

Cabinet Agenda

Date: Tuesday, 16th June, 2009
Time: 2.00 pm
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

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

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 - 2)

To approve the minutes as a correct record.

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

5. **Key Decision CE09/10-01 - Adult Social Care Redesign Implementation** (Pages 3 - 26)

To adopt the new model of Social Care services for Adults and to approve and agree the decisions required within the report.

6. **Key Decision CE09/10-05 - Living Well With Dementia in Cheshire East : The local response to the National Dementia Strategy** (Pages 27 - 46)

To consider a report informing Cabinet about the National Dementia Strategy and to approve the decisions required, as set out in the report.

7. **Key Decision CE09/10-08 - Free Garden Waste Collection in the area of the former Crewe and Nantwich Borough Council** (Pages 47 - 50)

To give approval that a free garden waste collection service be offered to householders in the area of the former Crewe and Nantwich Borough Council in the form of a single wheeled bin.

8. **Key Decision CE09/10-09 - Alternate Weekly Waste Collection in the area of the former Congleton Borough Council** (Pages 51 - 54)

To approve the introduction of an alternate weekly collection for the collection of residual waste (dark grey/black bins) from households within the area of the former Congleton Borough Council.

9. **Key Decision CE09/10-11 - Application for Civil Enforcement Powers - Former Congleton Borough Council Area** (Pages 55 - 56)

To reaffirm the decision made by the former Congleton Borough Council, and endorsed by the former County Council Portfolio Holder, to make application to the Department for Transport (DfT) to adopt civil enforcement powers under the Traffic Management Act 2004 in the former Congleton Borough Council area.

10. **Accommodation and support for the Charter Trustees** (Pages 57 - 60)

To inform Cabinet of requests for support from the Crewe and Macclesfield Charter Trustees and for a decision to be made upon how the Council might respond.

11. **Anti-fraud and Corruption Strategy** (Pages 61 - 76)

To Approve the Anti-fraud and Corruption Strategy and to nominate the Internal Audit Team as the main body dealing with and co-ordinating any enquiries in response to allegations of fraud and corruption.

12. **Communications Strategy** (Pages 77 - 92)

To consider a report setting out a Communications approach for Cheshire East Council and to adopt the Communications Strategy outlined.

13. **16-18 Transfer Arrangements - Machinery of Government and future 14-19 Partnership and Planning** (Pages 93 - 98)

To consider a report summarising two significant issues which are crucial in taking forward the 14-19 agenda and the variety of reforms which are planned during the next 2-3 years.

14. **Amendment to the Local Environmental Quality Strategy** (Pages 99 - 102)

To consider an amendment to the LEQS, as set out in Section 7.0 of the report and to agree to allow the issuing of FPN's to juveniles over the age of 10.

15. **Key Decision CE09/10-10 - Car Parking Control and Charging in the area of the former Borough of Congleton** (Pages 103 - 114)

That, subject to paragraph 2.5 of the report, to approve the list of car parks to be subject to control and charging and to agree the scale of parking charges, as set out in the report.

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

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

The Committee may decide that the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

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

17. **Key Decision CE09/10-10- Car Parking Control and Charging in the area of the former Borough of Congleton - Legal Implications** (Pages 115 - 118)

To note the Legal Implications contained within the Report and to decide how to proceed with the charging regime, given the legal issues.

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 2nd June, 2009 in the East Committee Room, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor W Fitzgerald (Chairman)
Councillor B Silvester (Vice-Chairman)

Councillors D Brickhill, P Findlow, F Keegan, J Macrae and P Mason

Councillors in attendance:
Councillors R Westwood, L Smetham and R Menlove.

Officers in attendance:
Strategic Director People
Borough Solicitor
Interim Manager for School Organisation & Development

Apologies:
Councillors D Brown, R Domleo and A Knowles.

26 DECLARATIONS OF INTEREST

There were no declarations of interest.

Councillor Fitzgerald mentioned that he was a local Ward Member for
Gorse Bank Primary School, Wilmslow.

27 PUBLIC SPEAKING TIME/OPEN SESSION

There were no questions from members of the public.

28 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 19 May 2009 be approved as a
correct record.

29 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That in accordance with Section 100(A)4 of the Local Government Act
1972 the public be excluded from the meeting for the following item on the
grounds that it involves the likely disclosure of exempt information as
defined in Paragraph 5 of Part 1 of Schedule 12A to the Local Government

Act 1972 and the public interest would not be served in publishing the information.

(Paragraph 5 relates to information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.)

30 **KEY DECISION GORSEY BANK PRIMARY SCHOOL, WILMSLOW -
REMEDIAL WORKS**

The Cabinet considered a report on remedial works to a four classroom extension at Gorsey Bank Primary School, Wilmslow.

The Head Teacher of the School, Mrs S Garrod, attended the meeting during consideration of this item and contributed to the discussion.

RESOLVED

That the recommendations in paragraphs 2.1-2.3 of the report be approved.

The meeting commenced at 10.00 am and concluded at 10.53 am

W Fitzgerald (Chairman)

CHESHIRE EAST COUNCIL

CABINET REPORT

Date of meeting: 16 June 2009
Report of: Strategic Director – People Directorate
Title: Adult Social Care Redesign - Implementation

1.0 Purpose of Report

- 1.1 This paper provides an update on the redesign and implementation of Adult Social Care services and identifies key decisions for taking this forward. It is a comprehensive report that contains significant operational and financial implications for a service which is undergoing transformation and which constitutes a large proportion of the Cheshire East budget at £72m in 2009-10.
- 1.2 Transformation is being driven nationally and these changes represent the most radical review of services for over 20 years. Redesign is now in an advanced state within Cheshire East and will deliver the broad objectives of localised services; handing over control and choice to individuals; reducing bureaucracy; improving preventive and information services and changing the shape and nature of provision.
- 1.3 These proposals have been considered by the Health and Adult Social Care Scrutiny Committee on 20 May 2009. The Committee broadly supported the approach to redesigning social care services for adults, welcomed the proposals and felt that the public consultation exercise had been comprehensive and effective.

2.0 Decisions Required

The Cabinet is recommended to decide to:

- 2.1 Adopt the new model of Social Care services for Adults, which fully embraces and expresses the personalisation of services.
- 2.2 Note the responses to the public consultation exercise and support the action taken to incorporate these views within the new model, as appropriate.
- 2.3 Agree that the implementation of the new model should involve the development and establishment of locality teams across East Cheshire by March 2010, in line with the Council's commitment to localism and Local Area Partnerships.
- 2.4 Approve the phased implementation by locality teams, starting in Wilmslow, of an upfront Resource Allocation System (RAS) for *all new users* and for users requiring an *unscheduled* review (as defined within the report).
- 2.5 Agree that a review of implementation of RAS should be undertaken during 2009-10 and that subject to the outcomes of that review its

application should be extended to all existing users by the end of 2010-11.

- 2.6 Note the intention to develop a schedule of prices for provider services, based on the current policy of full cost recovery and authorises the Adults and Finance Portfolio Holders to approve the pricing schedule prior to the start of implementation.
- 2.7 Note the intention to instigate a review of the Council's Finance and Contract Procedure Rules to ensure compliance with a personalised approach to commissioning adult social care services
- 2.8 Agree that reablement services should be offered free of charge to users assessed with Critical or Substantial needs under Fairer Access to Care Services (FACS) criteria on a cost neutral basis.
- 2.9 Approve the earmarking of Social Care Reform Grant and other carried forward Social Care specific resources up to a maximum of £6.9m, to deliver the changes required as outlined in this report, insofar as these costs cannot be contained within the Directorate outturn position for the duration of the implementation.
- 2.10 Agree that robust financial and performance management systems should be put in place and that the risks inherent in implementation should be carefully managed on a whole Council basis.
- 2.11 Require regular reports to be made to members during the implementation of the new model over the medium term.

3.0 Background and Options

Context

- 3.1 In October 2008, Shadow Cheshire East Cabinet accepted Cheshire County Council's recommendations for the delivery of a new model of social care. This model is based on nationally-driven principles of personalisation for Adult Services, as well as the adoption of prevention approaches, lean systems and more customer focused processes. From November 2008 until February 2009, the County Council carried out a comprehensive public consultation exercise about this model and published an evaluation of the results in March 2009 for the two new Councils to receive and address.
- 3.2 In February 2009, the Shadow Cheshire East Council set its Adult Services budget at £72m, incorporating a reduction of £4.1m (6%). The disaggregated budget contains an underlying overspend against adults under the age of 65, and an underspend against adults over 65. There are emerging growth pressures across the board.
- 3.3 Central Government has provided Local Authorities with Social Care Reform Grant for three years from 2008-09 in recognition of the magnitude of changes required to move away from traditional models of care and in order to drive through those changes. The Department of Health has made it clear that social care services (in the widest sense) must transform as outlined in Local Authority Circulars 2008 (1) and

2009 (1). Cheshire East has been allocated £1.2m Social Care Reform Grant in 2009-10, which will have to be repaid if not spent as intended. In addition, there is a sum of £3.8m unspent Social Care specific grant monies carried forward from the County Council's Community Services budget and £1.9m one-off budget allocated to transform social care from previous budget settlements. This makes a total of £6.9m as referred to above in decision 2.9. The use of these resources will provide essential pump priming and transitional support in order to deliver the new model of social care within the challenging budget set and against the backdrop of growth. **Target savings are unachievable without this phased funding, and will put services at risk.**

- 3.4 The Council will need to consider all the above factors, and how to manage the associated risks, in making decisions about the pace and nature of changes to Adult Social Care Services in the medium term, and what resources it will make available in the longer term. If implemented responsibly, however, the new model provides more responsive services to users, more sustainable services for a wider group in the longer term, counters growth that is being experienced nationally and makes optimal use of resources available to the Council.

The New Model

- 3.5 Previous reports have outlined in detail the main features and principles underpinning the new model and the programme of work on Adult Social Care Redesign which sits behind its design. In summary, Councils are expected to shift from traditional methods of assessment and provision and enable more choice and control for users to:
- (a) understand what they are entitled to, and
 - (b) have more choice about how best to achieve outcomes against assessed need.

These factors, if applied properly, constitute a massive change to the current delivery of services, to the nature of the services provided and to the financial and operational management of those services.

- 3.6 Aspects of the new model have been implemented and combined with the transfer to Cheshire East, following the approval by the Shadow Cabinet in October 2008. The new management structure and functional split between Provision, Strategic Commissioning and Individual Commissioning therefore constitute a major shift from the traditional approach to care services and provide the necessary framework to deliver the rest of the model. The structure chart is shown at **Appendix 1**.

- 3.7 The next stage requires the following actions:

Locality Teams

- 3.8 In order to improve overall responsiveness and better local working, it is proposed that six locality teams are formed to undertake provision of information and signposting, preventive services, assessment,

reablement¹, support planning, provision/commissioning of brokerage and provision of advocacy. A major piece of work has been undertaken to review the processes and systems to be undertaken by these teams, and evidence suggests that a significant amount of unproductive activity can be removed from current systems. The resources required by each team have been estimated on the basis of projected demand in each area. Each team will be 'mapped' onto the seven Local Area Partnership (LAP) boundaries agreed within Cheshire East (one locality team will serve two LAPs), so that in time their performance can be managed and measured on that basis with other key partners within each locality as well as making an active contribution to how the Council develops LAP working. It is estimated that six operational teams will operate out of four office bases. All teams will encompass flexible and mobile working systems, and be provided with the necessary technical kit for which capital provision exists.

- 3.9 A detailed implementation plan has been drawn up following extensive consultation with staff, managers, partners and users, and it is proposed that the new model is implemented patch-by-patch starting in Wilmslow in July 2009. All locality teams will be operational by February 2010. A new staffing structure is planned to be in place by October 2009. This aspect of the model will deliver permanent efficiencies, in terms of lean systems and fewer staff involved in process and administration. It will provide enhanced services in terms of prevention and reablement, which in turn will generate better outcomes for individuals. This approach should reduce growth pressures on the social care budget. It will require temporary funding in terms of change management resource and potential redundancy costs.

Provider Services

- 3.10 Giving users more choice and control will inevitably impact on the current provider market. It is intended to develop more commercial and business-like practice within current in-house providers, and better value and choice for users. In addition, bringing all our providers into a single structure instead of splitting across Adult and Older Client Groups allows leaner staffing structures to be implemented, whilst protecting the level of service. Internal providers will be challenged to cover all costs (including overheads) with income from users and commissioners, to ensure that (a) users want their services and (b) they are financially viable.
- 3.11 Savings are planned, this year through significant restructuring and reductions in posts as well as rationalising provision where there is a business case for efficiency, as agreed during the budget setting process. In future years, further savings will be achieved through a reshaping of services where only services that meet required outcomes within budget will survive. In the longer term, different, more commercial operating models for providers are currently being explored – in conjunction with Health colleagues – and will be brought back to

¹ Reablement is about giving people over the age of 18 years the opportunity and confidence to relearn/regain some of the skills they may have lost, as a consequence of poor health, disability/impairment or going into hospital or residential care, and to gain new skills that help them to maintain their independence

Members for consideration in due course. Temporary funding is required for change management input, potential redundancy costs and to fund any impact of 'double running' services while some are decommissioned where no longer chosen, required or viable.

- 3.12 The Strategic Commissioning part of the service will be charged with monitoring and managing the impact on, and effectiveness of, these services, and ensuring that an appropriate level of service is available to meet the Authority's duty of care both from suitable internal and external sources. This includes a specific role to help to manage the market and provide services in a more integrated and efficient manner.

Transport

- 3.13 The provision of transport will also need to be reviewed in the light of personalisation of services and cost pressures. Most of the transport currently provided within Adult Services is not an assessed care need, and as such does not have to be provided directly by the Authority. However, it has been provided for many years to many people and there is now significant 'dependency' on this form of transport that will take time to tackle. The review will take place over coming months, with recommendations to be brought to Cabinet to coincide with the next budget-setting cycle. It is possible that public consultation will be required for significant changes to current provision. In the meantime, all new users will only be offered transport where it constitutes an assessed need.

Resource Allocation System (RAS)

- 3.14 Personalisation of Adult Services requires that all users are given a 'Personal Budget' based on an upfront and transparent Resource Allocation System. This means that individuals are told of the level of resources they are entitled to at an early stage in their contact with the service. This work is being driven nationally, and more work has been done in Cheshire than in most authorities, to determine an efficient and safe way of allocating funds for this purpose. More detail about the development of a national RAS framework, the local research carried out by Cheshire County Council and the different approaches to making allocations is attached at **Appendix 2**. Authorities have, since 1998, been legally obliged to offer cash payments to individuals to meet needs in the form of a Direct Payment, but take up nationally has been slow for a variety of reasons. The Government's intention is that the take up of Direct Payments (DPs) and application of Personal Budgets are dramatically increased, that the processes underpinning user choices are transformed and that the method by which DPs are calculated is more transparent and objective e.g. through a RAS. Local Area Agreement (LAA) targets exist and are published annually to monitor Councils' progress towards this goal. Cheshire East is currently exceeding these targets due to the work undertaken in redesigning social care so far, but will not meet the next target level (NI 130) without major changes in culture, procurement rules and structure.

- 3.15 This directive can be achieved through the application of a formula-based RAS where needs are assessed and allocated 'points' – these are then converted into a financial allocation through a set formula. Users can opt to take this allocation as a cash payment (Direct Payment). If users opt NOT to take a cash payment, they can continue to receive services direct from the Council to the level determined in the RAS. This is referred to as a 'virtual budget'. At the present time it is not legally possible for users to purchase services from internal providers using a direct payment. Currently the only way services can be provided to users by internal providers therefore is through a virtual budget.
- 3.16 It is proposed that the Council adopts an up front Resource Allocation System for all new users and users requiring unscheduled reviews on a phased basis during 2009-10. The intention is to then migrate all remaining existing users at review stage by the end of Year 2 (2010/11), subject to an evaluation of this approach and further research during Year 1. This evaluation will be undertaken to ensure that such a method is providing the right outcomes for users and a stable financial situation for the Council and will be reported back to members if significant issues emerge. A summary of the definition of users and the proposed phasing is shown at **Appendix 3**.
- 3.17 To give an indication of scale, if a formula is applied, full roll out to all users would total **£30m** in a year on current budget. RAS would be applied as part of the roll out of locality teams, patch-by-patch. In the first year a contingency of 20% (**£7.6m**) will be held in the Strategic Commissioning service. This will be used where it is identified that the allocation of funding under RAS does not allow the user to meet their assessed needs and therefore does not fulfil the Council's duty of care – these cases should be exceptional and in future years the level of contingency should be adjusted as the accuracy of allocations improves with experience.
- 3.18 The amount of funding allocated through the RAS, and contingency levels, and the mechanism by which this is done should be reviewed by the Council on an annual basis as part of the budget-setting exercise. It must be emphasised that the RAS cannot be used by Councils to make efficiencies and savings per se, as the duty of care to meet assessed need will not change through these developments.

Procurement issues

- 3.19 The move towards Personalisation creates a tension between the Council's procurement rules and an individual's scope to direct the commissioning of their support needs. Whilst it will be possible to introduce some elements of individual choice into the present procurement arrangements it will be necessary to review the Council's Finance and Contract Procedure rules if individual choice and control is to be built in to future procurement strategies. This tension applies where individuals choose a virtual budget (as opposed to a Direct Payment) and leave their resource allocation with the Council to commission services to meet the needs of their Support Plan. The Government target N1 130 requires that 'the person (or their representative) can use the

funding in ways and at times of their choosing' and the Council's ability to fully meet this criteria (and therefore its desired LAA rating) will be impeded until the current rules are adjusted to reflect this exception.

- 3.20 Proposals will be presented to Members as they are developed during the first year of implementation. In the meantime, under current procurement rules we will aim to maximise individual choice and control within the current constitutional framework.

Charging Policy and Price Setting

- 3.21 Service users assessed with critical and substantial needs and who are therefore eligible for services through Fairer Access to Care Services (FACS) criteria, need then to be financially assessed to determine the level of contribution those individuals make to the cost of their assessed needs. The Council's charging policy, which is written in accordance with the Department of Health Fairer Charging Guidance, is not changing under these current proposals. However, there is a need to review some aspects of the current approach to setting the price of services under the inherited County Council policy. As underlined in the public consultation exercise, under the new model it is proposed that Provider Services, and other non residential care services commissioned by the Council, charge at full cost and that existing subsidies are removed in the interests of consistency, transparency and fairness. A schedule of prices is being developed in line with the principles shown at **Appendix 4**. Authority is requested for the Adults and Finance Portfolio Holder to sign off the schedule of prices prior to the start of implementation. Prices will be reviewed on an annual basis to allow for market changes and changes in cost base.
- 3.22 This change in approach is less of an issue in Year 1, where mainly new users to services will be affected. However, the combination of a new method of calculating allocations (RAS) and internal provider prices reflecting full cost may affect some users already using current services. As stated above, this was one of the main features of the public consultation exercise – there will be 'winners and losers' in this process, and this will have to be managed during the transitional period through the provision of transitional relief funding.

Reablement and Prevention

- 3.23 Through its budget setting process, the Council agreed to fund reablement and preventative services as part of the implementation of the new model. These services will supplement the existing provision, and will be located across different parts of the service and jointly with Health. It is proposed specifically that those individuals with assessed Critical or Substantial needs will be offered a maximum of six weeks reablement services free of charge, on the basis that this will improve their quality of life and reduce the call on social care budget allocated through the RAS. Overall, the impact on the budget will be neutral.
- 3.24 The precise application of reablement and preventive services is being developed through specific pilot studies, and will be tested in the roll out of new ways of working in locality teams during the year, for review

before the next budget-setting process. Provision of these services that increase independence is being driven nationally.

Safeguarding

- 3.25 The Council also agreed to fund additional posts for the creation of a Safeguarding Unit within the New Model providing an additional £200K within the budget. This Unit will organise and co-ordinate activities to help protect adults and to ensure that risks are highlighted and addressed in the most effective way. It should be noted that although this unit will provide a critical part of the new social care system it will continue to be the responsibility of all to highlight safeguarding and protection issues.

Joint Working with Health

- 3.26 Integrated and seamless services delivered jointly with Health are key to leaner, more efficient services. People Directorate of the Council and Central and Eastern Cheshire PCT are now working closely together, and are developing joint change programmes so that services can be designed in the most effective manner. A specific project focusing on the top 100 high intensity users of both Council and Health services is being jointly progressed, and will inform the future design of services. This is being initiated with the involvement of GP practices and community matrons as part of the roll out of the locality team in Wilmslow. In addition, we are exploring alternative delivery models for providers jointly with Health as mentioned above.

Consultation

- 3.27 A major public consultation exercise was undertaken by Cheshire County Council from November 2008 to February 2009, and results published in March 2009. All the relevant documentation and information from the consultation is publicly available on the Council's website, and a summary of responses is shown at **Appendix 5**. More than 18,000 documents outlining the new model were distributed across the County and over 600 responses were received. The process and evaluation of responses was reported to the County Council's Adult and Health Scrutiny Committee.
- 3.28 This consultation has provided invaluable feedback for Councils to consider and address as they deliver the new model of social care. Although much of the overall direction is set by Government, there is local discretion which can allow us to respond to public views.
- 3.29 From the responses received, there was overall support for more choice and control, for clear and transparent charging mechanisms, for alternatives to current services and for more flexibility. Conversely, there were concerns about dealing directly with cash and arranging more tailored types of care unless the necessary support and advice was in place. Such support will be essential when rolling out personal budgets and encouraging people to develop personalised packages of care.
- 3.30 Specific proposals within the new model reflecting feedback from this exercise are as follows:

- 3.30.1 There will be a phased implementation of a RAS based Personal budget and locality working starting with new users and those requiring unscheduled review;
 - 3.30.2 There will be further redesign of brokerage and support services to ensure those who need support to get maximum benefit from the new system are equipped to do so;
 - 3.30.3 There will be an transparent schedule of prices where users will be more aware of the choices available to them;
 - 3.30.4 There will be an undertaking by the Council that, where users do not want to handle or administer direct payments, the Adults Service will work on behalf of users to exercise as much choice and control as possible under current rules in utilising virtual budgets;
 - 3.30.5 Pilot the offer of a free reablement service where it can be shown to reduce cost pressure on the Social Care budget;
 - 3.30.6 Explore and address perceptions that changes will affect people unfairly through a comprehensive Equality Impact Assessment (see below).
- 3.31 Consultation with all stakeholders will need to continue throughout this period of change to monitor and evaluate effectiveness.

