 14), has developed a real talent on the drums and after a long period out of education has reintegrated back into school. Another child with a real talent for lyric writing, recorded tracks in a studio and released them on Apple music (an excerpt is shown on the right). These are powerful examples of giving children **Activities, Interactions and Roles** to help them develop positive self-identity, as opposed to an offending identity.

H has really enjoyed the music session he attended this week...which is a massive breakthrough for him to communicate with us. He has isolated himself in the family home, which has impacted on his emotional and mental health due to his traumatic upbringing with his father. His case manager and I have been trying to tap into his interests as a way of encouraging socialisation and supporting his mum too.

(Social Worker)

“Be Successful in this life without regret
Stop tryna act bad for a cell
From a young age I been that kid in a court
Trust me didnt lead me nowhere
But I bet you these People tryna act bad for a cell
get chills when they hear a siren pass”

5. Resources and services

The YJS operates as a complex shared service arrangement, with pooled funding from four local authorities, statutory partners, Cheshire OPCC and the YJB core grant. Cheshire YJS will pool the YJB core grant with other funding to:

- Ensure we have a well-trained, supported and motivated team of staff, with the specialist skills to engage children, families and victims;
- Continue to contribute towards funding our Relationship-Based Practice model and further developing participatory work with children, families and victims;
- Continue to pool funding to develop social prescribing and other interventions with children to improve self-identity, health and wellbeing and reduce the likelihood of reoffending;
- Continue to develop diversionary and participatory interventions to divert children away from formal sanctions (supported by contributions from the OPCC);
- Ensure YJS can continue to provide robust, intensive supervision to children in the community to maintain public and judicial confidence and minimising the use of custody;
- Further develop our service offer to victims so we are in line with the Victim Code of Practice (12). YJS will hold a wellbeing day in the summer of 2025 for victims of youth crime across Cheshire. This will also be an opportunity for victims to contribute their views and ideas and we hope to recruit a Victims' Ambassador to be their voice on the Management Board.

6. Board development

The YJS Management Board will hold an extended Board Development session in June 2025. This is being independently facilitated by Child First Consultant, Michael O'Connor. There are a number of new Board members and this will be a timely opportunity to come together as a group of system leaders, from across the sub-regional partnership, to learn about the evidence base behind Child First Youth Justice. The Board will continue to meet quarterly and receive reports from YJS and partners to facilitate scrutiny and discussion around key service delivery and performance areas. The Board's key purposes are:

- To determine strategic direction of YJS, ensuring all statutory partners are fully engaged;
- To oversee and monitor the operational work of YJS;
- To ensure YJS is adequately resourced to carry out its statutory function of preventing offending by children and young people.

The leadership, composition and role of the Management Board are critical to the effective delivery of local youth justice services and Cheshire has senior representation from all statutory partners. The YJS Management Board also has long standing representation from HMCTS, the Magistracy, children's safeguarding, and academia.

As mentioned in section 5, we will be exploring the recruitment of a Victim Ambassador to champion the voice of victims and be a critical friend to the youth justice management team and our partners.

7. Workforce development

In line with our three pillars vision, we are committed to learning and development. It is vital all staff have the appropriate skills and knowledge, are effective in their roles and equipped to deliver high-quality services to everyone they work with.

We encourage staff to identify gaps in knowledge and suggest learning opportunities, across the team and within supervision. In the latter months of 2024, all staff were invited to give their view on our training offer by taking part in a Training Needs Analysis.



Figure 15. Findings and staff feedback from training needs analysis

Figure 15 gives a flavour of the findings and staff comments.. The analysis revealed the majority of staff were satisfied with the variety and quality of training the service had to offer. The Merseyside and Cheshire training consortium (which commissioned specialist training for the five Merseyside Youth Justice Services and Cheshire) formally ended in March 2025. This is because the move to a fully hosted model in CWCC meant Cheshire YJS was no longer able to hold the purse on behalf of the five other services and none of the Merseyside local authorities were in a position to take over as lead. The dissolution of the training consortium means YJS will need to commission training for staff so this prompted the need for a “stock take” of all current sources of training. A training overview was therefore carried out in spring 2025 and Figure 16 shows a summary of sources with examples.

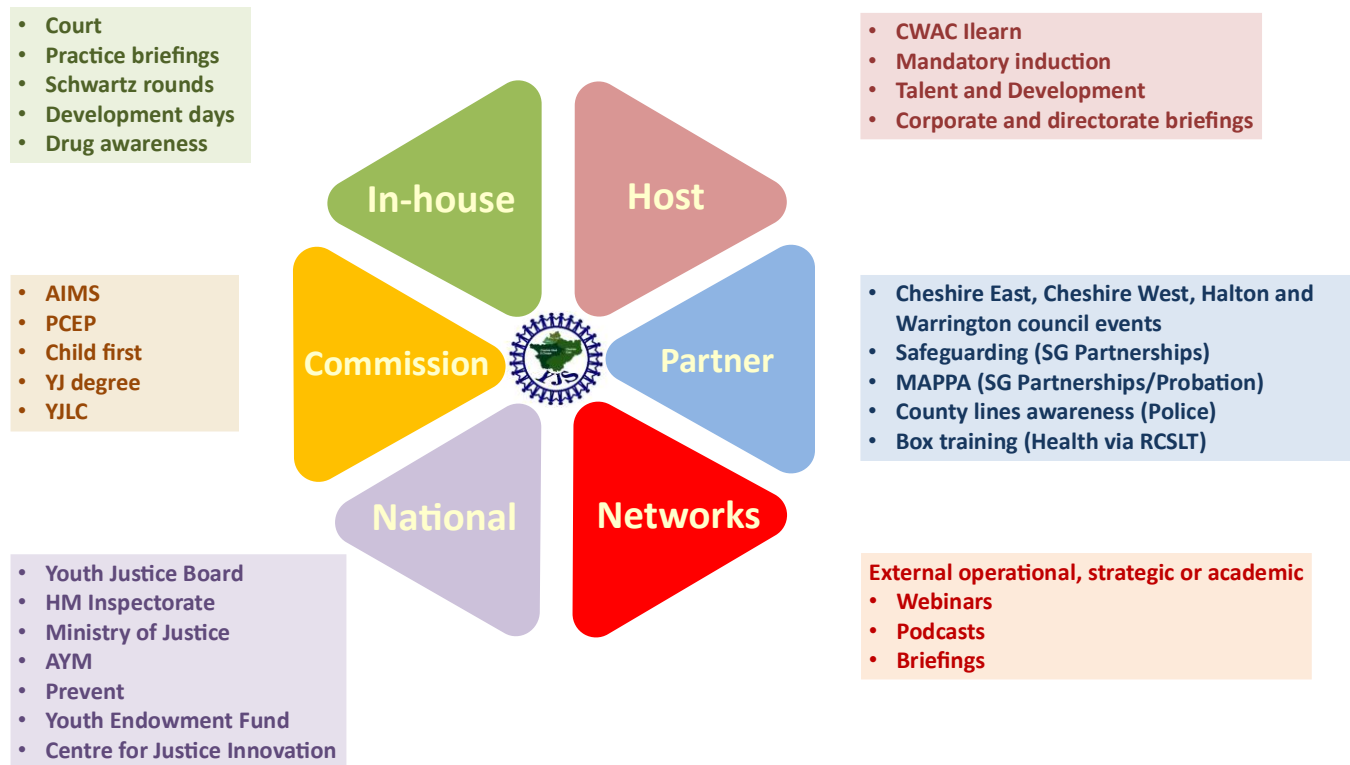


Figure 16. YJS training sources and examples

Occasionally, there are TV and Radio broadcasts pertinent to Youth Justice of interest to staff. Some can spark widespread media and public interest and an example of this in 2024-2025 was the Netflix drama, *Adolescence* (13). In addition, the BBC Radio 4 Reith Lectures (14) this year entitled *Four Questions about Violence*, are of relevance to our work.

In addition to rolling safeguarding refresher training, training undertaken by YJS staff during the last 12 months is summarised in Table 2.

Table 2. Summary of key work force development activities in 2024-2025

Title	Course Type	Overview
Working with girls in the justice system by Dr Gilly Sharpe Senior Lecturer in Criminology, University of Sheffield	Academic Guest Speaker (Over Teams)	One of our senior practitioners approached Dr Gilly Sharpe after hearing her speak at a seminar. We were both delighted and fortunate that Dr Sharpe agreed to speak exclusively to our team. This event was attended by 55 staff and recorded for those who could not make it. It prompted the piece of work to review numbers of girls open to Cheshire and develop an action plan to include girls' voices and establish best practice to help girls be the best they can.
All Service Development Day on Participation	Themed All Service Day (In person)	At this event, we revisited our mission and values and also kick started our work on participation, building on the work of Laura Lundy and Louise Forde (speakers from the previous year). The day was facilitated by Peer Power, the leading children's and social justice charity.
Porn Briefing by Axess Sexual Health Education Team	Guest speaker from Axess at Practitioners Meeting (In person)	This session aimed at educating Practitioners on how best to support children about developing healthy and consenting relationships and to keep them safe from harm. Practitioners found the training very useful, especially when working with children who have entered the CJS for harmful sexual behaviour.
Court training	Delivered by YJS staff and court staff (In person in court)	Full service training took place over two days in May last year at Chester Magistrates' Court. Staff, panel members, magistrates and legal advisers attended and participated in this interactive session.
Schwartz Rounds	In house open session for staff (In person)	These theme-based sessions were introduced as part of our trauma informed service development. They are a supportive space for any staff to express views and share their feelings and are facilitated by one of our in-house CAMHS workers and a YJS Practitioner trained in counselling. The theme in 2024-2025 was loss of a young person, prompted as a number of children previously known to the service, have sadly lost their lives.
OOCD panels	In house briefing (In person)	This was a briefing on the introduction of OOCD panels and how they will operate.

PDAT Tool	In house briefing	This briefing was to introduce staff to the new Prevention and Diversion assessment Tool (PDAT).
AIMS training	Commissioned	AIM3 training in assessment and intervention took place to increase the pool of AIM-trained staff in response to the increase in harmful sexual behaviour. The majority of YJS Practitioners are now AIM-trained.
Child First Certificate	Commissioned	Two members of staff completed the Child First module in 2024-2025.
Certificate of Effective Practice	Commissioned	Four members of staff have completed or started the certificate in 2024-2025.
Equality and Diversity training	Commissioned (In person)	The last cohort of staff attended the Wipers training in May 2024. This mandatory training for all staff began in 2023 and was commissioned by the training consortium. It was tailored for youth justice professionals to improve cultural competency and awareness of disproportionality in the justice system.

From April 2025, YJS staff have direct access to CWCC training resources and a raft of Ilearn modules. Ilearn as a training and development platform is being replaced in September 2025, however our commitment to the workforce will continue into 2025-2026, as we will seek to further strengthen workforce development through the following:

- Ensuring all staff are up to date with CWCC mandatory corporate training, DBS checks and service specific mandatory training;
- Developing a more centralised approach to identifying training needs across the service;
- Developing an enhanced training monitoring system and connecting with CWCC Learning and Development Team;
- Revising the Training Plan to be relevant, achievable, and accessible to the whole workforce;
- Continued membership of the Youth Justice Legal Centre, which brings timely and specialist legal advice for professionals and managers and access to a range of in-person training events and remote learning.

Having considered the local data analysis and in support of service priorities, the following workforce development opportunities currently planned for 2025-2026 are shown in Table 3. More opportunities will be added in response to the dynamic nature of working in youth justice.

Table 3. Summary of planned work force development activities in 2025-2026

Theme	Provider	Overview
Online Harmful Sexual Behaviour	Commissioned through the AIM project	To include online sexual abuse, surface, deep and dark web, apps and platforms, hentai and AI and considerations for assessment and intervention. These areas were specifically requested through the Training Needs Analysis.
AIM Restorative Practice and Harmful Sexual Behaviour	Commissioned through the AIM Project (In person)	A 2-day course to enable participants to have a clear understanding of restorative practices and their use in sensitive and complex cases involving harmful sexual behaviour.
IT Canva / forms	In house (Over Teams)	'Learn with us' sessions on how to use these applications.
Acronym training	In house (Over Teams)	New Child First method of recording contacts.
Prevent (online extremism)	Department of Education London (Online)	This session includes incel awareness and takes a deep dive into multiple on-line platforms seen in Prevent referrals on children who've become radicalised on-line.
Professional Certificate in Effective Practice	UNITAS	An on-line modular course covering essential theory underpinning work with children in the justice system – 2-3 cohorts per year.
Child First Module	UNITAS	A shorter on-line course explicitly covering the latest Child First evidence base.

EDI - Gypsy, Roma and Traveller Awareness (2 modules) History Challenges	University of Worcester and Worcestershire County Council (e-learning)	Traveller community have a presence across Cheshire and the aim of this training is to help staff develop cultural competence in this community.
EDI - Gypsy, Roma and Traveller Awareness	Friends, Family & Travellers (In person)	Aimed at practitioners, the charity Friends, Family and Travellers to give a briefing at the Practitioners' meeting.
Teen to Parent Abuse briefing	Warrington Early Help (Over Teams)	Training has been organised via the Warrington Domestic Abuse Hub.
Transgender Awareness by Axess Sexual Health Education Team	Axess (In person)	This free training aims to increase confidence, knowledge, skills and respect when working with Trans and gender variant people.
Knife Crime Awareness	Ben Kinsella Trust	Exploring the real lived experience of people affected by knife crime and youth violence. Briefing content will be explored in the Practitioners' meeting for staff who could not attend the original session.
Schwartz Round	In House	The theme for 2025 is 'Covid: 5 years on'.
Custody Suite visits	Cheshire Police	Staff are invited to view refurbishments aimed to be more appropriate for children and people with neurodiversity.
Volunteer training	In house (In person)	Delivered over 2 days in the autumn.
Restorative Justice training for new starters	In house (In person)	Delivered with volunteer training in the autumn.

8. Evidence-based practice and innovation

YJS will continue to root all intervention and support with children on the evidence base, but Cheshire will also explore new and innovative ways of connecting with children who find it difficult to access mainstream services. Our approach was described recently by an NHS England lead as the best application of social prescribing in a justice context that she had come across. It was also cited by the LGA as one of their *'innovation in local government'* case studies (10).

