

Cabinet

Agenda

Date: Tuesday, 4th November, 2008

Time: 2.00 pm

Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1DX

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

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 personal and/or prejudicial interests in any item on the agenda

3. Public Speaking Time/Open Session

In accordance with Procedure Rules Nos.11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the Committee.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

Note: In order for officers to undertake any background research it would be helpful if questions were submitted at least one working day before the meeting.

4. Minutes of Previous meeting (Pages 1 - 8)

To approve the minutes of the meeting held on 7 October 2008 as a correct record.

5. Key Decision CE17 & CE18 - Detriment and Relocation Support (Pages 9 - 14)

Please contact Cherry Foreman on 01270 529736

E-Mail: cherry.foreman@cheshireeast.gov.uk with any apologies or requests for further information or to give notice of a question to be asked by a member of the public

1. To agree a detriment scheme for appointments to the new authority.

2. To agree relocation support for appointments to the new authority.

6. **Key Decision CE24 - Voluntary Redundancy Process Prior to March 2009**
(Pages 15 - 24)

1. To agree the process and criteria, which will be applied to LGR voluntary redundancies prior to 1 April 2009.

2. To agree that delegated authority be granted to the Chief Executive, or their nominee, to endorse the recommendations of the Panels in relation to proposed redundancies, for agreement by the existing employing Council, and to note the implications for transitional costs.

7. **Key Decision CE31 - Cheshire East Partnership in Service Delivery** (Pages 25 - 30)

1. To consider and agree that the level of financial support to existing external service delivery partners be maintained for 2009/2010 at current levels (without an inflationary increase), subject to the demands of the overall budget scenario.

2. To agree that all partnership arrangements be subject to more detailed review in year one, to assess cost/outcomes of all individual agreements.

8. **Key Decision CE32 - Cross Boundary Library Usage - East Cheshire / Cheshire West and Chester** (Pages 31 - 34)

To note the current situation for library users and to endorse a recommendation agreeing cross boundary usage of Cheshire East and Cheshire West and Chester libraries for library users after 1st April 2009 and instruct officers to take steps to implement this proposal.

9. **Key Decision CE33 - Transitional Cost Update**

Report to follow.

10. **Key Decision CE34 - Disaggregation on the County Balance Sheet**

Report to follow

11. **Key Decision CE 39 - Transforming Learning Communities - Macclesfield Locality Review** (Pages 35 - 76)

To endorse the recommendations of the County Council's School Planning Select Panel, in respect of Transforming Learning Communities - Macclesfield Locality Review, as set out in the report.

12. **Key Decision CE 40 - Creation of Adult Safeguarding Boards** (Pages 77 - 102)

Cabinet is recommended to direct officers to change the current County-wide Adult Protection Committee into two, multi-agency Adult Safeguarding Boards for 1 April 2009.

13. **Key Decision CE42 - Children Plan 2008-11** (Pages 103 - 106)

That the Cheshire Children Plan 2008-11 be formally recommended for adoption, By Cheshire East Council, as its statutory Children Plan to 2011 and that Council notes the requirement to set local targets (as part of the LAA process) by 1 April 2009 and the need to review, refresh and localise that Plan, during the period April 2009 to June 2010.

14. **Free Swimming to those aged 16 and under and Capital Modernisation Programme - Funding offer to Cheshire East Council.** (Pages 107 - 124)

To note the decision made by the Chief Executive, on 24 October 2008, under Council Procedure Rule 25, to approve acceptance of the Government's Free Swimming Programme offer of funding, for the 16 and under category and capital improvements and to approve the actions needed to take the programme forward from April 2009 onwards, as set out in Section 7.6 of the report.

15. **Notice of Motion relating to Waste Management Contract referred from Council on 20 October 2008** (Pages 125 - 128)

To place before Cabinet the attached Notice of Motion, referred from Council on 20 October and to determine how to respond to the Notice of Motion.

16. **Schedules of Section 24 Consents**

Report to follow.

17. **Progress Reporting Paper** (Pages 129 - 136)

To note progress on the programme, in October, to draw attention to progress made against key milestones and to recognise activities to be undertaken throughout November and December

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 7th October, 2008 at Committee Suite 1 & 2, Westfields,
Middlewich Road, Sandbach

PRESENT

Councillor W Fitzgerald (Chairman)
Councillor R Domleo (Vice-Chairman)

Councillors D Brickhill, D Brown, P Findlow, F Keegan, A Knowles, P Mason
and B Silvester

67 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor J Macrae.

68 DECLARATIONS OF INTEREST

Key Decision CE22 - Transforming Learning Communities: Emerging
Issues from Locality Review for Alsager, Congleton, Sandbach and
Holmes Chapel

Councillors D Brickhill, P Findlow and P Mason declared personal interests
in this item by virtue of being Members of Cheshire County Council. In
accordance with the Constitution they remained in the meeting during
consideration of these items.

69 PUBLIC SPEAKING TIME/OPEN SESSION

In accordance with Procedure Rules Nos.11 and 35, Mr J Guy of
Northwich and Mrs B Walmsley of Middlewich (members of the public)
addressed the meeting on the following matters relevant to the work of the
Cabinet:-

Mrs B Walmsley:

1. Could the Council please tell me what impact the building of an
850,000 tonne Incinerator at Weston point in Halton will have on the
waste disposal plans of the new Cheshire East authority, as Ineos
Chlor who are building this plant continually assert that they will be
importing waste from Cheshire?
2. Given the increase in recycling rates across Cheshire, particularly
the rapid success of the recycling initiatives in Middlewich and
Northwich, and the subsequent **decline** in waste arising, could the
Council please tell how confident they are of the figures in the
Cheshire Waste Local Plan which assume a **growth** in Municipal
Solid Waste arising of 1.5%

p.a. until 2010 and then 1.0% p.a. after that?

Mr J Guy:

3. If consent is given for an incinerator in Middlewich, could the Council please advise on how it plans to ensure that a continuous stream of waste is available for the plant until 2037*, as a failure to do so would inevitably lead to fines which would be paid by local ratepayers?
4. Could the Council please tell me how many million tonnes of CO2 would be produced by a 390,000 EfW incinerator, such as the one proposed by Covanta at Middlewich, each year, and how that compares to the alternative methods of waste disposal?
5. Of the currently available alternatives to Incineration, which of them creates the lowest CO2 output (assuming transport costs to any of the alternatives are constant), and are there any commercially viable alternatives that don't require burning and venting to the atmosphere?

The Leader of the Council indicated that a written response would be sent to Mr Guy and Mrs Walmsley.

70 MINUTES OF PREVIOUS MEETING

RESOLVED

The Minutes of the meeting held on 8 September 2008 were approved as a correct record, subject to an addition being made to Minute 58 (Consolidated (Interim) Sustainable Community Strategy for Cheshire East) as follows: -

“In addition, the financial table referred to in the report requires further research to ensure that all funding streams are included; specifically ward budgets, market town funds and community staffing.”

71 KEY DECISION CE13 - CHESHIRE EAST LOCAL DEVELOPMENT SCHEME

Consideration was given to a draft Local Development Scheme for Cheshire East, and to its submission to the Secretary of State for Communities and Local Government.

RESOLVED

For the reasons set out in the report:-

That the Council be recommended to approve the draft Local Development Scheme for Cheshire East and that it be submitted to the Secretary of State for Communities and Local Government.

72 KEY DECISION CE20 - SHARED SERVICES

Consideration was given to the shared service recommendations made by the Joint Liaison Committee to the Cheshire East Shadow Authority. Members sought to reassure existing staff that nothing was yet a fait accompli in respect of a shared back office and staffing groups were represented and aware of ongoing discussions by the Joint Implementation Team.

RESOLVED

For the reasons set out in the report: -

1. That the recommendations of the Joint Liaison Committee held on 19 September 2008 regarding further areas of pan-Cheshire service delivery be endorsed.
2. That approval in principle be given to the recommendation of the Deloitte report on Shared Back Office Services specifically to:
 - (a) establish a Shared Back Office primarily located in West Cheshire, subject to confirmation of the governance arrangements, the detailed scope of the service, an outline Service Level Agreement, clarification of the cost-sharing arrangements, the scope for flexible and mobile working and locality-based staff.
 - (b) review the arrangements within two years and to consider further development of the service including market-testing as appropriate
 - (c) engage in the necessary consultation on the details of the agreed approach.

73 KEY DECISION CE22 - TRANSFORMING LEARNING COMMUNITIES: EMERGING ISSUES FROM LOCALITY REVIEW FOR ALSAGER, CONGLETON, SANDBACH AND HOLMES CHAPEL

Consideration was given to the outcomes of the informal consultations held on the options identified by the Locality Review and the subsequent recommendations.

RESOLVED

For the reasons set out in the report: -

That the proposed actions by the County Council in respect of the Alsager, Congleton, Sandbach and Holmes Chapel Transforming Learning Communities Review, following the recommendations made by Cheshire County Council's School Planning Select Panel on the 1 September 2008 be endorsed as follows: -

- To authorise statutory public consultation on the possible closure of Church Lawton Primary School with effect from September 2009;
- To authorise statutory public consultation on the reduction in the net capacity of Offley Primary School to 315 places located in a single building, and the alternative use of the premises of the former Offley Infant School as a centre for delivering 14-19 education for the locality to be investigated; the reduction in the net capacity of Sandbach Primary School to 105 places with the Children's Centre for Sandbach and co-located Children's Services in the released accommodation;
- To authorise to invite the Chester Diocesan Board of Education and the Governors of Chelford CE Primary School to develop proposals for the revision of the school's net capacity to 60 by re-designation of the use of one classroom in such a way that future potential use of the building for an expanded Chelford CE Primary School, should this become warranted, is not compromised;
- To submit to the Cheshire East Unitary Authority information relating to pupil numbers in the Holmes Chapel area together with the proposed means for reducing capacity at Holmes Chapel Primary School should this be warranted at a future date;
- To authorise consultations and to request officers to develop proposals in respect of the group of schools identified for potential Federations, as described below:

Chelford CE VC, Peover Superior Endowed, Lower Peover CE VA, Marton and District CE VA, Brereton CE VA, Smallwood CEVC, Astbury St Mary's CE VA, Scholar Green, Woodcocks' Well CE VC and Goostrey Community;

- To authorise statutory consultation as part of the admission arrangements for September 2010 in respect of changes in Published Admission Numbers:

School	Current Net Capacity	Proposed Net Capacity	Current PAN	Proposed PAN
Haslington Primary	329	280	50	40
Brereton CE	150	147	30	21
Sandbach Heath St John's	150	180	30	25
Marlfields Primary	180	210	30	30
Buglawton Primary	178	210	30	30
Astbury St Mary's CE	112	126	16	18
Scholar Green	210	180	30	25
Alsager Highfields	233	233	40	37
Smallwood CE	112	126	16	18

Woodcocks' Well CE	103	89	15	12
Goostrey Primary	182	209	26	30
Black Firs Primary	240	270	40	38
TOTAL	2179	2230	353	320

Note: these are changes needed to align net capacity and PAN in the light of current use of accommodation

- To authorise consultation as part of the admission arrangements for September 2010 on reduction in the published admission number for Cranberry Primary School from 45 to 30, and to ask officers to develop proposals for the use of the released former infant school building which retained it for use as a nursery and which enable the development of co-located Children's Services in such a way that future potential use of the building for an expanded Cranberry Primary School, should this become warranted, is not compromised;
- To authorise consultation as part of the admission arrangements for September 2010 on the reduction in the published admission number for Daven Primary School from 60 to 30 to give a capacity of 210, with the released accommodation becoming available as a centre to support multi-agency working in the Congleton locality. There should be a review of the operation of primary school catchment areas in and around Congleton.

74 KEY DECISION - NEW MODEL OF SOCIAL CARE FOR NEW COUNCILS

Consideration was given to an update on progress so far and to the emerging model of social care.

RESOLVED

For the reasons set out in the report: -

1. That the emerging model of Social Care , including the high level design principles contained within this report, be accepted and endorsed as a framework for developing more detailed proposals for phased implementation by New Councils and for inclusion within 2009/10 budget setting process.
2. The principle of a formula based up front Resource Allocation System (RAS) be agreed pending a more detailed testing and a specific member sign off for the 2009/10 RAS in each authority and that this be incorporated within budget proposals.
3. That the budget headings outlined in Appendix 1 be accepted as the approach for budget setting within unitary authorities.

4. That it be noted that this report was considered by the Advisory Panel – People on 23 September 2008 at which it was resolved to set up a Task and Finish group which would develop performance indicators to monitor and evaluate the customer experience as a result of the new Social Care Model.

75 GREATER MANCHESTER TRANSPORT INNOVATION FUND - PUBLIC CONSULTATION

Consideration was given to a response to Greater Manchester's proposals for developing a Transport Innovation Fund Project, including congestion charging. Concerns were expressed regarding the apparent trend for a reduction in the number of train services from Cheshire East into Greater Manchester.

RESOLVED

For the reasons set out in the report and as now given: -

1. That Greater Manchester Transport Innovation Fund be informed that the proposals are unacceptable to Cheshire East Council on the grounds that:
 - *This consultation exercise has again been largely targeted within the Manchester Boundary. In particular, it is unsatisfactory that efforts have not been made to fully engage with residents and business in the wider Manchester travel to work area on the scale used within Manchester itself. There is further concern that the planned referendum will only apply to Greater Manchester residents.*
 - *There has been a complete lack of serious analysis and identification of transport improvements beyond the Greater Manchester boundary. The promoters have not acted to engage with the Cheshire Councils to consider cross boundary schemes that would be beneficial to residents and businesses and provide an alternative to paying the congestion charge.*
 - *If the TIF proposals are to deliver the full economic potential that is suggested, then they will need to extend and improve connectivity to labour markets and businesses outside Manchester. However, the planned measures do not address what improvements would be necessary for those areas beyond Greater Manchester including Cheshire East.*
2. That the response should be sent to AGMA as a formal response to the Transport Innovation Fund consultation and to the Department for Trade and the Secretary of State for Transport to highlight

Cheshire East Council's concerns about implementing these proposals.

76 DEVELOPING A MODEL FOR LOCAL WORKING

Consideration was given to the development of a model for local working across the Cheshire East Authority, recognising the need for community engagement and empowerment mechanisms.

RESOLVED

For the reasons set out in the report: -

That approval be given to: -

- (a) a set of principles to inform the development of local working, both at area and neighbourhood level;
- (b) an outline model of local working detailed in Appendix A as the basis for further work and discussion with Members, officers and partners;
- (c) to establish a number of Local Area Partnerships, the number and boundaries to be finalised following detailed debate with strategic partners (e.g. police, fire, health, etc.), local councils and third sector representatives;
- (d) draft terms of reference for the Local Area Partnerships so as to inform this detailed debate;
- (e) further work be undertaken on the potential cost of and options for supporting local working as identified through ongoing discussion; and
- (f) further work be undertaken on the possible functions which could be delegated to Local Area Partnerships, having regard to existing schemes of delegation across the four authorities and also the views of partners and any delegations they may wish to make.

77 CHESHIRE EAST CRIME AND REDUCTION PARTNERSHIP

Consideration was given to a report on the establishment of a Crime and Disorder Reduction Partnership for East Cheshire from October 2008.

RESOLVED

For the reasons set out in the report: -

That approval be given to the establishment of a shadow Crime and Disorder Reduction Partnership for the new authority in advance of the 1 April deadline, to ensure continuity of service, effective use of resources and the confidence of partner agencies, and other co-operating bodies

such as the Youth Offending Team, Drug Action Team the Community and Voluntary sector, housing commissioners and providers and others.

78 STAKEHOLDER COMMUNICATIONS STRATEGY

Consideration was given to a strategy for engaging with key external stakeholders to ensure that have a clear understanding of the vision of the new Council and how to contact and engage with it.

RESOLVED

For the reasons set out in the report: -

That the strategy and proposed communications activity be approved.

79 SECTION 24 APPLICATIONS FOR CONSENT

Consideration was given to a report by the Interim Monitoring Officer and the Interim Chief Financial Officer on Section 24 Consents issued under delegated powers since the last meeting. Details were reported of decisions in respect of works at Queens Park, Crewe and a lease of land at Goostrey Primary School.

RESOLVED

For the reasons set out in the report: -

That the report be noted.

80 PROGRESS REPORT

Consideration was given to an update on the programme, giving progress made against key milestones, and to the steps to be taken in the coming months. It was requested that Members be kept advised concerning communications with staff.

RESOLVED

For the reasons set out in the report: -

That the report be noted.

The meeting commenced at 2.00 pm and concluded at 3.40 pm

W Fitzgerald (Chairman)
CHAIRMAN

CHESHIRE EAST

CABINET

Date of meeting: 4 NOVEMBER 2008
Report of: HR JOINT TRANSITION GROUP
Title: DETRIMENT AND RELOCATION SUPPORT

1.0 Purpose of Report

- 1.1 To consider the issues relating to the introduction of a detriment scheme and relocation support for staff appointed to the new Authority who are not covered by TUPE provisions.

2.0 Decision Required

- 2.1 To agree a detriment scheme for appointments to the new authority.
- 2.2 To agree relocation support for appointments to the new authority.

3.0 Financial Implications for Transitional Costs

- 3.1 Both the detriment and relocation provisions could have small costs in 2008/09. These would be limited as very few staff will be employed by the Shadow prior to 1st April 2009.
- 3.2 In addition any costs may be more than off set by the avoidance of an expensive redundancy.

4.0 Financial Implications 2009/10 and beyond

- 4.1 The major financial impact of introducing these schemes would fall in the years following 1st April 2009 (depending on how long a detriment scheme applies). They would delay savings rather than increase costs.
- 4.2 Any delayed savings could be more than offset by avoiding costly redundancies. It is not possible to accurately assess the financial impact of such schemes at present but it is likely to apply to only a small percentage of the workforce if introduced.

5.0 Legal Implications

- 5.1 There are no direct legal issues arising, other than the wider more general issues in relation to equal pay.

6.0 Risk Assessment

Risk	Mitigation
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Suitable candidates will not apply for jobs as it will mean a reduction in pay, possibly resulting in higher redundancy costs.	Introduce detriment scheme and relocation support
The schemes will delay savings being achieved.	Careful assessment and management of the schemes.

7.0 Background

Detriment

- 7.1 In previous local government re-organisations the Government has prescribed a statutory detriment scheme. They have not done so in this case, but have left it to the discretion of the re-organising Councils.
- 7.2 There will be two circumstances when employees move to jobs with a lower pay level than that they currently enjoy:
- (i) By application and appointment.
 - (ii) By placement – being offered a job as an alternative to redundancy.
- 7.3 Currently in the case of (i) above, the employee would be appointed on the new pay, terms and conditions and suffer an immediate reduction in pay from the date they take up the appointment.
- 7.4 In the case of (ii) above, the employee would be pay protected in accordance with the pay protection arrangements in place in their current employment (which would transfer under TUPE). In most (but not all) cases, this would be for a period of three years.
- 7.5 This difference of approach could clearly be perceived as unfair, and even, in some circumstances, potentially discriminatory.

Relocation

- 7.6 Internal applicants for appointments may, because of the geography of the Council, incur additional travel expenses as a result of appointment to a job with Cheshire East. If the job is on the same grade as that which they are currently paid on, or marginally higher, an employee may be financially worse off as a result of accepting a new job.
- 7.7 As in the case of detriment, where an employee is placed in a job as an alternative to redundancy, the employee would received the travel expenses in accordance with the arrangements in their current employment (which would transfer under TUPE). These would apply for a period of four years.

8.0 Staffing Committee

- 8.1 These matters have been the subject of discussions in the Staffing Committee meetings with the trade unions.

Detriment

- 8.2 The unions were originally offered a three year policy but with the pay frozen (i.e. no payment of any increments due or annual pay awards). The employee would move to the new pay rate either at the end of three years or earlier, if the pay rate for the new job overtook their frozen salary.
- 8.3 The unions were not happy with this proposal and have pushed for a scheme similar to that currently applying in the County Council, that is one which pays any remaining annual increments due and annual pay awards.
- 8.4 This proposal was discussed further when the Staffing Committee met with the trade unions on 15 October 2008. At that meeting Members of the Staffing Committee agreed to recommend a move to a three year policy including the payment on increments and pay awards. The proposed scheme is attached as Appendix 1 to this report.

Relocation Support

- 8.5 The unions were originally offered 40p per excess mile traveled for a period of two years from the date their base was relocated. The unions did not consider this sufficient and argued that the provisions in existing Councils which provide for four years support at either public transport or car user rates should apply.
- 8.6 At the Staffing Committee on 15 October 2008, Members indicated that they were not prepared to move from their original offer, except to offer an alternative of a lump sum payment of up to £5000, to assist staff to purchase a vehicle if necessary. The calculation would be based on what would have been paid had excess mileage been claimed (subject to repayment if recipients left the Council's employment within the two years). The proposed scheme is attached as Appendix 2 to this report.

9.0 Trade Union Response

- 9.1 At the time of writing the report the trade unions had not given a formal response to the proposals which they wished to consult their members. It is expected that they will accept the proposals on detriment. Their response re the relocation expenses is less clear as the proposals are substantially less than they have been seeking. Having said that they have indicated that they see this as progress and they are aware that if agreement cannot be reached there will be no provisions in place which would potentially adversely affect their members.

10.0 Overview of Day One, Year One and Term One Issues

- 10.1 Any detriment arrangements or relocation support agreed need to be in place prior to Day One as there will be some appointments prior to vesting Day.
- 10.2 The proposed arrangements would continue into Year One and Term One. At a later stage the Council may need to consider whether to seek to negotiate a new policy on pay protection and relocation support to apply to all employees of the new Council.

11.0 Reason for recommendation

- 11.1 To ensure appropriate terms and conditions of employment are in place in the new Council.

DETRIMENT SCHEME

- 1) The scheme will only apply to basic salary and not any other terms and conditions.
- 2) There will be a limit on the extent of the detriment so that it will not apply where the pay rate is more than two grades (on the Council's new grading structure, or equivalent) below the employee's current pay rate.
- 3) It will apply for a three year period from the date of appointment to the lower graded job.
- 4) During the three year period, employees will continue to benefit from the payment any annual increments due and the annual pay awards.
- 5) The final day of protection will be the day before the anniversary of it starting. The grading of the job occupied will then be applied.
- 6) If grades are restructured, adjustments may be necessary to the terms of protection but the employee will not be allowed to benefit financially from the change.

RELOCATION SUPPORT

- 1) The scheme will apply to employees appointed by internal advert to the Council on the new terms and conditions, who are financially worse off as a result of the additional travel incurred in moving to a new workbase.
- 2) It will apply for a two year period from the date the employee begins to incur additional mileage as a result of appointment to the Council.
- 3) The employee will either receive:
 - a payment of 40p per excess miles travelled (which will be subject to tax as HMRC will deem this to be home to work mileage); or
 - a lump sum payment of up to £5,000.
- 4) The lump sum payment will be calculated on the basis of the payment which would have been incurred had the excess mileage rate been claimed, with the maximum of £5,000.
- 5) If an employee in receipt of the lump sum leaves the Council's employment within two years, they will be required to repay the assistance given. The amount will be reduced by one twenty fourth for each completed month of employment in that period.

EAST CHESHIRE

CABINET

Date of meeting: 4 NOVEMBER 2008
Report of: HR JOINT TRANSITION GROUP
Title: VOLUNTARY REDUNDANCY PROCESS PRIOR TO 31 MARCH 2009

1.0 Purpose of Report

- 1.1 To consider the arrangements for considering redundancies in relation to LGR prior to Vesting Day.

2.0 Recommendations

- 2.1 To agree the process and criteria which will be applied to LGR voluntary redundancies prior to 1 April 2009.
- 2.2 To agree that delegated authority be granted to the Chief Executive, or their nominee, to endorse the recommendations of the Panels in relation to proposed redundancies, for agreement by the existing employing Council, and to note the implications for transitional costs.

