

Corporate Overview and Scrutiny Committee

Agenda

Date: Thursday, 9th January, 2020
Time: 2.00 pm
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

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

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

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

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Minutes of Previous meeting**

To approve the minutes of the meeting held on 31 October 2019

3. **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.

4. **Declaration of Party Whip**

To provide an opportunity for Members to declare the existence of a party whip in relation to any item on the agenda.

For any apologies or requests for further information, or to give notice of a question to be asked by a member of the public

Contact: Katie Small
Tel: 01270 686465
E-Mail: Katie.small@cheshireeast.gov.uk

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

A total period of 15 minutes is allocated for members of the public to make a statement(s) on any matter that falls within the remit of the Committee.

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

Note: In order for officers to undertake any background research, it would be helpful if members of the public contacted the Scrutiny officer listed at the foot of the agenda, at least one working day before the meeting to provide brief details of the matter to be covered.

6. **Financial Implications of a Committee System**

To receive an oral update on the financial implications of a committee system form of governance.

7. **Budget Proposals, 2020/21 to 2023/24** (Pages 3 - 18)

To review the budget proposals for 2020/21 to 2023/24.

Please bring your pre budget consultation document to the meeting.

8. **Update from ASDV Shareholder Committee** (Pages 19 - 30)

To receive an update from the ASDV Shareholder Committee.

9. **Media Relations Protocol Review 2020** (Pages 31 - 44)

To review the draft Media Relations Protocol, prior to consideration by Cabinet.

10. **Forward Plan** (Pages 45 - 58)

To review the areas of the forward plan which fall within the remit of the committee.

11. **Work Programme** (Pages 59 - 66)

To give consideration to the work programme

Membership: Councillors J Bratherton, S Brookfield, P Butterill, J Clowes (Chairman), JP Findlow, R Fletcher, M Hunter, A Moran, B Murphy (Vice-Chairman), J Saunders, M Simon and L Wardlaw



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Corporate Overview and Scrutiny

Date of Meeting: 09 January 2020

Report Title: Budget Proposals, 2020/21 to 2023/24

Portfolio Holder: Councillor Amanda Stott – Cabinet Member for Finance, ICT and Communication

Senior Officer: Jane Burns – Executive Director for Corporate Services

1. Report Summary

- 1.1. On 1 November 2019 Cheshire East Council issued its Pre-Budget Consultation, setting out proposals for change across the Council for the period 2020/21 to 2023/24.
- 1.2. Corporate OSC will want to consider any feedback on the proposals for the Corporate Services Directorate.
- 1.3. The report also appends the comments made at the other 3 Overview and Scrutiny Committees, to enable the Committee to provide overarching feedback to Cabinet on behalf of the Overview and Scrutiny Committees.

2. Recommendations

That the Committee:

- a) Note the comments in respect of the Pre-Budget Consultation document of the Overview & Scrutiny Committees received to date.
- b) Review and comment on the Financial Resilience and Corporate Services proposals within the Pre-Budget Consultation document.
- c) Provide Cabinet with co-ordinated feedback from Overview & Scrutiny on the set of proposals within the Pre-Budget Consultation document

3. Reasons for Recommendations

- 3.1. The Corporate Overview and Scrutiny Committee provide essential ongoing scrutiny to the Council.

4. Other Options Considered

- 4.1. A number of other budget proposals were considered as part of the annual high-level business planning process. However, those within the Pre-Budget Consultation were those supported through the initial stages of development.

5. Background

- 5.1. Cheshire East's Pre-Budget Consultation was published on 1 November 2019. Set against a backdrop of increasing demand and rising costs, the report sets out service proposals and financial plans for the period from 1 April 2020 through to 31 March 2021.
- 5.2. A summary of the proposals is attached at appendix 1 to this report. The full pre budget consultation document is attached at the link in paragraph 5.3, however a hard copy has previously been circulated to Members of the Committee.
- 5.3. https://www.cheshireeast.gov.uk/council_and_democracy/your_council/council_finance_and_governance/cheshire_east_budget/cheshire-east-budget.aspx
- 5.4. The consultation runs until 6 January 2020 and findings will be considered before the final budget is agreed by full council on 20 February 2020.
- 5.5. This committee will want to consider the proposals for the Corporate Services Directorate.
- 5.6. Extracts of the minutes from the other 3 Overview and Scrutiny Committees are attached at appendix 2 to this report.
- 5.7. The implications of individual proposals may be much wider for individuals affected by each proposal. Where this is the case, we intend to undertake full and proper consultation with key stakeholders.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. Legal advice will be sought, where applicable, to ensure that any changes in services do not impact on our ability to meet our statutory requirements.

6.2. Finance Implications

6.2.1. The financial implications are contained within the budget document

6.3. Policy Implications

6.3.1. Any policy changes as a result of the proposals will be agreed through the usual processes.

6.4. Equality Implications

6.4.1. An Equality Impact Assessment has been completed for each business case.

6.5. Human Resources Implications

6.5.1. If approved, there will be some implications for staffing as a result of these proposals. These will be subject to the relevant consultations with staff.

6.6. Risk Management Implications

6.6.1. There is a risk that, following consultation, some of these proposals may be subject to change or be removed from the budget. Risks on individual proposals will be considered in detail as part of the consultation process.

6.7. Rural Communities Implications

6.7.1. There are no direct implications for rural communities.

6.8. Implications for Children & Young People/Cared for Children

6.8.1. These proposals will impact on services for children and young people. Impact assessments have been completed for each proposal. We will work to mitigate any negative impact on children and young people.

6.9. Public Health Implications

6.9.1. There are no direct implications for public health.

6.10. Climate Change Implications

6.10.1. There are no direct implications for climate change.

7. Ward Members Affected

7.1. These proposals relate to business cases across all wards which are likely to be affected.

8. Consultation & Engagement

- 8.1. The proposals are subject to consultation through the pre-budget consultation process. The implications of individual proposals will be subject to full consultation with key stakeholders, where appropriate.

9. Access to Information

9.1. The full Pre-Budget Consultation document can be found at:
https://www.cheshireeast.gov.uk/council_and_democracy/your_council/council_finance_and_governance/cheshire_east_budget/cheshire-east-budget.aspx

9.2. Appendix 1 – Summary of Budget Proposals

9.3. Appendix 2 – Minute extracts from the other 3 Overview and Scrutiny Committees

10. Contact Information

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

Name: Jane Burns

Job Title: Executive Director of Corporate Services

Email: jane.burns@cheshireeast.gov.uk

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Cheshire East Council Pre-Budget Consultation 2020-24

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Summary of Proposals

No	Proposal	Page	Scrutiny Committee
Outcome 1 ~ Our local communities are strong and supportive			
	No changes proposed		
Outcome 2 ~ Cheshire East has a strong and resilient economy			
1	Tourist Information Services	- 25 -	Env & Reg
2	Investment Portfolio	- 26 -	Env & Reg
3	Business Rates Costs for Council Facilities	- 27 -	Env & Reg
4	Management of Risks Relating to Land	- 27 -	Env & Reg
5	Homelessness Reduction Act – removal of temporary grant	- 28 -	Env & Reg
6	Community Transport	- 28 -	Env & Reg
7	Tatton Park	- 28 -	Env & Reg
Outcome 3 ~ People have the life skills and education they need in order to thrive			
8	Review of Children and Families Transport Policies and delivery arrangements	- 31 -	C&F
9	Transport cost for SEND	- 31 -	C&F
10	Contribution to Cheshire Youth Justice Service	- 32 -	C&F

No	Proposal	Page	Scrutiny Committee
11	Skills Strategy	- 33 -	C&F
12	Locality Working	- 33 -	C&F
13	Rental Income for shared service delivery space – NHS and Nursery	- 34 -	C&F
14	Income from Outdoor Education	- 34 -	C&F
15	Essential Kitchen Infrastructure	- 35 -	C&F
16	Provision of Sufficient School Places – SEND	- 35 -	C&F
17	Provision of Sufficient School Places – Basic Need	- 36 -	C&F
18	Primary School Provision at key development sites within the Borough	- 36 -	C&F
Outcome 4 ~ Cheshire East is a green and sustainable place			
19	Markets Income	- 39 -	Env & Reg
20	Ansa income generation and efficiencies	- 39 -	Env & Reg
21	Highway Maintenance Contract Efficiencies	- 40 -	Env & Reg
22	Parking Strategy	- 41 -	Env & Reg
23	Planning Reserve – reversal of temporary funding	- 42 -	Env & Reg
24	Environmental and Carbon Management	- 42 -	Env & Reg
25	Parks and Green Spaces	- 43 -	Env & Reg
26	Regulatory Services and Environmental Health ICT procurement	- 43 -	Env & Reg
27	Recycling and Waste Services	- 43 -	Env & Reg