Social prescribing in YJS emerged from the recognition that justice-involved children often arrive with previously unmet health needs and after traditional/clinical models of care had failed to reach them. An example being the socially prescribing of fishing as a mindfulness activity in partnership with the Canal and River Trust's 'Let's Go Fishing' programme. In August 2024, five children took part in this session, led by a YJS health worker and one child loved it so much, he stayed all day (Figure 17).



Figure 17. A successful catch with Let's Go Fishing

Adopting a psychosocial therapeutic approach, health workers in YJS are socially prescribing creative and flexible activities to help children improve their health and wellbeing. This has proven particularly effective for males who have experienced intra and/or extra familial violence and are often in a state of hyper-vigilance or hyper-arousal. Cognitive Behavioural Therapy is often ineffective with this increasingly large sub-set of our children, so the service has tailored the health offer to become far more psychosocial and adaptable to the needs (and interests) of the children we work with. Our health offer is also supportive towards addressing the impact of trauma.



Figure 18. L's greenhouse and safe haven

L was a vulnerable child awaiting an ADHD and Autistic Spectrum Condition diagnosis and lived in a busy house with five siblings. He found the home environment quite stressful because of the auditory sensory impact and this had caused some intra-familial conflict and police involvement. YJS socially prescribed gardening as a therapeutic activity for L and he has thrived with the responsibility of creating flower beds and growing fruit and vegetables in a new greenhouse, which is now his peaceful safe haven (Figures 18 and 19). L was given fresh **AIR** through **Activity, Interaction** and a new **Role** as a producer of fresh fruit and vegetables for his family.



Figure 19. L's strawberry plants

Cheshire YJS has a well-developed “*Research in Practice*” working group that was recognised by HMIP in 2021 as an exemplar of collaboration between academia and the youth justice sector. YJS is in a knowledge-transfer partnership arrangement with two local universities (Chester and Edge Hill University) and two senior lecturers in criminology, with a national profile for research on youth justice, now co-chair the Research Group. This collaboration ensures Cheshire YJS retains a national reputation for evidence-based practice and stays at the leading edge of innovation in the sector.

The Research Group has been able to secure several key academics to speak directly to the service about their research. YJS were fortunate to have Professor Laura Lundy, author of The Lundy Model (7) (see Figure 10) speak exclusively to our staff on how best to implement her model. YJS has been fortunate to have a number of key speakers talking to staff about the research behind participation, however the Service Development Day in July 2024 was the catalyst for the development of a participatory model across the service, with Peer Power Youth facilitating the session.

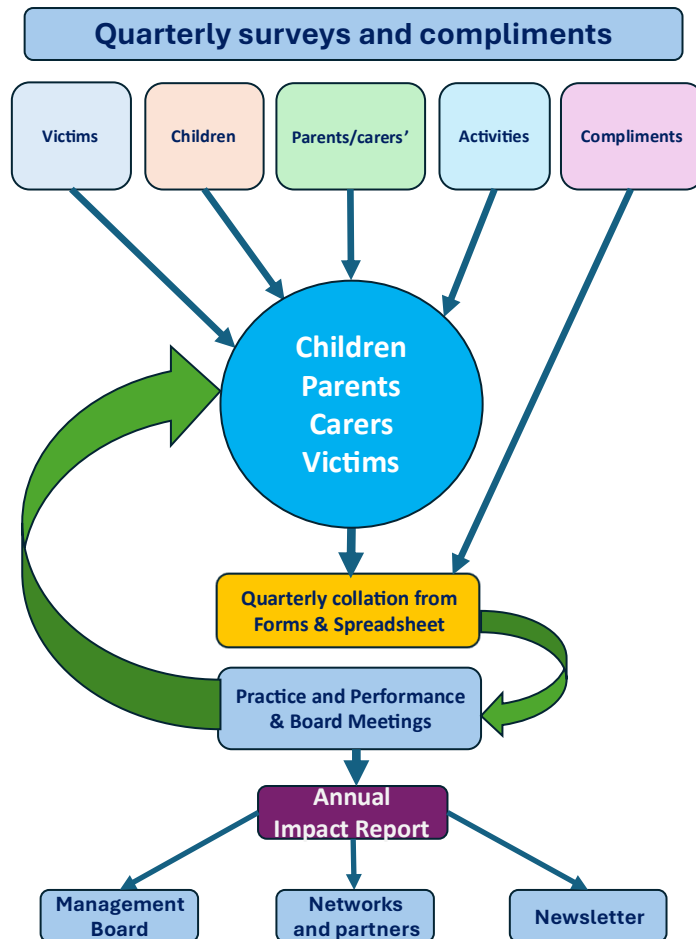


Figure 20. YJS voice and influence flowchart

Figure 20 illustrates how Cheshire YJS has adopted the Lundy Model (7) as a basis to give voice and influence to all our service users (not just children but families and victims too).

We will be using an appreciative inquiry approach in our work and using 1-1 and group-based activities with service users as a virtuous feedback loop to develop and refine our intervention and support. Collaboration with children not only empowers them with a feeling of agency, it helps to develop skills and develop prosocial identity.

In 2025-2026, Cheshire YJS will continue to partner with national not-for-profits including Leaders Unlocked and local VCS groups such as Culture Warrington on bespoke collaborative projects that amplify the voice and influence of justice-involved children.

Ideas in the pipeline for the next 12 months include “Life through our Lens” where children from different areas of Cheshire will co-produce a film reflecting what living in Cheshire is like for them. YJS are also partnering with an arts studio and professional artist to give children further opportunities to express themselves through street art. These are creative and practical examples of applying Child First principles – Activities, Interactions and Roles (Fresh **AIR**) for developing prosocial identity.

9. Evaluation

The Health Sub-group of the management Board commissioned the Public Health Research Institute at Liverpool John Moores University to evaluate and validate the trauma-informed and relationship-based practice approach adopted by YJS. The passage below is taken directly from their full technical report (1), based on a statistically valid research sample of 70% of the children YJS were working with at the time:

“The (Cheshire YJS) offer now provides that key link into mental health, substance use and Speech Language Therapy support, through an equitable healthcare assessment available to all young people entering the YJS. This provided a key opportunity to assess and identify any unmet health needs in these three areas (and wider health and safeguarding needs), which may not have otherwise been identified, and for many was the first time they had access to such healthcare screening. This multi-agency approach not only allowed for quicker identification during the healthcare screening, but it also meant more timely specialist support for families who would have otherwise had long waiting lists to see specialists from CAMHS and SLT. This was identified as an effective way to open the door to this pathway of wider support, recognising that these health needs were associated to the offending behaviour and need to be addressed to prevent further reoffendingThe Cheshire YJS model also provides an opportunity for multi-agency working, not only to provide that overarching multi-disciplinary offer for children and young people, but also in terms of how services work together across Cheshire....The HNA highlights the key work from YJS and wider services across Cheshire in support of families to reduce inequalities, improve wellbeing, and reduce offending. This required skilled, experienced staff working in a trauma-informed way, using a child-focused approach.”

10. Priorities for the coming year

Building on what we have achieved in the previous year, a service development plan outlining management activity, sits underneath this higher-level Strategic Youth Justice Plan and in 2025-2026 will be used to deliver against the following priorities:

We will continue the priority focus on developing participation and amplifying the voice and influence of children, families and victims and embedding this in all areas of the service. We will facilitate a culture of collaboration where children, volunteers and community groups are enabled to promote prosocial identity and desistance from crime. This will include children co-producing a “Life Through Our Lens” film where they will be encouraged to express what their part of Cheshire means to them. We will also be involving children in the co-design of an induction booklet for new entrants to the service, with explicit focus on making our documentation feel more inclusive for children, families and victims of different culture, ethnicity or faith. We will also be accrediting participatory activities (via AQA) so children without prior qualifications receive a nationally recognised certificate for learning new skills.

We will continue to build on the new comprehensive performance reporting and quality assurance framework, ensuring we are data driven and make full use of the management information system to drive practice development. We will be building two reoffending cohorts; one for children receiving OOCs and one for children sentenced by the court. We will also explore the use of Power BI to further enhance our performance reporting capability and liaise with the OPCC and Cheshire Constabulary on the potential of ARC software to generate a bespoke Serious Youth Violence dashboard.

We will refine our internal governance processes to ensure management and back-office functions help facilitate the delivery of high-quality services including enhanced training monitoring and a training needs assessment to inform the staff training plan.

The new Business and Performance Manager in YJS will be reviewing methods of internal communication following the transition into CWCC including use of Teams channels.

We will continue to enhance our offer to victims to ensure all victims, including child victims, are considered in all circumstances, and are delivered well. We are planning to hold a wellbeing day in partnership with Cheshire Cares for victims of youth crime. It will include offers of therapeutic support and enable victims to give honest feedback on their experience of the justice system in Cheshire and influence how YJS work with victims and other agencies.

YJS will also seek to recruit a lay member who has lived experience as a victim to act as critical friend to the Board and service – in a similar way to the lay member role on MAPPA Boards. They will also represent victims of youth crime on a new lived experience Victims' Panel to be established by the OPCC as a sub-group to the CCJB.

We will undertake comprehensive audits and report findings to Board in the following thematic areas; custody and resettlement, the quality and impact of Education and Training support offers and the effectiveness of work with children on OOCDS.

We will also undertake a comprehensive deep dive into a sample of children to look at the quality of assessment, planning and intervention to support the safety and wellbeing of children and those they may harm.

We will successfully support 60 children through the Turnaround project in 2025-2026 by developing an area-based delivery model.

We will establish a Diversity and Inclusion Working Group, ensuring the services provided are inclusive to all, whether under-represented or over-represented.

For 2025-2026, this will have a particular focus on the experiences and needs of girls because they are an increasing proportion of justice-involved children in Cheshire and children from different ethnic, faith or cultural background – because they represent a very small cohort in Cheshire and we need to be inclusive and responsive to the very different lived experience of all children.

10.1 Standards for children

Cheshire YJS has developed a “conversational audit” methodology to undertake practice audits where managers visit or speak to children, families and (where appropriate) victims too. This is now a ‘business as usual’ audit methodology for the service and has been adopted by some of our partners in children’s social care. Direct quotes from children, caregivers or partner agency professionals obtained through conversational audit are illustrative of the kind of trauma-informed, relational practice Cheshire YJS is striving to provide to the children we work with.

The new participatory model also aims to gather the views and ideas of our children.

*You’re nice and you talk calmly to me
and you’re not quick to tell me off. We
do doodling in sessions while we talk
which gives me something to focus on
rather than having to talk face-to-face
because I’m not good with looking
people in the eye when I talk.*

(YJS Girls Focus Group)

10.2 New performance framework

Striking the right balance between local place-based and pan-Cheshire performance reporting is a challenge for YJS and disaggregating Cheshire-wide data to place often renders the data invalid because the volumes are so low. YJS now have a new performance management framework, using a mix of the recently introduced 10 national KPIs alongside better use of our case management system, Child View. The new performance report has been well received by the Management Board and enabled them to better understand the risk, needs and complexity of our children. A new Business and Performance Manager started with YJS in April 2025 and with the help of CWCC Insights and Intelligence team will explore the use of Power Bi to enhance the way the service and wider partnership use data to inform service delivery and commissioning.

10.3 Service development

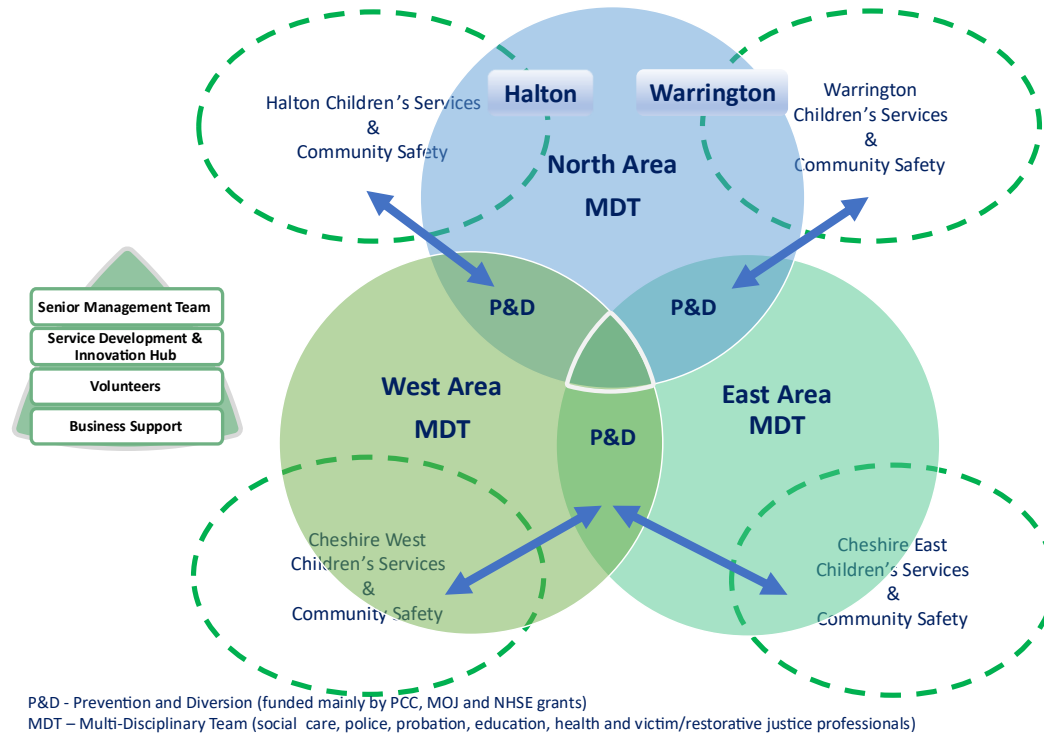


Figure 21. New Area-Based Service Design Model for YJS (from April 2024)

It is critical for a sub-regional youth justice partnership to work closely with statutory agencies and community organisations at a local level, to properly support children in their own communities. To better facilitate this, YJS implemented a modest service redesign in 2024-2025, enabling front-line professionals to work more closely and effectively with place-based partners. Figure 21 shows how YJS remains co-terminus with both police and probation footprints, while aligning closely to the four children's services and community safety partnerships. The Staff Structure in Appendix A also shows how our Area Teams align with place.

