

Cabinet Agenda

Date: Tuesday, 6th October, 2020

Time: 1.00 pm

Venue: Virtual Meeting

For anybody wishing to view the meeting please click on the link below:

[Join live event](#)

Or dial in via telephone: 141 020 3321 5200 and input Conference ID:
617 342 737# when prompted.

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

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

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

1. Apologies for Absence

2. Declarations of Interest

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

3. Public Speaking Time/Open Session - Virtual Meetings

In accordance with paragraph 3.33 of the Cabinet Procedure Rules, a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the Cabinet. Individual members of the public may speak for up to two minutes.

Please contact Paul Mountford, Executive Democratic Services Officer
Tel: 01270 686472
E-Mail: paul.mountford@cheshireeast.gov.uk

The Chairman or person presiding will have discretion to vary this requirement where he/she considers it appropriate.

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

4. **Questions to Cabinet Members - Virtual Meetings**

A period of 20 minutes is allocated for questions to be put to Cabinet Members by members of the Council. A maximum period of two minutes will be allowed for each member wishing to ask a question. The Chairman or person presiding will have discretion to vary this requirement where he/she considers it appropriate. Members wishing to ask a question at the meeting should register to do so in writing by not later than 4.00 pm on the Friday in the week preceding the meeting. Members should include the general topic their question will relate to and indicate if it relates to an item on the agenda. Questions must relate to the powers, duties or responsibilities of the Cabinet. Questions put to Cabinet Members must relate to their portfolio responsibilities.

Where a question relates to a matter which appears on the agenda, the Chairman may allow the question to be asked at the beginning of consideration of that item.

5. **Minutes of Previous Meeting** (Pages 5 - 14)

To approve the minutes of the meeting held on 8th September 2020.

6. **Covid-19 - Update on Response and Recovery** (Pages 15 - 38)

To consider a further update report on the Council's response to the Covid-19 pandemic.

7. **Mid-Year Review (FINANCE) 2020/21** (Pages 39 - 126)

To consider a report on the Mid-Year Review (FINANCE) 2020/21.

8. **Site Allocations and Development Policies Document - Revised Publication Draft** (Pages 127 - 194)

To consider a report on the Site Allocations and Development Policies Document – Revised Publication Draft.

9. **Section 19 Flood Investigation Report - July 2019 Flood Event** (Pages 195 - 278)

To consider a report which reviews the flood event in the catchments of Poynton Brook, River Dean, River Bollin, Harrop Brook and tributary of Todd Brook in July 2019.

10. **Spotlight Review on Children's Mental Health Services** (Pages 279 - 322)

To consider a report which introduces the findings, conclusions and recommendations made by the Children and Families Overview and Scrutiny Committee following its Spotlight Review on Children's Mental Health Services.

11. **Development of a Youth Facility in Crewe** (Pages 323 - 332)

To consider a report on a proposed youth facility in Crewe.

12. **Re-procurement of Case Management Systems: Adult's and Children's Social Care** (Pages 333 - 338)

To consider a report on the re-procurement of Case Management Systems: Adult's and Children's Social Care.

13. **Tenancy Strategy 2020** (Pages 339 - 368)

To consider a report on a revised draft tenancy strategy.

14. **Public Space Protection Orders (PSPOs) Consultation Results** (Pages 369 - 430)

To consider a report which seeks to extend the Public Space Protection Orders (PSPOs) made in October 2017, relating to Dog Fouling and Dog Control, and to transfer the legal status of the previous gating schemes that required a "Gating Order" across the Borough to a consolidating PSPO.

THERE ARE NO PART 2 ITEMS

Membership: Councillors C Browne (Vice-Chairman), S Corcoran (Chairman), L Crane, K Flavell, T Fox, L Jeuda, N Mannion, J Rhodes, A Stott and M Warren

This page is intentionally left blank

CHESHIRE EAST COUNCIL

Minutes of a virtual meeting of the **Cabinet**
held on Tuesday, 8th September, 2020

PRESENT

Councillor S Corcoran (Chairman)
Councillor C Browne (Vice-Chairman)

Councillors K Flavell, T Fox, L Jeuda, N Mannion, J Rhodes, A Stott and
M Warren

Councillors in attendance

Councillors Q Abel, S Akers Smith, M Beanland, M Benson, J Buckley,
C Bulman, J Clowes, B Evans, J P Findlow, S Gardiner, L Gilbert, P Groves,
S Hogben, M Houston, J Parry, S Pochin, B Puddicombe and M Simon

Officers in attendance

Lorraine O'Donnell, Chief Executive
Frank Jordan, Executive Director Place
Mark Palethorpe, Executive Director People
Jane Burns, Executive Director Corporate Services
Alex Thompson, Director of Finance and Customer Services
Asif Ibrahim, Acting Director of Governance and Compliance
Paul Mountford, Executive Democratic Services Officer
Brian Reed, Head of Democratic Services and Governance

Apologies

Councillor L Crane

The Leader announced that Councillor Marilyn Houston had been appointed Deputy Cabinet Member for Adult Social Care and Health. He stressed that the appointment had no additional cost implications for the Council. Councillor Houston thanked the Leader for appointing her to the position.

21 DECLARATIONS OF INTEREST

There were no declarations of interest.

22 PUBLIC SPEAKING TIME/OPEN SESSION - VIRTUAL MEETINGS

Brian Silvester, who was not present at the meeting, had submitted a question which was read out by the Portfolio Holder for Adult Social Care and Health regarding a proposed ban on walk-ins to A&E departments at local hospitals. The Portfolio Holder read out a reply from the Clinical Commissioning Groups that the proposal was intended to keep patients safe and maintain social distancing by asking them to call NHS 111 to book a time slot at an emergency department. The service would be fully in place by 1st December in line with the national roll-out. No patient would

be turned away if they presented themselves at an emergency department, but they would be provided with the most appropriate form of care.

Councillor Robert Douglas, Congleton Town Council, referred to the Council's reintroduction of car parking charges in Congleton following a failure by the Government to fully refund a shortfall in the Council's finances arising from Covid-related expenditure. He asked whether, if the Council was able to recover the shortfall from the Government, possibly through joint legal action with other councils, it would consider introducing two hours' free parking in Congleton to support local residents and businesses. The Deputy Leader replied that this would lead to lost income for the Council and that other towns across the Borough would make similar requests.

Sue Helliwell asked if a grant of £229,632 for the Local Bus Network had been spent. The Deputy Leader replied that the full amount of the grant had been spent supporting bus services operating throughout the lockdown, including a contribution to the 317 bus route serving Leighton Hospital.

Jo Dale, who was not present at the meeting, had submitted a question which was read out by the Deputy Leader regarding the Active Travel Scheme in Alsager and whether the local ward councillors had been consulted on the scheme prior to its implementation. The Deputy Leader responded that the three ward councillors had been consulted on the scheme by email on 4th August following which the consultation was opened up to wider stakeholders on 5th August. Following a period of feedback, a decision was taken on 14th August to proceed with the trial implementation of the scheme. Feedback would continue to be considered throughout the trial period.

23 QUESTIONS TO CABINET MEMBERS - VIRTUAL MEETINGS

Councillor S Akers Smith asked what assurances could be given that the Council would not take out the Active Travel emergency measures before there had been time to see if they were effective in helping people walk and cycle more. The Leader responded that the Council was listening to local people on the Active Travel Schemes and making changes where appropriate, and he encouraged residents to engage with the schemes.

Councillor M Benson asked how the decision had been taken to implement the new streamlined process for al fresco dining pavement licences and why the Licensing Committee had not been involved. The Leader responded that the decision had been taken under urgency provisions. He undertook to ask the Portfolio Holder for Highways and Waste to provide a written response. The Deputy Leader added that the timescale allowed for considering the licence applications meant that a meeting of the relevant committee could not be convened in time.

Councillor J Buckley asked about sink holes in Alsager, mainly on Crewe Road and Lawton Road, which she said were usually due to faults in the main sewer, and that United Utilities usually denied responsibility for them, with the Council having to take action itself. She asked if the Council could take action against United Utilities for wasting the Council's time. The Deputy Leader responded that Cheshire East Highways were in constant contact with all utility companies operating across Cheshire East. The Highway authority was responsible for addressing sink holes and making the road safe and for addressing the root cause, recharging the utility company where appropriate. Highways officers would be meeting United Utilities on 15th September to discuss the condition of the main sewer in Crewe Road, Alsager and agree an action plan.

Councillor J Clowes referred to a new Town and County Planning Order coming into force on 24th September as part of the preparations for leaving the EU, which provided for temporary planning permission for the use of land for the stationing of goods vehicles entering and leaving Great Britain. She asked which sites had been identified in Cheshire East for this purpose. The Leader responded that the Council had not been consulted by the Government prior to the making of the Order and he was concerned that it bypassed the normal planning process. He was still awaiting information from the Government on where the sites were likely to be.