No	Proposal	Page	Scrutiny Committee
28	Electric Vehicle Car Pool Scheme	- 44 -	Env & Reg
29	Crewe Town Centre Civic Heat Network	- 44 -	Env & Reg
30	Public Rights of Way: Capital Structures Investments	- 45 -	Env & Reg
31	Site Remediation Works – Malkins Bank Golf Course (Phase 3)	- 45 -	Env & Reg
Outcome 5 ~ People live well and for longer			
32	Community Equipment Service	- 48 -	ASC & Health
33	Combination of contracts provided by the Community and Voluntary Service (CVS)	- 49 -	ASC & Health
34	FACT 22 Investment	- 50 -	C&F
35	Care4CE	- 51 -	ASC & Health
36	Electronic Call Monitoring	- 51 -	ASC & Health
37	0-19 Healthy Child Programme	- 52 -	ASC & Health
38	Demand for Adult Social Care	- 53 -	ASC & Health
39	Winter Pressures Social Care Grant funding	- 53 -	ASC & Health
40	Home Repairs for Vulnerable People	- 54 -	Env & Reg
41	Cared for Children and Care Leavers	- 54 -	C&F
42	Everybody Sport and Recreation Annual Management Fee	- 55 -	Env & Reg
Outcome 6 ~ A Responsible, Effective and Efficient Organisation			
43	Digital Savings target	- 60 -	Corp

No	Proposal	Page	Scrutiny Committee
44	Commercial Workstream – fees and charges review and change project	- 61 -	Corp
45	Local Election Costs	- 62 -	Corp
46	Webteam expansion	- 62 -	Corp
47	Census 2021	- 63 -	Corp
48	Inflation – Business Rates / Energy / Utilities / Fuel	- 64 -	Env & Reg / Corp
49	ICT Procurements 2020-24	- 65 -	Corp
50	ICT Digital Strategy and Plan 2019-24	- 66 -	Corp
51	Communications	- 67 -	Corp
52	Enabling a modern business architecture programme 2020-24	- 68 -	Corp
53	Pay Inflation and Structure Review	- 69 -	Corp
54	Mutually Agreed Resignation Scheme 2020/21	- 70 -	Corp
Maintaining Financial Stability: Central Budgets			
55	Minimum Revenue Provision	- 76 -	Corp
56	Past Service Pension Change	- 77 -	Corp
57	Capital Receipts Income	- 78 -	Corp
58	Community Budgets funded from New Homes Bonus	- 79-	Corp
59	ASDV Dividend	- 80 -	Corp

No	Proposal	Page	Scrutiny Committee
60	Reserves	- 81 -	Corp
61	Growing the Domestic Taxbase	- 83 -	Corp
62	Changes in Council Tax Landlord Discount	- 83 -	Corp
63	Changes in Council Tax Empty Property Premiums	- 83 -	Corp
64	Council Tax percentage charge increase	- 84 -	Corp
65	Promoting Economic Growth	- 85 -	Corp
66	Business Rates Relief Compensation Grants	- 86 -	Corp
67	Business Rates Pooling	- 86 -	Corp
68	New Homes Bonus (NHB)	- 87 -	Corp
69	Other Grants	- 87 -	Corp
70	Social Care Grants	- 87 -	Corp
71	Release of funds from the Collection Fund	- 88 -	Corp

Health, Adult Social Care and Communities Overview and Scrutiny Committee – 7 November 2019

The committee considered the proposals within the Pre-Budget 2020/21 Consultation relating to its remit, with a view to providing its feedback and comments to the Corporate Overview and Scrutiny Committee meeting on 9 January 2020.

Members asked questions and put comments in respect of;

- the need to provide more background information on the costings and rationale of the Care4CE (item 35) budget proposal;
- concern that funding for the 0-19 Healthy Child Programme should not be reduced and that frontline provision should be increased to support the early intervention and prevention work that could benefit the wider connected services; and
- that the overall direction of how funding was planned to be reduced in certain service areas – proposal nos. 34, 37 and 41 were specifically referenced – may not benefit the overall public health picture in Cheshire East.

The committee also expressed concern regarding proposal no. 58 (Community Budgets funded from New Homes Bonus) and commented that this proposal would impact on the plans and proposals being presently produced by local businesses and town and parish councils across Cheshire East.

RESOLVED –

- 1 That the comments and feedback raised by the committee be collated alongside those of the other overview and scrutiny committees, to be presented to Corporate Overview and Scrutiny Committee on 9 January 2020.
- 2 That the council inform local town and parish councils about proposal no. 58 (Community Budgets funded from New Homes Bonus) as soon as possible, to ensure that they are made aware of the potential implications of this in 2020/21.

Environment and Regeneration Overview and Scrutiny Committee – 11 November 2019

Consideration was given to the pre-budget consultation. The Financial Strategy and Reporting Manager provided an overview of the process with the Director of Environment and Neighbourhood Services and the Director of Growth & Enterprise present to answer any questions relating to the areas specific to the remit of the Environment and Regeneration Overview and Scrutiny Committee.

Members raised the following points/questions:-

- (i) Why was there no information within the document on the base budget and why was there no reference to what the impact on the budget would be under each item?
- (ii) In respect of Community Transport it was queried as to why the budget for this service was being reduced given the fact that it had been in operation less than 6 months and therefore there had been no opportunity to provide any feedback on the Flexi-Link service;
- (iii) In respect of highways maintenance for pathways and cycleways the budget for last year for the whole of the Borough had been £20,000. Could a breakdown be provided as to how the maintenance of pathways and cycleways would be delivered?
- (iii) Would the reduction in the highways budget relating to Highway Maintenance Contract Efficiencies affect the service?
- (iv) Concerns were raised about the performance of Ringway Jacobs;
- (v) What was the timeline for a Cheshire East Council review of car parking?
- (vii) If there was a better bus service then car parking wouldn't be an issue. It was felt there was nothing in the budget which transformed bus services;
- (viii) There should be liaison with other Council's regarding the provision of a more efficient bus service. This wasn't happening. If the bus service was improved and was cost efficient there would be more users and the need for car parks would decrease;
- (ix) Last year's budget saw 40% cuts to bus services;
- (x) The Council needed to facilitate measures which would assist in reducing the carbon footprint, for example charging a set fee for users to then have unlimited access;
- (xi) Contractors were unwilling to reduce the cost of bus fares until the demand increased but the demand would not increase unless there was a decrease in fares;
- (xii) In order to emphasise the Council's commitment to climate change was there any work being undertaken to provide electric charging points particularly in the Macclesfield area?
- (xiii) In respect of Public Rights of Way (ProW) it was felt more resources were required because if routes were not on a map by 2026 then they would be lost forever. Concerns were raised that there were only two employees dealing with PRow and this was insufficient. It was queried which officers dealt with PRow.

RESOLVED

That the comments be noted and reported to the Corporate Overview and Scrutiny Committee at its meeting on 9 January 2019.

Children and Families Overview and Scrutiny Committee – 25 November 2019

Consideration was given to the Pre-Budget 2020/21 Consultation proposals that fell within the committee's remit.

Members asked questions and put comments in relation to;

- the proposed reduction in funding for community transport services for SEND and other children and families services, and that these planned savings seemed unrealistic;

- concern as to how the funding reduction to community transport services would impact on how children were dropped off and picked up, particularly those that are more sensitive to changed environments and situations;
- the proposal to reduce funding for early help services and the wider impacts that this would have on service connectivity as well as the overall effectiveness of other key service areas.

RESOLVED –

That the comments and feedback raised by the committee be collated alongside those of the other overview and scrutiny committees, to be presented to Corporate Overview and Scrutiny Committee on 9 January 2020.