*Sometimes feel safe -
sometimes not as there are
people in the community who
are risky/commit offences. I
have lots of family around who
keep me safe*
(YJS Girl's focus group)

The service redesign aligns with the shift toward restorative and participatory approaches and the importance of supporting children to connect (or reconnect) with their local community. Our new structure aims to empower front-line professionals and locality (area-based) operational managers to develop creative partnerships with the voluntary sector. By harnessing previously untapped human and social capital within communities (such as recruiting more local volunteers and establishing mutually beneficial partnerships with small local charities) we will be better able to help children, and some victims to move on positively beyond an offender (or victim) identity.

The Service Development Hub is functioning well as the central “engine room” for innovation within the service and the new leadership team will ensure quality of practice at a pan-Cheshire level, while empowering (through a distributed leadership model) creative area-based partnerships in the places where children, caregivers and victims live.

In 2025-2026, Cheshire YJS will refine some of our internal governance processes to ensure we are as productive as possible, with a lean service spanning a large geography and complex network of partners. The transition into CWCC was a major undertaking and the next 12 months will be a transitional period while the service beds in.

The new Business and Performance Manager will be reviewing multiple methods of internal communications to ensure key messages are getting through to dispersed teams in the simplest and most effective way.

11. National priority areas

11.1 Children from over-represented groups

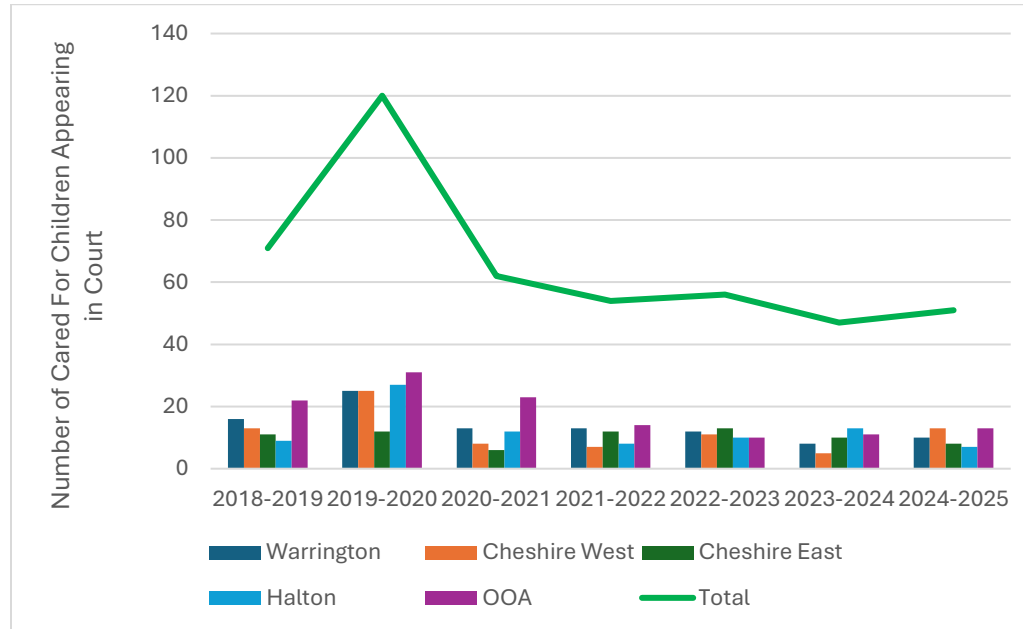


Figure 22. Number of cared for children appearing in Cheshire courts by local authority between April 2018-March 2025
(Data source: Local YJS data)

The data above also includes children placed in Cheshire under the care of local authorities outside the county (out of area [OOA]) who receive the same diversionary options.

Sustained lower volumes since the protocol was produced in early 2020 is good evidence of what can be achieved through collective commitment at scale across YJS and Children's Services.

The high prevalence of our children struggling with health or neurodevelopmental difficulties prompted the Health Sub-group of the YJS Management Board to commission the Public Health Research Institute at Liverpool John Moore University to look at the health needs of children open to YJS (see section Board Membership and Leadership).

An over-represented group of children in the justice system are cared for children and care leavers. The YJS Management Board's response to data revealing disproportionality in this group was to agree a pan-Cheshire protocol. This aims to minimise the criminalisation of cared for children and care leavers and details a '3D' police and partnership response of *"Discretion, Delay and Diversion"*.

Since the protocol was launched, there has been a clear downward trend of cared for children appearing in court (Figure 22). This shows the impact from a high point in 2019. The numbers of cared for children appearing in court in 2024-2025 has risen very slightly but this is because of a recent change in the counting rules. Children who only became cared for following the offence they had committed have been included in the 2024-2025 figures.

The HNA (1) revealed a stark over-representation of neurodiversity in our children and a direct correlation between four or more adverse childhood experiences, school exclusion and entry to the justice system. Public health consultants on the Health Sub-group have used this analysis in both place-based Joint Strategic Needs Assessments and Special Educational Needs and Disabilities (SEND) specific Strategic Needs Analyses. The HNA revealed there is a correlated trajectory for children who ‘camouflage’ their SEND through disruptive behaviour, experience fixed-term or permanent exclusion and then enter the CJS some time thereafter. In 2025-2026, the Head of Service for YJS will continue to raise awareness at local Health and Wellbeing Boards and be a strong advocate for improved upstream identification and support for children with SEND.

Karen understands C's SEND. The team have been really understanding and flexible around C's appointments and Karen worked hard to earn his trust. She was approachable and down to earth, and I appreciate the work she is doing with my son
(Parent)

The alarming racial disparities in the youth justice system nationally are not replicated in Cheshire. Figures 23 and 24 show the most current data available (offences committed in the year ending March 2024 and drawing from 2021 census data).

Comparing the youth offending population with Cheshire's 10-17-year-old population as a whole, reveals that unlike most areas in the UK, it is actually white children who are very slightly overrepresented and ethnic minority groups slightly underrepresented. However, when separating ethnic minority groups into Black, Asian and Dual Heritage (Figure 24), we see Black children only represent 1% of children in Cheshire but 2% of the offending population. The volumes are too low to be statistically significant but YJS will continue to carefully monitor ethnic disproportionality.

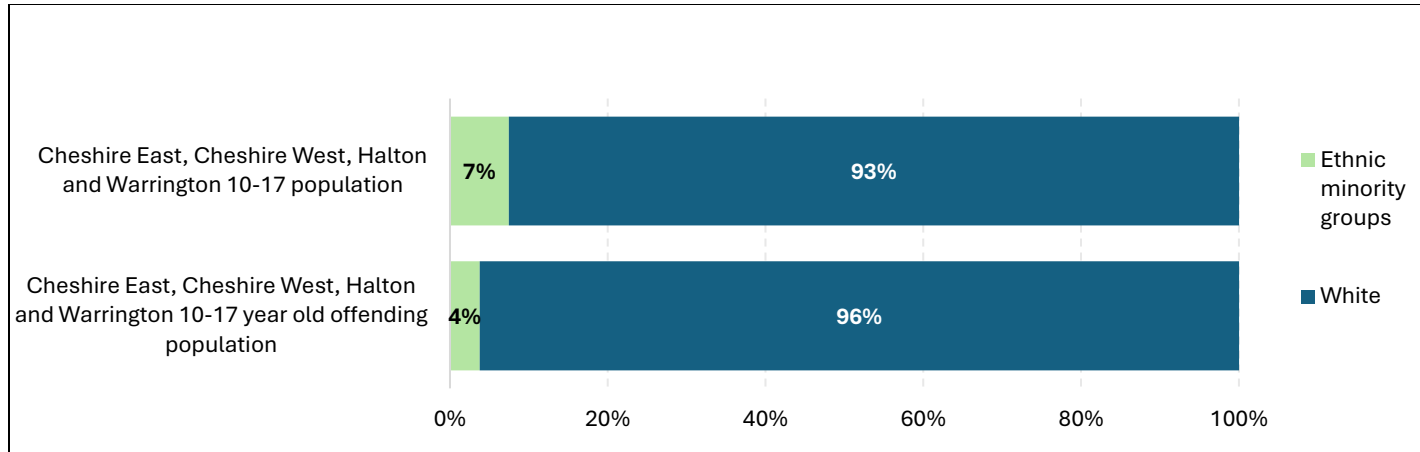


Figure 23. Ethnic minority groups vs white in the 10-17 population and offending population in Cheshire
(Data Source: YJAF)

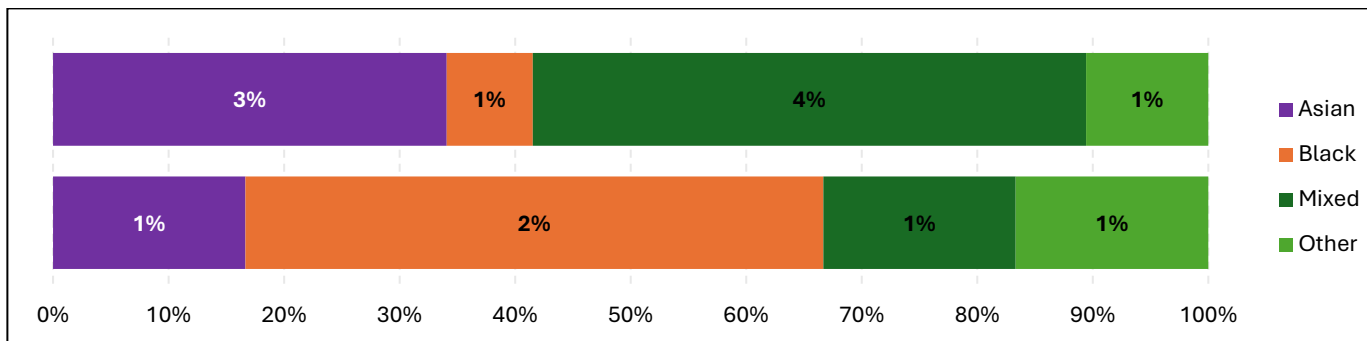


Figure 24. Ethnic group proportions in Cheshire in the 10-17 population and offending population in Cheshire
(Data source: YJAF)

One potential area of *'invisible over-representation'* in Cheshire that YJS has raised with partners at the CJB's Disproportionality Sub-group, relates to children (or adults) from GRT communities. Anecdotal (and student) research suggests children from these communities are sometimes recorded on police and other criminal justice databases as White British, White Irish or White European.

There is a GRT self-identity classification, but some individuals choose not to identify themselves because of a cultural mistrust of authorities. Therefore, CJS data on arrest, detention, and sentencing in respect of GRT children may not be accurate. The cultural competence of staff is the key aspect here and Cheshire YJS do have an in-service GRT 'champion' who is well linked with specialist advocacy and support services. As well as planned staff training in GRT awareness for 2025-2026, we will ensure our data is as accurate as possible by hearing directly from the child about their identity.

Jess and Kevin were respectful of our culture (travellers) and that matters
(Caregiver)

11.2 Policing

A newly appointed Chief Superintendent, with the portfolio of protecting vulnerable people, sits on the Management Board and all four Children's Safeguarding Partnerships. This valuable connectivity provides useful constructive challenge and support, for example, renewed focus on detention of children overnight in police custody (Section 11.8).

Cheshire Constabulary delivered on the recommendations made by HMIP to place fully seconded police officers into YJS and have provided a fourth seconded police officer in 2025, so the service has one officer for each place as part of the multi-disciplinary team. They have participated in both police- and YJS-led training and have improved both the flow and response to intelligence in respect of harm to or from children.

The NPCC guidance on the role of police officers within youth justice was recently updated (6) and YJS and Cheshire Constabulary have reviewed the job descriptions of seconded officers to strengthen the focus on victims and prevention and diversion activity.

Cheshire Constabulary have recently restructured with changes in the Criminal Justice Outcomes Assurance Team and the previous Complex-Youths scheme is no longer operating but police continue to be very active in the local contextual safeguarding response to criminal and sexual exploitation. YJS seconded police officers and place-based police officers routinely share intelligence to help safeguard children and disrupt criminal groups. YJS and Cheshire Constabulary will continue to work closely together to refine and where necessary adapt the new OOCJ joint decision making model to ensure the partnership remains firmly 'Child-First' in both principles and practices.

11.3 Prevention

Unlike many single local authority youth justice teams, YJS is not part of a wider adolescent and family support service providing a broader prevention offer. The funding and delivery model spanning four authorities means we are more of a purist youth justice service only working with children *after* they have been arrested. Prevention and targeted youth support form part of each local authority's early help offer with some sub-regional services, commissioned by Cheshire OPCC. YJS will seek to align our diversionary work to continue to divert **away from** formal criminal sanctions when it is safe and appropriate to do so and **into prevention** projects entirely outside the CJS. The principles of avoiding 'net widening' and the unintended consequences of 'labelling' or entrenching a criminal self-identity for a child are critically important and are evidenced principles underpinning this strategy and continue to apply across Cheshire.

11.4 Diversion

The Head of Service for YJS holds the national portfolio on Diversion for the Association of YOT Managers (AYM) and engages with ministers, national charities and think tanks, such as Centre for Justice Innovation, in roundtables on best diversionary practice. Cheshire will continue an evidence-based approach to diversion that avoids criminalising children for behaviours symptomatic of trauma, abuse, and unmet need. This not only provides better outcomes and improved prospects for children but because children diverted away from receiving formal sanctions are less likely to re-offend, it also results in fewer victims.

Figure 25 shows significant reductions in FTEs since the incremental introduction of Divert across Cheshire. The current operating model began in 2010 in Halton and Warrington and expanded into CWCC and Cheshire East in 2013 and 2015 respectively. FTE numbers have remained consistently low and below regional and national averages since 2016 when Cheshire became a pan-Cheshire shared service, covering the entire policing footprint. This contrasts with many of our geographical and statistical neighbours who, in recent years, have begun to see an increase in FTEs.