Equality Impact Assessment (EIA)

- 3.32 All Councils have a duty to assess the impact of significant policy changes on diverse user groups. An impact assessment has been prepared in respect of Adult Social Care Redesign and a meeting, facilitated by Cheshire, Halton and Warrington Race and Equality Centre, was held in April 2009 to ascertain and address any issues which may present a potential disadvantage. A report of the meeting will be received by the Council for its consideration in implementation. On the whole, however, personalisation by its very nature should result in services which are more tailored to individual needs and which are inclusive; it is hoped, therefore, that more diversity is achieved. Results of the EIA will be publicly available on the internet and will be taken account of in the implementation of changes as far as possible.

4.0 Financial Implications 2009/10 and beyond

- 4.1 The Adult Services budget is under severe pressure both locally and nationally due in part to demographic changes and public expectations. Traditional methods of providing social care services are now deemed be unsustainable in the longer term, and do not represent the best use of resources for the best outcomes. There will have to be serious consideration, however, of the amount of reductions that can continue to be made in the future if the Council is to meet its statutory responsibilities and meet national targets.
- 4.2 The new model of social care is the key mechanism to deliver more responsive services within a reducing cost envelope. Within its 2009-10 budget the Council set a gross budget reduction of £4.1m. The proposals

within this report are designed to deliver £3.4m of that target with other specific measures to deliver the remainder eg. Extra Care Housing.

- 4.3 It had been anticipated that such changes would need significant pump priming of available grants / transitional funding, over and above the National Social Care Reform Grant allocations, in order to be delivered effectively and safely. Access and Capacity Grant was therefore set aside for this purpose during the design work done previously to bring this implementation to fruition. This has been carried forward within the Cheshire East budget with an understanding that this would be available to fund the transformation. It is proposed therefore that the Council confirm the earmarking of up to £6.9m available Social Care specific grants / temporary funds for this purpose. Broadly speaking this is needed to resource change management skills, potential redundancy costs, double running of services whilst they are decommissioned and phasing support pending the full year realisation of benefits. A summary of the potential commitments and calls on this fund is summarised at Appendix 6. It is proposed that expenditure against this grant is authorised through the Strategic Director, People and Finance Manager (People Directorate) ensuring that it is being used for the purposes of transition and transformation over the next one-two years, ie the implementation period.
- 4.4 Robust financial and performance management systems will need to be operated by both service and corporate colleagues in partnership in order to ensure these changes are delivered within budget, that the RAS is being applied appropriately and that preventive and reablement services are generating benefits. This will be a challenge, given the demands of ensuring corporate systems are up and running effectively within a new Council. However, the cost of not pursuing these changes would be excessive and at the same time fail to meet Government directives and public expectations for better, more individualised services. Use of temporary resources to support the change and progress towards the outcomes and financial targets will be closely monitored and reported to members through the Council's outturn reporting process, allowing for review and recourse where necessary.

5.0 Legal Implications

- 5.1 There are several legal implications which arise as a result of personalisation but no new legislation has been introduced to support the process. All changes therefore have to take place within the existing community care legislation framework. Officers have worked alongside senior officers from Legal Services throughout the development of these proposals and will continue to consult with them on a frequent basis as the proposals are implemented.

6.0 Risk Assessment

- 6.1 The Adult Social Care Redesign programme has been managed from its inception using the Prince 2 methodology – a disciplined structure of project management which focuses attention on milestones, accountabilities and interdependencies. Risk and Issue Logs have been

maintained throughout the process and will continue throughout implementation. Inevitably – as with any transformation – there are several risks in terms of cultural issues, financial management, legal challenge, short term performance management, disruption to existing services, market instability and user anxiety, which have been identified in this report. However, these can be addressed if the nature and pace of change is dealt with responsibly and if the Council responds in a dynamic, coherent and corporate manner.

7.0 Reasons for Recommendation

- 7.1 Members have previously approved the direction of travel for Adults Social Care and have incorporated this within the 2009-10 budget proposals. This report allows members to take account of the results of the public consultation exercise and to note the detailed implications of the principles of Adult Social care redesign. Permission is requested to 'go live' with the new model in July 2009 applying earmarked temporary monies to support the necessary changes as outlined in this report.

For further information:

*Portfolio Holder: Councillor Domleo
Officer: Phil Lloyd / Ceri Harrison
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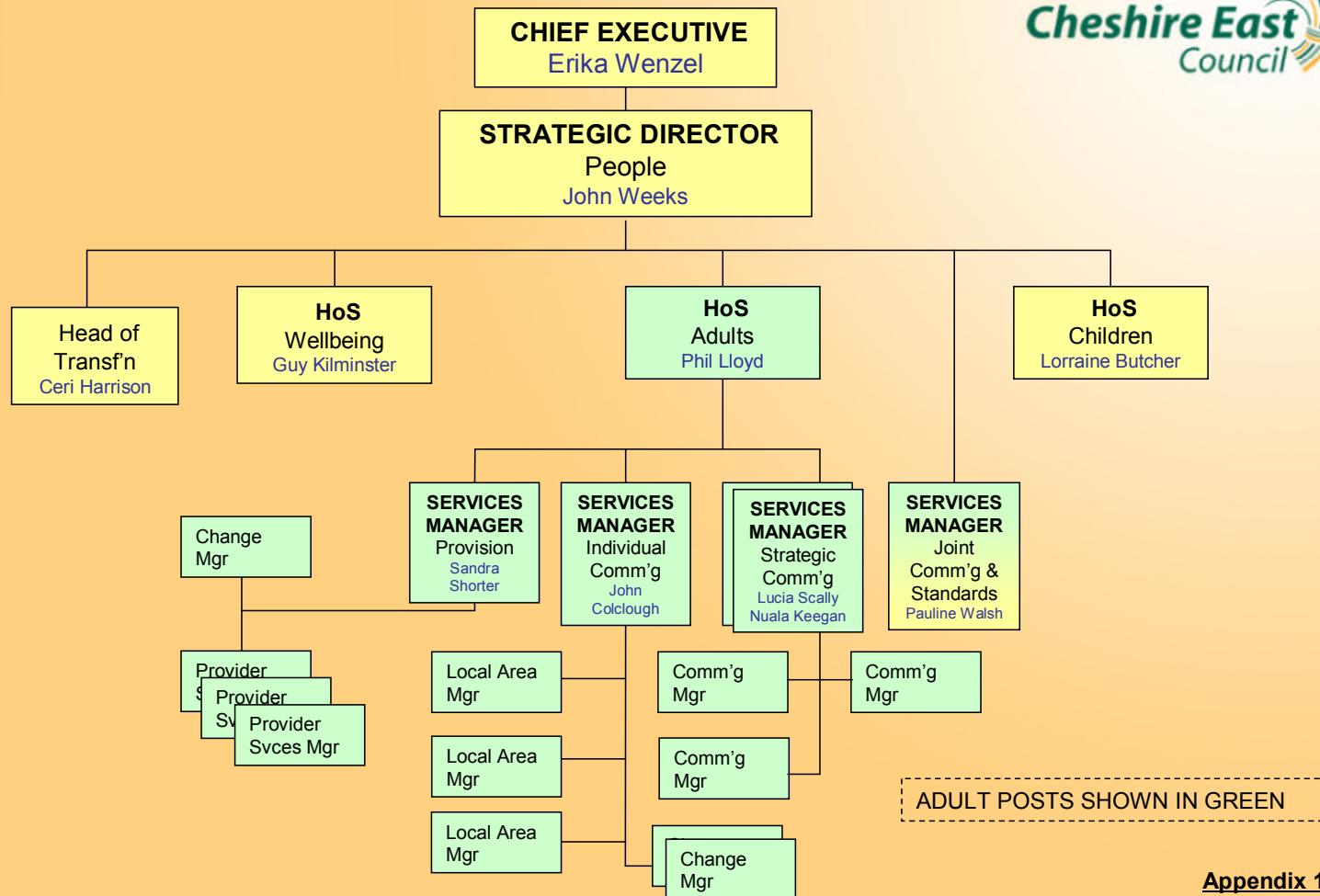
Background Documents:

Documents are available for inspection at:

http://www.dh.gov.uk/en/Publicationsandstatistics/Lettersandcirculars/LocalAuthorityCirculars/DH_081934

http://www.dh.gov.uk/en/Publicationsandstatistics/Lettersandcirculars/LocalAuthorityCirculars/DH_095719

<http://www.cheshire.gov.uk/socialcareandhealth/PersonalisationEvaluation.htm>



Cabinet - 16 June 2009
Adults Social Care Redesign

Resource Allocation System (RAS) – Background Information

Approach to testing RAS in Cheshire County Council

The approach to testing and modelling the RAS in Cheshire was as follows and in two distinct stages:

Stage one being around a reasonably representative sample of services-user cases, allowing for later refinement of questions, and giving a basis for the initial points for £s allocations and an algorithm for taking account of unpaid carer support (ie, support from family and friends).

Stage two was more rigorous and comprehensive, using a statistically significant sample to represent the target population, aiming at 95% confidence level. This was intended to test the use of the questionnaire with well-briefed care managers based on clients on the current caseload, identify the cost of each of these individual's care package, carry out a reasonableness test – ie, could the RAS allocation work for individuals – and then to carry out further modelling and undertake variance analysis. It is important to reaffirm at a population level the averaging out of variances. High level packages of £1000 were taken out of the RAS and provision will be made through a support planning approach/Best Value approach. A contingency also needed to be agreed to ensure the functioning of the financial framework.

Development of the National RAS

The National RAS is being developed to assist Councils by providing an “off-the-shelf” framework that can be utilized locally based on local requirements. It contains three main components:

- A financial framework to develop a RAS;
- An (agreed) self-assessment/RAS questionnaire with suggested scores;
- A systems map

The Department of Health has commissioned 12 Local Authorities who have developed their own RAS and also in co-production with Citizen Leaders to undertake this work. Cheshire County Council (now Cheshire East) was one of these authorities. The aim was for the work developed by these Councils to be evaluated by the group in Autumn 2009, with an ongoing commitment to share progress regionally.

There are key commonalities between the local RAS and the National RAS Framework, which it is important to highlight at the outset before describing any differences.

These commonalities are:

- The basis that the RAS is about a transparent and equitable way of providing resource to meet eligible need.
- The RAS is only ever an indicative amount, with LAs overriding duty to meet assessed eligible needs remaining.
- The RAS is affordable and sustainable.
- That the financial frameworks (or process/approach) used to determine how the RAS should be calculated locally, were the same.
- Likewise the system maps - showing the stage at which the RAS should be deployed – were the same.
- There are high levels of synergy around the domains of need on which the RAS questionnaires are based.

The key differences between the local RAS and the National RAS are in relation to the financial framework, where in the National RAS there will be different allocation tables for different service-user groups and the Budget envelope covers all budget areas, eg Residential Care. Also, in Cheshire we have been in a position to carry out a more thorough and comprehensive approach to the testing and modelling as described above.

Finally, work is still underway by the National RAS group in relation to taking account unpaid carer support (from family and friends) and therefore the resource available to individuals, whereas the Cheshire RAS has addressed this.

Phasing of the Resource Allocation System Introduction

The introduction of the use of the RAS will take place alongside the introduction of the new patch teams, area by area, as detailed below.

For new users and existing users requiring unscheduled reviews*	
Starting July 2009	Wilmslow Knutsford
Starting Oct/Nov 2009	Macclesfield Poynton
Starting Dec 2009	Congleton
Starting Jan/Feb 2010	Crewe Nantwich
For existing users at time of scheduled annual review	
Starting Mar 2010 Completion by Mar 2011	All areas

** An existing case should be considered as requiring Unscheduled Review when:*

there has been a significant change in the person's needs (ie, a new area of need in FACS terms has been presented) which is likely to persist beyond a 6 week period. Estimated numbers are approximately 3,500 per annum

INTERNAL PROVIDER PRICES

BACKGROUND

The new model of social care, with personal budgets in the hands of individuals, requires internal providers to set 'prices' for their services for the first time.

Important note: these **prices** are the amounts needed from a service user's personal budget to purchase internal provider services, and are distinct from **charges**, which are amounts charged to an individual from their own money, based on their assessed ability to pay.

Providers will generate income sufficient to cover their full costs through a combination of services to **individual commissioners** (prices charged to service users, funded from personal budgets allocated through the RAS) and **strategically-commissioned services** (funded outside the RAS).

The prices referred to in this Appendix relate only to **individually-commissioned services**.

PHASE 1 APPROACH

For July 2009, the following principles will apply and will underpin the calculation of internal provider prices:

1. Standard Average Prices

Initially, prices will be calculated on a *standardised, average basis* i.e. each service provision type will set a single price for a single, time-based unit of service, regardless of locality (e.g. one hourly rate for home care, one daily rate for day services, one night rate for respite services etc).

2. Cost Base

Wherever possible, costs will be based on the average costs for 2008/09 from the financial ledger. The main exceptions to this will be:

- where costs of a service are known to have changed; in this case, the most accurate current costs will be used;
- where the service delivery model has changed, such that it no longer reflects the structure recorded on the financial ledger; in such instances, costs from other centre codes will be apportioned on the most appropriate basis.

3. Activity Base

Wherever possible, existing activity records for 2008/09 will be used, based upon the most recent 'average' activity period, except where future activity can be reasonably expected to deviate from historic patterns to a material degree. The methodology for calculation of activity will be standardised across similar services, and will be made available for information.

4. Full Cost Recovery

Providers will set prices at the same level as costs, including a contribution towards some overheads (see point 3 below). Providers will not set prices that generate a profit, as they are not yet constituted with the ability to trade

5. Overheads

Prices will include recovery of the following overheads:

- indirect management structure costs
- corporate support costs (inc. finance, legal, HR, property management, Health & Safety and IT)
- transport costs

They will not include the following:

- democratic core costs
- transformation programme management costs

6. Other Funding Streams

Services funded either wholly or partly by other funding streams (e.g. health monies, Supporting People income etc) will set prices net of that income i.e. Cheshire East Council will not seek to 'double recover' the costs of that element of the service. Where this funding is location-specific, the effect of that income will be spread across the whole of the relevant service, in keeping with the principle of standardised, average prices (see Point 1 above).

7. Strategically Commissioned Services

Costs associated with the provision of strategically commissioned services, including reablement and the 'service of last resort', will be removed from the calculation of these prices.

8. Contingency

An element of contingency has been withheld from the RAS allocation to fund transitional relief and supplementary allocations, as required. Internal provider prices are unaffected.

The list of actual prices will follow, and will be shown in Table 1 below.

Internal providers will be supplied with information technology to enable them to monitor and manage the impact of their prices on their full cost recovery position. Prices will be set at the beginning of the implementation in July 2009, and they will not be reviewed more frequently than on an **annual basis**.

In addition, internal providers will develop standard **terms and conditions** for the application of these prices that identify for the service user the way in which these prices will apply.

PHASE 2 AND BEYOND

As the RAS allocation is rolled out on a patch-by-patch basis, detailed work will continue on options for setting local prices (i.e. specific to a given provider unit) and activity- or need- (rather than time) based prices e.g. separate prices for swimming at a day service, as compared with horse riding or snooker, additional prices for additional support needs etc.

Table 1

Service	Establishment(s)	Unit	Price

Summary of responses to the consultation on the future direction of Adult Social Care in Cheshire

Health & Adult Social Care Scrutiny Committee: 11 March 2009

1. CONSULTATION PROCESS

The public consultation period took place between 17 November 2008 and 16 February 2009.

In order to reach certain groups this consultation process went beyond the traditional, written consultation exercises. As well as public meetings held in East and West Cheshire there were also six roadshow events where a bus staffed by officers representing Cheshire was situated in busy public areas.

2. MEETINGS AND EVENTS

These took place throughout January and February 2009.

Six public consultation meetings were held in Christleton, Macclesfield, Crewe, Winsford, Ellesmere Port and Congleton at which a total of 327 people attended.

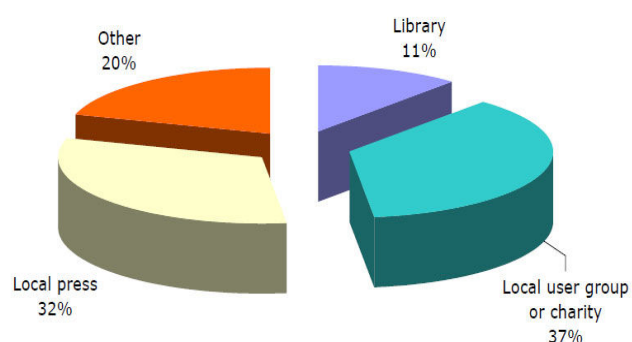
Roadshow events took place in Nantwich, Chester, Ellesmere Port, Macclesfield, Northwich, Congleton and Alsager.

3. DOCUMENT, QUESTIONNAIRE AND RESPONSES

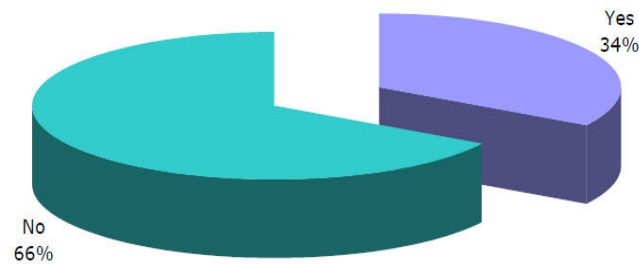
A 16-page consultation document, *Let's Make it Personal in Cheshire*, with a tear out questionnaire and a 12-page shorter version/easy read document was produced. Eighteen thousand copies of the consultation document (including easy read versions) were distributed to members of the Cheshire Older People's Network, charities, libraries, GP surgeries, health promotion networks and members of the consultation team spoke about the consultation in a number of forums; the document was also available on the web. Over 600 responses were received.

The questions asked are shown below along with summarised responses:

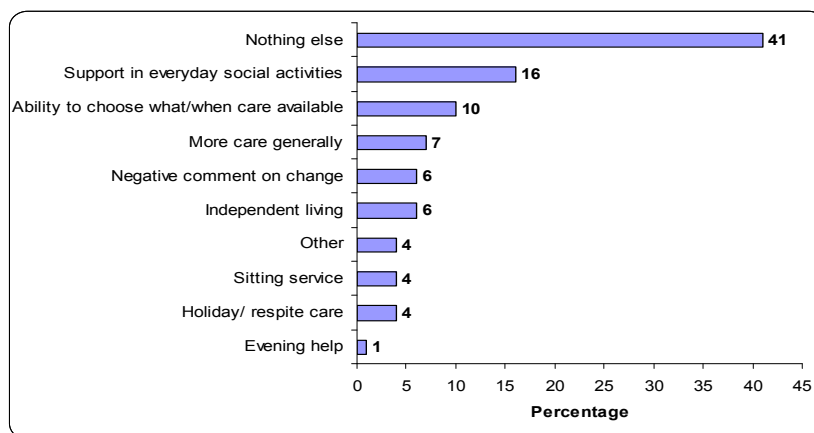
Question 1 - How did you find out about this consultation?



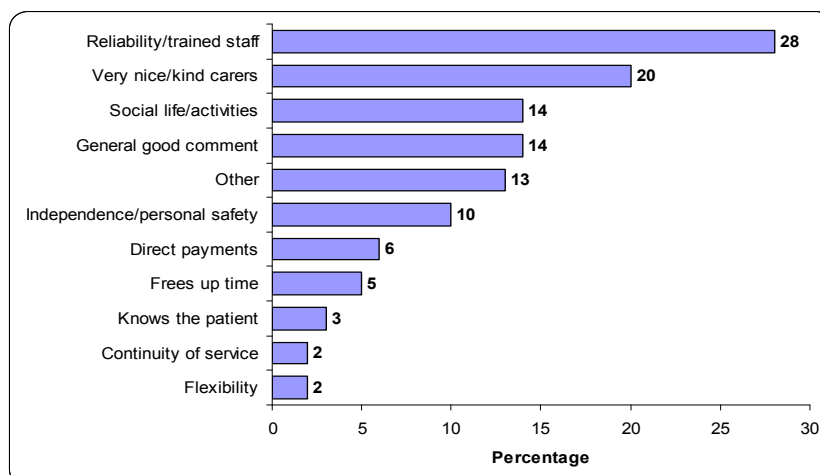
Question 2 - Are you an existing service user or carer?