Councillor L Gilbert referred to a Council policy which prevented new street lighting being provided in Manor Road, Holmes Chapel. The lack of street lighting discouraged active travel through the hours of darkness. He also referred to the fact that the parish council was unable to submit its tree planting programme for approval because there was a tree policy in development. The Leader encouraged the parish council to submit a proposal for street lighting in Manor Road through the Active Travel scheme. He also undertook to look into the matter of the Council's tree policy.

Councillor P Groves referred to the commissioning by the Council of Cushman and Wakefield to produce town centre vitality plans and sought confirmation that the forthcoming review would include a full and comprehensive review of car parking across the Borough. The Portfolio Holder for Environment and Regeneration responded that there would be consultation on car parking this autumn, the results of which would inform town centre recovery plans.

Councillor M Simon referred to vehicle engines idling outside schools which was not good for air quality, nor for the health of pupils, staff and local residents. She asked if a directive could be issued to schools for parents to be asked not to leave their engines running while waiting to pick up their children from school. The Portfolio Holders for Communities and for Children and Families agreed to consider a joint exercise to raise awareness of the issue in schools and with parents.

24 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 7th July 2020 be approved as a correct record.

25 COVID-19 - UPDATE ON RESPONSE AND RECOVERY

Cabinet considered an update on the work undertaken in response to the pandemic and on the work being undertaken to support the recovery from the pandemic.

The Chairman of the Corporate Overview and Scrutiny Committee, Councillor J Clowes, reported the comments of the Committee which had considered the report at its meeting on 3rd September 2020. In particular, the Committee had thanked the Council's staff for their work in responding to Covid, had welcomed the information on financial implications, and had recognised the need for more support for young people.

RESOLVED

That Cabinet

1. notes the issues outlined in the report;
2. notes the significant financial implications relating to COVID-19 as detailed in Section 7 and Appendix 1; and
3. will continue to lobby to press the Government to fund the total financial impact of the pandemic on Cheshire East Council.

26 BROOKS LANE (MIDDLEWICH) DEVELOPMENT FRAMEWORK SUPPLEMENTARY PLANNING DOCUMENT

Cabinet considered a report on the proposed adoption of the Brooks Lane (Middlewich) Development Framework as a Supplementary Planning Document.

The Strategic Planning Board, at its meeting on 26th August 2020, had recommended that Cabinet adopt the Brooks Lane (Middlewich) Development Framework (Masterplan) as a Supplementary Planning Document subject to any reference within the document to the provision of a circa 20-berth marina being amended to the provision of a marina for up to 50 berths. Councillor S Gardiner spoke on this matter as Vice-Chairman of the Strategic Planning Board.

The Portfolio Holder for Planning confirmed that the amendment recommended by the Strategic Planning Board could be accommodated within the Framework.

Councillor S Pochin, speaking as the Council's Business Champion, asked how many businesses currently located on the site might have to be relocated. She also asked about the sustainability of the development in terms of energy usage. Finally, she asked Cabinet to reconsider the proposed use of the site.

With regard to sustainability, the Leader responded that the Council needed Government rules to change to require developers to build to high environmental standards. The Portfolio Holder for Planning added that no businesses would be forced to relocate as a result of the allocation of this site or the adoption of the Supplementary Planning Document.

RESOLVED

That Cabinet

1. notes the views of Strategic Planning Board on the Brooks Lane (Middlewich) Development Framework Supplementary Planning Document;
2. notes the key issues raised in the responses received to the public consultation that took place between January and March 2020 and the corresponding modifications to the Brooks Lane (Middlewich) Development Framework Supplementary Planning Document as set out in the Report of Consultation (Appendix 1); and
3. having considered the consultation results and the views of the Strategic Planning Board, approves the Brooks Lane (Middlewich) Development Framework (Masterplan) as a Supplementary Planning Document, subject to any reference within the document to the provision of a circa 20-berth marina being amended to the provision of a marina for up to 50 berths.

27 DIGITAL CHESHIRE

Cabinet considered a report on a three-year programme of activity to enhance access to digital technology in Cheshire.

Councillor S Pochin, speaking as the Council's Business Champion, asked about the perceived risks to the project being completed in full, on time and within budget. The Portfolio Holder for Environment and Regeneration responded, outlining the approach the Council would be taking to ensure the successful completion of the project.

RESOLVED

That Cabinet

1. approves the establishment of the Digital Cheshire programme with Cheshire East Council acting as the Accountable Body and signatory to all contracts and funding agreements;
2. notes that the partners of Connecting Cheshire i.e. Cheshire West and Chester Council, Warrington Borough Council and Halton Borough Council similarly need to secure their own approvals for the acceptance of funding and to enter into the programme, the following recommendations and delegations being subject to all partners securing their necessary approvals;
3. delegates to the Executive Director Place, in consultation with the Portfolio Holder for Environment and Regeneration and the Director of Governance and Compliance, authority to accept an offer of European Regional Development Fund funding and to finalise the terms and conditions of the legal agreement between the Council and Ministry of Housing, Communities and Local Government in respect of the grant and the associated governance processes required;
4. delegates to the Executive Director Place, in consultation with the Director of Governance and Compliance, authority to finalise and enter into an infrastructure delivery contract (following due internal diligence and external State Aid approval processes) with an external supplier in order to deliver the physical broadband connectivity;
5. authorises the Executive Director Place, in consultation with the Director of Governance and Compliance, to enter into any necessary legal documentation to give effect to the above recommendations, including entering into an updated Collaboration Agreement between Cheshire East, Cheshire West and Chester, Warrington and Halton Borough Councils for the Digital Cheshire programme; and
6. authorises Officers to take all necessary actions to implement the above recommendations with particular reference to decision-making in relation to the Connecting Cheshire Partnership, the final programme scope and design of the Digital Cheshire programme, all grant and grant-related procurements and award of contracts, and the day-to-day management necessary to implement the programme.

28 REGIONAL ADOPTION AGENCY - ADOPTION COUNTS

Cabinet considered a report which sought approval to enter into an arrangement with the Regional Adoption Agency, Adoption Counts.

Councillor B Puddicombe spoke on this matter as the Council's representative on the Adoption Panel.

RESOLVED

That Cabinet

1. Agrees to enter into arrangements with the Regional Adoption Agency, Adoption Counts, to manage and deliver the Adoption Service for Cheshire East Council alongside Trafford, Stockport, Salford and Manchester local authorities, subject to completion of a TUPE consultation exercise and final agreement of the Integrated Services Agreement (ISA);
2. Authorises the Executive Director People, in consultation with the Portfolio Holder for Children and Families, to take all steps to finalise the arrangements following completion of the TUPE consultation exercise, and final agreement of the ISA between the parties, and to take any action necessary under the terms of the ISA; and
3. Notes that in order to transition to this arrangement a Portfolio Holder decision will be made to further extend the current ISA to 31st December 2020.

**29 PROPOSED EXPANSION OF WILMSLOW HIGH SCHOOL -
AUTHORITY TO ENTER INTO A CONSTRUCTION CONTRACT**

Cabinet considered a report which sought approval to enter into a construction contract for works at Wilmslow High School.

Councillor T Fox sought clarification of the current position regarding developer contributions for the scheme. The Portfolio Holder for Children and Families asked the officers to provide a written response.

RESOLVED

That Cabinet approves the procurement of a contract of works and authorises the Executive Director People to award a construction contract to facilitate the provision of additional places at Wilmslow High School, together with any other agreements associated with or ancillary to the contract.

30 MICROSOFT LICENCE AGREEMENTS

Cabinet considered a report which proposed that the Council's agreements for Microsoft Licences be aligned where appropriate and that a single contract be awarded to a Microsoft Licence Reseller.

RESOLVED

That Cabinet authorises the Executive Director of Corporate Services in, consultation with the Portfolio Holder for Finance, ICT and Communication, to award and enter into a contract to deliver Microsoft licences for Cheshire East Council and Cheshire West and Chester Council, infrastructure and desktop estate via a single Licence Service

Provider, with an estimated total cost of up to £35m (excluding VAT) as determined by the Council over two 3 year periods (6 years in total).

31 CAPITAL, INVESTMENT AND TREASURY MANAGEMENT STRATEGIES ANNUAL REVIEW 2019/20

Cabinet considered a review of the Capital, Investment and Treasury Management Strategies for the 2019/20 financial year.

The Chairman of the Corporate Overview and Scrutiny Committee, Councillor J Clowes, reported that the Committee had considered the report at its meeting on 3rd September 2020 and had expressed its support.

RESOLVED

That Cabinet

1. notes the content of the appendices to the report;
2. approves, in accordance with Finance Procedure Rules, fully funded supplementary capital estimates over £500,000 and up to £1m (Appendix 1, Annex B);
3. approves, in accordance with Finance Procedure Rules, capital virements over £1,000,000 and up to £5,000,000 (Appendix 1, Annex B);
4. recommends to Council to approve:
 - (a) capital virements above £1,000,000 in accordance with Financial Procedure Rules as detailed in Appendix 1, Annex C; and
 - (b) supplementary capital estimates above £1,000,000 in accordance with Financial Procedure Rules as detailed in Appendix 1, Annex D.

