

# Mayor Making Ceremony and Annual Council Meeting

## Agenda

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**Date:** Tuesday 4 May 2021

**Time:** 5.00 pm

**Venue:** Virtual Meeting

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### How to Watch the Meeting

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

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

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

#### **Mayor Making Ceremony**

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. **Election of Mayor 2021/22**

To elect a Mayor for 2021/22, who will also act as Chairman of the Council.

4. **Appointment of Deputy Mayor 2021/22**

To appoint a Deputy Mayor for 2021/22, who will also act as Vice-Chairman of the Council.

**Annual General Meeting**

5. **Minutes of Previous Meeting**

To approve as a correct record the minutes of the special meeting of Council held on 19 April 2021. *Minutes to follow*

6. **Election of the Leader of the Council** (Pages 3 - 6)

To elect a Leader of the Council.

7. **Appointment of Deputy Leader of the Council** (Pages 7 - 10)

To appoint a Deputy Leader of the Council.

8. **Political Representation on the Council's Committees** (Pages 11 - 14)

To determine the political representation on the Council's Committees and to appoint those Committees. *Appendix to be circulated separately.*

9. **Allocations of Chairs and Vice Chairs of Committees** (Pages 15 - 18)

To allocate the Chairs and Vice Chairs of the Council's committees.

10. **Appointments to the Adoption Panel and the Fostering Panel** (Pages 19 - 22)

To approve the appointments to the Adoption Panel and Fostering Panel.

11. **Appointments to the Cheshire Police and Crime Panel and the Cheshire Fire Authority** (Pages 23 - 26)

To make appointments to the Cheshire Police and Crime Panel and the Cheshire Fire Authority.



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## Council

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**Date of Meeting:** 4 May 2021

**Report Title:** Election of Leader of the Council

**Senior Officer:** Director of Governance and Compliance

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### 1. Report Summary

- 1.1 Council is required to elect a Leader of the Council for the municipal year 2021/22.

### 2. Recommendation

- 2.1. That Council elects a Leader of the Council for the municipal year 2021/22.

### 3. Background

- 3.1 The Annual Meeting of Council is required to appoint the Leader of the Council for the forthcoming municipal year.
- 3.2 The Councillor appointed will hold this office until:
  - (a) The next Annual Meeting of the Council; or
  - (b) The Leader resigns from the office; or
  - (c) The Leader is no longer a Councillor; or
  - (d) The Leader is removed from the office by resolution of the Council requiring a simple majority, in respect of which the motion has been fully set out in the agenda for the meeting.
- 3.3 The role of the Leader of the Council is not a formal legal role, but he or she is in practice the political head of the Council, and the Member with greatest responsibility for driving forward the broad policies of the Council.
- 3.4 The Council expects that the Leader will:

- be the political (rather than ceremonial) leader of the Council, for the benefit of all the Borough's communities - its citizens, taxpayers, businesses, public bodies and other public authorities;
- lead and work with the Council, particularly the Chairs of its Committees and Sub-Committees, in the development of the Council's vision for the future, policy framework, budgets and strategies;
- lead and work with the Council, particularly the Chairs of its Committees and Sub-Committees, in overseeing service delivery and the implementation of policies approved by the Council;
- represent and pursue the interests of the Council in the community and at international, national and regional levels;
- act as Chair of the Corporate Committee, fulfil the role of Leader at full Council meetings and carry out as necessary the other functions
- lead in providing policy direction and guidance to the Chief Executive and Chief Officers;
- meet regularly to progress the Council's objectives with Committee Chairs, the Chief Executive and Chief Officers, Leaders of other political groups on the Council, partner organisations, stakeholders, community representatives, government representatives, local Members of Parliament etc.

3.5 The Leader shall be recognised in the following ways: -

- Chairing Corporate Policy Committee: the Leader shall be appointed at the Council's Annual Meeting as Chair of the Council's Corporate Committee.
- Right to attend and speak at any meeting of a Committee or Sub-Committee of the Council, provided that he or she will only be entitled to vote if appointed as a voting member of that Committee or Sub-Committee.
- Duty to be available for Questions: permit any Member of the Council to ask questions of the Leader and Deputy Leader at full Council meetings.
- The establishment of policy direction and the Council's priorities and the facilitation of discussion thereon.
- To be principal ambassador for the Borough and the Council (recognising the role of the Mayor).
- To represent the Council on any external body, as considered appropriate, and to make decisions and vote on behalf of the Council at meetings of such bodies.
- Involvement in Major Emergencies: the Leader and Deputy Leader must be informed if an emergency is likely or has been declared

under the Council's emergency planning or business continuity procedures.