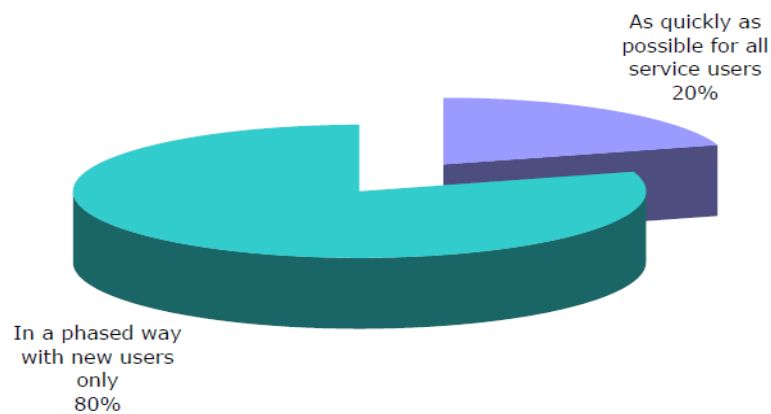
Question 3 - Given that the new proposals will offer more choice on how to meet your needs, is there support which you currently don't get that you would like to spend your Personal Budget on?



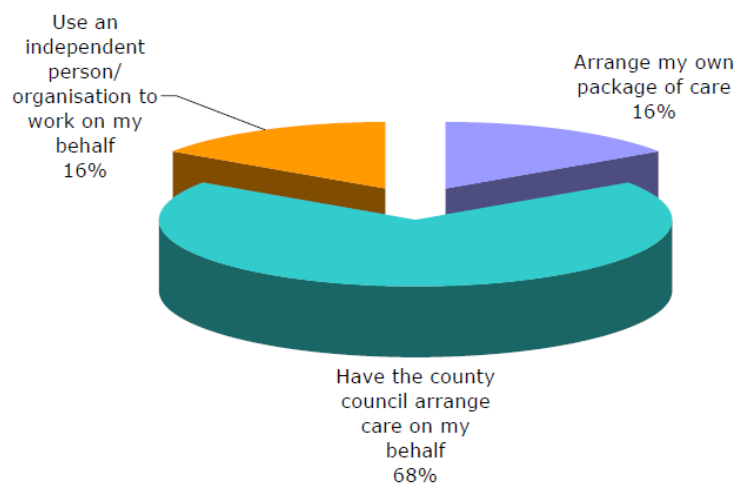
Question 4 - What do you particularly value about the care services we provide at the moment?



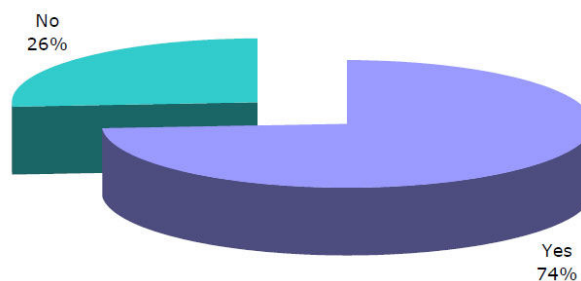
Question 5 - I would prefer to see the proposed new system introduced



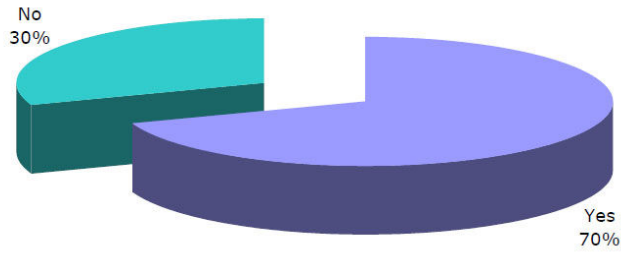
Question 6 - Given the choice I would prefer to



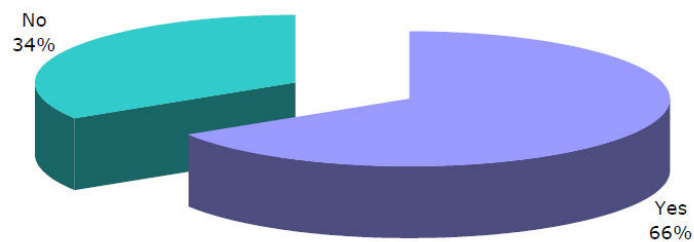
Question 7 - I would welcome a clearer set of prices from the County Council, which will allow me to compare the costs for care services and make the appropriate decisions to suit my circumstances, even if this means that the costs of some elements of a care package may change.



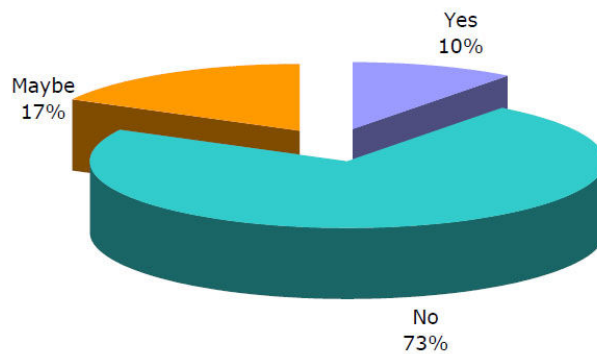
Question 8 - Would you use an offer of 'reablement' services if these were free of charge (up to six weeks)?



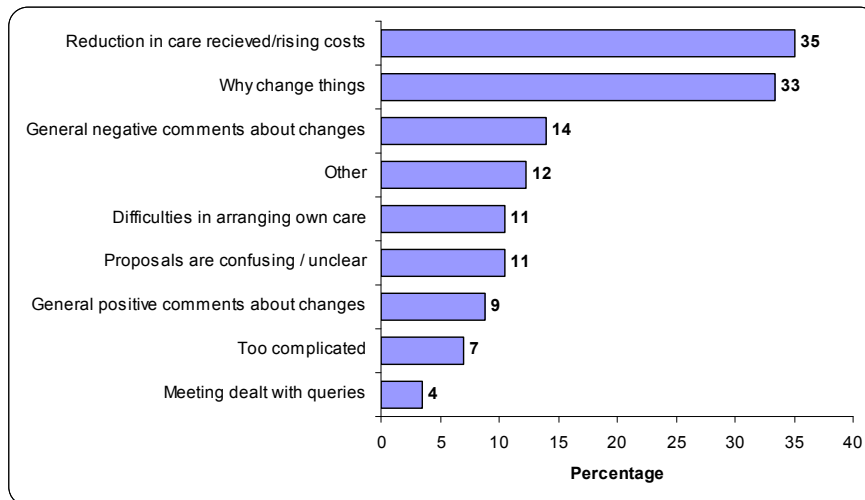
Question 9 - With a Personal Budget your contribution (and the Council's) would not vary month on month. If your needs or services fluctuated by small amounts it is assumed these would even out over time. Would this increased certainty help you to manage your budget?



Question 10 - Do you feel that these changes will affect you unfairly on the basis of your race, gender, disability, sexuality or culture?



Question 11 - Please tell us about any other comments or concerns that you might have regarding these proposals



KEY ISSUES RAISED

Generally, people's concerns can be summarised as follows:

- Pace of Change.
- Support service users will receive in managing their budget.
- Will it mean cuts in service?
- Quality of Services.
- Safeguards.

NEXT STEPS

- Health and Adult Social Care Scrutiny Committee to comment and advise.
- Summary of responses to be widely published.
- New councils to receive summary of responses and take account of this consultation exercise in developing new models for Adult Social Care.

TEMPORARY COSTS AND FUNDING

	East £000s	
Grant Carry Forward (subject to outturn)		
Access and Capacity	-2,723	
Social Care Redesign (SCR)	-502	
Training	-566	
	-3,791	
New Grant Allocations		
SCR Implementation Grant	-1,205	
Temporary Budgets Available		
Transforming Cheshire Change Budget	-399	
SCR Implementation Budget	-624	
SCR Growth Budget	-936	
	-1,959	
Funding	-6,955	
Potential calls on temporary funding:-		
<u>Temporary Costs</u>		
Transitioning – SCR Implementation		
Phased Savings	1,063	Relates to phased reduction in provider costs & reduction of care package costs through reablement
Addtl savings to fund 0.5% inflation decision	231	Budget setting requirement
Double Running Costs	1,250	Where individuals choose other providers but our services are still running under capacity
Change Team	600	Costs of backfill/external consultants, etc
Early Adopters	250	Cost of launching new ways of working whilst decommissioning old team structure
Redundancy – broad estimate	1,500	Worst case scenario
	4,894	
Addtl Cost of Inherited Payroll		
Employees	300	Cost of disag staff structure over 2009-10 budget
Agency Workers	220	
	520	
<u>Permanent Gaps Requiring Temp Funding</u>		
Other funding requests		
Access restructure	175	Cost of splitting Access and maintaining whilst launching new ways of working
Dementia Strategy – to consider	-	Set-up costs of Dementia Strategy will need to be funded from current grant provision
Direct Payments admin	120	
PARIS financials support	100	Cost to bolster current implementation
PARIS development team – to consider	-	
SAP team	145	
Other	72	
	612	
Flexible Mobile Working Saving	146	Imposed via budget setting to pay back capital investment – budget already contains £250k target
Costs	6,172	
Remaining Balance	-783	

CHESHIRE EAST COUNCIL

Cabinet

Date of meeting:	16 th June 2009
Report of:	John Weeks, Director People
Title:	Living Well With Dementia in Cheshire East : The local response to the National Dementia Strategy

1.0 Purpose of Report

- 1.1 This report informs the Cabinet about the National Dementia Strategy. It highlights some of the challenges, particularly around resources, which Cheshire East Council will have to address in implementing that strategy.
- 1.2 The report proposes that a significant element in the Council's implementation plan should be work to change the Community Support Centres for Older People (CSCs) which the Council has inherited from Cheshire County Council.
- 1.3 In particular the report recommends the Cabinet to decide to agree action to develop new and enhanced facilities and services for those with dementia in Crewe and Macclesfield, as the first phase of that implementation.

2.0 Decisions Required

The Cabinet is recommended to decide to:-

- 2.1 Agree that the recommissioning of the Council's Community Support Centres (CSCs) is fundamental to its implementation of the National Dementia Strategy.
- 2.2 Note the outcome of the Consultation exercise carried out by Cheshire County Council on the future of CSCs.
- 2.3 Agree that the development of new and enhanced services at Lincoln House in Crewe and Hollins View in Macclesfield should constitute the first phase of the Council's implementation plan, with services currently provided at Santune House being transferred to Lincoln House.
- 2.4 Specifically endorse its support in principle for the dementia services at Hollins View, subject to the successful conclusion of the Extra Care Housing Round 5 PFI scheme.
- 2.5 Approve a Supplementary Capital Estimate of £3m for the development of Lincoln House (£1m) in 2009/10, and Hollins View (£2M) in 2012/13 funded from prudential borrowing charged direct to the revenue budget of the Adults service. The Hollins View development being subject to the successful conclusion of the round 5 PFI scheme.

3.0 Financial Implications 2009/10 and beyond

- 3.1 The National Dementia Strategy (NDS) emphasises the issues which were consulted upon, particularly growing numbers of people likely to suffer from dementia over the coming years and describes the need for significant investment throughout the whole health and social care economy to improve services.
- 3.2 Central Government has announced £150m investment to implement the NDS. However it appears that the 3.5% uplift for 2009-10 awarded to the Primary Care Trusts (PCTs) includes a share of the central allocation of £150m nationally that is not ring fenced and comes without targets. Recognising that Central and Eastern Cheshire PCT begins the current financial year with a deficit of around £13M it would be unrealistic to base our own approach on an assumption of the use of the local allocation on dementia services. Whilst recognising the pressures being experienced by the PCT the Council's strategy will be developed alongside the PCT's seeking where possible to minimise the call on the public purse, which might release funding to replace that being deployed by the Council. Should this occur any savings will be used to reduce costs of later phases and reported back to Members.

There is **no** additional money for the implementation of the National Dementia Strategy within the Social Care Reform Grant for local authorities. **Therefore, taking the above into account, Local Authorities will have to find alternative ways within existing budgets to respond to the strategy. That makes these proposals for our Community Support Centres even more essential.**

The financial impact assessment set out in Appendix One distinguishes between the different objectives of the NDS divides the objectives of the National on the basis their cost implications and groups them as follows:-

- Projected costs are identified or
 - Nil costs are assumed, sometimes because funding is assumed to be available from other workstreams such as the Carers Strategy or
 - Further evaluation work is planned before implementation to identify cost effective actions.
- 3.4 The total cost of implementing NDS appears to be approximately £300 million per year nationally, which assuming approximately 0.6% of the national requirement for Cheshire East Council and CECPCT, equates to a local cost of £1.8 million per year.
- 3.5 However, the NDS also assumes nil costs for significant aspects of service development, where we know there are already identified gaps locally. Its estimates do not cover, in general, the costs of providing services to the increased numbers of people with dementia, who should be identified and supported nor developmental, management costs nor resources for involving and consulting service users and carers locally.

Therefore the assumptions in the NDS are likely to be an unrealistic assessment of total costs involved. Further details of the Financial Impact Assessment are included in the attached report at Appendix One of this report.

- 3.8 Locally, the changes anticipated by Cheshire County Council and the associated savings have been built into the Cheshire East Revenue budget with a reduction of £150k required in 2009/10.
- 3.9 To achieve that reduction and the longer term savings and service improvements our approach is to request Supplementary Capital funds of £3.0m to deliver improvements at Lincoln House in Crewe costing £1m and at Hollins View in Macclesfield costing £2m. A Capital Appraisal form covering both developments and detailed unit cost analysis of the implications on the revenue budget for Lincoln House, underpin this request. These have been ratified by the Borough Treasurer and Head of Assets from both financial and property viewpoints. Consideration has also been given to the phasing of both financial savings (the limited part year effect in 2009/10) and one off costs of delivering the changes.

4.0 Legal Implications

- 4.1 It is good practice to consult in relation to major policy changes which have the potential to affect a significant proportion of service users, and that was certainly the view taken by Cheshire County Council in July 2007 when the consultation on the future of CSC's took place. As we are not considering something fundamentally different from what was envisaged in the last consultation exercise it is not necessary nor expedient to consult again at this stage. We will however, supplement the information from the consultation exercise with additional informal engagement with stakeholders, as the policy is developed and reported to Members.
- 4.2 A summary of the Cheshire County Council consultation findings is attached at Appendix 3 and full details via the link at the end of this report.
- 4.3 Equality Impact Assessment – the Government has undertaken an EIA of the National Dementia Strategy which provides an initial overall assessment of the impact of the proposals contained in the Strategy. It outlines the potential impact of the proposals in the context of race, disability, gender, age, religion or belief and sexual orientation. Findings from their EIA are relevant in Cheshire East.

People in all population groups with dementia should have access to a pathway of care that delivers: a rapid and competent specialist assessment; an accurate diagnosis sensitively communicated to the person with dementia and their carers; and immediate treatment, care and support following diagnosis. The system should have the capacity to see all new cases of dementia in the area, and should be tailored take account of the needs of specific groups whose needs are different from the majority population.

People in all population groups should have access to an appropriate range of services to support people with dementia and their carers, whether they are living at home, living in a care or nursing home or receiving care in a general hospital. Such services should be flexible and responsive, ranging from early intervention to specialist home care services, which are responsive to the personal needs and preferences of each individual. Services should be accessible to people living alone or with carers, people who pay for their care privately, through personal budgets, or through Local Authority arranged services, and should be tailored take account of the needs of specific groups whose needs are different from the majority population.

Overall the proposals in this paper and the wider social care redesign will deliver key aspects outlined above and underlined.

No specific issues relating to the availability of services was raised under the original consultation but Cheshire East Council should reconsider this aspect when framing its response to the National Dementia Strategy. For as the Department of Health noted:-

Local authorities may need to produce their own EQIAs in association with their health partners in order to maximise provision and assess the success of information and advice about local opportunities and resources including personal care, clubs, hobbies, leisure, education and sports facilities in connection with emotional recovery. Continuing health and social care packages need to take account of individuals' cultural and social needs.

The link to the full Department of Health EIA is provided at the end of this report.

5.0 Risk Assessment

5.1 The risks of taking no action to implement NDS, and other risks around the project include:-

- Increased costs of providing residential or nursing care to people, who have not received adequate support to remain in their own homes.
- People with dementia and their carers receiving inadequate help and support.
- Poor quality care and safeguarding risks for people receiving contracted services.
- Poor achievement of performance targets and reduced star rating for the Authority.
- Failure to produce modernised service in line with current requirements / expectations
- Financially, failure to invest in Lincoln House results in continuation of current high unit costs and delay or failure to realise planned revenue savings already factored into current and future budgets.
- In terms of Hollins View risks include increased future costs by procuring new facilities on a stand alone basis as opposed to within the economies deliverable within a much larger project.
- Responding on a phased basis with other CSC's to be considered at a later stage helps address capacity issues which in turn, help maximise the quality of the project delivered.
- An opportunity is missed to strengthen integration between health and social care around dementia which is a key issue in Cheshire East and is likely to rise in importance for the foreseeable future.

6.0 Background and Options

6.1 The aim of the National Strategy is to ensure that significant improvements are made to services for people with dementia in three areas:-

- Improved awareness and help seeking.
- Earlier diagnosis and intervention.
- A higher quality of care.

The outcome wanted is that all people with dementia and their carers should have the best possible healthcare and support, no matter what the stage of their condition or where they are in the health and social care system.

6.2 The Strategy has 17 objectives, which provide a framework for improving services over a 5 year period and beyond. They include areas for both national and local action and make it clear that a whole systems approach to dementia is required, through joint commissioning between Health Services and Local Authorities. The strategy also highlights the connection with the World Class Commissioning programme for Primary Care Trusts.

Priorities for implementation nationally include:-

- Early diagnosis and intervention for all.
- Implementing the New Deal for Carers.
- Improved care in General Hospitals and Care Homes.
- An informed and effective workforce.
- Joint commissioning of services for people with dementia.

The 17 objectives are listed in Appendix Two of this report.

6.3 The NDS provides the framework for delivering the local vision for dementia services. Key elements of this vision are:

- Improved community support services for people with dementia and their carers.
- Improved care in Care Homes.
- Workforce development.
- Partnership working through the Local Strategic Partnership, Local Area Partnerships and joint commissioning with the PCT.
- A comprehensive approach to housing including Extra Care Housing and Telecare Services.
- The development of Self Directed Support and Individual budgets, which actively support people with dementia and their carers.

6.4 Once in place this approach will offer high quality experiences for people with dementia, including breaks to carers. Home Care Services will be person centred, flexible and meet the outcomes required by service users and carers, rather than being organised around tasks and time slots. Specialist services where staff have particular expertise in working with people with dementia will be developed further – along the lines of the excellent specialist services currently delivered from Bexton Court in Knutsford. The focus is to be on services delivered *from* not necessarily delivered *in* a building. The focus shifts from buildings to services. The closure of a building does not necessarily mean the ending of a service

An important theme of the Strategy is that people with dementia and their carers should have a range of options for services to support them. These include respite care both in their own homes and in residential settings, which will require a shift in the current delivery of services

- 6.5 On 2 March 2009 the People Advisory Panel considered a report on the National Dementia Strategy. The Panel recognised its importance in Cheshire East and resolved that;

The Cabinet be recommended to approve the steps being taken to implement the Strategy in Cheshire East.

Substantial work will be undertaken locally to implement the NDS. This builds on work that has begun to identify a baseline of needs and services across Cheshire including a project with the PCT to implement the strategy. Examples of work already started include End of Life Care, Care Pathways and workforce development. Both the PCT and the Council are committed to delivering the strategy in a way that contains costs, delivers outcomes and is sustainable in the longer term. Important developments that will link with work carried out by the Council include the development of a network of Memory Clinics as outlined in the NDS.

7.0 Relevance of National Dementia Strategy for the position in Cheshire East

- 7.1 The emergence of the NDS coincides with the need to consider the future of the Community Support Centres in Cheshire. It is relevant to consider a brief history of the local issue to set the context and to illustrate the consistency of the national and local developments and the opportunity that has arisen to develop the local strategy in order to meet the requirements of the National strategy.
- The former Cheshire County Council had a great number of Residential Care Homes for Older People. Many of those were built in the nineteen sixties.
 - The arrangements introduced by the Government for the funding of the Community Care reforms in the nineteen nineties created an incentive for Local Authorities to externalise their Residential Care Homes.
 - Cheshire County Council embarked upon an externalisation programme and transferred the majority of its Residential Care Homes to an independent organisation. That organisation set about the task of modernising those Homes. In some cases it demolished them and made use of the sites.
 - Cheshire County Council retained some of the Care Homes. It redesignated them as Community Support Centres (CSCs). The County Council resolved that it would no longer be a provider of long-term residential care for Older People. Consequently, the role of the CSCs was to be different. They were to provide short-stay care for vulnerable Older People and some Day Care Services. Inevitably, an increasing proportion of those Older People exhibit dementia.
 - The overall objective of the CSCs was to help Older People to remain in, or return to, their own homes. That objective was pursued by providing assessment services, emergency response, support to hospital discharge and

rehabilitation.