3.0 Financial Implications for Transitional Costs

- 3.1 The People and Places Business Case included severance costs of £10.9m based on 158 redundancies. It assumed these costs would be incurred in 2009-10. The most recent estimates of transitional costs for 2008-09 also exclude a provision for severance costs, although both Shadow Authorities have made provision in 2009-10 based initially on the business case estimates.
- 3.2 Any costs incurred in the current financial year would therefore be over and above the current 2008-09 budget for net transitional costs. They would however serve to reduce any such costs in 2009-10 and facilitate ongoing revenue savings.
- 3.3 The Statutory Order requires all seven existing Authorities to share LGR transitional costs and the agreed approach is as follows:-
- a) separate transitional cost budgets for Cheshire West and Chester and Chester East but with cross-cutting costs being shared 50:50 in the absence of a more appropriate basis
 - b) the District Council element of costs to be shared pro rata to tax base
 - c) County Council to bear 45% of the costs of both Cheshire West and Chester and Cheshire East

- 3.4 LGR-related severance costs are clearly transitional costs and would be treated in accordance with the above approach. This means that any District Council severance costs will be shared across the County and three Districts (East or West) while County Council severance costs will be shared across all seven Authorities in accordance with the above formula.

4.0 Financial Implications 2009/10 and beyond

- 4.1 As indicated above, any redundancies prior to Vesting Day would serve to reduce any such costs in 2009-10 and facilitate ongoing revenue savings

5.0 Legal Implications

- 5.1 TUPE provides for employees of all seven existing Councils to transfer to one of the two new Councils on 1st April 2009. There will therefore (in accordance with the TUPE provisions) be no compulsory redundancies prior to vesting day for reasons related to the transfer.
- 5.2 However that does not preclude voluntary redundancies in connection with LGR being agreed prior to Vesting Day, but these must be made by the existing Authorities as the current employer.
- 5.3 Any such arrangements will need to be considered in consultation between the existing Councils and the new unitaries and must include a compromise agreement to protect the Councils from any future claims against them.

6.0 Risk Assessment

Risk	Risk Level	Mitigating action
Impact on morale if staff not successful in VR application	Medium	Manage expectations
Having to pay in lieu of notice	High	Tight process

7.0 Background and options

- 7.1 The People and Places business case identified some broad areas of staff reductions across both Cheshire East (CE) and Cheshire West and Chester (CWAC). Alongside of this the budget setting process for the new Authorities has identified a challenging financial envelope within which the Councils will operate.
- 7.2 Although, in accordance with TUPE provisions, no compulsory redundancies related to the transfer are possible, voluntary redundancies (agreed via a compromise agreement) are a possibility if required. Such redundancies would need to take effect on 31st March 2009, and need therefore to be dealt with by existing authorities.
- 7.3 Temporary staff, whose contracts come to an end on or before the 31st March 2009 for reasons unrelated to the transfer, are outside of this process and should continue to be managed using current processes via the existing Authorities as appropriate.
- 7.4 In these circumstances existing Councils will, in effect be managing redundancies on behalf of the new unitaries. It is important therefore that all nine Councils agree the process, the arrangements for funding and recognise the implications of this for

service delivery both pre and post transfer. Existing Councils are considering reports on the process.

8.0 Eligible Employees

- 8.1 Prior to Vesting Day there are two situations which may lead to invitations for voluntary redundancy:
- **Appointments to jobs in the top three tiers in the new Authorities** - leading to individual employees potentially in a redundancy situation post vesting day.
 - **Service redesign identifies an over supply of employees for day one** – this is likely to be in certain services or at particular levels.
- 8.2 As mentioned, the People and Places bid outlined some potential areas for staff reductions, namely some 566fte of which they were 158fte predicted redundancies. The financial scenario may add to those figure.
- 8.3 It is anticipated that prior to Vesting Day, the primary focus will be on reducing staffing levels of senior managers and corporate support functions.
- 8.4 As appointments to the top management tiers in the new Councils are made and the position of the top three tiers in this Council become clear, separate reports will be brought to this Committee in relation to any arrangements in respect of those officers.
- 8.5 In respect of other employees, once disaggregation of the County Council workforce and aggregation of the District workforce has been completed, the outcome for the new Councils can be compared against the blue print structures and the transitional requirements to identify any areas where there is a potential surplus of staff.
- 8.6 It is expected that volunteers are only sought from those groups of staff where there is a high degree of certainty that some reductions will be required. It is also expected that many more employees may be hoping to go than there are opportunities for, at this stage. It will therefore be important not to raise unrealistic expectations and to ensure that employees appreciate that by no means all volunteers will be able to be released.

9.0 Outline Process and Timescales

- 9.1 As indicated above, the process to manage voluntary redundancies prior to vesting day is a nine Authority issue and as such needs all parties to sign up to the process. The proposed approach is summarised in Appendix 1 to this report. Reports are therefore being taken through all seven existing Councils and to the two new unitaries.
- 9.2 A suggested high level timeline for managing voluntary redundancies from selected groups is provided below. This will be influenced by the timing of the approval process in each of the nine Councils and the clarity about where reductions are required.

Action	By week commencing
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1. Written invitation for voluntary redundancy to selected groups in each Authority	1st Dec 08
2. Individuals submit a "VR application" form (notifying their line manager).	15th Dec 08
3. Applications are collated with other relevant information(including line manager assessment) by function (e.g. HR or legal services) to be considered 'en bloc'.	5th Jan 09
4. Separate panels to consider applications from the East and the West. Panels will consist of one Director able to represent the "future service", Chief Exec or other senior manager and one senior HR Rep. Make recommendations.	19th Jan 09
5. Separate joint panel consider bumped redundancies across Authorities and make recommendations.	20th Jan 09
6. Approval from existing Authorities in accordance with relevant standing order staffing regulations	Feb 09
7. Compromise agreement and formal notice of redundancy.	Feb/March 09

9.3 This timetable is very tight and demands that everything works smoothly. It will require the co-operation of staff who will have other important demands on their time if it is to be achieved.

10.0 The Package

10.1 Where voluntary redundancy is agreed, the employee will be entitled to:

- (i) A payment in accordance with the Statutory Redundancy Scheme – a number of weeks of pay based on a combination of age and length of service :
 - the week's pay to be the actual amount because the maximum payment of £330 under the statutory scheme will not apply.
- (ii) A further payment equal to the amount received under (i).
- (iii) If in the Local Government Pension Scheme the employee may choose to use this further payment (but not the one under the statutory scheme) to buy additional pensionable service. Only the whole amount can be used in this way - it cannot be split.
- (iv) If the employee is 50 or over (and has joined the Local Government Pension Scheme prior to 1 April 2008, and leaves before 1st April 2010), there would be immediate payment of the full earned pension at the date of leaving. (If they have joined the scheme since 31 March 2008 or leave after 31 March 2010, immediate unreduced pension is only payable to those aged 55 and over.)

10.2 Employees may also be entitled to payment for any untaken leave entitlement,

potentially (depending on timing) to some pay in lieu of notice) and to a contribution (up to £200) towards the costs of legal advice in respect of the compromise agreement they will be asked to sign. This agreement is to protect Councils from future claims in connection with their employment (excluding any personal injury claims). There is a requirement for independent advice to be given to employees who sign such agreements.

- 10.3 In addition, as this is a redundancy situation, it would be appropriate to waive any early termination costs for car lease holders.

11.0 Trade Union Consultation

- 11.1 The trade unions are not opposed to voluntary redundancies (they are opposed to compulsory redundancies), indeed they see them as an opportunity for some employees. They will be concerned to see that any selection is carried out fairly and that it is not just senior managers who are released. Arrangements will be put in place to ensure monitoring of outcomes in terms of equal opportunities. The harmonisation of the severance arrangements across the nine Councils will help to re-assure them that the employees will receive the same severance package.

- 11.2 Consultation with the trade unions has taken place on a Pan Cheshire basis.

12.0 Conclusions

- 12.1 This will be difficult and challenging, both in terms of managing within the timescale and in not raising unrealistic expectations amongst the workforce.

VOLUNTARY REDUNDANCY PROCESS PRIOR TO 31 MARCH 2009**1. Objective**

To help Cheshire West and Chester and Cheshire East to achieve viable service delivery within budget.

2. Eligibility

Permanent employees and temporary employees whose contract ends after 1 April 2009.

3. Approach

1. There will be no compulsory redundancies as a result of LGR in advance of Vesting Day.
2. Volunteers will only be invited from services where an 'over supply' of staff have been identified.
3. The severance payment formula offered will be the same in all authorities and will be that which will apply in the two new Councils.
4. Agreed criteria will be applied to decide whether individual employees can be released and to ensure that the number of redundancies does not exceed the reductions required.
5. Redundancies will not be approved unless the employee accepts a compromise agreement.
6. To comply with business requirements, employees will continue to work until 31 March 2009 unless exceptional arrangements are agreed.
7. The process will be managed in a fair and transparent way.
8. Decisions will be monitored to ensure consistency and the avoidance of discrimination.
9. The trade unions will be consulted and kept informed of developments.

5. Consultation

The trade unions will be consulted by the seven existing authorities and Department of Business, Enterprise and Regulatory Reform (BERR) notified if necessary in accordance with legal requirements.

6. Chief Executives and Second and Third Tier Officers

In circumstances where it is clear prior to Vesting Day that an individual employee is potentially redundant after 31 March 2009, discussions will be held with the individuals on their preference for the future, which could be to transfer to the new authority, to seek employment outside the Cheshire Councils, to apply for a job at the next tier down or to consider voluntary redundancy.

If they wish to seek voluntary redundancy the severance terms will be as indicated below and they will be required to sign a compromise agreement.

It is proposed that the process to manage voluntary redundancies at Chief Executive and second and third tier levels run separately to the process for selected groups due to the timing and situation of employees.

7. Process in all other areas where appointments to New Councils are not made before Vesting Day

Timing

When:

- there is clarity about the budget
- the “blue print” structures have been developed
- disaggregation and aggregation have been completed

it will be possible to identify where there is an over supply of employees in services or at particular levels. It is possible that there will be different decisions on the number and type of redundancies in the two Councils.

At that stage, selected groups (from those who would be an employee of the new Council in April 2009) be will asked whether they wish to volunteer for redundancy.

Terms of invitation

- There is no guarantee redundancy will be agreed
- Business needs of the New Councils take priority.
- The consistent agreed severance provisions will apply to all employees
- The employee will have to sign a compromise agreement (which waives any further claims, except personal injury, against the authority).
- They will continue to work until 31 March 2009.

Criteria

If there are too many volunteers

- the need to be able to deliver quality services in both East and West Cheshire;
- the longer term business needs (succession planning);
- cost;
- the viability of transfer to the new Council i.e. the consequences of disaggregation or aggregation on the volunteers ;
- transition needs.

Procedure for invitation and approval

1. A written invitation for voluntary redundancy will be sent via the Director/Head of Service in their existing Council to staff in the selected groups, inviting interested people to complete and return an “application for voluntary redundancy” to a central point (notifying their line manager).
2. Applications for a function (e.g. legal services or revenue and benefits) will be considered “en bloc”. Agreed paper work covering the key issues will be used to ensure consistency to facilitate equal opportunity monitoring. This will include a statement from the existing line manager.
3. There will be separate panels to consider “applications” from the East and the West. Panels will consist of one Director able to represent the “future service”, a Chief Executive or other senior manager and one senior HR representative. They

will consider the applications and make recommendations (subject to agreement from the Chief Executive or their nominee and the employing Council's approval processes). A detailed note of the reasons for any recommendations (whether to agree or reject) will be kept.

4. If at this stage there were too many volunteers for one Council (e.g. East) an approach will be made to identify any staff in the other Council (in this case West) who have the appropriate skills who may wish to transfer to the other Council (in this case East) to enable a bumped redundancy to take place. This could need the agreement of a joint panel and would not be agreed if it put service delivery at risk.
5. Approval from existing authority.

8. Compromise Agreements

A standard compromise agreement framework is being developed. This must be used to avoid any potential litigation against the new or existing authorities.

It will be important to ensure that there is a consistent approach to any additional financial considerations which are negotiated as part of a compromise agreement. The following could be included:

- any pay in lieu of notice;
- pay for outstanding leave entitlement;
- waiving of an early release payments due under a car lease scheme (or any other repayment arrangements);
- legal expenses in connection with the compromise agreement (up to a maximum of £200).

9. Severance Payments

In all cases the following will apply

- (v) A payment in accordance with the Statutory Redundancy Scheme - based on a combination of age and length of service
 - a. the week's pay to be the actual amount because the maximum payment of £330 under the statutory scheme will not apply.
- (vi) A further payment equal to the amount received under (i)
- (vii) If in the Local Government Pension Scheme the employee may choose to use this further payment (but not the one under the statutory scheme) to buy additional pensionable service. Only the whole amount can be used in this way - it cannot be split.
- (viii) If the employee is 50 or over (and has joined the Local Government Pension Scheme prior to 1 April 2008, and leaves before 1st April 2010), there would be immediate payment of the full earned pension at the date of leaving. (If they have joined the scheme since 31 March 2008 or leave after 31 March 2010, immediate unreduced pension is only payable to those aged 55 and over.)

10. Support for Employees

Initial generic information on redundancy payments and pensions will be available via “ready reckoners”.

Pensions Section will supply information on pensions for those people who wish to submit an firm application for VR when requested by HR.

Information on severance entitlements will be provided for those people who wish to submit a firm application for VR by HR.

OHU (or equivalent) is available if employees wish to refer for counselling or other medical support.

Once redundancy has been agreed, Managers will support staff seeking external employment.

A list of frequently asked questions is available.

11. Employees who are refused release

There will undoubtedly be some employees who volunteer for redundancy whose release is not agreed. It is important that they are:

- told at the outset that there is no entitlement to redundancy and no guarantee it will be agreed if they volunteer;
- aware of the criteria which will be used; and
- given the reasons for their release being refused.

Managers will need to support those who are refused and seek to address any concerns they may have.

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CHESHIRE EAST COUNCIL

Cabinet

Date of meeting: 4th November 2008
Report of: Portfolio Holder Health and Wellbeing
Title: Partnership In Service Delivery

1.0 Purpose of Report

- 1.1 All the authorities that form the constituent parts of the new Cheshire East Council currently 'partner', in different ways, with a wide range of organisations to deliver services to our respective communities. These can be through either a formal agreement (SLA) with funds specifically allocated to a service area or through more general grant funds that communities can bid into.

There are significant benefits to this way of working including:

- Provision of additional capacity
- Specialist expertise.
- Access to additional/alternative funding.
- Community ownership of service delivery.
- Links to National work programmes.

- 1.2 A significant number of these various partnerships are formalised through service level agreements (SLA's) or an equivalent, and financial and in kind contributions are factored into existing (08/09) budgets. The Cabinet has already considered a report on Third Sector partnerships generally and this paper refers specifically to those associated with the Health and Wellbeing Service.
- 1.3 A number of these partner organisations are starting to prepare their 09/10 work programmes and associated budgets and have asked for clarification as to Cheshire East's likely contributions in order that they can plan for the coming year.
- 1.4 The range and value of services provided vary considerably between authorities; for example the provision of "contracted out" Museum Service provision in Macclesfield is included as a partnership service. The Silk Museum Trust delivers to a sub-regional/regional audience, acts as a tourism draw for Macclesfield and costs the local authorities £144,000. At the other level, the support to a voluntary run Museum such as that in Congleton delivers a very local service at a considerable lower cost. The value may be equal. Other partnerships include those with Cheshire Dance and Sport Cheshire.

- 1.5 The purpose of this report is to seek members confirmation that, at least for the coming year, 2009/2010, support to partner organisations will be at a level equivalent to the current (2008/2009) year or at a level previously agreed with the current grant-giving Authority.

2.0 Decision Required

- 2.1 That East Cheshire Council consider and agree that the level of financial support to existing external service delivery partners be maintained for 2009/2010 at current levels (without an inflationary increase), subject to the demands of the overall budget scenario.
- 2.2 That it is agreed that all partnership arrangements be subject to more detailed review in year one to assess cost/outcomes of all individual agreements.

3.0 Financial Implications for Transition Costs

- 3.1 Within the Culture & Leisure Services of existing Authorities the cash value of grant and partnership arrangements per annum is in the region of (note the base-lining exercise is not yet complete):

Cheshire	£146,532
Macclesfield	£113,340
(NB an additional £20,000 was given to the Silk Museum Trust 2008-2009 but this was from reserves and was not from the revenue budget)	
Crewe & Nantwich	£16,000
Congleton	£12,000
TOTAL	£287,872

This includes contributions ranging from small grant funds to more strategic partnership service delivery. This resource is accounted for in current budgets (08/09). Consequently there are no additional financial implications for transition.

4.0 Financial Implications 2009/10 and beyond

- 4.1 Subject to members preferred option, the financial implications beyond transition will vary. The recommendation that all partnership contributions be reviewed within year one could result in a range of cost options beyond 09/10 from no cost (all contributions ended) to increased costs (cost uplift of existing partnerships) and all points between.

4.2 All subsequent reviews should take into account:

- Correlation of Partner Objectives to those of the new Council
- Affordability
- Specific and agreed outcomes
- External finance leverage
- Overall value for money and 'Quality' assessment

All reviews should be undertaken within an agreed and consistent methodology.

5.0 Legal Implications

5.1 A decision is required to enable existing partners to plan for 2009-2010. A failure to inform them of the new Authority's intention in good time could jeopardise some of those organisation's sustainability and could expose the Council to the risk of a legal challenge if adequate notice of any intention to withdraw funding had not been given.

6.0 Risk Assessment

6.1 The risks associated with this report are:

Risk	Mitigation	Comment
<p>Failure to clarify Councils contribution to external partners resulting in:</p> <p>a) Reduced Service delivery</p> <p>b) Negative impact on partner organisations viability</p> <p>c) Loss of external funding leverage</p> <p>d) Negative press coverage and reputational impact</p>	<p>Early consideration of Cheshire East's position in respect to external partner funding will allow either certainty of funding for 09/10 or time to plan for reduced 09/10 service delivery.</p>	<p>Partners are already seeking information regarding the Council's intentions.</p>

7.0 Background and Options

7.1 Increasingly local authorities are working more with partners in service delivery rather than direct provision. This approach (enabling) has benefits in producing more focused service delivery with greater opportunity for external funding. The range of services and

organisations partnered with is considerable across all existing authorities and would include examples in the sports, arts, countryside and heritage sectors.

7.2. Partner organisations are now developing their 09/10 work progress and are seeking financial support to underpin those programmes.

7.3 Options that members might wish to consider include:

	Options	Officer Comment
1.	Review all external partnerships prior to confirming 09-10 funding.	Not thought practical given the number of agreements to review and time available.
2.	Maintain existing arrangements (taking into account any previously agreed changes for 2009-2010) for the year only prior to review in 09/10.	This arrangement gives certainty of Service Delivery for 09/10. Given the number of arrangements in place potential need to prioritise review areas for 09/10.
3.	Maintain existing arrangements and review based on risk assessment/value over term 1.	A more sustainable approach to service provision/review.
4.	End all existing arrangements and consider all applications/proposals in 09/10.	Considerable service delivery impact for 09/10 and external funds put at risk. Adverse reputational comment.

8.0 Overview of Day One, Year One and Term One Issues

8.1 Agreeing to continue funding arrangements for 2009-2010 will allow service delivery to continue through day one without interruption. During Year One a full review of partnership arrangements can be initiated with the outcomes informed by the Council's new strategic priorities. This will then ensure that for the remainder of Term One all partner organisations are contributing to the Council's required outcomes and their performance is measured to determine the value of that contribution.

9.0 Reasons for Recommendation

9.1 Existing authorities have a significant number of partnerships that they invest into in order to deliver and add value to services for the local community.

9.2 External parties are seeking the new Council's view for funding arrangements at least for 09/10 and preferably beyond.

9.3 A decision is required to clarify arrangements for 2009-2010.

For further information:

Portfolio Holder: Councillor Andrew Knowles

Officer: Guy Kilminster

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Background Documents: *Not applicable*

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CHESHIRE EAST COUNCIL

Cabinet

Date: 4th November 2008
Report of: Portfolio Holder Health and Wellbeing
Title **Cross Boundary Library Usage - East Cheshire / Cheshire West and Chester**
Report No:

1.0 Purpose of Report

- 1.1 This report advises Members of issues relating to cross boundary library usage between East Cheshire and Cheshire West and Chester libraries after 1st April 2009.

2.0 Recommendation

- 2.1 That Members note the current situation for library users.
- 2.2 That Members endorse a recommendation agreeing cross boundary usage of Cheshire East and Cheshire West and Chester libraries for library users after 1st April 2009 and instruct officers to take steps to implement this proposal.

3.0 Background

- 3.1 Libraries are one of the most highly used, highly valued and highly visible services of the authority. The initial findings of the Cheshire Community Survey 2008 show that 66% of residents in Cheshire East have visited a library at least once during the last 12 months with 57% of those who had visited, visiting at least once a month. 91% of users think libraries are very good or good.
- 3.2 The current situation is that once they have joined a library, members are entitled to use all County Council Libraries i.e. 44 static libraries and 6 mobile libraries, they have access to the stock of all those libraries, they can reserve items from any library to be delivered to their nearest library, they can borrow items from one library and return them to another library, they can reserve and renew items at any library, they pay the same fines and charges, they can search a complete catalogue of library stock either within their home library or via the Service's web pages and can reserve and renew items by this method as well. They also have access to an unrivalled suite of online information and reference sources including Encyclopaedia Britannica, Who's Who, Times Digital Archive and Kompass Business Directory. Many users borrow from libraries which, after April 1st 2009 will be in different authorities, e.g. Knutsford and Northwich, Middlewich and Winsford, Crewe and Chester. This may be because they live near one and work near another or because they live near one and have children or grandchildren who live near another.

- 3.3 The concern is that after April 1st 2009 residents will receive a diminished service and that e.g. library members in Crewe, Macclesfield, Congleton, will no longer be able to reserve or borrow material from Chester, Northwich, Ellesmere Port libraries unless they are a member of both library services and are able to make a personal visit to a library in the neighbouring authority to collect reserved items. Library users are already raising issues of this nature with frontline staff. Unless a solution is found it is likely to lead to a loss of reputation for the new authorities from day one of their existence.
- 3.4 Cross boundary usage provides a simple and workable solution. By this means members of Cheshire East Library Service would be able to use their membership cards to access library services in Cheshire West and Chester and vice versa. Membership cards would be branded as Cheshire East for those resident in that authority. The retention of support and specialist services e.g. transport, library management system, virtual reference library, on a pan Cheshire basis means that this can be achieved with relative ease and at no cost. There are other library authorities which have similar arrangements in place e.g. City of Nottingham and Nottinghamshire County Council, Denbighshire and Flintshire.
- 3.5 The Cheshire West and Chester Executive agreed to support cross boundary usage at their meeting on 15th October.
- 3.6 It should be noted that mobile libraries will have their routes altered so that from the 1st April they will not be criss-crossing the boundary as is currently the case. The Education Library Service is part of the Services agreed as being pan-Cheshire for a year so all schools will continue to be able to access that service.

4.0 Financial Implications for Transition

- 4.1 There are no new specific costs associated with transition.

