

Cabinet Agenda

Date: Tuesday, 4th December, 2018
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 in the report.

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

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

1. **Apologies for Absence**
2. **Declarations of Interest**

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

3. **Public Speaking Time/Open Session**

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

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

4. **Questions to Cabinet Members**

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

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

5. **Minutes of Previous Meeting** (Pages 3 - 10)

To approve the minutes of the meeting held on 6th November 2018.

6. **Notice of Motion - Email Retention** (Pages 11 - 16)

To consider a report on the Notice of Motion.

7. **Domestic Tax Base 2019/20 Report** (Pages 17 - 24)

To consider a report which sets out the Council Tax base calculation 2019/20 for recommendation from Cabinet to Council.

8. **Public Realm Improvements Castle Street Macclesfield - Authority to Enter into a Contract** (Pages 25 - 36)

To consider a report which seeks approval to award a contract to improve the public realm on Castle Street, Macclesfield.

9. **Macclesfield Leisure Centre Redevelopment** (Pages 37 - 42)

To consider a report which seeks approval for the Council to enter into a contract for works at Macclesfield Leisure Centre.

10. **Cheshire East Air Quality Strategy 2018 Update** (Pages 43 - 70)

To consider a report recommending the approval of the Cheshire East Air Quality Strategy.

11. **Havannah Primary School - Proposed Change to Age Range** (Pages 71 - 76)

To consider a request from the Governors of Havannah Primary School for a permanent change to the age range of the school from 4-11 to age 3-11, to take effect from January 2019.

THERE ARE NO PART 2 ITEMS

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 6th November, 2018 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor Rachel Bailey (Chairman)
Councillor L Wardlaw (Vice-Chairman)

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

Councillors in attendance

Councillors Rhoda Bailey, G Baxendale, S Corcoran, S Edgar, D Flude,
S Gardiner, L Jeuda, A Kolker, B Moran, B Roberts and G Williams

Officers in Attendance

Kath O'Dwyer, Acting Chief Executive
Frank Jordan, Executive Director of Place/Acting Deputy Chief Executive
Mark Palethorpe, Acting Executive Director of People
Mark Taylor, Interim Executive Director of Corporate Services
Dan Dickinson, Acting Director of Legal Services/Monitoring Officer
Alex Thompson, Acting S151 Officer
Sara Barker, Head of Strategic HR
Paul Mountford, Executive Democratic Services Officer

Apologies

Councillors J P Findlow and D Stockton

The Leader referred to the work that the Council had done with local communities through the Cheshire East Reflects programme to remember those who had served the country during the Great War. She hoped that as many people as possible would attend remembrance ceremonies within their local communities over the weekend, and mentioned in particular events being hosted by the Council on Saturday afternoon in Memorial Square, Crewe and Sunday afternoon in Tatton Park.

The Leader also referred to the Crewe Green Roundabout which had now been completed and was operating successfully, with traffic travelling with ease. She placed on record her thanks to the Highways Team and the Council's partner organisation which had delivered the scheme ahead of schedule.

Finally, the Leader referred to the Growth Strategy published last week by the Constellation Partnership which sought to exploit the opportunities provided by HS2 to support good growth across Cheshire East and the region as a whole.

53 DECLARATIONS OF INTEREST

Councillor S Corcoran declared a non-pecuniary interest in Item 8 – Everybody Sport & Recreation Performance Report 2017/18 and Leisure Operating Agreement – as a member of the ESAR Trust.

Councillor P Bates declared a non-pecuniary interest in Item 10 – Approval to Commission a Universal Information and Advice Service – as a former vice-chairman of the Citizens' Advice Cheshire East Board and indicated that he would take no part in the discussion or voting on the matter.

Councillor S Corcoran declared a non-pecuniary interest in Item 10 – Approval to Commission a Universal Information and Advice Service – as a member of the Board of the Cheshire Neighbours Credit Union.

Councillor P Bates declared a non-pecuniary interest in Item 12 – Acquisition of Land for Employment Use – as a local ward member for the area concerned.

54 PUBLIC SPEAKING TIME/OPEN SESSION

Sue Helliwell asked the Council to stipulate that any entrances to new builds that were vertical structures be made into living walls in order to boost biodiversity and absorb pollutants. The Portfolio Holder for Housing, Planning and Regeneration responded that living walls were a useful option when considering a new development, but they were not an appropriate solution in every case and the Council could not stipulate their use.

Deborah Darnes commented that the report on the agenda relating to a definition of antisemitism was deficient and that the motion should not be accepted.

Richard Walton, Branch Secretary of the Congleton Town Labour Party, asked the Portfolio Holder for Health for assistance with the campaign to oppose the downgrading of services at the Congleton War Memorial Hospital. The Portfolio Holder for Health responded that she was not aware of any formal consultation concerning Congleton War Memorial Hospital but that any such consultation, and any significant changes proposed, would be considered by the Council's overview and scrutiny committee for Health.

55 QUESTIONS TO CABINET MEMBERS

Councillor G Baxendale asked if the timeline for the commencement and finishing time of the Congleton link road could be published in a local paper. The Leader agreed to circulate details to members.

Councillor Rhoda Bailey referred to the sum of £200M available for improving Broadband and asked if some of this could be used to improve

connectivity in rural areas. The Portfolio Holder for Finance and Communications responded that this fund was to be used to support innovative approaches to deploying full fibre Internet into rural areas, starting with primary schools and the Cabinet was considering was of tapping into this opportunity as well as looking at other innovative ways of delivering Broadband to rural areas for which funding might be available. The Portfolio Holder for Integration and Social Care added that fibre may not be the most appropriate option for rural communities and that other options such as 4G and 5G would also be considered.

Councillor D Flude referred to a letter she had written to the Council in October in relation to the trees in Lunt Avenue, Crewe. The Leader undertook to review the correspondence and respond.

Councillor B Roberts referred to the condition of the trees in Gainsborough Avenue, Crewe which were causing damage to the footpaths and blocking out light from the street lights. Councillor Roberts also referred to the condition of Hightown and Wistaston Road in Crewe and asked when they would be fully reinstated. The Leader undertook to provide a written response in relation to the Highways question.

Councillor S Corcoran referred to a member of the public at the last Council meeting who had said he had received an email from the Leader of the Council to the effect that all creditors of EU Solutions Limited had been paid in full. Councillor Corcoran commented that this was not the case and he cited a sum owed to Trafford Borough Council. The Leader responded that the matter had originally been investigated in 2016 by the then Monitoring Officer. Following the public question at the last Council meeting, she had asked for the matter to be fully reviewed.

56 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 9th October 2018 be approved as a correct record.

57 URGENT DECISION - OAKFIELD LODGE SCHOOL, CREWE

Cabinet received a report concerning an urgent decision taken by the Portfolio Holder for Children and Families in accordance Paragraph 3.43 and Appendix 4 of the Cabinet Procedure Rules. The decision authorised the entering into of a construction contract for the building of the replacement facility for Oakfield Lodge Pupil Referral Unit at Crewe.

RESOLVED

That the decision taken by the Portfolio Holder for Children and Families under the urgency provisions be noted.

58 NOTICE OF MOTION - ADOPTION OF THE INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE WORKING DEFINITION OF ANTISEMITISM

Cabinet considered the following motion which had been moved by Councillor S Gardiner and seconded by Councillor M Deakin at the Council meeting on 18th October 2018 and referred to Cabinet for consideration:

"We call upon this Council to adopt formally the definition of antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA) in 2016 and to ensure that its Equality and Diversity Policies clearly state that there will be no tolerance of antisemitism by its officers or elected members.

Additionally, we call on the Council to declare that it stands four-square behind all Jewish people living in Cheshire East; together with their family members, in these difficult times for their community.

Furthermore, we request that the Director of People be charged with putting in place community cohesion strategies that will help and support any victims of antisemitism or other religious intolerances that may manifest themselves within this Borough."

The Government had formally adopted the working definition in December 2016. The definition stated:

"Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed towards Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

The Secretary of State for Communities and Local Government had written to local authorities in May 2017, asking them to adopt the working definition.

The report set out the actions the Council would commit itself to in adopting the working definition.

Councillor S Gardiner attended the meeting and spoke in support of the motion.

RESOLVED

That Cabinet approves the adoption by the Council of the International Holocaust Remembrance working definition of antisemitism and supports the proposed actions set out in the report.

**59 EVERYBODY SPORT & RECREATION PERFORMANCE REPORT
2017/18 AND LEISURE OPERATING AGREEMENT - PROPOSED
EXTENSION**

Cabinet considered the annual Performance Report from Everybody Sport and Recreation for the financial year 2017-18. The report also asked Cabinet to consider an extension to the current Leisure Operating Agreement with Everybody Sport and Recreation for the delivery of the Council's leisure and sports development services.

The Chairman of the Everybody Sport and Recreation Trust, Councillor A Kolker, and its Chief Executive, Peter Hartwell, attended the meeting and spoke in relation to the report.

Councillor S Corcoran, whilst welcoming the report, and in particular the significant increase in attendance figures, drew attention to the Trust's pensions costs and the implications these might have for the Trust's trading surplus and overall financial position. Mr Hartwell advised that the Trust's notional pensions debt had been treated consistently over the life of the Trust and was not going to be realised any time soon. He added that the Trust's auditors had concluded that the Trust was solvent and viable and they had not expressed any concerns over the Trust's pensions position.

RESOLVED

That Cabinet

1. notes the progress made by the Trust in its fourth year of trading as an independent Charitable Trust and the performance achieved to date;
2. approves the extension of the Leisure Operating Agreement with Everybody Sport and Recreation for a further five years subject to the terms being agreed with the Executive Director, Place in consultation with the Portfolio Holder, Health; and
3. delegates authority to the Executive Director of Place in consultation with the Portfolio Holder for Health to finalise the details of the contract extension and agree to the final terms.

60 EXTRA CARE HOUSING: CARE PROVISION

Cabinet considered a report seeking approval for the recommissioning of the five existing Extra Care Housing schemes and the possible inclusion of additional schemes. The report also drew attention to consultation to be undertaken with residents and stakeholders in relation to care bands and charges.

RESOLVED

That Cabinet

1. approves the recommissioning of care within the five existing Extra Care Housing settings, adding further Registered Provider Extra Care Housing schemes to the commission where this is considered desirable by the Executive Director of People; and
2. delegates authority to the Executive Director of People to award contracts to the successful supplier(s).

61 APPROVAL TO COMMISSION UNIVERSAL INFORMATION AND ADVICE SERVICE

Cabinet considered a report seeking approval to commission a Universal Information and Advice Service from April 2019. The service would be jointly commissioned across the Place and People Directorates to ensure that there were strong links with Early Intervention, Prevention services and Adult Social Care Services.

Councillor S Corcoran asked why the procurement framework was being re-opened and what implications this would have for the current contractor, Citizens' Advice Cheshire East. At the Chairman's invitation, the Executive Director of Place clarified that the current contract, which was with Citizens' Advice Cheshire East, was coming to an end and that it was now necessary to start a new procurement process with a view to re-letting the contract.

RESOLVED

That Cabinet

1. agrees that a competitive procurement exercise is undertaken for the provision of a Universal Information and Advice Service; and
2. delegates authority to the Executive Director of Place, in consultation with the Portfolio Holder for Health and the Acting Executive Director of People, to award a contract for an initial period of 3 years with options to extend for a maximum of 2 years.

62 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of

Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

63 ACQUISITION OF LAND FOR EMPLOYMENT USE

Cabinet considered the report set out in Part 2 of the agenda.

RESOLVED

That Cabinet

1. authorises the acquisition of the sites identified in Appendix 1 to the report; and
2. delegates authority to the Executive Director of Place, in consultation with the Portfolio Holder for Housing, Planning and Regeneration and the Director of Legal Services, to enter into the legal agreements required to complete the purchase of the land.

The meeting commenced at 2.00 pm and concluded at 3.25 pm

Councillor Rachel Bailey (Chairman)

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Cabinet

Date of Meeting: 04 December 2018

Report Title: Notice of Motion - Email Retention

Portfolio Holder: Councillor Paul Bates / Councillor Paul Findlow

Senior Officer: Mark Taylor, Interim Executive Director of Corporate Services

1. Report Summary

- 1.1. The purpose of this report is to consider and respond to the following motion which had been moved by Councillor Dorothy Flude and seconded by Councillor Suzanne Brookfield and referred to Cabinet for consideration at the Council meeting 18th October 2018:

"Recognising the implications of both GDPR and Freedom of Information Act legislation, this Council defers any changes to the policy the retention of emails until all police investigations, Crown Prosecution decisions and possible court actions are complete."