- The CSCs have begun to show their age in recent years. Their service offer is a traditional one and it is building based. The buildings themselves have not been invested in, and they now require very significant investment if they are to be brought up to modern standards. Additionally, Health and Safety requirements are proving more and more difficult to meet.
- In recent years, the take up of short stay care in the CSCs has been declining, with consequent increases in unit costs. For example, the unit costs at Santune House are the highest of any of the CSC's in the East. There are few en-suite rooms in any of our centres. Older People are obliged to share communal bathroom facilities. Few today would tolerate those arrangements if they were staying in a hotel.
- The advent of Direct Payments and Individual Budgets has also had an impact, and can be expected to have an increasing impact over time. More and more Older People and their families are becoming able to make arrangements of their own for short stay care and daytime occupation. It can be anticipated that fewer and fewer of them will want to make use of traditional, institutional settings.
- Moreover, as the numbers of those with dementia increase, it will become necessary to develop more specialist provision, tailored to their distinctive needs.
- All of those considerations prompted officers within Social Care in the County Council to develop a set of proposals for the CSCs and to undertake a major consultation exercise upon those proposals. The essence of those proposals was a recommendation to close those CSCs which were particularly problematic and which were located very close to another CSC, and to recycle the resources into the development of new services, particularly for Older People with dementia.
- The consultation exercise highlighted how much the carers and families of those with dementia valued the support of staff. There are many highly skilled staff in post, who have developed significant expertise in working to meet needs of this sort. It is unfortunate that their contribution is often made in a poorly maintained, traditional institutional setting.
- Any proposal for closure will generate opposition, and certainly opposition was voiced during the consultation exercise. However, that exercise did not either undermine or overturn the analysis of the situation or the proposed response to it. Moreover, the spotlight which it shone upon the quality of the workforce reinforced the aspiration to develop the specialism, and particularly to break beyond a building based orientation, to offer more outreach to individuals and families.
- The proposals were put to the County Council just as Local Government Reorganisation was gathering momentum. Very detailed recommendations were presented and the findings of a Scrutiny Review of the consultation exercise were shared. However, it was expedient for the County Council to

decline to take any decision on the matter. Instead, the County Council resolved simply to hand over the proposals and the report of the Scrutiny Committee to the two new Unitary Councils.

- Local Government Reorganisation took place in due course. The six CSCs in the east of Cheshire were transferred to Cheshire East Council. Those are:
 - Cypress House, Handforth
 - Mount View, Congleton
 - Hollins View, Macclesfield
 - Lincoln House, Crewe
 - Santune House, Shavington
 - Bexton Court, Knutsford

The Centres provide assessment and rehabilitation care, prevent hospital admission, facilitate early hospital discharge and deal with emergency situations such as carer breakdown. They also provide some routine short stay care.

- At around this time Government published its first draft of a National Dementia Strategy for consultation. The opportunity was therefore taken to reflect upon the thrust of that strategy, as the context within which the proposals for the future of the CSCs would have to be taken forward.
- A report was made to the Advisory Panel for People in order to share information about the National Dementia Strategy and to build an awareness of the background to the proposals about the CSCs.

The thrust of the National Dementia Strategy is thoroughly supportive of the ideas which underpin the proposals being presented. The analysis of the situation of the CSCs has not changed – if anything, the need to act has become more pressing as more time has elapsed.

- 7.2 The proposals put to the County Council were to close Santune House and Bexton Court and to consolidate core business on the remaining sites. Any capital released through Centre closures was to be used to adapt and expand the remaining Community Support Centres. It was recognised that there was a significant reduction in overall capacity and therefore a need to transfer some routine work into the independent sector. The following decisions were made:

The report of the Task/Finish Scrutiny Panel be received and the Executive resolved:

- (i) to take note and respond to the Scrutiny findings and conclusions set out in the Panel's final report;
- (ii) to give an assurance that within the life of this Council, all capital receipts accruing from the implementation of the strategy be ring-fenced to the Older People's Budget;
- (iii) that the closure proposals, the preparatory work and Scrutiny Report be passed to the New Authorities for their consideration in due course and that the County Council not make any closure decisions;

See also the link at the end of the report for access to detailed documentation from the work undertaken by Cheshire County Council.

8. The revised Strategy

The revised proposals in outline, recognising that we are not now considering a 'County wide' approach are as follows:

8.1 Investment of £1m capital in Lincoln House 2009/10

This is intended to create 12 en-suite units, communal areas and a day care facility in a separate wing for older people with dementia. This will also involve the transfer to Lincoln House of the services currently provided at **Santune House**. The service at **Santune House** would not be transferred until this development has been completed.

9. Medium term strategy

Bexton Court – it is now proposed that the future of Bexton, which similarly has higher unit costs based on occupancy levels, should await the outcome of the work on a multi agency implementation plan in response to the National Dementia Strategy. There is interest in the site which is jointly occupied by the Community Support Centre and the Acute Trust for newly commissioned health services

Hollins View Macclesfield - the original proposal for Hollins View in Macclesfield was to create a specialist dementia wing in this 40 bedded Unit. That has been overtaken by the opportunity to replace with a 30 bedded purpose built unit designed to be flexible to meet the short term needs of older people with dementia for respite or intermediate care within a 120 unit extra care housing scheme on the existing site and adjacent playing fields. This method of procurement coupled with its integration within the wider facilities being developed within the PFI project is considered to offer significant value for money advantages when compared to going it alone on an individual locally procured new build scheme. This development is scheduled for completion in 2013 subject to a successful application for PFI Round 5 funding for which an outline business case has just been submitted.

Cypress House at Handforth and Mountview in Congleton - will be considered as the impact of the social care redesign process becomes apparent.

10. The Wider Vision

However the vision for Dementia in Cheshire East is about much more than services delivered in and from buildings. The new structure for Adult Services in Cheshire East already places in a strong position to deliver better services. The provider response is the focus of this paper but the other elements of the strategy are of equal importance.

- The Individual Commissioning arm of the service will ensure that a personalised response is delivered. The easy assumption that people with dementia cannot exercise choice and control is not accepted, for as Neil Hunt, Chief Executive of the Alzheimer's Society points out;

'....providing choice and putting people in control of their lives gives people the quality of life they deserve. Yet many people with dementia still face barriers to accessing direct payments and solutions must be found. With the numbers of people living with the condition set to soar, personalisation can only work if it works for people with dementia.'

- The Strategic Commissioning arm of the service will drive the delivery of quality services through its specifications, its work with partners in the statutory, private and voluntary sectors. It will also attend to the needs of carers which are vital in any dementia strategy. It is the link with the wider Council to ensure that the approach to dementia is not limited to social care and health. Leisure, housing, employment, transport, community safety and trading standards are examples of services which can make a very positive contribution to supporting those with dementia and their carers.

11. Reasons for the Recommendations

The National Dementia Strategy is a significant document providing a framework, within which health and social care services, in particular, will be expected to provide or commission a wider range and improved services for the increasing numbers of older people with dementia and their carers in the coming years. Cheshire East is a Council in which the issue of an ageing population is marked and the need for high quality services is apparent. It will reflect well on the Council in the longer term if it is able to deal with the short term impact of the delivery of a vision for dementia in order to establish a clear and sustainable longer term response. This paper provides such a response.

For further information:

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Background Documents:

Documents are available for inspection at:

Living Well with Dementia : A National Dementia Strategy (including Equality Impact Assessment)

www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_094058

Cheshire County Council papers including Consultation documentation and findings

<http://www.ourcheshire.cccusers.com/cheshire/council/pin/desc.asp?item=6987>

APPENDIX 1

DEPARTMENT OF HEALTH FINANCIAL IMPACT ASSESSMENT

<u>Objectives where costs are identified</u>	<u>Local Costs</u>
<p>Objective 1 : Raising Awareness</p> <p>Year 1 - £1m Year 2 - £3.5m Year 3 – onwards £4m</p>	<p>Based on 0.6% national figure.</p> <p>£6,000 £21,000 £24,000</p>
<p>Objective 2 – Early Diagnosis and Intervention.</p> <p>Memory clinic costs £220m/year.</p>	<p>£1,320,000</p>
<p>Objective 3 – Information for people diagnosed and their carers.</p> <p>£1.5m over 2 years.</p>	<p>£9,000.</p>
<p>Objective 8 – Improved care in general hospitals.</p> <p>£3m/year for senior clinician in each hospital.</p>	<p>£180,000</p>
<p>Objective 9 – Intermediate care – dementia specific services.</p> <p>£38 million / year</p>	<p>£228,000</p>
<p>Objective 11 – Living well with dementia in care homes.</p> <p>4 CPNs for each PCT – in reach service to care homes.</p>	<p>£240K</p>

Appendix 1 Contd/....

Objectives where extra costs for Local Services are identified as nil

Objective 7 : Implementing the Carers Strategy.

- Objective 9 : Intermediate care – mainstream.
- Objective 10 : Housing and telecare.
- Objective 12 : End of Life Care.
- Objective 14 : Joint commissioning.

National Objectives where costs are identified as nil

- Objective 15 : Inspection and registration.
- Objective 16 : Research.
- Objective 17 : Implementation

Objectives where further research and evaluation is planned

For some objectives it is planned to undertake further evaluation work before full roll out. These are:-

Objective 4 – Access to care, support and advice.

£4.5m over 2 years – evidence to be considered before full roll out.

Objective 5 – Structured peer support and learning networks.

£3 million over 2 years for demonstration sites and evaluation.

Objective 6 - Improved community personal support services.

£0.5 million over 1 year for evaluation of current services.

Objective 8 - Improved care in general hospitals.

£0.7 million over 1 year for evaluation of current psychiatric liaison services.

Objective 11 – Living well with dementia in care homes.

£1.5m over 2 years to develop materials support leadership.

Objective 13 – An informed and effective workforce.

£2m over 2 years for consultation and development of training for providers and cost analysis.

APPENDIX 2

Living Well With Dementia OBJECTIVES

- Objective 1 : Improving public and professional awareness and understanding of dementia.
- Objective 2 : Good quality early diagnosis and intervention for all
- Objective 3 : Good quality information for those with diagnosed dementia and their carers.
- Objective 4 : Enabling easy access to care, support and advice following diagnosis.
- Objective 5 : Development of structured peer support and learning networks.
- Objective 6 : Improved community personal support services.
- Objective 7 : Implementing the Carers' Strategy for people with dementia.
- Objective 8 : Improved quality care for people with dementia in general hospitals.
- Objective 9 : Improved intermediate care for people and dementia.
- Objective 10 : Considering the potential for housing support, housing-related services and telecare to support people with dementia and their carers.
- Objective 11 : Living well with dementia in care homes.
- Objective 12 : Improved end of life care for people with dementia.
- Objective 13 : An informed and effective workforce for people with dementia.
- Objective 14 : A joint commissioning strategy for dementia.
- Objective 15 : Improved assessment and regulation of health and care services and of how systems are working for people with dementia and their carers.
- Objective 16 : A clear picture of research evidence and needs.
- Objective 17 : Effective national and regional support for implementation of the Strategy.

**CHESHIRE COUNTY COUNCIL RESPONSES TO THE CONSULTATION
FEEDBACK**

Themes	Responses
Capacity and Demand	<p>Feedback from the consultation indicates that the services that are currently offered are highly valued by older people, their carers, other professionals and the public.</p> <p>It is hard to predict what the future might bring, but work has been taking place to try to estimate what the likely demand for services will be in the future bearing in mind demographic changes and changes in services. The introduction of individualised budgets and self directed support is expected to have a major effect in the future on how older people and their carers will obtain their services and the type of services that are likely to be required. Short break residential and day services are still likely to be needed in the future but will be part of a much larger range of services which will develop to better match individual needs.</p> <p>The consultation feedback has led to a revised programme of closure of three centres over a three year time period from 2008/9 to 2010/1. This will achieve the objective of starting to make some efficiencies, but will mean a more gradual transfer of services and a lower impact on the overall market which could be more easily absorbed. It will also allow time for the experience of new developments such as extra service housing, and individualised budgets to filter through and be tested out to see whether, when older people have the ability to exercise greater choice, than the existing services are the ones that they would choose to use.</p> <p>A phased approach will also have the advantage of being able to better respond to any organisational changes which may come about as a result of local government reorganisation.</p>

Specialist Services for People with Dementia	<p>A strong message from the consultation feedback was the importance of services for people with dementia. It links with issues of likely capacity and demand, and with quality and trust. The specialist services that Cheshire County Council has directly provided are highly valued and are services that generally older people wish to retain. The scope for alternative services to appropriately meet the needs of people with dementia is generally seen as being less effective.</p> <p>In the light of the feedback, the intention is to phase the implementation of any closures. Where dementia centres do close, the actual service is retained at the same capacity albeit at a different site. If demand for this kind of service does increase over time, then the balance of care between general residential care and specialist residential care can be reviewed and potentially changed. There will also be opportunities for older people to purchase specialist residential care from the independent sector if they wish.</p> <p>The idea of operating a specialist wing within a general residential centre has already been tested out, but it will be important to retain specialist staff skills wherever possible and to ensure appropriate staff training where it is not.</p> <p>The physical requirements of providing specialist care was also recognised and suggestions have been made for how to incorporate best practice design into services. This will be taken into account as far as practicably possible within any changes to existing buildings and would form part of the specification in the event that any new build centres are commissioned.</p>
Quality and Trust	<p>The vulnerability of older people and the importance of confidence and trust in services was a theme which ran throughout the feedback. The overwhelming feedback was that the public had confidence in the services that are being directly provided by CCC. This confidence has been validated by Commission of Social Care Inspection with the award of excellent being given to four of the centres in their first inspection under the new criteria.</p> <p>The drive for quality has been constantly emphasised within the directly provided service, and it is recognised that the needs of older people must remain paramount in any future service changes and developments but that in addition services will need to be affordable for older people to be able to choose.</p>

Local Services	Local services are important to people, including the ability for carers to visit services easily. They are also important as one of the features of a local community. There are issues about how local is local and what is a reasonable distance to expect people to travel. The aim has been to try to retain a centre in major urban areas which includes the neighbouring rural area, but this is not always possible when trying to match individuals' needs with available resources. Where this is not possible, other services within the independent sector may also be able to respond to local need if there is sufficient demand.
Development of Alternative Services	<p>The feedback generally supports giving older people more choice and control in the meeting of their care needs. There are concerns about how suitable some alternative services are for the particularly vulnerable, including people with dementia. The planning of new services including individualised budgets will need to consider support and brokerage arrangements for services.</p> <p>There was some recognition of the potential for new build care home accommodation being better able to meet peoples' needs locally, and to maximise partnership working with health organisations. This possibility will be actively pursued.</p>
Carers	<p>The importance of supporting informal carers in continuing with their care of their relatives and friends was a common theme in the consultation feedback.</p> <p>Services will need to be responsive to both older people and their carers' needs as they develop. CCC will seek to gain feedback from older people and their carers on the services and how any changes impact in practice, through a Review of the changes.</p>
Funding of Services for Older People	<p>Feedback was suggesting a demand from older people, their carers, and the general community for greater funding for older people to recognise the growing demography and cost pressures.</p> <p>How we best meet the funding challenges of an ageing population is part of a national and local political debate. CCC will continue to try to exercise influence in appropriate arenas to highlight the needs of older people. Raising the profile of older people and services that support them, is one way of trying to put this issue on the general public agenda. This includes supporting the 'Dignity in Care' campaign and increasing the membership and voice of the Older Peoples Network</p>
Consultation Process	<p>There were some concerns voiced about the accessibility of information, and the process adopted.</p> <p>CCC has reviewed its consultation process and the requirements and guidance concerning local authorities to ensure that full compliance has taken place.</p>



CHESHIRE EAST COUNCIL

COMMITTEE REPORT CO-ORDINATION RECORD

The purpose of this document is to monitor and ensure that the appropriate assessment of corporate implications and checks in respect of the report have been carried out. Please ensure that you provide all of the information required.

This co-ordination record needs to be completed electronically and must be emailed to the appropriate Democratic Services officer by 12 noon on the day before the agenda is due to be published. Please note that this record should also be used in the preparation of reports for the Scrutiny Committees.

Report Title: Living well with Dementia in Cheshire East : The Local response to the National Dementia Strategy				
Exempt/Confidential	✓ Yes Yes	✓ No	<i>If yes, paragraph/ category No(s) see last page</i>	
Contact Officer: Sandra Shorter				Tel No:01625 374709

Report to	Cabinet	Date(s) of Meeting(s)	16 th June 2009
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*Report authors **must** consider the implications of their recommendation, including those detailed on the following checklists. Sufficient time should be allowed when preparing the report to enable appropriate checks/consultations to be carried out.*

CHECKLIST

	No ✓	Yes ✓	Proposed Date	Date Agreed
Referral to Management Team		✓		May 2009



Legal advice must be obtained on the content and implications of each.

The following section must only be completed by an officer from the Legal Section can complete this section. This is a specific requirement of the Audit Commission, who also requires all reports to include any "legal implications" identified by lawyers.

Implication	Relevant ✓ / X	Officer	Signature	Date
Legal	yes	A Ellison	A Ellison	27 / 5 / 09

Report authors must apply both professional judgement in deciding whether to send reports to those Sections listed below. Please indicate who has been consulted.

Implication	Relevant ✓ / X	Officer(s)	Implication	Relevant ✓ / X	Officer(s)
*Financial	✓ Yes	Dominic Oakeshott	Consultation	Yes	Sandra Shorter
ICT	X		Property Asset Management Requirements	Yes	Phil Kershaw / Arthur Pritchard
Crime & Disorder	X		Risk Management (Project, Corporate, Service, Other)	X	
Equality & Diversity/ Human Rights	X		Environmental Impact (General)	X	
Value for Money	Yes	Dominic Oakeshott	Health Impact	X	
Partnerships	X		Sustainability	X	
Human Resources (Training Needs, Terms and Conditions of Service, Health and Safety)	Yes	Dinah Robertson	Impact on Children and Young People	X	



Necessary Permissions, e.g. Planning, Building Control, Licensing	Not relevant at this stage
Local Matters <i>Does this report relate exclusively to a particular Ward or to an elector of that Ward?</i> <i>If the answer is yes are the local Ward members aware of the situation?</i>	Borough Council Wide

A Finance Officer **must attend all agenda meetings to ensure any proposals/recommendations etc are within the budgetary framework.*

Before approving this report for inclusion on the agenda the Head of Service must have read the report and ensured consultation checks have been carried out and that it takes into account all corporate priorities.

Any report received by a Democratic Services officer without a co-ordination record will not be included on the agenda.

Report finalised and approved by	Officer	Signature	Date
Author	Sandra Shorter		28.5.09
Head of Service	Phil Lloyd		

LOCAL GOVERNMENT ACT 1972 - SCHEDULE 12A **ACCESS TO INFORMATION: EXEMPT INFORMATION**

PART 1 - DESCRIPTIONS OF EXEMPT INFORMATION

1. Information relating to any individual.
2. Information, which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority.



5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information, which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

PART 2 - QUALIFICATIONS

8. Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under –
 - (a) the Companies Act 1985[3];
 - (b) the Friendly Societies Act 1974[4];
 - (c) the Friendly Societies Act 1992[5];
 - (d) the Industrial and Provident Societies Acts 1965 to 1978[6];
 - (e) the Building Societies Act 1986[7]; or
 - (f) the Charities Act 1993[8].
9. Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992[9].
10. Information which –
 - (a) falls within any of paragraphs 1 to 7 above; and
 - (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above,

is exempt information if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

CHESHIRE EAST COUNCIL

CABINET

Date of meeting: 16th June 2009

Report of: Strategic Director - Places

Title: Free Garden Waste Collection in the area of the former Crewe and Nantwich Borough Council

1.0 Purpose of Report

- 1.1 This report covers the provision of a free garden waste collection in the area of the former Crewe and Nantwich Borough Council.

2.0 Decision Required

- 2.1 That a free garden waste collection service be offered to householders in the area of the former Crewe and Nantwich Borough Council in the form of a single wheeled bin.

3.0 Financial Implications for Transition Costs

- 3.1 Nil

4.0 Financial Implications 2009/10 and beyond

- 4.1 The Council's approved budget indicates a growth bid of £600,000 for the provision of this service for 2009/10. This cost breakdown of this enhanced service is:-

Pay/staffing costs - £111,000

Non pay/vehicle and operating costs - £100,000

Loss of income - £389,000 (previously a fully charged service)

- 4.2 These costs are based upon the introduction of the enhanced service from 1st April 2009, a full year cost.

- 4.3 The enhanced service is planned to commence on 3rd August 2009, so the introduction will be reflected in lower pay and non pay cost. The full cost of introducing this service will not be incurred in 2009/10. The enhanced service has a direct linkage to the alternate weekly service proposed for the former Congleton Borough Council households. The savings in vehicle and personnel costs are broadly equivalent to the cost of those aspects of the enhanced garden waste collections. The surplus vehicles and crew and their associated crews from the Congleton Borough Council area will be used to operate the

enhanced garden waste collection service to the former Crewe and Nantwich Borough Council households.

5.0 Legal Implications

5.1 Nil

6.0 Risk Assessment

- 6.1 The main risk is that the provision of the service extends beyond the present phase of an additional 20,000 households. Such an extension will require additional refuse collection vehicles and associated crews.
- 6.2 It is unlikely that the £658,000 of Waste Implementation Capital Grant Funding will be exhausted by any possible further development of the service provision in the proposed area.

7.0 Background and Options

7.1 The provision of a free garden waste collection in the area of the former Crewe and Nantwich Borough Council was considered, together with options, by the Waste Collection and Disposal Task Group. The work was then taken to the Advisory Panel – Places on 16th December 2009 resulting in their recommendations to Cheshire East Management Team and then the Cabinet.

7.2 The reason for the Task Group's work was that it identified a variation in the collection service offered by the constituent authorities:-

Crewe and Nantwich Borough Council charged for all of the garden waste collections.

Congleton Borough Council provided a free service.

Macclesfield Borough Council provided a free service.

7.3 The Advisory Group and Task Group considered other options and concluded with their recommendation. Work on the provision of the free service to Crewe and Nantwich has only been undertaken post 1st April 2009. Sufficient Waste Implementation Capital Grant fund was not available to cover the capital cost of the bins prior to 1st April 2009.

7.4 The Task Group also considered a project plan covering this work which indicated an eleven week timescale. The project plan did not however take account of the magnitude of the production and distribution of the bins in such a manner that timely collections could be programmed rather than bins remaining full for longer than a few weeks. The projected date for the commencement of the service is now 3rd August 2009. This will be preceded by a communication process whereby any household NOT WISHING to avail themselves of the free garden waste collection service can OPT OUT, by contacting the Council. The distribution list for the bin deliveries is thereby complicated. The distribution

must take account of the households who previously paid for the service and already have a bin, those households that have opted out, such that deliveries are only to the remaining households.