5.0 Financial Implications 2009/2010 and Beyond

None

6.0 Risk Assessment

- 6.1 There are no day 1 or year 1 risks associated with this proposal. Longer term risks which would threaten the viability of cross boundary usage are identified below

Area	Risk	Comment
Support and Specialist Services	Disaggregation after year 1 review	If such things as transport, bibliographical services, library management system, virtual reference library were divided the viability of cross boundary usage might be threatened
ICT	Replacement or upgrade of library management system	If the 2 authorities chose different systems this

		would make it impossible for users to have one membership card which could be used in both places, they would need to search 2 catalogues and could no longer reserve books from or return books to any library in Cheshire
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7.0 Summary and Conclusion

Local Government Reorganisation poses a threat to the level and quality of library services residents currently receive either because they would have access to a narrower range of resources if they were only able to use the service in one or other authority or because they would be required to become members of two separate library authorities and to make a physical visit to the neighbouring authority.

If this were to happen it would be likely to attract bad publicity, cause political embarrassment and loss of reputation for the new authorities.

Allowing and facilitating cross boundary usage provides a simple solution, tried, tested and found to work in other parts of the country.

For further information:- Linda Morris, Senior Manager Libraries, Cheshire County Council

Lead Councillor: Councillor Andrew Knowles

Officer: Guy Kilminster, County Manager, Cultural Services, Cheshire County Council.

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Local Government (Access to Information) Act 1985:

Background Documents

None

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CHESHIRE EAST COUNCIL

CABINET

Date of meeting: 4th November 2008
Report of: John Weeks – Director of Children’s Services Designate
Title: Transforming Learning Communities (TLC) – Macclesfield Locality Review

1.0 Purpose of Report

- 1.1 The report provides the Cabinet with the outcome of the public consultations undertaken by the County Council in relation to primary school provision in Macclesfield, and the discussions with schools in the Bollington area about possible school federations.

2.0 Decision Required

- 2.1 It is recommended that the Cabinet endorse the recommendations of the County Council’s School Planning Select Panel to:
1. approve the issue of statutory public notices proposing the closure of St Barnabas CE Primary School and St Edward’s Catholic Primary School, Macclesfield, in July 2009;
 - 2 subject to 1 above, to issue on behalf of the Dioceses of Chester and Shrewsbury a proposal to establish a new joint Church School on the current St Edward’s Catholic Primary School site, with effect from September 2009;
 - 3 authorise discussions with the Governing Body of Ash Grove Primary School to enter into an agreement supported by an action plan with explicit measurable targets, to seek to develop and improve the school over a 3 year period, with the recommendation to Cheshire East Council that the position of Ash Grove Primary School be reviewed in October 2011;
 - 4
 - a. note the positive developments in relation to a possible hard federation between Bollington St John’s CE Primary School and Pott Shrigley CE Primary School, and request that they continue developing detailed proposals for further consideration; and
 - b. note also the commitment of all schools in the area to work together and encourage them to continue their current dialogue.

3.0 Financial Implications for Transition Costs

- 3.1 There are no transitional cost implications for the Authority related to this report.

4.0 Financial Implications 2009/10 and beyond

- 4.1 Potential savings arising from the possible closure of schools are set out in the Appendix to the report.

5.0 Legal Implications

- 5.1 Subject to the proposed timetable for possible school closures being followed as intended, the formal process associated with the possible school closures and establishment of a new school will be undertaken by Cheshire County Council.

6.0 Risk Assessment

- 6.1 There are no significant immediate risks associated with these issues. In the medium term there are risks associated with securing the necessary capital funding and management of the building project for the proposed new joint church school. In the medium to longer term the number of surplus school places will need to be monitored and appropriate action taken to manage the level of provision.

7.0 Background and Options

- 7.1 Reports on the Macclesfield TLC Review have been presented to the County Council and are available for inspection through the Council's website. A summary of the background information is contained within the report to the County Council's School Planning Select Panel, which is attached as an Appendix to this report.

8.0 Overview of Day One, Year One and Term One Issues

- 8.1 The decisions taken at this time will be implemented after 31st March 2008. Procedures will need to be determined to undertake the necessary actions to secure their successful implementation.

The number of surplus school places in the Authority is being reduced but it is forecast that the level overall will be in excess of the expectations of the Department for Children, Schools and Families (DCSF). Procedures will need to be introduced to monitor the provision of school places and to ensure that processes are in place to address the issues.

9.0 Reasons for Recommendation

- 9.1 The County Council has invited the Cabinet to offer its advice as the implementation of any decisions taken by the County Council will become the responsibility of Cheshire East Council.

For further information:

*Portfolio Holder: Councillor Findlow
Officer: John Weeks
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Background Documents:

Documents are available for inspection at: www.cheshire.gov.uk

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MEETING : SCHOOL PLANNING SELECT PANEL
DATE : 13 OCTOBER 2008

REPORT OF : PRINCIPAL MANAGER – PLANNING AND DEVELOPMENT
Contact : Stanley Bradford, Lead Officer
Officer Tel: Chester (01244) 973432
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TRANSFORMING LEARNING COMMUNITIES (TLC) – REPORT ON THE OPTIONS IDENTIFIED IN THE LOCALITY REVIEW FOR MACCLESFIELD

INTRODUCTION

1 On 10th December 2007 the Panel considered a Discussion Paper on the emerging options for the Macclesfield TLC Review. The Panel advised the Children's Service Executive:

- invites the Chester Diocesan Board of Education and the Diocese of Shrewsbury Education Service jointly to consider with the Local Authority options for the establishment of a one form entry joint Church of England/Catholic primary school to serve south Macclesfield, with effect from September 2009, and invites the Diocese of Shrewsbury to make available the existing premises of St Edward's Primary School for the proposed school; and
- subject to recommendation above and to providing sufficient time for the Chester Diocesan Board of Education and the Diocese of Shrewsbury Education Service to consider issues relating to the proposed school, authorises statutory public consultations on the two following proposals:
 - the possible closures of St Barnabas CE Primary School and St Edward's RC Primary School, Macclesfield;
 - the possible closures of Ash Grove Primary School, St Barnabas CE Primary School and St Edward's RC Primary School, Macclesfield;
- authorises statutory public consultations on the amalgamation of Bollington St John's and Bollington Cross CE Primary Schools in order to establish a 180 place CE voluntary aided primary school on one of the two existing sites, to be decided by the Chester Diocesan Board of Education, with effect from 1 September 2009, noting that it would be necessary to seek the Secretary of State's approval to waive the requirement to hold a competition for the proposed new school, or if this were unsuccessful, to hold a competition for the proposed school;
- authorises consultations on the reduction in the net capacity of Ivy Bank Primary School from 378 to 315 places by the removal of temporary accommodation, with a reduction in the admission number from 54 to 45 pupils from 1 September 2009; and
- authorises consultations on the reduction in the net capacity of Puss Bank Primary School from 420 to 315 places, with a reduction in the admission number from 60 to 45 pupils from 1 September 2009, and calls for a further report in 18 months time.

2 At the meeting of the Children's Services Executive on 18th December 2007, the Panel's recommendations were amended and the following was resolved:

- the statutory public consultation be held on the possible closures of Ash Grove Primary School, St Barnabas CE Primary School and St Edward's RC Primary School, Macclesfield;
- subject to 1 above, a competition be held under provisions of the Education and Inspections Act 2006 to seek proposals to establish a new one form entry primary school to serve south Macclesfield, with effect from September 2009;
- subject to 1 and 2 above, the Chester Diocesan Board of Education and the Diocese of Shrewsbury Education Service be invited jointly to consider with the Local Authority options for the establishment of a new school through the competition process to serve south Macclesfield, and the Diocese of Shrewsbury be invited to make available the premises of St Edward's Primary School to be the site of the proposed school;
- statutory public consultations be held on the proposed closure of Bollington St John's CE Primary School with effect from July 2009 with alternative places available at Bollington Cross CE Primary School;
- consultations be held on the reduction in the net capacity of Ivy Bank Primary School from 378 to 315 places by the removal of temporary accommodation, with a reduction in the admission number from 54 to 45 pupils from 1 September 2009; and
- consultation be held on the reduction in the net capacity of Puss Bank Primary School from 420 to 315 places, with a reduction in the admission number from 60 to 45 pupils from 1 September 2009.

3 Immediately prior to the meeting of the Children's Services Executive on 18th December and subsequently, a number of Notices of Motion to Council relating to the TLC review, were submitted for consideration. Immediately after the meeting of the Children's Services Executive on 18th December the decisions taken on the proposed school closures were subject to a call in notice. The details and chronology of the various Notices of Motion and decision calls in relating to the Macclesfield Review were set out in the report to the Children's Services Executive meeting of 23rd July 2008. This is reproduced as Appendix 1 to this report. A further Notice of Motion is scheduled for consideration at the meeting of the Council to be held on 16th October.

4 As a result of the time taken to consider the Notices of Motion as well as that associated with the scrutiny of the decisions that were called in, the planned timescale for the Review has been extended significantly. The delay in securing decisions on how to proceed after the informal consultation stage resulted in the possible timescale for public consultation falling into the period prior to the elections for the two new unitary authorities being created in Cheshire. As a consequence of this, the process of further consideration was delayed pending the elections to the new Cheshire East Council.

5 The consideration of Notices of Motion and the call in of decisions, generated advice for consideration by the Children's Services Executive. The advice provided was summarised in the progress report to the Panel on 17th March and in the light of that advice and other considerations, the Panel amended their recommendations to the Lead Member for Children's Services. In particular it requested that the proposals relating to St Barnabas CE Primary School and St Edward's Catholic Primary School be considered as entirely separate and not dependent upon the proposed closure of Ash Grove Primary School. The Panel also requested that the opportunity be taken to consult with the Cheshire East Shadow Council and that its views be taken into consideration by the Children's Services Executive.

6 The opportunity to engage in discussions with the Cheshire East Shadow Council was taken at the earliest opportunity. However it was not until 17th July 2008 that the Shadow Authority's Cabinet was able to take a view on the issues.

7 The Panel's recommendations and the advice of the Cheshire East Shadow Council were presented to the meeting of the Children's Services Executive on the 23rd July 2008. Approval was given to:

- statutory public consultations on the possible closures of St Barnabas CE Primary School and St Edward's RC Primary School, Macclesfield, with effect from July 2009, be authorised;
- subject to (1) above, invites the Chester Diocesan Board of Education and the Diocese of Shrewsbury Education Service jointly to consider with the Local Authority options for the establishment of a new shared faith school to serve South Macclesfield, and the Diocese of Shrewsbury be invited to make available the premises of St Edward's RC Primary School to be the site of the proposed school;
- subject to (1) and (2) above, supports any application by the Chester Diocesan Board of Education and the Diocese of Shrewsbury Education Service to the Department for Children, Schools and Families (DCSF) to waive the requirement to hold a competition to establish a new shared faith one form entry primary school to serve South Macclesfield, with effect from September 2009;
- statutory public consultations on the possible closure of Ash Grove Primary School, Macclesfield, with effect from July 2009, be authorised;
- noting the advice of the Cabinet of the Shadow Cheshire East Council that the Governing Bodies of Bollington Cross CE Primary School and Bollington St John's CE Primary School enter into a hard federation with a single Governing Body and Headteacher; the two Schools are invited to discuss the suggestion, involving any other appropriate schools in the area, and to report back to the October meeting of the School Planning Select Panel on progress, with particular reference to means of reducing surplus places.
- The proposed closure of Bollington St John's CE Primary School be held in abeyance pending a satisfactory outcome of the above discussions.

8 During the course of the year, the proposed reductions in the published admission numbers of Ivy Bank and Puss Bank schools, each to 1.5FE with effect from September 2009, was progressed through consideration by the Authority's Admissions Forum. These reductions have been agreed and implemented.

PROPOSED CLOSURE OF St BARNABAS CE PRIMARY SCHOOL AND St EDWARD'S CATHOLIC PRIMARY SCHOOL

9 There is currently a significant level of surplus school places across Macclesfield Town. This is more acute in the southern area of Macclesfield, which is currently served by three schools: St Barnabas CE Primary School, St Edward's Catholic Primary School and Ash Grove Primary School. Overall too few parents are opting to send their children to these schools and as a result there is a high level of surplus capacity in each school. The pupil population is forecast to continue falling, which will increase the uncertainty about the future stability and sustainability of the three schools.

BACKGROUND

10 St Barnabas and St Edward's are both 1 Form Entry schools, each with a capacity for 210 pupils.

11 The falling pupil population has already made an impact on these schools. In January 2008 St Barnabas CE Primary had 100 pupils registered on roll and 52.4%

surplus places. St Edward's Catholic Primary had 146 pupils registered on roll with 30.5% surplus places.

12 In the case of St Barnabas the forecast indicates that by 2013 the number of pupils on roll will have fallen to 58, with 72.4% surplus places. The forecast for St Edward's indicates that by 2013 there will be 161 pupils on roll, with a surplus capacity of 23.3%.

13 Primary pupil numbers have declined significantly in the area in the past 10 years. It is acknowledged that there is a small increase in the number of live births in the area, but this still leaves a pressing need to reduce surplus accommodation as the number of school places required significantly exceeds the demand from the local population.

14 The initial informal consultation undertaken by the Authority proposed the closure of both St Barnabas and St Edward's. During the course of the consultation period members of both school communities identified a positive opportunity to respond to the changing local circumstances through the retention of a single school to serve the area. With the help and support of the Dioceses of Chester and Shrewsbury, this concept has been worked up into greater detail as the basis of the present proposal, which has attracted wide support.

15 Earlier in the year a Bishop's Working Party was established involving the Headteachers, Chairs of Governors, local Clergy, Officers of both Dioceses and the Local Authority in further discussions. As a result the proposals for the establishment of the new Joint Church School have been significantly refined. It is proposed that the new school would be characterised both by a wholehearted desire to emphasise what both schools have in common and by a commitment to the full appreciation of each Christian tradition. It is intended that the children attending the Joint Church School would know and appreciate their own Christian tradition and also be enriched by a wider experience of another.

16 The proposals were sufficiently developed by the end of the last school year, to enable a submission to be made to the Secretary of State for his agreement to waive the requirement for a competition to establish the new school. This agreement has now been secured; this will simplify and expedite the process.

17 The proposed new school will be a 1 Form Entry primary school with a net capacity for 210 pupils. In addition, it is proposed that a new 52 place nursery will be created on the same site. The school will be a voluntary aided primary school of a religious character in the joint trusteeship of the Diocese of Shrewsbury and the Diocese of Chester, aided by Cheshire East Council.

18 Those children attending St Barnabas or St Edward's schools at the time of closure will automatically have places allocated to them at the new school at the time of its opening. Any remaining school places will be made available in the usual way for other children according to the priorities of the School's Admission Policy, which will need to be prepared and agreed by the Temporary Governing Body of the new school. A smooth transition will be planned for those pupils moving to the new school, including a number of joint activities over the year ahead, and familiarisation visits where necessary.

19 It is suggested that the arrangements for admissions will follow the same process currently used by St Edward's and other Voluntary Aided schools. Priority for admission will be given to children in public care and those with Statements of Special Educational Needs which name the school. Thereafter it is proposed that the

Admissions Policy will give priority to children baptised in either the Roman Catholic Church or the Church of England, living in the parishes of St Barnabas and St Edward's. It is expected that younger brothers and sisters of children attending the school at the time the requested admission becomes effective, will be given a higher priority. Remaining places will be made available to children of other families according to the priorities in the Admissions Policy.

CONSULTATION

20 Formal consultations with staff, governors, parents and members of the community were held on 25th September 2008.

21 It was decided, with the agreement of both schools, to have one consultation event for the public, and to hold a joint meeting for the staff of both schools, and a joint meeting of the Governing Bodies.

22 The staff of both schools expressed their strong and enthusiastic support for the proposal to close both schools and open a new joint Church school. Concerns were expressed about the timescale for the implementation of the proposal should a decision to proceed be taken, the associated building programme, future admission arrangements and other detailed issues associated with managing the processes of closure and establishment of the new school.

23 The debate with the two Governing Bodies was similar in nature to the meeting of the school staff. The range of issues raised and concerns expressed also related to the items that would need to be addressed in the implementation of the proposal should a decision to proceed be taken. Both Governing Bodies expressed their support for the proposals.

24 Appendix 2 summarises the feedback received to date through letters, e-mails and oral representations made during the public consultation event.

PREMISES ISSUES

25 The Diocese of Shrewsbury has given its agreement to the use of the St Edward's site as the base for the proposed new Joint Church School. An initial appraisal has been undertaken of the site and school buildings. This has identified a number of significant issues that will require further investigation and careful consideration.

26 The buildings currently used by St Edward's are over 40 years old and, although well maintained, show the expected range of issues of buildings of that age. Some of the classrooms and other accommodation areas do not comply with the current recommendations for school buildings. Accommodation for administration, car parking and access to the site will all need to be improved as part of an overall development project. The site itself has a considerable change in level which will bring constraints in developing and refurbishing the existing buildings and the creation of the proposed nursery.

27 With the agreement of the Dioceses of Chester and Shrewsbury, further work is being undertaken. This will identify the options and costs associated with the development of the site to create a school able to: provide a high quality learning environment for children, enable access to the wider extended services now required to be delivered through schools, as well as providing a focal point for community activities. The challenges associated with addressing these building issues may result in the timescale for the opening of the new school premises to be later than

was hoped. Nevertheless, it is the view of the two Dioceses and the Governing Bodies of both schools that it would be prudent to proceed with the proposed school closures and creation of the new school from September 2009, as intended.

28 By proceeding on the original time line, a Temporary Governing Body for the school can be established at the earliest opportunity and it will then be able to play a major role in decision taking about site development issues and the management of the associated building project.

FINANCIAL ISSUES

Revenue

29 A summary of the savings generated by this proposal are set out below based on the 2008/09 values and assuming the closure takes effect in summer 2009. It assumes also that the new school will not be entitled to excess area funding or entitlement to a temporary split site allowance pending completion of building works.

	Year 1	Year 2	Year 3	Ongoing
Long-term formula savings	£55.318	£94.830	£94.830	£94.830
Rationalisation allowance payable to receiving schools	£20.949	£14.964	£0	£0
Net savings	£34.369	£79.866	£94.830	£94.830

Capital

30 At this stage it is impossible to identify the costs associated with developing the premises for the new school. The project has, however, been included in the Primary Strategy for Change submission made on behalf of the Cheshire East Shadow Council and will need to be included in its Capital Programme.

CONCLUSION

31 The need to remove surplus accommodation in the area served by St Barnabas and St Edward's is now widely accepted. There is considerable enthusiasm and support for the proposals to close the existing schools and open a new Joint Church School on the St Edward's site. The Panel is invited to recommend the publication of notices proposing the closures of St Barnabas CE Primary School and St Edward's Catholic Primary School in Summer 2009. As the proposed new Joint Church School will be Voluntary Aided, the proposal for the establishment of the School will be made by the Dioceses of Chester and Shrewsbury with the support of the County Council.

PROPOSED CLOSURE OF ASH GROVE PRIMARY SCHOOL AND NURSERY

32 The issues relating to Ash Grove were considered alongside the two other schools in the area with Children's Centres on site, at the commencement of the Macclesfield Review. At that time, as informal consultations were being undertaken on a range of proposals relating to other schools in the area, no action was proposed in relation to Ash Grove. However, the informal consultations identified a high level of concern from parents that if other schools in the area were reduced in size or closed, their children would have to attend Ash Grove School. In the light of the decision to propose the creation of the new Joint Church School, the level of concern expressed by parents and the need to reduce the number of surplus places in the area, the

Panel recommended that formal consultation be undertaken on the proposed closure of Ash Grove Primary School.

BACKGROUND

33 As indicated earlier in this report, the level of surplus school places in the area of Macclesfield served by Ash Grove is already at a significant level. Ash Grove Primary School and Nursery has a capacity for 149 pupils. There has been a significant reduction in pupil numbers attending Ash Grove since 1999. In January 2008 the school had 96 pupils on roll and 35.6% surplus places. The level of surplus places is forecast to rise to 45.6% by 2013.

34 The school is not the preferred choice of many parents living in its catchment area. In January 2008, less than 20% of parents who live in the school's catchment area chose to send their children to Ash Grove. The considerable reduction in the number of pupils attending the school in recent years and the present low number on roll, which looks set to continue, threatens the future stability and sustainability of the school.

35 In addition to the issues associated with pupil numbers, concern has been expressed about the performance of the school. The OFSTED Inspection report of Ash Grove Primary School and Nursery (November 2006) recognised that the school did much to support the personal development of children but nevertheless standards at the school were considered to be "exceptionally low". School attendance was also identified as being below average and it was further reported that "few children reach the national expectations for children of their age".

36 In recognition of the concerns about the performance of the school, the Authority has ensured that a high level of support from council officers and advisers has been forthcoming and that the school has been monitored closely. Despite this high level of support, the school has failed to deal satisfactorily with the key issues that were identified in the OFSTED Inspection of 2006. In these circumstances, it has been difficult to be optimistic about the future role of the school and thereby its capacity to generate sufficient impetus to secure future improvement.

37 It is widely accepted that the quality of a school's leadership and management is a key component in the range of factors that need to be in place to enable a school to achieve high standards. Regrettably senior management in Ash Grove School has been subject to considerable change over recent years and there have been considerable periods of acting headship or acting deputy headship and therefore a lack of continuity and stability. The most recent Headteacher left post before the end of the last school year and the then acting Deputy Headteacher is currently the acting Headteacher.

CONSULTATION

38 Formal consultation with staff, governors, parents and members of the community was held at the school on 24 September 2008.

39 Considerable opposition to the proposed closure was registered by staff, Governors and parents who attended the drop-in consultation meeting.

40 Appendix 3 summarises the feedback received through letters, emails and oral representations at the public consultation event.

41 Many of the concerns expressed in response to the proposed closure focus on the position that the school has in the local community and the potential impact of its loss to the children and families involved with it. In particular, when considered alongside the proposed closures of St Barnabas CE Primary School and St Edward's Catholic Primary School, it is felt that even with the creation of the proposed new Joint Church School, there would be a significant reduction in the choice of schools in that part of south Macclesfield.

42 It is pointed out also that, based on the Authority's forecasts of pupils for the area, there would be insufficient places at the new joint Church School to accommodate all of the children currently forecast to attend the three schools. Furthermore, it is argued that there would be a number of parents who would not wish their children to attend a faith based school and that they in particular would have very limited options. The highest density of families with children attending Ash Grove live in the area to the south and east of the school, which is the furthestmost point from other schools. The Authority has estimated that 63% of children would have a journey of less than a mile and a half, although it is accepted that this is considerable distance for young children. A number of parents have paced out the actual walking distance to alternative schools, which is understandably rather more than the "as the crow flies" calculation of distance used as standard practice by the Authority.

43 Concern has also been registered that the practical realities facing parents arising from the proposed school closure were not fully appreciated by the Authority when the proposal was made. For example, it is understood that parents taking children to alternative schools may have to make two bus journeys as there is no direct route accessible to them. It has also been reported that the bus company places constraints on the number of buggies allowed on the bus at one time, which may also present difficulties.

44 It has been pointed out also that ensuring children attend school is already a challenging exercise for the school and by requiring families to take their children an even greater distance, this difficulty will be exacerbated.

45 The fact that the Ash Grove Primary School catchment is within an area of high social deprivation, was also expressed in a variety of different ways. There is no doubt that the needs of the area are significant and the removal of the school would be a loss of a major amenity.

46 Representations were also made about the level of need of children attending the school. For example, there are currently some 26% of pupils on the special educational needs register, which is higher than the national average.

47 The high quality of the school premises and their recent refurbishment together with the very significant investment in the establishment of the Children's Centre was also referred to. It was felt that the Children's Centre was making an impact and there was a steady growth in activity including new opportunities for parental engagement and learning, and other community activities.

48 The Governing Body of the school has set out its concerns formally in a letter to the Lead Member for Children's Services, which is attached as Appendix 4. This letter, while providing further detail of the concerns mentioned above, also points out a significant number of positive developments at the school. These include the operation of the first summer holiday play scheme, a rise in the number of children coming into reception and that the school now qualifies for additional funding and resources provided through the Intensifying Support Programme (ISP). This

programme, while rigorous and demanding of the school, has been proven to make an impact on other schools in other parts of the country by providing additional focused assistance to raise standards of attainment and achievement within the school.