- 1.2. Since the notice of motion, further briefings have taken place with portfolio holders Councillor Bates and Councillor Findlow, the Corporate Leadership Team, Information Governance Team and the Data Protection Officer to ratify that the email retention policy is compliant, fit for purpose and in accordance with legislation. All consulted parties have endorsed and approved the policy.
- 1.3. Objective 6 of the Corporate Plan states that Cheshire East is a responsible, effective and efficient organisation. Adoption of a compliant email retention policy aligns to this objective and supports organisational compliance and responsible management of information.

2. Recommendation/s

That Cabinet

- 2.1. Endorse the implementation of the email retention policy.

- 2.2. Agree that the policy will be technically enabled to the groups identified as in scope this financial year, with the view of implementing the policy across the whole organisation, where appropriate, by April 2020.

3. Reasons for Recommendation/s

- 3.1. GDPR directs that personal, sensitive data must not be retained for longer than is necessary. Wholesale retention of emails which may contain personal or sensitive data may therefore result in a breach of the GDPR.
- 3.2. The email retention policy does not mandate wholesale deletion of emails; it is to ensure the organisation treats email as a business record where applicable and to store it with the right retention, controls and measures against the right case file.
- 3.3. Organisational decisions, case related information, supporting papers and corporate records must be kept outside of email accounts.
- 3.4. Information must be stored in the correct location or system to preserve its integrity and prevent unintentional or deliberate loss.
- 3.5. The email retention policy will enable the organisation to have greater control over its information with regards to audit, retention, deletion.

4. Other Options Considered

- 4.1. The current state and management of email information is an area which lacks compliance and governance controls and therefore there are no other known options to consider.

5. Background

- 5.1. The email retention policy will mandate that email retention of two years will be applied to officer accounts and retention of six years to member accounts. The policy will mandate technical automation of the policy across the email system.
- 5.2. All accounts will qualify for litigation hold meaning all emails will be kept for 2 years regardless of whether the user has deleted it from Outlook. Therefore, all email under litigation hold will be available for review if required in the future.
- 5.3. Implementation of the email retention policy will be phased and there will be a robust process for exemptions. First phase deployment of the policy which is planned for this financial year will exclude:
 - 5.3.1. Members
 - 5.3.2. Corporate Leadership Team

- 5.3.3. Childrens and Families Service until the Independent Inquiry into Child Sexual Abuse (IICSA) concludes or new guidance received
- 5.3.4. Email accounts pertaining to on-going investigations
- 5.3.5. Email accounts of those away due to long term absence
- 5.3.6. Shared Services
- 5.4. The above exemptions account for 21% of the organisation. First phase policy implementation will be applied to 79% of the organisation.
- 5.5. For the 79%, all emails prior to May 2017 will be archived in the Enterprise Vault irrespective of deletions of these emails in Outlook. ICT can recover these items for a period unless they have been deleted by the Officer prior to archive; therefore there is no additional risk of data loss.
- 5.6. Emails are currently being stored with no deletion or management of information and there is a lack of corporate control. There is a risk that information could be lost either through inadvertent or deliberate deletion.
- 5.7. Email systems do not provide the same controls as case or content management systems. The email system is designed to be a transitory communication tool. Storing information in a case or content management system means information can be stored with the correct controls in place.
- 5.8. The email retention policy does not jeopardise the availability of information, or weaken governance controls.
- 5.9. The risk of manipulation or security of information is higher in Outlook as it does not have the controls to manage information compliantly. Once information is in a case management system it will be more secure as most case management systems prevent user destruction of information, and have in-built audit trails in terms of who is accessing, amending and deleting records.
- 5.10. Email information must be managed, kept securely, stored as justified, kept confidential and retained only for the correct period of time as this is central to compliance (Computer Misuse Act, the Freedom of Information Act (FOIA), GDPR, Data Protection Act 2018 and the Public Records Act).
- 5.11. Information kept beyond the correct retention periods will contravene compliance. GDPR clearly outlines and directs that information should only be kept for as long as it is needed for the business need. Article 5 of the GDPR directs that this must be adopted as a principle.
- 5.12. Records beyond retention should not be kept for the purposes of Freedom of Information (FOI) and it is not a requirement of FOI to keep information indefinitely.

- 5.13. The ICO's Code of Practice published under Section 46 of Freedom of Information Act (FOIA), provides recommended good practice to public authorities in relation to keeping, management and destruction of their records. The email retention policy aligns to best practice and compliant working.
- 5.14. The Information Assurance, Data Management and Governance team have evaluated the risk associated to policy implementation and have ensured mitigations are in place to negate any concerns regarding information loss. It is noted that this is a significant change to the organisation, but a vital step in leading the organisation to a state where information is managed compliantly.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. Compliance with GDPR and UK data protection legislation is mandatory; penalties for the Council as a Data Controller under GDPR can now be up to €20 million (£17m).
- 6.1.2. GDPR directs that personal data must not be retained for longer than is necessary. Wholesale retention of emails which may contain personal data may therefore result in breach of the GDPR.
- 6.1.3. FOIA amends the Public Records Act 1958 and places obligations on public authorities to maintain their records in line with the provisions of a code of practice on records management issued by the Secretary of State under Section 46 of FOIA. Failure to comply with the code is not in itself a breach of FOIA or the EIR. However, following the code will help the organisation comply with the legislation.
- 6.1.4. While all email accounts will qualify for Litigation Hold and kept for 2 years, consideration should be given to the limitation periods applicable in England, currently 6 years for simple contracts and certain actions in tort and 12 years in relation to deeds. Litigation may therefore be commenced at any time up to 6 years following breach of contract simple contracts and the cause of actions in tort or 12 years in respect of deeds. Storage of emails in case or content management systems will either need to be embedded in the processes of services or enabled automatically to ensure compliant management of records and access for the purpose of litigation.

6.2. Finance Implications

- 6.2.1. Compliance with GDPR and UK data protection legislation is mandatory; penalties for the Council as a Data Controller under GDPR can now be up to €20 million (£17m).

6.3. Policy Implications

6.3.1. This supports Objective 6 in the Corporate Plan.

6.3.2. Revisions of the ICT Email and Messaging Policy will be made to reflect email retention.

6.4. Equality Implications

6.4.1. None.

6.5. Human Resources Implications

6.5.1. Under the new GDPR data subjects can obtain from the data controller confirmation as to whether or not personal data concerning them is being processed, where and for what purpose. This requirement cannot be met if email is used as a storage mechanism for information.

6.6. Risk Management Implications

6.6.1. None.

6.7. Rural Communities Implications

6.7.1. None.

6.8. Implications for Children & Young People

6.8.1. The Childrens and Families Service will be exempt from the automation of the email retention policy until the Independent Inquiry into Child Sexual Abuse (IICSA) concludes or new guidance received. However the Service will still be briefed on the compliant practice of not storing corporate records or case information in Outlook.

6.9. Public Health Implications

6.9.1. None.

7. Ward Members Affected

7.1. Affects all Members.

8. Consultation & Engagement

8.1. None required.

9. Access to Information

9.1. Section 46 of the FOIA

<https://ico.org.uk/media/1624142/section-46-code-of-practice-records-management-foia-and-eir.pdf>

9.2. Data Protection Act 2018

http://www.legislation.gov.uk/ukpga/2018/12/pdfs/ukpga_20180012_en.pdf

9.3. Article 5 of the GDPR

<https://gdpr-info.eu/art-5-gdpr/>

10. Contact Information

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

Name: Gareth Pawlett

Job Title: Corporate Manager (ICT) and Chief Information Officer (CIO)

Email: Gareth.pawlett@cheshireeast.gov.uk



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Cabinet

Date of Meeting: 04 December 2018

Report Title: Domestic Tax Base 2019/20 Report

Portfolio Holder: Cllr Paul Bates - Finance and Communication

Senior Officer: Alex Thompson – Head of Finance and Performance
(Section 151 Officer)

1. Report Summary

- 1.1. This report sets out the Council Tax base calculation 2019/20 for recommendation from Cabinet to Council.
- 1.2. The calculation sets out the estimates of new homes less the expected level of discounts and the level of Council Tax Support (CTS). This results in a band D equivalent tax base position for each Town and Parish Council.
- 1.3. The tax base reflects growth of £3.6m (1.7%) on the 2018/19 position highlighting the positive changes locally. Additional new homes and more properties brought back into use over the last nine years, have increased the taxbase by 13%.

2. Recommendation/s

That Cabinet recommends to Council:

- 2.1. In accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount to be calculated by Cheshire East Council as its Council Tax Base for the year 2019/20 as 149,517.54 for the whole area.
- 2.2. No changes are made to the Council Tax Support Scheme for 2019/20, other than the annual increase in the allowances used and clarification following changes in other state benefits.
- 2.3. The following changes are made in respect of empty property charges:

- i) The period for the award of discount in respect of empty rental property is reduced from 8 weeks to 6 weeks
- ii) The premium charged for property that has been empty for 2 years or longer be increased from 50% to 100%

3. Reasons for Recommendation/s

- 3.1. In accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992 Cheshire East Council is required to agree its tax base before 31st January 2019.

4. Other Options Considered

- 4.1. None.

5. Background

- 5.1. Cheshire East Council is required to approve its tax base before 31st January 2019 so that the information can be provided to the Cheshire Police and Crime Commissioner and Cheshire Fire Authority for their budget processes. It also enables each Town and Parish Council to set their respective budgets. Details for each parish area are set out in **Appendix A**.
- 5.2. The tax base for the area is the estimated number of chargeable dwellings expressed as a number of band D equivalents, adjusted for an estimated number of discounts, exemptions and appeals plus an allowance for non-collection. A reduction of 1% is included in the tax base calculation to allow for anticipated levels of non-collection.
- 5.3. Processes to collect Council Tax locally continue to be effective and collection rates of 99% continue to be achieved over two years. Changes to Council Tax discounts, specifically the introduction and subsequent amendments to the CTS scheme are being managed and the forecast level of non-collection at Cheshire East has been maintained at 1% for 2019/20.
- 5.4. The tax base has been calculated in accordance with the Council's local policy to offer no reduction for empty properties except that Discretionary reductions will continue to be allowed, for landlords, under Section 13A of the Local Government Finance Act 1992. Based on analysis of the locally determined, discretionary reduction period for landlords, it is recommended that it be reduced from eight weeks to six weeks.

5.5. Analysis of recent trends in new homes, and homes being brought back into use, suggest an increase of nearly 4,200 homes is likely between the setting of the 2018/19 taxbase in October 2018 and the 31st March 2020. The impact of this growth is affected by when properties may be available for occupation and the appropriate council tax banding and this is factored into the tax base calculation.

5.6. In common with most Billing Authorities, Cheshire East Council charges a Council Tax premium of 50% on property that has been empty for 2 years or more in order to encourage homes to be brought back into use. The Local Government Finance Act 1992 (amended) enables Councils to charge a premium on empty properties. The Autumn Budget 2017 increased the premium from 50% to 100% with effect from April 2019. It is recommended that Cheshire East Council implements this change with effect from 1st April 2019.

5.7. The tax base also reflects assumptions around CTS payments. The Cheshire East CTS scheme was introduced in 2013/14 and subsequently amended following consultation for 2016/17. The history of the scheme including budgets available compared to actual payments made is shown in Table 1 below.

Table 1 – Council Tax Support Budget since the introduction of the Scheme

Taxbase Year	CTS Payments £m	Risk Allowance £m	Resulting CTS Budget £m
2013/14 (original scheme)	18.2	0.7	18.9
2014/15	17.7	1.4	19.1
2015/16	17.7	0.9	18.6
2016/17 (revised scheme)	15.7	1.9	16.7
2017/18	14.2	2.0	16.2
2018/19 (estimated)	15.0	1.2	16.2
2019/20 (estimated)	15.0	1.2	16.2

5.8. This level of budget will allow a risk factor of £1.2m to remain within the scheme. The ongoing level of risk reflects a number of possible influences on the scheme such as:

- Challenges over the medium term economic position.
- The risk of a major employer leaving the area.
- The risk of delay in the significant development projects delaying employment opportunities.

- The prospect of a greater number of residents becoming of pensionable age and potentially becoming eligible for CTS.
- The risk of increased non-collection due to the increasing demand on non-protected residents.

5.9. No changes are proposed to the Council Tax Support Scheme for 2019/20 other than to amend the allowances used within the calculation to mirror those used within the calculation of Housing Benefit and clarification following changes in other state benefits.

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1. In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended and Chapter 4 of the Council's Constitution, the calculation of the Council Tax Base is a matter for full Council following a recommendation by Cabinet.

6.2. Finance Implications

6.2.1. The calculation of the tax base provides an estimate that contributes to the calculation of overall funding for Cheshire East Council in each financial year.

6.3. Policy Implications

6.3.1. None

6.4. Equality Implications

6.4.1. None.

6.5. Human Resources Implications

6.5.1. None

6.6. Risk Management Implications

6.6.1. Consideration and recommendation of the Tax Base for 2019/20 to Council ensures that the statutory requirement to set the taxbase is met.