- 7.5 An initial order will be placed for 20,000 new bins, the capital cost of these will come from the Waste Implementation Capital Grant Funding but for 2009/10 in the amount of £658,000. This will adequately cover the costs of the initial supply of 20,000 bins. Any remaining fund will be available should the service need to be rolled out further than the 18,000 existing garden waste households and the 20,000 additional households.

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

- 8.1 These are contained within the report in particular 6.1/6.2 Risk Management.

9.0 Reasons for Recommendation

- 9.1 The Advisory Panel – Places at its meeting on 16th December 2009 made the following recommendations to be submitted to the Cheshire East Management Team and then to Cheshire East Cabinet:
1. That a free of charge green waste kerbside collection service is rolled out to the residents of the former Crewe and Nantwich Borough Council area as soon as practicable following 1st April 2009.
 2. That no initial bin purchase charge should be levied to recipients of the new bins.
 3. That (subject to approval by the existing waste collection authorities) preparation should be made prior to April 2009 to procure the required equipment to roll out a free of charge green waste collection in Crewe utilising the existing 2008/09 Waste Implementation Capital Grant.
 4. That should the Waste Implementation Capital Grant funding for 2008/09 be unavailable or insufficient to support this initiative, the new Cheshire East Authority should approve additional funding (following an additional report) to procure bins.

For further information:

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Background Documents:

Documents are available for inspection at:

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CHESHIRE EAST COUNCIL

CABINET

Date of meeting: 15th June 2009
Report of: Strategic Director - Places
Title: Alternate Weekly Waste Collection in the area of the former Congleton Borough Council

1.0 Purpose of Report

- 1.1 The report outlines the proposal to introduce an alternate weekly collection of the residual waste (dark grey/black bins) to households in the area of the former Congleton Borough Council. If approved this will harmonise the collection of residual waste to households throughout the area of Cheshire East Council.

2.0 Decision Required

- 2.1 That the Cabinet approve the introduction of an alternate weekly collection for the collection of residual waste (dark grey/black bins) from households within the area of the former Congleton Borough Council.

3.0 Financial Implications for Transition Costs

- 3.1 Nil

4.0 Financial Implications 2009/10 and beyond

- 4.1 The Council approved a budget saving of £230,000 for the financial year 2009/10. This saving is made up:-

Pay/staffing costs - £130,000

Non Pay/Vehicle and operating costs - £100,000

- 4.2 The saving is based upon the introduction of the alternate weekly collection service on 1st April 2009, a full year costing.
- 4.3 The alternate weekly collection service is planned to commence from 20th July 2009. The impact of the revised collection in terms of vehicles and associated personnel is projected at three refuse collection vehicles and their associated crews. The budgeted saving is projected at a saving of two refuse collection vehicles and their associated crews. This will increase the savings from the start date and in a full year will give greater annual savings.

- 4.4 The introduction of an alternate weekly collection service is linked to the introduction of the enhanced garden waste collection service to households in the area of the former Crewe and Nantwich Borough Council. Vehicles and their associated crews which are not required in the area of the former Congleton Borough Council will transfer to provide the enhanced garden waste collection service to households in the area of the former Crewe and Nantwich Borough Council.

5.0 Legal Implications

- 5.1 Nil

6.0 Risk Assessment

- 6.1 The main risk is that the full year savings for 2009/10 may not be achievements in spite of the greater projected saving in number of refuse collection vehicles and their associated crews as compared to the budgeted saving. However, the commensurately late introduction of the free garden waste collection service to households in the area of the former Crewe and Nantwich Borough Council will delay incurring additional costs. This will result in an effective saving against the introduction cost in the financial year 2009/10. This will offset savings not fully achieved with the later introduction of the alternate weekly collection service in the area of the former Congleton Borough Council.

7.0 Background and Options

- 7.1 The Waste Collection and Disposal Task Group considered on several occasions the introduction of alternate weekly, residual waste collections in the former Congleton Borough Council area.
- 7.2 The Work Programme for the Task Group considered this topic resulting in the production of a project plan, which indicated an introduction date some eleven weeks post early April 2009.
- 7.3 The introduction of the alternate weekly collection of the residual waste (dark grey/black wheelie bins) will bring the area of the former Congleton Borough Council in line with the level of service provided for the other households in the Cheshire East Council.
- 7.4 The overall budget for Cheshire East Council, approved by the Cabinet on 24th February 2009, contained the introduction of this revised collection service and a full year saving of £230,000 which is reflected in the reduction in the number of refuse collection vehicles and their respective crews. This saving in 2009/10 whilst not fully achieved is offset by the later introduction of the free garden waste collection service in the area of the former Crewe and Nantwich Borough Council. The additional cost of this service will not be fully expended in 2009/10.

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

8.1 Those are contained within the report in particular at 6.1 Risk Management.

9.0 Reasons for Recommendation

9.1 The Waste Collection Service to the households throughout the Cheshire East Council have a number of differences in terms of collection service offered for the residual waste. Residual waste is that which is not recycled by the householder and has been deposited in a dark grey/black wheelie bin which is sent to landfill.

9.2 In general terms the dark grey/black wheelie bins has a capacity of 240 litres. If the household recycles a reasonable proportion of their household waste the capacity of a 240 litre wheelie bin is considered to be adequate for an alternative weekly collection service. Households within larger families or with medical conditions can obtain a larger wheelie bin. Similarly the assisted collection service is available to households who meet the collection conditions.

9.3 The reason for the introduction of the alternative weekly collection is to bring the collection service to all Cheshire East households to a similar service level, namely alternate weekly collection.

9.4 If the Cabinet approve this report as recommended, it is proposed to commence the service with effect from 20th July 2009, following a leaflet distribution and publicity campaign in association with the Communications Team.

For further information:

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Background Documents:

Documents are available for inspection at:

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REPLACEMENT PAGES 55-56

CHESHIRE EAST COUNCIL

CABINET

Date of meeting:

Report of:

Title: Application for Civil Enforcement powers – Former Congleton Borough Council Area

1.0 Purpose of Report

- 1.1 To obtain the necessary approvals to progress the application to the Department for Transport for adoption of civil enforcement powers.

2.0 Decision Required

- 2.1 To reaffirm the decision made by the former Congleton Borough Council, and endorsed by the former County Council Portfolio Holder, to make application to the Department for Transport (DfT) to adopt civil enforcement powers under the Traffic Management Act 2004 in the former Congleton Borough Council area
- 2.2 To approve the penalty charge level to be adopted.

3.0 Financial Implications for Transition Costs

- 3.1 A financial model will accompany the application to the DfT which demonstrates the financial sustainability of adopting Civil Parking Enforcement (CPE) powers. The model is based on a penalty charge level of £70 (higher level contravention eg parking in a disabled bay without a valid badge) and £50 (lower level eg parking out of a marked bay on an off street car park). This is consistent with the level of Penalty Charge Notice (PCN) currently applied in Macclesfield and Crewe and Nantwich and is therefore recommended for adoption in the former Congleton Borough area.

4.0 Financial Implications 2009/10 and beyond

4.1 Congleton Area Enforcement Financial Estimate

Initial Capital Set Up Costs :(cost of signs and lines review)	£15000
Initial Start-Up Revenue Costs :(chiefly PR campaign and Consultants' fees)	£15,121
Annual Revenue Costs :	£30189
Annual Income :	£39397 (year 1), then £51475 per annum.

The service should achieve net surplus (including capital) by end of the 2nd year, and an annual surplus thereafter of £21000 over annual expenditure of £30000.

5.0 Legal Implications

- 5.1 It is intended that Cheshire East Council should assume Civil Parking Enforcement powers for the old Congleton Borough area, in line with those already assumed for the rest of the new authority.

6.0 Risk Assessment

- 6.1 Failure to approve the level of charge will delay the implementation of civil enforcement powers

7.0 Background and Options

- 7.1 Civil enforcement powers have been adopted by many Authorities nationally as on street enforcement has ceased to be a priority for the Police. At the present time adoption of powers is optional although it is anticipated that this will become compulsory from 2011.
- 7.2 CPE has already been adopted in two of the three districts forming the new Cheshire East Council, This, in itself presents an anomaly within the new Authority as such powers are intended to be applied across the whole district. The application will regularise this situation.

For further information:

Portfolio Holder: Councillor Brickhill

Officer: Paul Burns

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Background Documents:

Draft formal application to the Department for Transport
Report to Congleton Borough Council

Documents are available for inspection at:

Westfields

CHESHIRE EAST BOROUGH COUNCIL

CABINET

Date of meeting: 16th June 2009
Report of: Democratic Services Manager
Title: Accommodation and support for the Charter Trustees

1.0 Purpose of Report

- 1.1 To inform Cabinet of requests for support from the Crewe and Macclesfield Charter Trustees, and for a decision to be made upon how the Council might respond.

2.0 Decision Required

- 2.1 That the requests for support from the Crewe and Macclesfield Charter Trustees be noted and that a decision be made upon the Council's response.
- 2.2 That consideration be given to the requests from Macclesfield Charter Trustees that:
- 2.2.1 Their potential deficit of £1500 for the year 2009/10 be met by the Council.
- 2.2.2 The cost of their insurance be met, and that they be indemnified, by the Council.
- 2.3 That, if officer support is to be provided to the Crewe and Macclesfield Charter Trustees, this will commence as soon as a member of staff can be appointed to do this work.

3.0 Financial Implications 2009/10 and beyond

- 3.1 The Crewe and Macclesfield Charter Trustees have precepted £27,930 and £5,000 respectively. Crewe have indicated that £7,510 may be available to pay the Council for officer support and accommodation, whereas Macclesfield do not believe they have sufficient funds to pay the Council anything. The Democratic Services Manager has indicated that additional staffing resources costing approx. £40,000 will be required in 2009-10 to meet the requirements of the two new bodies.
- 3.2 In addition to these direct staffing costs Macclesfield Charter Trustees have requested an additional £1,500 to support their activities and that the Council provide insurance cover for them. The cost of the latter request is being investigated but will result in further additional expenditure for the Council. If the contribution from Crewe of £7,510 is secured, the net cost of supporting the Trustees is likely to be approx. £40,000, for which Democratic Services do not currently hold a budget. If Members wish to agree to support the Charter

Trustees as requested, then it is recommended that temporary funding of up to £40,000 from the 2009-10 transitional budget to reflect the phasing of savings, be approved. This will be utilised to the extent to which the service is unable to absorb the additional costs within its existing base budget. For the following financial year the Trustees could either precept at a level to fully meet their costs and the costs of support from the Council or alternatively the Council agree further temporary funding.

5.0 Legal Implications

- 5.1 Charter Trustees are precepting authorities who should cover their running costs to the extent that support services can be procured from the Council if necessary or from elsewhere if so desired. The precepts for 2009/10 have already been set.
- 5.2 Charter Trusts will cease to exist once a parish or town council is created for their area (a petition for a town council has been received from Crewe and, if supported by the Council, the earliest date for its creation would be March 2010).

6.0 Risk Assessment

- 6.1 Failure to administer Charter Trustees appropriately carries an associated reputational risk for this Council and the LGR process.

7.0 Background and Options

- 7.1 Both Crewe and Macclesfield Charter Trustees wish to receive support from Cheshire East Borough Council in respect of their activities.
- 7.2 The Charter Trustees Regulations 2009 provide for the Charter Trustees to make arrangements for the discharge of their functions by a committee or an officer of theirs, or of this Council. The Regulations further provide for accommodation to be made available by the Council on terms to be agreed by the Council and the Charter Trustees. Neither require this to be done without charge.
- 7.3 The Crewe and Macclesfield Charter Trustees have precepted £27,930 and £5,000 respectively. If these sums are now insufficient to meet their aspirations, they must operate at a reduced level or seek support from elsewhere.
- 7.4 The Charter Trustees have an important role, set out in the Regulations, of preserving "historic property, privileges, rights and traditions presently enjoyed by local residents." They have considered how they wish to carry out this important role and believe that certain levels of support will be required in order to do so. The Charter Trustees wish to be supported by the Council by the provision of officer resources and accommodation.

- 7.5 Of the £27,930 raised by the Crewe Charter Trustees, indications have been given that £7510 could be made available to fund the cost of officer support and accommodation. A formal decision upon this is yet to be made by the Charter Trustees.
- 7.6 The Macclesfield Charter Trustees have given consideration as to how the £5000 raised might be used to support their activities. They indicate that there will be no surplus funds to cover the cost of officer support and accommodation and that there will, in fact, be a deficit of £1500 arising from their proposed activities which they ask the Council to meet. They also ask the Council to cover the cost of insurance of items they hold and the cost of indemnification of the Charter Trustees.
- 7.7 Whilst Macclesfield and Crewe Charter Trustees understand the financial constraints within which they must operate, they also clearly see the importance of their role. Macclesfield Charter Trustees would want to arrange 5 significant events each year: Civic Sunday, Carol Service etc, plus up to two Mayoral visits etc per week. Crewe Charter Trustees have been less specific about their proposed activities, but there is no reason to believe that these will be of a smaller scale than those of Macclesfield.

There will clearly be the need for administrative support: taking calls, dealing with correspondence, and making Mayoral bookings etc, but there will also be other needs. These will include those relating to the servicing of meetings, occasional legal advice, accountancy advice at precept-setting meetings etc.

In total the support needs of the Charter Trustees will not be insignificant and cannot be provided under the existing structure.

- 7.8 As far as it is possible to do so, it is anticipated that the combined officer resource needed to properly service the requirements of the Crewe and Macclesfield Charter Trustees will be at least 0.5 FTE at Grade 9.
- 7.9 Provided that the Council had priority use of the Mayoral and other meeting accommodation at the Council's premises, the Council could choose to offer reasonable use of these facilities to the Charter Trustees, subject to the agreement of the Democratic Services Manager. If the accommodation were to be provided without charge, this would be a further cost to this Council.
- 7.10 Members will be aware of the Community Governance Review petition received in respect of the Crewe town area. As a consequence of the petition, a significant amount of work will need to be undertaken over the coming months in order to comply with the requirements of legislation and Government guidance. The agreed structure of Democratic Services does not provide for the one-off and significant resource implications arising from the Review. This issue is linked to the Charter Trusts because any new Crewe Council would supercede the Charter Trustees.
- 7.11 In addition, there are other elements of work which could, along with the above matters, be regarded as "transitional". A fair estimate of the total resource

implications of the Charter Trustee work and other transitional work would equate to one FTE at Grade 9. Any contribution from the Crewe and Macclesfield Charter Trustees would go some way to limiting the financial impact of the proposal for the Council but they would need to precept at a higher level to fund this level of service provision in future. If the precept were not raised for 2010-11 then the Council may need to agree further temporary funding for next financial year.

- 7.12 It is therefore recommended that transitional funding of up to £40,000 be used to cover the balance cost of employing one FTE Grade 9 officer for the current financial year, on the basis that the Democratic Services Manager will allocate this resource appropriately between the various elements of work and support identified in this report.

8.0 Reasons for Recommendation

- 9.1 In order to provide adequate support to the Crewe and Macclesfield Charter Trustees and the Community Governance Review work which must now be carried out.

For further information:

Portfolio Holder: Councillor Keegan

Officer: Brian Reed

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Background Documents: Charter Trustee Regulations

Documents are available for inspection at:

*Westfields
Middlewich Road
Sandbach
Cheshire
CW11 1HZ*

CESHIRE EAST COUNCIL

Cabinet

Date of meeting: 16th June 2009
Report of: Internal Audit Manager
Title: Anti-fraud and Corruption Strategy

1.0 Purpose of Report

- 1.1 The purpose of this report is to present an Anti-fraud and Corruption Strategy (Appendix A) for approval.

2.0 Decision Required

That the Cabinet:

- 2.1 Approves the Anti-fraud and Corruption Strategy;
- 2.2 Nominates the Internal Audit Team as the main body dealing with and coordinating any enquiries in response to allegations of fraud and corruption.

3.0 Financial Implications for Transition Costs

- 3.1 None.

4.0 Financial Implications 2009/10 and beyond

- 4.1 There will be a package of training on safeguarding resources that will cover a number of inter related topics including Anti-fraud and Corruption related matters.
- 4.2 The potential actions of those perpetrating frauds, the investigation and disciplinary processes will result in the loss of (financial, human and logistic) resources to the Council.

5.0 Legal Implications

- 5.1 Fraud related offences are sanctioned with a) summary conviction through imprisonment not exceeding 12 months or to a fine not exceeding the statutory maximum (or to both) or b) conviction on indictment to prison not exceeding 10 years or to a fine (or both).

6.0 Risk Assessment

- 6.1 This is an important subject given the potential detrimental effect on the Council's reputation if inadequate controls permitted major fraud to occur.
- 6.2 Effective systems to deter, prevent, detect and investigate fraud are considered in the Use of Resources element of Comprehensive Area Assessment.
- 6.3 The risk of the Council being involved in attempted frauds and corruption is low at present but could escalate as a result of:
- The effects of significant structural and management changes as a result of the transition to the new authority
 - Greater delegation or changes in delegation for chief officers and managers
 - Difficult budget positions and cash limits for service managers;
 - Potential dilution of traditional supervision and control measures during the period of transition
 - Increasing levels of organised fraud particularly in the grants and benefits area
 - Expansion of electronic ways of working and "E-Governance";
 - Increased activity by organised criminals who see public sector organisations as an easy target
 - The economic situation and financial pressures on individuals (including employees).
- 6.4 Risk assessments will be conducted on a service by service basis. This Policy will be regularly amended in order to correspond with the Council's needs to reduce the risk of fraud, corruption and other irregularities. The audit plan will incorporate a fraud risk assessment to target the highest risk areas.

7.0 Background and Options

- 7.1 The attached strategy describes the comprehensive framework of policies and procedures that are intended to deal with acts of fraud or corruption. The strategy is of relevance to all Members and employees of the Council and all organisations with which it is associated.
- 7.2 The Council is committed to ensuring that it puts in place proper and effective systems and procedures across services to limit the risk of fraud being perpetrated. It takes this responsibility very seriously and recognises that the system of internal controls is designed to protect staff from allegations of fraud and corruption and limit the opportunity to commit fraud and corruption.
- 7.3 The Council will deal firmly with those who defraud the authority or who are corrupt, or where there has been financial malpractice.
- 7.4 Consultation on the draft strategy included Governance and Constitution Committee, Management Team, HR, Section 151 Officer and Borough Solicitor.

8.0 Reason for Recommendation

- 8.1 It is good practice to adopt a Corporate Anti-Fraud and Corruption Strategy. This links to the overall governance of the authority and its response to national and local concerns about the potential for fraud, particularly public sector fraud. The adoption of a clear philosophy in relation to fraud and corruption and guidelines for the detection, prevention and reporting of fraud are essential to achieve the right culture and to show a commitment to ethical behaviours.
- 8.2 The strategy is designed to ensure that the Council establishes sound and responsible anti-fraud and corruption controls and reporting arrangements designed to detect and prevent irregularities as described in the domestic legislation governing this area of offences.

9.0 Training

- 9.1 Officers investigating allegations of fraud and corruption must possess good knowledge of relevant legislation such as the Fraud Act 2006, Theft Act 1968, Theft Act 1978, PACE 1984, Employment Law, DPA 1998, RIPA 2000 and the Council's investigation procedure.

For further information:

Portfolio Holder: Councillor David Brown

Officer: Vivienne Quayle, Head of Internal Audit

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Background Documents:

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Anti Fraud and Corruption Strategy

1.0 INTRODUCTION

- 1.1 Cheshire East Council is a large employer within the Borough, employing more than 14,000 people and managing a gross budget in excess of £700 million. The Council fully recognises its responsibilities for spending public money and is committed to the fullest support for members and employees in upholding the reputation of Cheshire East and maintaining the public's confidence in the integrity of the Council.
- 1.2 In carrying out its functions and responsibilities, the authority has adopted a culture of openness and fairness and expects that members and employees at all levels will adopt the highest standards of propriety and accountability. This is achieved by leading by example and by an understanding of and adherence to rules, procedures and agreed practices. These standards are also expected from organisations that have a relationship with the authority (e.g. partners/suppliers/contractors).
- 1.3 Cheshire East Council is committed to the prevention, detection and investigation of all forms of fraud and corruption and will deal equally with perpetrators from inside (members and employees) and outside the authority. In addition, there will be no distinction made in investigation and action between cases that generate financial benefits and those that do not.
- 1.4 This strategy does not override any obligations as an employer under the Officer or Member Codes of Conduct. In addition, it runs alongside any equality and diversity strategies adopted.
- 1.5 This strategy document embodies a series of measures designed to prevent any attempted fraudulent or corrupt act and the steps to be taken if such an act occurs. For ease of understanding it is separated into the following seven areas:

• Definition	Section 2
• Culture	Section 3
• Prevention	Section 4
• Deterrence	Section 5
• Detection and Investigation	Section 6
• Awareness and Training	Section 7
• Measuring Success and Learning	Section 8
- 1.6 The authority is also aware of the high degree of external scrutiny of its affairs by a variety of bodies such as the Audit Commission, several inspection bodies, the Local Government Ombudsman, the Information Commissioner and HM Revenues and Customs. These bodies are important in highlighting any areas where improvements can be made.

2.0 DEFINITIONS

2.1 The fraud Act 2006 established new criminal laws to assist in the fight against fraud by creating a new general offence of fraud. It is defined as:

- Fraud by false representation
- Fraud by failing to disclose information, and
- Fraud by abuse of position

2.2 Fraud and corruption are defined by the Audit Commission as:-

Fraud – “the intentional distortion of financial statements or other records by persons internal or external to the authority which is carried out to conceal the misappropriation of assets or otherwise for gain”.