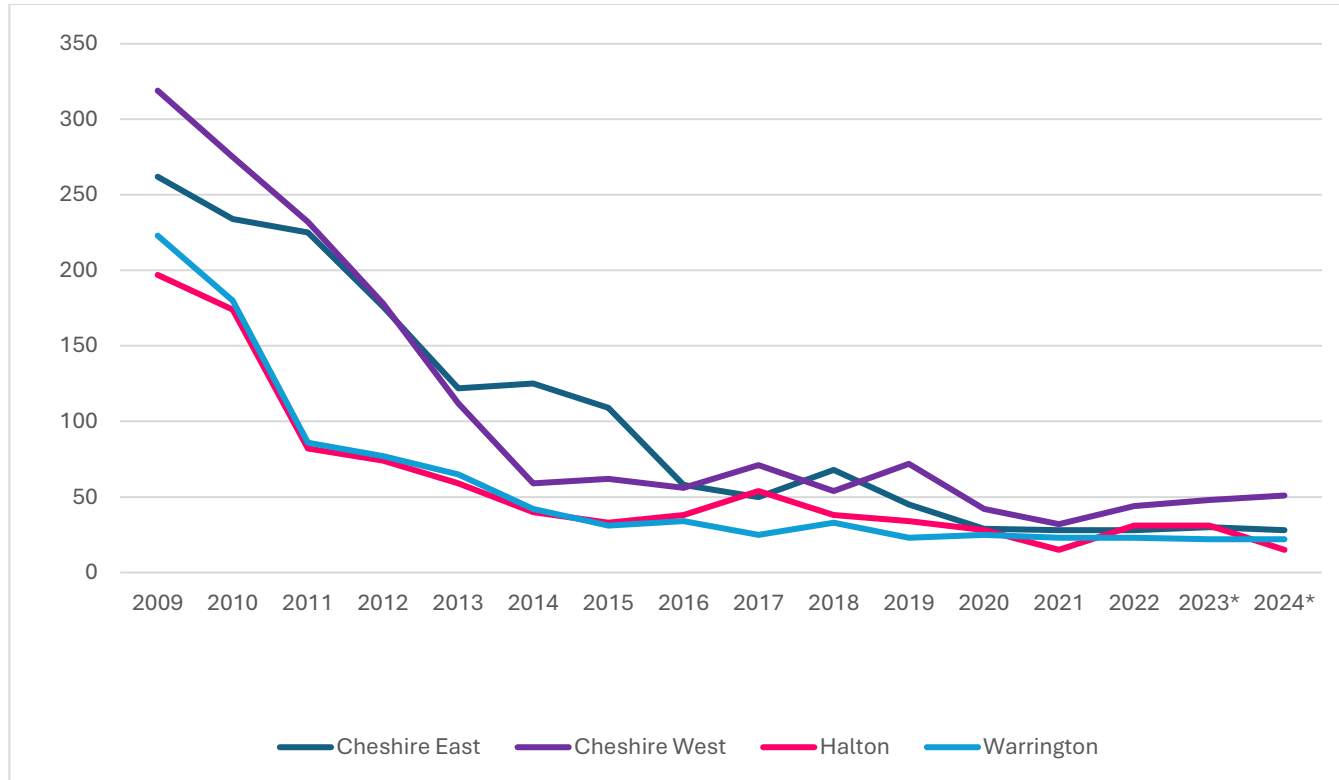


Figure 25. Trends in FTEs in Cheshire by local authority 2009-2024
(Data source: PNC except for *local YJS data)

The helpful 4-year grant investment from the MOJ (Turnaround Programme) ends in March 2026. This investment has enabled YJS to get a little further upstream, while also enabling us to support children and families who needed longer or more intensive support. We will ensure individual children have transition plans in place where continued support beyond the end of the Turnaround programme is necessary and will be working with local authorities to prepare for the implementation of YFPPs, which for Cheshire local authorities will be from April 2027. As part of the serious violence duty, we will work with the OPCC to ensure VCS providers (Remedi and Queensberry Alternative Provision) are targeting help and support to the right children, in the right ways, at the right time.

11.5 Education

Our HNA chimes with national research in showing a correlation between educational exclusion and subsequent entry to the CJS. Children who are excluded from school tend to have lived experience of childhood trauma. There is a concerning trajectory (nationally not just in Cheshire) of early childhood exposure to violence and SEND being camouflaged as conduct issues, leading to educational exclusion (for some children). A sub-set of these excluded children then go on to use illicit drugs to self-medicate their trauma and criminal exploitation and criminality follows.

Audits and learning reviews show the powerful protective effect education can have on children who have suffered trauma. Positive self-identity and belonging are critical to helping children achieve desistance from offending, and the significant role education and training providers play in reducing risk through promoting prosocial identity cannot be overstated. Inclusive, trauma-informed-values-led-educational establishments not only manage risk well within their own environment, but also contribute hugely to reducing risk of harm in their communities.

Most children receiving YJS support are beyond school age, so the emphasis is more on helping them into post-16 training or employment, with flexible and bespoke support offers being most suitable for those children who have typically experienced considerable educational disruption. YJS has dedicated Education, Training and Employment specialists for each local authority area to support children directly or indirectly by brokering tailored support in partnership with the respective local offer. As an inclusive-employment lead for post-16, the educational representative on the Board is a good advocate for justice-involved children and provides both challenge and support to managers in the service.

Amazing help getting O back into education. Allowing O to see that his offence did not have to define him, which has helped him to move forward and start making better choices
(Parent)

In 2025-2026, YJS will be registering for the Unit Awards Scheme (15), through the nationally recognised organisation, AQA. Many justice-involved children have struggled in mainstream education and left without qualifications. This scheme will enable YJS practitioners to work collaboratively with children to meaningfully engage and support them in demonstrating skills, experience and knowledge in a wide range of subjects. The Unit Awards Scheme allows students to engage with learning and have their achievements formally recognised with a certificate each time they successfully complete a unit of learning. They can build up a portfolio of certificates to evidence their skills, knowledge and experience. The scheme promotes close collaborative working with children, boosts confidence, increases engagement and improves motivation,

helping them to make progress on their lifelong learning journey, which can be sustained following the end of their involvement with YJS.

For a partnership covering four local authorities, with over 100 high schools and post-16 colleges, the majority of which are academies, YJS and even Directors of Children's Services have limited influence on admissions or exclusions. Promoting inclusion and supporting trauma-informed practice in educational settings is something Children's Trusts have pushed and YJS will continue to advocate for the needs of children. The Head of Service will continue to provide data to inform local joint strategic need analyses and deliver presentations to forums of educational leaders. Education as a protective factor is a stated priority for 2025-2026 in local safeguarding children partnerships.

11.6 Restorative approaches and victims

Reviewing victim processes and ensuring the support offer from Cheshire YJS is in line with the new Victims and Prisoners Act is a priority for 2024-2025.

Cheshire YJS will continue to work with victims and deliver the full range of restorative support:

- **Restorative Justice Conferencing** – a structured meeting between the victim and the child
- **Direct Reparation** – repairing any damage caused by the child
- **Shuttle Mediation** – similar to the conferencing model but where both parties do not meet but have someone as the go-between
- **Letter of Apology/explanation** – child is supported to write to the victim
- **Indirect reparation** – work done within the community on placements.

Janet was very empathetic and excellent to deal with
(Victim)

Figure 26 shows our children repainting a Family Centre in Cheshire. The activity repaired damage caused in the local community while also introducing a group of children (and their families) to this centre so they could access the supportive programmes and activities on offer.



Figure 26. Repainting at a family centre in Cheshire

I am really grateful for the time and patience my worker had for me and really understood me

(Victim)

11.7 Serious violence, exploitation, and contextual safeguarding

This plan draws from and is closely aligned with the Cheshire SVS, which covers a 5-year period from 2024-2029, with annual reviews to reflect on progress against planned outcomes and update delivery plans against emerging trends (2).

YJS contributed data and insights to the production of a Strategic Needs Analysis, to inform the SVS and the Head of Service is a core member of the SV Duty Leadership Group. Cheshire has relatively low levels of SV so does not have the infrastructure of a VRU. Lifting an approach from a large metropolitan city would be unlikely to deliver the same successes here so we have had to think differently about our approach. The Strategic Needs Analysis highlighted Domestic Abuse and Youth Intervention as two clear priority areas for reducing serious violence in Cheshire and revealed the extent to which serious violence affects children and young people. Amongst all forms of serious violence explored, children under 18 appear prominent amongst the victim and offender cohorts for possession of weapon

offences and knife crime incidents. As part of the workforce development plan, YJS Senior Practitioners will be approaching the Ben Kinsella Trust to deliver a session on knife crime awareness to practitioners in 2025-2026.

Understandably, public concern about serious violence increases when people witness or experience it themselves – or when tragic events bring considerable media attention to it. Fear of knife crime and serious youth violence are also amplified by social media, with children being exposed to violent content that can distort their perceptions of safety in public spaces.

Table 4 below shows in 2024, 36 serious violent offences were committed in Cheshire by children (convicted by the courts). This is a slight increase on 2023 but the rate of serious youth violence in Cheshire is 3.4 (per 10,000 children) which is down from the peak of 4.5 in 2022 and is well below the rate for England and Wales as a whole. In fact only the South West of England has had a lower rate of serious youth violence in the last 2 years.

Table 4. Serious violence offences committed by children in Cheshire compared regionally and nationally

YJS region	2021		2022		2023		2024	
	Number of SVO	Rate of SVO	Number of SVO	Rate of SVO	Number of SVO	Rate of SVO	Number of SVO	Rate of SVO
Cheshire East, Cheshire West, Halton and Warrington	32	3.2	47	4.5	27	2.6	36	3.4
North West	291	4.1	302	4.2	328	4.5	512	7.2
East Midlands	207	4.6	193	4.2	195	4.1	202	4.2
Eastern	348	5.8	316	5.2	371	5.9	394	6.2
London	1,030	12.4	868	10.4	822	10.0	917	10.8
North East	32	1.3	88	3.6	106	4.2	111	4.8
South East	307	3.8	283	3.6	312	3.9	386	4.8
South West	102	2.0	143	2.8	169	3.3	169	3.3
Wales	60	2.1	64	2.2	94	3.2	104	3.6
West Midlands	315	5.4	386	6.5	322	5.3	382	6.6
Yorkshire	250	4.8	263	5.0	248	4.7	318	5.9
England and Wales	2,942	3.9	2,906	5.2	2,967	5.3	3,495	6.2

(Data source: SV toolkit in YJAF)

The data in Figure 27 relates to the number of arrests for knife crime across Cheshire and Figure 28 shows this by local authority. It confirms the number of children arrested for carrying or using knives increased slightly in 2022, yet reduced in 2023 and has remained at broadly low levels for the last 5 years.

Apart from two profoundly serious events with tragic outcomes in recent years, Cheshire has not seen the significant and sustained increase in knife crime experienced elsewhere in the country. It should also be noted that given the data starts in 2020 when the UK went into lockdown all recorded offences were artificially low for both 2020 and 2021, so if 2022 was taken as the starting point, then knife crime offences would be trending downwards in all areas of Cheshire and not just Warrington (Figure 28).

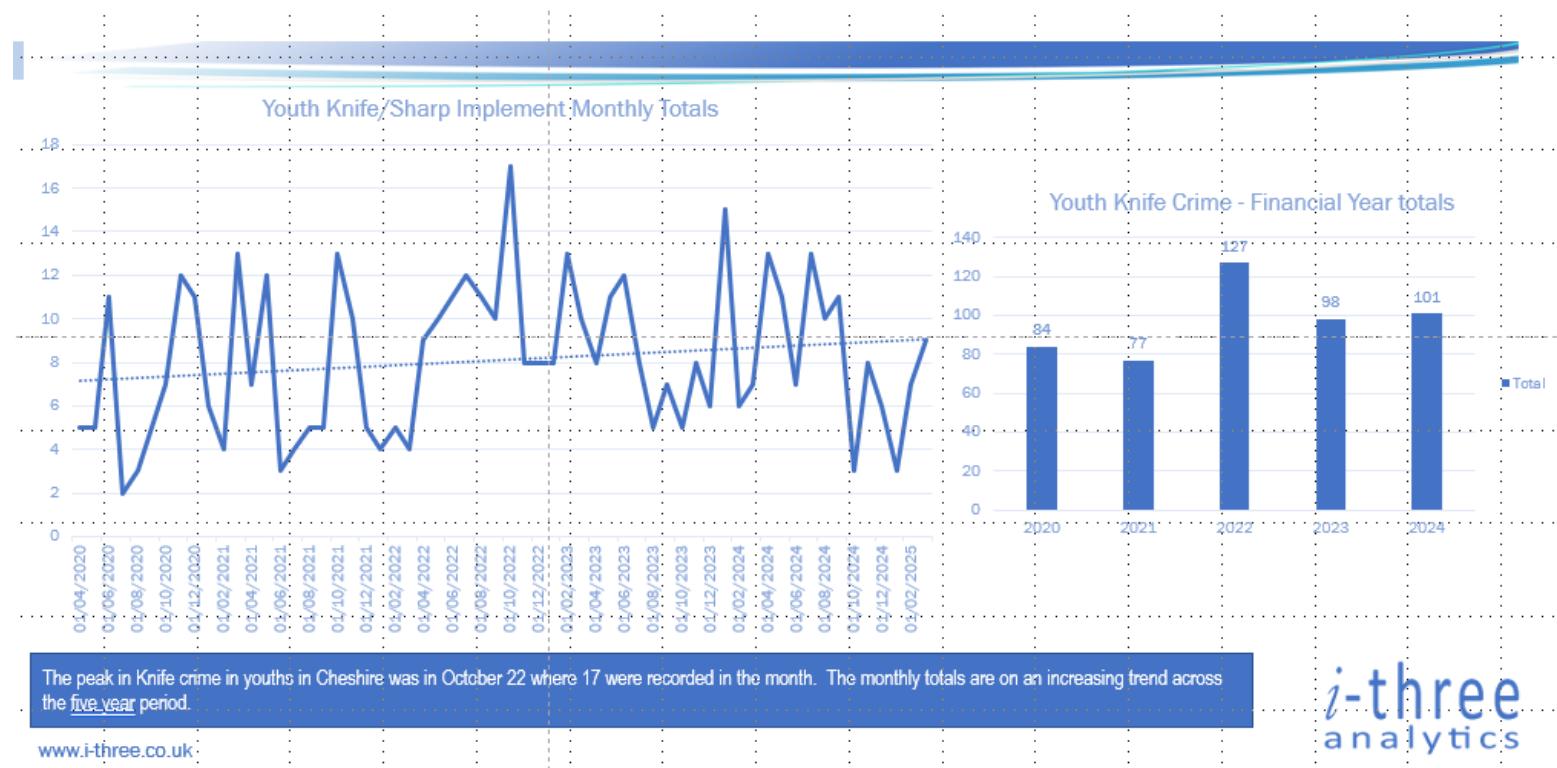


Figure 27. Youth knife/sharp implement crime trend for Cheshire 2020 - 2025
(Data source: Arc i-three analytics [Cheshire OPCC])