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Corporate Overview and Scrutiny Committee

Date of Meeting: 9th January 2020

Report Title: Update from ASDV Shareholder Committee

Portfolio Holder: Councillor Craig Browne - Deputy Leader

Senior Officer: Frank Jordan - Executive Director - Place

1. Report Summary

- 1.1. The ASDV Shareholder Committee (the Committee) held its first meeting under the new administration on 14th October 2019. The Committee immediately embarked on a review of the business plans of companies in order to make recommendations to the Deputy Leader. The exercise also allowed the Committee to obtain key assurances from the companies on their overall governance and performance arrangements.
- 1.2. The review by the Shareholder Committee covered Orbitas Bereavement Services Ltd, Transport Services Solutions Ltd and ANSA Environmental Services Ltd.
- 1.3. The arrangements relating to the Everybody Sports and Recreation Ltd, as a leisure trust, require it to provide an annual report to Cabinet. Therefore it is not within the scope of the Committee.
- 1.4. Tatton Park Enterprises, which provides the catering at Tatton Park, reports to the Tatton Board and therefore member assurance is provided through the governance arrangements relating to Tatton.
- 1.5. In relation to its remit to oversee the ASDV review and change programme, the Committee has also considered a report on the commissioning review of services delivered by Civicance, and a proposal to establish a wholly-owned company for the services currently delivered by the council through Care4CE.

- 1.6. Given the recommendations relating to Civicance arising from that review, the Shareholder Committee did not consider the business plan for that company.
- 1.7. Furthermore, and in relation to its operations, the Shareholder Committee has reviewed the terms of reference for the Committee.
- 1.8. The purpose of this report is to outline the process of review and oversight that has been undertaken by the Committee.
- 1.9. It makes recommendations and observations to the Deputy Leader to consider in relation to the business plans it has reviewed and also in relation to the management of the ASDVs at the group level.

2. Recommendations

- 2.1. That the Corporate Overview and Scrutiny Committee notes the observations of the ASDV Shareholder Committee.
- 2.2. Notes that the observations and recommendations of the Shareholder Committee will be considered by the Deputy Leader.

3. Reasons for Recommendations

- 3.1. Through the business plan appraisal process the Committee has met with the three companies outlined at paragraph 1.2 to review the draft business plans.
- 3.2. The Committee can provide assurance to the Deputy Leader, as the shareholder's representative that the business plans should be approved, subject to the management fee being agreed by the commissioner.
- 3.3. In addition, the observations of the Committee are aimed at improving the business performance of the companies.

4. Other Options Considered

- 4.1. This section is not applicable, as the functions carried out by the Committee, and the need to report on progress and recommendations are

set out in the Shareholder Committee Terms of Reference, and linked to the Constitution.

5. Background

- 5.1. The ASDV Shareholder Committee membership comprises Councillor Steve Carter as Chairman, Councillor Mark Goldsmith as Vice-Chairman, and Councillors Sally Handley, Sarah Pochin and Lesley Smetham.
- 5.2. To align with the Council's business planning cycle, an immediate priority for the Committee was to make recommendations to the Deputy Leader about whether or not to approve the business plans of each of the ASDVs as shareholder. This is identified in the Committee's Terms of Reference as one of three core functions (Appendix A Paragraph 4.5 further explains this function).
- 5.3. As the Shareholder Committee members had only limited previous exposure to the operations of the ASDVs within its scope, the review of the company business plans was also the process by which to obtain assurances necessary to provide strategic oversight of the arrangements with the Council's ASDVs at the group level. This is the second of three core functions of the Committee (Appendix A Paragraph 4.1 identifies minimum considerations for the Committee).
- 5.4. The Committee determined that a series of extra meetings were necessary to properly review and appraise the business plans. Meetings were held on 14th October, 1st, 14th and 28th November, and sessions were scheduled with the Managing Director and Chair of each of the ASDVs to be reviewed, each lasting between 1-2 hours.
- 5.5. In addition to the business plans review, the Committee has conducted the following business since August:
 - Consideration and endorsement of its Terms of Reference;
 - Closer scrutiny of business cases for investment relating to Orbitas, upon request of the Committee. It passed on recommendations to the Deputy Leader;
 - Consideration of the report from the ASDV change programme relating to bringing Civance in-house. Following additional discussion with the Chair and Directors of the company it endorsed the recommendation made to the Deputy Leader ; and
 - Consideration of the report to establish a wholly-owned separate legal entity for the future delivery of Care4CE services. It passed on some recommendations to the Deputy Leader.

6. Key Findings from the annual ASDV Business Plan Review

6.1. In line with its Terms of Reference the Shareholder Committee:-

- 6.1.1. Is able to provide assurance to the Deputy Leader that the Business Plans for 2020 relating to Orbitas, TSS and ANSA be approved, subject to the management fee being agreed by the relevant commissioner.
- 6.1.2. Provides assurance, following its detailed review and scrutiny, that these ASDVs are well run operationally and comply with relevant statutory and regulatory frameworks for their respective areas of operation, including compliance with public contracts regulations.
- 6.1.3. In reviewing the strategic commissioning arrangements, it recommends the following to provide assurance that they are fit for purpose:

In relation to Orbitas and TSS:-

- 6.1.3.1. The Council considers introducing rolling contract renewals for Orbitas and TSS.
- 6.1.3.2. Commissioning meetings work towards establishment of a forward five year plan, encouraging alignment of the strategic vision for the services being delivered between company and the Council;
- 6.1.3.3. The above be supported by the ASDVs adopting a more proactive attitude towards contract uncertainty (as per the private and charitable sectors), and investing time to build up robust forward plans;
- 6.1.3.4. That the financial plans and the management fees be agreed before business plans are finalised for 2020/21.
- 6.1.3.5. Should budget reconciliation result in a material change to the business plans they be submitted back via this Committee for approval.

Across the group of companies:

- 6.1.3.6. Annual business plans and in-year business cases be shared with their respective commissioners in Cheshire East Council, insofar as the development of a business case was to further the aims of the commissioner, or would have an impact on the commissioner, and such plans must clearly and transparently demonstrate constructive discussions with the commissioner in their development; and
 - 6.1.3.7. The budget parameters for the ASDVs be agreed before the Shareholder Committee annual business plan review in future, with requests for use of company or Council reserves being clearly identified and robustly developed.
- 6.1.4. In providing assurance that the overarching performance arrangements for each ASDV are fit for purpose, it recommends that:
- 6.1.4.1. The ASDVs introduce KPIs around business growth, in recognition of the maturity of the companies and that most operational savings have now been made.
- 6.1.5. The companies were also invited to present proposals for capital or revenue investment to support the delivery of their business plans. On review of the two proposals that were advanced enough to submit, the Shareholder Committee noted that:
- 6.1.5.1. Business cases were not of an investment-ready standard and the companies would benefit from the scrutiny to be provided by the Committee on future submissions;
 - 6.1.5.2. The previous focus on savings not growth might have created a belief that effort on business cases was not valued;
 - 6.1.5.3. It therefore recommended that the Committee carry out quarterly review and scrutiny of Directors Reports as part of its work plan, so as to provide the encouragement and expectation that more time be invested in this activity.

7. Implications of the Recommendations

7.1. Legal Implications

7.1.1. Pursuant to the Constitution, the exercise of any of the Council's rights as a shareholder in a company is an Executive function. This function is now supported by the ASDV Shareholder Committee.

7.1.2. Ongoing legal advice in relation to matters including contracts, shareholder agreements, articles of associations, company matters and decision making are provided, and a legal officer has been in attendance at all Committee meetings to date.

7.1.3. The recommendations required are pursuant to the core function of the Shareholders Committee as references in their Terms of Reference, including making recommendations to the Portfolio Holder that;

- strategic commissioning arrangements for the ASDVs are fit for purpose or provide recommendations to ensure that they are.
- the overarching performance arrangements for each ASDV are fit for purpose or provide recommendations to ensure that they are.
- the arrangements for ASDVs comply with the Public Contract Regulations 2015.
- ASDVs are complying with the relevant statutory and regulatory framework for their respective areas of operation.
- Prepare and maintain a strategic risk register in relation to the group of ASDVs.

7.2. Finance Implications

7.2.1. The review of ASDV business plans by Shareholder Committee does make some assessment of financial information. An assessment on whether the business plans match with the management fee held by the council or exceed it has not been made, and it will fall to the Council commissioner to ensure that the ASDV operates within its budget. Going forward, the Shareholder Committee have requested a clear and transparent statement from the commissioner on each business plan or business case so it can gain necessary assurances on financial and other matters.