Corruption – “the offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person”.

2.3 In addition, this strategy also covers “the failure to disclose an interest in order to gain financial or other pecuniary gain.” Such a failure will also be included for the purposes of this strategy.

3.0 CULTURE

3.1 The culture of Cheshire East Council is one of openness and integrity. This culture therefore supports the opposition to fraud and corruption.

3.2 The prevention/detection of fraud/corruption and the protection of the public purse are responsibilities of everyone. With this in mind, the Council's expectation is that individuals and organisations associated with the Council will act with integrity and that members and employees will lead by example in these matters.

3.3 Cheshire East Council's members and employees play an important role in creating and maintaining this culture. They are positively encouraged to raise concerns regarding fraud and corruption, immaterial of seniority, rank or status, in the knowledge that such concerns will be taken seriously and wherever possible, treated in confidence and properly investigated.

3.4 Concerns must be raised when members or employees reasonably believe that one or more of the following has occurred, is in the process of occurring, or is likely to occur:

- a criminal offence
- a failure to comply with a statutory or legal obligation
- improper and/or unauthorised use of public or other funds
- a miscarriage of justice
- maladministration, misconduct or malpractice

- endangering of an individual's health and safety
- damage to the environment
- deliberate concealment of any of the above.

3.5 Concerns must be raised firstly with the supervisor/line manager or, where a person feels unable to do this, via other routes, for example:-

- Heads of Service, Directors, or the Chief Executive, who will report such concerns to the Internal Audit Manager or their authorised representative.
- Directly to the Internal Audit Manager or a senior member of the internal audit team
- The External Auditor, who depending upon the nature of the concern will liaise with the Internal Audit Manager or Borough Treasurer and Head of Assets (as Section 151 officer) .
- The Monitoring Officer as outlined in the Confidential Reporting (or Whistleblowing) Protocol)
- The Customer, compliments, Comments & Complaints procedure for use by the general public.

3.6 Partners, contractors, consultants, suppliers, service users, employees and committee members of organisations which the Borough Council funds and the general public are also encouraged to report concerns through any of the above routes.

3.7 The Council will ensure that any allegations received in any way, including by anonymous letters or telephone calls will be taken seriously and investigated in an appropriate manner.

3.8 The Council will deal firmly with those who defraud the authority or who are corrupt, or where there has been financial malpractice. There is, of course, a need to ensure that any investigation process is not misused and, therefore, any abuse (such as employees or members raising malicious allegations) or misuse by external organisations or persons may be dealt with as a disciplinary matter or referred to the Chief Executive for further consideration.

3.9 When fraud and corruption has occurred due to a breakdown in the Council's systems or procedures, Directors will ensure that appropriate improvements in systems of control are implemented in order to prevent a re-occurrence.

4.0 PREVENTION

4.1 It is the responsibility of management to ensure that appropriate, robust controls are in place and working correctly. In addition to this managerial responsibility there are a number of specific preventative measures which are critical to deter fraud.

4.2 Employees

4.2.1 The Council recognises that a key preventative measure in dealing with fraud and corruption is to take effective steps at the recruitment stage to establish, as far as possible, the honesty and integrity of potential employees, whether for

permanent, temporary or casual posts.

- 4.2.2 The Council has a formal recruitment procedure, which contains appropriate safeguards on matters such as written references and verifying qualifications held. Criminal records will only be taken into account for recruitment purposes where the conviction is relevant.
- 4.2.3 To ensure compliance with the Asylum and Immigration Legislation, the recruitment process contains safeguards to ensure that appropriate documentation is provided as evidence of entitlement to work in the United Kingdom.
- 4.2.4 All employees are governed by the Council's Financial and Contract Procedure Rules. They are required to follow the standards set out in the Code of Conduct, which is issued to all staff along with their Contract of Employment. Employees are further governed by the Council's Disciplinary Procedure, which is issued to all staff containing, reference to disciplinary rules giving, examples of misconducts/gross misconduct and how such situations will be managed.
- 4.2.5 The role that employees are expected to play in the Council's framework of internal control will be included in staff induction procedures. Immediately by their line manager and then subsequently through corporate induction training, as appropriate.
- 4.2.6 Cheshire East Council expects its employees to comply with codes of practice or other relevant professional obligations issued by professional bodies of which they may be members.
- 4.2.7 Employees are reminded that they must comply with Section 117 of the Local Government Act 1972 which requires any interests in contracts that have been proposed to be entered into by the Council to be declared. The Legislation also prohibits the acceptance of fees or rewards other than by means of proper remuneration.
- 4.2.8 Employees must register any interests they may have in the departmental register recording Declarations of Interests.
- 4.2.9 All offers of gifts and hospitality, regardless of whether the offer was accepted or declined, must be recorded in the departmental register. Such registers will be reviewed by the appropriate departmental management team on a regular basis and a record kept of such review.

4.3 Members

- 4.3.1 Members are required to operate within:
 - Members Code of Conduct
 - Cheshire East's Financial and Contract Procedure Rules
 - Sections 94-97 of the Local Government Act 1972

- Local Authorities (Members' Interest) Regulations 1992
- Section 81 of the Local Government Act 2000

4.3.2 These matters are specifically brought to the attention of members in the introduction pack and include the declaration and registration of potential areas of conflict. The Borough Solicitor advises members of new legislative or procedural requirements.

4.4 Systems

4.4.1 Cheshire East Council's Financial and Contract Procedure Rules require employees to act in accordance with best practice. In addition to Financial and Contract Procedure Rules Directorates/Sections may have their own procedures to prevent and detect fraud. There may also be audit reports that recommend methods to minimise losses to the authority. Managers and employees must be made aware of these various sources of guidance and alter their working practices accordingly.

4.4.2 The Borough Treasurer and Head of Assets has a statutory responsibility under Section 151 of the Local Government Act 1972 to ensure regulations and accounting instructions are in place governing the procedures and responsibilities of employees in relation to the key financial systems.

4.4.3 The Council has developed and is committed to systems and procedures, which incorporate efficient and effective internal controls of duties. Managers are responsible for ensuring that such controls (including those relating to electronic transmission and recording) are properly maintained and documented. Their existence and appropriateness is independently monitored by Internal Audit through the annual internal audit plan.

4.5 Information Technology and the use of IT systems

4.5.1 The Council has an overarching Information Governance Policy, supported by detailed policies, standards and procedures as necessary, compliance with which is mandatory for anyone with access to any Cheshire East Council information or facilities. Full compliance with the policy will help the Cheshire East Council to manage the risk from information security threats, be these internal or external, deliberate or accidental.

4.5.2 The Council acknowledges that access to the internet is an integral part of many jobs and staff are provided with internet access at work to enable them to do their job. Although the internet is recognised as a world-wide electronic library of information and services, the council has a policy that generally staff should only use and get information from the internet for their official duties and responsibilities. Internet services on Cheshire East IT equipment are covered by the councils policy on abuse, misuse, or unofficial use of resources by staff.

- 4.5.3 The potential for the Council to suffer financial loss and/or reputational damage as a consequence of data loss should not be underestimated. The Council is participating in the Government Connect programme and is committed to strict compliance with the Code of Connection which requires secure ways of working on the part of all staff and members of the Council.

4.6 Confidential Reporting Procedure (known as Whistleblowing)

- 4.6.1 If employees do not feel that they can raise concerns directly with their line manager or other officer, there is an alternative route which the Cheshire East Council has established; the Confidential reporting or Whistleblowing protocol. The protocol explains how concerns raised by employees will be dealt with. If these concerns involve issues relating to fraud and corruption, they will be considered by the Monitoring Officer and may be passed directly to the Internal Audit Manager for investigation and possible referral to the Police.
- 4.6.2 The whistle blowing hotline provides a confidential route to report concerns to the Monitoring Officer.

4.7 External Organisations

- 4.7.1 The Council is committed to delivering outcomes in collaboration with partner organisations from the private, public, voluntary and community sector as well as procuring goods and services from these sectors where appropriate.
- 4.7.2 Cheshire East Council recognises that a key preventative measure in dealing with fraud and corruption is to take effective steps to establish the integrity of the external organisations with whom it engages.
- 4.7.3 Services are commissioned with the advice of the Corporate Procurement Team who ensure that external organisations are aware of the Authority's anti fraud culture. In addition, the governance arrangements or external organisations are also considered through partnership governance boards and voluntary sector compacts.

4.8 Internal Audit Service

- 4.8.1 Internal Audit plays a vital preventative role in reviewing and assessing to ensure that systems and procedures that management put in place to prevent and detect fraud and corruption are adhered to. Internal Audit investigate all cases of suspected irregularity, in accordance within the requirements of the Human Rights Act 1998. They liaise with management to recommend changes in procedures to prevent further losses to the authority.
- 4.8.2 Internal Audit regularly assess the levels of risk within the Council with a view to preventing fraud and corruption, and these assessments are incorporated into work plans. The outcome of this work is used to inform their opinion on the internal control environment, future internal audit and fraud plans and ultimately the Annual Governance Statement.

- 4.8.3 In addition to the above, Internal Audit maintain a fraud risk register, which is updated on an annual basis. The register identifies the fraud risks to which the authority is most susceptible. This is used to determine specific fraud detection work which is included in the annual work plan.

4.9 Benefit Investigation Team

- 4.9.1 The Benefit Fraud Team is responsible for all benefit fraud investigations and prosecutions, in accordance with the requirements of the Welfare Reform Act, Human Rights Act 1998, Police and Criminal Evidence Act 1994, Criminal Procedures Investigation Act 1996 and other relevant legislation. In cases where employees are involved, they will work with Internal Audit, Human Resources and appropriate senior management to ensure that correct procedures are followed and this strategy is adhered to. In addition, there is a protocol for the disclosure of information about employees found guilty of benefit fraud, so that this information is held on their employee file.
- 4.9.2 The Benefits Anti Fraud and Corruption Strategy (and Appendix to the Cheshire East BC Enforcement Policy) deals specifically with welfare benefits issues and is complimentary to this main Anti Fraud strategy. The benefits services strategy is supplemented by the Benefits Fraud Sanction Policy. This policy outlines the criteria used to determine which sanctions that may be applicable if a case is proven by the Investigation Team.
- 4.9.3 In addition to the confidential reporting procedure outlined above (4.6) the benefit investigation team also operate a separate hotline, for use by members of the public. Referrals may also be made from the national fraud hotline managed by central government. These hotlines are publicised in relevant council literature as well as targeted media campaigns.

4.10 Co-operation with Others

- 4.10.1 Arrangements are in place and continue to be developed to encourage the exchange of information on national and local fraud and corruption activity and its impact on Local Authorities, with external agencies such as:-
- The Police
 - Inter Authority Audit Groups
 - The Audit Commission
 - Her Majesty's Revenues and Customs
 - The Department for Work and Pensions
 - Borders & Immigration
- 4.10.2 This information is exchanged in a co-ordinated way usually by Internal Audit or, where relevant the benefits service. Opportunities to develop new methods to combat potential fraudulent activity by co-operating with other organisations is integral to this strategy.

4.11 Data Matching

4.11.1 The Council participates in several data matching exercises for the purpose of reducing fraud and corruption. It may use any of the data it holds in the course of these initiatives. In every instance where data is provided, the Council will comply with the Data Protection Act appropriately notifying all data subjects. The two major initiatives the Council currently participates in are:

- The Audit Commission's National Fraud Initiative
- The Department for Work and Pensions' Housing Benefit Matching Service

4.12 National Fraud Initiative (NFI)

4.12.1 The NFI is the Audit Commission's national data matching exercise and is designed to help participating bodies detect fraudulent and erroneous payments from the public purse. The Council takes an active role in pursuing data provided through this means and continues to seek improvements in all systems in order to minimise losses.

4.12.2 Cheshire East Council's approach to NFI is based upon the guidelines issued by the Audit Commission, which recognises a number of key elements that participating organisations must have in place to ensure that the resources invested into the NFI are used as efficiently and effectively as possible. These are:

- Key contact role
- Co-ordination of data submissions
- Overseeing data subject notification
- Follow up approach
- Initial review
- Equipping staff with the NFI application and appropriate knowledge
- Allocating work appropriately
- Tracking progress

4.12.3 The resultant data matches received from the NFI are prioritized. This prioritization is utilized in allocating resources in accordance with the potential risk that matches are indicative of potential fraud.

4.13 Housing Benefit Matching Service (HBMS)

4.13.1 The HBMS, which is part of the Department for Work and Pensions (DWP), undertakes monthly matching for all councils, comparing Housing Benefit data against Pension, HMRC and DWP records. The Benefits Team receive the monthly matches and look at all of these within 2 to 5 days. Any matches that are highlighted as potential fraud are raised as fraud referrals and passed to the Benefit Fraud Team straight away. This fast turnaround increases the potential to act on frauds quickly, reduce the levels of overpayments and take any further sanction action within prescribed timescales.

5.0 DETERRENCE

5.1 Prosecution

- 5.1.1 The authority has adopted an Enforcement Policy. It is designed to clarify the authority's action in specific cases and to deter others from committing offences against the authority. However, it also recognises that it may not always be in the public interest to refer cases for criminal proceedings.

5.2 Disciplinary Action

- 5.2.1 Theft, fraud and corruption are serious offences against the authority and employees will face disciplinary action if there is evidence that they have been involved in these activities. Disciplinary action will be taken in addition to, or instead of, criminal proceedings, depending on the circumstances of each individual case, but in a consistent manner. Consultation will take place with the Chief Executive and/or Head of Human Resources and Organisational Development, Borough Treasurer and Head of Assets and Borough Solicitor. (The police will pass valid cases to the Crown Prosecution Service for advice or review of the charge).
- 5.2.2 Members will face appropriate action under this strategy if they are found to have been involved in theft, fraud or corruption against the authority. Action will be taken in addition to, or instead of, criminal proceedings, depending on the circumstances of each individual case, but in a consistent manner. Such action may include the making of a reference to the Standards Board for England, and/or the appropriate political group leader, as appropriate.

5.3 Publicity

- 5.3.1 The authority's corporate communications team will optimise the publicity opportunities associated with anti-fraud and corruption activity within the authority. They will also aim to ensure the results of any action taken, including prosecutions, are reported to the media.
- 5.3.2 In all cases where financial loss to the authority has occurred the authority will seek to recover the loss.
- 5.3.3 All anti fraud and corruption activities, including the update of this strategy, will be publicised in order to make employees and the public aware of the authority's commitment to taking action on fraud and corruption when it occurs.

6.0 DETECTION AND INVESTIGATION

- 6.1 Internal Audit plays an important role in the detection of fraud and corruption. Included in their plans are reviews of systems, financial controls, specific fraud and corruption tests, spot checks and unannounced visits. The Council's preventative systems, particularly internal control systems, are designed to deter any fraudulent activity.

Appendix A

- 6.2 It is often the vigilance of members, employees and members of the public that enables detection to occur and appropriate action to take place.
- 6.3 Despite the best efforts of financial managers and auditors, frauds are often discovered by chance and the Council has in place arrangements to enable such information to be properly and promptly dealt with.
- 6.4 Directors and Heads of Service are required to report all suspected instances of fraud and corruption to the Internal Audit Manager, or his authorised representative. Reporting is essential to the success of this strategy and ensures consistent treatment of information regarding fraud and corruption and facilitates the proper investigation by the appropriate officers.
- 6.5 Depending on the nature of an allegation, the Internal Audit Manager will normally work closely with the Director or Head of Service concerned to ensure that all allegations are thoroughly investigated and reported upon.
- 6.6 The Council's Disciplinary procedures will be used to facilitate a thorough investigation of any allegation of improper conduct as well as the holding of disciplinary hearings and dealing with any recommendations and proceedings thereafter.
- 6.7 Following discussion between the statutory officers, the Borough Solicitor (as monitoring officer) and the Chief Executive will decide, based upon advice from the Internal Audit Manager, whether there are sufficient grounds for the matter to be reported to the police.
- 6.8 The Council's External Auditor will examine the Council's arrangements for the prevention, detection and investigation of fraud and corruption and will report accordingly.

7.0 AWARENESS AND TRAINING

- 7.1 The Council recognises that the continuing success of this strategy and its general credibility will depend largely on the effectiveness of training and responsiveness of employees throughout the organisation.
- 7.2 To facilitate this, appropriate provision will be made through induction and refresher training and for employees via the Council's employee training and development scheme.
- 7.3 The possibility of disciplinary action against employees who ignore such training and guidance is, therefore, quite clear.
- 7.4 The investigation of fraud and corruption is managed through the work of the Internal Audit Manager. Staff in internal audit will be appropriately and regularly trained.

8.0. MEASURING SUCCESS AND LEARNING

- 8.1 To monitor the success of the Anti Fraud & Corruption Strategy, the following indicators will be used and reported to the Head of Policy and Performance on a quarterly basis:-
- Number of cases referred or identified to Internal Audit & Housing Benefit Investigation Teams
 - Number of cases in which fraud/corruption was proved
 - Value (£) of misappropriation
 - Number and type of benefit fraud sanctions
 - Number of employees disciplined for offences of fraud and corruption
- 8.2 The results of the proactive work undertaken will be reported to the Governance and Constitution Committee on an annual basis within the Internal Audit Manager's report.
- 8.3 Reporting will include a summary of changes made to systems as a result of any fraudulent or corruption activity perpetrated.
- 8.4 The Internal Audit Section will keep abreast of fraudulent activity reported in other local authorities and similar organisations in order to learn from the experience of others. Equally the Council will share summary details of cases of fraud with other authorities.

9.0. CONCLUSION

- 9.1 Cheshire East Council has in place a clear network of systems and procedures to assist it in dealing with fraud and corruption. It is determined that these arrangements will keep pace with any future developments in both preventative and detection techniques regarding fraudulent or corrupt activity that may affect its operation.
- 9.2 The Council prides itself on setting and maintaining high standards and a culture of openness, with core values of fairness, trust and value. This strategy fully supports Cheshire East's desire to maintain an honest authority, free from fraud and corruption.
- 9.3 The Internal Audit Manager and Borough Treasurer and Head of Assets will maintain a continuous review of such arrangements.

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CHESHIRE EAST COUNCIL CABINET REPORT

Date of meeting:	16 June 2009
Report of:	Head of Policy and Performance
Title:	Communications Strategy for Cheshire East Council

1.0 Purpose of Report

To set out a Communications approach for Cheshire East Council that will ensure that the reputation of the Council is protected and enhanced and provides advice and guidance on dealing with the media.

2.0 Decision Required

The Cabinet is recommended to decide to adopt the communications strategy outlined

3.0 Introduction

- 3.1 Excellent Councils keep good control of their communications. Good control ensures consistent, targeted and measurable communications that will enhance and protect the reputation of Cheshire East Council and its services.
- 3.2 The ultimate aim is that staff, residents, customers, partners and other organisations are assured they are experiencing value for money from the Council and have a clear understanding and a positive perspective of our
- aims
 - values
 - services
 - achievements

4.0 Approach

4.1 To enable the Communications team to co-ordinate and monitor communications in Cheshire East, a number of different channels and processes will be used.

- Communications Planning
- Marketing
- Branding
- Design and Print
- Media Relations
- Internal Communications
- Events

4.1 Communications planning

Working with Cabinet Members, Directors and Senior Officers, Communications will lead a planning process to identify communications goals and outcomes. These will be assessed to ensure that they contribute to achieving the Councils vision as set out in the Corporate Plan . These will then be developed into an approved list of campaigns and projects that the Council will commit to deliver. Appendix A sets out a flow chart that illustrates this communications planning process.

4.2 Marketing

Delivering the right message to the right target audience at the right time is the mantra of any Communications Team. Delivering the Councils messages through effective and efficient channels is key to this. It includes researching innovative solutions but also communicating complex and sometimes unpopular messages. Campaigns to deliver these messages will be identified through discussions with Cabinet Members, Directors and Senior Officers. In all cases Communications Plans will be produced setting out target audience, outcomes, timings, responsibilities and channels. An example of this is in Appendix B. The channels of communication could include;

- Web
- Press
- Posters/leaflets
- Promotional material e.g. mugs, pens, mouse mats
- Radio
- Advertising – bus, press, magazines
- Events e.g. trailer in town centres, conferences
- Cheshire East News
- Competitions

4.3 Branding

Consistent branding across the Council is critical. The Branding guidelines have been approved and are published on the intranet. It is a requirement that these are followed so that the council branded under one visual identity that is instantly recognisable. These include guidelines for stationery, vehicles, clothing and signage. The Communications team will work with services to help them to work within these guidelines and offer advice on how to implement them.

4.4 Design and Print

High quality and professional information and material is also critical for the image of the Council. The Communications team operates a service that delivers effective, eye-catching and value for money design and print solutions. Design will be delivered in house, but there will also be occasions where we will procure these services on behalf of the client. This could be due to volume of work or where there are specialist or technical needs. There is a print buying function within the team who will also procure on behalf of the client.

This service is driven by the agreed outcome that the communications team has identified with the service. Outputs could include items such as booklets, posters, adverts, banners, exhibition material and design for other materials such as pens, mugs or bags. The service can also resource more complex design solutions such as bespoke conference folders or items that have intricate folding requirements.

4.6 Media Relations

The Communications Team provides a comprehensive Media Relations service to CEC. The Media Relations Protocol outlining this is attached as Appendix C. The focus of this team is to work with the local, regional and national media to enhance and protect the reputation of the Council, communicating its key information and messages in a professional and timely manner.