- To promote and uphold high standards of ethical conduct by Members and the Council's equalities policies.

#### **4. Implications of the Recommendations**

##### **4.1. Legal Implications**

4.1.1 As the Council operates a Committee system, the Leader has no formal legal powers and duties vested in him or her under the Local Government Act 1972 or the Local Government Act 2000.

4.1.2 However, in practice, all local authorities need to appoint a Leader and each Leader will hold the most significant elected Member role within the Council. The Council's Leader will be the political/elected head, the focus for policy direction and community development and the chief advocate and ambassador for the Borough.

##### **4.2. Finance Implications**

4.2.1. There are no direct financial implications, but Council will be asked to consider a report of the Independent Remuneration Panel on all proposed Member allowances.

##### **4.3. Policy Implications**

4.3.1. There are no direct policy implications.

##### **4.4. Equality Implications**

6.4.1 There are no direct implications for equality.

##### **4.5. Human Resources Implications**

4.5.1. There are no direct human resources implications.

##### **4.6. Risk Management Implications**

4.6.1. Failure to comply with legislation would leave the Council open to legal challenge.

##### **4.7. Rural Communities Implications**

4.7.1. There are no direct implications for rural communities.

**4.8. Implications for Children & Young People/Cared for Children**

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

**4.9. Public Health Implications**

4.9.1. There are no direct implications for public health.

**4.10. Climate Change Implications**

4.10.1. There are no implications relating to climate change.

**5. Ward Members Affected**

5.1. All

**6. Access to Information**

6.1. There are no background documents for this report.

**7. Contact Information**

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

Name: Brian Reed

Job Title: Head of Democratic Services and Governance

Email: [brian.reed@cheshireeast.gov.uk](mailto:brian.reed@cheshireeast.gov.uk)



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## Council

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**Date of Meeting:** 4 May 2021

**Report Title:** Appointment of Deputy Leader of the Council

**Senior Officer:** Director of Governance and Compliance

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### 1. Report Summary

- 1.1 Council is required to appoint a Deputy Leader of the Council for the municipal year 2021/22.

### 2. Recommendation

- 2.1. That Council appoints a Deputy Leader of the Council for the municipal year 2021/22.

### 3. Background

- 5.1 In order to facilitate our forthcoming committee system arrangements, the Annual General Meeting of the Council is required to appoint a Councillor to be the Deputy Leader of the Council for that municipal year
- 5.2 The Councillor appointed will hold this office until:
- (a) The next Annual Meeting of the Council; or
  - (b) The Deputy Leader resigns from the office; or
  - (c) The Deputy Leader is no longer a Councillor; or
  - (d) The Deputy Leader is removed from the office by resolution of the Council requiring a simple majority, in respect of which the motion has been fully set out in the agenda for the meeting.
- 5.3 The Deputy Leader may be appointed as the Vice Chairman of the Corporate Policy Committee of the Council.
- 5.4 The Deputy Leader is empowered to act in place of the Leader.

- 5.5 The Deputy Leader is empowered to represent the Council on any external body, as agreed with the Leader, and to make decisions and vote on behalf of the Council at meetings of such bodies.
- 5.6 Involvement in Major Emergencies: the Leader and Deputy Leader must be informed if an emergency is likely or has been declared under the Council's emergency planning or business continuity procedures.

#### **4. Implications of the Recommendations**

##### **4.1. Legal Implications**

- 6.1.1 When the Council operates a Committee system, the Deputy Leader has no formal legal powers and duties vested in him or her under the Local Government Act 1972 or the Local Government Act 2000.

##### **4.2. Finance Implications**

- 4.2.1. There are no direct financial implications. However, Council will separately consider a report of the Independent Remuneration Panel on Member allowances.

##### **4.3. Policy Implications**

- 4.3.1. There are no direct financial implications.

##### **4.4. Equality Implications**

- 6.4.1 There are no direct implications for equality.

##### **4.5. Human Resources Implications**

- 4.5.1. There are no direct financial implications.

##### **4.6. Risk Management Implications**

- 4.6.1. Failure to comply with legislation would leave the Council open to legal challenge.

##### **4.7. Rural Communities Implications**

- 4.7.1. There are no direct implications for rural communities.

##### **4.8. Implications for Children & Young People/Cared for Children**

- 4.8.1. There are no direct implications for children and young people.