49 The Governing Body also points out the significant investment which the Authority has already made in the school and the associated Children's Centre in terms of the provision of premises and its significant refurbishment. In its view the potential impact of the Children's Centre on the school has yet to be realised but that the indicators mentioned above in relation to the play scheme and the increase in reception are likely to continue having a positive affect on the school in the future. Furthermore, in its view the school provides a very significant social and community resource within the area and cannot be regarded solely as an educational institution.

50 The Governing Body has also prepared a draft action plan (Appendix 5) setting out its views on the key issues that need to be addressed to develop the school and secure its place at the heart of its community.

51 There is no doubt that in recent times a number of key individuals have worked hard to bring elements of provision and community support together. The Governing Body has been strengthened in the last few months and has an increasingly clear focus on the need for decisive action to lift the performance and perception of the school.

52 It is arguable therefore that to take a decision on the future of Ash Grove at this time could be unhelpfully early in the school's programme of planned recovery. However, the school recognises that on previous occasions there have been "false dawns" when it was considered that significant improvements were in hand, but which never materialised. Nevertheless, there are more indicators at this time than previously of the potential to make a significant impact in the school's overall performance.

53 It would seem wholly inappropriate, however, to let matters run without taking decisive action. The level of surplus places in the area demands attention and the closure of Ash Grove will go some way to reducing the overall level within Macclesfield Town and across the new Cheshire East Council area. It is also recognised that closing the school now may remove a pivotal community asset at a time when its potential may be beginning to be realised. The Panel may wish to consider deferring a decision at this time to enable the School Governing Body to put its action plan in place and to give it the opportunity to deliver the significant changes intended.

54 Should this course of action commend itself to the Panel, it is recommended that a number of conditions be specified. In particular, it is recommended that a fixed period of time, possibly two or three years, be agreed for the school to deliver the Action Plan and show that it is capable of responding positively to the challenges before it. It is further recommended that the Governors Action Plan be discussed in detail with officers/advisers to ensure that clear measurable targets and milestones are included, and that there are appropriate connections with other plans agreed by the Authority through the ISP and other support arrangements. Clear agreement would also need to be formalised between the Authority and the Governing Body to initiate the review of the Action Plan at the end of the agreed period. At that time, assuming that progress has been made, consideration could be given to what further support would be appropriate. On the other hand, should the school have failed to respond to the challenges before it, further consideration would need to be given to progressing with consultation on its proposed closure.

FINANCIAL ISSUES

Revenue

55 A summary of the savings generated by the proposal to close Ash Grove Primary School are set out below based on the 2008/09 values and assuming the closure takes effect in summer 2009.

	Year 1	Year 2	Year 3	Ongoing
Long-term formula savings	£61.623	£105.639	£105.639	£105.639
Rationalisation allowance payable to receiving schools	£20.949	£14.964	£0	£0
Net savings	£40.674	£90.675	£105.639	£105.639

56 Clearly if the school does not close, then these savings will not be forthcoming.

CONCLUSION

57 A decision on whether to close Ash Grove Primary School and Nursery is not straightforward. The falling number on roll, and the forecast that this will continue to drop, taken together with the relative unpopularity of the school with local parents, and the need to reduce surplus capacity in the area are factors pointing towards school closure. However, the school is on the periphery of south Macclesfield and where the children currently attending the school reside, may present some difficulties for them to attend alternative schools. The school itself has taken considerable steps in recent times to strengthen its Governing Body and to ensure that it has a clearer focus on improving its performance. The opening of the Children's Centre which is integrated with the school is also seen as a potential driver for future development and improvement.

58 The Panel is invited to consider the issues and make its recommendations to the Lead Member for Children's Services.

BOLLINGTON SCHOOLS: INVITATION TO CONSIDER FEDERATION

59 The invitation to the Governing Bodies of Bollington Cross CE Primary School and Bollington St John's CE Primary School to consider a possible hard federation, involving other schools as necessary, has been taken forward. Since the beginning of the new school year two meetings have been convened by the Authority to which all five schools in the Bollington area have been invited (Bollington Cross CE Primary, Bollington St John's CE Primary, St Gregory's RC Primary, Dean Valley Primary and Pott Shrigley CE Primary Schools). Other school meetings have also taken place during this time.

BACKGROUND

60 At the commencement of the Review there was a general acceptance of the need to take action to reduce the high level of surplus places in Bollington. As there are two Church of England schools, each of which has a high level of surplus capacity, the focus of attention was drawn to those two schools. The debate quickly turned to the relative merits of the two school sites and the proposal to close Bollington St John's CE Primary emerged.

61 The number of pupils attending Bollington schools has continued to fall and the latest forecasts for 2013 are shown below. (Baseline Jan 2008)

School	NOR Jan 08 (Plasc)	NOR Sep 08 (School Figures)	Forecast Jan 2013 (based on Jan 08)	Net Capacity (Jan 2008)
Bollington Cross	90	95	117	150
Bollington St John's	63	48	59	120
Dean Valley	192	178	157	210
Pott Shrigley	47	40	37	42
St Gregory's	98	90	78	105
Total	490	451	448	627

62 The number on roll at the beginning of the current school year has been obtained from the schools and shown above. As can be seen, in most cases the Authority's forecasts have not been reached and the 2013 forecast will need to be reduced accordingly.

63 At the meeting of the Children's Services Executive held on 23rd July 2008 the advice of the shadow Cheshire East Cabinet was received and considered. In the light of that advice, the decision was taken to invite the two Church of England schools in Bollington to enter into discussions, involving other schools as necessary, about establishing a possible hard federation and with a view to reduce surplus capacity.

CURRENT POSITION

64 At the initial meeting of the Bollington schools there was broad agreement about the challenges that all five schools would need to face in relation to the continuing decline in the pupil population. The desire was expressed to achieve a solution at the earliest possible opportunity in order to improve local stability. It was recognised, however, that neither federation nor collaboration between the schools alone would meet the challenges of the falling rolls. It was felt that any solution had to be practical and not just a paper exercise. It was hoped also that all of the schools in the Bollington area would be involved and although the time for moving this forward was short, schools agreed to continue their dialogue through September.

65 A number of schools expressed their interest in entering into federation of one form or another. In particular, Pott Shrigley CE Primary School and Bollington St John's CE Primary School felt that there would be merit in meeting further to explore a possible hard federation with a view to locating both schools in their federated form on the St John's site.

66 The possibility of all five schools engaging in a soft federation to help work together to consider issues such as pre-school provision and the future intake into reception of all five schools, was also discussed. All schools agreed to give further consideration to the issues.

67 A further meeting of Bollington schools took place at the beginning of October at which the various issues were discussed further. The representatives of Pott Shrigley and Bollington St John's schools reported back on their dialogue about establishing a possible hard federation. Both school Governing Bodies have now discussed the matter and have agreed in principle to proceed further, although the possibility of both schools being located on one site has been ruled out by the Pott Shrigley Governing Body, which has expressed its determination for the school to

remain on its present site. Nevertheless, both schools have worked together to look into options for the reduction of surplus capacity.

68 The preliminary investigation into the options available has identified the possibility of removing from school use two classrooms at the Bollington St John's site. These rooms, which can be satisfactorily isolated from the rest of the school, could be utilised by the Macclesfield and Bollington Education Improvement Partnership (EIP) both as the base for the EIP Co-ordinator and for training rooms. Consideration of this is at an early stage and as yet no agreement has been achieved with the EIP and nor have the practicalities been resolved. Nevertheless, should this prove practicable, it would lead to the removal of a number of surplus places, the precise number being dependent upon a review of the school's net capacity and detailed discussions on the published admission number. The initial suggestion from the two schools is that the net capacity should be 63, giving a reduction of 57 school places.

69 At their meeting at the beginning of October, all five schools reaffirmed their willingness to work together and indeed already do so through the EIP. At this stage of development Bollington St John's and Pott Shrigley schools have presented a positive response to the challenge which goes some way to addressing the issue of surplus places. While all the schools have spent much time looking at the issues and have given serious thought to finding a positive way forward, they have concluded that there is no immediate solution that presents itself at this time.

70 This development is to be welcomed and the schools involved congratulated for their willingness to take this significant step forward. However, the pupil forecast based on Jan 2008 for the five Bollington schools in 2013 is 448 with a current total net capacity of 627. This initiative if agreed would reduce the net capacity of Bollington St John's from 120 to 63 and the total net capacity in Bollington to 570. This would still leave a forecast of 122 surplus school places in the Bollington area by 2013. Clearly this is still a much higher level of surplus capacity than would be preferred but is nevertheless a helpful initial action that could be built upon at a later stage.

CONCLUSION

71 While a very significant suggestion has been made, it will make only a minor impact on the level of surplus school places in the area. The Panel is invited to consider these issues and determine its recommendation to the Lead Member for Children's Services.

RECOMMENDED

That the Panel recommends the Lead Member for Children's Services to:

- 1 approve the issue of statutory public notices proposing the closure of St Barnabas CE Primary School and St Edward's Catholic Primary School, Macclesfield, in July 2009;
- 2 subject to 1 above, to issue on behalf of the Dioceses of Chester and Shrewsbury a proposal to establish a new joint Church School on the current St Edward's Catholic Primary School site, with effect from September 2009;
- 3 a. authorise discussions with the Governing Body of Ash Grove Primary School to enter into an agreement supported by an action plan with explicit measurable targets, to seek to develop and improve the school over an agreed period, with the recommendation to Cheshire East Council that the position of Ash Grove Primary School be reviewed at a specified future time;
or
b. approve the issue of a statutory public notice proposing the closure of Ash Grove Primary School from July 2009;
- 4 a. note the positive developments in relation to a possible hard federation between Bollington St John's CE Primary School and Pott Shrigley CE Primary School, and request that they continue developing detailed proposals for further consideration; and
b. note also the commitment of all schools in the area to work together and invite them to continue their current dialogue..

**TRANSFORMING LEARNING COMMUNITIES (TLC): OPTIONS IDENTIFIED BY
THE LOCALITY REVIEW FOR MACCLESFIELD****NOTICES OF MOTION & CALL-IN OF PREVIOUS DECISIONS
NOTICE OF MOTION TO COUNCIL ON 6 DECEMBER 2007**

1 The following Notice of Motion, in the names of Councillors Mrs E Carter and K Edwards, was submitted to Council on 6 December 2007 in accordance with Standing Order No 12:

“This Council recognises the need to develop the educational system in Cheshire to meet the requirements of parents and pupils in the 21st century for schools that meet the aspirations of all and give maximum opportunities to all pupils to develop their abilities and talents to the full. All Members supported the policy of Transforming Learning Communities to that end.

Council regrets, therefore, the adaptation of the policy in the Macclesfield area to propose concentrating the loss of vital educational services to relatively deprived areas. We regret schools in urban communities are closed thus seriously restricting parental choice within the town.

Council cannot be confident that the policy of Transforming Learning Communities as currently being proposed in the Macclesfield area, if implemented, will meet the aspirations and needs of children and young people in Macclesfield Town as a whole.

In particular Council is concerned that the suggested proposals concentrate all restrictions on the availability of school places in the southern half of Macclesfield. Council considers before progressing further these suggested proposals that these issues should be considered by the Scrutiny Review of Transforming Learning Communities.

Council therefore requests the Executive to instruct officers to halt the TLC process in the Macclesfield area to allow for a major reconsideration of the options proposed to ensure fairness and justice in educational provision for parents and pupils in Macclesfield area as a result of the Transforming Learning Communities process.”

2 Council, at its meeting on 6 December, ordered that the Notice of Motion be referred to the Executive for decision, taking advice from the Children's Services Scrutiny Select Committee.

3 The Executive, on 28 February 2008 resolved that:

- (1) the Executive remains satisfied that the TLC process, which is based on an agreed set of principles, has been applied consistently and fairly in respect of all schools;
- (2) the Executive is further satisfied that the consultation undertaken to date in relation to the TLC process has been thorough and systematic, and compares well with comparable processes in other authorities;

- (3) the Executive notes the advice of the Performance and Overview Committee to the Lead Member for Children's Services as endorsed by the Children's Services Scrutiny Select Committee;
- (3) the Executive acknowledges that there are pressing and compelling reasons for continuing with the Macclesfield Locality Review without delay, that to halt the process would constitute a significant risk to the Authority's capacity to manage the provision of school places and the roll-out of integrated and extended services in and around schools, and that there are therefore no justifiable reasons for halting the process while a major review is conducted; and
- (5) accordingly the Motion is not adopted.

CALL-IN OF DECISIONS TAKEN AT CHILDREN'S SERVICES EXECUTIVE ON 18 DECEMBER 2007

4 Resolutions (1)–(4) below, which approved by the Lead Member for Children's Services on 18 December 2007, were called in by Councillors K Edwards, Ms P Merrick and Mrs D Flude under paragraph 12.3 of the Overview and Scrutiny Procedure Rules, and the matter was referred to Performance and Overview Committee on 24 January 2008 for consideration.

"That

- (1) the statutory public consultation be held on the possible closures of Ash Grove Primary School, St Barnabas CE Primary School and St Edward's RC Primary School, Macclesfield;
- (2) subject to (1) above, a competition be held under provisions of the Education and Inspections Act 2006 to seek proposals to establish a new one form entry primary school to serve south Macclesfield, with effect from September 2009;
- (3) subject to (1) and (2) above, the Chester Diocesan Board of Education and the Diocese of Shrewsbury Education Service be invited jointly to consider with the Local Authority options for the establishment of a new school through the competition process to serve south Macclesfield, and the Diocese of Shrewsbury be invited to make available the premises of St Edward's Primary School to be the site of the proposed school;
- (4) statutory public consultations be held on the proposed closure of Bollington St John's CE Primary School with effect from July 2009 with alternative places available at Bollington Cross CE Primary School;

5 The Performance and Overview Committee offered the following advice in relation to resolutions (1)–(3):

RESOLVED:

That the Lead Member for Children's Services be advised that any public consultations on the proposals concerning Ash Grove Primary School, St Barnabas CE Primary School and St Edward's RC Primary School should clearly indicate an option to retain Ash Grove Primary School and that the proposal to investigate the possible establishment of a joint faith school be welcomed.

6 No advice was offered in relation to resolution (4).

7 On 25 February 2008 the Lead Member for Children's Services resolved:

"That the advice of the Performance and Overview Committee be noted and the decision be deferred to a future meeting following advice from the School Planning Select Panel on 17 March 2008."

The advice of the School Planning Select Panel is set out in the report itself.

NOTICES OF MOTION TO COUNCIL ON 14 FEBRUARY 2008

8 Councillors K Edwards and Ms P Merrick gave notice of the following motion under the provisions of standing order no.12:-

ROAD SAFETY

"This Council recognises the supreme importance of road safety measures as a contribution to creating a safe and strong community throughout Cheshire. This Council particularly recognises concerns of parents for the safety of their children on the roads and footways of Cheshire.

The Council therefore calls on the Executive Members for Environment and Children's Services to establish a clear policy of taking road safety issues fully into account before considering formal consultations on the possibility of closing any school in Cheshire."

9 Council ordered that the Notice of Motion be referred to the Executive for decision, taking advice from the Children's Services Scrutiny Select Committee and from Environment Scrutiny Select Committee.

10 Children's Services Scrutiny Select Committee considered the matter at their meeting on 14 April and will be advising the Executive at its meeting on 29 May to accept the Notice of Motion subject to certain amendments.

11 Councillors K Edwards and Mrs D Flude gave notice of the following motion under the provisions of standing order no. 12:-

EDUCATION SERVICES

"Cheshire County Council is recognised for its significant achievements in providing excellent educational services to the people of Cheshire through continuous additional expenditure, now subsumed within the ring fenced funding provided by the Government.

The Council's commitment to education is seen in the world class facilities provided in the recently completed Macclesfield Learning Zone and the programme of Children's Centres linked to primary schools being provided across the county. This provision is reflected in the consistently above average results of Cheshire pupils at every level of their education.

Given this commitment the Council calls on the Lead Member for Children's Services to ensure that:

1 *educational standards in Macclesfield are maintained and encouraged to rise further*

- 2 *the three Children's Centres associated with primary schools work with those schools in a seamless manner to drive up educational achievement, and*
- 3 *the exciting new venture of a joint faith primary school in South Macclesfield is carried vigorously forward*

so that through these policies the County Council will be able to hand over an excellent legacy of educational provision in Macclesfield to any future Unitary Authority."

12 Council ordered that the Notice of Motion be referred to the Executive for decision, taking advice from the Children's Services Scrutiny Select Committee.

13 At the meeting of Children's Services Scrutiny Select Committee on 14 April 2008, it was recommended that the notice of motion be adopted subject to the deletion of the word "*those*" at the third paragraph section 2.

14 This recommendation was agreed at the meeting of the Children's Services Executive on 24 April and therefore the matter is now resolved.



St Barnabas CE Primary / St Edward's Catholic Primary – Formal Consultation
Thursday 25th September 2008 (5.00-7.00pm)

The formal consultation event took place for parents/ carers and members of the local community on Thursday 25th September between 5.00pm and 7.00pm at St Edward's Catholic Primary School, approximately 50 people attended. 178 forms were received during the consultation period, 130 in support, 28 disagreeing with the proposal unless a new joint church school is established and 20 against the proposal to close the schools.

Agree	Disagree (unless new joint church school is built)	Disagree
St Barnabas CE Primary School		
22	1	4
St Edward's Catholic Primary School		
54	5	7
Members of the community / various		
54	22	9

The main concern raised by the majority of the parents was that the new school would be built on the current St Edward's Catholic Primary School site with adequate funding to allow the new school to be fit for purpose / 21st Century teaching, although the majority of parents were in favour of the proposal in principle. Other concerns / points raised were:

- Will the building be big enough?
- Wouldn't neutral land be better?
- Concerns for parents and children walking long distances and crossing busy roads
- Concerns for staff
- Parents chose St Barnabas, a small school for a reason
- Could access be developed from Robin Hood Avenue?
- The new school should be bigger
- Transition is very important
- We need to be supported and kept informed
- Would class sizes increase, quality of education will decrease
- This is an exciting proposal
- St Barnabas parents feel that they are losing their school
- You are proposing big changes for all the schools in a small area
- The process is very long and drawn out
- Will buses be made available?
- The St Barnabas site is worth quite a lot of money, was this taken into account when choosing the site?
- Withdraw areas will be needed in the new school
- The pre-school is full at St Edward's

- The nursery next to St Barnabas is full
- The combination of two 'very good faith schools' would bode well for the future
- Some concern if Ash Grove was to close too
- Concern that RC faith may die out over time
- What pre-school / after school provision will be in place at the new school, the facilities on offer at Ash Grove are too far away to access
- There may be conflicts in the teaching styles
- Building works may affect the local community
- Crossing patrols would need to be installed in at least 3 locations
- Where would the children go during the building works?
- Agree provided that funding is made available for refurbishment to a desired standard without the use of temporary mobile classrooms



Ash Grove Primary School & Nursery – Formal Consultation
Wednesday 24th September 2008 (5.00-7.00pm)

The formal consultation event took place for parents/ carers and members of the local community on Wednesday 24th September between 5.00pm and 7.00pm, approximately 100 people attended. 54 forms were received during the consultation period, 1 in support and 53 against the proposal to close the school. Some letters and drawings from the local community and children at the school have been received, along with a petition with 122 names listed who are opposed to the closure proposal.

The following points were the main concerns raised:

- The community needs to stay together / community spirit is focused around the school
- The cost of additional support in the area will rise
- Cannot afford to pay for a new uniform
- Distance to the alternative schools is a concern
- If travelling further to school, may need to reduce hours in work / resign
- The school serves a wide area
- Great education and teaching staff
- The staff are very supportive towards all children
- The school is the heart of the community
- Parents have problems and children have to get themselves ready for school
- Children would struggle in a new environment
- The after school club is great
- The uncertainty about the schools future is affecting the children
- Shouldn't be forced to send our children to a faith school
- The school serves vulnerable families and attendance may suffer if the school closes
- Pastoral care is a huge issue in the school
- Small school provides security / second home to the children it serves
- Closure will have negative impact on the children's education
- The children will find change extremely difficult
- Why are you picking on the quietest community?
- You are proposing to close 2 of 3 primary schools in the towns area of greatest need
- School has good links with the children's centre
- School provides a non-judgemental environment
- Excellent level of care from school staff
- The school building is excellent – what will you do with it if the school closes?
- Would federation with Hollinhey be a possibility?
- Concern over school being knocked down for development

- School hosts activities and after school clubs, the activities over the summer holidays are full
- You are making vulnerable children more vulnerable
- Children may go into care system if they do not have the support of the school
- Should carry out a survey to look at the intentions of the parents regarding future schooling
- There is an alleyway on the way to St Edward's where numerous people have been attacked, this is not a safe walking route for children or parents
- Ash Grove is inclusive, unlike other schools in Macclesfield
- The staff and acting headteacher always give 100%
- The school have improved since the new head arrived, give us chance to improve further
- If the school closes, pressure will be put on other County Council services
- It should not be about resources and funding in this area, the Moss needs support. If you close the school, you are moving the problem
- Children attend the school from Women's Domestic Violence Refuge nearby
- Children that walk to school on their own will struggle to cross main roads
- The school has been on the estate for 72 years
- The school needs a secure management team
- If the school closed then the estate is likely to return to the its previous problems
- A training centre for parents is crucial for the area and parents have confidence to attend Children's Centre as they are familiar with the school

APPENDIX 4
SCHOOL PLANNING SELECT PANEL
13 OCTOBER 2008



Ash Grove Primary School and Nursery
Belgrave Road
Macclesfield
Cheshire
SK11 7TF

Telephone: 01625 500604
Fax No: 01625 503512
E-mail head@ashgrove.cheshire.sch.uk
E-mail admin@ashgrove.cheshire.sch.uk

Headteacher: Mrs J. Stephenson

1st October 2008

Councillor David Rowlands
Children's Services Director
Cheshire County Council
County Hall
Chester
CH1 1SQ

Dear Councillor Rowlands,

We the governors for Ash Grove Primary School ask you to give serious consideration to the case for keeping Ash Grove Primary School open. We submit the following evidence in response to the points raised in the Proposal document, and other important points that we feel compelled to bring to your notice.

MOVEMENT OF PUPILS

Parental choice - the plans for the other two local schools, St Barnabas CE and St Edward's RC, are well advanced with the proposal of a 200-place joint-faith school. This would take in the existing population of the two schools, leaving the 100 pupils from Ash Grove with the dilemma of where to go. Our contention is that it is essential that the parents of this community have the choice of a non-faith based school to work alongside the new ecumenical school. Whilst it is true that some will choose the new school, it is equally true that others would prefer a secular education for their children, or may have unease about how the new school will provide for both Anglicans and Roman Catholic pupils. Indeed, five children (5% of school population) have recently transferred to Ash Grove expressing their concerns about this matter. The existence of the two schools working in cooperation and offering parents a good choice would give a fair balance to the parents in this community.

Pupil numbers - the school is full at the lower end. There are currently 19 pupils in reception class. 12 pupils left year 6 this summer. This represents a 7% increase in the school roll, which contradicts the predictions shown in the proposal. 18 of those 19 in Reception came through our Nursery, reflecting a rising trend of parents choosing to keep their children at Ash Grove. We have anecdotal evidence that the birth rate on the estate is increasing, though data to prove this is hard to establish.