Working with the wider Communications Team and services, the team will co-ordinate and produce relevant news releases and will provide professional advice and guidance about engaging with the Media. The will monitor all media activity in relation to CEC and provide regular updates to Cabinet and the Corporate Management Team.

It is critical that the team is able to control the media activity for the Council so that they can react to situations in an informed manner but also so that they are able to identify the wider reaching implications for the Council. As well as sending out news releases and statements this will also involve dealing with

inbound press enquiries both negative and positive. It is therefore imperative where the view of or a statement from CEC is being sought, no Member or employee engages with the media without contacting the Media Relations Team first.

4.7 Internal Communications

It is essential to ensure that staff feel part of Cheshire East Council and understand the vision and values and the culture that the Council is aiming to achieve. To help achieve this, the Communications team will work closely with HR to look at how and when we engage with staff for example the Top 300 Managers conferences. Channels that already exist are

- Team Talk - weekly
- Talking East - monthly
- CENtranet - ongoing
- Staff survey - bi-annual

It is just as important that internal communications are presented in a professional and engaging format and Communications will again work with HR to maintain this approach. This will also include staff events where the look and feel is as important as the content. We will review internal communications as part of the Corporate Communications Plan.

4.8 Events

Already mentioned as a channel, events can be an excellent way of engaging face to face with the desired target audience. Communications will identify events that can be used to raise the profile of CEC locally and nationally for example the LGA conference and other key opportunities. They will also develop and support bespoke events where it is identified as the most effective means of engaging with the target audience for example the Business Breakfast.

5.0 Financial Implications

The Communications Team has a small internal budget which is largely committed to delivering two of the key publications of the Council – Talking East and Cheshire East News.

Currently, where communications activities are identified as a priority through the communications planning process, services will fund these activities. The Team will work with the relevant service to identify the necessary budget to deliver the activity. During the year 09/10 this will be reviewed to explore the benefits of centralising all marketing and communications spend.

A further piece of work will be undertaken to review the print and media buying strategy across the authority will to ensure efficiency savings are achieved.

6.0 Risks

The Council's reputation will be harmed by poor quality, disparate and unplanned communications activities. A significant risk uncoordinated and poorly thought out media messages. If this strategy is adhered to it will significantly mitigate this risk.

Good staff communication will also be essential to achieving the Council's objectives.

For further information:

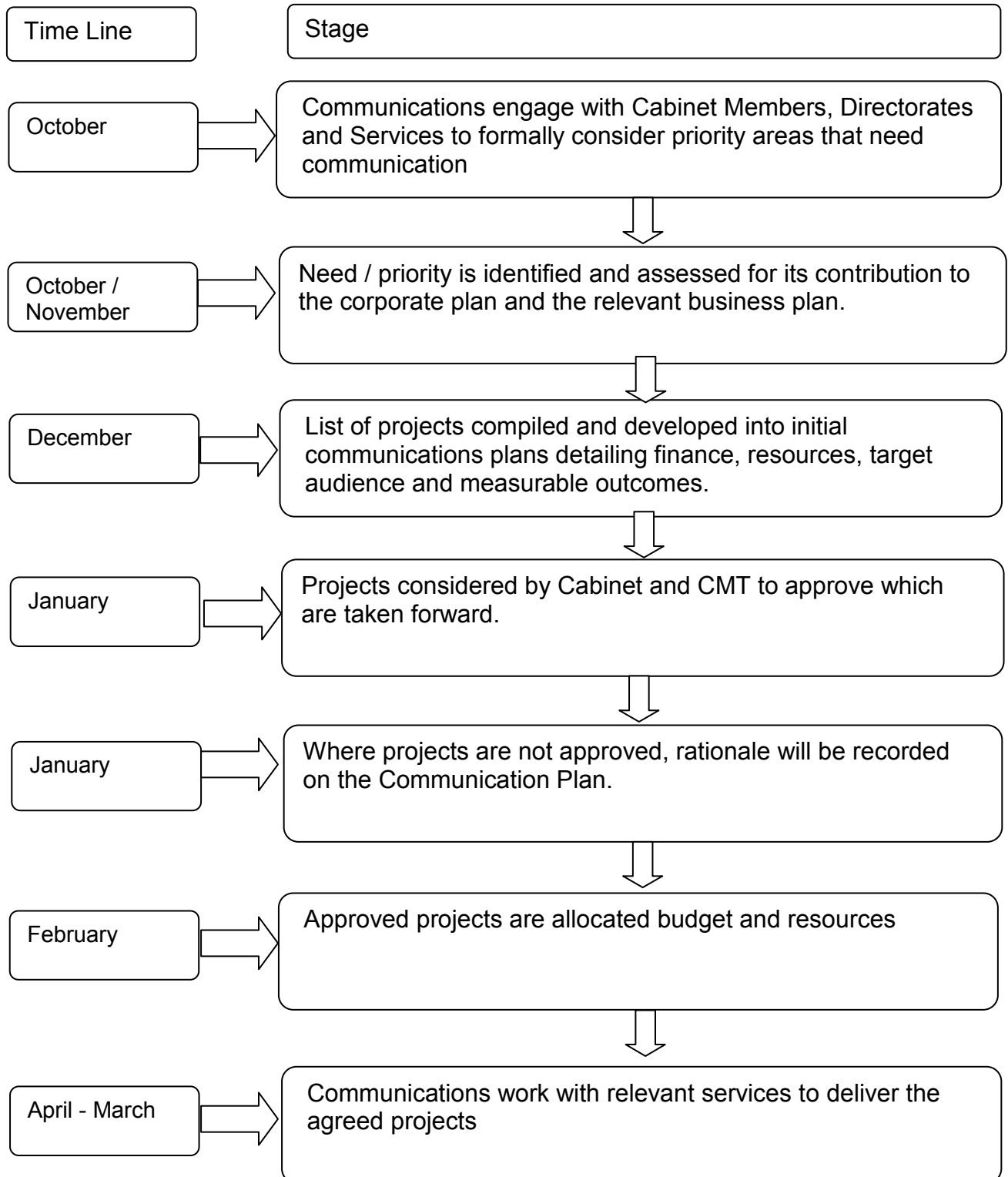
Jo Rozsich
Tel No: 01270 529649

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Communications Planning Process

This strategy proposes an approach that aspires to the vision that all significant Council communications and marketing activities will be directed through the Communications and PR Team. The approach aims to reduce duplication, recognise efficiency savings and project a well co-ordinated image of the Council both to staff and the wider community

The following flow chart demonstrates how this process will work;



Once a project is approved within the defined parameters, any significant changes will be considered by Directors and Senior Managers.

Where communication activities are identified within services that have not been through this process, a review of the originally identified projects will take place and the project list adjusted accordingly.

This approach is not intended to stifle the creativity and innovative practices that CEC will naturally seek. It is intended to guide and enhance the process of delivering excellent communications and marketing activities and to ensure that they contribute to the aims and priorities of the Council, to maintain and protect the reputation of the Council and to position CEC as an excellent authority.

There will inevitably be adhoc requests that will need to be responded to. The team will work with the service to review activities and agree a way forward on these occasions.

EXAMPLE
Communications Plan
 Explore Cheshire East

Who (Stakeholders)	What outcome do we want to achieve	When / Frequency (dates and times)	What channels are we going to utilise	Responsibility / Comments / Budget
CE public and public visiting Cheshire Show from surrounding areas	Improved public understanding of the geographical area that makes up CE. Improved public understanding of what they can see and do across CE. 'Explore Cheshire East'	Cheshire Agricultural Show, 23 / 24 June Tabley Show Ground, Nantwich Show 29 July	Show site, competitions, graphics, one to one interaction, costumes, signage, landscaping, audio / visual stimulants. Public participation activities, flags. May give CE cheese samples away on stand (cost)	Competition in first CEN which featured the shape, attracted over 1,xxx entries
CE public	Improved public understanding of the geographical area that makes up CE. Improved public understanding of what they can see and do across CE. 'Explore Cheshire East'	April	CEN	Competition in first CEN highlighted the shape of the CE, the principle towns (plus some outlying villages to give people a better understanding of area) and main attractions around CE. Over 1.x00 entries.

South Cheshire Businesses		Nantwich show 28 th July evening reception	Reception on Stand the evening before the show. Partnering with S. Cheshire CoC and possibly a cheese producer.	£3,000 John Nicholson
The Farming community	Improved public understanding of the geographical area that makes up CE. Improved public understanding of what they can see and do across CE. 'Explore Cheshire East'	The ploughing Match		



DRAFT

Media Relations Protocol

Author	Lee Humphreys Media Relations Manager (Interim)
Date	4th June 2009
Version	3
Approved by	Cabinet
Effective from	16 June 2009
Review	January 2010

Contents:

- 1. Introduction**
 - 1.1 Strategic aim
- 2. Structure of Media Relations Team**
- 3. Policy**
 - 3.1 Best practice
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 - 3.4 Media monitoring
 - 3.5 Crisis media
 - 3.6 Pro-active coverage
 - 3.7 Reactive coverage
 - 3.8 Confidentiality
- 4. Contact details for Team**

1. Introduction

This protocol serves as the definitive media relations guide for Cheshire East Council. *Once this has been approved by Cabinet, the Leader and CEO, its contents must be adhered to.*

1.1 Strategic aim

The aim of this policy is to enhance and protect the reputation of the Council, communicating its key information and messages in a professional and timely manner and to maximise opportunities to engage with its customers.

As part of the larger Communications & PR Team the Cheshire East Council Media Relations Team will work with the local, regional and national media to achieve this.

2. Structure of the Media Relations Team

Media Relations Manager

Senior Media Relations Officer

Media Relations Officer x 2

Media Relations Assistant

3. Media Relations policy

a. Council spokespeople

The Council will be required to respond to questions, issues and events relating to CEC in the media. To ensure that all these enquiries are co-ordinated and managed effectively, the team must be able to record and monitor ALL interaction with the media. Without this, the reputation of the Council is potentially at risk. The Media Team will also provide advice and guidance where appropriate.

Members and employees of the Council will be required to speak to the media at different times. This could either be directly e.g. TV or radio or in written form.

The media may contact officers or members directly. If the nature of the enquiry is straightforward and the member or officer is able to provide the necessary information, to ensure a swift response, they should do so and then inform the Media Relations Team.

If the enquiry is contentious or has wider implications for CEC or if it is a criticism about CEC, the member or officer should take details of the

journalist and the full nature of the enquiry and pass this on to the Media Relations team who will then liaise with the relevant parties to provide an appropriate response.

Where Members are required to respond to the media regarding the policy of CEC, such publicity should be objective and explanatory. While it may acknowledge the part played by individual Members as holders of particular positions in the council, personalisation of issues or personal image making should be avoided.

This protocol does not preclude any political group or member issuing its own media information through its own channels. However all such information should be copied to the Media Team where it will be held in confidence and used only to inform responses to media enquiries.

Where a formal response is required, or we wish to proactively place news in the media, the standard practice will be that this should come in the first instance from the relevant portfolio holder. If they are not available this will be deferred to the Leader in the first instance, following that it will be the relevant Chief Officer. Quotes will not be included without the relevant authorisation from the spokesperson. Exceptions to the portfolio holder and Leader involvement may arise during periods of purdah or if there are potential conflicts of interest. In these cases Media Relations will identify a suitable alternative. News releases will also seek to include a quote from the relevant service manager or team member.

Unauthorised comment by officers on behalf of the Council that is potentially harmful to its reputation will be investigated as a disciplinary matter

A regularly reviewed media training programme for elected members and relevant employees will assist with developing the appropriate skillset for media interviews.

If this structure is followed we will be in a strong position to minimise the risk of reputational damage.

b. Putting the Council's interest first

Representing the best interests of the Council in the media is at the centre of the Media Relations Team's purpose. Coverage of elected members and employees will be determined in a system of prioritisation, according to the current news agenda.

It is important to note that the most effective strategy is not always to respond to issues in the media. Also media requests will be determined by both the news agenda and their prior agreement in directorate

communications plans. However, we will also need to seek approval from other involved parties as appropriate.

Any Member or employee speaking on behalf of the Council is required to put the interests of the Council first.

c. Media monitoring

Monitoring the coverage of the Council in the daily media is the responsibility of the team. This is done in a variety of ways using the best in modern technology and practice, including a media cutting service.

Disseminating recorded media coverage of the Council to the various internal stakeholders will be done in a clear, accessible and stream-lined way.

d. Crisis media relations

The Media Relations Team is available 24 hours a day, 365 days a year. In the event of a crisis breaking in the media outside of normal office hours (9.00am -5.00pm), a duty media relations officer will always be available on call. We are developing a crisis media protocol.

e. Pro-active coverage

Through proactive coverage we will position the Council in a positive and transparent light. The team will advise on how best to place the right stories in the most appropriate outlet (eg: radio, television, print, online, blog etc) with the best chances of success.

The media expertise of the team, led by the Media Relations Manager, will determine how pro-active coverage is generated. Planning pro-active coverage will form part of the wider communications plans for each of the Council's three main directorates (People, Places and Corporate).

f. Reactive coverage

It is inevitable that the Council will face regular attack in the media. Often, this will be unfounded and will be challenged by the team; and if necessary, supported by Legal Services. On the occasions where the criticism is genuine, the team will respond with transparency and accountability. Again judgement will be used as to whether we respond or not.

g. Confidentiality

The business of the Media Relations Team is highly confidential and all matters discussed within and by the team are treated with the highest standards of discretion. It is essential that the team are briefed on all

aspects of any issues, no matter how confidential or sensitive, to enable them to be best prepared for enquires and put the interests of the Council first.

4. Contact details for the team

Media Relations Team
Cheshire East Council
Westfields
Middlewich Road
Sandbach
Cheshire CW11 1HZ
T: 01270 529 646
E: communications@cheshireeast.gov.uk

CHESHIRE EAST COUNCIL

CABINET

Date of meeting:**Report of:**

Director of People

Title:**16-18 Transfer Arrangements – Machinery of Government
& future 14-19 Partnership and Planning**

Contextual summary & links to other corporate functions

Prior to the announcement that the 16-19 provision for education and training would be transferred to Local Authorities as from April 2010, the strategic lead for this key area of work lay with the Learning & Skills Council. This organisation, acting on behalf of Central Government, was responsible for the commissioning of services through a wide range of national and local organisations including employers, Enterprise & Training providers and the Skills Council. Ultimately, the LSC attempted to broker effective education and training opportunities for all young people yet in reality, the system produced a somewhat disjointed infrastructure which lacked clarity, purpose and measurable outcomes for learners. The ability of Local Authorities and its schools and colleges to strategically and operationally plan appropriate provision for young people proved difficult at a time when there were significant changes to the curriculum opportunities for 14-19 year olds. The intended changes outlined within this report are welcomed in order to streamline the system and provide coherence and structure in terms of decision-making processes which will, in the near future, take place at a Local Authority level.

The 14-19 agenda is a key activity within the People Directorate and it is important to integrate this activity from the outset within the wider corporate management functions and in particular, the linkage with Places. The following summary shows the potential opportunities to integrate work across service areas:

- Economic Development – linking future skills activity to our growth and competitiveness agenda. Ensuring learning and skills for young people is targeted towards employers current and future requirements.
- Regeneration – ensuring appropriate interventions in our deprived areas linking with local regeneration activities. Building a neighbourhood approach to tackling long-term deprivation.
- Accessibility – ensuring provision of training links with local sustainable transport solutions to maximise accessibility, particularly for vulnerable groups.
- Capital Investment – ensuring future capital investment fits with regeneration plans and projects are delivered through sustainable methods.

1.0 Purpose of Report

This report summarises two significant issues which are crucial in taking forward the 14-19 agenda and the variety of reforms which are planned during the next 2-3 years. These issues are being considered in the same paper as

they are interdependent upon each other in terms ensuring that there is a coherent, locally owned strategy which delivers the 14-19 entitlement for all young people. The responsibility for the implementation and quality assurance of these two key issues will lie with the 14-19 Strategy Manager within the proposed staffing structure for Cheshire East.

- 1.1 The purpose of this report is to recommend to Cabinet that Members be made aware of their duties as originally outlined within the '16-18 Transfer Arrangements Machinery of Government' (MOG). This process primarily relates to the transfer of funding from the Learning and Skills Council to local authorities to create a single local strategic leader for all 14-19 education and training. To enable this to happen, new sub regional groups have been established who have the responsibility to manage this transfer and commission services which deliver improved outcomes for all young people.
- 1.2 The purpose of this report is to also recommend to Cabinet that Members be made aware of their responsibilities in planning for and establishing effective 14-19 Partnerships. (14-19P). Five key areas are identified which include the provision of Connexions services, transfer of 16-18 funding, Diploma entitlement, raising the participation age and strong linkage with Children's Trust legislation.

N.B. Reference to the two issues has been identified in each of the following sections for clarification.

2.0 Decision Required

- 2.1 **MOG:** To note the establishment and duties of the Sub Regional Grouping (SRG) which has been formed with Cheshire West and Chester and Warrington Borough Council.
- 2.2. **MOG:** To endorse the proposed SRG model which sets out that whilst there will be the strategic collaborative structures in place between the three Local Authorities, each Local Authority is responsible for funding/commissioning FE, Sixth Form Colleges and School Sixth Forms in their own area within priorities set by the Employment and Skills Board/and or agreed through the sub regional partnership.
- 2.3 **MOG:** To remit to the Head of Service; Children & Families to take the necessary steps to ensure the Council is ready to take on the commissioning role from 2010.
- 2.4 **14-19P:** To endorse the role of the Lead Member in having a strategic overview of the needs of young people by ensuring that the work on 14-19 transfer links to the priorities for the Children's Trust
- 2.5. **14-19P:** To approve the creation of a 14-19 Partnership to have a strategic role in delivering the 14-19 Plan from September 2009. This includes statutory/legal responsibilities, long term visioning for 14-19 as well as operational delivery.

3.0 Financial Implications for Transition Costs

- 3.1 **MOG:** Within the sub regional group, LSC and Local Authorities will work together to deliver the business cycle using new hybrid structures and processes. A small amount of additional funding will be made available to the SRG for the transition period.

4.0 Financial Implications for 2009/10 and beyond

- 4.1 **MOG:** As part of the Machinery of Government process, the formal transfer of responsibility officially takes place from April 2010. It is expected that 5 LSC posts will TUPE over to Cheshire East. Staff that transfer will be engaged to support 14-19 partnership activities. An administration budget will be transferred to cover staff costs although limited detail is available at present in terms of both expertise and availability (further details expected in July)
- 4.2 **MOG:** The level of funding for 16-19 commissioning is related to the numbers of learners within local schools and colleges. In 2008-09, this was £15.3 million for schools and £24.0 million for colleges in Cheshire East. Apprenticeships and Foundation Learning Tier provision will also need to be planned for.
- 4.3 **14-19P:** The 14-19 Partnership will need to have a clear strategic brief for commissioning the requirements of the 14-19 Plan from the Children's Trust

5.0 Legal Implications

- 5.1 **MOG:** As stated in the White Paper (March 2008) , "Raising Expectations: enabling the system to deliver", these reforms make the expectation that all young people will participate in education or training until the end of the academic year in which they turn 17 by 2013 and 18 by 2015.
- 5.2. **14-19P:** The proposals bring together in one place responsibility for the outcomes and achievement of all young people aged 0-19 and to build on the existing role and expertise of Local Authorities as commissioners of a wide range of services which will help support 14-19.
- 5.3 **14-19P:** The 2008 Act requires local authorities to put in place arrangements to promote cooperation between the local authority, its 'relevant partners' and 14-19 providers as part of the Children's Trust. The responsibility to ensure these arrangements are established and effective lies with the 14-19 Strategy Manager. The 14-19 Partnership needs to be a sub-group of the Children's Trust.
- 5.4 **14-19P:** The legal duties of the 14-19 Plan include setting of performance targets, support & challenge to schools, workforce development, transport and curriculum entitlement

6.0 Risk Assessment

- 6.1 **MOG:** There are regional and national arrangements in place to check the readiness of sub regional groupings prior to the transfer of arrangements taking place.
- 6.2 **14-19P:** It will be a statutory requirement that the Local Authority takes on their additional 14-19 responsibilities from September 2010.
- 6.3 **MOG:** The transfer of LSC staff to the Local Authority may bring some potential risk in terms of ensuring that these additional posts are filled with suitably experienced staff.

7.0 Background and Options

- 7.1 **MOG:** In June 2007, the Department for Children, Schools & Families (DCSF) announced, as part of the Machinery of Government changes, that responsibility for planning and funding for 16-18 year olds will transfer from the Learning and Skills Council (LSC) to Local Authorities in 2010. A key part of this structural change would require all Local Authorities to work within Sub Regional Groupings which promote localised collaboration, building upon current successful partnership arrangements. A comprehensive submission has been recently sent to Government Office NW as part of the process for establishing the SRG. (see appendix 2).
- 7.2 **MOG:** The requirement of Local Authorities to establish Sub Regional Groups and to act on the 14-19 reforms prevents alternative options to be considered. The SRG delivery model proposed is seen as the most effective considering the position of two new Authorities to establish effective 14-19 Partnerships in the short term.
- 7.3 **MOG:** Within the Sub Regional Grouping structure, Warrington was initially identified as taking a lead on aspects of this work due to the significant changes taking place within the two new Authorities. As roles and responsibilities are established both within the SRG and within the new Local Authorities, strategic leadership can be reviewed.
- 7.4 **14-19P:** The proposals provide an opportunity to bring together in one place responsibility for the outcomes and achievement of all young people aged 0-19 and to build on the existing role and expertise of Local Authorities as commissioners of a wide range of services which will help support the 14-19 reforms.
- 7.5 **14-19P:** In order to support these changes, the DCSF published Partnerships and Planning guidance in February 2008. This document sets out in more detail the Partnerships strategic role and its ownership of an overarching 14-19 plan and its role in commissioning, monitoring and evaluating progress across all 14-19 priorities. The Partnership will need to be in place to support transition from September 2009 (see Appendix 1)

8.0 Reasons for Recommendation

- 8.1 **MOG:** To ensure that our requirements to establish an effective Sub Regional group are met, in response to the 16-18 Machinery of Government arrangements, to provide improved outcomes for all young people
- 8.2 **14-19P:** Local Authority based 14-19 Partnerships are crucial to ensure that there is a coherent, locally-owned strategy that needs local needs and delivers 14-19 entitlement for all young people.