6.6.2. Estimates contained within the Council Tax Base calculation, such as the loss on collection and caseload for Council Tax Support, will be monitored throughout the year. Any significant variation will be reflected in a surplus or deficit being declared in the Collection Fund which is then shared amongst the major precepting authorities

6.7. Rural Communities Implications

6.7.1. This report provides details of taxbase implications across the borough.

6.8. Implications for Children & Young People

6.8.1. None.

6.9. Public Health Implications

6.9.1. None.

7. Ward Members Affected

7.1. All.

8. Consultation & Engagement

8.1. Not subject to any specific consultations.

9. Access to Information

9.1. Supporting system reports evidencing current taxbase numbers is available on request.

10. Contact Information

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

Name:	Alex Thompson
Job Title:	Head of Finance & Performance (Section 151 Officer)
Email:	alex.thompson@cheshireeast.gov.uk

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APPENDIX A

COUNCIL TAX - TAXBASE 2019/20

CHESHIRE EAST	BAND D EQUIVALENTS	TAX BASE 99.00%
Acton	131.40	130.09
Adlington	610.52	604.42
Agden	73.88	73.14
Alderley Edge	2,675.55	2,648.79
Alpraham	202.61	200.59
Alsager	4,706.43	4,659.37
Arclid	190.47	188.56
Ashley	158.94	157.35
Aston by Budworth	183.96	182.12
Aston-juxta-Mondrum	91.59	90.68
Audlem	960.53	950.92
Austerson	49.45	48.95
Baddiley	127.43	126.16
Baddington	61.85	61.23
Barthomley	96.44	95.48
Basford	92.48	91.56
Batherton	23.21	22.98
Betchton	273.36	270.62
Bickerton	122.81	121.59
Blakenhall	69.64	68.94
Bollington	3,253.17	3,220.64
Bosley	206.47	204.40
Bradwall	89.38	88.49
Brereton	635.40	629.04
Bridgemere	67.66	66.99
Brindley	66.87	66.21
Broomhall	85.79	84.93
Buerton	230.43	228.12
Bulkeley	133.70	132.36
Bunbury	634.15	627.81
Burland	291.57	288.66
Calveley	130.72	129.41
Checkley-cum-Wrinehill	47.99	47.51
Chelford	682.16	675.33
Cholmondeley	87.37	86.49
Cholmondeston	82.66	81.84
Chorley	269.83	267.13
Chorley (Crewe)	62.36	61.74
Chorlton	514.51	509.36
Church Lawton	853.22	844.68
Church Minshull	212.28	210.16
Congleton	10,360.52	10,256.92
Coole Pilate	36.33	35.97
Crnage	681.52	674.70
Crewe	14,136.71	13,995.34
Crewe Green	98.75	97.77
Disley	2,047.89	2,027.41
Dodcott-cum-Wilkesley	206.48	204.42
Doddington	18.00	17.82
Eaton	218.96	216.77
Edleston	265.31	262.66
Egerton	37.78	37.40
Faddiley	76.20	75.44
Gawsworth	821.14	812.93
Goostrey	1,096.69	1,085.73
Great Warford	447.34	442.87
Handforth	2,358.56	2,334.97
Hankelow	157.66	156.09
Haslington	2,608.63	2,582.54
Hassall	112.80	111.67
Hatherton	180.89	179.08
Haughton	104.57	103.53
Henbury	353.24	349.71
Henhull	25.10	24.85
High Legh	900.31	891.31
Higher Hudsfield	333.37	330.03
Holmes Chapel	2,736.26	2,708.90
Hough	342.37	338.95
Hulme Walfield & Somerford Booths	190.49	188.59
Hunsterson	83.75	82.91
Hurleston	35.17	34.82

COUNCIL TAX - TAXBASE 2019/20

CHESHIRE EAST	BAND D EQUIVALENTS	TAX BASE 99.00%
Kettleshulme	168.04	166.36
Knutsford	5,860.88	5,802.27
Lea	21.51	21.29
Leighton	1,812.10	1,793.98
Little Bollington	85.31	84.46
Little Warford	37.07	36.70
Lower Peover	75.09	74.34
Lower Withington	311.24	308.13
Lyme Handley	74.70	73.96
Macclesfield	18,573.16	18,387.40
Macclesfield Forest/Wildboarclough	118.09	116.91
Marbury-cum-Quoisley	127.88	126.60
Marton	113.32	112.19
Mere	449.35	444.85
Middlewich	4,916.15	4,866.99
Millington	105.15	104.10
Minshull Vernon	144.32	142.87
Mobberley	1,454.20	1,439.66
Moston	301.30	298.29
Mottram St Andrew	406.68	402.61
Nantwich	5,512.77	5,457.64
Nether Alderley	515.82	510.66
Newbold Astbury-cum-Moreton	358.41	354.83
Newhall	435.59	431.24
Norbury	105.28	104.23
North Rode	128.14	126.86
Odd Rode	1,995.00	1,975.05
Ollerton with Marthall	320.85	317.64
Over Alderley	218.14	215.95
Peckforton	75.81	75.05
Peover Superior	403.08	399.05
Pickmere	379.30	375.50
Plumley with Toft and Bexton	402.31	398.29
Poole	74.99	74.24
Pott Shrigley	149.88	148.38
Poynton with Worth	5,921.59	5,862.37
Prestbury	2,204.19	2,182.15
Rainow	601.25	595.23
Ridley	83.00	82.17
Rope	866.28	857.61
Rostherne	79.84	79.04
Sandbach	7,932.58	7,853.25
Shavington-cum-Gresty	2,108.76	2,087.67
Siddington	185.58	183.72
Smallwood	326.18	322.91
Snelson	81.69	80.87
Somerford	516.93	511.76
Sound	108.37	107.29
Spurstow	197.53	195.56
Stapeley	1,632.73	1,616.40
Stoke	114.17	113.03
Styal	374.66	370.91
Sutton	1,166.31	1,154.65
Swettenham	173.50	171.77
Tabley	223.17	220.94
Tatton	10.89	10.78
Twemlow	108.11	107.03
Walgherton	66.48	65.81
Wardle	56.79	56.22
Warmingham	116.28	115.12
Weston	946.97	937.50
Wettenhall	117.84	116.66
Willaston	1,394.47	1,380.53
Wilmslow	11,747.52	11,630.05
Wincle	95.53	94.57
Wirswall	41.08	40.67
Wistaston	3,076.37	3,045.61
Woolstanwood	243.04	240.61
Worleston	120.18	118.98
Wrenbury	509.68	504.59
Wybunbury	634.34	628.00
	151,027.82	149,517.54

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Cabinet Report

Date of Meeting: 04 December 2018

Report Title: Public Realm Improvements Castle Street Macclesfield -
Authority to enter into a contract

Portfolio Holder: Councillor Ainsley Arnold - Portfolio Holder for Planning, Housing
and Regeneration

Senior Officer: Frank Jordan - Executive Director of Place

Report Summary

- 1.1. This report provides an update on progress on the programme of works to enhance the public realm in Macclesfield town centre as part of the Macclesfield town centre regeneration programme.
- 1.2. The budget required for the enhancement of the public realm in Macclesfield town centre is identified in the Council's approved capital programme for 2018/19.
- 1.3. This report seeks approval for the award of a contract (following a compliant procurement process) in order to improve the public realm on Castle Street.

2. Recommendation/s

That Cabinet :

- 2.1. Delegates authority to the Executive Director of Place, in consultation with the Director of Legal Services and the s151 Officer, to enter into contractual arrangements to deliver works to improve the public realm on Castle Street Macclesfield, following a compliant procurement process.

That Cabinet notes:

- 2.2. The package of works approved by the Portfolio Holder for Housing, Planning and Regeneration for Castle Street;
- 2.3. The requirement to temporarily close part of Churchill Way Car Park to accommodate a site compound for the duration of construction works subject to any required statutory processes.

Reasons for Recommendation/s

- 2.4. Following the production of a High Level Business Case for public realm works in Macclesfield town centre and previous decisions by Cabinet approving funding of those works, a sum of up to £1.4M is available in the Development and Regeneration approved capital budget for a package of public realm works.
- 2.5. Pre-construction design work for a package of public realm works has now been completed and approval gained from the Portfolio Holder for Housing, Planning and Regeneration for that package of works. Given the value of the contemplated works, Cabinet approval is sought to progress the procurement of the construction works and enter into contractual arrangements with the successful contractor(s) to complete the work.

3. Other Options Considered

- 3.1. None.

4. Background

- 4.1. The regeneration of Macclesfield town centre is a corporate objective set out in many strategy documents.
- 4.2. It is now well recognised that high quality public realm, particularly in urban centres, can both help to increase town centre footfall and can help to sway decisions on business locations and investment. This is reflected in the Cheshire East Local Plan Strategy which states that the Council will look to maximise opportunities for improvement and regeneration in central Macclesfield including through improvements to the public realm.
- 4.3. On 3 May 2016 Cabinet approved the utilisation of £1M of capital to fund transformational public realm enhancements in Macclesfield town centre, focused on the area around Castle St, Upper Mill Street and Exchange Street. On 12 September 2017 Cabinet subsequently agreed to an additional £400,000 from the Development and Regeneration capital budget could be added to that £1M.
- 4.4. Initial work focused on the development of concept designs for the target area. This work identified that given the condition of the existing public realm and the size of the budget, it was preferable to focus on only one of the three streets initially identified.

- 4.5. On 12 October 2017, the Executive Director of Place, in consultation with the Portfolio Holder for Regeneration, having regard to the concept design work, determined that detailed designs should be developed for Castle St as the primary area of focus. The pedestrian/visitor experience on Castle Street is currently poor, but the width of the highway offers significant scope to enhance that experience. Additionally, investment in this location will complement recent private investment in the Grosvenor Centre with potential to stimulate further private investment in an adjacent long-term vacant site.
- 4.6. Detailed designs have now been developed for an improvement scheme on Castle Street and were approved by the Portfolio Holder for Housing, Planning and Regeneration on 5th Nov 2018. The approved package of works is illustrated at Appendix A and includes:
- 4.6.1 Significantly widened footways to enhance the pedestrian experience and create opportunity for alfresco dining and public seating to increase dwell time;
 - 4.6.2 The use of high quality materials which complement the traditional Macclesfield natural stone palette whilst taking account of practical issues such as durability and highway safety considerations;
 - 4.6.3 Details responding to equality issues such as the incorporation of a 60mm kerb height, tactile paving, contrasting kerb colour and carefully considered positioning of street furniture;
 - 4.6.4 Provision for limited tree planting as feasible given the extent of existing services to promote the 'greening' of the town centre;
 - 4.6.5 Creative elements such as engraved text and public art, to promote Macclesfield's culture, heritage and local distinctiveness.
- 4.7. Approval to take necessary actions to contract with the successful contractor(s) following a compliant procurement process is now being sought for all aspects of the final scheme.
- 4.8. In order to deliver these works a welfare and storage area is needed in close proximity to enable handling efficiency and minimise handling costs. A site for a compound has been identified in the north-east corner of Churchill Way Car Park where existing CCTV would provide security, and access for contractors through the pedestrianised area avoided. Whilst this will necessitate the temporary loss of circa 56 spaces from this car park for

a period of circa six months and the temporary removal of the motorcycle parking area, there is sufficient capacity in other town centre car parks to accommodate any vehicles displaced which will mitigate, although not necessarily prevent, a temporary negative impact on parking services budgets.

Implications of the Recommendations

5.1 Legal Implications

- 5.1.1 Under the Council's Constitution, the award of a contract for over £1M is a Key Decision which requires Cabinet approval.
- 5.1.2 The procurement of a contract(s) for works will need to be undertaken in accordance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015. Ongoing legal support will be given to ensure the Council meets requirements in this regard.

5.2 Finance Implications

- 5.2.1 A budget of up to £1.4M has previously been agreed by Cabinet for public realm works in Macclesfield town centre and is included in the approved capital programme.

5.3 Equality Implications

- 5.3.1 An Equality Impact Assessment has been undertaken and the redesign of Castle Street has sought to take account of the needs of all residents.

5.4 Human Resources Implications

- 5.4.1 There are no implications as a result of this report.

5.5 Risk Management Implications

- 5.5.1 Being a redevelopment there are inherent risks found with any such project. Project team meetings ensure that these risks as identified and a risk register has been developed and is regularly reviewed by the project team. All risks have assigned owners who are responsible for mitigating and managing them.

5.6 Rural Communities Implications

- 5.6.1 The improvements to the public realm will serve to enhance Macclesfield town centre as an enhanced destination not only for Macclesfield town residents but also the wider rural communities in around the locality

5.7 Implications for Children & Young People

5.7.1 No specific implications identified.

5.8 Public Health Implications

5.8.1 No specific implications identified.

6 Ward Members Affected

6.1 The redeveloped facility will benefit both the residents of Macclesfield and the wider area.

6.2 Macclesfield Central Ward is represented by:

- Councillor Beverley Dooley
- Councillor Janet Jackson

7 Consultation & Engagement

7.1 Engagement with key stakeholders has taken place in finalising the public realm designs. No wider public consultation is required as part of this decision.