7.2.2. Ongoing financial advice in relation to matters including business plans, business cases for additional funds, contracts, company matters and

decision making are provided, and a finance officer has been in attendance at all Committee meetings to date.

7.3. Policy Implications

7.3.1. The ASDVs provide services to the residents of Cheshire East, and their delivery is commissioned by Cheshire East in alignment line with the Council's three-year plan. A core function of the Committee is to provide assurance that strategic commissioning is fit for purpose, and the business plan review reported on herein is a key mechanism in fulfilling this.

7.4. Equality Implications

7.4.1. A core function of the Shareholder Committee is to review and advise on the ASDV change programme and any future change. Depending on any recommendations from the programme of change for the group of companies, there could be equality implications. Equality implications will be considered as part of each review undertaken as part of the programme.

7.5. Human Resources Implications

7.5.1. The ASDV change programme and individual business cases may have human resource implications, and these will be considered as part of each review or business case brought forward for consideration by the Shareholder Committee.

7.6. Risk Management Implications

7.6.1. The Shareholder Committee maintains a strategic risk register in relation to the group of ASDVs under its remit.

7.7. Rural Communities Implications

7.7.1. There are no direct implications for rural communities.

7.8. Implications for Children & Young People/Cared for Children

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

7.9. Public Health Implications

7.9.1. There are no direct implications for public health.

7.10. Climate Change Implications

7.10.1. Depending on any recommendations from the programme of change for the ASDVs, there could be climate change implications. These will be considered as part of each individual review undertaken.

7.10.2. Climate change implications are a consideration included in the ASDV Business Plan/Case Appraisal Tool (Appendix C), to assist committee scrutiny of the ASDVs operations.

8. Ward Members Affected

8.1. All wards are impacted.

9. Consultation & Engagement

9.1. In fulfilling its functions, the Shareholder Committee may determine that further consultation is necessary before it can make recommendations, and as has happened to date may defer final consideration until further consultation has occurred.

10. Access to Information

10.1. All supporting information is contained within the appendices to this report.

11. Contact Information

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

Name: Frank Jordan

Job Title: Executive Director of Place, Lead Officer supporting Shareholder Committee

Email: Frank.Jordan@cheshireeast.gov.uk

And:-

Name: Councillor Steve Carter

Job Title: Chair of Shareholder Committee

Email: Steve.Carter@cheshireeast.gov.uk

APPENDIX A

**SHAREHOLDER COMMITTEE
TERMS OF REFERENCE**

1. Purpose of the Shareholder Committee

1.1. The Shareholder Committee will give advice and direction to the Cabinet Member(s) who hold the legal responsibility for making ASDV shareholder decisions. [The Cabinet Member(s)]

1.2. The Shareholder Committee will:

- 1.2.1. Provide strategic oversight of the commissioning arrangements for ASDVs and to provide assurance to The Cabinet Member(s) that these arrangements are:
 - 1.2.1.1. compliant with the councils constitution, rules and procedures;
 - 1.2.1.2. achieving best value
 - 1.2.1.3. fit for purpose.
- 1.2.2. Provide specific recommendations to The Cabinet Member (s) regarding any improvements to be made to these commissioning arrangements.
- 1.2.3. Commission and then oversee an ASDV change programme as per the resolutions of Cabinet meeting of 13 March 2018.
- 1.2.4. Review any proposals to expand or reduce the scope of any of the existing ASDVs and advise The Cabinet Member (s) regarding any decisions to be made in this regard.
- 1.2.5. Review any proposals to create a new ASDV and advise The Cabinet Member(s) regarding any decisions to be made in this regard
- 1.2.6. Review any proposals to close any of the existing ASDVs and advise The Cabinet Member(s) regarding any decisions to be made in this regard.
- 1.2.7. Review the strategic business cases for each ASDVs and to provide strategic advice to The Cabinet Member(s) before these business plans are endorsed by the shareholder.
- 1.2.8. Ensure that appropriate communication and engagements processes are put in place for all stakeholders.

- 1.2.9. Otherwise discharge the role of the Shareholder in respect of the Council's ASDVs.

2. Membership

- 2.1. The Shareholder Committee shall consist of 5 voting members drawn from the Elected Members of the Council. This will be appointed to in line with the rules set out within the constitution for the appointment of members to committees.
- 2.2. The proportionality of the voting members will reflect the political proportionality of the Full Council.
- 2.3. A further 2 co-opted members will also be appointed to the Committee to provide the committee with a wider range of commercial and governance expertise to the committee and the Cabinet Member(s).
- 2.4. Quorum: For the transaction of business there must be [3] Elected members present.

3. In Attendance

- 3.1. The Chief Executive, the Section 151 Officer, the Director of Legal Services and the Executive Director for Place (or their representatives) will be advisors to the Shareholder Committee. The committee and/or those Officers may invite additional advisors to attend the Shareholder Committee as required.

4. Functions

- 4.1. The core function of the Shareholder Committee is providing strategic oversight of the arrangements with the Councils ASDVs at the group level. In exercising this core function the Shareholder Committee may determine the areas it wishes to consider but as a minimum the committee must be able to:
 - 4.1.1. Provide assurance that strategic commissioning arrangements for the ASDVs are fit for purpose or provide recommendations to ensure that they are.
 - 4.1.2. Provide assurance that the overarching performance arrangements for each ASDV are fit for purpose or provide recommendations to ensure that they are.
 - 4.1.3. Provide assurance that the arrangements for ASDVs comply with the Public Contract Regulations 2015;

- 4.1.4. Provide assurance that all ASDVs are complying with the relevant statutory and regulatory framework for their respective areas of operation;
 - 4.1.5. Prepare and maintain a strategic risk register in relation to the group of ASDVs
- 4.2.** The shareholder committee shall provide advice to The Cabinet Member(s) on any decisions that need to be made in relation to the overall commissioning arrangements and also prepare and present a strategic report to the Cabinet at least once a year on the overall governance and performance arrangements for the Council's ASDVs.
- 4.3.** The second core function of the Shareholder Committee is to fulfil the resolution of the Council's Cabinet at its meeting of 13 March 2018 in relation to the establishment of an ASDV change programme and any future change
- 4.4.** Within this core function the Shareholder Committee will consider the initial review undertaken by the external advisors and will commission a detailed programme plan to enable a set final recommendations to be made to The Cabinet Member (s) regarding each of the companies. These recommendations may include:
- 4.4.1. The expansion of an existing ASDV
 - 4.4.2. The creation of a new ASDV
 - 4.4.3. The transfer of services from one ASDV to another
 - 4.4.4. The returning of the services from an ASDV back to the Council
 - 4.4.5. Making changes to the council's overarching commissioning arrangements
 - 4.4.6. In support of this core function the Shareholder Committee will review and analyse the annual statement of accounts of each ASDV.
- 4.5.** The third core function of the Shareholder Committee is to make recommendations to The Cabinet Member (s) about whether or not to approve the business plans of each of the ASDVs as shareholder. Within this core function the Shareholder Committee will also:
- 4.5.1. Provide strategic advice to The Cabinet Member (s) on the robustness and suitability of each of the ASDV Business Plans
 - 4.5.2. Review any proposals to make a significant capital or revenue investment in any of the council's ASDVs
 - 4.5.3. Specifically reviewing any proposal by an ASDV to submit tender for services to a client other than Cheshire East Council
 - 4.5.4. Provide advice to The Cabinet Member(s) before exercising any shareholder consents

4.5.5. Determine the distribution of any surplus or the issue of any dividends from an ASDV

4.6. It is to be noted that the Shareholder Committee will not have operational control over the ASDVs. Within the parameters legitimately falling for approval by the Shareholder, all decisions regarding the day to day operation of each Company are the responsibility of the Directors of each Company. In addition, the day to day liaison with the companies will be between the client service of the Council and the managing director of each company.

5. Frequency of meetings

5.1. The Shareholder Committee will:

5.1.1. Meet Quarterly as a minimum

5.1.2. Report to the Council's Cabinet on at least an annual basis

5.1.3. Report to the Corporate Overview and Scrutiny Committee annually

6. Administration

6.1. Minutes and agendas will be distributed no later than 5 clear working days prior to the meeting

7. Principal Information Management needs.

- Statutory accounts of each company
- Annual engagement and commercial activity report
- Update reports on major projects
- Business plans for each company including risk registers



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Key Decision N

Date First
Published: >

Cabinet

Date of Meeting: 14 January 2020

Report Title: Media Relations Protocol review 2020

Portfolio Holder: Councillor Amanda Stott – Cabinet Member for Finance, ICT and Communication

Senior Officer: Jane Burns, Executive Director Corporate Services

1. Report Summary

- 1.1. This report presents a new draft Media Relations Protocol for Cheshire East Council.
- 1.2. A media relations protocol sets out the policy and principles that define how public and media relations activity for an organisation will be undertaken.
- 1.3. It sets out roles and responsibilities with regard to public relations and specifically media relations activity, including: establishing approvals process, identifying spokespersons and distribution / publication protocol.