ADMISSION TO ALTERNATIVE SCHOOLS

Distance - we are deeply concerned about the practicalities of parents taking their children to local schools that will be offered as alternatives. Within a two mile radius of Ash Grove, and including that and the two faith schools, there are 11 schools given as alternatives. However, these are measured "as the crow flies", and take no account of actual journeys or main roads, so are not real alternatives. Our parents have measured the distance to the nearest community school using a pedometer. It is 1.29 miles (40minutes) for a single journey to Ivy Bank, measured from the centre of the Moss estate. All other schools are still further away. Thus, Ivy Bank is the only viable alternative, but it would take a parent 2 hours 40 minutes in total to walk each day, which is just not realistic. The journey also entails crossing a very busy main road; this would be highly dangerous for those of our children who bring themselves to school.

Surplus places – as shown above, the only school within possible "pram-pushing" distance is Ivy Bank. This currently has 48 empty spaces. Supposing that the new joint-faith school absorbs the populations of the two schools amalgamating, this will fill its 200 place capacity with its own pupils. This leaves 52 pupils from Ash Grove with no viable alternative school. When this is compounded by the other facts above concerning the vulnerability of many of our pupils and the problems of getting the pupils into school on time, this raises grave concerns about the future protection and provision for our pupils.

TRANSPORT

Public transport - All possibilities of taking a bus involve going into the terminus and out again, thus increasing the distance and cost (£1.80 for a single journey adult fare). Only two buggies are allowed on a bus at a time, and double buggies are not welcomed. Parents have worked out that they would need to leave home at 8 a.m. at the latest, in order to get to another school. This alone would have a severe impact on their ability to get to work on time, with the negative effect on family income if jobs are lost.

Attendance - bearing in mind that many of our parents are single mothers without use of a car, and that attendance and punctuality are our ongoing concerns, there is strong evidence that some just would not bother to make the journey or would be highly irregular in their attendance. This would not be welcome news for the receiving schools, whose own attendance figures would take a marked dip. Taking these parents into punitive litigation by fining them would also be counter-productive, reinforcing the circles of deprivation.

SITE AND BUILDINGS

Premises and resources – our premises are in very good working order and have been very well maintained and resourced. They present a very positive image of a traditional school building at the heart of its community. Parents from other schools who have attended the holiday playscheme as below, who may never have been inside our school before, have made a gratifying

number of very positive comments about the school's provision and resources from people who have never been inside before.

Holiday provision - The first summer holiday playscheme, organised by our Children's Centre and working in effective cooperation with other local providers, has been outstandingly successful, with very high attendance figures throughout. Several local residents have said that it has been the quietest and most peaceful summer ever, as the children on the estate have been purposefully occupied and the parents have had a united function. There are plans for more playschemes each holiday. The success of this has been aided by the ability of the Children's Centre to use Ash Grove's facilities when needed, through the shared access door; this is not a feature of other local Children's Centres.

Transfer of pupils - during the transition period for the amalgamation of St Edwards and St Barnabas, inevitable disruption of premises will occur. Keeping us open will enable those parents who prefer us to benefit from our very good premises and resources. Closing us will mean that those of our pupils who may choose the new faith school will have to attend a total of three different premises, with all the attendant problems this will bring.

FINANCE

Fair Funding formula - We understand that keeping a small school open costs more money, and that there are many small schools in Cheshire in which it is more expensive to educate children. We set against this fact, the particular needs of our pupils which can best be met in smaller classes: this is the moral and humanitarian case against the financial case. However, our goal must be to increase pupil numbers so that we can come closer to a viable financial situation. Alongside this, the planned improvements in our provision and standards will lead to the discontinuation of the need for extra financial support from the Local Authority.

The cost of raising standards – We realise that the key to our future development must be the improvement in pupil performance. From September 2008 the school has been designated as part of the Intensifying Support Programme (ISP). This very rigorous and demanding programme has had proven impact on results in schools nationally across the past three years. Staffing is now stable for the foreseeable future, which will be most beneficial to the implementation of the ISP. Assessment and tracking procedures have been greatly improved with the support of the Acting Deputy, Jennie Stephenson. There is every indication that all these rigorous measures will have a crucial impact on standards of both attainment and achievement. The ISP is an expensive programme; this investment would be wasted if we are closed and the impact is lost.

Special Educational Needs – we currently have 26% of our pupils on the SEN register, two statemented pupils and two more with statements pending. This is much higher than the national average. The social and personal development exhibited by our pupils, with their wide range of ability levels, is

not recognised in national test scores but is critically important in their future lives. It is nurtured carefully in Ash Grove, but we have many anxieties about how well they can be accommodated in other, probably larger, schools.

STAFFING

Future employment - Our staff are experienced and therefore expensive to employ. Forced redeployment is not an option, and so they would enter a highly competitive job market at a time when newly qualified teachers are struggling to find employment, and when other schools are already fully staffed. As governors we feel duty-bound to reflect our deep concern about the effect of closure on all our staff.

HOUSING

Catchment areas – there are anomalies in our allocated area which make it difficult to work out the true expectations of percentage of uptake. For example, children from Langley, which is in our catchment area, are highly unlikely to attend our school when right on the doorstep of Hollinhey school, and divided by a busy main road. We reject the notion that there are sufficient places in the area to meet demand, were we to close.

Extended use of premises – recent changes in benefits will mean many single mothers struggling to find employment, another negative blow for our community. The school has capacity for adult education to house a learning centre for parents. In addition, we are in discussion about exciting ways of creating strategic links with the new Macclesfield Learning Zone to make the school a satellite centre for parental education. A range of other providers and organisations are keen to offer help, seeing the enormous benefits to be gained by the school heading up the regeneration of the community.

We also wish to bring to your attention the following special features of our provision

DISTINCTIVE FEATURES OF OUR SCHOOL

Our central concern is to represent to you the needs of *our* particular pupils and *this* particular community.

Vulnerable pupils - Our school serves a community of significant social need. It is within the top 10% most deprived areas in Cheshire. Furthermore, this ranking will be much higher under the new Cheshire East administration. (Source: Cheshire CC's Index of Multiple Deprivation 2007). Some of our children have complex and multiple needs which can best be addressed by staff who know and understand this particular community. The County Children and Young People's Plan, in line with the Government agenda encapsulated in Building Brighter Futures, lays great emphasis on protecting children and supporting families in areas of the greatest social need. Our case is that we can make a considerable contribution to that agenda, now and in the future, if we are enabled to stay open.

Community hub - the school has an attached new purpose-built Children's Centre. This is already making a positive impact on liaison and support for parents and families in the local area, including engaging with hard to reach groups. The school currently provides a breakfast club and an after school club, and provided extra opportunities for its pupils through a range of after-school clubs. We are committed to the expansion of our role at the centre of the community and to working in partnership to promote the wellbeing of the local people. This in itself will have an impact on the educational achievements of our pupils. We are working with the Moss Rose Community Support Group and a wide variety of other interested parties to ascertain how we can all work together to improve local well-being. We are exploring the possibility of re-naming the school as a Community Primary School to reflect the school's contribution to community cohesion. We will be submitting a detailed and robust Action Plan to show our intentions for working in harmony with our community.

Victims of domestic violence - Ash Grove works in close cooperation with the local Women's Aid Hostel and is proud of this feature of its work. Up to six pupils at any one time can be on roll at our school. The frequency of transition of these pupils, their particular vulnerability and need for special support, add an extra dimension our work which needs to be recognised and celebrated. The staff at the Hostel say that the children always receive a warm welcome at Ash Grove, and are quickly made to feel part of the school. They are deeply concerned about what will happen to these children if we are closed. Causing these pupils to travel further by closing our school, or giving them no viable option but a faith school (which many say they do not want) is adding another problem to their existing burden. This can hardly be said to comply with the priorities in the County Children's plan.

PLANNED DEVELOPMENTS

Leadership - It cannot be denied that the school has suffered during turbulent times recently. However, a rigorous improvement plan is now in place. The leadership of the school is currently in the capable hands of Jennie Stephenson, Acting Headteacher until December 2008. This, alongside the development of the understanding of roles and responsibilities within the governing body, sets us on course to a period of solid growth that will substantially improve the school's effectiveness.

REPUTATION

The voice of the people - we reject the notion that the school is unpopular with the majority of parents in our community. We are sad and sorry that only negative views have been taken into account so far, because this does not reflect the opinions we hear on a daily basis. We welcome the opportunity to demonstrate that we have the strong support of our local community as we represent the case for keeping the school open. No doubt many of these will be contacting you, and we trust that you will give fair consideration to all these

views and to our radical and rigorous plans for the future of our school, and its secure place within the community it serves.

Yours sincerely,

The Governing Body of Ash Grove Primary School and Nursery, Macclesfield

LM WAT ^C Cay.	HB HB Birch.
SE Sue Bowen	IS S. Stephenson
LE CBB, LEA Burton	ML M. Lisle.
SD Sam Sudd	MG M. Gilling
MM N. Millayne	KM K. Mather
DM D. Mather	KE K. E. Mather

cc: Hannah Beer, Administrative Officer, for appropriate distribution

APPENDIX 5
SCHOOL PLANNING SELECT PANEL
13 OCTOBER 2008

Sue Bowen
4 Ellesmere House
Buxton Road
Macclesfield
Cheshire SK11 7ES

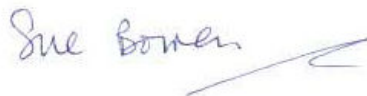
Councillor David Rowlands
Children's Services Director
Cheshire County Council
County hall
Chester
CH1 1SQ

2nd October 2008

Dear Councillor Rowlands,

I attach a copy of the governors' Action plan to show how our school, if allowed to remain open, will interact with its community. I hope that you will find some of our ideas interesting and original, and that they will help to strengthen the case for us to remain, and continue to grow, at the heart of our community.

Yours sincerely,



Sue Bowen
School Governor, Ash Grove Primary School

Action Plan
For the development of Ash Grove Primary School at the heart of its community

Rationale: that the school should become a vital centre to its community, making a substantial contribution to community cohesion; that the community and those organisations which support it should make a recognised and coordinated contribution to the success of the school, its pupils and its families.

The Action Plan has been constructed to meet the Five Outcomes of the Every Child Matters agenda, thus reflecting national and local concerns about all aspects of the well-being of children and young people.

The Plan outlines many possible areas of use of our extra facilities of an outside classroom, which we envisage having a regular weekly range of users. It also builds on the success of our links with our adjoining Children’s Centre.

All the named organisations have pledged support provided the school continues to survive. The school will play a crucial role in supporting and mobilising the work undertaken by these agencies. As the school is under formal notice of possible closure, the **coordination of these initiatives will fail to happen if the school is closed**. The proposed starting date of most of these initiatives reflects the impending decision about our future.

1. Be Healthy

Development area	Action planned	Supporting organisation	Contact details	Timescale	Success criteria
Physical health	Collaboration with health services in on-site Children’s Centre re continuity of care to age 11	Ash Grove Children’s Centre	Mark Gaffney, Manager	As each service comes on line in Children’s centre	Effective continuity of care for children and families utilising very good knowledge of pupils by Centre and School staff

Mental & emotional health	Working groups of children on nearby allotments	CCC Mental Health team in conjunction with Mayfield Centre	Jackie Earles	To be arranged	Children enjoy learning about growing things and working to a shared purpose
	Become a Nurturing school	Advice to be sought re how to set this up		To be arranged	Celebrate and extend what we do best, our care for the children
Healthy lifestyles	Street Soccer initiative, encouraging children & young people to get involved in activity during early evenings	Macclesfield Town Football Club	Ian Cosier, community officer	To begin January 2009. Funding bids to be supported by MTFC	Fewer disaffected youngsters on Moss streets
Physical health	Availability of medical resources for families and all residents through on-site pharmacy	Cheshire PCT: provision agreed subject to appeal	Lee Davies, Contracts Manager	January 2009	Easier access to medical resources for residents, also encouraging knowledge of school and its resources
Healthy eating	Luncheon club for OAPs : Weekly meals available by school cook for OAPs to eat with the children	School Kitchen	Ruth Potts, School cook	To be arranged	Increased appreciation of the school and what it provides by older members of community

2. Stay Safe

Development area	Action planned	Supporting organisation	Contact details	Timescale	Success criteria
Safe from maltreatment & violence	Continued excellent intensive support given by staff to all vulnerable pupils based on close personal knowledge	School especially pastoral care, Senco and BST	All staff	Ongoing	Our most vulnerable pupils feel protected and safe
	Continued excellent links with Women's Aid Hostel which ensure that this particularly vulnerable group feel safe in school	WAH	Marie Jones, senior project worker	Ongoing	
Safe from bullying	Presentations given by local voluntary youth agency with extensive experience in anti-bullying tactics including role play	Just Drop In	Ross Thompson, manager	January 2009	Children know how to deal with difficult issues of being bullied, leading to increased confidence especially on transition to High School
Security, stability and being cared for	Continued existence of our school's excellent care for individual children	School	Jennie Stephenson	Ongoing	Safe secure children who know they are valued & respected

Safety and purposeful activity in school holidays	Continued expansion of excellent holiday playscheme making full use of facilities and resources of both organisation	Children's Centre and school	Mark Gaffney Jennie Stephenson	October holiday scheme and thereafter every holiday time	Happy children with meaningful activity during holiday time, leading to more peaceful holiday times for the community
Safe from accidental injury	"Whatever it takes" programme to be introduced in school	Fire Service	Via Marilyn Kerby, Community Support officer, MBC	January 2009	Children understand dangers of misuse of fire

3. Enjoy and achieve

Development area	Action planned	Supporting organisation	Contact details	Timescale	Success criteria
Ready for school	Transition events between under-threes, Foundation stage and main primary school to be regular	Children's Centre and school	Mark Gaffney Sonia Wolvin Jennie Stephenson	Ongoing	Transition builds on success of Children's Centre to ensure happy confident entry to school
	Literacy project: two year programme introducing books for youngest children in most deprived families	Macclesfield Castle Rotary Club	Sue Bowen Mark Gaffney	November 2008	Increased engagement with, and enjoyment of, books in families which may not possess many

	CC team to engage with hard to reach families in community to encourage confidence in involvement with Centre	Children's Centre	Mark Gaffney	Ongoing	Continuity of information and support from CC to school ensuring hard to reach families are confident about coming into school
Children attend and enjoy school	EWO and family liaison officer to ensure regular attendance and punctuality	Macclesfield High School family liaison officer. EWO	Pauline Holt Jon King/Gill Jenkins, EWOS	November 2008	Attendance rates to rise to meet national average of 94.8% Punctuality to improve and be rewarded
	Clear start to school day (including Wake up Shake up) Future consultation re length of school day	School and governors	Jennie Stephenson AHT	Started September 2008	Everyone is clear about when school starts - physical wake-up - marked impact on quality of learning.
	Individual learning is effectively supported	School working with leaning Mentor	Kath McBride, LM	Started Sept 2008	Full engagement of children in all learning
Children achieve national educational standards	Raising standards to be key focus: see Strategic School Development Plan and Intensifying support plan	School	Jennie Stephenson supported by Maggie Swindells, School adviser	SSDP and ISP have immediate effect	Steady rise in levels of achievement and attainment. Pupils achieve targets set and agreed by governors

	Foundation subjects: extra support from Macc High School, specifically in music and science	Macclesfield HS	Ged Ward HT, MHS Pauline Holt, Family coordinator, MHS		Enhanced provision from specialist teachers supporting excellent teaching in school
	Extra support for development of MFL	Park Royal PS	Nick Warren, HT	From November 2008	All KS2 children engaged in learning a modern foreign language
Children achieve personal & social development & enjoy recreation	Expanded use of school grounds & after school clubs & lettings Strengthened links with Macc Town FC: Street soccer, in and out of school clubs and regular visits to football ground	School & governors MTFC	Jennie Stephenson Ian Cosier, community officer	November 2008	Wider use of existing facilities leading to better marketing of school Purposeful activity for disaffected young people and worthwhile use of school grounds out of school hours
Raising aspirations	Wide range of initiatives in school focusing on achievement for all	School	Jennie Stephenson AGT and full governing body support	November 2008	Children and community have far higher aspirations about what they can achieve

4. Make a positive contribution

Development area	Action planned	Supporting organisation	Contact details	Timescale	Success criteria
Children engage in decision making	School Council established but needs further development	School	Jennie Stephenson	Ongoing	Children fully involved in all expansion & improvement efforts, understanding benefits to themselves and others
Children support community and environment	Children to be actively involved in all of this action plan and understand why it is important to them and their community	School Mental health team to support use of allotments	Jennie Stephenson Jackie Earles	To be arranged	
Community supports its school	Support for learning from older members of community	Intergen organisation, model based in Trafford, to give advice re setting up similar	Brian Hooley, area coordinator	January 2009	Worthwhile support for pupils in many aspects of learning, and good marketing of school
Law abiding, positive behaviour	Children to understand principles of living together in peace & harmony	ASB working with police. Behaviour support teacher	Richard Christopherson ASB Louise Corlett, BST	January 2009	School's reputation within the community is improved and demonstrated to be fair and effective

	Street Soccer & other initiatives tackle problem of disaffected youths on streets	MTFC	Ian Cosey Paul McGuire	January 2009	Fewer disaffected youth son street corners
Changes & challenges	Stronger links with secondary schools especially nearest receiving school	Macclesfield HS	Ged Ward, HT	Beginning October 2008	Children are enabled to deal with changes more confidently, especially transition at age 11
Enterprising behaviour	Mini-enterprise in school, older teenagers working with primary age pupils	Cre8 and Worth Unlimited, local youth organisation supported by Churches together	Rob Wardle, centre manager	January 2009	Mutual understanding and respect gained from shared project
	Outreach branch in school, engaging with children & young people re responsible and enterprising behaviour	Just Drop In Centre	Ross Thompson, centre manager	January 2009	Good availability for local young people to advice & support

4. Achieve economic well-being

Development area	Action planned	Supporting organisation	Contact details	Timescale	Success criteria
Advice systems made easily available for residents	CAB to open branch office one day a week, on school site.	CAB	Jackie Grinham	TBA	Good availability for local people of advice & support
Housing advice	Weekly on-site surgery by Peaks & Plains organisation	Peaks & Plains	Tim Pinder, MD	From January 2007	Reduction of housing problems for families with consequent greater security for our children
Sustainable communities	Social cohesion within our community, with the school playing a central & crucial role. Children to understand how and why this works. Parents carers and families supported towards being economically active & secure	All above-mentioned have a part to play in this	All	To be arranged	Children are proud to come to our school and to be part of our community, and demonstrate that they take care of it, now and in the future.
Engagement in further education	Outreach initiatives organised by Macclesfield Further	Macc College:	Nick McGeough, Field Officer,	From January 2009, taster courses	Benefits to our pupils in terms of parents' increased engagement

	Education College: range of courses, implementation and support for grants	CAB	Macc FE College. CAB for support to parents in applying for benefits for training	Further grants will need to be applied for	with formal education, thus supporting their children's learning
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CHESHIRE EAST

CABINET

Date of meeting:	4 NOVEMBER 2008
Report of:	JOHN WEEKS – STRATEGIC DIRECTOR (PEOPLE) DESIGNATE
Title:	Creation of Adult Safeguarding Boards

1.0 Purpose of Report

- 1.1 This Report outlines the process for creating Adult Safeguarding Boards in Cheshire East and Cheshire West and Chester which will need to operate from 1 April 2009.

2.0 Decision Required

- 2.1 Cabinet is recommended to direct officers to change the current County-wide Adult Protection Committee into two, multi-agency Adult Safeguarding Boards for 1 April 2009. The purpose of the Boards will be to deliver the Action Plan outlined in the Feb 2008 Commission for Social Care and Inspection (CSCI) Safeguarding Inspection, and ultimately the improved protection of vulnerable adults.
- 2.2 The creation of the new councils presents an opportunity to ensure effective strategies, policies and good practice are in place to protect vulnerable adults from abuse, harm and exploitation.

3.0 Financial Implications for Transition Costs

- 3.1 It will be necessary to incur transitional costs in the region of £5,000 for the recruitment on an Independent Chair for each new Adult Safeguarding Board. It is now recognised as best practice that the Chair should be independent from the local partners agencies. Details of the Actions necessary to complete this task are attached at Appendix 1.

4.0 Financial Implications 2009/10 and beyond

- 4.1 The ongoing financial implications for the maintenance of the Adult Safeguarding Board are detailed in the Table at Appendix 3. The annual cost for 2008/09 is expected to be in the region of £15,000 per annum with annual increases in line with inflation in subsequent years. These costs represent 20 days at £450 recompense for the Independent Chair, £1,000 travel and expenses and with £5,000 for meetings management and training. This does not take into account the actual cost to social care services in investigating cases of adult abuse.

5.0 Legal Implications

- 5.1 There are no legal implications arising out of this Report.

6.0 Risk Assessment

- 6.1 The main risk is that failure to secure the small transitional costs identified would result in difficulties in attracting a suitably qualified and experienced person to chair the Adult Safeguarding Board.

7.0 Background and Options

- 7.1 Safeguarding vulnerable adults is a crucially important role, undertaken by highly committed social care professionals in partnership with a range of other health and public protection agencies and the voluntary and private sectors. There has been a local and national increase in reports of alleged abuse of vulnerable adults. This relates to increased awareness and training.
- 7.2 It is against this background that a Strategic Review of Adult Safeguarding work was completed in the early part of 2008, to ensure that existing policy and practice was fit for purpose and to consider the implications of further increases of reported abuse, which would reflect the national trend. The review made a total of 20 recommendations for improvements in adult safeguarding policy and practice. One key recommendation was to create Adult Safeguarding Boards in the new councils to ensure the effective coordination and delivery of improved safeguarding outcomes for vulnerable adults.
- 7.3 The Review also recommended that the newly created Adult Safeguarding Boards would ensure the effective implementation of a Strategic Outcomes Framework for Adult Safeguarding. The Strategic Review of Adult Safeguarding, together with the Action Plan for implementing the Review Recommendations, are attached at Appendices II and III respectively. The draft Strategic Outcomes Framework for Adult Safeguarding is attached at Appendix IV.

8.0 Overview of Day One, Year One and Term One Issues

- 8.1 The creation of an Adults Safeguarding Board working to a clearly defined three-Year Strategic Outcomes Framework will ensure the new council is implementing best practice to tackle the hidden and abhorrent practice of adult abuse. The issue of responding to further increases in the number of reported incidents of abuse will put increasing pressure on already stretched social work teams and will need separate but urgent consideration as the new councils come into operation.

9.0 Reasons for Recommendation

- 9.1 To ensure that an Adult Safeguarding Board is in place and operating effectively from 1 April 2009.

For further information:

Portfolio Holder: Councillor Roland Domleo

Officer: Gavin Butler/Karen Owen

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Background Documents:

Documents are available for inspection at:

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Creating Adult Safeguarding Boards – Key Actions

Task	How will this be achieved?	By whom	By When	Date Completed
Identify Budget/Staffing to support the operation of the Board: <ul style="list-style-type: none"> ➤ Recruitment of Independent Chair £5k/once every 3 years ➤ Salary Costs and Expenses for Independent Chair based on daily rate of £450/day ➤ Administration Support –Agenda Preparation, Scheduling Meetings, Room Booking etc ➤ Total Annual Budget Year 1 £15k/annum 	<ul style="list-style-type: none"> • Secure commitment for funding from partner organisations • First year - seek allocation of start-up budget from adult social care • Safeguarding Adults Coordinator to be budget holder • Appoint Administration Support 	HofS/SAC	April09 Oct 08 Dec 08	
Recruit Safeguarding Board Members	<ul style="list-style-type: none"> • Seek senior representation from partner organisations • Advertise for Independent Chair • Organise interview panel – partner involvement • Interview and Appoint Chair • 	SAC SAC SAC SAC/Panel	Oct 08 Dec 08 Jan 09 Feb 09	
Schedule First Year meetings	<ul style="list-style-type: none"> • Agree location and dates • Monthly meetings for Year 1 	SAC	Feb 09	

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Strategic Outcomes Framework for Adult Safeguarding

1 Background and Context – From Adult Protection to Safeguarding Adults - The National Perspective

1.1 The duty to safeguard vulnerable adults is enshrined within the Human Rights Act 1998. Everyone has a right to live their lives free from violence and abuse. In preserving this right, public authorities have a duty to intervene proportionately to protect the rights of citizens. These rights are contained within:

- Article 2 – ‘the right to life’;
- Article 3 – ‘freedom from torture (including humiliating and degrading treatment)’; and
- Article 8 – ‘right to family life (one that sustains the individual)’

1.2 Any adult at risk of abuse or neglect should be able to seek help from public services so that they can live their lives safely in accordance with the principles outlined in Para 1.1. Public services should work together so that vulnerable adults have access to a range of services that can offer prompt and effective protection to guarantee their immediate safety. Additionally, appropriate action must be taken to change the behaviour of abusers and to tackle systemic or institutional failings to prevent the continued abuse of vulnerable adults.