32 SCHEDULE OF URGENT DECISIONS TAKEN ON BEHALF OF CABINET AND COUNCIL

Cabinet received a schedule of urgent decisions taken on behalf of the Cabinet and Council which was reported for information in accordance with Appendix 4 of the Council procedure rules.

RESOLVED

That the schedule of urgent decisions be noted.

The meeting commenced at 1.00 pm and concluded at 3.04 pm

Councillor S Corcoran (Chairman)

This page is intentionally left blank



Working for a brighter future together

Key Decision: Y Date First Published: 31/7/20

Cabinet

Date of Meeting: 6 October 2020

Report Title: Covid-19 – Update on Response and Recovery

Portfolio Holder: Cllr Sam Corcoran - Leader of the Council

Cllr Craig Browne - Deputy Leader of the Council

Senior Officer: Lorraine O'Donnell - Chief Executive

1. Report Summary

- 1.1. Cabinet have received reports in June, July and September on how the Council, working with its partners, continues to respond to the COVID-19 pandemic.
- 1.2. This report provides a further update of the work on additional/new developments that has been undertaken in response to this national and international public health emergency since the September report.
- 1.3. In terms of the financial impact the pandemic has had on the Council to date, the separate Mid-Year Review report, elsewhere on the agenda, provides a detailed update.

2. Recommendation

- 2.1. That Cabinet note the issues outlined in the report.

3. Other Options Considered

- 3.1. Not applicable.

4. Background

- 4.1. As at 14 September 2020, there were 28,918,900 confirmed cases and 922,252 confirmed deaths across 216 countries, areas or territories. (Source WHO)

- 4.2. In England, as at that date, there were 320,380 positive cases. In Cheshire East there were 2,562 positive cases. (Source GOV.UK) Like other parts of the country, Cheshire East is seeing an increase in the number of people who are testing positive for COVID. Our rates of new infections remain below the significant increases being seen in neighbouring areas such as Liverpool, Warrington and Greater Manchester. As at that date our rate was 24.9 per 100,000 population compare to Liverpool 85.3 and Warrington 98.8 per 100,000 population (weekly).
- 4.3. In terms of the daily confirmed cases in the last full week of data, 95 people in Cheshire East have tested positive. This compares to an average of 19.7 new cases per week for the month of July. Testing capacity is under pressure nationally due to a finite capacity within the laboratories. The Cheshire and Merseyside Local Authorities have raised concern regarding the mismatch of testing capacity within the North West Region compared to the current rising levels of infection. As the North West has 25-30% of the new cases but access to only 12-15% of testing capacity, a request has been made for a fairer level of provision.
- 4.4. The Chief Medical Officer has reported significant increases in the infection rates across the Country with the most significant increases in the North West region. Whilst the rates in Cheshire East are much lower than most local authorities within the region, the trend is upward. As part of our measures to contain this increase the local authority has increased its targeted messages to the sections of the population at greatest risk of transmitting the virus in particular the 18 to 40 age group. In addition the local authority has increased the information and advice that it has been providing to local businesses. These actions are part of the measures agreed by the Directors of Public Health for the nine Cheshire and Merseyside local authorities to address the rise in infections. Additional staff have been recruited to support our ability to deliver our new responsibilities for contacting tracing. In line with our Outbreak plan we have stood up our emergency planning response boards including CEMART within the council and the Local Outbreak Engagement Board has been convened. Local Authority staff continue to engage with the various regional working groups that are responsible for coordinating Test and Trace programmes. This is a fast moving situation and continues to develop rapidly on a daily basis and it is likely that further control measures are likely to be agreed at the national level.
- 4.5. The latest international, national and local statistics are available from the following data dashboards:

4.5.1. <https://covid19.who.int/>

4.5.2. <https://coronavirus.data.gov.uk/>

4.5.3. <https://lginform.local.gov.uk/reports/view/lga-research/covid-19-case-tracker>

5. Response

5.1. Sub-regional

5.1.1. The sub-regional response continues to be led by the Cheshire Local Resilience Forum (LRF), which includes Cheshire East, Cheshire West and Chester, Halton and Warrington Councils, Cheshire Constabulary, Cheshire Fire and Rescue, Public Health England and the NHS.

5.1.2. The Council is a major LRF partner and continues to play a significant role at all levels of response – participating in the strategic coordinating groups (SCG) and tactical coordinating groups (TCG) and resourcing all the multi-agency support cells established to manage the sub-regional response to the pandemic.

5.2. Council Actions

5.2.1. Cheshire East Council continues to respond to the Coronavirus pandemic. At the same time the Council has continued to strive to:

- deliver essential local services
- protect our most vulnerable people
- support our communities and local businesses.

5.2.2 The response phase is still likely to continue for some time to come. In addition, the Council is actively planning for potential second waves of the pandemic and/or localised outbreaks. A summary of the actions that have continued to be delivered by the Council is provided below.

5.2.3 *Test and Trace and Outbreak Management*– Cheshire East Council continues to support the national approach to Test, Trace, Contain and Enable programme through the creation of a Test and Trace hub within the council and by supporting the Cheshire and Merseyside hub. With the Government's decision to replace Public Health England with a new national organisation that will focus on health protection, Local Authorities are being requested to take on a greater responsibility for contact tracing. This change has included the national Contact Tracing Centre passing on cases for follow up to Local Authorities with 24 hours instead of 48 hours. This has created increased pressures on the Cheshire and Merseyside Hub as well as Cheshire East Council's Public Health team.

- 5.2.4 The Local Health Protection Board meets on a fortnightly basis at present to coordinate multi-agency response and to review current protocols against the changing patterns of infection. This Board is also utilised as a basis for undertaking emergency response exercises to test the current system.
- 5.2.5 Our Public Health Intelligence team is working closely with Public Health England and their counterparts in the other Cheshire and Merseyside local authorities to review the improved data flow from the Joint Biosecurity Centre. These data include cases and contacts as well as mapping to identify any patterns or trends that would enable us to take prompt and targeted action.
- 5.2.6 Rates of infection in Cheshire East Council have risen to 24.9 per 100,000 population for the last 7 days (as at 15 September). These rates are still lower than the England average and much lower than the areas in the North West. Liverpool and Warrington have rates of 85.3 and 98.8, whilst Bolton has a rate of 199.4 per 100,000. Whilst cases are occurring across the borough we are seeing a higher number of infections in the north east of the borough close to the border with Greater Manchester.
- 5.2.7 A whole home testing programme is under way in care homes. This involves a weekly testing programme for all staff and a monthly testing programme for residents. This initiative has assisted care providers and the Local Authority's Social Care and Public Health teams to assist care home staff to monitor and manage infection control measures.
- 5.2.8 Contact tracing for known cases continues to be good, though the increasing numbers of cases is placing pressure on the service. The local service's performance continues to exceed the follow up rate of the national contact tracing service.
- 5.2.9 Whilst mobile testing units continue to be deployed across the borough, the service is now provided by commercial organisations such as Serco and Sudexo rather than the Army. Whilst these units have the capacity to test up to 400 people, the current limitations in laboratory capacity mean that there is difficulty in accessing appointments with them. This is an increasing problem locally and nationally. Directors of Public Health for Cheshire and Merseyside have escalated their concerns regarding testing capacity nationally for though the North West region has around 25-30% of the current cases nationally it has only been allocated 12-15% of the testing capacity.

- 5.2.10 We continue to work with local authorities and PHE across Cheshire, Merseyside, Staffordshire and the North West Region to share intelligence and good practice.
- 5.2.11 *Communities* - People Helping People is a service created by Cheshire East Council which works collaboratively with new and existing Voluntary, Community, Faith and Social Enterprise (VCFSE) sector partners and local volunteers to channel community-based support to meet the needs of our residents. The service is delivered for the local community, by the local community. To date the service has provided support to over 3600 residents with 1400 active cases still receiving support. This service has been instrumental in reducing immediate demands on public services so will continue during August and September. Key activities within the Communities Team include:
- the government shielding service which was paused on 31st July 2020.
 - leading on the 'high risk places, location and communities' and 'vulnerable people' workstreams of the Test, Trace, Contain and Enable plan.
 - Social Action Partnership to mobilise various voluntary and statutory organisations to become Volunteer Coordination Points (VCPs).
 - The Covid-19 Community Response and Recovery Fund which was launched at the end of June 2020 and has since provided funding to 21 successful applicants, totalling just over £68,000.
- 5.2.12 *Adult Social Care* - The Commissioning Team have provided significant support for the Adults Social Care Market during the Covid-19 pandemic to ensure market stability and the safe provision of care for the residents of Cheshire East. This includes Care Homes, Care at Home (Domiciliary Care), Complex Needs and Supported Living. Continued actions are set out below.
- 5.2.13 Infection Prevention Control training has been delivered to all care homes and is being rolled out to Care at Home and Complex providers.
- 5.2.14 There has been a strong focus on support for Care Homes, and our Care Home recovery planning includes the development of an Outbreak Plan for each Care Home; supported by an Outbreak Management Toolkit; Care Home visiting guidance; and Infection Prevention Control (IPC) recovery visits to provide advice and support. Commissioners are also undertaking scenario planning including

localised outbreaks and the possibility of second wave in conjunction with winter planning such as flu vaccinations.