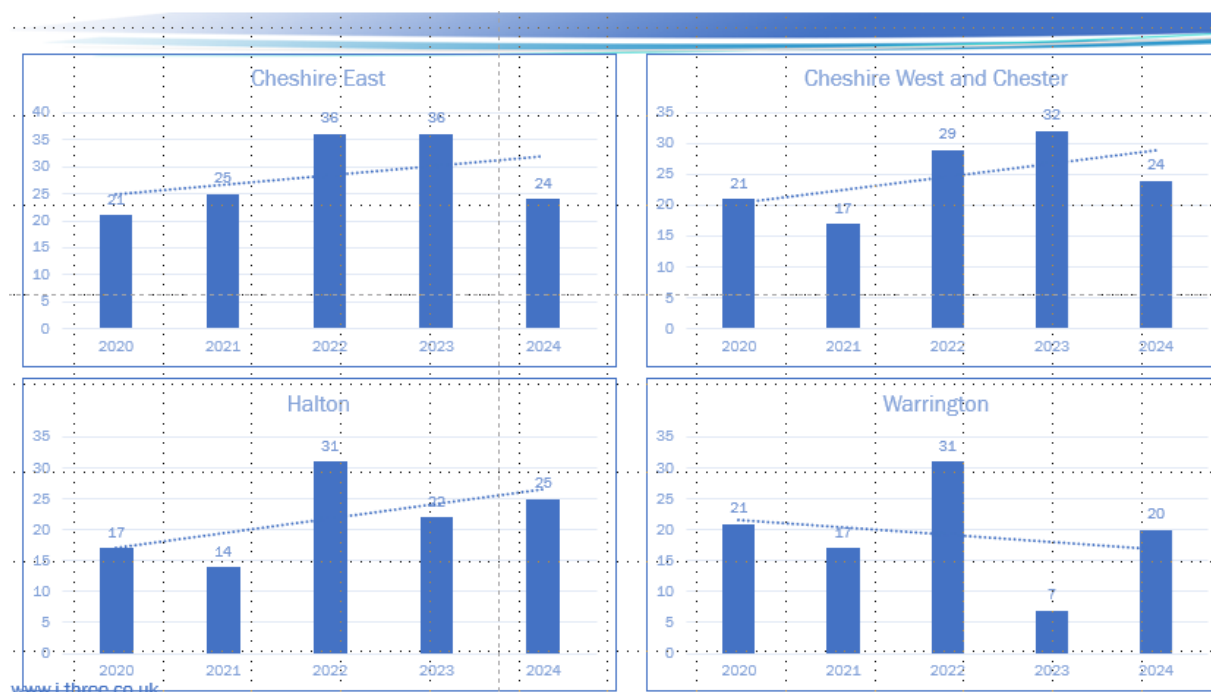


Figure 28. Youth knife/sharp implement crime trend for Cheshire by local authority 2020 – 2025
(Data source: Arc i-three analytics [Cheshire OPCC])

Contextual safeguarding partnerships are established at place and the YJS is an integral partner of these arrangements in all four areas. Good partnership and intelligence sharing with police (including cross border with Merseyside in particular, which is the major ‘exporter’ of county lines into Cheshire) ensures the National Referral Mechanism is applied appropriately. There have been several cross-force-operational examples of sensitively managed police investigations to tackle organised crime and protect Cheshire children, who have been exploited to supply drugs for high tier Merseyside organised crime groups.

YJS managers will continue to contribute to the design and delivery of multi-agency, contextual safeguarding training at place, particularly in relation to child criminal exploitation. YJS also participates in safeguarding audits, rapid reviews, and independently-chaired learning reviews, when necessary.

The comprehensive needs analysis that informed the Cheshire SVS (2) showed 73% of youth justice children had convictions for violent offences, but also revealed a similar proportion of these children had themselves experienced violent victimisation *prior* to the onset of their own offending. Violence breeds violence and needs to be ‘treated’ in a similar way to transmittable diseases, which is why the Cheshire SVS has adopted a public health approach.

11.8 Detention in police custody

Figure 29 shows the number of children detained overnight in Cheshire, is extremely low and equates to five children on average per month across the three custody suites or 6% of the total number of children arrested by Cheshire police over a 12 month period.

The low and unpredictable demand on local authorities for emergency Police and Criminal Evidence (PACE) beds means they have not always been available when required, so occasionally children are detained in police custody as a last resort. Overnight detentions in custody continues to be a standing agenda item for scrutiny at the YJS Management Board and as a partnership, we are taking decisive action.

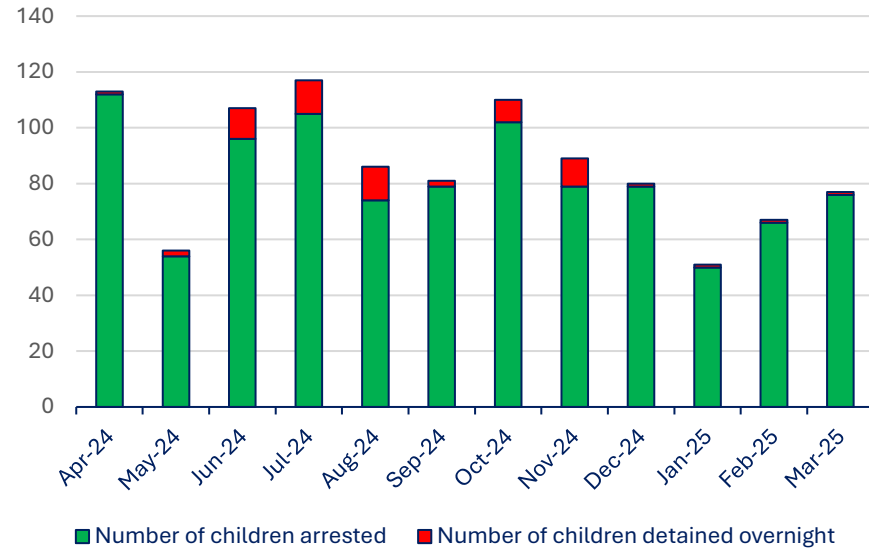


Figure 29. Numbers of children detained overnight in Cheshire compared to number of arrests from April 2024-March 2025
(Data source: Cheshire Constabulary)

From 2024, Directors of Children's Services have received a notification every time a child from their area is detained overnight due to an alternative PACE bed not being available. The police representative on the YJS Management Board is also the senior accountable officer for police on all four Children's Safeguarding Partnerships and has formally raised the paucity of PACE beds at executive partnership Boards. Cheshire and Merseyside Commissioners have been exploring shared PACE beds as part of the Commissioning Workstreams for both fostering and residential as there is a lack of sufficiency in both areas. Consideration is being given to residential and other safe spaces, but foster care is the preferred option. A collective solution could be viable due to the low numbers of children detained for each individual local authority. A commissioning manager in St Helens Council is leading this workstream on behalf of the Directors of Children's Services across Cheshire and Merseyside.

11.9 Remands

In 2024-2025, there were only six children in total across Cheshire remanded to Youth Detention Accommodation (Figure 30). All remands were for serious offences, where a community alternative to remand was not viable, due either to the seriousness of the offence and/or where the local authority were unable to source alternative accommodation on the day.



Figure 30. Children remanded into youth detention by local authority in 2024-2025 (right) compared to 2023-2024 (left)
(Data source: Local YJS)

Cheshire YJS retains the confidence of the courts by ensuring children are assessed promptly for robust packages of bail support as an alternative to remand. We have a proactive partnership with local children's social care and policing regarding remands into local authority care, but, as mentioned in Section 11.8, options are constrained by the paucity of safe, suitable accommodation where risk (to victim or wider public) and the child's own complex needs can be adequately managed. Placement sufficiency for local authorities is a national issue that the Association of Directors of Children's Services and others are very vocal on because accommodation for children facing serious criminal charges is an added complexity (and cost).

Through the current national framework for remands, the MOJ provides local authorities with a small financial contribution toward the costs of remands (Table 5) with the allocation based on historical bed night data. A consultation on the funding of remands to youth detention accommodation was published in early 2024 and Cheshire YJS responded on behalf of the partnership, highlighting Cheshire's low remand number. Table 4 shows the uncontrollable costs incurred by Cheshire local authorities (particularly for Halton in 2024) because local authorities have no control over length of time from initial charge through to conclusion of trial. A fundamental review and fairer funding formula for remands is still being worked on by the MOJ consultation with stakeholders such as the Association of Directors of Children's Services and AYM.

Table 5. Remand allocation from the MoJ for Cheshire East, Cheshire West, Halton and Warrington 2024-2025

Local Authority RIC	2024/25 Budget	2024/25 Actual Spend	2024/25 Remaining/Deficit
Cheshire East	£121,297	£55,272	£66,025
Cheshire West	£42,123	£0	£42,123
Halton	£1,883	£124,880	-£122,997
Warrington	£0	£0	£0
Total for YJS	£165,303	£195,038	-£14,849

(Data source: Local YJS)

Table 6 shows the number of bed nights of children remanded into youth detention accommodation.

Table 6. Number of custody bed nights 2024/2025

Local Authority	2024/25 Bed Nights
Cheshire East	168
Cheshire West	0
Halton	159
Warrington	0
Total Cheshire wide for YJS	327

(Data source: YJS local data)

11.10 Use of custody and constructive resettlement

The number of children in Cheshire who receive a custodial sentence is low, with typically fewer than 10 children across the whole of the county serving custodial sentences at any one time. Use of custody is rightly reserved for those children who have committed serious crimes, usually for serious violent or sexual offences.

Figure 31 shows custodial sentences were imposed on eight children from Cheshire in 2024, comprising four Cheshire East children, three Halton children and one CWCC child. In 2024-2025, no Warrington children were sentenced to custody.

All children released from custody before reaching aged 18 years have individual resettlement plans in line with the principles of constructive resettlement. The low number in Cheshire means we do not have a specialist resettlement team but our children do benefit from the continuity of multi-disciplinary support (YJS worker plus health and education professionals) that follows them from court, through their time in custody and after release. Custody and resettlement will be one of the thematic audits undertaken in 2025-2026 and because the volume is low, it means YJS will actually be doing a deep dive into the casework of every child sentenced to custody in Cheshire in the last 2 years.

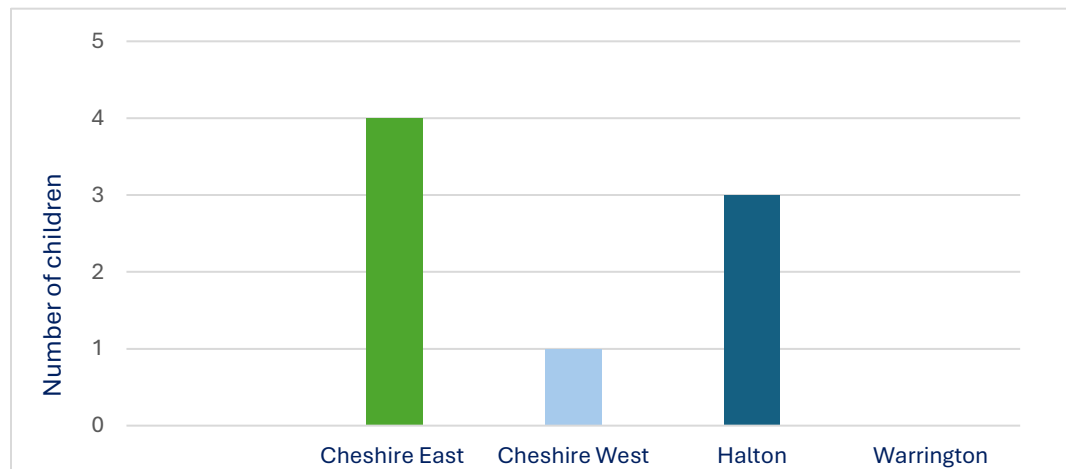


Figure 31. Number of children given custodial sentences in 2024-2025 by local authority
(Data source: Local YJS)

11.11 Working with families

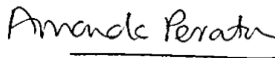

YJS will be working with partners at place as the Families First programme is embedded. Frontline practitioners are encouraged to adopt a whole family approach in their work. YJS professionals work collaboratively with Early Help, Social Care and other locality-based services to ensure that families have access to help and support where this is needed.

As a service, we are committed to promoting this approach within practice and welcome the new Families First initiative and the opportunities to strengthen integrated services for children and families in the coming years.

Parents and Caregivers are also a key strand in our work to develop participation.