**4.9. Public Health Implications**

4.9.1. There are no direct implications for public health.

**4.10. Climate Change Implications**

4.10.1. There are no implications relating to climate change.

**5. Ward Members Affected**

5.1. All

**6. Access to Information**

6.1. There are no background documents for this report.

**7. Contact Information**

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

Name: Brian Reed

Job Title: Head of Democratic Services and Governance

Email: [brian.reed@cheshireeast.gov.uk](mailto:brian.reed@cheshireeast.gov.uk)

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## Council

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**Date of Meeting:** 4 May 2021

**Report Title:** Political Representation on the Council's Committees

**Senior Officer:** Executive Director Corporate Services

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### 1. Report Summary

- 1.1. The law requires that each relevant Council decision making body must be politically balanced, as far as is reasonably practicable, and that there is an appropriate total balance of Committee seats across the political structure of the Council as a whole.
- 1.2. This report addresses the recent joining of the Independent Group of a previously non-grouped independent Councillor.

### 2. Recommendations

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

### 3. Background

- 3.1. The Appendix sets out the political representation on committees, this being based on the political structure of the Council as a whole.
- 3.2. The proportionalities in the Appendix have been arrived at by the following methods and conventions:
  - applying the relevant percentage to each body
  - rounding up from 0.5 and above, and rounding down below 0.5
  - where rounding up would result in more than one political Group receiving an additional seat, and the total allocation of seats exceeding what is required, the Group having the lowest residual entitlement will not receive an additional seat

- where the required number of members for a decision making body cannot be achieved using the above methods and calculations, the political group having the largest residual entitlement for that body will be entitled to be awarded the additional place (e.g. if one group is entitled to 4.25 places, and another group is entitled to 1.48 places, the first group will be awarded 4 places on the body in question, and the second group will be awarded 2 places)
- where two or more political Groups have an identical residual percentage, the agreement of one Group to sacrifice a seat will be observed. Alternatively, the matter will be resolved by the toss of a coin.

#### **4. Implications of the Recommendations**

##### **4.1. Legal Implications**

- 4.1.1. The Local Government (Committees and Political Groups) Regulations 1990, made pursuant to the Local Government and Housing Act 1989, make provisions in respect of the political group representation on a local authority's committees in relation to the overall political composition of the Council. The legislation applies to overview and scrutiny committees and the decision-making committees and sub committees of the Council.
- 4.1.2. The legislation requires that, where proportionality applies, and seats are allocated to different political groups, the authority must abide by the following principles, so far as is reasonably practicable:
  - 4.1.2.1. Not all of the seats can be allocated to the same political Group (i.e. there are no single group committees).
  - 4.1.2.2. The majority of the seats on the body are to be allocated to a political Group with a majority membership of the authority.
  - 4.1.2.3. The total number of seats on all ordinary committees and sub committees allocated to each Political Group bears the same proportion to the proportion on the full Council.
  - 4.1.2.4. The number of seats on each ordinary committee allocated to each Political Group bears the same proportion to the proportion on full Council.
- 4.1.3 The proposals contained in this report meet the requirements of the legislation.

4.1.4 The 1990 Regulations require Political Group Leaders to notify the Proper Officer of the Groups' nominations to the bodies in question.

**4.2. Finance Implications**

4.2.1. There are no direct finance implications.

**4.3. Policy Implications**

4.3.1. There are no direct implications for policy.

**4.4. Equality Implications**

4.4.1. There are no direct implications for equality.

**4.5. Human Resources Implications**

4.5.1. There are no direct human resource implications.

**4.6. Risk Management Implications**

4.6.1. Failure to comply with the Act and Regulations when appointing its committee memberships would leave the Council open to legal challenge.

**4.7. Rural Communities Implications**

4.7.1. There are no direct implications for rural communities.

**4.8. Implications for Children & Young People/Cared for Children**

4.8.1. There are no direct implications for children and young people/Cared for Children.

**4.9. Public Health Implications**

4.9.1. There are no direct implications for public health.

**6.10 Climate Change Implications**

6.10.1. There are no direct climate change implications.

**5. Ward Members Affected**

5.1. All ward members

**6. Access to Information**

6.1. The background papers relating to this report can be inspected by contacting the report writer.

## 7. Contact Information

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

Name: Brian Reed

Job Title: Head Democratic Services and of Governance

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## **Council**

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**Date of Meeting:** 4 May 2021

**Report Title:** Allocations of the Office of Chairman and Vice Chairman

**Senior Officer:** Director of Governance and Compliance

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### **1. Report Summary**

- 1.1. To allocate Chairmanships and Vice-Chairmanships of the Council's committees and other bodies to the Council's political Groups, and to agree the nominations to such offices.