5.2.15 “Care Homes” is one of the seven mandated workstream areas for the Test and Trace Programme within our Local Outbreak Plan. This includes the Whole Home Testing Programme, which ensures the testing of Care Home staff weekly and residents monthly, underpinned by a Test and Trace standard operating procedure linked to Test and Trace alerts within Care Homes.

5.2.16 PPE support has been key to our Covid-19 response and recovery. The position changes rapidly but the current position at the time of writing is as follows:

- The Local Authority have been supplied with PPE via the Local Resilience Forum (LRF) and the Department for Health and Social Care (DHSC) since the 24th March 2020. The Council have distributed PPE to eligible organisations across Cheshire East. We have been notified that this will now close at the end of August.
- All registered adult social care providers, opticians, pharmacists and urgent dental care have now been requested to register on to the government PPE Portal to continue to access free supplies. Orders are subject to limits according to capacity. Providers are asked to continue to develop their own supply chain. However, it is widely recognised that PPE market has not recovered from the impact of Covid-19.
- To ensure all agencies are supported and services are able to deliver safe care to local residents, as well as protecting the care workforce, we are currently reviewing various options and opportunities to support external Care Providers to access PPE in emergencies or when they have issues with their PPE supply chain.
- A stock has been locally purchased as part of the Council’s recovery and outbreak planning, and we continue to replenish stock to meet the needs internally to resume services for example the re-opening of Day Services.
- A survey will be distributed to Care Providers to fully understand the impact of COVID-19 re PPE, current needs and issues.

5.2.17 Adults and Children’s Commissioning - Commissioners have worked closely with our ‘Early Intervention and Prevention’ ‘Community Wellbeing’ and ‘Public Health’ contracted providers which have adapted but continued to deliver effective services during the Covid-19 Pandemic. Contingency Plans were implemented straight away with

our Providers during the response phase of the Pandemic, and now Commissioners are working with Providers to implement their recovery Plans. Examples of recovery plans include: Substance Misuse Services, Healthy Child Programme, Social Action Partnership and the Carers Hub. The Social Action Partnership is a new service that went live on the 1st April 2020 during the Covid-19 pandemic.

- 5.2.18 Due to the Covid-19 crisis, the focus of delivery for the Social Action Partnership was diverted from 'business as usual' functions to supporting the Council's Communities Team Covid-19 People Helping People response. Working with People Helping People they have set up a Virtual Volunteer Network consisting of 15 Volunteer Co-ordination Points (VCPs). The VCPs cover all 8 Care Community areas using a 'hub and spoke' model with the VCP being the key hub in their local area. Whilst many were mobilised using existing community support groups some were established from the ground up by SAP (e.g. Haslington Support Group). VCPs are being supported with Recovery workshops to consider the impact of Coronavirus on their local area and identify where support is needed. Going forward the Social Action Partnership will be working with the Communities team to see how the VCPs can fit with the Neighbourhood and Town Partnerships and avoid duplication of work. The 974 volunteers that signed up to support People Helping People were signposted to the VCPs. VCPs supported volunteers with guidance packs developed by the Social Action Partnership. The next focus is to keep the level interest in volunteering and build on the response both for recovery phase and for future social action. The Social Action Partnership are working with our Community Development Officers on a volunteer skills audit.
- 5.2.19 *Children's Social Care* - Following lockdown we experienced a rise in the number of cared for children due to children not being able to transition to their adoptive homes, Courts being unable to progress adoption and other complex hearings, and care leavers being unable to move to more permanent accommodation. The number of cared for children reached a high of 550 in August. We also saw a small number of children come into care in an unplanned way due to rapid escalation of families needs due to the additional pressures and reduced family support as a result of lockdown. However the number of cared for children is now reducing due to court hearings resuming which is enabling children and young to achieve legal permanency. 537 children were cared for on 13 September. We are expecting this to continue to reduce as further hearings take place. Some lengthy court hearings are being carried out over September which is impacting on frontline capacity within social work teams. Positively, children and young

people are now moving on to their adoptive families. We currently have 27 children and young people placed with adoptive families. However Covid-19 has caused considerable delays of at least 4-6 months for some children and young people in achieving permanency.

- 5.2.20 Moving forward, we will be asking staff from the front door to return to working from the office on a rota basis to enable regular communication with the police and other agencies who are co-located there to support effective informed decision making for children and young people. We anticipate that we will see an increase in referrals to the front door as following the return of schools and have provided additional support to the front door to enable them to manage an increase in contacts. We have developed a clear strategy to ensure children and young people's needs are met at the right time by the right service, building resilience and preventing future demand to services. This aims to help to mitigate the anticipated increased demand to services as a result of Covid-19. We will continue to closely monitor the impact of Covid-19 on service demand and the needs of children, young people and families.
- 5.2.21 Covid-19 has had an impact on our care leavers and we have seen some lose employment opportunities and apprenticeships. The service are already targeting our most vulnerable young adults with an autumn and winter not in education, employment or training (NEET) programme, and through the Journey First Programme we will be able to target further care leavers who have struggled during this period and support them back into employment, however there remains a lot of work to do in this area to ensure our young people are supported to go on to successful careers.
- 5.2.22 We have developed an offer for parents and carers for Child Protection Conferences to take place as blended meetings, rather than purely virtual, to support good communication. For blended meetings the Conference Chair, social worker, and family members attend in person with all other professionals attending virtually.
- 5.2.23 On 6 July, Ofsted announced their plans to recommence inspections of local authority Children's Services (ILACS). The way inspections will be carried out has changed as an interim arrangement following the pause in inspections and taking into account the additional pressures services are under as a result of Covid-19. ILACS inspections will be recommencing from late September. This interim arrangement will remain in place until December 2020 and could be extended depending on the circumstances. Interim inspections will be carried out over three weeks and will evaluate how we have responded to, prioritised and met

children and young people's changing needs throughout the Covid-19 pandemic. There will be a particular focus on the quality and impact of decision making for children and young people. Work is underway to ensure we are prepared should we receive an interim inspection.

5.2.24 *Prevention and Early Help* – As reported previously we are continuing to see the needs of families increasing. We are continuing to monitor this closely as we move forward. Our targeted face to face Summer Activity Programme for families and young people who need additional support has been a real success and has provided families with some much needed respite over the summer. Our online resources provided as part of the parenting journey and our new '50 things to do together before you're 5' initiative, which supports young children to develop their self-confidence, physical skills and speech and language, are working well and have received very positive feedback from parents and carers.

5.2.25 *"It really has made a massive positive difference to us and we continue to thoroughly enjoy it!! I'd love to see it continue - lockdown etc aside I'm sometimes not able to get out for a day or two because of my health issues and having something I know is reliable, age appropriate, educational, and super fun that we can join in with is a real boost. I think it would be a great thing for other parents or indeed children with health issues, or those that are just stuck in feeling under the weather as happens not too infrequently with bugs and little ones (!), and I think it could be especially beneficial to parents struggling with postnatal mental health issues - giving support and inspiration and potentially being the bridge between getting out to the groups in person. And obviously it's great for everyone in general too!!"*

Feedback from a parent on the parenting journey resources.

5.2.26 The number of open early years settings reduced following school closure from over 200 in July to 127 in August but has now improved again following the increase in parental demand due to the end of the holiday period and the return of schools. 333 settings were open in the week of 13 September.

5.2.27 We are working to ensure the 19 additional buildings (outside of corporate buildings) that prevention and early help services are provided from are Covid secure, and we are liaising with the other agencies that operate from our buildings, e.g. Midwifery and the 0-19 service, regarding delivery arrangements and phased reopening in line with corporate guidance.

5.2.28 Our Together in Communities workshops, which are development and networking opportunities for the whole early help and prevention workforce across the partnership, have been on hold due to Covid-19. We are planning to reinstate these in an alternative format, and we have asked the partnership for their views on how they want these to be delivered moving forwards and what topics they would like these to cover which will inform our plans.

5.2.29 We continue to be concerned about the opportunities for our young people as they move into adulthood. We will be running a Not in Education, Employment or Training (NEET) summit at the end of September where training providers, colleges and young people who are NEET will help to inform the development of our NEET offer going forward.

5.2.30 The government have announced a new £2bn Kickstart Scheme which nationally will create hundreds of thousands of new, fully subsidised jobs for young people. The six-month placements are open to those aged 16-24 who are claiming Universal Credit and at risk of long-term unemployment. Guidance has been published for employers looking to create job placements for young people as part of the scheme. The job placements created with Kickstart funding must be new jobs, and the scheme will pay any employer the total amount of the National Minimum Wage (25 hours per week) for the first 6 months. The Head of External Funding, Complex Worklessness & Inclusion in the People Directorate is leading on this scheme for Cheshire East Council and a meeting of Cheshire East partners is being held to coordinate how this opportunity can be maximised.