You really understood my son's challenges. Desire to help improve the behaviours for my son to provide a better home life balance and to influence positive changes

(Parent)

Sign off, submission and approval		
Amanda Perraton Chair of YJS Board Executive Director for Children and Families Cheshire West and Chester Council		27 June 2025
Tom Dooks YJS Head of Service		27 June 2025

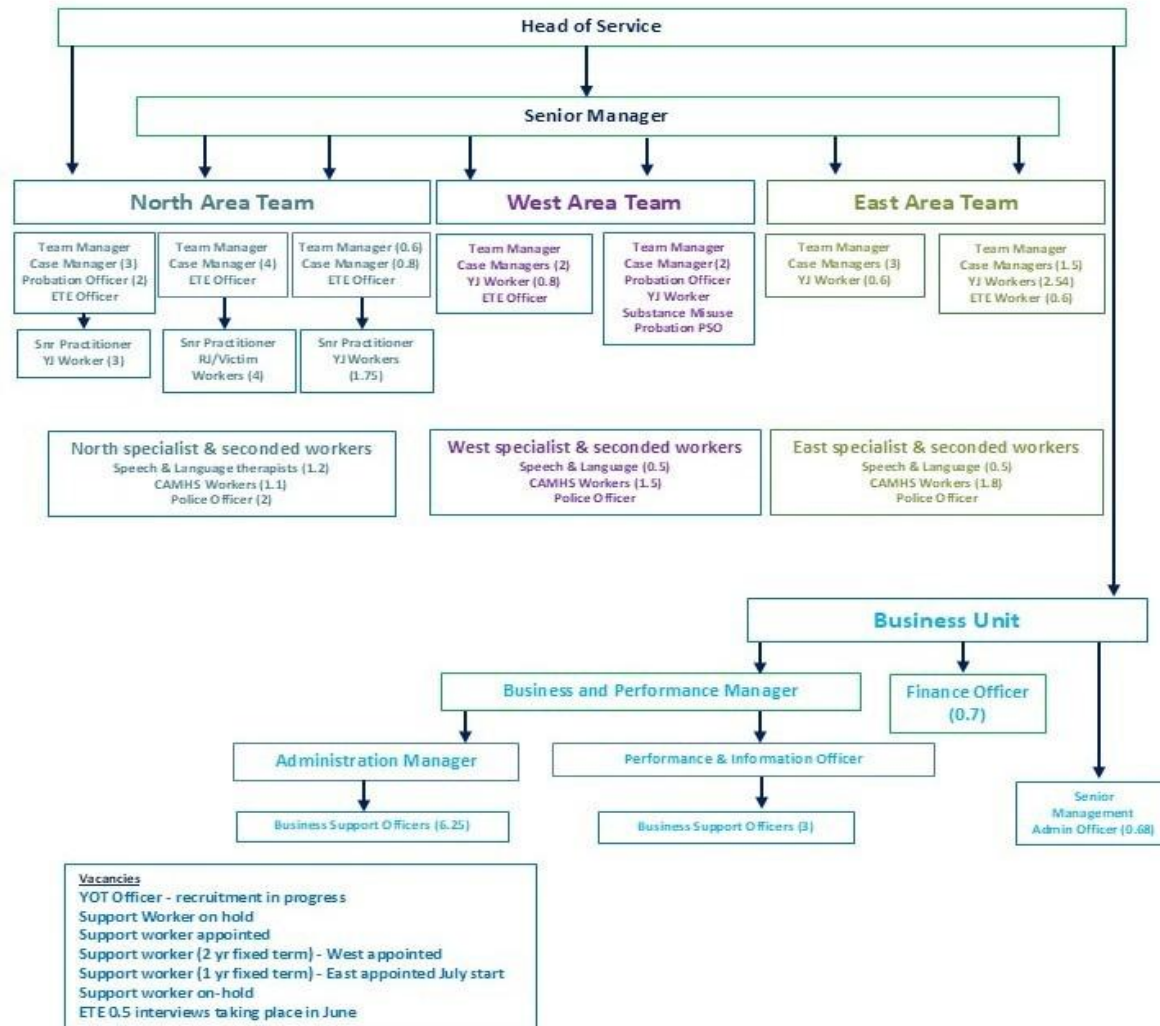
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Appendices

Appendix A. YJS organisational structure



Appendix B: Staffing of the YJS by sex and ethnicity; No. of individual people

Ethnicity	Managers Strategic		Managers Operational		Practitioners		Administrative		Referral Order Panel Volunteer		Total	
	M	F	M	F	M	F	M	F	M	F	M	F
Asian											0	0
Black						1					0	1
Mixed								1			0	1
White	1	1	1	6	9	44		15	9	32	20	98
Any other ethnic group											0	0
Not known											0	0
Total	1	1	1	6	9	45	0	16	9	32	20	100



**Cheshire
Constabulary**



Dan Price
Police & Crime
Commissioner
for Cheshire

**Probation
Service**



NHS

Cheshire and Merseyside



**Cheshire West
and Chester**



WARRINGTON
Borough Council

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OPEN

Council

Date: 10 December 2025

Warm Homes Local Grant

**Report of: Ashley Hughes, Executive Director of Resources and
Section 151 Officer**

Report Reference No: C/13/25-26

Ward(s) Affected: All

For Decision or Scrutiny: Decision

Purpose of Report

- 1 Authority is required to accept a grant from the Department of Energy Security and Net Zero for the purpose of improving energy efficiency in domestic properties.

Executive Summary

- 2 In February 2025 the Council was successful in its expression of interest to the Department of Energy Security and Net Zero (DESNZ) for Warm Homes Local Grant funding, a capital grant to improve the energy efficiency of the worst quality privately owned homes. The Council was awarded £7,792,725 over a 3-year period, to 31 March 2028.
- 3 DESNZ recently notified the Council that, following a review of delivery performance and capacity, they had allocated the Council a provisional grant allocation uplift of £600,000 for the Warm Homes Local Grant project.

RECOMMENDATIONS

Council is recommended to:

1. Accept the Warm Homes Local Grant uplift of £600,000
2. Approve a supplementary capital estimate of £600,000 for 2025/26 financial year, fully funded by grant from DESNZ.
3. Notes/Accepts the requirement to sign an Addendum to the Memorandum of Understanding with DESNZ, previously signed in March 2025 and authorises the Director of Growth and Enterprise to execute the Addendum

Background

- 4 In its manifesto, the Government committed to a Warm Homes Plan to upgrade five million homes over five years to cut bills for families and deliver warmer homes to slash fuel poverty. This ambition is a key part of the Government's wider ambition to reach net zero by 2050. As part of the Warm Homes Plan, the Government has committed to partnering with combined authorities, local and devolved governments to deliver insulation measures and other improvements such as solar panels, batteries and low carbon heating.
- 5 On 21 March 2025, the Chief Executive made an Urgent Decision on behalf of Council, in consultation with Members, to accept a Warm Homes Local Grant award of £7,792,725 from the Department of Energy Security and Net Zero (DESNZ). The purpose of the grant was to improve energy efficiency in domestic properties, targeting low-income households living in the worst quality, privately owned homes from 1 April 2025 to 31 March 2028. As a result of this decision, the Council entered a Memorandum of Understanding (MOU) with DESNZ on 7 April 2025. This Urgent Decision was reported to Council at its meeting on 14 May 2025.
- 6 On 20 November 2025 DESNZ wrote to the Council to advise of a provision grant allocation uplift of £600,000 for the financial year 2025/26. The Council must sign an Addendum to the MOU dated 7 April 2025 to accept the grant allocation uplift.
- 7 The grant needs to be accepted by 10 December 2025 to ensure that funds are secured and available for the Council to use to deliver the

Warm Homes Local Grant scheme. As notification of the grant award was received on 20 November 2025 and the next Committee meeting is not until January 2026 which is past the deadline for returning and signing the grant acceptance, a decision by the Council is required.

Consultation and Engagement

- 8 The funding is intended to supplement an existing scheme; therefore no consultation and engagement is necessary.

Reasons for Recommendations

- 9 The Grant must be spent within a restricted timescale and must be accepted by 10 December 2025.
- 10 The Council's Constitution states that successful grant applications require a Supplementary Estimate to incur spending.

Other Options Considered

11

Option	Impact	Risk
Do nothing	Worst-quality homes will not be upgraded	Domestic carbon emissions will not be reduced as part of the road to net zero

Implications and Comments

Monitoring Officer/Legal/Governance

- 12 The addendum referred to above has been reviewed by Legal, Legal is happy that it deals solely with the issue of additional funding and does not otherwise impact the MOU. There is no other comment from Legal, this report accords with the process laid out in the constitution for the acceptance of grant awards.

Section 151 Officer/Finance

- 13 The Council's approved budget 2025/26/Medium Tern Financial Strategy (MTFS) currently includes £7.793m budget for Warm Homes Local Grant (DESNZ), fully funded by grant within the Capital Programme:
- | | |
|---------|---------|
| 2025/26 | £1.354m |
| 2026/27 | £3.252m |
| 2027/28 | £3.187m |
- 14 The provision of the additional grant allocation for the financial year 2025/26, if accepted, will require an increase to the 2025/26 Warm Homes Local Grant capital programme via a Supplementary Capital Estimate of £600,000 fully funded via grant. In accepting the grant, the Council must sign an Addendum to the MOU dated 7 April 2025 to accept the grant allocation uplift.
- 15 As indicated in paragraph 8 the additional funding is required to be accepted by 10 December 2025 and once accepted the funds are to be spent with a restricted timescale which is by 31 March 2026. The Council has received the additional grant allocation following a review of delivery performance and capacity of the current programme. Any 2025/26 funding not spent by 31 March 2026 would need to be repaid to DESNZ.
- 16 15% of the funding can be used for administrative and ancillary costs (being staffing and management costs, resident engagement, surveys, planning applications, preparatory works and abortive costs); this is a sufficient allocation to be able to administer the grant, undertake all accounting and reporting responsibilities, and deliver the scheme at no cost to the Council.
- 17 Delivery and administration of the scheme will be undertaken by Cheshire East Council on behalf of Cheshire West and Chester Council and Warrington Borough Council, with retrofit surveys and installations being completed by suppliers procured in accordance with public procurement regulations. Cheshire West and Chester Council and Warrington Borough Council will have oversight of the scheme through regular reports and governance meetings. This delivery framework provides greater cost efficiency for the scheme, eliminating duplication of costs across the three areas, and enables Cheshire East as the grant recipient to maintain control over how the funds are spent.
- 18 There is an existing Collaboration Agreement with Cheshire West and Chester Council and Warrington Borough Council for the delivery of

sustainable warmth projects, setting out the roles and responsibilities of each party in the delivery of collaborative grant schemes, covering all aspects needed to deliver the scheme including grant administration, monitoring and reporting, resident engagement, procurement, contract management and quality assurance. The existing Collaboration Agreement will be updated to reflect the Warm Homes: Local Grant Scheme.

Human Resources

19 There are no direct implications for human resources.

Risk Management

20 Failure to sign and submit the signed Addendum to the MOU would place the funding offer at risk of withdrawal by DESNZ.

Impact on other Committees

21 There is no impact on other Committees.

Policy

22

Commitment 1: Unlocking prosperity for all

Carbon neutral council with minimum offset by 2030, influencing carbon reduction and green energy production across the borough by 2045

Borough-wide Carbon Neutrality Action Plan

Directly allocate available funding for retrofit or prioritise delivery of grant funding of low energy efficiency homes in the borough, for the most vulnerable households.

Equality, Diversity and Inclusion

23 There are no direct implications for equality, diversity and inclusion.

Other Implications

24 There are no other implications.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Ashley Hughes	S151 Officer	02/12/25	02/12/25
Kevin O'Keefe	Governance, Compliance and Monitoring Officer	01/12/25	02/12/25
<i>Legal and Finance</i>			
Tracy Baldwin	Finance Manager – Strategic Finance & Accounting	01/12/25	01/12/25
Adrian Leslie	Principal Lawyer - Place	01/12/25	01/12/25
<i>Other Consultees:</i>			
<i>Executive Directors/Directors</i>			
Peter Skates	Director of Growth and Enterprise	01/12/25	01/12/25

Access to Information	
Contact Officer:	Karen Whitehead, Housing Standards & Adaptations Manager karen.whitehead@cheshireeast.gov.uk
Appendices:	n/a
Background Papers:	The background papers relating to this report can be inspected by contacting the report writer.

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COUNCIL MEETING – 10 DECEMBER 2025**RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE:
BUDGET APPROVAL AND ACCEPTANCE OF DFT GRANT FOR THE
MIDDLEWICH EASTERN BYPASS****Recommendations:****That Council**

- 1. accept the remaining £23.304m grant monies payable over 26/27 and 27/28 from the Department for Transport to be spent on the delivery of the scheme, when received to: a) Authorise the Executive Director of Resources and Section 151 Officer to:**
 - i. accept the DfT Grant allocation of £22.876m in 26/27 and £0.428m in 27/28. towards the MEB**
 - ii. sign and return the Grant Letter by the DfT**
- 2. approve a supplementary capital estimate for remaining grant monies.**
- 3. approve an increase in the allocated budget for the MEB from £97.94m to £107.67m for inclusion on the Council's Capital Programme. To agree that the increase of £9.73m be obtained from allocations from the 2025/26 Local Transport Fund of £1m and a request to the Shadow Board of the new Combined Authority in the near future for a minimum of £5.54m allocation of the Local Transport Capital Grant as detailed in the report and to authorise a supplementary capital estimate/ virement of the monies to the scheme.**
- 4. allocate £1.24m surplus monies contained within the Congleton Link Road major highways scheme towards the project and authorise a supplementary capital estimate / virement of the monies to the scheme.**
- 5. allocate any future proceeds from the sale of the land and property acquired in addition to the land acquired under the Compulsory Purchase Order during scheme development to the MEB project.**

Extract from the minutes of the meeting of the Corporate Policy Committee held on 27 November 2025

61 BUDGET APPROVAL AND ACCEPTANCE OF DfT GRANT FOR THE MIDDLEWICH EASTERN BYPASS

The Committee considered the report relating to the Budget Approval and acceptance of the Department for Transport (DfT) grant for the Middlewich Eastern Bypass (MEB). Members reviewed updated cost estimates, funding options, and associated financial implications, noting that the scheme remained a critical strategic infrastructure project for unlocking economic growth in the borough.

Members noted the risks of delay or cancellation and that the contractors final cost for the scheme was yet to be provided. Members confirmed that the preferred approach was to agree the funding adjustments within the Medium-Term Financial Strategy. It was noted that the Council had received £46.78m of DfT grant funding and that the Council had invested, to date, £27m through borrowing. Officers committed to providing a more detailed breakdown.

The Committee welcomed the report and agreed that it was essential to deliver the project for not just Middlewich and for the wider borough which would see improved connectivity, development opportunities and economic growth. It was noted that the final decision would be made, once the contractors final cost was known, at the Highways and Transport Committee in January.

RESOLVED (unanimously):

That the Corporate Policy Committee recommend to Full Council

1. To accept the remaining £23.304m grant monies payable over 26/27 and 27/28 from the Department for Transport to be spent on the delivery of the scheme, when received to: a) Authorise the Executive Director of Resources and Section 151 Officer to:
 - i. accept the DfT Grant allocation of £22.876m in 26/27 and £0.428m in 27/28. towards the MEB.
 - ii. sign and return the Grant Letter by the DfT
2. To approve a supplementary capital estimate for remaining grant monies.
3. To approve an increase in the allocated budget for the MEB from £97.94m to £107.67m for inclusion on the Council's Capital Programme. To agree that the increase of £9.73m be obtained from allocations from

the 2025/26 Local Transport Fund of £1m and a request to the Shadow Board of the new Combined Authority in the near future for a minimum of £5.54m allocation of the Local Transport Capital Grant as detailed in the report and to authorise a supplementary capital estimate/ virement of the monies to the scheme.