2. Recommendations

- 2.1. Cabinet is asked to approve the Cheshire East Council Media Relations Protocol.

3. Reasons for Recommendations

- 3.1. The Media Relations Protocol will enable efficient and responsible public communications activity, ensuring that the organisation's public communications are approved by those officers and members with appropriate authority and that it is clear which individual officers and members are empowered to speak on behalf of the organisation.

4. Other Options Considered

- 4.1. The council could operate without a media relations protocol. However, this would mean that the organisation had no framework to coordinate, govern and manage public communication activity, risking significant reputational damage and hampering the ability of the organisation to communicate effectively with residents, customers and stakeholders.
- 4.2. The council could continue to use the previous version of the Media Relations Protocol. However, this document, while deemed appropriate for the organisation at the time it was written, and for a number of years afterwards, does not necessarily fully reflect the need of the organisation today, nor the environment and media landscape in which it operates.

5. Background

- 5.1. Cheshire East Council is an important organisation with a significant impact and influence locally and regionally. Its policies and service delivery have wide-ranging, direct and indirect impact on people's lives and futures.
- 5.2. It is important that our customers and other stakeholders have good access to information about the organisation.
- 5.3. It is also important that the policies and priorities of the organisation, and the reasons and drivers for those policies and priorities, are presented in ways that can be easily understood by the full range of stakeholders.
- 5.4. The Media Relations Protocol is a framework that establishes the rules and conventions to ensure that the Council's public communications activity is well managed and well governed.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. The communications and engagement activities covered by this report and strategy are subject to the following guidance and legislation:
 - Data Protection Act 2018
 - Copyright, Designs and Patents Act 1988
 - Libel and defamation law
 - Code of recommended practice for local government publicity

6.2. Finance Implications

6.2.1. The Media Relations Protocol has been written in the context of agreed 2019/20 budget for communications and engagement activity.

6.3. Policy Implications

- The Media Relations Protocol is a key document that establishes how Council communications will be managed and governed.

6.4. Equality Implications

6.4.1. The Council has a duty under the Equality Act (2010) and the Code of Recommended Practice for Local Government Publicity to ensure that information about Council services is made available to all audiences.

6.4.2. The Code of Recommended Practice states that: “Publicity about local authorities and the services they provide should be freely available to anyone who wishes to receive such information in a format readily accessible and understandable by the person making the request or by any particular group for which services are provided.”

6.4.3. While the Media Relations Protocol does not in itself dictate the channels, format or means of communication, it does support communications activity of all kinds, for all audiences, including those with protected characteristics, by setting out a framework to ensure that any public communications activity is approved and voiced by individuals with the appropriate authority.

6.5. Human Resources Implications

6.5.1. This report has no direct impact on human resources.

6.5.2. The protocol shapes the way in which the communications and media team operates. Any significant variation in the volume and/or nature of the work required resulting from a change of protocol, would require a review of resourcing.

6.5.3. It is anticipated that the current communications and media team will be subject to restructuring in early 2020 as part of the planned wider Business Change service restructure.

6.6. Risk Management Implications

6.6.1. An effective media relations protocol will support the organisation to ensure that it is fairly represented, that it is transparently and clearly accountable and accredited for its decisions and actions, reducing the

risk of reputational damage through misrepresentation, misinformation and/or disinformation.

6.7. Rural Communities Implications

6.7.1. The Media Relations Protocol is a necessary tool to ensure that the council's public communications are well managed and are available across a range of channels, reaching individuals and communities in all geographies across Cheshire East, including rural areas.

6.8. Implications for Children & Young People/Cared for Children

6.8.1. Communications and media activity will be central to the council's work to deliver the ambitions of the council's Children and Families services. The Media Relations Protocol is a necessary tool to ensure that the council's communications resources are well managed.

6.9. Public Health Implications

6.9.1. Communications and media activity will be central to the council's work to deliver the ambitions of the council's Public Health service. The Media Relations Protocol is a necessary tool to ensure that the council's communications resources are well managed.

6.10. Climate Change Implications

6.10.1. Communications and media activity will be central to the council's work to address the climate change emergency and deliver the ambitions of the council's Environmental Strategy. The Media Relations Protocol is a necessary tool to ensure that the council's communications resources are well managed.

7. Ward Members Affected

7.1. All wards and ward members will be affected by this protocol, equally.

7.2. The protocol establishes ward members' role in organisational communications.

8. Consultation & Engagement

8.1. The Media Relations Protocol has been informed by the Communications Survey of Residents 2017 and the Residents Survey 2017.

8.2. Corporate Overview and Scrutiny committee are discussing the Council's Media Relations Protocol at a future meeting. The committee's views will be taken into account in developing the final document for approval.

9. Access to Information

- 9.1. [Code of recommended practice for local government publicity.](#)

10. Contact Information

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

Name: Michael Moore

Job Title: Interim Communications Manager

Email: Michael.moore@cheshireeast.gov.uk

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Cheshire East Council

Media relations protocol 2020 DRAFT

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Introduction

This document sets out the policy and principles that define how public and media relations activity for Cheshire East Council, as a Local Authority, will be undertaken.

This protocol is based on the principles set out in the [Code of recommended practice on local government publicity](#). The code asserts that council publicity should:

- be lawful
- be cost effective
- be objective
- be even-handed
- be appropriate
- have regard to equality and diversity
- be issued with care during periods of heightened sensitivity

A fundamental principle underlying the code is that publicly-funded council communications activity should be apolitical, representing the views and position of the Local Authority as a public service organisation, not the views of a given political party, group or individual.

The organisation, individual officers and members, may risk criticism and/or prosecution for misuse of public funds should communications activity be seen to be politically motivated. This is subject to particular scrutiny in periods of heightened sensitivity, such as immediately before elections or referenda.

This protocol sets out:

- the purpose and scope of the communications function,
- the principles and process through which the requirement for communications activity is generated
- how we will ensure consistency and quality of messages
- how we identify spokespersons to speak on behalf of the council
- the approval process for public statements

It is principally concerned with the way the organisation engages with journalistic media. This includes, but is not limited to, journalistic activity in the following media:

- Newspapers
- Magazines
- Radio
- TV
- Online news sites
- Social media
- Online video and audio

In the following geographies:

- Hyper-local
- Local
- Regional
- National
- International

‘Journalistic Media’ is defined by the professional standards adhered to by the practitioner. A professional journalist, for the purposes of this protocol, will be accredited by one or more of the following bodies:

- National Council for the Training of Journalists (NCTJ)
- Broadcast Journalism Training Council (BJTC)

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They will hold either:

- National Press Card, issued by the UK Press Card Authority, or
- International press card issued by the Chartered Institute of Journalists

Their work will be published, broadcast or distributed in media described above, and is subject to the Independent Press Standards Organisation (IPSO) and the IPSO [Editors' Code of Practice](#).

Communications and media team purpose

The communications and media team is a supportive enabling function, offering professional, strategic communications advice and outcome-based, audience-focussed communications activity to help achieve corporate objectives.

It will:

- Provide professional communications resources, guidance and governance to support the effective delivery of council services and initiatives;
- Work to influence perceptions and encourage positive action internally and externally, locally and nationally to position CEC as a high-performing local authority;
- Support and enable culture change and a shift in behaviours through the delivery of high quality evidence based resources and messaging.

It is driven by a four-point strategy:

- Give people information about the council, its services and how to access those services;
- Build local reputation with our customers (internally and externally);
- Position and build profile with key stakeholders, peer group and decision makers locally, regionally and nationally;
- Seek to positively influence behaviour, supporting the council's six strategic outcomes and priorities and the Brighter Future Transformation Programme.