1.3 This means that individuals should have immediate access to the wide range of services and institutions that exist to protect all citizens. This included access to appropriate social care services charged with investigating abuse cases, the civil and criminal justice system and to victim support services. There can be no justification under any circumstances for the abuse of a vulnerable person *‘Abuse is a violation of an individual’s human and civil rights by any other person or persons.’* (‘No Secrets’ DoH 2000)

1.4 Anyone experiencing abuse or neglect is unlikely to remove themselves from the situation or environment in which the abuse is occurring. The very nature of their vulnerability is likely to prevent their escape from an abusive situation. This means that prompt, effective and coordinated action by appropriately resourced public services must be in place, not only to remove the immediate risk to the individual, but also to tackle some of the underlying behavioural and societal factors that have allowed the abuse to develop and continue unchecked.

1.5 The term *‘vulnerable adult’* has multiple definitions. It may no longer be helpful in tackling abuse because one accepted definition: *‘someone who is or may be eligible for community care services’* and within the same group those who *‘were unable to protect themselves from considerable harm’*; seems to

locate the cause of abuse with the victim, rather than placing responsibility with the acts or omissions of others.

1.6 Additionally, since the original publication of 'No Secrets' in 2000, there have been significant legal and policy changes which have led to a change in emphasis where adults are now being supported to access services rather than services intervening to provide protection for an individual citizen. The concept of 'active citizenship' is now taking a central role in preventing risks to independence. This changing context means that many references to the protection of 'vulnerable adults' and to 'adult protection' work are now being replaced by the wider term: 'safeguarding adults'.

1.7 This phrase 'safeguarding adults' means an adult *'who is or may be eligible for community care services'* to retain independence, well being and choice and to access their human right to live a life that is free from abuse and neglect. The definition includes people who are also assessed as being able to purchase all or part of their community care services, as well as those who are eligible for community care services but whose need – in relation to safeguarding – is for access to other mainstream services such as the police. (Safeguarding Adults, 2005)

1.8 Unlike Child Protection work, safeguarding adults work does not take place within a statutory framework. The Association of Directors of Adult Social Services (ADASS) recognises that while there is no statutory framework, there have been significant changes contained in a range of recent legislation that support work to protect individuals who are being abused or neglected – for example the crime of 'familial homicide' (Domestic Violence, Crime and Victims Act 2004), sections 34-44 of the Sexual Offences Act (2003) and the crime of ill treatment or neglect of a mentally incapacitated adult (Mental Capacity Act 2005).

1.9 A key question for further debate involves the need to examine why the ratio of abuse allegations to criminal prosecutions is so poor. Is this because the existing legislation is not sufficient to successfully bring such cases before the criminal courts or are abuse cases considered too difficult to investigate and prosecute because of the vulnerability of the victim and witnesses? These are difficult questions which present challenges for individuals and organisations including social care professionals, health, police and the Crown Prosecution Service. The creation of an effective and dynamic Adult Safeguarding Board can help to address these questions and challenges by helping to put adult safeguarding at the forefront of the agenda across all partner organisations.

1.10 The ADASS has supported the line taken by Action on Elder Abuse (AEA) whose report entitled 'Adult Protection Data Monitoring' (2006) recommended that specific legislation in relation to vulnerable adults should be put before Parliament. ADASS have argued that if legislation is necessary, the following would be essential:

- A duty to Act or investigate;

- A duty to share information between the statutory agencies and Regulators as already exists in children protection work.
- A duty to co-operate (as already exists in children protection work).
- Clarification of the duties and powers of other Local Authorities and Health Agencies across organisational and geographical boundaries
- Powers to enter domestic properties.
- Duties of regulatory bodies to work in partnership with local authorities in identifying and responding to instances of potential abuse and neglect, including institutional abuse and neglect.

1.11 Advantages include clarity on the role of the statutory agencies, affording greater protection to vulnerable adults, empowering staff and potentially accessing resources to support the implementation of the legislation. The Children Act 1989 provides the statutory basis for child protection but processes have been in place for many years to ensure that children are afforded protection from abuse. This very important area has quite rightly been resourced to tackle abuse following a number of tragic and very well publicised child abuse cases. The same cannot be said for the abuse of vulnerable adults.

1.12 The seven social care outcomes also have a significant contribution to make to safeguarding work. The fifth outcome about ***'freedom from discrimination or harassment'*** makes reference to people who need social care services having equal access to those services without hindrance from discrimination or prejudice. People also need to feel safe and safeguarded from harm. Effective safeguarding also means that vulnerable adults are also able to live their lives free of fear and to enjoy productive and meaningful lives and thus helps to achieve some of the other outcomes like ***'improved quality of life'***, being able to exercise more ***'choice and control'*** and have their ***'personal dignity and respect'*** assured.

1.13 It should also be noted that there have been significant changes in Mental Health legislation which are likely to bring benefits in the form of additional safeguarding tools that will become available. Briefly, we now have the Mental Capacity Act which has created a statutory framework for substitute decision making for adults who lack capacity. In 2007, the Mental Health Act became law. This Act amends the Mental Capacity Act to introduce the Deprivation of Liberty Safeguards. It also fundamentally changes the Mental Health Act 1983, introducing Supervised Community Treatment Orders, new consent to treatment provisions and new types of workers, such as Approved Mental Health Professionals (AMHP) and Approved Clinicians. Mental Health legislation has become much more complex and will demand from Local Authorities the provision of a workforce that is highly trained and competent and supported by good legal advice to facilitate the delivery services in a safe and defensible manner.

1.14 Finally, the pattern of service provision, especially in the private residential care sector means that vulnerable adults from one local authority area may often be placed in another local authority area.

1.15 This sets the context for the development of a Strategic Outcomes Framework for Adult Safeguarding. This Framework will help to create the conditions for improved levels of safeguarding for vulnerable adults covering the broad spectrum of vulnerability from adults with learning disabilities to older people.

1.16 The need to develop a coherent and sustainable approach to safeguarding is vital. The abuse of vulnerable adults is still not sufficiently visible on the national or local radar. We know that increased reporting does not reflect a sudden increase in abuse, but we also know that the number of reported incidents is still a real underestimate of the scale of abuse being perpetrated against vulnerable adults.

1.17 Therefore, we need to ensure effective buy-in from all key partners in Health and the public protection agencies to work on the development of a strategic outcomes framework which will focus on the agreement and delivery of shared priorities and integrated action to prevent and tackle abuse in a more systematic and coherent way. Resources allocated for safeguarding and applied in a piecemeal way need to be pooled and targeted for maximum effect in delivering the improved safeguarding outcomes vulnerable people expect and deserve. The creation of effective Safeguarding Boards is a step in the right direction for developing a strategy that key partners can all contribute to and help to deliver. A key role for the Safeguarding Board would then be to oversee the effective delivery of the safeguarding outcomes framework across the partner organisations.

1.18 The Safeguarding Board will develop a clear remit and responsibilities around policy development and implementation, agree protocols for information sharing and to seek agreement on joint funding for initiatives commissioned by the Board. This role should also encompass a general duty to promote good practice, raise public awareness of safeguarding issues and develop an effective leadership role.

2 Safeguarding Vision and Outcomes

2.1 The Adult Safeguarding Board's vision is that:

all adults have a right to live free from fear, violence, harassment, discrimination or abuse and the Board will work tirelessly to ensure this vision becomes a reality for all adults who are or may be at risk of abuse at any point in their lives.

2.2 A key driver for improvement is the development of the seven social care outcomes two of which directly relate to adult safeguarding. Specifically, *'freedom from discrimination and harassment'*, *'personal dignity and respect'* and *'improved quality of life'* all have direct relevance in terms of adult safeguarding. Therefore, it seems sensible to use these high level outcomes, rather than creating new one, but to supplement them through the development of context and locality specific sub-outcomes and performance measures which demonstrate the delivery of those high level outcomes.

2.3 The sub-outcomes and performance measures for each high level outcome is outlined in Table 1 below. The expectation is that the Adult Safeguarding Board would coordinate the achievement of these key outcomes in partner organisations and it is envisaged that all partner organisations would sign-up to them. In effect, the Outcome Framework would describe a 3-year programme of activity which the Safeguarding Board will actively promote within all partner organisations.

Outcome	Sub-outcomes	Performance Target	How will this be achieved?	By when?	By Whom?
Freedom from Discrimination or Harassment	Increased reporting levels	10% Annual Increase against baseline	<ul style="list-style-type: none"> • Development and implementation of effective Communication Strategy to raise awareness • Implementation of agreed Learning and Development Plan to raise awareness of adult abuse across all partner organisations and stakeholders 		
	Reduced risk to victims	20% reduction in re-offending	<ul style="list-style-type: none"> • Ongoing analysis of adult abuse cases – leading to more effective preventative measures, reveal evidence of systematic failure and targeted interventions to reduce the incidence of abuse • Further development of effective information sharing protocols between all partner agencies • Share learning and best practice from completed investigations in all partner organisations • Develop programme of effective preventative actions to safeguard known high risk individuals or groups e.g. older people and adults with learning disabilities 		

	More criminal acts brought to justice	5% Annual Increase against baseline	<ul style="list-style-type: none"> • Raising knowledge and skills levels among investigators and Police in non-specialist roles through co-ordinated Learning and Development programme • Improve partnership working between social care agencies and the criminal justice agencies e.g. Police, Probation and the CPS 		
Maintaining Personal Dignity and Respect	Reducing the risk of institutional abuse or systemic failure	Establish current baseline and set appropriate targets	<ul style="list-style-type: none"> • Development of effective contract monitoring processes • Improved information sharing and data analysis and targeted interventions • Creation of Multi-Skilled Improvement Teams who can parachute into organisations at risk of failure 		
	Improving standards for older people in care settings	Establish current baseline – develop clearly defined standards	<ul style="list-style-type: none"> • Adoption of clear standards of good practice • Regular and systematic audits against standards 		
	Improved processes for identifying and reducing complaint levels	Complete process improvement/ mapping exercise in Year 1	<ul style="list-style-type: none"> • Undertake process improvement exercise in high and medium risk establishments • Targeted interventions using Improvement Teams where necessary • Regular and systematic analysis of complaints 		

	Improved satisfaction levels for people in care settings	Establish current baseline and set targets for improving satisfaction levels	<ul style="list-style-type: none">• Establish service user expectations using SERVQUAL framework• Measure quality gaps and link to process improvement work		
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3 Delivery Plans

3.1 The Safeguarding Board will develop and coordinate a three-year work programme. Much of the detailed work will be undertaken by a number of workstream groups as follows:

- **Learning and Development Programmes**– identifying, developing and commissioning the necessary learning programmes to support strategic and operational managers, investigators and support staff and general awareness programmes for partner organisations
- **Partnership and Community Engagement** – raising the profile of adult safeguarding in a wide range of public, private and voluntary organisations in addition to direct engagement with service users and their families to support the achievement of improved safeguarding outcomes
- **Performance Management**– developing and implementing effective performance management systems and learning from best practice providers for adaptation and development in partner organisations
- **Policy Development and Quality Improvement** – ensuring policies reflect the latest thinking and practice on effective adult safeguarding including the regular and systematic review of critical processes and practice
- **Communication and Advocacy**– developing and implementing an effective communication strategy to raise the profile of adult safeguarding work across partner organisations and in local communities – effectively advocating the needs and expectations of vulnerable adults in partner organisations

3.2 The initial 3-Year work programme for the new Safeguarding Board will be to implement the recommendations and action plan from the Strategic Review of Adult Safeguarding which took place in early 2008. This Review recognised the vital leadership role that the Safeguarding Board would need to take in achieving the outcomes in this framework document.

4 Terms of Reference

5 Membership

5.1 The Safeguarding Board's membership will be restricted to senior level representation mainly but not exclusively from the key statutory partner organisations. It is anticipated that there will be an important role for services users and/or their representatives. The proposal is that Board Members have sufficient seniority within their respective organisations to make and implement decisions, allocate funding and champion adult safeguarding in their own organisations. The Board will ensure effective representation from

the other partner agencies and stakeholders on the workstream groups. Representatives on the Board will include:

- Adult Services – Director/Assistant Director and Safeguarding Adults Coordinator
- Health Services – Director/Assistant Director
- Police – Assistant Chief Constable
- CPS – Head/Deputy Head of Service
- Voluntary Sector – Chief Executive
- Service User Representative
- Fire Service – Assistant Chief Fire Officer
- Domestic Abuse Partnership – Co-ordinator

5.2 It is proposed that the Safeguarding Board will have an independent Chair. The Independent Chair will be appointed through a competitive process and will be paid a daily rate for their work on the Board. The Chair will be appointed for a maximum of three years with the key aim of delivering the agreed three year work programme.

6 Frequency of Meetings

6.1 The Board will meet monthly during its first year of operation to ensure the work program remains on schedule. Progress will be reviewed at the end of the first year and, depending on the level of success, the frequency of meetings may be reduced to at least 4 times/year for subsequent years.

Appendix 3

Strategic Review of Adult Safeguarding Action Plan

May 2008

Outcome Theme	Recommendation	action	by whom?	By when?	date complete
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Appendix 3

Strategic Review of Adult Safeguarding Action Plan

May 2008

1 Improve Systems and Processes	1 Review policy, procedures and guidance to reflect improved safeguarding outcomes for vulnerable adults	Re-draft existing documentation and re-issue new Safeguarding Manual	APCs CMSSC	End Sep 2008	August 08
		Jointly review with partners the outcomes and levels of support to people with learning disabilities living in supported housing to achieve an effective balance between positive risk-taking and personal safety. Build on the pilot work to support adults with learning disabilities living in the community to identify risks and develop a range of strategies and actions to reduce risks. (CSCI Rec 1)	CM Adult Services	April 09	
		Raise levels of awareness of safeguarding processes within partner agencies in order to help staff build confidence and expertise in managing adult safeguarding concerns. Secure a more consistent response from key partner agencies in the Police and Health in addition to improving information sharing protocols through the development of a Adults safeguarding Board (see below)	APCs Safeguarding Boards		

Paul McGreary

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Appendix 3

Strategic Review of Adult Safeguarding Action Plan

May 2008

	2 Complete a systematic review of learning and development needs to ensure good standards of competence in safeguarding work across all sectors (CSCI Rec 2)	<p>Audit of existing learning and development programmes – assessment of their effectiveness in improving competence levels</p> <p>Agree future programme with partner organisations</p> <p>Explore opportunities for joint funding arrangements</p>	<p>Safeguarding Boards</p> <p>All Partners</p>	End Dec 07	
	3 Create robust QA processes to ensure adequacy of system for assessing and investigating adult abuse cases	Incorporate QA processes in new Safeguarding Manual	APCs	Feb 09	
	4 Undertake a formal systematic management review of the safeguarding policies, procedures and guidance at least once a year and report the finding to Members as part of annual reporting of safeguarding activity	Formalise arrangements within Safeguarding Manual, ensure management review is led by the appropriate Director in each the new unitary councils	APCs		

Appendix 3

Strategic Review of Adult Safeguarding Action Plan

May 2008

	5 Create a formal risk assessment framework to ensure that appropriate decisions, plans and actions are implemented and supported by improved information sharing and analysis when allegations of abuse are first made (CSCI Rec 3)	Consider and adapt Sheffield model for evaluating cases Document risk model in Safeguarding Manual Develop and implement learning programme to support adoption of model Review information sharing protocols and assess adequacy of information systems and analytical tools	APCs plus Information Systems practitioners	March 09	
	6 Replace the current Adult Protection Committee with a Strategic Safeguarding Board (CSCI Recs 8 and 9)	Formal proposals to be put before the new unitary councils see Outcome Theme 3 below for further detail	Service Directors Safeguarding Boards	By 1 April 2009	

Appendix 3

Strategic Review of Adult Safeguarding Action Plan

May 2008

	7 Assess current capacity for investigating adult abuse cases in light of adoption of risk assessment model and based on projected reporting levels	Develop effective information systems capacity to identify and analyse trends in reporting, locality issues and levels of individual and institutional abuse. Assess the effectiveness of workforce planning and development strategies to address the increase the size and complexity of adult safeguarding activity.	APCs	March 09	
	8 Complete pilot project on tackling institutional abuse and ensure learning is applied to deliver improved outcomes	Review pilot project work and make recommendations for mainstreaming learning and practice	APCs and Project Manager	April 09	
	9 Raise awareness among the general public, key partners and stakeholders to improve reporting levels and protect more vulnerable adults	Identify resources and develop and implement a communication strategy to raise awareness levels from a pre-determined baseline	Service Directors Safeguarding Boards APCs	End March 09	
	10 Apply best practice identified and applied through the proposed model below	Develop and implement the model described in Strategic Review Report	APCs	End March 09	

Appendix 3

Strategic Review of Adult Safeguarding Action Plan

May 2008

2 Learning from Best Practice	11 Create capacity for developing an ongoing programme to identify , adapt and apply best practice to achieve improved safeguarding outcome	Develop and implement the model described in the Strategic Review Report	APCs	Ongoing	
	12 Ensure that any best practice identified can be applied consistently in the new unitary councils	Develop and implement the model described in Strategic Review Report	Service Directors APCs	End March 09	
3 Evaluation of Delivery Models	13 Create a Strategic Safeguarding Unit in each of the two unitary councils	Frame detailed proposals for disaggregating adult safeguarding services through the appropriate channels for creating the new unitary councils Seek approval for implementing the proposals including the acquisition of resources to support their creation.	CMSS Director of Community Services	Dec 08	

Appendix 3

Strategic Review of Adult Safeguarding Action Plan

May 2008

	14 Create a safeguarding Board with a clear remit to develop and oversee a longer-term strategic outcomes framework for adult safeguarding	<p>Agree Terms of Reference and representation</p> <p>Seek and Appoint independent Chair</p> <p>Explore arrangements for joint funding and a secretariat</p> <p>Develop 3-year work programme based of the development of a Strategic Outcomes Framework</p>	CMSSC APCs Director of Community Services		
	15 Undertake further work to establish the feasibility of creating generic Safeguarding Boards and Strategic Safeguarding Units on a disaggregated basis with key partners and stakeholders which could bring together Adults and Children's Safeguarding and Domestic Abuse Services.	<p>Negotiate with colleagues from Children's Services Cheshire Constabulary and other key partner organisations and stakeholders about the potential for establishing a generic to safeguarding in each new council</p> <p>Explore development in best practice councils to learn and adapt approaches to meet local needs</p>	Director of Community Services Director of Children's Services CMSSC APCs	End Sep 08	

Appendix 3

Strategic Review of Adult Safeguarding Action Plan

May 2008

4 Performance management	16 Develop an effective Performance Management framework for safeguarding work to ensure key outcomes are achieved and improvement targets are met.	<p>Ensure interim arrangements are developed for performance management and scrutiny until the new Safeguarding Boards are in place and working effectively (CSCI Rec 8 and 9)</p> <p>Ensure critical Social Care outcomes form a key element of the Strategic Outcomes Framework for Safeguarding suggested below are fully incorporated into the document</p>	CMSSC and APCs	End Sep 08	
	17 Develop a Strategic Outcomes Framework for Safeguarding which take into account the key outcomes for social care delivered through the Safeguarding Boards.	<p>Identify the key Safeguarding Outcomes that will determine the work of the Safeguarding Boards created in each of the new unitary councils</p> <p>Seek agreement through the Safeguarding Board for the safeguarding outcomes which have been identified and develop an appropriate suite of performance measures and targets which will help to achieve the agreed outcomes</p>	<p>Chairs of Safeguarding Boards</p> <p>Service Directors APCs</p>	End March 09	

Appendix 3

Strategic Review of Adult Safeguarding Action Plan

May 2008

	18 Agree challenging but realistic targets to increase reporting levels, reduce repeat offending and bring more perpetrators to justice.	Agree the adoption of performance measures currently used to assess the effectiveness of domestic abuse services in the absence of any national performance measures for adult safeguarding	Adults Safeguarding Boards APCs	End March 09	
5 Risk Assessment	19 Ensure effective implementation of the key recommendations in the Strategic Review of Adult safeguarding and the Commission for Social Care Inspection relating to safeguarding issues	Continue to review and respond to critical issues in the Risk Log in order to reduce the risks identified	Service Directors APCs	End March 09	
6 Resource Implications	20 To seek funding in the region of £200k for implementing the recommendations in the Strategic Review of Adult Safeguarding in each of the new unitary councils.	Prepare detailed business case for the creation of Strategic Safeguarding Units, Safeguarding Boards and the development of a Strategic Outcomes Framework for Adults Safeguarding based on the findings from the strategic review	Service Directors APCs	End March 09	

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CHESHIRE EAST COUNCIL

CABINET

4 November 2008

Date of meeting:

Report of:

Title:

JOHN WEEKS – STRATEGIC DIRECTOR - PEOPLE

CHILDREN PLAN 2008-11

1.0 Purpose of Report

- 1.1 This report briefs the Cheshire East Council on its duties in relation to the Cheshire Children Plan 2008-11, and seeks some formal decisions in order to ensure that statutory requirements are complied with for 1 April 2009.

2.0 Decision Required

- 2.1 That the Cheshire Children Plan 2008-11 be formally recommended for adoption by Cheshire East Council as its statutory Children Plan to 2011.
- 2.2 That Council notes the requirement to set local targets (as part of the LAA process) by 1 April 2009 and the need to review, refresh and localise that Plan during the period April 2009 to June 2010.

3.0 Financial Implications for Transition Costs

- 3.1 None

4.0 Financial Implications 2009/10 and beyond

- 4.1 This Plan, the proposed activity and targets for next year are all costed within current or projected expenditure from each member of the Children's Trust.

5.0 Legal Implications

- 5.1 It is a statutory duty for a single tier council to have in place a formally approved Children and Young People's Plan as of 1 April 2009.

6.0 Risk Assessment

- 6.1 There are no risks attached to this matter.

7.0 Background and Options

- 7.1 The Cheshire Children and Young People's Plan 2008-11 is presented on behalf of Cheshire's current Children and Young People's Trust

(CCYPT). The Trust is a broad coalition of all those interested locally in the wellbeing of children and is the responsibility and duty to cooperate to improve outcomes 'in action'. It has representation and representatives from across the economy of children's services in Cheshire including all existing District Councils, schools, health, police, fire and the voluntary sector. This Plan is a clear statement of shared intentions and has resonance for everyone that works with or for children, young people and their families in Cheshire.

- 7.2 As Local Government in Cheshire goes through a major change the Trust has been explicit that during such organisational and political change it is its duty to stay focused on retaining and improving good services and outcomes for our children and young people. Within this Plan the Trust has set out to highlight the needs of Cheshire's most disadvantaged and vulnerable children, particularly those who may be most at risk of poor outcomes.
- 7.3 The changes in Local Government make this a transitional Plan, it offers a blueprint for some of the big organisational and process changes, but also seeks to sustain the momentum of change and improvement that has seen many of our children and young people achieving better outcomes and many of our services recognised nationally and regionally for their strong performance.
- 7.4 This is a Plan that sets outcome and improvement targets for the next 12 months and alongside a joint direction of travel for 'all' services to children and young people for the next 2-5 years.
- 7.5 For 2009-11 it will be for the new Authorities to finalise the detail in light of their local needs and priorities.