4. To allocate £1.24m surplus monies contained within the Congleton Link Road major highways scheme towards the project and authorise a supplementary capital estimate / virement of the monies to the scheme.
5. To allocate any future proceeds from the sale of the land and property acquired in addition to the land acquired under the Compulsory Purchase Order during scheme development to the MEB project.

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OPEN Report and Appendix 2

NOT FOR PUBLICATION Appendices 1 and 3 - By virtue of paragraph(s) 3 of Part 1 Schedule 1 of the Local Government Act 1972

Corporate Policy Committee

27 November 2025

Budget Approval and acceptance of the remaining DfT Grant for the Middlewich Eastern Bypass

Report of: Phil Cresswell, Executive Director Place

Report Reference No: CPC/58/25-26

Ward(s) Affected: Middlewich, Brereton Rural

For Decision

Purpose of Report

- 1 To recommend to Full Council to approve an increased budget of £107.67m for the Middlewich Eastern Bypass (MEB) Budget for inclusion in the Council's Capital Programme.
- 2 To recommend to Full Council to accept the remainder of the grant of £46.78m (£23.304M) from the Department of Transport (DfT) towards the construction of the scheme
- 3 This report includes two commercially sensitive appendices which provides further details of the Council's commercial position and breakdown of estimated budgets prior to receipt of a formal contractual offer.

Executive Summary

- 4 The Middlewich Eastern Bypass scheme will improve the highway network in Middlewich by relieving congestion and road safety concerns in Middlewich town centre, improving journey times in mid Cheshire and enabling the full development of Strategic Location LPS 44 (Midpoint 18) in the adopted Local Plan Strategy. The Scheme, which is partly in Cheshire West and Chester, will support the economic growth of the Cheshire and Warrington sub-region.

- 5 The Council has spent approximately £27 million on activities such as scheme preparation, ground investigation, environmental works and land assembly to date.
- 6 Following the approval of the Council's Full Business Case, the DfT have awarded the Council £46.78m of funding towards the MEB. The grant funding is payable in yearly payments over a 3-year period.
- 7 The announcement of the grant award was delayed from the expected date in February 2025, meaning that the scheme could not start in 2025 as planned.
- 8 The delayed funding decision has impacted on the construction programme and caused increased cost pressures because of inflation and the need to refresh certain elements of work. The contractors target costs are currently being updated as the scheme will commence in 2026 and not 2025 on which the existing target cost is based. This work also includes assessing opportunities to deliver programme efficiencies and value engineering to help with the budget pressure.
- 9 The delay to the commencement of the scheme has resulted in an increase to the scheme cost estimate to £107.67m (now assuming a 2026 start), an increase of £9.73m. This report recommends that the scheme is allocated funding from other highway capital programme budgets, including from the Local Transport Grant.
- 10 The report also recommends the formal acceptance of the remainder of the DfT grant towards the scheme.
- 11 The report has considered other options to address the estimated cost increases including descoping options and a financial impact assessment of these alternative options. A summary of which is appended to this report in the confidential (Part 2) appendix 1.

RECOMMENDATIONS

The Corporate Policy Committee:

1. Recommend to Full Council; -

- a. To accept the remaining £23.304m grant monies payable over 26/27 and 27/28 from the Department for Transport to be spent on the delivery of the scheme, when received to
 - i. Authorise the Executive Director of Resources and Section 151 Officer to:
 - ◆ accept the DfT Grant allocation of £22.876m in 26/27 and £0.428m in 27/28. towards the MEB.
 - ◆ sign and return the Grant Letter by the DfT

- b. to approve a supplementary capital estimate for remaining grant monies
- c. to approve an increase in the allocated budget for the MEB from £97.94m to £107.67m for inclusion on the Council's Capital Programme. To agree that the increase of £9.73m be obtained from allocations from the 2025/26 Local Transport Fund of £1m and a request to the Shadow Board of the new Combined Authority in the near future for a minimum of £5.54m allocation of the Local Transport Capital Grant as detailed in the report and to authorise a supplementary capital estimate/ virement of the monies to the scheme.
- d. to allocate £1.24m surplus monies contained within the Congleton Link Road major highways scheme towards the project and authorise a supplementary capital estimate / virement of the monies to the scheme.
- e. to allocate any future proceeds from the sale of the land and property acquired in addition to the land acquired under the Compulsory Purchase Order during scheme development to the MEB project.

Background

- 12 On 23rd January 2025 the Highways and Transport Committee were updated on the scheme and the critical dependency of scheme costs on a timely decision from DfT on the grant funding. DfT funding was not confirmed until the 8th July 2025.
- 13 On 6th August the Corporate Policy Committee considered a report to accept the initial payment of the DfT grant funding, due to the committee cycles it was not possible to refer this to full Council; therefore, authorisation was sought to allow the Executive Director of Resources and Section 151 officer to accept the grant. This paper informed the committee that there would be significant inflationary costs arising from the delay in DfT's approval and proposed, subject to future decisions to proceed to use other ring-fenced transport funding, for example Local Transport Grant, Capital receipts and virements from existing committee budgets.
- 14 The late DfT grant decision caused the seasonal construction start window to be missed and a one-year delay to planned construction start. This delay will mean that the construction costs for the scheme have increased from £97.94m to an estimated £107.67m, therefore it will be necessary to fund the difference by other means as the Council will not be able to incur any additional borrowing. This is the Council's best estimate of the scheme costs at this time and is subject to a Contractual cost that will be provided in early December 2025.

- 15 The Table in confidential Appendix 1 is a breakdown of the current scheme estimate, showing the increase due to the delay in the DfT decision.

Additional Funding Recommendation

- 16 Given the Council's current financial position, increasing further the Council's direct contribution through increased borrowing to the scheme is not considered as a supportable recommendation by the Capital Programme Board.
- 17 A number of options have been considered to address the funding gap. These have included de-scoping elements of the scheme, cancelling other schemes from the highways capital programme and reallocating other highways capital budgets.
- 18 The DfT have also been asked to increase the grant contribution, but this request was not successful. However, the Council will continue to explore further opportunities to leverage additional capital grant into this scheme.
- 19 **Table 1** below shows the recommended funding option to accommodate the estimated increased costs.

Source	Amount (£m)
Reallocation of £1.24m of funding from the wider highways and transport capital programme	1.24
Integrated Transport Block 2025/26 contribution	1.00
Local Transport Grant contribution	5.54
Resale of land and property purchased to enable scheme	1.95
Total additional funding	9.73

- 20 The proposal will result in no increased Council borrowing and a projected Capital Financing betterment (due to income profile) against other options.
- 21 Currently the Council is the beneficiary of the both the Integrated Transport Block and the Local Transport Grant, however this situation will change when the new combined authority is formed. Therefore, it will be necessary that the scheme is included in any documentation considered prior to the formation of the new authority. Currently it is unclear as to what will occur during the transition period to the new

shadow authority and the initial period of the new combined authority, with grants that are awarded to partner authorities; hence the recommendation to seek a decision in principle on the use of LTG funding from the Shadow Board of the Combined Authority. The LTG funding is separate to the Mayoral Investment Fund.

Consultation and Engagement

- 22 The scheme has been subject to extensive local consultation at the planning stage and demonstrated high levels of local support, including from the recently elected MP for the Mid-Cheshire constituency.

Reasons for Recommendations

- 23 A detailed assessment of all the options for the scheme (including abandonment) has been undertaken given the increase in estimated costs. The full list of alternative options considered is contained in Appendix 2. A commentary on each scheme option is presented in detail in confidential Appendix 3 of this report, and a detailed financial assessment of those options has been made and discussed with the Section 151 Officer. These assessments have shown that given the expenditure on the scheme to date, the most financially advantageous option for the Council is to continue to construction of the scheme in its current form (Option 3).

Other Options Considered

- 24 The table in Appendix 2 describes each scheme option and outlines the benefits and risks of each option, along with detail around the assumptions made in the assessment of each option. A summary of the financial impacts of each option is contained in confidential Appendix 3.

Implications and Comments

Monitoring Officer/Legal/Governance

- 25 The scheme currently requires additional funding from the Council based upon the estimated scheme costs. Members need to be aware that this is subject to the review of the new contract price due to be provided to the Council in early December. The scheme is viable provided the Council seeks alternative funding options which include the use of monies highlighted in the report.
- 26 The scheme relies upon a Compulsory Purchase Order (CPO) to acquire the land required for the scheme, this will involve the Council making a General Vesting Declaration in the near future and will be subject to a report to the Highways and Transport Committee in January 2026. The current report suggests that surplus land is sold, this is land that has already been acquired before the CPO has been implemented

and not land included within the CPO. During the negotiations to acquire a plot of land, it was necessary to acquire the whole plot since the new road would sever the plot and sterilise the remaining land. As part of the CPO process the Council should not acquire more land than is necessary to deliver the scheme, if once the scheme has been constructed surplus land is identified the Council will be required to comply with the Critchel Down Rules and initially offer the land back to the previous landowner.

- 27 The options considered include the use of alternative grant monies, it should be noted that when the scheme was originally envisaged it was not known that the Council would becoming part of a combined authority. In 2026/2027 the local transport Grant (LTG) will replace the Integrated Transport Block and provide consolidated capital and resource for local transport enhancements and maintenance. The Council have been allocated £47.150m payable over a 4-year period, 2026/27, 2027/28, 2028/29, 2029/30. At the time of writing, the DfT are yet to provide the guidance that accompanies the use of the LTG. However, it will be for the Combined Authority to consider and decide how to allocate and use the funding across all constituent authorities.
- 28 The Council have decided to form a combined authority from 2026, with a Shadow Board being formed in October 2025 and the combined authority formally coming into existence in by the 31st March 2026. It is currently not known what will happen to grant monies awarded to partner authorities, therefore there is a risk that the Council does not receive this grant funding. The recommendations do include the request that the new combined authority ringfences grants so that they can be used for only the inflationary elements of this scheme. Members should be aware that the Council cannot make a decision that will be binding on the new authority.

Section 151 Officer/Finance

- 29 The Middlewich Eastern Bypass is included within the Capital Programme published as part of the 2025-2029 Medium Term Financial Strategy (2025 MTFS) and its current reported approved budget is £96.6m plus a further £1.34m of budget relating to MEB that sits within assets, in total £97.94m. To date the project has spent £27.68m, with over £24m of this being funded by prudential borrowing.
- 30 The £97.94m budget was predicated on the construction works commencing in 2025. However, a DfT funding decision was significantly delayed and the start date has been pushed back to 2026. Estimated costs have inevitably risen and are now currently forecast to be £107.67m, an increase of £9.73m (10%). It is important to note that

these are informed estimates at this point and contractual prices are as yet not final.

- 31 If the funding recommendations in Table 1 are made and the recommendations for virements adopted, then Table 2 below shows the overall funding position for the scheme if a start is made in Spring 2026

Table 2 – Proposed Scheme funding (for a 2026 start)

FUNDING SOURCES	FUNDING CONTRIBUTION
	£m
Department for Transport (DfT) Grants:	48.04
Local Contributions:	
Cheshire East Council (CEC)	24.67
Developers S106 Contributions	26.47
Integrated Transport Block 2025/26 contribution	1.00
Local Transport Grant 2026/27 and 27/28 contribution	5.54
Capital Receipts Resale of land and property purchased to enable scheme	1.95
Funding Available	107.67

- 32 The 2025 MTFS explicitly states that continuing to fund capital programmes with large amounts of borrowing is not affordable and not prudent. The MTFS recognises the need to reduce the current level of debt and the resulting ongoing cost of borrowing which puts a strain on the revenue budget. The MTFS assumes that capital receipts, third party funding and savings generated because of investment will be used to fund the programme wherever possible. Consequently, every opportunity should be taken to identify new and eligible sources of finance to reduce the level of Council contribution in MEB. The sources of funding identified in Table 2 should not be seen as being fixed.
- 33 The Capital Programme Board (CPB), established with the key remit to ensure the annual Capital programme is affordable, financially prudent and sustainable, received an update on the MEB Project on 15 September 2025 and considered the potential funding options

proposed. The CPB supported the scheme but only on the basis that no additional Prudential Borrowing was used in relation to the +£9.73m estimated increased costs and that a suitable proposal is put forward on that basis and to make recommendations to Committee per the Constitution.

- 34 The report requests additional funding be allocated to the scheme in order to fund the additional estimated £9.73m costs due to a delayed start to the scheme and this is shown in Table 1 (Paragraph 14). These would be funded from the following:
- A reallocation of £1.24m surplus budget contained within existing major highways schemes with no net increase in reported Council funding overall. The funds would need to be vired. If, the budget is subsequently required in the original projects then this proposal may increase the overall prudential borrowing ask of the Council and will therefore need to be carefully managed.
 - The service have indicated that a further £1.95m could be generated from land sales of surplus land along the route of the bypass with the caveat that land values fluctuate and therefore the value to be obtained is not a guaranteed amount from resale but an estimate, and if that figure is not achieved then the Council would need to support any shortfall through additional borrowing or alternative funding to support the scheme. In any event the land sales would not take place until the scheme is finished and therefore the Council would need to forward fund this amount in the meantime from borrowing and incur the related borrowing costs.
 - Other transport grants totalling £1m would be reallocated to this scheme in 25/26 through virement. The source of this is a top up to the Integrated Transport Block funding for local transport and maintenance, The Authority received an allocation of £7.75m so the figure represents a modest portion of this. The balance of the proposed funding gap solution (£5.54m) would come in the form of an allocation from Local Transport Grant (LTG). In 2026/2027 the Local Transport Grant will replace the Integrated Transport Block and provide consolidated capital and resource for local transport enhancements and maintenance. The Council were allocated £47.150m payable over a 4-year period, 2026/27-2029/30, and whilst this represents a significant increase on the values included within the approved 2025-29 MTFS, responsibility for allocating and distributing it across the three Authorities will become a function of the Combined Authority. A Shadow Authority overseen by a Shadow Board will operate initially with

the combined authority formally coming into existence by the 1 April 2026. The report recommends that a request is made to the Shadow Board to obtain a decision in principle to ringfence as a minimum £5.54m of the LTG allocation. This could be phased over more than one year.