### **2. Recommendation**

- 2.1. That the office of Chairman and Vice-Chairman be allocated to the political Groups of each of the Council's decision-making and other bodies, as indicated in the report and as shown in the Appendix to the previous agenda item, and to agree the nominations to such offices.

### **3. Reasons for Recommendations**

- 3.1. To allocate the Chairmen and Vice-Chairmen of the Council's decision making and other bodies to the Council's political Groups.

### **4. Other Options Considered**

- 4.1. Not applicable.

### **5. Background**

#### **Allocation of Chairmanships and Vice-Chairmanships under the Council's Political Structure for the Municipal Year 2021/22**

- 5.1. In readiness for the forthcoming Municipal Year, there is a requirement that the Chairmanships and Vice-Chairmanships of each of the Council's decision-making committee be allocated to the political Groups and that the chairs be nominated.
- 5.2. The new service committees, and Finance Sub Committee must have a chair and vice chair, as does the new overview and scrutiny committee.

- 5.3. The Appendix to the previous agenda item will indicate the proposed allocation of Chairmanships and Vice-Chairmanships to political Groups for each listed body. The Appendix will indicate “C” for Chairman and “VC” for Vice-Chairman.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

- 6.1.1. The Annual Meeting of the Council appoints the Council’s decision-making and other bodies. It also determines the allocation of Chairmanships and Vice-Chairmanships of these bodies.

### **6.2. Finance Implications**

- 6.2.1. Certain of the listed Chairmanships and Vice-chairmanships attract a Special Responsibility Allowance, in accordance with the Council’s Members’ Allowances Scheme.

### **6.3. Policy Implications**

- 6.3.1. There are no direct implications for policy.

### **6.4. Equality Implications**

- 6.4.1. There are no direct implications for equality.

### **6.5. Human Resources Implications**

- 6.5.1. There are no direct implications for Human Resources.

### **6.6. Risk Management Implications**

- 6.6.1. Failure to comply with the requirements of the Constitution would leave the Council open to legal challenge.

### **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/Cared for Children.

### **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 implications relating to climate change.

**7. Ward Members Affected**

7.1. All Ward Members.

**8. Access to Information**

8.1. The background papers relating to this report 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: Brian Reed

Job Title: Head of Democratic Services and Governance

Email: [brian.reed@cheshireeast.gov](mailto:brian.reed@cheshireeast.gov).

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## **Council**

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**Date of Meeting:** 4 May 2021

**Report Title:** Appointments to the Adoption Panel and Fostering Panel

**Senior Officer:** Director of Governance and Compliance

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### **1. Report Summary**

- 1.1. The report invites Council to approve a number of appointments to Statutory Panels which do not fall within the definition of "Committee" for the purposes of legislation.

### **2. Recommendation/s**

- 2.1. Council is asked to appoint:-
- (a) one Councillor to the Adoption Panel; and
  - (b) one Councillor to the Fostering Panel.

### **3. Reasons for Recommendation/s**

- 3.1. These bodies carry out statutory functions and appointments are needed to ensure that the Council meets its obligations.

### **4. Other Options Considered**

- 4.1. Not applicable.

### **5. Background**

- 5.1. As there are some organisations which do not fall within the category of being "outside organisations", the members of which being appointed by other means, the Council needs to make such appointments as part of the annual Committee appointment process. The organisations are Statutory Panels which do not fall within the definition of "Committee." These are:-

- Adoption Panel
- Fostering Panel

### **Adoption Panel**

- 5.2. The Panel considers the suitability of anyone who applies to become an adopter, and whether or not to recommend that they are suitable to adopt; and also considers the placement of any child with a particular adopter. The Elected Member is a full member of the Panel and is defined as an 'independent panel member' by the Independent Review of Determinations (amendments) 2011. Under the performance objectives of the Panel, each member is asked to attend 75% of the meetings, which are currently held 6 weekly. In addition, each member is asked to attend any training events and induction events that are held at least annually and also to undergo an annual appraisal.
- 5.3. The role of the Adoption Panel and the appointment of Elected Members are governed by the Adoption Agency Regulations 2005 and the Adoption Agencies and Independent Review of Determinations (amendments) 2011, Adoption and Children Act 2002.
- 5.4. The Adoption Panel is made up of a central list and comprises of the following:
- Chair
  - Medical Advisor
  - Agency Members
  - Social Workers (2)
  - Elected Members (1)
  - Independent Members (3)
  - Additional Members (2)

Councillor B Puddicombe served on the Adoption Panel during the 2020/21 municipal year.