5.2.31 The government is also introducing payments to support organisations that take on new apprentices between 1 August 2020 and 31 January 2021. The payment is in addition to the existing £1,000 employers already receive for taking on an apprentice who is aged 16 to 18 years old or is under 25 and has an education, health and care plan or has been in the care of their local authority. This will be an option we will be exploring to create opportunities for our young people.

5.2.32 *Education and Home to School Transport* – Over 48,700 pupils are now attending our schools (as at 7 September). Our attendance is high and was initially above national, statistical neighbours, and the North West average, which demonstrates that the preparations we have made have been effective in gaining parental confidence. Some schools are

undertaking a phased return. We are closely monitoring attendance and will be supporting individual schools where attendance is lower.

5.2.33 However, reported attendance has started to reduce. This is due to a number of factors including issues in the national reporting system and groups of pupils/ bubbles or teachers being sent home to isolate due to positive Covid-19 cases. We have seen a reduction in attendance of children known to social workers and with an Education, Health and Care plan – these are being followed up so we can intervene and offer support to encourage pupils to go back to school, where appropriate.

5.2.34 We have seen an increase in elective home education which we expected. We have received over 50 applications which is high compared with previous years. Currently no parents have deregistered. A clear process is in place to ensure parents and carers are supported and the decision to electively home educate is in the best interest of the child or young person.

5.2.35 We have also identified 62 children from traveller families who have not returned to school in September, this impacts on attendance at two primary schools. We are working with the schools impacted and have visits planned to traveller sites to explore the issues behind this trend and offer support to enable children to return to school where appropriate.

5.2.36 We are continuing to provide intensive support to schools around how to implement the DfE guidance to ensure we have a consistent and safe approach across all schools. We produced a range of key documents to support schools with full opening in September which covered the following areas; dealing with symptoms, curriculum and learning, vulnerable children, travel to school, and human resources. This included an aid to adapting the curriculum from September to support children and young people to catch up on important content they have missed, and guidance on remote learning if it should need to be applied from September. This was based upon national research on the impact of remote learning during lockdown and the strategies which have been most effective.

5.2.37 We also developed an emotional wellbeing package for use in schools from September to enable schools to effectively support pupils with any mental health needs as a result of lockdown. The DfE wrote to LAs about the Wellbeing for Education Return: funding and resources to train and support education settings to respond to the wellbeing and mental health

needs of pupils and students and we have completed a briefing for schools on this support.

5.2.38 The DfE have called for recently retired educational psychologists or those still working but with capacity, to make themselves known to councils to assist with pupil wellbeing as schooling resumes. We will need to work with HR to be able to draw on this capacity as it will currently sit outside our current recruitment arrangements.

5.2.39 We have worked with Public Health to produce guidance to support schools when children or staff develop Covid-19 symptoms, including engagement with the NHS test and trace process. We have established a helpline and email address for schools to report any expected or confirmed Covid cases to the Public Health team. We have asked that schools do not make individual or Trust decisions to close or partially close before seeking advice from the Public Health team so we can ensure we have a consistent approach across schools. Due to an increase in Covid enquires from schools and the number of positive cases we are looking to create an Education Covid Response Team with effect from 21 September.

5.2.40 The government guidance on transport to school and other places of education was published on 11 August. Despite the tight timescale, along with our Transport colleagues and Transport Service Solutions we effectively established transport for the start of term, ensuring pupils' journeys to and from school are as safe as possible. We have ensured the measures recommended by the Government are in place to protect all those choosing to travel on school transport if they cannot walk, cycle or arrive at school by car.

5.2.41 We have worked with schools to ensure that additional measures are in place to make drop-off and home times safer for pupils, parents and teachers. This has included staggered start and finish times and one-way systems. The decision by cabinet to support drop off and pick up in school playgrounds to avoid potentially unsafe gatherings at schools gates has been welcomed by schools. We are continuing to promote Park and Stride to school and have had a proactive social media campaign around this.

5.2.42 Extra bus services have been added which follow the regular public bus services. These 'shadow' buses are clearly marked 'School Bus'. Pupils have been asked to only travel with fellow students in their year group or 'transport bubble' on the dedicated school bus. We have arranged for all

non-essential roadworks near schools to be paused to avoid congestion from school traffic. For all pupils and parents we are promoting the recently launched [#TravelSafely campaign](#) from the Department for Transport.

- 5.2.43 We are now prioritising further areas for development in terms of safe arrangements for transport. We have risk assessed vehicles that drop off at more than one school in priority order and are exploring using either additional or larger vehicles. We are assessing the number of pupils using the additional transport on a regular basis and will adjust arrangements over the half term based on usage. Use of our additional transport is currently low but this may change as confidence increases. We have had some cases of a larger than expected number of pupils on buses, these have been responded to swiftly to put in place additional capacity.
- 5.2.44 We have been notified that the grant for additional transport support will be extended for the second half term. We need to submit a return on current usage of the grant which will then inform the allocation for the second term.
- 5.2.45 The statutory guidance, '*Keeping Children in Education Settings*' (KCSIE), for schools and colleges has been updated. This guidance came into force on 1 September 2020. For those schools which have purchased the Enhanced Cheshire East Safeguarding Children's Partnership service level agreement, a document has been produced which outlines the changes in KCSIE 2020 along with a draft exemplar policy and training package which Safeguarding Leads can use as part of their annual Safeguarding update with staff which incorporates the changes.
- 5.2.46 The routine collection of A Level and GCSE results has not occurred this year due to the fact that school level data is not being collated or being used nationally this year for school performance tables or as accountability measures by Local Authorities, Ofsted or the Regional Schools Commissioner. We have however for both sets of data spoken to the majority of our schools to seek feedback. Overall, our schools have fed back that they are positive overall with their A Level and GCSE results. The use of the algorithm for A Levels and the suppression of some school results has affected individual students, and each school spoken to has shown differing levels of impact in specific subjects which makes it difficult to report trends across the borough.

- 5.2.47 In terms of GCSE results, the late change in the decision to not apply the full algorithm but utilise the 'Centre Assessment Grades' (CAG) minimised the impact on certain schools especially those with a higher proportion of disadvantaged learners. However, it is important to state that there has been some use of the algorithm as it has resulted in the awarding of some higher grades than those submitted by schools.
- 5.2.48 The more significant impact of the results will be seen in the size of Post 16 cohorts returning to start courses. Schools are reporting that they will need to accommodate bigger groups for certain subjects which clearly adds challenges to the full return of all learners post lockdown. The Post 16 rise will also impact on our further education colleges.
- 5.2.49 We have had some very strong individual results for our cared for children which is fantastic.
- 5.2.50 *Homelessness and Rough Sleepers* - Cheshire East's Housing Options Team continue to work to prevent residents from becoming homeless and provide assistance to those who present as homeless. During June and July 96 households presented as homeless of which 74 were provided with accommodation. The number of rough sleepers varies between 3 – 10 some of which are transient and do not wish to stay in Cheshire East. The Rough Sleepers Team continue to work proactively with them where they wish to engage with services.
- 5.2.51 The service have worked with MHCLG to repurpose the funding allocated through the Rough Sleepers Initiative to enable us to commission emergency accommodation and support to those who present with complex issues. We are also working with MHCLG and Housing Providers to co-produce a bid to the Next Steps fund, which was recently announced by Government. If successful this will enable us to provide additional accommodation and support for those leaving emergency accommodation and enabling better access to the private rented sector.
- 5.2.52 *Town Centres* - Traffic Management measures that were introduced to facilitate social distancing thereby supporting businesses to open and operate safely are being reviewed on an on-going basis. A new streamlined, low cost process for obtaining Pavement Licences has been developed to facilitate bars, cafes and restaurants looking to expand onto pedestrian areas to improve viability. A grant application has been submitted seeking ERDF Reopening High Street Safely

Funding proposing further town centre focused communications and public realm measures subject to funding being available.

- 5.2.53 *Highways, Transport & Parking* - All highway maintenance operations and improvement projects continue to be delivered and are following Government COVID guidelines. Adjustments to working practices have been implemented and plans are in place for running this seasons winter operation covering the same network as last year. Other activity has also increased on the network, with traffic flows at around 87% of pre COVID levels and utility companies continuing to deal with a backlog of works. Parking Service operations have been fully remobilised as of the 17 August. By mid September usage had recovered to approximately 75% of 2019 levels, whilst income sits at around 70% reflecting shorter stays in our car parks. The first week in September saw the first drop in use through the recovery phase. The two phase programme of active travel measures are progressing across the borough following considerable engagement from community groups, local ward councillors and town and parish councils. Phase one was due for completion by the end of September. A government funding decision is awaited for the commencement of phase two, with a slight delay announced to give consideration to the guidelines to local authorities. The local bus network has sustained services at 85% pre COVID and the Council's FlexiLink is back into operation. Both are running at patronage levels at around 30% of pre COVID levels, which means the services are dependent on the continued central and local funding support to the bus operators.
- 5.2.54 *Workforce and Workplace* - Those staff who can work from home were encouraged to do so when the lockdown was introduced in March. That has continued to be the case. We have made a significant investment in mobile IT to allow staff to operate as effectively remotely. However, to support services who need more flexibility to continue to deliver services while still working under COVID-19 restrictions, we have introduced team zones which allocated spaces within our buildings that will be carefully managed by heads of service. We continue to communicate with staff on a regular basis.
- 5.2.55 Frontline staff continue to deliver services with adjustments to working practices in line with the COVID guidelines to ensure they are protected from the virus as far as practicable. In some areas this has added to the cost of running the service, with the purchase of additional PPE and vehicles for example. Staff also continue to work

flexibly and divert from their normal duties to support the Council's varied roles on COVID.