8 Access to Information

8.1 The background papers relating to this report can be inspected by contacting the Macclesfield Regeneration team.

9 Contact Information

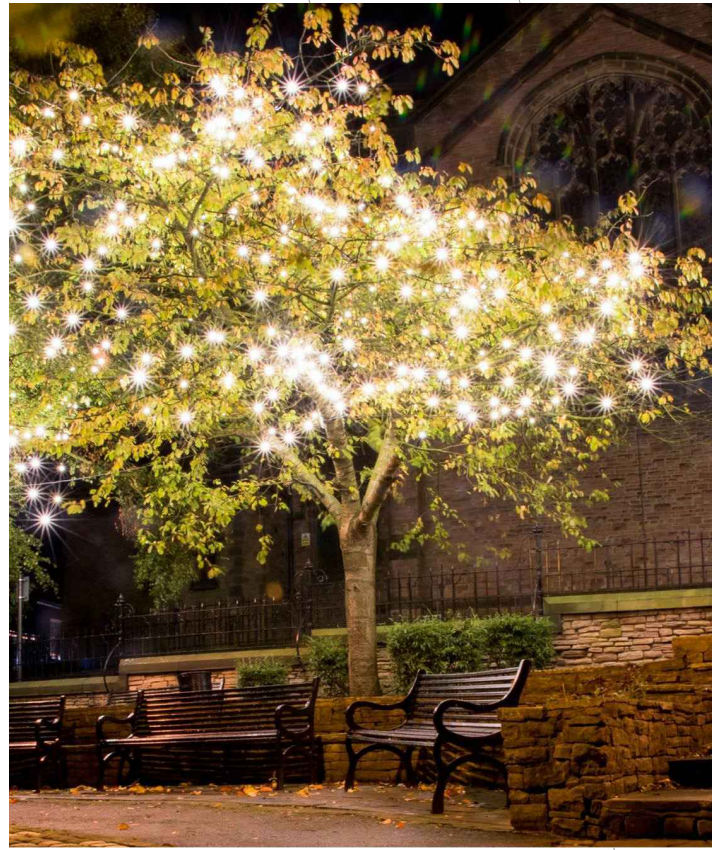
9.1 Any questions relating to this report should be directed to the following officer:

Name: Frank Jordan

Job Title: Executive Director of Place & Interim Deputy Chief Executive

Email: frank.jordan@cheshireeast.gov.uk

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PROPOSED STREET FURNITURE

TACTILE PAVING (BRASS STUDS IN YORKSTONE)

VEHICULAR ACCESS
TO BE RETAINED

PROPOSED KERB LINE

MURAL SUBJECT TO AGREEMENT WITH OWNER &
UTILITY BOXES AND BOLLARDS PAINTED SUBJECT
TO AGREEMENT

EXISTING CARRIAGEWAY REDUCED FROM 7.5M TO 4M

PROPOSED INFORMAL LOADING ZONE

PROPOSED DROP CROSSING
TO BE ALIGNED CENTRALLY
TO GROSVENOR ENTRANCE

PROPOSED KERB LINE

PLANTERS AT WEST END OF CASTLE
STREET TO BE PROVIDED BY CLIENT TEAM

This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office ©
Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. CHESHIRE EAST COUNCIL LA100049045

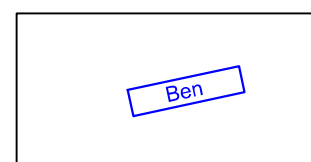
LEGEND



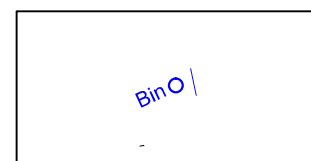
PROPOSED FOOTWAY



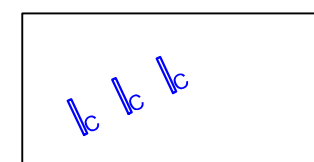
PROPOSED CARRIAGEWAY



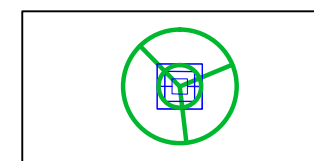
PROPOSED BENCH



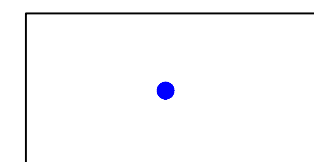
PROPOSED BIN



PROPOSED CYCLE STANDS



PROPOSED TREE

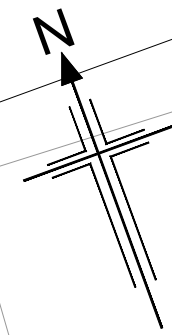


PROPOSED BOLLARD - USE
RECYCLED WHERE POSSIBLE

IMPORTANT NOTES

1. Existing controlled crossing to be retained.
2. Threshold levels of properties on Castle Street maintained as existing.
3. Informal loading zone to be constructed at same level as adjacent pavement.
4. Kerbs to be 60mm high, using a contrasting colour.
5. Pavement surface to be natural stone (Yorkstone or similar).
6. Carriageway surface to be natural materials (granite).
7. Tree lights in new trees.
8. Under bench lighting.
9. Tree species to be determined.
10. Redundant highway signage to be removed and replaced with required minimum.
11. Telephone Booth to be retained.
12. Post Box to be retained.

0 5 10 15 20 m
SCALE 1:200 @ A1



0	27 09 2018	FOR DISCUSSION	AAS	CS		
Rev	Rev. Date	Purpose of revision	Drawn	Checked	Rev'd	Appr'd
JACOBS 1 City Walk, Leeds, LS11 9DX Tel: +44(0)113 242 6771 Fax: +44(0)113 389 1389 www.jacobs.com						
Client Cheshire East Council						
Project CASTLE STREET, MACCLESFIELD						
Drawing title PACKAGE OF WORKS						
Drawing status FOR ISSUE						
Scale	1:200 @ A1	DO NOT SCALE				
Jacobs No.	B1832115 rjc iss fy 17/18					
Client no.	AH11-12-609 Castle Street Urban Realm					
Drawing number	B1832109-3000-08					
						Rev 0
This drawing is not to be used in whole or part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.						

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IMPORTANT NOTES

1. Height of kerb at 60mm.
2. Text on kerblines to be agreed.

CARRIAGEWAY
PROPOSED
BLOCKS
160 X 160mm

KERB
PROPOSED
300 X 900

FOOTWAY
PROPOSED
800 X 600
600 X 600
500 X 600

CARRIAGEWAY
PROPOSED
CHANNEL BLOCKS
100 X 100mm

0	27 09 2018	FOR DISCUSSION	AAS	CS		
Rev	Rev. Date	Purpose of revision	Drawn	Checked	Rev'd	Appr'd



1 City Walk, Leeds, LS11 9DX
Tel: +44(0)113 242 6771 Fax: +44(0)113 389 1389
www.jacobs.com

Client	
--------	--



Project	
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CASTLE STREET, MACCLESFIELD

	Drawing title
--	---------------

PROPOSED ILLUSTRATIVE SURFACE

Drawing status

FOR ISSUE

DO NOT SCALE

Scale	1.5@AT
Jacobs No.	B1832115 rjc iss fy 17/18

Client no.	AH11-12-609 Castle Street Urban Realm
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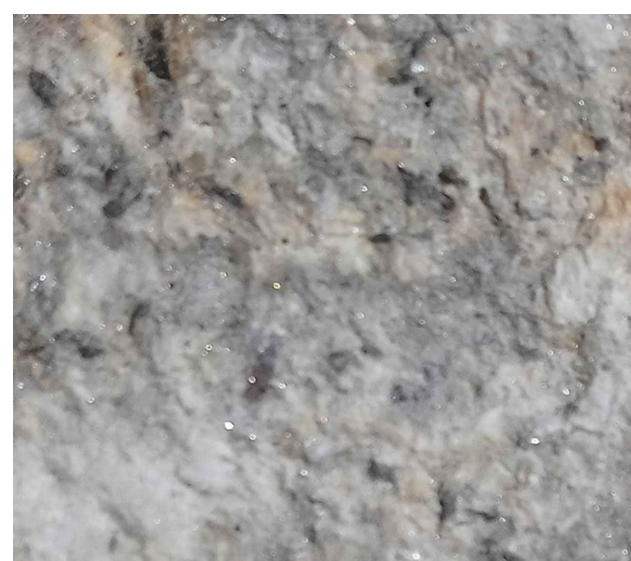
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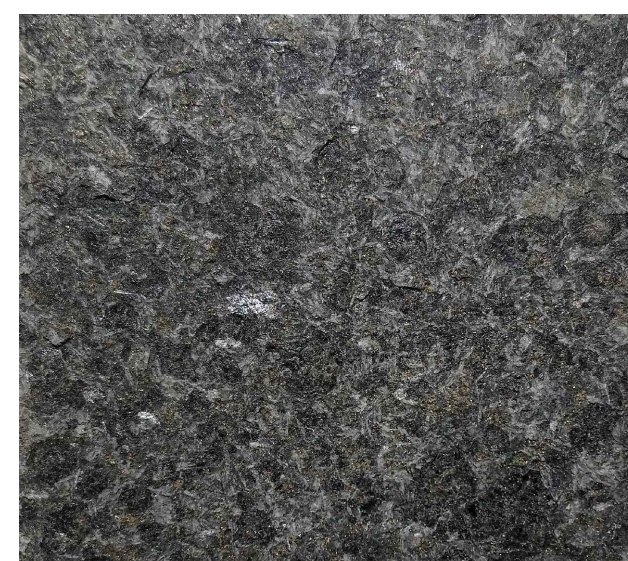
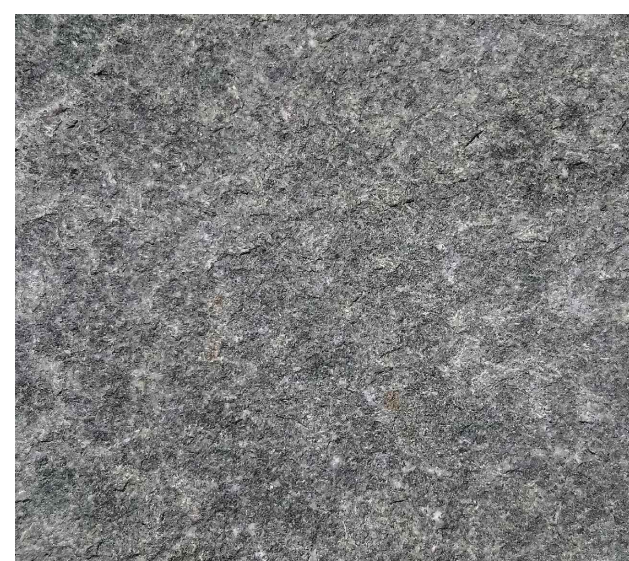
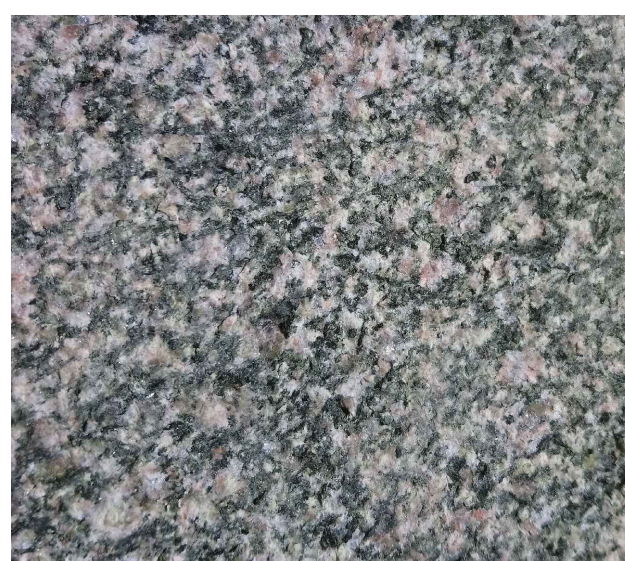
Rev