KEY CONTENT AND MESSAGES

- 7.6 The Plan is not intended to reflect or cover the full extent of all the work that is done in Cheshire to support children and young people's outcomes, and therefore should be considered alongside all the many service and locality plans and strategies that underpin the work of the Trust. The Plan includes the following key sections:
- **Section 1** '*Introducing our Children Young people and families*' covers some of the headline information on what they have said is important to them, need, outcomes and the Cheshire context for this.
 - **Section 2** '*Our Priorities for action*' sets out in the context of the main drivers for change and the 5 outcomes our response to what is happening to children young people and families.
 - **Section 3** '*Integration and system change*' breaks down the major process and organisational changes that are required across all members of the Trust to deliver improved services and outcomes

- **Section 4 'Managing Performance and targets'** presents how the activity and outcomes will be tracked and reported in line with the refreshed ECM outcomes framework and National indicators.

OUR PRIORITIES

7.7 Discussions have taken place over many months to arrive at the priorities identified in this Plan. Emerging priorities were worked up at Trust level in collaboration with our partners in the public and voluntary sectors.

7.8 Our local priorities and drivers for change substantially reflect the aspirations and approaches of the new National Children's Plan – Building Brighter Futures – our joint local challenges are referenced within all parts of the Plan but are in summary:

- Leadership, commissioning and collaboration
- Engagement and participation
- Disabled Children
- Good Transitions
- Getting to grips with information and evidence
- Narrowing the Gap in outcomes
- Local and accessible services
- Integrating services and processes
- Looked After Children
- Thinking Parents and Families

7.9 In responding to those challenges, the Trust has identified the following specific projects/plans that Members are asked to endorse as part of the Cheshire Children Plan. These specifications are listed below under their respective 'outcome' heading, though in many cases there is of course cross-over between outcomes and plans. Fuller details of each project are in the Plan or in the project specifications.

Be Healthy	Stay Safe	Enjoy and Achieve	Make a positive Contribution	Achieve Economic Wellbeing
Teenage Pregnancy and sexual Health	Reducing levels of Neglect	Raising Achievement in Targeted Groups, Schools and Communities	Young Peoples involvement in positive activities and participation as influencers and decision makers	Full entitlement to education and curriculum – targeting vulnerable Young People
Stopping the rise in Childhood Obesity	Tackling Bullying	Improve Value-Added / Progress in all Key Stages	Increasing pro Social Behaviour: ensuring Children and young people stay out of trouble	Tackling Worklessness in families where there are children

Good Mental Health and emotional Wellbeing	Positive choices; children, young people and parents stay safe and manage risk better.	Improve Opportunities and Outcomes for Children with Disabilities	Reducing Alcohol, Smoking and Substance use/misuse	Employers engagement and support for 14-19 developments
	Placement stability for Looked After Children	Improve access to opportunities to activities outside School		Support homeless and vulnerable young people
	Supporting Children exposed to domestic abuse			Excellent Information, Advice and Guidance

8.0 Overview of Day One, Year One and Term One Issues

- 8.1 Day One – Have in place a formally approved Plan with agreed targets
 Year One – Review Plan and set local targets for 2009-11
 Term One – Review Plan and consider priorities from 2011.

9.0 Reasons for Recommendation

- 9.1 To ensure that the new Council has in place a formally adopted Children Plan as per its statutory requirements and to enable Officers to inform the relevant Government Departments that this is in place.

For further information:

Portfolio Holder: Councillor Paul Findlow

Officer: John Weeks / Rick Howell

Tel No: 01244 973228

Email:

Background Documents:

Documents are available for inspection at:

CHESHIRE EAST

CABINET

Date of meeting: 4 November 2008
Report of: The Strategic Director - People
Title: Free Swimming to those aged 16 and under and Capital Modernisation Programme – funding offer to Cheshire East Council.

1.0 Purpose of Report

- 1.1 Following consultation with Cabinet Members and others an urgent decision was made by the Chief Executive on 24 October 2008 under Council Procedure Rule 25 to approve acceptance of the Government's Free Swimming Programme offer of funding for the 16 and under category and capital improvements. This report provides a framework for implementing the decision.

2.0 Decision Required

- 2.1 To note the Chief Executive's decision.
- 2.2 To approve the actions needed to take the programme forward from April 2009 onwards as set out in Section 7.6 of this report.

3.0 Financial Implications for Transition Costs

- 3.1 There are no financial implications for transition costs up to the 1 April 2009.

4.0 Financial Implications 2009/10 and beyond

- 4.1 The Government's funding offer for the scheme is initially for a two year period only. In financial year 2011/12 and subsequent years the indications are that any further funding and delivery arrangements would be based on evidence from the previous two financial years.

The offer letter of 7 October from the DCMS indicates a level of funding that falls short of the collective existing level of income from this age category and is set out in section 7.4 of this report.

5.0 Legal Implications

- 5.1 No authority is required to enter any element of the programme so there is no new entitlement to free swimming.

6.0 Risk Assessment

- 6.1 As identified in Section 7.4 of this report the offer of funding from DCMS does not cover existing income generated so additional revenue funding streams and partnership activity will need to be identified over the two year period of the funding. The process to address this risk is discussed in Section 7.6 of the report.

7.0 Background and taking the free swimming Programme forward

- 7.1 As Members are aware in June of this year Government announced its intention to fund local Councils to provide free swimming for certain targeted groups with the aspiration of providing free swimming for everyone by 2012. At the end of July, the Department for Culture Media and Sport (DCMS) sent out letters to all Local Authority Chief Executives outlining the packages that were available to roll out the programme.
- 7.2 On 10 September 2008 Cabinet confirmed its intention that Cheshire East Council wished to participate in the Government's Free Swimming Programme for the 60's and over from 1 April 2009 and a response was made to the Department for Culture, Media and Sport to that effect by the deadline of 15 September. The Cabinet also approved an expression of interest to be made to Government on a further element of the scheme, the provision of free swimming for those 16 and under and funding for swimming pool modernisation.
- 7.3 This expression of interest was made and an offer expected from DCMS by 30 September with an invitation from the Council to confirm their participation or otherwise by 15 October. Unfortunately the offer was not received until 7 October with a new deadline for a decision by 24 October. To achieve this deadline and following consultations with Members of Cabinet the Chief Executive had to make an urgent decision under the Council's procedure rules. A copy of the offer letter and funding allocated are attached (Appendices 1 & 2).
- 7.4 A grant allocation offer of £173,410 per annum for two years has been made to Cheshire East Council to provide swimming for those aged 16 and under. As with the 60 and over offer this is again based on a formula taking into account the local population within this age category. The funding offer is as follows:-

Congleton Borough Council	£ 44,181
Crewe and Nantwich Borough Council	£ 58,680
Macclesfield Borough Council	<u>£ 70,549</u>
	<u>£173,410</u>

Having now accepted funding offers for both the 60 and over and 16 and under age categories Cheshire East Council will need to allow free swimming as defined by DCMS. For DCMS free swimming is defined as "meaning people in these age groups who wish to swim at any time throughout the year when they

would normally be admitted to the pool for public swimming, and in accordance with local programming, should not be charged for doing so.” The definition of a public swimming session does not therefore extend to private club hires, swimming lessons, galas or other special events.

- 7.5 On the issue of the capital programme by agreeing to run the free swimming programmes for both categories Cheshire East Council has been offered funding from a £10 million capital programme pot for 2008-09 as follows -

Congleton Borough Council	£21,033
Crewe and Nantwich Borough	£26,350
Macclesfield Borough Council	<u>£34,274</u>
	<u>£81,657</u>

The offer letter from DCMS has indicated that these figures are based on a pro rata population based share of the total available. These funds can be used as project development costs or bids for the next two financial years but cannot be used for partnership funding bids from next year onwards. At any early stage consideration will need to be given as to how this funding will be used.

- 7.6 By opting into the free swimming programme the new Council is sending out a positive message about its support for the health and well being of the local community and the role that such provision plays in achieving this. By extending free swimming to the 16 and under age category a key contribution will be made to supporting the positive outcomes for young people also being addressed by other agencies including the Primary Care Trust and Police. As such every effort will be made to increase partnership working with these agencies to maximise these outcomes. Acceptance also allows the opportunity to access into the capital stream and bidding for the future capital monies programme.

As indicated earlier in the report there will be a shortfall in income for the 16 and under category even at existing levels of usage in the order of £45,000 for the next financial year not including additional costs for staff and pool maintenance. At an early stage there will be a need to examine ways of developing strategies to draw in additional revenues to address this shortfall. Maximum effort will need to be made to increase secondary spend at all leisure centre sites including cross marketing of other leisure and catering activities. In order to manage this process it is recommended that a specific group from within the existing culture and leisure officers be set up and involving the Cabinet Member for Health and Wellbeing to both roll out the implementation of the scheme, its administration and management and develop an action plan to address the income and partnership issues. To ensure that all elements of this programme are fully addressed it is proposed that the group utilises a project management approach and provides updates on progress being made to the Cabinet Advisory Panel for People.

- 7.7 It is clear that whilst a positive message is being sent out in rolling out the programme it needs to be done so by managing customer and media expectations. It is considered that it needs to be made clear to service users on

a regular basis (and this role can be taken by the Working Group) that funding is only guaranteed from the Government throughout the life of the programme, that funding is time limited and that there may need to be an option to reintroduce charges at some stage in the future. It is also clear that this action may be necessary through whatever future management arrangement that Cheshire East Council uses to deliver its cultural and leisure services.

For further information:

Portfolio Holder: Councillor Andrew Knowles

Officer: - Mark Wheelton

Tel No:- 01625 504502

Email m.wheelton@macclesfield.gov.uk

Appendices

Appendix 1 – Free Swimming Programme offer letter to Local Authorities

Appendix 2 – Free Swimming Programme Grant Allocations

Background Documents:

Sport England – Free Swimming, Capital Modernisation Prospects

Documents are available for inspection at Macclesfield Town Hall.

CMS 103800

Metropolitan District Councils (England)
Non-metropolitan District Councils (England)
Unitary Authorities (England)
London Borough Councils
Common Council of the City of London
Council of the Isles of Scilly



department for
culture, media
and sport

Metropolitan County Councils (England) – for information
Non-metropolitan County Councils (England) – for information

Chairs of the Joint Implementation Teams in the restructuring
areas

7 October 2008

Dear Colleague

FREE SWIMMING PROGRAMME

Pots 2 and 3 Allocation Confirmation

1. As set out in our letter of 29 July and the subsequent addendum, and as per the terms and conditions of those communications, I am writing to you with details of allocations for Pot 2 (funding to provide free swimming for those aged 16 or under) and Pot 3 (funding for capital projects designed to modernise pool provision, as part of the free swimming offer). I confirm that the offer is now closed and thank all those local authorities who have opted in to Pot 1 and expressed interest in Pot 2.
2. 300 local authorities have chosen to offer free swimming to their local residents aged sixty or over. I am very grateful for what is clearly a strong desire amongst the huge majority of authorities to get more people more active and to be part of a lasting legacy from the 2012 Olympic Games.
3. 296 local authorities have also chosen to submit an expression of interest in Pot 2 for those aged sixteen or under. Set out at **Appendix A** are the proposed allocations to each of these local authorities, according to a formula based on the size of each authority's local sixteen or under population. In addition, other initiatives such as swimming lessons and Free Swimming Co-ordinators will be funded from the overall funding package. Free Swimming Coordinators will work alongside local authorities to help develop and deliver the Free Swimming Programme.

4. Also set out at **Appendix A** are the pro rata total population-based allocations to Local Authorities of the £10 million capital Pot 3. £10 million has been made available in financial year 2008/09 to reward those authorities which sign up to Pots 1 and 2 (including those who already make available free swimming offers that would otherwise have qualified for funding). These authorities are also eligible to apply for funding from Pot 4: The Free Swimming Capital Modernisation Programme, which Sport England is administering on behalf of Government. Further information is available on the Sport England website at:
http://www.sportengland.org/index/get_funding/swimming_capital_modernisation_programme.htm
5. More details on Pots 2 and 3 are at **Appendix B**.

Local Authorities who do not own pools and residency criteria

6. Following feedback from local authorities, we have been exploring ways in which we can ensure that the Free Swimming Programme can be extended to include those local authorities who do not own their own pools.
7. As a result, therefore, where an authority which does not own its own pools is able to demonstrate that it has entered into a suitable arrangement with a neighbouring authority or authorities for the use of its pools, we will arrange for the first authority's share of the grant to be distributed to the neighbouring authority or authorities.
8. In addition, following feedback from local authorities, we take this opportunity to state that free swimming for those of the eligible age means that people in that age group who wish to swim, at any time throughout the year (or out of school hours throughout the year for those aged 16 or under), when they would normally be admitted to the pool for public swimming, and in accordance with local programming, should not be charged for doing so. The scheme has no residency criteria.

Confirmation of participation and payment of grants

9. **By 24 October 2008**, could local authorities who would like to take up the Government's free swimming offer for those aged sixteen and under, and therefore receive an allocation from the £10m capital fund, and those local authorities without pools who would like to participate (providing the relevant brief information as outlined above) please fill in the attached pro forma (attached electronically). This will allow us to pay capital grants as soon as possible to those signed up to Pots 1 and 2, and pay out revenue grants promptly on 1st April 2009.
10. This pro forma should be returned to freeswimming@liberata.com . General queries on the Programme should be still be directed to DCMS on 020 7211 6200 or at enquiries@culture.gov.uk .

11. The payment of these Free Swimming Programme grants for financial years 2009/10 and 2010/11 are subject to the terms and conditions as set out in our letter of 29 July 2008 and the subsequent addendum.

A handwritten signature in black ink, appearing to read 'Paul Bolt'.

PAUL BOLT

Director, Sport and Leisure

Department for Culture, Media and Sport

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FREE SWIMMING PROGRAMME GRANT ALLOCATIONS FROM POTS 1, 2 & 3

Local Authority	£15,000,000 Pot 1	£25,000,000 Pot 2	£10,000,000 Pot 3
ENGLAND	£15,000,000	£25,000,000	£10,000,000
UNITARY AUTHORITIES			
BATH & NORTH EAST SOMERSET UA	£55,504	£78,108	£39,963
BLACKBURN WITH DARWEN UA	£33,386	£88,553	£32,138
BLACKPOOL UA	£49,800	£67,980	£32,476
BOURNEMOUTH UA			
BRACKNELL FOREST UA			
BRIGHTON AND HOVE UA	£66,354	£104,762	£57,211
BRISTOL, CITY OF UA	£100,574	£179,462	£93,403
DARLINGTON UA	£31,021	£50,238	£22,605
DERBY UA	£67,884	£120,654	£53,768
EAST RIDING OF YORKSHIRE UA	£120,049	£150,999	£75,289
HALTON UA	£31,299	£63,143	£27,193
HARTLEPOOL UA	£26,848	£48,170	£20,738
HEREFORDSHIRE UA	£67,467	£83,026	£40,461
ISLE OF WIGHT UA			
KINGSTON UPON HULL, CITY OF UA			
LEICESTER UA	£65,102	£154,197	£65,909
LUTON UA	£43,262	£106,649	£42,501
MEDWAY UA	£64,267	£136,169	£57,267
MIDDLESBROUGH UA	£37,698	£72,721	£31,500
MILTON KEYNES UA	£46,740	£124,118	£51,143
NORTH EAST LINCOLNSHIRE UA	£49,939	£82,385	£36,150
NORTH LINCOLNSHIRE UA	£52,026	£78,614	£36,175
NORTH SOMERSET UA	£72,614	£95,057	£45,828
NOTTINGHAM UA	£63,711	£126,675	£65,163
PETERBOROUGH UA	£42,428	£87,752	£37,150
PLYMOUTH UA	£73,031	£114,387	£56,454
POOLE UA			
PORTSMOUTH UA	£49,939	£87,305	£44,685
READING UA	£32,412	£66,478	£32,483
REDCAR & CLEVELAND UA	£46,462	£69,006	£31,741
RUTLAND UA*	£12,937	£19,905	£8,710
SLOUGH UA	£25,039	£65,687	£27,195
SOUTH GLOUCESTERSHIRE UA	£74,700	£128,622	£57,886
SOUTHAMPTON UA	£56,199	£96,961	£52,024
SOUTHEND UA	£53,278	£79,390	£36,373

STOCKTON-ON-TEES UA	£52,582	£97,426	£43,038
STOKE-ON-TRENT UA	£71,362	£117,662	£54,535
SWINDON UA	£48,548	£95,524	£42,463
TELFORD AND WREKIN UA	£42,428	£87,924	£36,840
THURROCK UA	£37,141	£81,821	£33,872
TORBAY UA	£54,808	£59,113	£30,309
WARRINGTON UA	£55,782	£98,705	£44,153
WEST BERKSHIRE UA	£40,202	£80,305	£33,849
WINDSOR AND MAIDENHEAD UA	£39,506	£73,273	£31,585
WOKINGHAM UA	£39,089	£80,048	£35,004
YORK UA	£57,312	£79,342	£43,639

COUNTY DISTRICTS

ADUR			
ALLERDALE	£33,942	£43,867	£21,454
ALNWICK	£12,380	£13,846	£7,291
AMBER VALLEY	£38,950	£57,874	£27,309
ARUN			
ASHFIELD	£35,611	£57,100	£26,316
ASHFORD	£33,803	£60,308	£25,297
AYLESBURY VALE	£45,071	£91,565	£39,143
BABERGH	£31,438	£43,482	£19,723
BARKING & DAGENHAM	£38,254	£100,860	£37,699
BARNET	£83,047		
BARNLEY	£68,580	£111,433	£50,858
BARROW-IN-FURNESS	£23,648	£35,691	£16,330
BASILDON			
BASINGSTOKE & DEANE	£40,619	£82,588	£36,105
BASSETLAW	£36,307	£54,251	£25,355
BEDFORD	£43,401	£79,884	£35,206
BERWICK-UPON-TWEED	£11,268	£10,271	£5,909
BEXLEY	£64,963	£116,061	£50,422
BIRMINGHAM	£248,027	£574,019	£229,022
BLABY	£28,934	£45,492	£21,056
BLYTH VALLEY	£24,205	£39,646	£18,477
BOLSOVER	£24,205	£36,269	£16,823
BOLTON	£75,118	£141,769	£59,717
BOSTON	£21,701	£27,287	£13,263
BRADFORD	£123,944	£286,611	£112,203
BRAINTREE	£40,619	£72,535	£31,785
BRECKLAND	£47,574	£59,715	£29,197
BRENT	£58,286	£130,197	£61,761
BRENTWOOD			
BRIDGNORTH	£19,614	£22,292	£11,789

BROADLAND*	£45,627	£54,773	£27,802
BROMLEY			
BROMSGROVE	£31,160	£44,745	£20,840
BROXBOURNE	£25,874	£46,133	£20,235
BROXTOWE	£34,498	£47,896	£25,124
BURNLEY	£25,178	£47,475	£20,019
BURY	£52,443	£96,572	£41,619
CALDERDALE	£57,173	£103,325	£45,175
CAMBRIDGE			
CAMDEN	£39,367	£90,454	£51,755
CANNOCK CHASE	£26,848	£48,254	£21,457
CANTERBURY	£48,131	£65,523	£33,262
CARADON	£31,299	£37,735	£18,955
CARLISLE	£34,359	£47,567	£23,508
CARRICK	£35,333	£40,190	£20,764
CASTLE MORPETH	£18,362	£21,850	£11,262
CASTLE POINT	£32,134	£42,321	£20,164
CHARNWOOD	£45,905	£73,125	£36,960
CHELMSFORD	£46,879	£80,670	£37,042
CHELTENHAM	£34,498	£51,970	£25,369
CHERWELL	£36,446	£71,819	£31,270
CHESTER	£39,228	£53,636	£27,225
CHESTERFIELD	£33,107	£47,531	£22,858
CHESTER-LE-STREET	£17,249	£24,999	£12,101
CHICHESTER	£45,766	£48,489	£24,786
CHILTERN	£29,908	£48,141	£20,540
CHORLEY	£30,743	£50,219	£23,595
CHRISTCHURCH			
CITY OF LONDON	£1,808	£1,778	£1,766
COLCHESTER	£46,879	£79,828	£38,875
CONGLETON	£30,743	£44,181	£21,033
COPELAND	£22,953	£33,185	£15,999
CORBY	£15,302	£29,293	£12,463
COTSWOLD	£31,299	£38,484	£18,937
COVENTRY	£83,047	£153,880	£69,774
CRAVEN	£21,283	£25,764	£12,623
CRAWLEY			
CREWE & NANTWICH	£36,168	£58,680	£26,350
CROYDON	£80,960	£180,674	£76,674
DACORUM	£39,784	£71,546	£31,489
DARTFORD			
DAVENTRY	£21,562	£41,065	£17,791
DERBYSHIRE DALES	£26,708	£31,668	£15,886
DERWENTSIDE	£28,378	£40,473	£19,673

DONCASTER	£89,863	£146,614	£66,055
DOVER	£38,115	£52,945	£24,203
DUDLEY	£99,461	£151,640	£69,458
DURHAM	£25,874	£35,388	£20,985
EALING	£63,711	£147,666	£69,714
EASINGTON	£30,186	£47,171	£21,388
EAST CAMBRIDGESHIRE	£25,039	£39,815	£18,103
EAST DEVON			
EAST DORSET			
EAST HAMPSHIRE	£35,611	£56,783	£25,048
EAST HERTFORDSHIRE	£35,889	£70,554	£30,165
EAST LINDSEY	£61,068	£58,331	£31,515
EAST NORTHAMPTONSHIRE			
EAST STAFFORDSHIRE	£32,690	£55,983	£24,504
EASTBOURNE	£38,115	£42,309	£21,602
EASTLEIGH	£34,777	£59,553	£27,067
EDEN	£19,336	£23,192	£11,764
ELLESMERE PORT & NESTON	£26,430	£41,005	£18,618
ELMBRIDGE	£37,559	£67,518	£29,466
ENFIELD	£69,414	£152,985	£64,919
EPPING FOREST	£38,950	£61,191	£27,972
EPSOM & EWELL	£21,283	£34,755	£15,828
EREWASH	£34,220	£54,415	£25,126
EXETER	£32,551	£47,425	£27,215
FAREHAM	£38,393	£51,172	£24,672
FENLAND	£32,551	£42,976	£20,504
FOREST HEATH	£16,554	£31,537	£14,137
FOREST OF DEAN*	£28,795	£38,927	£18,600
FYLDE	£31,160	£31,712	£17,214
GATESHEAD	£60,929	£89,313	£43,338
GEDLING	£36,863	£51,505	£25,427
GLOUCESTER	£31,716	£59,210	£25,749
GOSPORT	£24,344	£38,347	£17,795
GRAVESHAM	£28,934		
GREAT YARMOUTH	£35,472	£43,375	£21,252
GREENWICH	£48,409	£118,494	£50,657
GUILDFORD	£37,002	£60,634	£30,291
HACKNEY	£34,081	£117,805	£47,408
HAMBLETON			
HAMMERSMITH & FULHAM	£31,995	£69,949	£39,003
HARBOROUGH	£25,874	£41,777	£18,507
HARINGEY	£39,367	£111,910	£51,347
HARLOW			
HARROGATE			