### **Fostering Panel**

- 5.5. The establishment of fostering panels is laid down by the Fostering Service (England) Regulations 2011. Regulation 23(1) requires the fostering service to provide a central list of persons considered to be suitable members of the Panel, similar to the Adoption Panel.
- 5.5 The Fostering Panel makes timely and appropriate recommendations in line with the overriding objective to promote the welfare of children in foster care. The Panel considers and advises on the suitability of persons who apply to be foster carers for children who are "cared for" by the local authority. It states what its recommendations are in respect of a particular

child or children and clarifies whether the prospective carers matching considerations are to be for certain ages or categories of children.

- 5.6 It considers the continuing approval of foster carers following their annual carer's review or other significant changes in their circumstances and advices on any other matters relating to the fostering service.
- 5.7 Councillor Carol Bulman was nominated to the Adoption Panel in October 2020.
- 5.9 As with the Adoption Panel, the Fostering Panel is administered by Cheshire East Children's Services, and as such, is not an outside organisation.

## **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 implications for finance.

### **6.3. Policy Implications**

6.3.1. There are no direct implications for policy.

### **6.4. Equality Implications**

6.4.1. There are no direct implications for equality.

### **6.5. Human Resources Implications**

6.5.1. There are no direct implications for Human Resources.

### **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/Cared for Children.

**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 implications relating to climate change.

**7. Ward Members Affected**

7.1. All Ward Members.

**8. Access to Information**

8.1. The background papers relating to this report 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: Brian Reed

Job Title: Head of Democratic Services and Governance.

Email: [brian.reed@cheshireeast.gov.uk](mailto:brian.reed@cheshireeast.gov.uk)



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## Council

---

**Date of Meeting:** 4 May 2021

**Report Title:** Appointments to the Cheshire Police and Crime Panel and the Cheshire Fire Authority

**Senior Officer:** Director of Governance and Compliance

---

### 1. Report Summary

- 1.1. The report invites Council to make appointments to the Cheshire Police and Crime Panel and the Cheshire Fire Authority.

### 2. Recommendations

- 2.1. Council is asked to appoint:-
- (a) three Councillors and a nominated substitute to the Cheshire Police and Crime Panel;
  - (b) eight Councillors to Cheshire Fire Authority

### 3. Reasons for Recommendation/s

- 3.1. These bodies carry out statutory functions and appointments are needed to ensure that the Council meets its obligations.

### 4. Other Options Considered

- 4.1. Not applicable.

### 5. Background

#### Cheshire Police and Crime Panel

- 5.1. In accordance with Section 28 of the Police Reform and Social Responsibility Act 2011, each Police area must establish a Police and Crime Panel.

- 5.2. The Cheshire Police and Crime Panel comprises 10 Councillors appointed by the constituent Councils and the allocation of seats to Cheshire East Council is three. The Council is also requested to nominate a substitute Member.
- 5.3. The members for the 2020/21 municipal year were Councillors JP Findlow, L Jeuda and M Warren, together with Councillor D Murphy as the nominated substitute.

### **Cheshire Fire Authority**

- 5.4. The Cheshire Fire Authority is the Combined Fire Authority of Cheshire West and Chester, Cheshire East, Halton and Warrington Councils and it has a membership of 23: -
- Halton – 3 members  
Warrington – 4 members  
Cheshire West and Chester – 8 members  
Cheshire East – 8 members
- 5.5 The members for the 2020/21 municipal year were Councillors R Bailey, M Beanland, D Brown, D Edwardes, M Houston, N Mannion, J Nicholas and J Parry.

## **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 implications for finance.

### **6.3. Policy Implications**

- 6.3.1. There are no direct implications for policy.

### **6.4. Equality Implications**

- 6.4.1. There are no direct implications for equality.

### **6.5. Human Resources Implications**

- 6.5.1. There are no direct implications for Human Resources.

### **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/Care for Children.

**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 implications relating to climate change.

**7. Ward Members Affected**

7.1. All Ward Members.

**8. Access to Information**

8.1. The background papers relating to this report 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: Brian Reed

Job Title: Head of Democratic Services and Governance

Email: [brian.reed@cheshireeast.gov.uk](mailto:brian.reed@cheshireeast.gov.uk)

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