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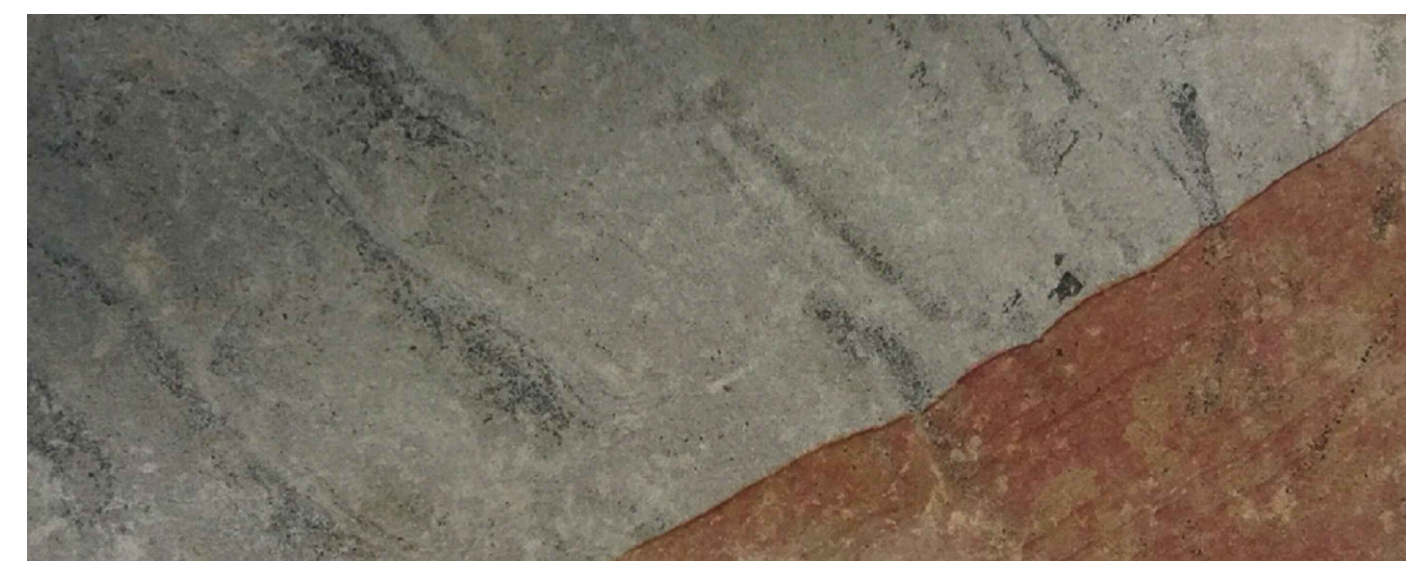
This drawing is not to be used in whole or part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.



Proposed natural stone granite surfacing to carriageway



Contrasting granite kerb



Proposed natural York Stone surface to footway

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Cabinet Report

Date of Meeting: 04 December 2018

Report Title: Macclesfield Leisure Centre Redevelopment

Portfolio Holder: Cllr Liz Wardlaw – Portfolio Holder for Health

Senior Officer: Frank Jordan – Executive Director of Place

1. Report Summary

- 1.1. This report seeks approval for the Council to enter into a contract for works at Macclesfield Leisure Centre.
- 1.2. The budget required for the redevelopment of the Leisure Centre is identified in the Council's approved capital programme.

2. Recommendation

That Cabinet :

- 2.1. Delegates Authority to the Executive Director-Place, in consultation with the Director of Legal Services and the s151 Officer, to enter into a contract to deliver works at Macclesfield Leisure Centre.

3. Reasons for Recommendation

- 3.1. These works are to be funded from the capital programme which includes a total sum of £4m for improvements to Macclesfield Leisure Centre.
- 3.2. Pre-construction services commenced in July 2018 to progress the feasibility, design and agree the programme of works. Additional approval is required at this stage to progress the construction works and formally enter into a contract with the successful contractor to complete the redevelopment.
- 3.3. As the contract value is £1.5m and so greater than £1m this requires Cabinet approval.

4. Other Options Considered

- 4.1. None.

5. Background

- 5.1. An initial package of work to redesign and expand the gym facilities at the Leisure Centre has also already been tendered and let.
- 5.2. Approval is now being sought to commence the works to the customer facing elements of the scheme including, the swimming pool village change facility, spa, fitness studio spaces and customer reception.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. Everybody Leisure currently manages the existing facility on behalf of the Council as part of its Leisure Operating Agreement. Under this Agreement it will continue to manage the redeveloped facility.
- 6.1.2. It is proposed to award the contract following a compliant procurement process through the Northwest Construction Hub Framework. This is a Framework Agreement administered by Manchester City Council and can be used by local authorities and other public bodies in the North West of England

6.2. Finance Implications

- 6.2.1. A budget of up to £4m is included in the approved main capital programme to redevelop the leisure centre. The additional approval to transfer the budget from the addendum was obtained from the Portfolio Holder for Finance & Communication and the Interim Executive Director of Corporate Services on 30th May 2018.
- 6.2.2. The scheme is to be funded from prudential borrowing and the debt repayments are to be financed from an equivalent reduction of the management fee to Everybody Sport & Recreation.
- 6.2.3. In line with the original business case a total programme of works up to £4m will be delivered as part of the overall re-development. A summary of the different elements of the overall works programme is provided in the table below.

	Description	Budget
1	Fitness suite improvements – this initial phase of work has already been procured through the Northwest Construction Hub Framework in order to prioritise this work. Early delivery of improved Fitness suite facilities will generate additional income required to enable the Trust to start to pay back the overall investment.	£0.560m
2	Main Improvement works – a range of improvement works including changing villages, spa facilities and studio spaces. This work has also been procured through the Northwest Construction Hub framework and this report requests Cabinet approval to enter into this contract	£1.500m
3	Gym Equipment – to be purchased by the trust.	£0.440m
4	Facilities Management maintenance – planned maintenance brought forward as part of this programme of works, including replacement boilers, ventilation improvements and a new combined heat and power installation to improve energy conservation. This work is being commissioned through the Council's existing Facilities Management maintenance contract.	£1.155m
5	Professional fees and project management	£0.120m
6	Contingency	£0.225m
	Total	£4.000m

6.2.4. Pre-construction works have commenced on the main improvement works and authority is now being sought to enter into contract with the successful contractor to progress those works.

6.3. Equality Implications

6.3.1. The redeveloped leisure centre will ensure that the site becomes fully accessible to all residents. In addition a range of programmes and facilities will continue to be developed by Everybody Leisure to attract a wide range of user groups.

6.4. Human Resources Implications

6.4.1. There are no implications as a result of this report.

6.5. Risk Management Implications

6.5.1. Being a redevelopment there are inherent risks found with any such project. Project team meetings ensure that these risks as identified and a risk register has been developed and is regularly reviewed by the project

team. All risks have assigned owners who are responsible for mitigating and managing them.

6.6. Rural Communities Implications

6.6.1. The improvements to the leisure centre will serve as an enhanced destination offering a diverse range of accessible facilities not only for Macclesfield town residents but also the wider rural communities in around the locality

6.7. Implications for Children & Young People

6.7.1. The leisure centre once redeveloped will provide a range of new and refurbished facilities that will be fully accessible for young people.

6.8. Public Health Implications

6.8.1. The redeveloped leisure centre with its improved facilities will enable the Council via its leisure Operating Agreement with everybody leisure to continue to make a significant contribution to Outcome Five of the Corporate plan “People Live Well & For Longer”

6.8.2. The redevelopment will continue to provide elements of “lifestyle” with inclusive facilities that will enhance the offer to a range of user groups including those already based at the site including Care4CE.

6.8.3. The facility will also become increasingly important in providing a range of programmes to improve active participation and improved health outcomes.

7. Ward Members Affected

7.1. The redeveloped facility will benefit both the residents of Macclesfield and the wider area.

7.2. The local Ward Members in Broken Cross & Upton are represented by :

Councillor Liz Durham

Councillor Martin Hardy

8. Consultation & Engagement

8.1. No wider public consultation is required as part of this decision.

9. Access to Information

9.1. The background papers relating to this report can be inspected by contacting the Leisure Centre redevelopment project team.

10. Contact Information

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

Name: Frank Jordan

Job Title: Executive Director of Place

Email: frank.jordan@cheshireeast.gov.uk

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Working for a brighter future together

Cabinet

Date of Meeting: 04 December 2018

Report Title: Cheshire East Air Quality Strategy 2018 Update

Portfolio Holder: Councillor Ainsley Arnold – Portfolio Holder for Housing, Planning and Regeneration

Senior Officer: Frank Jordan – Executive Director Place and Acting Deputy Chief Executive

1. Report Summary

- 1.1. This report recommends the formal approval of the Cheshire East Air Quality Strategy (AQS). In accordance with Environment Act 1995 the Council has a statutory duty to review and assess air quality across the borough. If, as part of this process, there are areas which are found to be exceeding the air quality objectives the Council must declare an Air Quality Management Area (AQMA). In addition, the Council must implement an Action Plan, which sets out what actions will be taken to improve air quality within all AQMAs.
- 1.2. Currently, Cheshire East has eighteen AQMAs, which are all relatively small areas and spread across the borough and they all are as a result of vehicle emissions.
- 1.3. DEFRA recommends that all those local authorities that have declared AQMAs should implement an AQS. The purpose of the AQS is to ensure that air quality is taken in to account in all relevant decisions and sets out six indicators to ensure it is implemented. The indicators include the monitoring of air pollutants, assessing new developments for their impact on air quality, improving public awareness, assessment of road schemes and the assessment of industrial processes.
- 1.4. Therefore, by approving the AQS it will ensure that the Council will consider the impact on air quality of all the relevant decisions taken across the borough.

2. Recommendation

- 2.1. That Cabinet approve the Air Quality Strategy so that air quality can be taken in to account in all relevant decisions across the Council.

3. Reasons for Recommendation

- 3.1. Local Authorities have a statutory duty under the Environment Act 1995 to review and assess local air quality within their area, against a set of health-based objectives for a number of specific air pollutants. If any areas are found where pollutants exceed the objectives, local authorities are required to declare an Air Quality Management Area and to prepare an Air Quality Action Plan setting out measures they intend to introduce in order to reduce concentrations of air pollutants, in pursuit of achieving the objectives. To assist with this process DEFRA encourages all local authorities to implement a local Air Quality Strategy. The purpose of the strategy is to set out how air quality will be considered in all relevant decision making processes across the Council to ensure that any impacts to air quality are taken in to account and actions in the Air Quality Action Plan are implemented where possible.
- 3.2. Cheshire East currently has eighteen Air Quality Management Areas, which are all relatively small areas spread across the borough and are due to vehicle emissions. Therefore, in order to improve air quality in these areas and generally across the borough it is essential to ensure air quality is taken in to account in all relevant Council decisions. By approving this report it will demonstrate the commitment by the Council to tackle current air quality issues across the borough and to help prevent any further deterioration in air quality in other areas.

4. Other Options Considered

- 4.1. The only other option is if the Air Quality Strategy is not approved the strategy. If this is the case it will prevent the Council from ensure that air quality is a material factor in all relevant decisions and could lead to a deterioration of air quality within the borough.

5. Background

- 5.1. Local authorities have a duty under the Environment Act 1995 to review and assess local air quality within their area, against a set of health-based objectives for a number of specific air pollutants. If any areas are found where pollutants exceed the objectives, local authorities are required to declare an Air Quality Management Area (AQMA) and to prepare an Air Quality Action Plan (AQAP) setting out measures they intend to introduce in

order to reduce concentrations of air pollutants, in pursuit of achieving the objectives. This strategy sets out how air quality will be considered in all relevant decision making processes across the Council to ensure that any impacts to air quality are taken in to account and actions in the AQAP are implemented where possible.

- 5.2. In addition to these formal obligations, local authorities are encouraged by Department for Environment Food & Rural Affairs (Defra) to draft and implement local Air Quality Strategies. The aims of the Air Quality Strategy are to support the achievement of the air quality objectives and to ensure air quality is considered within a wide range of local government and regional planning frameworks. This is important, as whilst working towards achievement of the air quality objectives will help reduce the risk of the most serious health effects related to pollution, there are advantages to be gained from the continual improvement of local air quality conditions. By establishing a strategic framework for the inclusion of air quality considerations within Council policies and procedures, a local authority is then well placed to maintain good air quality and secure future improvements.
- 5.3. Delivering improvements to local air quality requires input from a wide range of professions. Therefore the Strategy identifies commitments intended to promote communication and co-operation within the Council, between external organisations and the community. These commitments are grouped under a number of relevant policy sectors including air quality, spatial planning, transport, climate change and energy management, health and education.
- 5.4. Although future improvements in local air quality are predicted as a result of technological advances in vehicle engines and improved fuels, there is currently some doubt as to their efficacy, and there remains a need to reduce the increasing reliance on private motor vehicle use and to provide access to improved public transport services or other sustainable means of travel. Traffic accounts for the main source of pollutant emissions across the borough, which is primarily responsible for all the AQMAs. As such, links with the Local Transport Plan are fundamental to both the improvement of local air quality and maintenance of air quality, across the borough.
- 5.5. Six indicators are proposed within the Strategy including the monitoring of air pollutants, assessing new developments for their impact on air quality and improving public awareness of air quality. Using these metrics, the

effectiveness of the Strategy can be evaluated throughout the lifetime of the document.