5.2.56 We are continuing to monitor COVID-19 related absences on a regular basis, including the numbers of staff self-isolating and/or off sick. As at 4 September 2020, there are currently 18 staff self-isolating, 96 off sick, 2090 staff working from home and 295 on leave.

5.2.57 *Governance and Decision Making* - The Council moved quickly to facilitate remote meetings. All Members were provided with laptops and support to operate effectively. Formal meetings are taking place remotely as standard now.

6 Recovery

6.1 Cheshire East Council continues to lead and support the Local Resilience Forum in developing its future planning for the recovery from this pandemic. The Strategic Co-ordinating Group of the LRF has established a Strategic Recovery Co-ordinating Group leading on this Recovery. This is chaired by the Chief Executive of Cheshire East Council and includes senior colleagues from local authorities, the NHS, Public Health, Police and Fire.

6.2 This group is focused on longer-term recovery with the strategic aims: to enable the sub-region to deliver its ambitions around delivering continued economic growth in a sustainable and inclusive way, to instil confidence and provide clarity to our communities and business in relation to recovery and to take advantage of the opportunities that the response to the pandemic has created.

6.3 The initial focus of the group has been to co-ordinate the easing of restrictions and supporting the reopening of high streets and town centres across the sub-region including the management of the reopening of the night-time economy. The group is now co-ordinating the sub-regional approach relating to:

- Anticipating and managing future demands on public services such as additional safeguarding referrals, increases in domestic abuse, increases demand on health services and social care
- Planning for winter in relation to the management of Covid-19 related pressures on top of the winter pressures such as seasonal flu, and adverse weather events.
- Reviewing and managing any issues that arise in relation to community safety, crime and community cohesion.
- Developing a sub-regional strategy for economic recovery.

- Providing future support packages relating to mental health, skills development and employment support
- Developing appropriate plans to support the effective day to day running of the sub-region e.g. support for transport and traffic management.
- Reviewing the sub-regional risk assessments and management of risks associated with EU Exit.

6.4 Within the Borough the Council is anticipating and preparing for the longer-term impacts of the Pandemic

- 6.4.1 *Community* - the Council and its partners anticipate that there will be significant long-term impacts on communities in Cheshire East. For example, there is expected to be a significant increase in unemployment and reduction in household income. It is expected that services will see an increase in demand as referrals increase in relation to safeguarding, domestic abuse and social care support. The council, working with its partners will be ensuring that it continues to support vulnerable people as well providing appropriate support in relation skills, employability, mental health and personal resilience.
- 6.4.2 *Economy* - Cheshire East Council continues to work with local businesses and business organisations (including Chambers of Commerce, Cheshire and Warrington Local Enterprise Partnership, Federation of Small Businesses and National Farmers Union) to channel business-based support to meet local need and to enable businesses to support each other.
- 6.4.3 In response to these issues the council and its partners have started to put measures in place to support people as they face unemployment. This includes a job matching service which sign post available jobs that are available, the running of jobs fairs and the provision of skills training, work experience and apprenticeships.
- 6.4.4 The Council facilitated, in coordination with the Cheshire & Warrington Local Enterprise Partnership and Job Centre Plus, a Virtual Jobs Fair focused on the Crewe and Nantwich area on 26th August. This Virtual Jobs Fair was very well attended with in excess of 2500 participants registered and circa 600 jobs showcased.
- 6.4.5 The Council has also delivered three phases of funding through its Discretionary Business Grant Scheme. Circa 536 businesses have been provided with support through this scheme utilising all of the

£4.2M allocated funding. The Government promoted Scheme is now closed and all grant payments will be made before 30th September.

6.4.6 Furthermore, the Council and its partners have developed plans for the longer term economic recovery of the Borough. This approach includes:

- Understanding how the pandemic has impacted on the economy and development in the Borough including the opportunities this presents for the Borough for future inward investment.
- Understanding the implication of these impacts on income for the council and on key strategic services such as Planning, Economic Development and Strategic Transport.
- Support to businesses in the Borough including a focus on the sectors most likely to be impacted by the pandemic such as the hospitality sector. In addition support will continue to be provided to the key businesses and key sectors in the local economy.
- Continuing to support our town centres and businesses that operate from them.
- Developing a future pipeline of development and regeneration projects that can stimulate the local economy
- Ensuring that the Borough has an effective place marketing approach so that it is able to promote itself for inward investment in the future.

7 Implications of the Recommendations

7.1 Legal Implications

7.1.1 The Coronavirus Act 2020 received Royal Assent on 25 March 2020. The Act has extensive schedules setting out a wide framework to life under lockdown. The Act has been followed with copious and frequent guidance notes, frequently with implementation dates ahead of what is practically possible, e.g. Household Waste and Recycling Centres, administration of School Admission Appeals, restrictions on and subsequent opening of certain business premises, Test and Trace.

7.1.2 The Coronavirus Act also set out a framework by which Local Authorities could reduce their statutory duties in relation to the Care Act 2014, for Adult Social Care. These Care Act Easements could be implemented should the capacity of Adult Social Care staff become so reduced that it could not continue to meet its duties. To date Cheshire East Council has not initiated any Care Act Easements.

- 7.1.3 Any necessary urgent decisions have followed the process set out in the Constitution.
- 7.1.4 Local authority meetings - on Friday 31 July 2020, the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) (Amendment) Regulations 2020 came into force and will expire on 7 May 2021 unless extended. It removes the requirements to hold annual meetings; allows councils to hold all necessary meetings virtually, to alter the frequency and occurrence of meetings, without the requirement for further notice and to enable members, officers and the public to attend and access meetings and associated documents remotely. However, the amended regulations do not specifically mention 'hybrid' meetings.
- 7.1.5 The Health Protection (Coronavirus, Restrictions) (England) (No 3) Regulations 2020 came into force on 18 July 2020 and will expire at the end of 17 January 2021. They give local authorities (LA) power to give directions which impose prohibitions, requirements or restrictions relating to premises, events and public outdoor spaces, more commonly known as local lockdowns in order to tackle local coronavirus outbreaks. The LA must ensure the conditions set out in the Regulations are met before it can give such a Direction. It must also have regard to advice from its Director of Public Health when deciding whether or not to make a Direction. If a Direction is made, the Secretary of State (SoS) must be notified as soon as reasonably practicable, and the Direction must be reviewed at least once every seven days to ensure the conditions for making it are still met. Similarly, the SoS has the power to direct a LA to make a Direction under the Regulations, if the SoS considers the conditions for making a Direction are met.
- 7.1.6 Directions relating to premises may require closure of premises, restriction of entry or restrictions relating to the location of persons in the premises. A LA may not make a Direction relating to premises which form part of essential infrastructure.
- 7.1.7 Directions may be given in relation to specified events or events of a specified description.
- 7.1.8 If the LA gives a direction which imposes a prohibition, requirement or restriction on a person specified by name, the LA must give notice in writing to that person and also publish the notice to bring to the attention of persons who may be affected by it. Persons who are given a direction

under the Regulations have a right of appeal against the direction to a magistrate's court and also to make representations to the SoS.

7.1.9 LA designated officers and constables have enforcement powers. Persons who contravene directions under the Regulations or obstruct persons carrying out functions under the Regulations commit offences.

7.1.10 Officers continue to consider both formal Regulations and Guidance issued by Government which informs the Council's approach to the relevant subject matter. By way of example, the government's advice on COVID-19: Guidance for the safe use of council buildings was updated on the 9th September 2020. See link for full details;
<https://www.gov.uk/government/publications/covid-19-guidance-for-the-safe-use-of-council-buildings/covid-19-guidance-for-the-safe-use-of-council-buildings>

7.1.11 Particular reference is drawn to section 3c 'Meetings' which states;
"We continue to recommend that where meetings can take place digitally, without the need for face-to-face contact, they should do so. Where council buildings need to be used for physical meetings, these meetings must be managed within the social distancing guidance and principles set out above."

7.1.12 As referenced in para. 7.1.4 above, the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) (Amendment) Regulations 2020 enable remote meetings. The key question to consider in all cases would be, is it necessary to holding face to face meetings in council buildings? Such risk assessment would need to consider the availability of alternative methods, i.e. virtual meetings, the risk and data pertaining to infection rates both locally and nationally, any particular local considerations and vulnerabilities of those who may be impacted by a decision, and equality considerations when considering the necessity if it should hold in person meetings.