For further information:-

Officers: Stuart Webster 14-19 Strategy Manager
& Mark Bayley Acting Principal Manager

Email: Stuart.Webster@cheshireeast.gov.uk
Mark.bayley@cheshireeast.gov.uk

Background Documents:-

1. Raising Expectations Staying In Education and Training Post 16 (DCSF)
2. Raising Expectations: Enabling the System to Deliver Update and next steps (DCSF)
3. Commissioning 14-19 Provision through Transition (LSC)
4. 14-19 Partnerships Plans
5. MOG: Phase 2 Sub-Regional Group submission.
6. 14-19 Partnership & Planning (DCSF)

Documents are available for inspection at:

The Kingsley Centre
Middle Lane
Kingsley
WA6 6TZ

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CHESHIRE EAST COUNCIL

CABINET

Date of meeting: 16th June 2009
Report of: Strategic Director Places
Title: Amendment to the Local Environmental Quality Strategy

1.0 Purpose of Report

- 1.1 This report refers to the Local Environmental Quality Strategy (LEQS) adopted by Cabinet on the 23rd March 2009.
- 1.2 The LEQS provides guidance to Community Wardens and Environmental Enforcement Officers on the Council's approach to enforcement and in particular, the issuing of Fixed Penalty Notices (**FPN's**).

2.0 Decision Required

That, subject to the Borough Solicitor being satisfied with the legality of the arrangements for the issue of such notices, Cabinet amends the LEQS as outlined in Section 7.0 to allow the issue of FPNs to persons over the age of 10.

3.0 Financial Implications for Transition Costs

- 3.1 None.

4.0 Financial Implications 2009/10 and beyond

- 4.1 The value of FPN's for each offence is set out in the LEQS and these are unchanged.

5.0 Legal Implications

- 5.1 There is a risk of legal challenge if robust and consistent procedures are not in place and officers are not given clear guidance as to how they should carry out their duties.

6.0 Risk Assessment

- 6.1 There are risks of complaints to the Council and the Local Government Ombudsman of an inconsistent and ineffective approach to enforcement particularly with regard to juvenile offenders. This proposed amendment will address these risks.

7.0 Background and Options

7.1 Section 4.16 of the existing LEQS states that;

“In law, an FPN can be issued to anyone over the age of 10. However, this Council has taken the decision that they should not be served on persons under the age of 16. There is no upper limit.”

7.2 Enforcement action covers a range of interventions that seek to achieve legislative compliance. It will include education, awareness-raising and advisory visits as well as more formal action such as the issue of Fixed Penalty Notices, written warnings and ultimately prosecutions.

7.3 Authorised officers of the Council and its' partners can issue FPN's for various environmental offences, in particular, littering, defacement (graffiti) and dog fouling. Last year the Community Wardens in the Congleton area issued 22 FPN's for littering to young people under the age of 16 and a letter was also sent to their parents advising them of the offence. All 22 FPN's were paid.

7.4 A significant number of people that are committing this type of anti-social behaviour are young people between the ages of 10 and 16.

7.5 The Community Wardens are currently dealing with a number of littering issues across the Borough with a focus on the areas around our schools. The Wardens have visited schools and worked with pupils to explain the impact of littering and other 'enviro-crimes' on their communities as a whole. The next phase would normally be to escalate our interventions towards issuing FPN's and this will prove difficult to carry out if the current restriction remains in place.

8.0 Overview of Year One and Term One Issues

None

9.0 Reasons for Recommendation

9.1 To ensure the Council's approach to environmental enforcement is both effective and consistent.

For further information:

Portfolio Holder: Councillor Brian Silvester

Officer: Tony Potts

Tel No: 01270 529869

Email: Tony.Potts@cheshireeast.gov.uk

Background Documents:

Documents are available for inspection at:

*Westfield's
Middlewich Rd, Sandbach, CW11 1HZ*

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CHESHIRE EAST COUNCIL

CABINET

Date of meeting: 16th June 2009

Report of: Strategic Director Places

Title: Car Parking Control and Charging in the area of the former Borough of Congleton

1.0 Purpose of Report

- 1.1 In order to ensure a uniform approach to car park management and control throughout Cheshire East, the Cabinet is requested to give consideration to and approve the principle of progressing the introduction of car parking control and charging on a number of public car parks within the former Congleton Borough. This is to be in advance of securing civil enforcement powers under the Traffic Management Act 2004 for both on and off street parking, which is expected to receive Department for Transport (DfT) approval by the end of September 2009. A timetable for the actions involved in the process is included as a background document.

2.0 Decision Required

- 2.1 Subject to 2.5 below, to approve the list of car parks to be subject to control and charging.
- 2.2 To agree the scale of parking charges.
- 2.3 To authorise the Borough Solicitor for Cheshire East Council, or his nominated officer, to advertise the intention to make an off street car parking order in respect of car parks in the former Congleton Borough (as set out in the report) pursuant to the Road Traffic Regulation Act 1984. Following advertisement the proposal will be subject to the statutory 21 day consultation period during which objections may be received. These must be considered by the Cabinet at a subsequent meeting.
- 2.4 In the event of there being no objections to the proposed order received within the consultation period, to authorise the Borough Solicitor for Cheshire East Council or any officer nominated by him to take all necessary actions to make the order.
- 2.5 To note the Legal Implications within Part II and consider the matter further as required.

3 Financial Implications: Transition Costs:

None

4 Financial Implications 2009/10 and beyond

- 4.1 A Capital provision of £160,000 is included in the 2009/10 budget to purchase and install the Pay & Display machines.
- 4.2 The estimated annual Income of £375,000 is based on assumptions of occupancy levels derived from the consultants' report and the charging levels detailed in this report.
- 4.3 Parking control will be operated from within the existing Parking Services Teams currently operating in Macclesfield, Crewe and Nantwich.
- 4.4 The operation of parking control will be self financing.

5.0 Legal Implications

The legal implications are addressed in Part II.

6.0 Risk Assessment

- 6.1 Objections to the proposed car park control order could be received which may prevent or delay the introduction of control and charging.
- 6.2 A delay in the implementation of car parking control would have a negative impact on budget income predictions for 2009/10

7.0 Background and Options

Existing situation

- 7.1 Car parking control is currently exercised in the former Boroughs of Macclesfield and Crewe and Nantwich, where civil enforcement powers have also been adopted under the Traffic Management Act 2004 which provides the ability to enforce parking regulations both on and off street.
- 7.2 Off street parking in Congleton is currently uncontrolled and free of charge. Car park operational and maintenance costs are therefore borne by the Council Tax payer as a whole rather than the user of the facility. On street enforcement in Congleton is currently the responsibility of the Police although this is not a high priority area of work for them and will remain an anomaly within Cheshire East until civil enforcement powers are adopted in that area.

Policy Matters

- 7.3 The proposal would bring parking control into line with the Council's Parking Strategy as approved by Cabinet on 21/4/09. The objective is as follows:

To be consistent with and contribute to the overall aims of the National and Regional transport strategies which seek to:

- *Achieve a greater reduction in overall traffic*
- *To achieve a greater use of the more sustainable and healthy forms of travel*
- *To achieve a more effective and efficient transport system*

Having regard to the need to consider:

- *The economic vitality of the town centres*
- *The positive contributions parking revenue makes to the delivery of council services*
- *The parking needs of people with disabilities*
- *The parking needs of local residents, shops and businesses*

An effective parking policy will help to further a wide range of urban policy objectives such as:

- *Economic (vitality of the town centre)*
- *Social (accessibility)*
- *Environmental (negative impact of traffic congestion)*
- *Pricing and availability of parking in the town centre is one of the few ways of managing or restraining car use*
- *Compared to major infrastructure changes, parking policies are relatively easy to introduce and cost effective methods of managing demand, which can be easily modified to reflect changing situations.*

Consultant's Report

- 7.4 A review of car parking in Congleton Borough was commissioned by the former Congleton Borough Council (CBC) and a report considered but not adopted in 2008.
- 7.5 The main findings of the study are detailed in Appendix One which details the rationale behind the introduction of controls through charging and a current updated position for each point.
- 7.6 The Consultant had recommended the following list of 14 car parks where the implementation of control and charging would be appropriate:

CAR PARK	CAPACITY	RECOMMENDED STAY DURING HOURS	MAXIMUM CONTROL
CONGLETON			
<i>Antrobus Street</i>	<i>84</i>	<i>10 hours</i>	
<i>Fairground</i>	<i>97</i>	<i>3 hours – No return within 2 hours</i>	
<i>Princess Street</i>	<i>90</i>	<i>3 hours – No return within 2 hours or 10 hours</i>	
<i>Chapel Street</i>	<i>52</i>	<i>10 hours</i>	
MIDDLEWICH			

<i>Seabank</i>	<i>23</i>	<i>10 hours</i>
<i>Civic Way</i>	<i>84</i>	<i>10 hours</i>
SANDBACH		
<i>Little Common</i>	<i>28</i>	<i>10 hours</i>
<i>Scotch Common</i>	<i>140</i>	<i>3 hours – No return within 2 hours</i>
<i>Hawk Street</i>	<i>11</i>	<i>10 hours</i>
<i>Well Bank</i>	<i>14</i>	<i>10 hours</i>
<i>Crown Bank</i>	<i>11</i>	<i>10 hours</i>
ALSAGER		
<i>Fairview</i>	<i>288</i>	<i>10 hours</i>
HOLMES CHAPEL		
<i>Parkway</i>	<i>15</i>	<i>10 hours</i>
<i>London Road</i>	<i>32</i>	<i>10 hours</i>

Further Considerations

7.7 Further consideration has been given to the proposals put forward by the Consultant and reviewed in the light of additional information and / or policy implications. The areas of the original proposals reconsidered are set out below:

7.7.1 **Sandbach:** Scotch Common has been the main off street facility serving amenities in Sandbach, providing 140 of the 204 parking spaces being considered for charging and therefore control is considered appropriate.

7.7.2 **Middlewich:** The main publicly owned car parks serving the amenities of Middlewich are Civic Way CP (84 spaces) and Seabank CP (23 spaces). These car parks do not operate at capacity although they may be affected by the arrival of Tesco which will utilise part of the Southway car park.

7.7.3 **Holmes Chapel:** The main publicly owned car parks serving the amenities of Holmes Chapel are Parkway CP (15 spaces) and London Road CP (32 spaces). These car parks are extensively used and are operating close to capacity. A significant element of this is long stay parking by commuters going elsewhere. These car parks are adjacent to other larger privately owned car parks serving local shopping precincts where a further 122 spaces are available.

7.7.4 **Congleton:** It is considered that the parking situation in Congleton town centre justifies the need for implementation of off street parking controls. As the majority of car parks are in public ownership, it would be possible to implement this proposed overall car park charging scheme, safeguarding the prime central spaces for use by shoppers and other short stay users so as to maintain the commercial viability of the town centre. Long stay parking would be assigned to peripheral car parks.

Current Proposals

7.8. The proposed schedule of car parks to be controlled and the suggested tariffs are as follows:

Car Park	Bays	Type (S/S Stay L/S Stay)	Short Long	Tariff
SANDBACH				
Little Common	28	S/S		0-1hr £0.30 1-2hrs £0.50 2-3hrs (max) £1.00
Scotch Common	140	S/S		0-1hr £0.30 1-2hrs £0.50 2-3hrs (max) £1.00
Hawk Street	11	L/S		0-2hrs £0.50 2-4hrs £1.00 Over 4hrs £1.50
Well Bank	14	L/S		0-2hrs £0.50 2-4hrs £1.00 Over 4hrs £1.50
Crown Bank	11	L/S		0-2hrs £0.50 2-4hrs £1.00 Over 4hrs £1.50
CONGLETON				
Antrobus St	84	S/S		0-1hr £0.30 1-2hrs £0.50 2-3hrs (max) £1.00
Chapel St	52	S/S		0-1hr £0.30 1-2hrs £0.50 2-3hrs (max) £1.00
Princess St	90	S/S		0-1hr £0.30 1-2hrs £0.50 2-3hrs (max) £1.00
Fairground	97	L/S		0-2hrs £0.50 2-4hrs £1.00 Over 4hrs £1.50
Roe St	24	L/S		0-2hrs £0.50 2-4hrs £1.00 Over 4hrs £1.50
Back Park St	98	L/S		0-2hrs £0.50 2-4hrs £1.00 Over 4hrs £1.50
Ropewalk	29	L/S		0-2hrs £0.50 2-4hrs £1.00 Over 4hrs £1.50
West St	216	L/S		0-2hrs £0.50

			2-4hrs Over 4hrs	£1.00 £1.50
ALSAGER				
Fairview	288	L/S	0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
MIDDLEWICH				
Seabank	23	L/S	0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
Civic Way	84	L/S	0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
HOLMES CHAPEL				
Parkway	15	L/S	0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
London Road	32	L/S	0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50

Season tickets – Long stay car parks (L/S) only, £80 per quarter or £300 p.a.

7.9 Tariff bands

The tariff is based on the lower tariff option suggested by the Consultant and represents a straight forward tariff structure with short stay control achieved by the introduction of a maximum length of stay.

On short stay car parks the 30p rate may address the perceived need for a half hour rate – which is less cost effective in patrol terms.

Members may wish to consider an alternative similar to that operated in Macclesfield where additional tariff bands have been introduced to overcome criticism that the banding suggested here is too wide, meaning for example, that a stay of just over two hours would cost the same as a stay of just under 4 hours.

Under this option, long stay parking is discouraged on short stay car parks, rather than prohibited, by the introduction of charges at a penal level. This would permit some long stay use by those who may consider it essential to do so but at a premium rate- for example over £2.50.

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

None

For further information:

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Background Documents:

Timetable of Actions (below).

Congleton Borough Council – Car Parking Review. (RTA Consultants' report)
Feb 2008

Appendix One: Consultant's Findings and Update Position (see paragraph 7.5)

Car Parking Control and Civil Enforcement in former Congleton Borough area
Timetable of Actions

	Apr	May	Jun	July	Aug	Sept
Apply to Dept for Transport (DfT) for On Street Enforcement Powers	April 5th					
Cabinet Consideration of Off Street Parking Charges			Jun-16			
Statutory Public Consultation on Off Street Charges (21 days)			Starts Jun 17	Ends Jul 7		
Objections under 21 day rule considered by Cabinet				Jul-14		
Earliest date that <i>Off-Street</i> Charges can go live					Jul-28	
Complete review of Traffic Regulation Orders by Highways Engineers					1st Aug	
Receive DfT approval and conferral of <i>On-Street</i> enforcement powers						Sep-30

Consultant's 2008 Report Findings	2009 Update (Cheshire East Officers)
i) <i>Based upon car park usage surveys and the client's description of the desired usage of each site (shopping or long-stay / business use), the report concludes that there is a need for improved usage control to aid the availability of car parking for shopping purposes.</i>	This need continues.
ii) <i>Some improved parking control could be delivered without implementing car park charging. However, the absence of charges would reduce the effectiveness of the control measures and the medium to long term financial sustainability of the measures would be questionable.</i>	This remains the view of parking officers.
iii) <i>To deliver the legal framework for the implementation of improved parking control, the Consultant recommends that the current off-street parking orders are reviewed and that a new Off Street Parking Places Order is made under the 1984 Road Traffic Regulation Act to cover all Borough car parks. This will also allow [the council] to enforce on these car parks against those who contravene the regulations. Not all the controls will be needed on all the car parks and the Order should be scheduled accordingly.</i>	A new order will be required as described.
iv) <i>In order to deliver holistic car parking management both on and off street, it is recommended that [the Council] pursue the introduction of Decriminalised parking enforcement (DPE) through the powers available under the 1991 Road Traffic Act. This should be progressed as soon as practicably possible following the introduction of improved car park management processes. It is likely that adoption of DPE will be forced upon those Councils who have not adopted the powers on a voluntary basis by 2011. Introduction of DPE without effective management of the off-street car parking provision would lead to very significant problems for the Council. The report does not cover the practicalities or cost of delivering DPE as it was specifically excluded from the scope. However, as a traffic management tool DPE has proven successful in over 160 Authorities in England and Wales</i>	This legislation now superseded by the Traffic Management Act 2004.
v) <i>Usage surveys were undertaken in the 13 of the 14 car parks proposed for the introduction of charging and in addition Congleton Leisure Centre was surveyed for completeness. The surveys revealed that of the 13 car parks surveyed for potential charging, on weekdays, two had less than 75% occupancy. Similar surveys revealed that on market days the same car parks had a minimum occupancy level of 78% and on Saturdays this figure was still at a minimum of 75% other than Chapel Street. This shows that there is very little spare capacity on the car parks which would be required to be available should DPE be introduced and displacement from on street occurs. Controlling this spare capacity is of paramount importance and to avoid the car parks running at full occupancy levels it is essential that a means of increasing</i>	The proposal is now extended to cover 4 more car parks in Congleton to provide more comprehensive control of vehicle flows and therefore capacity in the town.

	<i>turnover is introduced.</i>	
vi)	<i>Antrobus street, Princess Street and Chapel Street car parks in Congleton all revealed over 100% occupancy at certain times of the day. Fairview in Alsager revealed over 100% occupancy on market day. This is due to cars being abandoned out of bay, causing obstruction to other users and danger to pedestrians within the car park. It is these issues that need addressing urgently.</i>	It is now recommended that all town centre car parks in Congleton (8 sites) be subject to charge to ensure adequate control of circulation.
vii)	<i>Effective enforcement of the recommended revised off-street parking order would require the equivalent of 3 full time 'Wardens' and a central administrator with appropriate IT and legal support. It is estimated that this would cost £96,000 per annum.</i>	Under the 1991 Act these are known as Parking Attendants. Figures are at 2007/8 prices.
viii)	<i>There are options with respect to how this enforcement could be delivered ranging from use of an external contractor to complete 'in-house' management and delivery. Although all of these options should be explored further, it is recommended that in the first instance, the Council should employ its own Wardens but work with a neighbouring Borough to deliver enforcement administration.</i>	Cheshire E has inherited existing administration (Macc and Crewe) therefore marginal cost to absorb Congleton is minimal.
ix)	<i>The study included a review of the civil engineering condition of 28 car parks. In general the assets were found to be in good condition with only low level capital remedial works (£61-65k) required to make them fit for purpose. However, future investment in excess of current revenue budget provision will be required to maintain an acceptable asset condition in future years.</i>	Figures at 2007/8 prices. The majority of required works are now complete. Capital in budget is for meters, lights etc.
x)	<i>The funding of car park management is a matter for local political determination as there is no statutory requirement to charge for car parks at the point of use. However, as Councils have the powers to implement car parking charging regimes, failure to do so is often viewed by 'outside observers' as a failure to provide value for money within the car park management service.</i>	
xi)	<i>Should the Council wish to consider the implementation of a car park charging regime on the 14 designated 'shopping car parks' on either 'control' or 'process funding' grounds, the report also outlines the costs and high level issues to be addressed. This assumes charging for a total of 972 spaces in the off street car parks with the remainder of the car parks to stay 'free'.</i>	This report contains recommendations to extend control beyond the 14 to ensure a holistic approach.
xii)	<i>Tariffs should be made simple to understand and only two tariff bands are recommended, one for short stay parking and one for long stay parking.</i>	This proposal has such a tariff.
xiii)	<i>In general, long stay parking should be encouraged away from the centre of the amenities to allow short stay visitors easier access.</i>	
xiv)	<i>It is recommended that disabled Blue Badge holders are not charged for short stay parking (although there is not statutory</i>	Present policy is that badge holders can park

	<i>impediment to doing so). However, consideration should be given to charging for blue badge holders when parked in a paid for bay for more than three hours and when not parked in a designated disabled bay.</i>	free anywhere in a marked bay.
xv)	<i>The revenue income stream from the proposed charging and the income from the parking tickets for non compliance has been estimated. Based upon the car park usage surveys, investigations on the parking tariffs in neighbouring Boroughs and the anticipated level of enforcement notices issued, a gross <u>income</u> stream from the 14 designated shopping car park of between £337,000 and £713,000 per annum could be anticipated.</i>	Figures at 2007/8 prices. Now reviewing status of all car parks , not just 14 in the report.
xvi)	<i>Balancing the cost of running an improved car park management process against the new revenue stream from charging on the 14 designated shopping car parks, the Borough Council could move from the current net expenditure of £207,000 to a net expenditure of £90000 or if the most favourable income projections are taken, a net income position of £286000.</i>	Figures at 2007/8 prices and subject to revision as above.
xvii)	<i>Adjacent authorities already charge for off street parking and these have been studied in line with this report. By example Macclesfield have 4053 paid for spaces and realise £2.3m annually from pay and display and a further £276,000 from fines issued for non compliance.</i>	Figures at 2007/8 prices.
xviii)	<i>The number of shopping spaces proposed is 972 and although it can not be assumed that income will be pro rata to that of Macclesfield, it gives a clear indication that visitors are willing to pay to park, on a regular basis, close to the amenities.</i>	See new proposal for number of bays.

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