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1. The Air Quality Strategy is vital to ensuring that the Council meets the relevant air quality objectives as set out in the Environment Act 1995.

6.2. Finance Implications

6.2.1. There are no direct financial implications, however it will probably result in further costs to assess and implement the impact of some decisions taken across the Council especially with regards to Highway's decisions.

6.3. Policy Implications

6.3.1. There are no direct Policy implications arising from this report.

6.4. Equality Implications

6.4.1. There are no direct equality implications arising from this report.

6.5. Human Resources Implications

6.5.1. There are no direct HR implications arising from this report

6.6. Risk Management Implications

6.6.1. Failure to take air quality in to account as part of all relevant decisions could result in a further deterioration of air quality and ultimately affect the health residents.

6.7. Rural Communities Implications

6.7.1. There are no direct implications for rural communities.

6.8. Implications for Children & Young People

6.8.1. There are no direct implications for children and young people.

6.9. Public Health Implications

6.9.1. Air pollution damages lives with harmful effects on human health, the economy and the environment. It is the largest environmental risk to the public's health, contributing to cardiovascular disease, lung cancer and other respiratory diseases. It increases the chances of hospital admissions, visits to Emergency Departments and respiratory and cardiovascular symptoms, which interfere with everyday life. In the

most severe cases it increases the risk of death, especially for people who are already vulnerable. Poor air quality affects everyone. It can have long term impacts on all and immediate effects on vulnerable people, with a disproportionate impact on the young and old, the sick and the poor.

- 6.9.2. There is now an extensive body of evidence that long-term exposure to everyday air pollutants over several years contributes to the development of cardiovascular disease (CVD), lung cancer, and respiratory disease. PM is inhaled into the lungs and ultrafine PM_{0.1} is thought to pass into the blood causing many adverse outcomes including systemic inflammation. Air pollution is strongly associated with all-cause mortality statistics. The all-cause mortality statistic captured in PHOF indicator 3.01 ranks air pollution in the top 5-7 causes of mortality in polluted areas, ahead of many other PHOF preventable mortality indicators like road deaths, excess winter deaths or communicable diseases. New evidence also points to other damaging effects. There is also emerging evidence of links between long term PM_{2.5} exposure and the health of the central nervous system, the progression of Alzheimer's and Parkinson's diseases, developmental outcomes in children, and such reproductive health outcomes as low birth weight, as well as other chronic conditions such as diabetes.
- 6.9.3. The health effects of air pollution are distributed unequally across the population, with the heaviest burden borne by those with greatest vulnerability and/or exposure. The elderly, children and those with cardiovascular and/or respiratory disease are at greater risk from the health effects of air pollution. Those who spend more time in highly polluted locations will be affected more. Since air pollution levels are typically as high within vehicles as just outside, this is likely to include not only those who live and work near busy roads, but also those who drive for a living.
- 6.9.4. Deprived communities are more likely to be situated near polluted busy roads, and are more likely to experience adverse health impacts. Analysis of environmental quality and social deprivation carried out for the Environment Agency (2003) looked at the social distribution of the wards with the highest pollutant concentrations, and concluded that more than half of the most exposed 5% of the population (2.5 million people) were resident in the 20% most deprived wards.

6.9.5. Action to improve air quality and reduce emissions in Cheshire East is therefore to be welcomed for the opportunity to improve Public Health.

7. Ward Members Affected

7.1. Borough wide

8. Consultation & Engagement

8.1. The Updated Air Quality Strategy was include in the 17th September 2018, Environment and Regeneration Overview and Scrutiny Committee agenda, which led to a number of suggestions and the report has been updated to include as many of these suggestion as possible.

9. Access to Information

9.1. Cheshire East Air Quality Action Plan.

9.2. The Air Quality Strategy for England, Scotland, Wales and Northern Ireland.

9.3. Local Air Quality Management: Policy Guidance (PG16).

10. Contact Information

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

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Local Air Quality Strategy for Cheshire East Council

October 2018



Document Control

	Name	Signed	Date
Report Prepared	Nicholas Kelly Environmental Protection Team Leader		4 th October 2018
Report Checked	Tracey Bettaney Principal Manager Regulatory Services & Health		4 th October 2018
Final report	Sean Hannaby Director of Planning & Environment		4 th October 2018

Executive Summary

Local authorities have a duty under the Environment Act 1995 to review and assess local air quality within their areas, against a set of health-based objectives for a number of specific air pollutants. If any areas are found where pollutants exceed the objectives, local authorities are required to declare an Air Quality Management Area (AQMA) and to prepare an Air Quality Action Plan (AQAP) setting out the measures they intend to introduce in order to reduce concentrations of air pollutants, in pursuit of achieving the objectives.

Since the publication of the initial National Air Quality Strategy in 1997, Cheshire East Council has fulfilled its obligations to identify any areas where there is a potential to exceed the relevant objectives. To date all of the AQMAs which have been declared are in discrete locations across the Cheshire East borough, all of which are predominantly associated with road traffic emissions.

In addition to these formal obligations for Local Air Quality Management, local authorities are encouraged by Defra (Department for Environment, Food and Rural Affairs) to draft and implement local Air Quality Strategies. The aims of the Air Quality Strategy are to support the achievement of the air quality objectives and to ensure air quality is considered within a wide range of local government and regional planning frameworks. This is important to note that whilst working towards achievement of the air quality objectives will help reduce the risk of the most serious health effects related to pollution, there are advantages to be gained from the continual improvement of local air quality conditions. By establishing a strategic framework for the inclusion of air quality considerations within Council policies and procedures, a local authority is then well placed to maintain good air quality and secure future improvements.

Delivering improvements to local air quality requires input from a wide range of professions. Therefore this strategy identifies commitments intended to promote communication and co-operation within Cheshire East Council, between external organisations and the community. These commitments are grouped under a number of relevant policy sectors including air quality, spatial planning, transport, climate change and energy management, health and education.

Although future improvements in local air quality are predicted as a result of technological advances in vehicle engines and improved fuels, there is currently some doubt as to their efficacy, and there remains a need to reduce the increasing reliance on private motor vehicle use and to provide access to improved public transport services or other sustainable means of travel. Traffic accounts for the main source of pollutant emissions across Cheshire East, which is primarily responsible for all the AQMAs. As such, links with the Local Transport Plan are fundamental to both the improvement of local air quality and maintenance of air quality, across the borough.

Six indicators have been proposed which involve the monitoring of air pollutants and tracking progress of both concentrations across Cheshire East, as well as the number of wards within Cheshire East which have AQMAs. In addition, assessing new developments for their impact on air quality, as well as improving the public awareness of air quality is included in the indicator set. Using these metrics, the effectiveness of the strategy can be evaluated throughout the lifetime of the document.

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1 Introduction

- 1.1 An Air Quality Strategy (AQS) is designed to be a high level document, which is aimed at informing policy and direction across a wide range of council services, to assist in ensuring air quality is considered in all relevant decisions to ensure air quality is improved where possible.
- 1.2 Local Air Quality Management (LAQM) - Local authorities have a duty under the Environment Act 1995 to review and assess local air quality within their areas against a set of health-based objectives for a number of specific air pollutants. These objectives are based on epidemiological and other evidence relating to their impacts on human health and are included in Appendix 1. An overview of the health effects of the pollutants for which air quality objectives have been included in regulations is set out in Appendix 2. When areas are found where pollutants are either exceeding or close to the objectives, in locations where there is relevant public exposure, local authorities are required to declare an Air Quality Management Area (AQMA) and to prepare an Air Quality Action Plan (AQAP). The purpose of the AQAP is to set out measures the local authority intends to take to reduce concentrations of pollutants in pursuit of the objectives. In addition, local authorities should promote opportunities to reduce pollutants in areas which are not exceeding the objective to ensure air quality is reduced as much as possible across the borough.
- 1.3 Cheshire East Council (CEC) has fulfilled its obligations to identify any areas where the objectives are exceeded or there is a likelihood of exceeding the objectives and the current status of air quality in Cheshire East is summarised in Section 3. The AQMAs declared are all in discrete locations across Cheshire East, which are associated with road traffic emissions. This presents significant challenges in terms of implementing solutions at each of these different locations, rather than implementing a unified plan across one large AQMA. Many of the AQMAs in Cheshire East are single streets, often characterised by either congested traffic conditions or the volume of traffic.
- 1.4 In addition to the statutory obligations according to LAQM, local authorities are also encouraged by DEFRA to implement local Air Quality Strategies setting out how the Council intends to address air quality across all services and in all relevant decisions. Therefore, it is important this document is aligned with the review of a number of important plans and strategies, such as the Local Transport Plan (LTP), Local Development Strategy (LPS) and the Local Development Framework (LDF).
- 1.5 The timescale of this strategy is aligned with the LTP, which is a 15 year strategy and is critical to the implementation of specific actions through the AQAP. The AQAP will be reviewed periodically and a prioritised implementation programme will be incorporated into the LTP.
- 1.6 Specific consideration also has to be given to local issues. For example, Cheshire East has an older age profile than the UK as a whole and this is set to continue to increase. Older members of the population are likely to be more susceptible to the health effects of air

pollution, and as such the importance of improving air quality both within the AQMAs and more generally should remain high on the local agenda.

- 1.7 Coupled with a more susceptible population, Cheshire East also has higher than average car ownership and an equally high proportion of families with more than one vehicle. This results in the car being the predominant means of commuting, with only a small proportion of residents using public transport to commute to work. However, some of this could be due to the predominantly rural nature of the borough, which means public transport may not be an option for a significant proportion of our residents.
- 1.8 In addition, to the obligations set out in this report and due to the rural nature of the Borough, the Council will also ensure that tackling air quality does not have a detrimental effect on both rural areas and the ecology within any Special Sites of Scientific Interest (SSSI).

2 Policies

- 2.1 Policies and programmes for action at all levels of government, can impact on local efforts to improve air quality at specific localised hot spots or reduce concentrations more generally across an area. Some of the relevant policies are discussed below. Figure 2 shows some of the inputs to the Strategy (red boxes), policy areas which should be influenced by the strategy (blue boxes) and the main outcomes following implementation of the strategy.

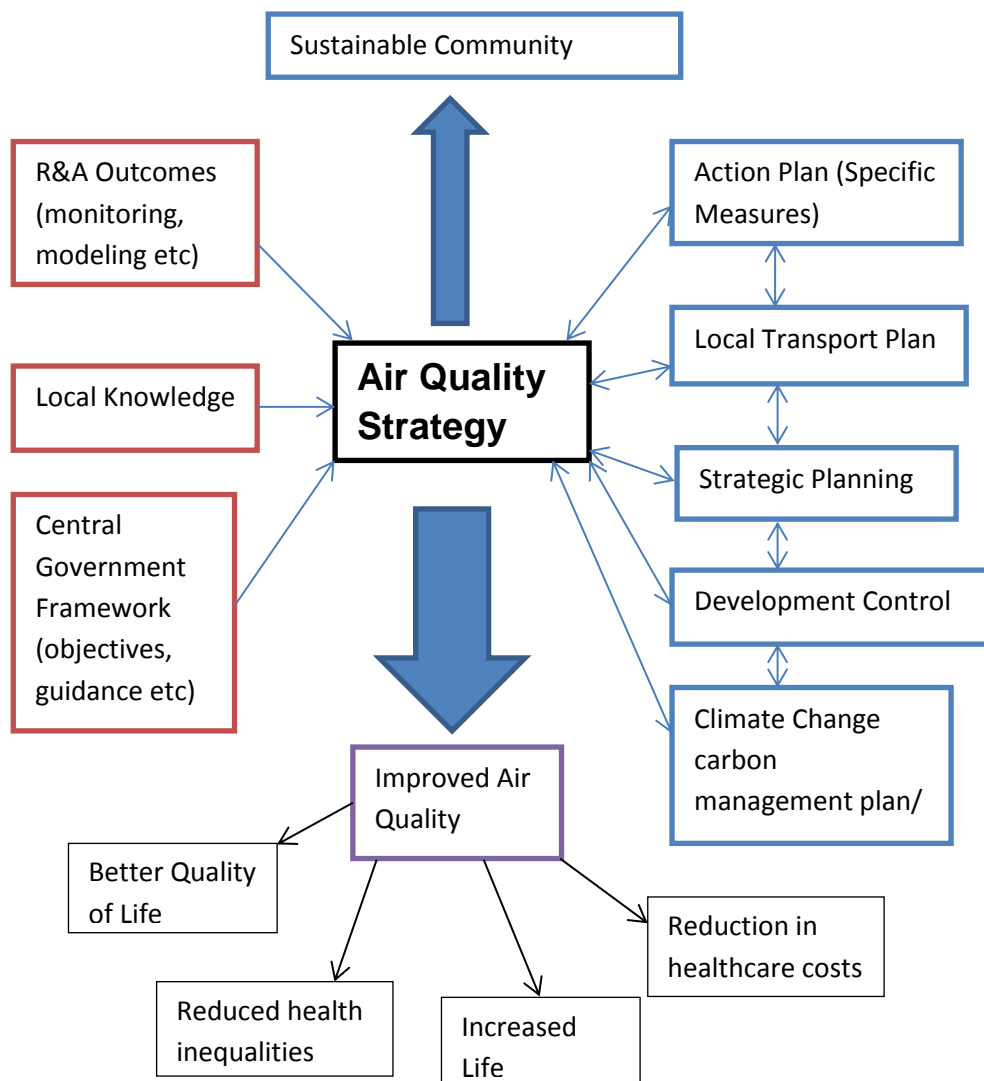


Figure 2: Inputs and outcomes of the Air Quality Strategy

- 2.2 Central Government Framework – this consists of objectives, legislation, guidance, the National Planning Framework and policy measures that will improve air quality. These central policies help the local authorities to manage and be responsible for the air quality in their respective areas.