7.1.13 Most recently, The Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) (No. 4) Regulations 2020 which came into force on 14th September 2020, amended the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020, so that people may not participate in social gatherings, in any place, in groups of more than 6, unless they are members of the same household, two linked households, or exceptions apply. The changes apply to England, in so

far as an area isn't subject to additional or enhanced restrictions by way of are specific regulations.

7.1.14 The Health Protection (Coronavirus, Restrictions) (Obligations of Hospitality Undertakings) (England) Regulations 2020, came into force on 18th September 2020 by way of emergency Regulations. The Regulations make provision for requirements for pubs, restaurants, cafes and other businesses involved in providing food for consumption on the premises to take reasonable steps or measures to limit customers to parties of six, and to keep tables an appropriate distance apart.

7.1.15 The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020 came into force on 18th September 2020, again by way of emergency Regulations. The Regulations makes provisions requiring designated venues to collect certain contact details mainly from customers, visitors and staff (as set out in the regulations), store this information for 21 days, and share it with NHS Test and Trace or local public health officials, if requested. This is with the purpose of enabling NHS Test and Trace and local public health officials to contact people who may have been exposed to coronavirus and give them appropriate public health advice to help stop the further spread of the virus.

7.2 Finance Implications

7.2.1 A detailed financial update on the COVID-19 response was reported to Cabinet on 8 September and Corporate Overview and Scrutiny Committee on 1 September. The separate Mid-Year Review report, elsewhere on the agenda, provides a further update on the following items:

- COVID-19 related additional expenditure and losses of income from sales, fees, charges and local taxation
- COVID-19 related funding for specific and non-specific activities
- the non-COVID-19 related financial performance of the Council
- areas under consideration to mitigate any forecast impact on the Council's General Reserves
- The Mid-Year Review also includes recommendations associated with sound financial control, budget management and decision making.

7.2.2 The financial issues facing Cheshire East Council are just part of a significant national issue for public services, and the UK economy as a

whole. Public Sector deficits and reductions in GDP are at levels not seen before, and Central Government continues to react with funding support packages both for general and specific purposes. The Council has continued to support MHCLG in gathering evidence, on a monthly basis, of the potential costs and income losses for 2020/21 based on information and guidance available at the date of the government return. The information from the Council contributes to the ongoing negotiations between the LGA, MHCLG, HM Treasury and other government departments and sector led organisations such as the County Councils Network.

- 7.2.3 Any ongoing financial implications of COVID-19 must be factored into the development of the Council's Medium-Term Financial Strategy. Financial impacts may occur in a number of ways, such as a reduction in reserves (that may need to be replaced), ongoing dependency on Council services, slow recovery in important income sources or, perhaps more fundamentally the levels of financial support from government grants. These impacts will continue to be monitored and analysed to ensure future budgets are capable of being both robust and sustainable.

7.3 Policy Implications

- 7.3.1 COVID-19 is having a wide-ranging impact on many policies. Any significant implications for the council's policies are outlined in this report.

7.4 Equality Implications

- 7.4.1 Implications of the changes will continue to be reviewed. We are carrying out individual risk assessments for staff with protected characteristics, particularly in relation to BAME colleagues and staff with a disability.

7.5 Human Resources Implications

- 7.5.1 Paragraphs 5.2.56-5.2.58 provide information in relation to the Council's workforce and workplace. Throughout the pandemic, there has been regular communication with staff and good co-operation with the Trade Unions.

7.6 Risk Management Implications

- 7.6.1 Risk registers have been maintained as part of the Council's response to date and the plans for recovery. Business Continuity Plans are

being kept under review and plans have been tested against concurrent risks of EU Exit and winter pressures.

7.7 Rural Communities Implications

7.7.1 COVID-19 is having an impact across all communities, including rural communities. The support for small businesses will support rural business.

7.8 Implications for Children & Young People/Cared for Children

7.8.1 There are implications for children and young people. There are implications for schools, early help and prevention and children's social care which are summarised in the report.

7.9 Public Health Implications

7.9.1 COVID-19 is a global pandemic and public health emergency. There are implications for Cheshire East which are summarised in the report.

7.10 Climate Change Implications

7.10.1 There have been positive benefits of fewer cars on the road. This includes most staff who have been working from home. There has also been lower demand for heating/lighting offices. This is outlined in paragraph 6.5.14.

8 Ward Members Affected

8.1 All Members.

9 Consultation & Engagement

9.1 Formal consultation activities were initially paused due to the lockdown restrictions. We are reviewing on a case by case basis to ensure that we can continue to operate effectively.

10 Access to Information

10.1 Comprehensive reports on COVID-19 can be found on the Council's and the Government's websites.

11 Contact Information

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

Frank Jordan, Executive Director Place and Deputy Chief Executive

Mark Palethorpe, Executive Director People

Jane Burns, Executive Director Corporate Services



Working for a brighter future together

Key Decision N

Date First
Published: N/A

Cabinet

Date of Meeting: 6 October 2020

Report Title: Mid-Year Review (FINANCE) 2020/21

Portfolio Holder: Cllr Amanda Stott - Finance, IT and Communication

Senior Officer: Alex Thompson – Director of Finance and Customer Services
(Section 151 Officer)

1. Report Summary

- 1.1. This report outlines how the Council is managing resources to provide value for money services during the 2020/21 financial year. The report highlights financial activity and provides an overview of progress towards achieving outcomes for local people.
- 1.2. Local Authority budgets across the UK are being managed against the backdrop of the Covid-19 pandemic as well as inflation rises and increasing demand for services. However, the statutory duties of the Council must still be delivered within the relevant parameters and the associated inspection frameworks.
- 1.3. The Coronavirus pandemic has had a profound impact on all aspects of life in Cheshire East. The Council has adopted a pro-active evidence led approach to ensure that it responds to the emerging needs of residents and businesses. The Council's budget is under unprecedented pressure due to the response required to protect both the health and economic wellbeing of local people and businesses during the Covid-19 Pandemic.
- 1.4. A briefing paper presented to the Audit and Governance Committee at the end of July gave initial estimates for gross costs relating to the Covid-19 pandemic at £70m. This figure represented the financial impact for the full year, without government funding, and at a point in time where the lockdown was in force and infection rates were at their highest. This figure

complied with the requirements of a government return that continues to be updated and used, to help government understand the financial impact on Local Authorities. Subsequent changes to the way government is funding certain activities, sometimes providing direct funding instead, as well as amended guidelines on dealing with the pandemic, have seen this forecast reduce.

- 1.5. The financial impact of Covid-19 was reported to Cabinet in September 2020 as being approximately £50m. Latest financial estimates show that the impact in 2020/21 is approximately £47m. This forecast does not include provision for a second wave or local outbreaks which would both separately or together increase the financial risk to the Council. Government funding of £22m has been received, with £21m remaining available in 2020/21 (£1m having already been allocated to spending in 2019/20). Of the current potential £26m shortfall in 2020/21 a claims process is being worked upon in relation to the c.£13m of income losses from sales, fees and charges included in the overall figure of £47m. Also within the overall figure £9.1m relates to cash deficits in the Collection Fund, the long term impact of which can be spread across the financial years 2021/22 to 2023/24. £6.3m of the total relates to increases in capital expenditure forecasts, which although related to immediate issues may not materialise until 2021/22. In addition these additional capital costs could be funded from within the budgets allocated in the capital programme.
- 1.6. The report sets out the current position on the financial pressures resulting from Covid-19 which are significant. Excluding Covid-19, the mid-year position presents a balanced position (to within budget by 0.2%).
- 1.7. The Council set a balanced net revenue budget of £301.0m at its meeting in February 2020. Current forecasts against the revised budget of £301.8m, when excluding the financial impacts from Covid-19, shows a potential net expenditure of £301.3m. This position reflects an increase in demand led pressures in the People Directorate relating to Children in Care services (£2.6m) and Housing Benefit payments (£1.0m) in the Corporate Directorate. These pressures are offset by costs that are lower than budgeted, particularly in the Place Directorate, for example staff vacancies and lower energy usage in corporate buildings.
- 1.8. To address the risk of having to deal with financial pressure related to the local impact of Covid-19, the Council will consider robust actions to bring the overall outturn in line with the total available resources, including additional government support and use of reserves in line with the reserves strategy set by the Council in February. More detail is set out in paragraph 3.5.

- 1.9. Forecast expenditure in the year on the capital programme is £154.1m, which is in line with the revised budget.
- 1.10. The attached report, **Annex 1**, sets out details of how the Council is performing in 2020/21. It is structured into two sections:
 - Section 1 Financial Stability** - provides an update on the Council's overall financial position.
 - Section 2 Workforce Development** - provides a summary of the key issues relating to the Council's workforce development plan.
- 1.11. Appendices to the annex demonstrate how spending in 2020/21 has been funded, including the service budgets, grants, debt recovery and reserves. Updates are provided on the Capital Strategy, Treasury Management Strategy and Investment Strategy.