Scope of activity for the communications and media team

The communications and media team will:

- Work with the organisation to identify and plan for communications priorities, opportunities and risks.
- Deliver information about council services and how to access them, prioritising those services where evidence shows that these are the most important to residents, and which are council priorities.
- Lead, enable and support public and stakeholder communications and media activity required to deliver priority projects and programmes.
- Communicate, publicise and promote decisions, service changes, and priorities etc. that are the result of decisions taken through the public, transparent and democratic decision-making processes of the authority, following appropriate consultation. For example:
 - Decisions taken at full council
 - Decisions taken at cabinet

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- Portfolio holder decisions
- Decisions otherwise delegated through any of the above bodies as established through the constitution
- Defend the reputation of the organisation (but not that of individual Members personally), rebutting and correcting factual inaccuracies where they enter the public conversation about the organisation.
- Undertake all communications and media activity following the principles set out in the Public Affairs and Engagement Framework ensuring that engagement with all impacted stakeholders and audiences is coordinated, owned and managed in each instance of communications activity.
- Support council's transformation journey and its strategic priorities.

***Note:** The communications and media team will work on matters that relate to the activity, decisions and priorities of the council as an organisation, and will not operate in any way that is party political in nature. To do so would be in direct breach of the [Code of recommended practice on local government publicity](#)

In public relations, as in all council business, it is the role of Members to be party-political and the role of officers to create content that is neutral, or occasionally to speak neutrally, on behalf of the whole council (albeit including the delivery of the administration's programme).

Any clearly party-political communications must be through Members' own channels (e.g. their own party newsletters and their own social media channels) rather than those owned and supported by officers (and funded by taxpayer resources).

Demand for communications activity

The need for communications activity will generally be identified by the communications and media team with senior officers of the council (head of service, director, executive director and/or chief executive) and will be agreed with portfolio holder.

All media enquiries, media releases, statements, information bulletins, pitches and interview requests must be handled by the communications and media team.

Proactive

Proactive opportunities may be identified for one or more of the following reasons:

- To provide information about access to services
- To inform audiences and stakeholders about any change to service or policy
- To celebrate the organisation's successes
- To establish the organisation's position on an issue (but not that of an individual member or political group)
- To promote the organisation's profile, sharing innovation and good practice with other organisations within the sector
- To encourage positive behaviour change in line with council priorities

Reactive

The organisation may be required to respond to externally generated demand. Such demands may arise from one or more of the following:

- Journalist enquiry
- Response to mis-information or dis-information in the public domain
- Any emerging issue, situation, emergency or crisis.

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- To establish the organisation's position on an issue (but not that of an individual member or political group)

Where a journalist makes a media enquiry, it is likely that they will give a deadline. If they do not, the communications and media officer should ask in order to manage expectations.

The IPSO [Editors' Code of Practice](#) establishes an expectation of 'right of reply'. This means that where a story is written about the Council, the Council must be given the opportunity to put forward its position. Right of reply can be exercised through a response to a media enquiry, in a media interview with a council spokesperson or, in some cases, a journalist's factual record of a meeting, for example a Full Council meeting, may be considered as having given sufficient right of reply to the organisation.

Consistency and quality of message

The Council is a large and complex organisation, operating in a very complicated environment; an environment which sometimes has many conflicting voices. It is important that the organisation's public messages are as transparent, simple and consistent as possible, delivered with clarity despite these complexities. This means that messages to the general public should be coordinated through the communications and media team, with all appropriate approvals in place prior to publication.

Spokespersons

A spokesperson is the named individual who is quoted in a media release or statement, and/or is put up for press, online, radio or TV interview.

It is essential that, where speaking on behalf of the organisation as a whole, spokespersons have the authority to speak on behalf of the organisation and are well-informed with regard to the facts and the council's position on the matter in question.

Portfolio holder

The default spokesperson for any media release or statement is the portfolio holder. They have strategic responsibility for the policy and strategic direction of the organisation. They are the organisation's figurehead for matters within their portfolio.

Leader and Deputy Leader of the council

The council leader or deputy leader will be put forward for interview where there are significant issues that affect the council as a whole or that cut across several portfolio areas. Where the leader or deputy leader is not available, he/she may nominate a senior officer, such as the chief executive, to take his/her place.

Committee chairs

Where the subject matter has specifically to do with the work of a particular council committee, for example, Overview and Scrutiny, Audit and Governance etc., then the chair of that committee may be quoted – this would in be agreement with and in addition to the portfolio holder responsible for that area of the council's work.

Champions and deputy cabinet members

Where a deputy cabinet member has been appointed, they may be quoted in the absence of, and/or, with the agreement of, the cabinet member. In addition, a number of member

champions have been appointed – they may be quoted with the agreement of the cabinet member.

Ward members

Where a story is particularly relevant to a specific ward, or is the result of direct work by ward member(s) in that ward, ward members may be quoted, in agreement with and in addition to the portfolio holder responsible for that area of the council's work.

Senior manager

In some cases, for example where a statement is concerned a purely operational matter, such as a staffing matter, it may, with the agreement of the portfolio holder and chief executive, be appropriate for a senior officer to be named spokesperson.

'A council spokesperson'

In exceptional circumstances, for example, when working under particular time pressures and the default spokespersons are for whatever reason unavailable, quotes in media releases / statements may be attributed to 'a council spokesperson'. This can only apply where the council's position on an issue is clearly established.

This should only be used in exceptional circumstances. It is important that, wherever possible, quotes are attributed to a named, identifiable and accountable individual.

Approval process

It is essential that all public statements and releases are approved by officers and members of the council with appropriate authority.

Releases and statements will be signed off by:

- Communications and media team
- Head of Service /Director
- Executive Director
- Portfolio Holder

Releases and statements will be shared with Chief Executive, Leader of the Council and Deputy Leader of the Council prior to distribution.

Where the matters concerned are over-arching, or are deemed of sufficient importance or impact, approval may also be sought from Chief Executive, Leader of the Council and Deputy Leader of the Council prior to distribution.

Distribution and Publication

Media releases and information bulletins

Many of the council's media releases and information bulletins will be intended for a general, local, public audience. In these cases the distribution of releases will be as follows:

1. Internal stakeholders
2. Publication on website
3. Social media
4. Direct email to local media distribution list

On other occasions, media releases may have a particular audience in mind. In such cases, the distribution of releases will be as follows:

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1. Internal stakeholders
2. Publication on website
3. Social media – this may be targeted
4. Direct email to specialist / targeted media distribution list
5. OPTIONAL - Direct email to local media distribution list

Media statements

Media statements are used in response to specific media enquires and therefore are not for general publication. Distribution of statements will be as follows:

1. Internal stakeholders
2. Direct email to enquiring journalist(s)

In exceptional circumstances, the decision may be taken to publish a specific media statement on the Cheshire East Council website and/or shared on social media. However, this would only be the case where there was a requirement to correct significant misinformation / disinformation or misunderstanding and the statement gave sufficient context to make sense in its own right. In many cases, due to the responsive nature of a statement, statements do not, in their own right, give sufficient context to be published for general, universal consumption without additional information.

Conclusion

This media relations protocol will enable efficient and responsible public communications activity, ensuring that the organisation's public communications are approved by those officers and members with appropriate authority and that it is clear which individual officers and members are empowered to speak on behalf of the organisation.

Contact details

Email: media@cheshireeast.gov.uk

Telephone: 01270 686577

Web: www.cheshireeast.gov.uk/media

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FORWARD PLAN FOR THE PERIOD ENDING 30TH APRIL 2020

This Plan sets out the key decisions which the Executive expects to take over the period indicated above. The Plan is rolled forward every month. A key decision is defined in the Council's Constitution as:

“an executive decision which is likely –

- (a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising one or more wards or electoral divisions in the area of the local authority.

For the purpose of the above, savings or expenditure are “significant” if they are equal to or greater than £1M.”

Reports relevant to key decisions, and any listed background documents, may be viewed at any of the Council's Offices/Information Centres 5 days before the decision is to be made. Copies of, or extracts from, these documents may be obtained on the payment of a reasonable fee from the following address:

Democratic Services Team
Cheshire East Council
c/o Westfields, Middlewich Road, Sandbach Cheshire CW11 1HZ
Telephone: 01270 686472

However, it is not possible to make available for viewing or to supply copies of reports or documents the publication of which is restricted due to confidentiality of the information contained.

A record of each key decision is published within 6 days of it having been made. This is open for public inspection on the Council's Website, at Council Information Centres and at Council Offices.