- 2.3 **Local Development Framework (LDF)** – comprising a folder of documents for delivering the spatial planning strategy for the local authority. LDFs will include a Local Development Scheme (LDS), which is a statutory project management plan, setting out the timescales for the preparation and delivery of the LDF which sets out a timetable for Local Development Documents (LDDs). These can either be development plan documents or supplementary planning documents, which reflect national and regional policy, taking into account local needs and variations.
- 2.4 **The Cheshire East Local Plan (LP)** was adopted on 27 July 2017. It sets out the overall vision and planning strategy for development in the borough and contains planning policies to ensure that new developments addresses the economic, environmental and social needs of the area. Some of the strategic priorities of the LP include; “Protecting and enhancing environmental quality of the built and natural environment” and “Reducing the need to travel, managing car use and promoting more sustainable modes of transport and improving the road network”. These strategic priorities, aim to reduce the borough’s impact on climate change, promote renewable energy and address local causes of pollution such as air pollution. The LP also addresses sustainable development, planning, transport and travel, travel plans and transport assessment (REF LP).
- 2.5 **Local Transport Plan (LTP)** - Road traffic is the main cause of air quality issues in Cheshire East. Transport accounts for 37 % of the total carbon dioxide (ref LTP) (a greenhouse gas that contributes to climate change) in Cheshire East. Therefore, the LTP provides one of the principal mechanisms for delivering an improvement to air quality across Cheshire East. The LTP is a strategic plan for the development of transport within Cheshire East over the period 2011-2026, outlining how transport will contribute to and support the longer-term aspirations of the borough (REF LTP). Some of the LTP aims include; minimising congestion and improving the overall efficiency of the highway network, improving accessibility to key services and reducing the need to travel, improve maintenance of the highway and transport network, support active and healthy lifestyles (ref LTP), all of which play a vital role in improving the air quality across Cheshire East.

3 Aims and Objectives of the Air Quality Strategy

- 3.1 The aim of the AQS is to provide a strategic framework to deliver local air quality improvements within Cheshire East. It can support the achievement of the air quality objectives and raise air quality as an issue for consideration within a wide range of local government and regional frameworks.
- 3.2 It is important to reduce, where possible, public exposure to certain pollutants as far as possible, even where levels are below the air quality objectives, for example, for fine particulate matter, where there are currently no known safe levels for exposure. By establishing a strategic framework which drives air quality considerations to the heart of Council policies, procedures and decisions, this will ensure that Cheshire East is well placed to maintain good air quality and secure future improvements across the borough.
- 3.3 The objectives of developing and implementing an AQS are to:
- ensure Cheshire East maintains the best possible air quality conditions across the borough.
 - improve air quality within existing AQMAs, and prevent further deterioration even in those areas where air quality is currently below the objective.
 - promote greater consistency across a range of policy areas for the achievement of improved local air quality, including Spatial Planning, Development Control, Transport Planning, Economic Development, Housing, Environmental Protection and Public Health. This will ensure air quality is addressed in a multi-disciplinary way across the different departments of the Council.
 - provide a link to wider initiatives across the Council, which could have an impact on air quality.
 - raise and maintain the profile of air quality and ensure it remains high on the agenda.
 - highlight, and educate stakeholders about the link between air quality and the risks to human health as well as to the wider local environment and biodiversity.
 - raise the profile of air quality amongst the local communities across Cheshire East.
 - encourage greater co-operation and collaboration with neighbouring local authorities, local business, industry and residents.
 - provide the first point of contact and source of information relating to local air quality.

4 Air Quality across Cheshire East

- 4.1 The national Air Quality Strategy provides the policy framework for air quality management and assessment in the UK. It sets out air quality objectives for key air pollutants, which are designed to protect human health and the environment. It also sets out how the different sectors, industry, transport and local government, can contribute to achieving the air quality objectives. Local authorities play an essential role in this context. The national AQS also sets out the Local Air Quality Management function, which requires all local authorities to review and assess air quality annually. The purpose being to identify those areas in the borough, which are either exceeding or likely to exceed the objectives. If any areas of concern are identified the Council must declare an AQMA and prepare an AQAP, which identifies appropriate measures that will be introduced to reduce the level of pollutants as much as possible.
- 4.2 Air quality across Cheshire East is generally good, although there are a number of AQMAs across the borough, which have all been declared for levels of nitrogen dioxide which relates to traffic levels and congestion. Details of the various AQMAs can be found on the Council's website which www.cheshireeast.gov.uk.
- 4.3 As all of the air quality problems relate to traffic volumes and congestion it is vital that the AQS is integrated within the LTP as this will assist many of the action plan measures being implemented.

5 Strategy Commitments

- 5.1 In order to fulfil the objectives of this strategy and ensure that air quality improvements are achieved, both in locations which currently exceed the objectives, and more generally across the local authority area, Cheshire East Council has identified a range of commitments. These commitments reflect the need to achieve the national air quality objectives, whilst working to improve general air quality conditions throughout the local authority area.

Overall

- 5.2 Cheshire East Council will engage in all practicable opportunities to improve air quality through the transport and spatial planning processes and through wider policy initiatives, such as climate change and health improvement programmes.
- 5.3 Cheshire East Council will work with the Government departments and its agencies to contribute, at a local level, to the delivery of both this strategy and the national Air Quality Strategy. This will primarily be through the Local Air Quality Management regime as set out within this strategy. Through this commitment, the Council will work towards achieving the national air quality objectives and will:
- strive to ensure that areas currently below the air quality objectives continue to do so and where possible seek to further improve air quality in these areas;
 - continue to monitor local air quality across the borough
 - produce Annual Status Report published on the Council's website
 - make air quality monitoring data available on the Council's website
 - review monitoring sites to make sure they are relevant to exposure
 - continue to support effective cross-departmental collaboration through the Council's Air Quality Steering Group. The terms of reference for this group are to discuss the wider issues of LAQM, review the AQAP and ensure that air quality is effectively considered within all relevant policy areas. Through more effective cross-departmental collaboration, Cheshire East will strive to ensure that Council actions do not have a detrimental effect on air quality;
 - participate in local and regional networks in order to pursue improved air quality and the consistent implementation of Local Air Quality Management both locally and nationally.
 - regularly review the AQAP to ensure that the identified measures will achieve relevant improvements in air quality;
 - reduce pollutant emissions (including greenhouse gases) from Cheshire East Council's own estates and vehicle fleets.

Spatial Planning and Air Quality

In relation to spacial planning and air quality the following strategic commitments are outlined:

- ensure that air quality is considered as a material planning consideration within the Development Control process. To assist with this process the Council implement relevant Best Practice Guides and Supplementary Planning Documentation to assist developers in understanding what is expected to ensure air quality is appropriately considered.
- ensure suitable electric charging facilities are included in all commercial and residential planning applications across the borough.
- require that a suitable Environmental Impact Assessment is undertaken to accurately assess the impact proposed developments will have on local air quality and guidance on when this will be appropriate will be set out in the supplementary Planning Document and Best Practice Guidance.
- where deteriorations in air quality are predicted due to any developments, suitable mitigation measure will be applied.
- ensure air quality is properly considered within all relevant planning policy processes.
- where appropriate developers should contribute to meeting the aims of the various actions set out in the Air Quality Action Plan in a manner proportionate with residual emissions. Examples of this could be through a formula based on proxy criteria such as the size of the development or car parking spaces.

Transport and Air Quality

In relation to transport and air quality the following strategic commitments are outlined:

- as road transportation is the primary source of air pollutant, appropriate measures must be applied to significantly reduce emissions due to road traffic.
- ensure that systems are put in place to make sure that vehicles comply with emission standards.
- promote the use of electric vehicles and other low emission technology for both commercial and domestic use vehicles and the installation of a suitable charging infrastructure across the borough.
- ensure that vehicle idling is tackled and managed via anti-idling campaigns.
- ensure this strategy is incorporated in to the Local Transport Plan and there is a consistent approach, which reduces the need to travel and reliance on the use of private vehicles and more specifically reduce the use of vehicle for short journeys.

- work with the relevant highways authorities to improve air quality within AQMAs, whilst ensuring air quality does not deteriorate in other areas across the trunk road network.
- when the opportunity arises, work with freight operators and organisations to establish appropriate freight routes, delivery routines and driver practices to minimise congestion and pollution.
- ensure there is a regular exchange of information between transport planners and air quality professionals, relating to air quality information, traffic information and any proposed new roads.
- support work to reduce emissions from the Council's vehicle fleet including any contractors.
- promote opportunities for active travel (i.e. walking and cycling).

Climate Change and Energy Management

In relation to Climate Change and Energy Management the following strategic commitments are outlined:

- work to support the climate change initiatives ongoing in Cheshire East.
- prioritise climate change initiatives and actions, which are mutually beneficial to air quality
- support the promotion of energy efficiency measures across the borough including within the Council's estate.

Health and Education

In relation to Health and Education the following strategic commitments are outlined:

- increase public understanding of air quality and its effects upon health.
- work with Public Health colleagues to investigate the links between poor air quality (i.e. in AQMAs) and health as such developing Cheshire East Health Impact Assessment.
- keep the public informed of work relating to Local Air Quality Management, primarily through the Council's website
- encourage the local community to become involved in improving air quality and take action to reduce their contributions to local air quality and carbon dioxide emissions.
- using interactive packages to work with schools to raise awareness.

Commercial and Domestic Sources

In relation to Commercial and Domestic Sources the following strategic commitments are outlined:

- work closely with the Environment Agency where any 'Part A1' installation is likely to detrimentally affect air quality.
- ensure all 'Part A2' installations, which are regulated by the Council are compliant with the conditions of their Permit.
- provide advice on the control of air polluting emissions ensure that all relevant legislation is enforced for the control of emissions from industrial sources.

Monitoring the Effectiveness of this Strategy

In order to monitor the effectiveness of this strategy we will:

- monitor the progress of the Council's actions in implementing this Strategy through quarterly performance reporting through the Regulatory Services and Health Business Plan;
- review the AQS as and when required.

6. Monitoring the Success of the Strategy

6.1 The effectiveness of this Strategy will be monitored periodically to ensure the aims and objectives are being progressed. Indicators can be used to monitor the effectiveness of a strategy, and these should be clear and transparent.

6.2 Actions to improve air quality need to be implemented by a range of internal and external stakeholders. Communication and collaboration is the key to ensuring measures arising from this strategy are implemented. To assist with this, input from the stakeholders identified in this report will be required to ensure implementation of this strategy remains an active and on-going process. Specific actions will be implemented through the Air Quality Action Plan, which in itself will be aligned with the LTP Delivery Plans. Any actions implemented will undergo further scrutiny in terms of cost effectiveness, analysis and evaluation of their impact on other policy areas, which is required as part of the action planning process.

6.3 There are a number of possible indicators to use in monitoring the effectiveness of the strategy (as set out in Table 6.1), which will provide direct evidence for improving air quality, both within and outside of AQMAs. In addition, other policy actions, such as assessing the impacts of new developments (roads, residential, commercial, industrial etc.) and increasing public awareness have been included.

6.4 ***Air Quality Monitoring***

Cheshire East has a network of nitrogen dioxide monitoring sites, which will be used to directly report on trends in air pollution concentrations. This measure will provide a long term indication of overall air quality across Cheshire East and will help to identify areas which maybe exceeding the objectives.

6.5 ***Future AQMAs declared***

An indicator of the number of AQMAs is also included in the strategy. This will keep track not only of improvements in areas where issues have been identified, but will also track any deteriorations in areas where air quality is currently acceptable.

6.6 ***Assessing New developments***

In order to ensure that new developments do not cause any significant worsening of air quality, there is an indicator to ensure all relevant new developments (roads, residential, commercial, industrial etc.) have an air quality impact assessment submitted as part of the planning application stage.

6.7 *Raising public awareness*

Public awareness is important to ensuring individuals and businesses have the relevant information to be able to make informed decisions regarding the impact of their actions on air quality. As such, air quality will be promoted to schools, resident groups, Town/Parish Councils through awareness days and attending meetings to ensure appropriate information is made available.