HARROW	£56,199	£108,797	£48,824
HART*	£24,065	£46,907	£20,207
HASTINGS*	£27,682	£43,729	£19,596
HAVANT			
HAVERING	£72,614	£112,546	£51,730
HERTSMERE			
HIGH PEAK	£27,821	£45,664	£20,934
HILLINGDON	£61,763	£131,512	£56,881
HINCKLEY & BOSWORTH	£33,107	£48,354	£23,616
HORSHAM			
HOUNSLOW	£44,792	£109,360	£49,740
HUNTINGDONSHIRE	£45,627	£86,141	£37,905
HYNDBURN	£23,648	£46,438	£18,709
IPSWICH			
ISLES OF SCILLY	£974	£902	£484
ISLINGTON	£31,855	£77,310	£42,206
KENNET	£24,065	£42,190	£17,803
KENSINGTON & CHELSEA	£41,454	£69,487	£40,507
KERRIER	£36,029	£45,122	£22,301
KETTERING	£25,457	£45,156	£19,991
KINGS LYNN & WEST NORFOLK	£57,173	£64,420	£32,369
KINGSTON UPON THAMES	£35,611	£72,305	£35,478
KIRKLEES	£109,199	£213,097	£90,606
KNOWSLEY	£41,315	£81,708	£34,428
LAMBETH	£42,984	£124,345	£61,880
LANCASTER	£44,375	£63,131	£32,546
LEEDS	£200,174	£347,272	£170,714
LEWES	£38,254	£43,591	£21,369
LEWISHAM	£46,740	£129,260	£58,172
LICHFIELD			
LINCOLN	£23,926	£39,805	£19,938
LIVERPOOL	£116,293	£201,996	£99,225
MACCLESFIELD	£52,582	£70,549	£34,274
MAIDSTONE			
MALDON			
MALVERN HILLS	£29,630	£35,396	£16,816
MANCHESTER	£94,036	£213,941	£102,846
MANSFIELD	£31,160	£49,002	£22,723
MELTON	£15,858	£23,678	£11,133
MENDIP	£35,889	£56,273	£24,637
MERTON	£43,123	£92,513	£44,991
MID BEDFORDSHIRE	£34,498	£68,196	£30,078
MID DEVON	£26,291	£36,687	£16,952
MID SUFFOLK	£31,716	£44,757	£20,931

MID SUSSEX			
MOLE VALLEY	£29,351	£40,040	£18,321
NEW FOREST	£72,892	£77,371	£39,515
NEWARK & SHERWOOD	£37,420	£55,059	£25,427
NEWCASTLE UPON TYNE	£73,866	£119,019	£61,542
NEWCASTLE-UNDER-LYME	£39,784	£55,499	£28,164
NEWHAM	£37,837	£150,457	£56,518
NORTH CORNWALL	£33,664	£39,135	£19,418
NORTH DEVON	£35,055	£43,235	£20,824
NORTH DORSET	£24,761	£34,184	£15,180
NORTH EAST DERBYSHIRE	£35,472	£44,200	£22,222
NORTH HERTFORDSHIRE			
NORTH KESTEVEN			
NORTH NORFOLK	£48,409		
NORTH SHROPSHIRE	£20,866	£28,978	£13,541
NORTH TYNESIDE	£61,902	£91,100	£44,381
NORTH WARWICKSHIRE	£19,753	£29,854	£14,177
NORTH WEST LEICESTERSHIRE	£27,821	£44,631	£20,385
NORTH WILTSHIRE	£37,976	£69,705	£29,662
NORTHAMPTON	£51,191	£100,299	£45,528
NORWICH			
NUNEATON & BEDWORTH	£35,889	£62,460	£27,464
OADBY & WIGSTON	£18,501	£27,541	£12,863
OLDHAM	£59,538	£125,840	£49,963
OSWESTRY	£13,215	£19,719	£9,041
OXFORD	£30,186	£58,036	£33,928
PENDLE	£25,735	£49,062	£20,502
PENWITH	£26,013	£27,965	£14,653
PRESTON	£34,638	£66,418	£30,042
PURBECK	£18,779	£19,837	£10,285
REDBRIDGE	£60,094	£138,619	£57,328
REDDITCH	£20,449	£41,155	£18,085
REIGATE & BANSTEAD			
RESTORMEL	£37,281	£46,897	£23,197
RIBBLE VALLEY	£19,614	£28,577	£13,152
RICHMOND UPON THAMES	£43,401	£88,386	£40,846
RICHMONDSHIRE	£15,163	£24,465	£11,598
ROCHDALE	£55,086	£113,997	£46,995
ROCHFORD			
ROSSENDALE	£18,362	£36,024	£15,178
ROTHER	£43,123	£37,510	£19,925
ROTHERHAM	£76,926	£129,640	£57,632
RUGBY	£28,517	£47,311	£20,529
RUNNYMEDE*	£23,648	£34,365	£18,471

RUSHCLIFFE	£33,525	£52,214	£24,628
RUSHMOOR	£20,727	£46,385	£20,193
RYEDALE	£20,727	£24,380	£12,047
SALFORD	£61,068	£105,701	£49,611
SALISBURY	£39,784	£55,949	£26,232
SANDWELL	£83,742	£154,303	£65,432
SCARBOROUGH			
SEDGEFIELD	£28,100	£42,916	£19,951
SEDGEMOOR	£40,202	£53,982	£25,260
SEFTON			
SELBY	£23,787	£40,570	£18,158
SEVENOAKS			
SHEFFIELD			
SHEPWAY	£37,002	£47,306	£22,658
SHREWSBURY & ATCHAM	£32,690	£47,560	£21,824
SOLIHULL	£66,215	£103,961	£46,181
SOUTH BEDFORDSHIRE	£32,273	£61,038	£26,622
SOUTH BUCKS*	£21,005	£32,459	£14,506
SOUTH CAMBRIDGESHIRE*	£39,924	£69,632	£30,817
SOUTH DERBYSHIRE	£24,900	£47,384	£20,429
SOUTH HAMS	£32,968	£37,253	£18,932
SOUTH HOLLAND	£33,107	£37,207	£18,680
SOUTH KESTEVEN	£42,984	£64,509	£29,597
SOUTH LAKELAND	£42,845	£45,744	£23,840
SOUTH NORFOLK	£43,958	£54,996	£26,431
SOUTH NORTHAMPTONSHIRE			
SOUTH OXFORDSHIRE			
SOUTH RIBBLE	£33,386	£51,537	£24,203
SOUTH SHROPSHIRE	£18,501	£18,763	£9,628
SOUTH SOMERSET	£58,425		
SOUTH STAFFORDSHIRE	£37,420	£48,542	£24,157
SOUTH TYNESIDE	£48,270	£71,587	£34,363
SOUTHWARK	£45,905	£124,773	£61,251
SPELTHORNE	£28,517	£43,235	£20,585
ST ALBANS	£36,029	£71,976	£29,885
ST EDMUNDSBURY	£33,664	£49,048	£23,185
ST HELENS	£54,669	£89,303	£40,410
STAFFORD	£42,149	£55,126	£28,072
STAFFORDSHIRE MOORLANDS	£34,498	£42,884	£21,690
STEVENAGE	£20,727	£42,734	£18,046
STOCKPORT	£88,472	£138,561	£63,853
STRATFORD-ON-AVON	£42,845	£54,459	£26,412
STROUD	£37,281	£55,151	£25,090
SUFFOLK COASTAL	£47,574	£58,230	£27,794

SUNDERLAND	£83,325	£133,365	£63,847
SURREY HEATH			
SUTTON	£47,296	£94,932	£41,967
SWALE	£38,393	£67,947	£29,246
TAMESIDE	£60,929	£110,284	£48,786
TAMWORTH*	£18,779	£40,274	£17,162
TANDRIDGE	£26,152	£42,805	£18,502
TAUNTON DEANE	£37,420	£52,766	£24,440
TEESDALE	£9,320	£10,890	£5,649
TEIGNBRIDGE	£50,496	£56,750	£28,563
TENDRING	£67,188	£62,666	£32,906
TEST VALLEY	£34,916	£58,687	£25,857
TEWKESBURY	£27,682	£37,510	£17,919
THANET	£48,966	£64,458	£29,273
THREE RIVERS	£25,735	£44,466	£19,454
TONBRIDGE & MALLING			
TORRIDGE	£25,874	£29,305	£14,602
TOWER HAMLETS	£30,464	£112,628	£48,422
TRAFFORD			
TUNBRIDGE WELLS			
TYNEDALE	£21,283	£27,358	£13,539
UTTLESFORD	£21,979	£37,725	£16,239
VALE OF WHITE HORSE			
VALE ROYAL	£39,228	£63,716	£28,669
WAKEFIELD	£95,566	£158,771	£73,077
WALSALL	£79,430	£137,978	£57,918
WALTHAM FOREST	£45,071	£119,549	£50,457
WANDSWORTH	£49,105	£108,864	£63,473
WANSBECK	£20,170	£28,790	£14,029
WARWICK	£40,202	£59,212	£30,248
WATFORD			
WAVENEY	£46,740	£54,282	£26,567
WAVERLEY	£38,950	£62,168	£26,568
WEALDEN	£57,173	£69,862	£32,696
WEAR VALLEY	£20,727	£30,132	£14,187
WELLINGBOROUGH	£21,979	£38,966	£17,176
WELWYN HATFIELD	£29,769	£51,012	£24,009
WEST DEVON	£20,031	£23,787	£11,647
WEST DORSET*	£43,401	£44,319	£21,893
WEST LANCASHIRE	£35,750	£54,611	£24,977
WEST LINDSEY	£31,021	£41,929	£19,675
WEST OXFORDSHIRE	£31,577	£50,997	£22,802
WEST SOMERSET			
WEST WILTSHIRE	£41,593	£63,072	£28,404

WESTMINSTER	£47,853	£76,335	£52,761
WEYMOUTH & PORTLAND			
WIGAN	£90,558	£152,421	£69,513
WINCHESTER	£35,611	£54,899	£25,020
WIRRAL	£104,886	£156,405	£70,814
WOKING	£24,761	£46,010	£20,627
WOLVERHAMPTON	£71,918	£120,773	£53,840
WORCESTER	£25,735	£46,368	£21,255
WORTHING			
WYCHAVON	£41,454	£54,887	£26,472
WYCOMBE	£45,349	£86,495	£36,709
WYRE	£44,653	£49,406	£25,114
WYRE FOREST	£34,916	£44,674	£22,350

* Local authorities we have identified as not owning their own pools but now eligible for prospective funding as set out above and in line with paragraphs 7-9 above.

FREE SWIMMING PROGRAMME**Pot 2: Free swimming for those aged 16 or under**

1. Pot 2 is only available to those local authorities who choose the minimum offer of providing free swimming for those aged 60 or over and wish to provide an additional offer for those aged 16 or under. For these authorities we will make available an additional £25m revenue funding over two years to support free swimming for those aged 16 or under.
2. As for those aged 60 or over, we have made the qualifying criteria for the scheme correspondingly simple. Free swimming for those aged 16 or under means that people in that age group who wish to swim out of normal school hours throughout the year, when they would normally be admitted to the pool for public swimming, and in accordance with local programming should not be charged for doing so.
3. We have therefore written to eligible Chief Executives to ask them to submit an expression of interest, no later than 15 September 2008, if their authority has the ambition to provide free swimming for under 16s. For these authorities, Government will then provide details of their prospective allocation by 30 September. Authorities will then be invited to confirm, by 15 October 2008, whether they wish to participate in this element of the offer. Their share of the fund will then be allocated and distributed through a section 31 ring-fenced grant.
4. Government hopes that local authorities will work creatively with local partners, including Primary Care Trusts, to access funds from other sources (such as Working Neighbourhoods Fund, Extending Activities, the Big Lottery Fund) as well as with commercial and third sectors, to maximise the impact across shared agendas.
5. Those authorities who already make available a free swimming offer that would otherwise have qualified for funding may use their allocation on initiatives additional to their existing offer and designed either i) further to increase and sustain participation for those aged 16 or under (e.g. structured sessions or classes) and/or ii) to extend their existing programmes to wider groups of the population and move further towards a universal free swimming offer.

Pot 3: Modernising pool provision – capital reward fund

6. In addition, Government is providing a total of £60 million capital for capital projects designed to modernise pool provision, which are integrated with providing free swimming as outlined above.
7. £10 million will be available in financial year 2008/09 to reward those authorities which sign up to both schemes as outlined above. Those authorities who confirm participation in both schemes as outlined above will receive a pro rata population-based share of the £10 million capital in financial year 2008/09. These funds can be used as project development costs for bids for financial year 2009/10 and financial year 2010/11. They cannot however be used for partnership funding for bids from financial year 2009/10 onwards.

CHESHIRE EAST COUNCIL

CABINET

Date of meeting: 4 November 2008
Report of: Interim Monitoring Officer
Title: Notice of Motion relating to Waste Management Contract referred from Council on 20 October 2008

1.0 Purpose of Report

- 1.1 To place before Cabinet the Notice of Motion referred from Council on 20 October.

2.0 Decision Required

- 2.1 To determine how to respond to the Notice of Motion.

3.0 Financial Implications for Transition Costs

- 3.1 See 7.2 below.

4.0 Financial Implications 2009/10 and beyond

- 4.1 See 7.2 below.

5.0 Legal Implications

- 5.1 See 7.2 below.

6.0 Risk Assessment

- 6.1 None for the purpose of this report.

7.0 Background and Options

- 7.1 At the Council meeting on 20 October 2008, a Notice of Motion which is at Appendix 1 to this report was moved and seconded by Councillors Flude and Thorley. In accordance with the Constitution, the Notice stands referred to Cabinet for determination because it relates to an executive function. The decision on how to respond to the Notice is within Cabinet's discretion.
- 7.2 Cabinet considered a report on the Waste Disposal and Waste Treatment PFI Contract on 17 July. In accordance with paragraph 3 of Schedule 12A to the Local Government Act 1972 the press and public were excluded during consideration of that report. Cabinet is reminded that if, during the course of

debate, any exempt information within Schedule 12A is likely to be discussed, Cabinet needs to consider passing a motion to exclude the press and public.

8.0 Overview of Day One, Year One and Term One Issues

8.1 See 7.2 above.

9.0 Reasons for Recommendation

9.1 To allow the Notice of Motion to be dealt with in accordance with the provisions of the Constitution.

For further information:

Portfolio Holder: David Brickhill (Environmental Services)

Officer: Julie Openshaw (Interim Monitoring Officer)

Tel No: 01625 504250

Email: j.openshaw@macclesfield.gov.uk

Background Documents:

None.

Motion to Council re Waste Management Contract 2009

This Council welcomes the commitment of Cheshire East and Cheshire West and Chester shadow unitary authorities to manage jointly the process of creating a renewed waste disposal service for the people of Cheshire. We particularly welcome the decision to create a Joint Unit to undertake the Waste PFI Procurement and that waste contracts will be managed on a County-wide basis.

We call upon this joint body to ensure that the people of Cheshire benefit from any technological developments that occur that will increase the income from waste disposal during the long life of the PFI contract. For example, should there be returns from the mining of plastic from landfill sites in the future, benefits should be equably shared between Council Tax payers and the waste company carrying out the contract.

The Council also calls upon the new joint body which will conclude the contract in 2009 to be mindful of the full environmental impact of the waste disposal methods chosen and ensure that adverse environmental effects are minimised and that the waste disposal methods and arrangements will be safe, sustainable, encourage waste minimisation and be cost effective.

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CHESHIRE EAST**Cabinet**

Date of meeting: 4 November 2008
Report of: Leader
Title: Progress Reporting Paper

1.0 Purpose of Report

- 1.1 The purpose of this paper is to provide Members with an update on the programme; to draw attention to progress made against key milestones and highlight what the next steps will be for the forthcoming months.

2.0 Decisions Required

The Cheshire East Cabinet is recommended to:

- 2.1 note progress made during October (appendix 1);
- 2.2 recognise activities to be undertaken throughout November and December (appendix 2)

3.0 Financial Implications for Transition Costs

- 3.1 None

4.0 Financial Implications 2009/10 and beyond

- 4.1 None

5.0 Risk Assessment

- 5.1 All milestones should be considered against the high level Risk Matrix.

6.0 Background - Appendix 1: Progress during September

- 6.1 Appendix 1 sets out the key milestones, as taken from the High Level Implementation Plan, which were due for completion in October. The status of each milestone and a brief description of what has been achieved can be found here.

7.0 Options - Appendix 2: Next Steps

- 7.1 Appendix 2 highlights the key milestones to be achieved in November and December.

8.0 Appendix 3 – Milestone Plan

- 8.1 Appendix 3 provides a visual representation of progress to date in the form of a Milestone Plan.

9.0 Reasons for Recommendations

- 9.1 Members of the Cabinet are invited to comment on:
- achievements to date; and
 - activities that need to be undertaken throughout November and December.

For further information:-

Portfolio Holder: Councillor Wesley Fitzgerald
Officer: Alistair Jeffs
Tel No: 01244 9 72228
Email: alistair.jeffs@cheshire.gov.uk

Background Documents:-

Documents are available for inspection at:
Member Support Team, Westfields, Middlewich Road, Sandbach, CW11 1HZ

PROGRESS DURING OCTOBER

Listed below are a number of key milestones that were due to be completed in October. The status of each milestone and a brief summary of what has been achieved can be found in the paragraphs following the table.

OCTOBER	
Overall Programme	1.1 Chief Executive in Post 1.2 Tier 2 Appointments
People	1.3 Set up School Forum 1.4 Set up School Admission Forum 1.5 School Governors Re-appointing
Finance & Asset Management	1.6 Medium Term Financial Strategy Update

1.1 Chief Executive in Post - COMPLETE

Erika Wenzel, Cheshire East Council's Chief Executive, has become the Shadow Authority's first member of staff by taking office early last month.

1.2 Tier 2 Appointments – IN PROGRESS

Arrangements are in hand to appoint an externally sourced Interim Strategic Director (Places) and for external recruitment to the permanent Strategic Director Post.

The closing date for the four corporate posts was 3rd October 08. Erika Wenzel met with the recruitment consultants and they have agreed a longlist of applicants who have been subject to an assessment centre, for the posts of Treasurer and Head of Policy and Performance. However, it was felt that the field of applicants for the post of Head of Human Resources/Organisational Design and Borough Solicitor was not strong and therefore agreed that these posts should be re-advertised externally. Longlisting and shortlisting will take place in November and interviews with Members arranged as soon as possible thereafter.

1.3 Set up School Forum – IN PROGRESS

At the last Cabinet meeting consideration was given to a report of the People Block Lead Officer on the size and composition of the Cheshire East Schools Forum, and on its proposed Terms of Reference. The Cabinet considered the suggested size of the Forum was too large and it was therefore agreed that it should be reduced from a total of 31 to 27; this would still allow for proper representation from the various sectors, with eight primary school representatives and eight secondary representatives for the Schools Group

(four headteachers and four governors for each) and that the Forum would be of a more manageable size

1.4 Set up School Admission Forum – IN PROGRESS

Back in August, Members of Cheshire East Cabinet approved the continuation of the existing process relating to admissions and appeals for September 2009 intake. The admissions team would then be disaggregated on a phased basis from September 2009.

Approval was also given to the County Council to commence the formulation of the September 2010 policy and the statutory consultation process, to be completed by March 2010.

The establishment of two separate Admissions Forums from Autumn 2008 was supported by Members. This would allow each Local Authority to be advised on issues and policies relating to its local area and local schools.

The County Council will begin drawing up proposals in liaison with the existing Admissions Forum for the relevant area(s), which will be subject to a 30-day consultation period prior to determination.

1.5 School Governors Re-appointing – IN PROGRESS

A paper entitled 'Local Authority School Governor Appointment Process' was produced by the People Block Lead Officer for consideration at September's Governance & Constitution Committee. In short, the paper was requesting agreement on the proposed process for appointing Local Authority Governors. This included approval of a number of documents; Model Role Descriptions, Code of Conduct for LA Governors, Criteria for Appointment and Terms of Reference of Appointment Panel.

This item was deferred until the following Governance & Constitution Committee to be held on 3rd November.

1.6 Medium Term Financial Strategy – IN PROGRESS

Work on the Medium Term Financial Strategy has been progressing well under the direction of Cllr Keegan, portfolio holder for Resources. Work is underway on the development of the Financial Envelope for Cheshire East. Guidance and templates are also being produced which will be completed by Lead Finance Officers and returned shortly thereafter.

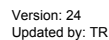
APPENDIX 2**NEXT STEPS**

The following milestones have been grouped under the relevant Block, Joint Transitional Project or Overall Programme and are to take place throughout November and December.

NOVEMBER	
People	<ul style="list-style-type: none"> Agree Packages / Costs of Support Services for Schools Set up School Forum School Governors Re-appointing
Places	<ul style="list-style-type: none"> Waste Disposal Contract Preferred Bidder
Performance & Capacity	<ul style="list-style-type: none"> Establish Shadow Local Strategic Partnership Corporate Plan Development
HR	<ul style="list-style-type: none"> liP Arrangements for New Authority Agree Core Values Framework Employee Code of Conduct
Finance & Asset Management	<ul style="list-style-type: none"> Medium Term Financial Strategy Update Transitional Cost Update Disaggregation of Cheshire County Council Balance Sheet Progress and Approval Report

DECEMBER	
Overall Programme	<ul style="list-style-type: none"> Statutory Officers Appointed
People	<ul style="list-style-type: none"> Set up School Admin Forum
Places	<ul style="list-style-type: none"> Local Development Scheme
HR	<ul style="list-style-type: none"> Strategy for Pay & Policy Harmonisation
Finance & Asset Management	<ul style="list-style-type: none"> Medium Term Financial Strategy Update

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	07/08 Q4	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan-09	Feb	Mar	Q1		Q2	Q3	Q4
Performance & Capacity			Develop Area & Neigh. Working and Community Empowerment Principles Draft Protocols Disposals/ Contracts/ Agree-ments Member learning/ develop-ment	Define Area & Neigh. Working and Community Empowerment Principles		Area & Neigh. Working – consultation with community commences	Draft Sustainable Community Strategy (New)		Establish Shadow Local Strategic Partnership Corporate Plan Development (NEW)					Cheshire's LAA goes live Interim Sus. Cheshire Comm. Strat goes live Perf. Man. Framework in place by 01.04.09	New Local Strat. Part. Go live 2010 Comp Area Assessment Corporate Plan goes live			
HR		Training/ dev. Priorities/ provisions for JTT		Options on office locations, headquarters & PMW	Cabinet decision on Severance (moved from May –Jul)	Principles for aggr/dia- aggregation of staff	High level organisational structures agreed Staff Retention Strategy (moved from Jul-Sept) Detriment Scheme (New) Relocation Expenses Scheme (New)		JIP arrangements for new Authority (moved from Jul-Nov) Agree Core Values Framework for Cheshire East (NEW) Employee Code of Conduct (NEW)	Strat. for pay & policy HR	Transitional structures agreed	Sen. Mans. (tier 3) recruitment		Finalise appointments & manage displaced employees				
Finance & Asset Management		Trans. costs & budget for C.J.C		Advise on Budget Setting for 2009/10 Initial Financial Cost Envelope 2008/10	Disaggregate County Budget Assets & liabilities & formula grant	Transfer of assets agreement	Implement Financial ledger for modelling		Transitional Cost Update (NEW) Disaggregate CCC Balance Sheet Progress & Approval Report (NEW) Medium Term Financial Strategy Update	Finalise 2009/10 taxbase (moved from Nov-Dec) Medium Term Financial Strategy Update	Formal budget consultation Planning closure 2008/09 Accounts Medium Term Financial Strategy Update	Council tax billing system go live Agree 2009/10 Budget & Council Tax Corp Plan and Medium Term Performance & Financial Plan agreed by Shadow Council		Procurement contracts				
ICT/Knowledge Management			IT support for all Shadow Councilors in place	Shadow Auth. Web-sites operational Develop a high level ICT protocol														