- 35 The impact of these funding additions and effects of prudential borrowing on the Capital Financing Budget (CFB) over the project life (25 years) have been modelled by Finance against a range of options as set out in Paragraph 19 above. These are set out in confidential Appendix 3 where alternatives have been compared with the current £97.94m baseline MTFS position.
- 36 For Option 3, which is the preferred option in the report, the CFB impact over the project life is forecast at £43.111m which is a marginal £3.252m improvement than the existing MTFS baseline reported project. This option is based on the phased receipt of DfT funding over 3 years. The total CEC borrowing committed to the project totals £24.671m. With all other options, other than scheme cancellation, there is a higher CEC requirement for Prudential Borrowing and overall Capital Financing Cost. However, if the project were to cease, then costs incurred to date (£27.68m plus any additional expenditure to allow closure) could not be capitalised and would need to be written back to revenue. This would put significant additional pressure upon the Council's current revenue financial position, the impact of which should be self-evident. In addition, ceasing the scheme would also leave the council without the benefit of the asset and its potential to unlock the surrounding area for development.
- 37 Further analysis of the options is covered in confidential Appendix 3.

Human Resources

- 38 It shall be necessary to ensure that sufficient resource is allocated in Estates, Highways, Legal and Planning Services to support delivery of the scheme. If additional temporary resources are required these will be met from the project budget.

Risk Management

- 39 The biggest risk is that Full Council does not approve the revised MTFS budget before the January Highways and Transport committee. The January Highways and Transport Committee is the last opportunity to secure the necessary approvals to proceed to meet the CPO expiry deadlines and enable a start on site in Spring 2026. Confidential Appendix 3 sets out the financial impacts of not proceeding as recommended.

- 40 There is a risk that the Council is not permitted to use LTG to cover the inflationary costs of the Scheme, either via DfT guidelines (that are not yet available) or not authorised by the combined authority. However, to ensure delivery of key project milestones the Council has assumed that it will be allowed to use LTG to fund the additional elements of the scheme and will seek an agreement in principle to this effect as soon as possible.
- 41 This paper is required to provide the budget to allow a future decision on the scheme to be made. However, this budget is being set before a Contractual cost for the scheme is known but has been based on officers' best estimates. Further committee decisions will be needed if the overall scheme cost exceeds the estimates in this report.

Impact on other Committees

- 42 The recommendations in this report will allow the Highways and Transport Committee to proceed to award the construction contract for the scheme at their meeting in January 2026 if the overall scheme costs are within the revised budget.

Policy

- 43 The policy implications of the scheme are unchanged from those reported in previous cabinet and committee reports, most recently and comprehensively in the report to Highways and Transport Committee on 21 September 2023.

Equality, Diversity and Inclusion

- 44 The equality, diversity and inclusion implications of the scheme are unchanged from those reported in previous cabinet and committee reports, most recently and comprehensively in the report to Highways and Transport Committee on 21 September 2023.

Other Implications

- 45 All other implications of the scheme are unchanged from those reported in the previous cabinet and committee reports, most recently in the report to Highways and Transport Committee on 21 September 2023

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy):</i>			
Ashley Hughes	S151 Officer	30/09/25	05/11/25
Kevin O'Keefe	Monitoring Officer	30/09/25	05/11/25
<i>Legal and Finance</i>			
Tracy Baldwin	Finance Manager	09/10/25	24/10/25
<i>Other Consultees:</i>			
<i>Directors</i>			
Mandy Withington	Legal Team Leader	09/10/25	23/10/25
Phil Cresswell	Executive Director - Place	05/11/25	10/11/25

Access to Information	
Contact Officer:	Paul Griffiths, Chris Hindle, Angela Johnson paul.griffiths@cheshireeast.gov.uk, chris.hindle@cheshireeast.gov.uk, angela.johnson@cheshireeast.gov.uk
Appendices:	Confidential Appendix 1 – Table to show the impact of the delayed DfT decision on the scheme cost estimate. Appendix 2 – Alternative Options Confidential Appendix 3 – Finance review of alternative options.

	Appendices 1 and 3 are commercially sensitive and are exempt from publication
Background Papers:	

Appendix 2 – Alternative Options

Scheme Option	Description	Impacts	Risks / Issues	Assumptions in assessment
1. Cancel the scheme.	<p>The scheme could be immediately cancelled on the grounds of unaffordability. The land already acquired for the scheme would be sold, the planning permission allowed to lapse, and the compulsory purchase orders not implemented.</p> <p>All work would cease on the scheme and only the costs of returning the land to its original condition and disposal would remain to be funded</p>	This option would give most cost certainty	<p>The MEB is a Local Plan led scheme which will deliver the main strategic employment allocation and housing growth as well as transport benefits. 1,950 new dwellings and 6,500 additional jobs are directly or indirectly linked to the delivery of the scheme. These benefits will be lost.</p> <p>The income from future business rates from employment uses on the released employment land would be lost.</p> <p>The residual Council capital funding spent developing the scheme (c£27.9m) would need to be re-assigned to revenue budgets as there would be no asset eventually resulting from the expenditure. This would make a S114 notice significantly more likely.</p> <p>Cancellation of the scheme at this stage could cause reputational damage to the Council and would also affect the credibility of any future Council funding bids.</p> <p>Congestion and air quality issues in Middlewich would remain.</p> <p>The Council would receive pressure from developers to continue to develop the allocated MidPoint18 Employment site in the absence of the bypass.</p>	<p>That the DfT grant initially received to develop the Outline Business Case (£1.2m) would not need to be repaid.</p> <p>The value of the land already acquired for the scheme that would be re-sold is only an approximate estimate.</p> <p>For the purposes of a comparative assessment between options, it has been assumed that any future S106 developer funding intended to be used in the other options towards the construction of the scheme will be lost.</p>

Scheme Option	Description	Impacts	Risks / Issues	Assumptions in assessment
2. "Mothball" the scheme pending the identification of additional funding.	Development of the scheme would be halted, but acquisition of the remaining land required would continue and planning permission would be implemented. Construction would not proceed until such a time that the additional funding required for the scheme was identified.	<p>The MEB is a Local Plan led scheme which will deliver the main strategic employment allocation and housing growth as well as transport benefits. 1,950 new dwellings and 6,500 additional jobs are directly or indirectly linked to the delivery of the scheme. These long-term benefits to the borough would be retained as the long-term intention remains to deliver the scheme.</p> <p>The income from future business rates from employment uses on the released employment land would be retained.</p> <p>The past and future developer S106 contributions to the scheme could be retained.</p>	<p>The timescales would be uncertain and therefore the long-term borrowing costs until scheme completion is also uncertain.</p> <p>Construction costs will increase due to inflation and other impacts.</p> <p>Some environmental and ecological work would need to be repeated.</p> <p>Contract tender preparation work would need to be repeated when the programme for construction was known.</p> <p>There would be some continuing holding costs for land acquired until scheme construction could commence.</p> <p>It is not likely that DfT will agree to the mothballing option and may withhold the grant.</p>	<p>For evaluation purposes, it has been assumed that funding would be identified, and construction of the scheme would commence in 5 years' time.</p> <p>That the DfT grant for the scheme would remain at £48m and would still be available at a future scheme delivery date.</p> <p>Future inflation rates have been assumed to arrive at construction cost and S106 income estimates.</p>
3. Proceed to build the scheme	The development a new target cost and a new construction programme would proceed immediately following notification from the DfT	The MEB is a Local Plan led scheme which will deliver the main strategic employment allocation and housing growth as well as transport benefits. 1,950 new dwellings and 6,500 additional jobs are	The DfT decision delay has now prevented scheme commencement in 2025, which has resulted in an increased costs estimate and a funding gap of approximately £9.73m	That the DfT grant for the scheme would remain at £46.78m and that a decision will be received from them before September 2025, but the grant will not be received until construction starts (if DfT agree)

Scheme Option	Description	Impacts	Risks / Issues	Assumptions in assessment
		<p>directly or indirectly linked to the delivery of the scheme. These long-term benefits to the borough would be retained.</p> <p>The income from future business rates from employment uses on the released employment land would be retained.</p> <p>The past and future developer S106 contributions to the scheme could be retained.</p>	for the updated estimate (Subject to receipt of tender cost from the Contractor)	<p>That the funding gap is addressed by implementing the recommendations in this report.</p> <p>That the reallocation of funding from other programmes will be accepted by DfT and Active Travel England.</p> <p>Future inflation rates have been assumed to arrive at construction cost and S106 income estimates.</p>
4. Develop all the remaining employment land from a partial scheme from the northern end.	Build the northern end of the bypass as far as Cledford Lane to access the employment land from there, until funding is identified for full scheme delivery.	<p>Partial implementation of the northern section is estimated to result in an overall increase of £16m in construction costs for delivery for the full scheme.</p> <p>The scheme would not be eligible for the £46.78m DfT grant until the full scheme could be assured.</p> <p>The peak nett borrowing position of the Council would be approximately £54m before the assumed receipt of the DfT grant.</p>	<p>This option would be contrary to current planning policy and would require a wholesale change of approach to the scheme; potentially needing a new planning application.</p> <p>The DfT would need to agree this new approach without altering the grant funding (Considered unlikely)</p> <p>It is likely that some of the S106 developer contributions would not be able to be used to contribute to a partial scheme that did not result in a full bypass.</p> <p>A new committee decision would be required to proceed with the scheme on a phased basis.</p>	<p>A partial scheme, with no certainty around if or when the full scheme would be delivered, would no longer be eligible for the £46.78m DfT grant immediately, and the Council would have to fund all of a partial scheme.</p> <p>The scheme would not be eligible for the DfT grant until the full scheme could be built and the DfT would agree to award the full grant based on the current business case.</p> <p>Other costs associated with this option (such as re-doing a planning application or a public inquiry) have not been assessed or included.</p>

Scheme Option	Description	Impacts	Risks / Issues	Assumptions in assessment
		<p>This option could retain the some of the scheme employment benefits in the long term.</p> <p>Some income from future business rates from employment uses on the released employment land would be retained.</p> <p>Some of the past and future developer S106 contributions to the scheme may be able to be retained, although this is not guaranteed.</p>	<p>External legal advice is that using the existing CPOs to build a partial scheme only would not be possible as the benefits of the scheme as presented to the Public Inquiry would not be realised.</p> <p>A partial scheme would lead to increased severance and compensation costs with impacts on the side road orders.</p> <p>Any partial scheme would need to CPO all of the land required for the full scheme to justify a phasing approach with holding costs for the unutilised land.</p>	<p>All costs other than construction related costs remain the same for the purposes of comparison.</p>
5. Develop all the remaining employment land from a partial scheme from the southern end.	Build the southern end of the bypass as far as Cledford Lane to access the employment land from there, until funding is identified for full scheme.	<p>Partial implementation of the southern section is estimated to result in an overall increase of £14m in construction costs for delivery for the full scheme.</p> <p>The scheme would not be eligible for the £46.78m DfT grant until the full scheme could be assured.</p>	<p>This option would be contrary to current planning policy and would require a wholesale change of approach to the scheme.</p> <p>The DfT would need to agree this new approach without altering the grant funding (Unlikely)</p> <p>It is likely that some of the S106 developer contributions would not be able to be used to contribute to a partial scheme that did not result in a full bypass.</p>	<p>A partial scheme, with no certainty around if or when the full scheme would be delivered, would no longer be eligible for the £48m DfT grant immediately, and the council would have to fund all of a partial scheme.</p> <p>The scheme would not be eligible for the DfT grant until the full scheme could be built and the DfT would agree to award the full grant based on the current business case.</p>

Scheme Option	Description	Impacts	Risks / Issues	Assumptions in assessment
		<p>The peak nett borrowing position of the Council would be approximately £73m before the assumed receipt of the DfT grant.</p> <p>This option could retain the some of the scheme employment benefits.</p> <p>Some income from future business rates from employment uses on the released employment land would be retained.</p> <p>Some of the past and future developer S106 contributions to the scheme may be able to be retained, although this is not guaranteed.</p>	<p>A new committee decision would be required to proceed with the scheme on a phased basis.</p> <p>External legal advice is that using the existing CPOs to build a partial scheme only would not be possible as the benefits of the scheme as presented to the Public Inquiry would not be realised.</p> <p>A partial scheme would lead to increased severance and compensation costs with impacts on the side road orders.</p> <p>Any partial scheme would need to CPO all of the land required for the full scheme to justify a phasing approach, with holding costs incurred for the unutilised land.</p>	<p>Other costs associated with this option (such as re-doing a planning application or a public inquiry) have not been assessed or included.</p> <p>All costs other than construction related costs remain the same for the purposes of comparison.</p>
6. As Option 5, but remove the canal Bridge connection to Booth Lane.	To construct a temporary connection to Booth Lane, Build the southern end of the bypass as far as Cledford Lane, as per Option 5, (but without the Canal Bridge connection to Booth Lane) until funding is identified for the northern section. (i.e. a complete removal of canal bridge from scheme) A financial	Would save approximately £13m of initial construction costs, but result in an overall increase of £9m in construction costs for delivery for the full scheme.	<p>Would be subject to a review of the impacts of this, and the agreement of DfT to defer delivery of the bridge (post any grant of funding decision)</p> <p>A new committee decision may be required to proceed with the scheme on a phased basis.</p> <p>If the full scheme were subsequently built in a 2nd phase, the overall scheme cost would</p>	Other costs associated with this option (such as re-doing a planning application or a public inquiry) have not been assessed or included.

Scheme Option	Description	Impacts	Risks / Issues	Assumptions in assessment
	assessment of this option is attached as Confidential Appendix 2		increase by approximately £9m increasing the financial challenge.	
7. Retender the project with a different contractor	Halt the process towards an award of contract through the Scape framework and start a new process towards awarding the construction to a new contractor.	May result in a cheaper construction price, may be a higher price.	<p>This option would introduce major delays with associated extra costs (e.g. CPOs will expire and need re-making with subsequent Public Inquiry re-run)</p> <p>The current cost estimate is arrived at via a national framework in which a full market testing via tendering of at least 85% of the value of the contract has taken place. The current estimated contract cost is approximately £48m. Even if a 10% saving could be achieved from retendering, it is very likely that this would be more than exceeded by the increased costs as a result of the lengthy delay and significant amount of re-working (retendering costs / Public Inquiry / surveys etc)</p>	This would effectively be the same outcomes as Scheme cancellation due to key project milestones being unable to be met; setting the scheme back a minimum of two years, as such the capital financing element of this has not been explored.

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