Table 6.1. Indicators for inclusion in the Strategy.

	Description	Monitoring Frequency	Target
1	Monitoring air quality	Annually within R&A process	Achievement of the UK air quality objectives
2	Number of AQMAs	Annually	Reduction of AQMAs
3	Assessment of Road Schemes	Annually	Undertake air quality assessments for 100% of relevant road schemes
4	Assessment of planning applications	Annually	100% of relevant planning applications accompanied by Environmental Impact Assessments covering air quality
5	Assessment of industrial processes	Annually	100% of Applications for Permits in accordance with the Pollution Prevention & Control Act 1999 and Environmental Permitting (England and Wales) Regulations 2010 are assessed for Air Quality implications
6	Promotion of Air Quality Issues to schools and other relevant groups	Annually	Attend five school education / residents group/ Town or Parish Council meetings

7. Conclusions

- 7.1 The continual development of this strategy for Cheshire East signifies recognition that improving local air quality is the responsibility of a wide range of stakeholders and professions. Although environmental protection professionals are tasked with the monitoring and assessment of air quality, the actions and measures necessary to improve air quality remains with a wider range of professionals and stakeholders. These actions will be coordinated and prioritised by environmental protection professionals who are also tasked with reporting on the effects of the implemented measures to the Government.
- 7.2 Although future improvements in local air quality are predicted as a result of technological advances in vehicle engines and improved fuels, there is currently some doubt as to their efficacy. Therefore, there is still a need to reduce the increasing reliance on private motor vehicle use and to provide access to improved public transport services or other sustainable means of travel. Traffic accounts for the main source of pollutant emissions across Cheshire East and is responsible for all the AQMAs declared. As such, a clear link with the Council's LTP is fundamental to improving air quality across the borough.
- 7.3 Through the implementation of this strategy, emissions of pollutants across borough should reduce, resulting in improvements in air quality, which will give rise to a number of benefits including improvements in the health of the population, improvements to the environment and reduced healthcare costs.

8. Glossary

AQAP	Air Quality Action Plan
AQMA	Air Quality Management Area
AQS	Air Quality Strategy
CEC	Cheshire East Council
CO ₂	Carbon dioxide
LDF	Local Development Framework
LTP	Local Transport Plan
NO ₂	Nitrogen dioxide
NO _x	Nitrogen oxides
PM ₁₀	Particulate Matter of less than 10 µm in diameter

Appendix 1 Air Quality Objectives

A1.1 The table below presents the air quality objectives relevant for Local Air Quality Management.

Table A1.1 Air Quality Objectives included in Regulations for the purpose of Local Air Quality Management in England

Pollutant	Air Quality Objective		Date to be achieved by
	Concentration	Measured as	
Benzene	16.25 $\mu\text{g}/\text{m}^3$	Running annual mean	31.12.2003
	5.00 $\mu\text{g}/\text{m}^3$	Running annual mean	31.12.2010
1,3-Butadiene	2.25 $\mu\text{g}/\text{m}^3$	Running annual mean	31.12.2003
Carbon monoxide	10.0 mg/m^3	Running 8-hour mean	31.12.2003
Lead	0.5 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2004
	0.25 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2008
Nitrogen dioxide	200 $\mu\text{g}/\text{m}^3$ not to be exceeded more than 18 times a year	1-hour mean	31.12.2005
	40 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2005
Particles (PM_{10}) (gravimetric)	50 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 35 times a year	24-hour mean	31.12.2004
	40 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2004
Sulphur dioxide	350 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 24 times a year	1-hour mean	31.12.2004
	125 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 3 times a year	24-hour mean	31.12.2004
	266 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 35 times a year	15-minute mean	31.12.2005

Appendix 2 Health Effects of Air Pollutants

A2.1 The table below summarises the main health and some environmental impacts of high concentrations of the national Air Quality Strategy pollutants.

Specific pollutant	Potential effect on health and the environment
Particulate Matter (PM ₁₀ and PM _{2.5})	<p>Both short-term and long-term exposures to ambient levels of PM are consistently associated with respiratory and cardiovascular illness and mortality as well as other ill-health effects. The associations are believed to be causal. It is not currently possible to discern a threshold concentration below which there are no effects on the whole population's health. PM₁₀ refers to the mass in micrograms per cubic metre of particles with a diameter equal to or less than 10 micrometres, that are likely to be inhaled into the thoracic region of the respiratory tract.</p> <p>Recent reviews by the World Health Organisation (WHO) and Committee on the Medical Effects of Air Pollutants (COMEAP) have suggested exposure to a fine particles (PM_{2.5}), which typically make up around two thirds of PM₁₀ emissions and concentrations) give a stronger association with the observed ill-health effects, but also warn that there is evidence that the coarse fraction between (PM₁₀-PM_{2.5}) also has some effects on health.</p>
Nitrogen oxides (NO _x including NO ₂)	<p>Nitrogen dioxide (NO₂) is associated with adverse effects on human health. At high levels, NO₂ causes inflammation of the airways. Long-term exposure may affect lung function and respiratory symptoms. NO₂ also enhances the response to allergens in sensitive individuals.</p> <p>High levels of NO_x can have an adverse effect on vegetation, including leaf or needle damage and reduced growth. Deposition of pollutants derived from NO_x emissions contribute to acidification and/or eutrophication of sensitive habitats leading to loss of biodiversity, often at locations far removed from the original emissions. NO_x also contributes to the formation of secondary particles and ground level ozone, both of which are associated with ill-health effects.</p>
Sulphur dioxide (SO ₂)	<p>Causes constriction of the airways of the lung. This effect is particularly likely to occur in people suffering from asthma and chronic lung disease. Precursor to secondary PM and therefore contributes to the ill-health effects caused by PM₁₀ and PM_{2.5}. Potential damage to ecosystems at high levels, including degradation of chlorophyll, reduced photosynthesis, raised respiration rates and changes in protein metabolism.</p> <p>Deposition of pollution derived from SO₂ emissions contribute to acidification of soils and waters and subsequent loss of biodiversity, often at locations far removed from the original emission.</p>
Benzene	Benzene is a recognised human carcinogen which attacks the genetic material and, as such, no absolutely safe level can be specified in ambient air. Studies in workers exposed to high levels have shown an excessive risk of leukaemia.
1,3-butadiene	1,3-butadiene is also a recognised genotoxic human carcinogen, as such, no absolutely safe level can be specified in ambient air. The health effect of most concern is the induction of cancer of the lymphoid system and blood-forming tissues, lymphoma and leukaemia.
Lead (Pb)	Exposure to high levels in air may result in toxic biochemical effects which have adverse effects on the kidneys, gastrointestinal tract, the joints and reproductive systems, and acute or, chronic damage to the nervous system. Affects intellectual development in young children.

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Working for a brighter future together

Cabinet

Date of Meeting: 04 December 2018

Report Title: Havannah Primary School - Proposed Change to Age Range

Portfolio Holder: Jos Saunders, Portfolio Holder Children and Families

Senior Officer: Mark Palethorpe, Acting Executive Director - People

1. Report Summary

- 1.1. The Governors of Havannah Primary have requested a permanent change to the age range of Havannah Primary School from 4-11 to age 3-11, to take effect from January 2019. This will be an amendment to the existing arrangement of a governor-led pre-school on site in order to ensure the best possible transition from Early Years Foundation Stage into the main school.
- 1.2. Havannah Primary School is a local authority maintained school and therefore any amendment to the age range is classed as a "significant change" and is subject to statutory public notice and 4 week statutory representation period.
- 1.3. This paper reports on the outcome of the statutory public notice, and subsequent 4 week statutory representation period.

2. Recommendation

- 2.1 Cabinet approve the proposed change in age range for Havannah Primary School from 4-11 year olds to 3-11 year olds for implementation January 2019 having given due consideration to the responses to the statutory public notice.

3. Reasons for Recommendation

- 3.1. This recommendation is made on the basis of the publication of a public notice and the outcomes of the subsequent statutory 4 week representation period. Only 1 response was received during the period of statutory notice and the Cabinet are required to consider the feedback and appropriate due process in considering the proposal.

4. Other Options Considered

- 4.1 No alternative options were considered.

5. Background

- 5.1. Havannah Primary School is a Cheshire East Community School rated “Good” by Ofsted at the last published inspection in January 2015.
- 5.2. Pre - school provision has been established at the school since 2005 run by a private provider. Due to inconsistent data between the Early Years Foundation Stage and Key Stage 1 the Governing Body took the decision to convert an on-site external provider into a governor-led provision. This decision was in line with the our policy for maintained schools regarding the creation of new maintained nursery classes or nursery provision using the community powers of a governing body. The new provision has been in operation since September 2017. This has resulted in a dramatic improvement in the numbers on roll with the provision operating at maximum capacity at peak times.
- 5.3. The ‘Policy for maintained schools regarding the creation of new maintained nursery classes or nursery provision using the community powers of a governing body’ sets out the circumstances for considering new applications from schools. These include:
- Insufficient high quality provision to enable children to access their free entitlement
 - Where there is a third party childcare provider on site with quality or occupancy issues
- 5.4 We are currently updating our Childcare Sufficiency Assessment. Following the assessment we will have evidence of any other areas where we need to target additional provision. Currently 45 schools have early years provision on site, of these 1 is judged by Ofsted as ‘requires improvement’ and the remainder are good/outstanding.
- 5.5 In accordance with the guidance issued by the Department for Education the statutory publication notice was published on the Council’s website and in the Congleton Chronicle on the 6 September 2018 and the 4 week period concluded on 4 October 2018.
- 5.6 Key stakeholders including Local ward members, Diocese, MP and local schools were notified of the proposal. A letter was provided to schools for distribution to parents and carers informing them of the proposal and how to offer their feedback to the proposal.

- 5.7 During the representation period only 1 response was received to the proposal and this was to record “ I have no objections to the proposed change of age range at Havannah”.

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1. The DfE statutory guidance “Making Prescribed alterations to maintain schools” applies to local authorities when exercising functions under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that came into force on 28 January 2014. It provides information on the processes involved in making significant changes to maintained schools (e.g. expansion, change of age range, transferring to a new site etc.).

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

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

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

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

6.1.5. The regulations further provide that the local authority must have regard to the statutory guidance given from time to time by the Secretary of State when they take a decision on proposals. Guidance is issued by the Department for Education entitled School Organisation Maintained Schools Annex B: Guidance for Decision Makers.

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

6.2. Finance Implications

6.2.1 There are no additional financial implications for the Council.
Operational costs will be met by the schools revenue budget, supported through the Council's mechanisms for funding early year's education.

6.3. Policy Implications

6.3.1. The proposal will allow more children access to a good school with the intention in supporting children and young people in achieving the best possible outcomes.

6.4. Equality Implications

6.4.1. An Equality Impact Assessment has been undertaken the results of which indicate that this proposal does not have any potential negative impact on the specific characteristics and will positively impact on the protected positively impact on the number of school places for young children of pre school age and thereby increasing opportunities for parental choice, in line with DfE guidance.

6.5. Human Resources Implications

6.5.1. There are no additional human resource implications for the Council.

6.6. Risk Management Implications

6.6.1. There are no risk management implications.

6.7. Rural Communities Implications

6.7.1. There are no direct implications for rural communities.

6.8. Implications for Children & Young People

6.8.1. Early Years Foundation Stage baseline data indicates that children come to Havannah from below typical starting points, especially in reading, writing and number. If the school were to take on the pre-school, both teachers and staff would work together to improve provision both inside and out.

6.8.2. Improved data allows a clearer identification of the children's starting point and progression opportunities. It is anticipated that in time this will undoubtedly have a positive knock-on impact on the attainment and progress of children throughout their school career.

6.9. Public Health Implications

6.9.1. There are no public health implications.

6.10. Ward Members Affected

6.10.1 Local ward members were informed of the proposal during the statutory representation period.

7. Consultation & Engagement

7.1. In accordance with the guidance issued by the Department for Education, the statutory publication notice was published in the Congleton Chronicle on 6 September 2018 and the statutory four-week representation period ran from 6 September 2018 to 4 October 2018. Cabinet members are advised that this statutory process provides the opportunity for any person with an interest to submit representations, which can be objections as well as expressions of support for the proposals. Cabinet members must take any views received into account when deciding whether to approve the proposal.

7.2. The representation period was notified to key stakeholders including Ward Members, MP, the Diocese and Parish Councils. Information was emailed to all local schools.

7.3 There was only 1 response to the statutory notice which commented "I have no objections to the proposed change of age range at Havannah".

8. Access to Information

- 8.1 [DfE Guidance - Making significant changes \(prescribed alterations's\) to maintained schools.](#)

[DfE Guidance - Guidance for Decision Makers.](#)

9. Contact Information

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

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