This Forward Plan also provides notice that the Cabinet, or a Portfolio Holder, may decide to take a decision in private, that is, with the public and press excluded from the meeting. In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, 28 clear days' notice must be given of any decision to be taken in private by the Cabinet or a Portfolio Holder, with provision for the public to make representations as to why the decision should be taken in public. In such cases, Members of the Council and the public may make representations in writing to the Democratic Services Team Manager using the contact details below. A further notice of intention to hold the meeting in private must then be published 5 clear days before the

meeting, setting out any representations received about why the meeting should be held in public, together with a response from the Leader and the Cabinet.

The list of decisions in this Forward Plan indicates whether a decision is to be taken in private, with the reason category for the decision being taken in private being drawn from the list overleaf:

1. Information relating to an individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including to authority holding that information)
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority
5. Information in respect of which a claim to legal and professional privilege could be maintained in legal proceedings
6. Information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

If you would like to make representations about any decision to be conducted in private at a meeting, please email:

Paul Mountford, Executive Democratic Services Officer
paul.mountford@cheshireeast.gov.uk

Such representations must be received at least 10 clear working days before the date of the Cabinet or Portfolio Holder meeting concerned.

Where it has not been possible to meet the 28 clear day rule for publication of notice of a key decision or intention to meet in private, the relevant notices will be published as soon as possible in accordance with the requirements of the Constitution.

The law and the Council's Constitution provide for urgent key decisions to be made. Any decision made in this way will be published in the same way.

Forward Plan

Key Decision and Private Non-Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 18/19-65 SMDA Infrastructure Procurement Strategy	<p>In accordance with the authority delegated by Cabinet to the Executive Director of Place on 8th May 2018:</p> <p>To procure the infrastructure, utilities and ground stabilisation works at South Macclesfield Development Area; to enter into any contracts or agreements required under the SCAPE Civil Engineering and Infrastructure Framework; and to utilise an NEC ECC Type C construction contract with Early Contractor Involvement.</p>	Executive Director Place	Not before 12th Jun 2019			N/A

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 18/19-66 SMDA Infrastructure and Funding Agreement	<p>In accordance with the authority delegated by Cabinet to the Executive Director of Place on 8th May 2018:</p> <p>To enter into a funding agreement (infrastructure agreement) with the principal landowner in respect of the Council's landholding at South Macclesfield Development Area.</p>	Executive Director Place	Not before 12th Jun 2019			Partly exempt by virtue of paras 3 and 5.

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 18/19-69 Acquisition of the Willows, Macclesfield	<p>In accordance with Chapter 2, Part 6, Paragraph 52 of the constitution of Cheshire East Borough Council dated 12th February 2019:</p> <p>To approve the acquisition of the property known as The Willows, Macclesfield, Cheshire SK11 8LF and to instruct the Council's Legal Officers to proceed to legal completion of the purchase and any related legal documentation on terms and conditions to be determined by the Assets Manager and the Director of Governance and Compliance.</p>	Executive Director Place	Not before 19th Jun 2019			Fully exempt under para 3
CE 19/20-6 Care4CE	In connection with a strategic review of Care4CE, to seek approval to establish a wholly-owned community interest company (CiC), and to introduce new terms and conditions for new staff in the Single Legal Entity (SLE).	Cabinet	3 Dec 2019			Fully exempt - para 3

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 19/20-26 Best4Business Update	To approve the revised Best4Business programme plan and associated budget impact.	Cabinet	3 Dec 2019			Part exempt - para 3
CE 19/20-27 Selective Licensing	To authorise officers to progress a two-staged approach to the implementation of a Selective Licensing scheme.	Cabinet	3 Dec 2019		Karen Carsberg, Strategic Housing and Intelligence Manager	N/A
CE 19/20-18 Review of Council Tax Support Scheme for 2020/21	To approve the Council Tax Support Scheme for 2020/21.	Council	19 Dec 2019		Liz Rimmer	N/A
CE 19/20-19 Supplementary Planning Document - Brooks Lane (Middlewich) Development Framework (Masterplan)	To consider representations received to the draft Brooks Lane (Middlewich) Development Framework (Masterplan) public consultation held in January and February 2019; subject to that, to approve the publication of the document as a Supplementary Planning Document.	Portfolio Holder for Planning	January 2020		Jeremy Owens	N/A

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 19/20-29 Revenues and Benefits Printing and Postal Service	To authorise offices to take all necessary actions to implement a contractual arrangement to facilitate the procurement and award of a contract for a printing and postal service to support the Revenues and Benefits billing functions.	Cabinet	14 Jan 2020		Paul Manning	N/A
CE 19/20-33 Control of Bovine TB on Council Land	To consider the actions required to manage Bovine TB on Council land.	Cabinet	14 Jan 2020		Andy Kehoe, Head of Assets and Regeneration	Part exempt - paras 3 & 5
CE 18/19-60 The Minerals and Waste Development Plan	To seek approval to consult on the first draft of the Minerals and Waste Development Plan.	Portfolio Holder for Planning	January 2020		David Malcolm	N/A

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 19/20-17 Well-Managed Highway Infrastructure	To seek authority for the Executive Director Place, in consultation with the Portfolio Holder for Highways and Waste, to approve amendments to the Council's Highway Inspection Code of Practice and Adverse Weather Plan to ensure that they accord with the document ' Well-Managed Highway Infrastructure'.	Cabinet	4 Feb 2020		Paul Traynor	N/A
CE 19/20-28 Congleton Household Waste Recycling Centre	To consider proposals for household waste recycling provision.	Cabinet	4 Feb 2020		Ralph Kemp, Corporate Manager for Commissioning	Fully exempt - para 3
CE 19/20-30 A500 Dualling - Acquisition of Land	To authorise compulsory purchase powers for the acquisition of land and rights required for the construction of the scheme.	Cabinet	4 Feb 2020		Chris Hindle	N/A

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 19/20-37 ASDV Programme Review and 2020 Business Plan Endorsement	To consider a report of the ASDV Shareholder Committee on its strategic review of the 2020 business plans for Orbitas Bereavement Services Ltd., Transport Service Solutions Ltd. and ANSA Environmental Services Ltd.	Cabinet	4 Feb 2020		Vicki Godfrey	Fully exempt - para 3
CE 19/20-39 Staff Pay, Terms and Conditions	To consider a report on staff pay, terms and conditions.	Cabinet	4 Feb 2020		Sara Barker, Head of HR	Fully exempt - para 4
CE 18/19-68 Medium Term Financial Strategy 2020- 24	To approve the Medium Term Financial Strategy for 2020-24, incorporating the Council's priorities, budget, policy proposals and capital programme. The report will also include the capital, treasury management, investment and reserves strategies.	Council	20 Feb 2020		Alex Thompson, Director of Financial and Customer Services	N/A
CE 19/20-21 Site Allocations and Development Policies Document	To seek approval to submit the Publication Draft Cheshire East Site Allocations and Development Policies Document, along with its supporting evidence, for public examination.	Council	20 Feb 2020		Jeremy Owens	N/A

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 18/19-54 Crewe Station Hub Area Action Plan - Publication Draft Plan	To seek approval for a further six week consultation period on the Crewe Station Hub Area Action Plan.	Cabinet	10 Mar 2020		David Malcolm	N/A
CE 19/20-20 Highway and Infrastructure Schemes up to £5M in Value	To seek approval to deliver a number of highway and infrastructure schemes valued between £1M and £5M and to authorise the officers to take all necessary actions to implement the schemes.	Cabinet	10 Mar 2020		Paul Davies	N/A
CE 19/20-23 Crewe Hub Station - Project Development Output, Strategic Outline Business Case and Evidence Base	To approve the outputs of the Crewe Hub Station solutions stage project development work, approve the strategic outline business case for the enhanced Crewe Hub Station and its supporting evidence base and funding and financing strategy, progress the Hub station design to detailed design, and seek necessary Government commitments on funding.	Cabinet	10 Mar 2020		Hayley Kirkham	N/A

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 19/20-24 Municipal Waste Management Strategy 5 Year Review	To consider the updated waste strategy and authorise officers to undertake consultation and, subject to the outcome of that consultation, any necessary actions to implement the strategy.	Cabinet	10 Mar 2020		Paul Bayley	N/A
CE 19/20-34 North West Crewe Package Infrastructure Agreement	To seek authority to enter into an infrastructure delivery agreement and other necessary legal arrangements.	Cabinet	10 Mar 2020		Chris Hindle	N/A
CE 19/20-35 North West Crewe Package - Land Assembly	To seek authority to implement compulsory purchase order powers following further detail to allow the Council to make a fully informed decision and give proper consideration to the use of CPO powers.	Cabinet	10 Mar 2020		Chris Hindle	N/A

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 19/20-38 Alliance Environmental Services Ltd. - Final Phase (3)	To approve the expansion of Alliance Environmental Services to include the delivery of street cleansing and horticultural and associated services on behalf of Staffordshire Moorlands District Council and High Peak Borough Council.	Cabinet	10 Mar 2020			Part exempt - para 3
CE 19/20-25 Cheshire East Carbon Action Plan	To receive the draft Carbon Strategy for the Council to achieve its carbon neutral aims by 2025 and to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint; and to authorise officers to undertake consultation and revise the strategy prior to its adoption and implementation.	Cabinet	7 Apr 2020		Ralph Kemp, Corporate Manager for Commissioning	N/A

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 19/20-31 Proposed Expansion of Wilmslow High School	To seek approval for the proposed expansion of Wilmslow High School from 300 places year groups 7-11 to 360 places per year group for implementation from September 2022, having given due consideration to the response to the statutory proposal notice.	Cabinet	7 Apr 2020		Val Simons	N/A
CE 19/20-32 Environment Strategy	To seek approval of the Environment Strategy following public consultation, and to delegate authority to the Portfolio Holder for Environment and Regeneration to make any further revisions to the Strategy.	Cabinet	7 Apr 2020		Paul Bayley	N/A
CE 19/20-36 Middlewich Eastern Bypass - CPO Powers to Acquire Revised Land for the Scheme	To authorise the use of compulsory purchase powers to acquire the land and rights required for the construction of the scheme, reflecting the revised land requirement that has now been established.	Cabinet	7 Apr 2020		Chris Hindle	N/A

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Working for a brighter future together

Corporate Overview and Scrutiny Committee

Date of Meeting: 09 January 2020

Report Title: Work Programme

Senior Officer: Jane Burns, Executive Director of Corporate Services

1. Report Summary

- 1.1. To review items in the work programme listed in the schedule attached, together with any other items suggested by committee members.

2. Recommendation

- 2.1. That the work programme be reviewed and amended as required.

3. Reason for Recommendation

- 3.1. It is good practice to regularly review the work programme and update it as required.

4. Background

- 4.1. The committee has responsibility for updating and approving its own work programme. Scrutiny liaison meetings – held between the Chairman and Vice-Chairman of the committee, alongside the portfolio holders and key senior officers – ensure that there is continued awareness and discussion of upcoming policies, strategies and decisions within the committee's remit area.

5. Determining Which Items Should be Added to the Work Programme

- 5.1. When selecting potential topics, members should have regard to the Council's three year plan and to the criteria listed below, which should be considered to determine whether scrutiny activity is appropriate.
- 5.2. The following questions should be considered by the committee when determining whether to add new work programme items, or delete existing items:

- Does the issue fall within a corporate priority?
 - Is the issue of key interest to the public?
 - Does the matter relate to a poor or declining performing service for which there is no obvious explanation?
 - Is there a pattern of budgetary overspends or underspends?
 - Is it a matter raised by external audit management letters and or audit reports?
 - Is there a high level of dissatisfaction with the service?
- 5.3. The committee should not add any items to its work programme (and should delete any existing items) that fall under any one of the following:
- The topic is already being addressed elsewhere by another body (i.e. this committee would be duplicating work)
 - The matter is sub-judice
 - Scrutiny would not add value to the matter
 - The committee is unlikely to be able to conclude an investigation within a specified or required timescale

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1. There are no direct legal implications.

6.2. Finance Implications

6.2.1. There are no direct financial implications.

6.3. Policy Implications

6.3.1. There are no direct policy implications.

6.4. Equality Implications

6.4.1. There are no direct equalities implications.

6.5. Human Resources Implications

6.5.1. There are no direct human resources implications.

6.6. Risk Management Implications

6.6.1. There are no direct 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/Cared for Children

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

6.9. Public Health Implications

6.9.1. There are no direct implications for public health.

6.10. Climate Change Implications

6.10.1. There are no direct implications for the environment and climate change.

7. Ward Members Affected

7.1. All members are potentially affected.

8. Access to Information

8.1. The background papers can be inspected by contacting the report author.

9. Contact Information

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

Name: Katie Small

Email: katie.small@cheshireeast.gov.uk

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Date: 09.01.20 Time: 2.00pm Venue: Committee suite, Westfields	Date: 03.02.20 Time: 2.00pm Venue: Committee suite, Westfields	Date: 02.04.20 Time: 2.00pm Venue: Committee suite, Westfields
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<u>Item</u>	<u>Purpose</u>	<u>Lead Officer</u>	<u>Portfolios</u>	<u>Suggested by</u>	<u>Scrutiny role</u>	<u>Corporate priorities</u>	<u>Date</u>
ORACLE (Best4Business)	To monitor the work of the joint working group with Cheshire West and Chester Council.	Executive Director of Corporate Services	Finance and Communications	Portfolio Holder	Monitor the development and progress of the project	Cheshire East has a strong and resilient economy	Every meeting starting on 05.06.19
Overview of Pre-Budget Consultation Scrutiny	To review the comments and feedback from the other three overview and scrutiny committees on the Pre-Budget 2020/21 Consultation, and provide overarching feedback to Cabinet on behalf of the overview and scrutiny committees.	Director of Finance and Customer Services (s.151 Officer)	All	Committee	Pre-decision scrutiny	A responsible effective and efficient organisation	09.01.20
Review of Council's Governance Structure	To review the financial implications of the Council potentially moving to a committee system.	Acting Chief Executive	Public Health and Corporate Services	Chairman	Performance Monitoring	A responsible effective and efficient organisation.	09.01.20

<u>Item</u>	<u>Purpose</u>	<u>Lead Officer</u>	<u>Portfolios</u>	<u>Suggested by</u>	<u>Scrutiny role</u>	<u>Corporate priorities</u>	<u>Date</u>
ASDV Update	There had been a review on alternative service delivery vehicles (ASDVs) to monitor the effectiveness of the new shareholders Committee. Update in 6 months' time to review progress.	Executive Director of Place and Acting Deputy Chief Executive	Finance and Communications	Chairman	To review progress	A responsible effective and efficient organisation.	09.01.20
Communications Protocol	To review the Council's current communications protocols.	Executive Director of Corporate Services	Finance and Communications	Committee	Review the current protocols and arrangements and make recommendations for improvements as necessary.	A responsible effective and efficient organisation	09.01.20
Performance Scorecard - Quarter 3 2019/20	To scrutinise the three quarter year review of performance.	Executive Director of Corporate Services	Adult Social Care and Integration Health Corporate Policy and Legal Services Finance, IT and	Committee	Performance Monitoring	A responsible effective and efficient organisation.	03.02.20

<u>Item</u>	<u>Purpose</u>	<u>Lead Officer</u>	<u>Portfolios</u>	<u>Suggested by</u>	<u>Scrutiny role</u>	<u>Corporate priorities</u>	<u>Date</u>
			Communications Leader				
ICT Investment (IIP)	To scrutinise the joint ICT investment by Cheshire East and Cheshire West and Chester Councils.	Gareth Pawlett (Project Lead); Executive Director of Corporate Services	Finance, IT and Communications	CLT	Performance monitoring	A responsible effective and efficient organisation	03.02.20
Anti-social Behaviour Task and Finish Group	To consider the future planned arrangements for how anti-social behaviour cases will be dealt with, and monitor the performance of housing association partners (Peaks and Plains Housing Trust, Guinness Partnership, Plus Dane Housing).	Director of Commissioning	Adult Social Care and Integration	Referred by the Health and Adult Social Care and Communities OSC	Performance monitoring / policy development	Our local communities are strong and supportive.	03.02.20 (moved back from 09.01.20)
Update on Activity of Member Working Groups in 2019/20	To consider a report on the activity and performance of the Members' Enquiry Service, Member Technology and Development Panel and Members' Brighter Future Group.	Head of Democratic Services and Governance		Chairman	Performance monitoring	A responsible effective and efficient organisation	02.04.20

Possible Future Items/briefings notes

Review the Council's working arrangements with partners and other third parties specifically in relation to value for money.