2. Recommendations

That Cabinet:

- 2.1. Notes the contents of the report.
- 2.2. Notes the contents of Annex 1 to the report, and the current financial impact of Covid-19, of up to £26m, being partially mitigated by non Covid-19 activity.
- 2.3. Notes the mitigating actions under consideration in order to manage the financial impact of Covid-19 (Section 3 – Reasons for Recommendations).
- 2.4. Notes the supplementary estimates approved to date in relation to Covid-19 activity (**Appendix 2, Table 2**).
- 2.5. Approves the supplementary revenue estimates of £774,000 (155,000 received and £619,000 is pending) relating to the additional grants for Covid-19 Emergency Active Travel Fund (**Appendix 2, Table 1**).
- 2.6. Approves the capital virement of £1,700,000 to increase the pothole and challenge funding (**Appendix 4, Annex C**).
- 2.7. Notes the approved supplementary capital estimate of £6,855,000 relating to additional Department for Transport grant received (**Appendix 4, Annex D**).
- 2.8. Recommends to Council to approve:
 - 2.8.1. fully funded supplementary revenue estimate above £1,000,000 in accordance with Financial Procedure Rules as detailed in (**Appendix 2 Table 1**).

3. Reasons for Recommendations

- 3.1. The Council monitors in-year performance through a reporting cycle, which includes outturn reporting at year-end. Reports during the year reflect financial and operational performance and provide the opportunity for members to note, approve or recommend changes in line with the Council's Financial Procedure Rules.
- 3.2. The overall process for managing the Council's resources focuses on value for money and good governance and stewardship. Financial changes that become necessary during the year are properly authorised and this report sets out those areas where any further approvals are now required.
- 3.3. This report provides strong links between the Council's statutory reporting requirements and the in-year monitoring processes for financial and non-financial management of resources.
- 3.4. The potential financial pressure from Covid-19 remains uncertain. The compensation scheme linked to income losses from Sales, Fees and Charges is being implemented, and negotiations between Local Government and Central Government continue. This means government funding may increase, reducing the local effect on the Council's Medium Term Financial Strategy. Contrary to this position the Council must balance the risk of further increases in expenditure or reductions in income based on further outbreaks of Covid-19 or from the Council's recovery processes.
- 3.5. To mitigate current shortfalls in the funding for Covid-19, and the overspending in specific areas of the 2020/21 budget, the Council will:
 - Continue to manage and review the financial forecasts in response to emerging guidance and the local response to the emergency and how this affects the Council's revenue budget.
 - Analyse the Government proposals to compensate losses from Sales, Fees and Charges.
 - Analyse the level of Collection Fund losses across the three financial years 2021/22 to 2023/24.
 - Review the consequences of funding shortfalls on the Council's capital programme and how this impacts on the Council's long term funding of capital expenditure.
 - Review processes and practice that is causing overspending in Children's Services to improve efficiency without compromising outcomes.
 - Analyse the level of subsidy for Housing Benefit cases to ensure appropriate local discretion is being managed.

- Identify costs of transformation that may be funded from the flexible use of capital receipts.

3.6. The Council will continue to review performance against the CIPFA Financial Management Code, whilst also meeting the requirements of the CIPFA Code of Practice for Treasury Management in the Public Services and the Prudential Code for Capital Finance in Local Authorities.

4. Other Options Considered

4.1. Not applicable.

5. Background

- 5.1. Managing performance is essential to the achievement of outcomes. This is especially important in evidencing the achievement of value for money across an organisation the size of Cheshire East Council. The Council is the third largest in the Northwest of England, responsible for over 500 services, supporting over 380,000 local people. Gross annual spending is over £815m, with a revised net budget for 2020/21 of £301.8m.
- 5.2. The management structure of the Council is organised into three directorates, People, Place and Corporate. The Council's reporting structure provides forecasts of a potential year-end outturn within each directorate during the year, as well as highlighting activity carried out in support of each outcome contained within the Corporate Plan.
- 5.3. Due to the unpredictable nature of the Coronavirus there are risks associated with the estimation of costs to the Council and the level of funding it will receive. A potential shortfall of £26m represents 8.6% of the net revenue budget. This impact is partially offset by a £0.5m variance to budget from non-Covid-19 activity.
- 5.4. General Reserve balances are risk assessed and it is clear that a number of risks, particularly associated with demand led service provision and the pandemic, have materialised.
- 5.5. The Council complies with all of its legislative and regulatory requirements in accordance with the CIPFA Code of Practice for Treasury Management in the Public Services and the Prudential Code for Capital Finance in Local Authorities.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. The legal implications surrounding the process of setting the 2020 to 2024 Medium Term Financial Strategy were dealt with in the reports relating to that process. The purpose of this paper is to provide a progress report at the mid year stage of 2020/21. That is done as a matter of prudential good practice, notwithstanding the abolition of centrally imposed reporting requirements under the former National Indicator Set.
- 6.1.2. The only other implications arising directly from this report relate to the internal processes of approving supplementary capital estimates and virements referred to above which are governed by the Finance Procedure Rules.
- 6.1.3. Legal implications that arise when activities funded from the budgets that this report deals with are undertaken, but those implications will be dealt within the individual reports to Members or Officer Decision Records that relate.

6.2. Finance Implications

- 6.2.1. Reserve levels are agreed, by Council, in February each year and are based on a risk assessment that considers the financial challenges facing the Council. If spending associated with the response and recovery to Covid-19 requires funding from the Council this could require the Council to deliver a greater level of future savings to replenish reserve balances.
- 6.2.2. As part of the process to produce this report, senior officers review expenditure and income across all services to support the development of mitigation plans that will return the outturn to a balanced position at year-end.
- 6.2.3. Forecasts contained within the Mid Year Review provide important information in the process of developing the Medium Term Financial Strategy. Analysis of under or over spending during the year will identify whether such performance is likely to continue and this enables more robust estimates to be established.
- 6.2.4. Within this report the estimated costs associated with Children's Social Care and Housing Benefits raise concerns of future budget pressures which will need to be addressed.

6.2.5. Any overall shortfall in government funding for local activity linked to Covid-19 will add financial pressure to the Council's Medium Term Financial Strategy. In addition, the Medium Term Financial Strategy will need to take account of any longer impacts relating to income, for example, longer term impact on the Council's income and/or demand on its services.

6.2.6. The Local Government Settlement, due late in 2020 will also be informed by Councils responding to ongoing consultation from government, which itself is significantly informed by recognising the current financial pressures identified within this report and how such pressures can be managed in a sustainable way.

6.3. Policy Implications

6.3.1. This report is a backward look at Council activities at mid year and predicts the year-end position.

6.3.2. The forecast outturn position, ongoing considerations for future years, and the impact on general reserves will be fed into the assumptions underpinning the 2021 to 2025 Medium Term Financial Strategy.

6.4. Equality Implications

6.4.1. Any equality implications that arise from activities funded by the budgets that this report deals with will be dealt within the individual reports to Members or Officer Decision Records to which they relate.

6.5. Human Resources Implications

6.5.1. This report is a backward look at Council activities at mid year and states the forecast year-end position. Any HR implications that arise from activities funded by the budgets that this report deals with will be dealt within the individual reports to Members or Officer Decision Records to which they relate.

6.6. Risk Management Implications

6.6.1. Performance and risk management are part of the management processes of the Authority. Risks are captured at Strategic and Operational levels, both in terms of the risk of underperforming and risks to the Council in not delivering its objectives for its residents, businesses, partners and other stakeholders.

6.6.2. Risks identified in this report are used to inform the overall financial control risk contained in the Strategic Risk Register; CR3 Financial Resilience. Updates on the scoring and management of strategic risks

are provided to the Council's Audit and Governance Committee, and the ongoing challenges to the Council's funding and financial position has been recognised in the Annual Governance Statement.

6.6.3. Financial risks are assessed and reported on a regular basis, and remedial action taken if and when required. Risks associated with the achievement of the 2020/21 budget and the level of general reserves were factored into the 2020/21 financial scenario, budget and reserves strategy.

6.7. Rural Communities Implications

6.7.1. The report provides details of service provision across the borough.

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

6.8.1. The report provides details of service provision across the borough, acknowledges the Ofsted report and notes the overspend within Children in Care services.

6.9. Public Health Implications

6.9.1. Public health implications that arise from activities that this report deals with will be dealt with as separate reports to Members or Officer Decision Records as required.

6.10. Climate Change Implications

6.10.1. Any climate change implications that arise from activities funded by the budgets that this report deals with will be dealt within the individual reports to Members or Officer Decision Records to which they relate.

7. Ward Members Affected

7.1. All

8. Consultation & Engagement

8.1. As part of the budget setting process the Pre-Budget Report 2020/21 provided an opportunity for interested parties to review and comment on the Council's Budget proposals. The budget proposals described in the consultation document were Council wide proposals and that consultation was invited on the broad budget proposals. Where the implications of individual proposals were much wider for individuals affected by each proposal, further full and proper consultation was undertaken with people who would potentially be affected by individual budget proposals.

9. Access to Information

9.1. The following are links to key background documents:

[Medium Term Financial Strategy 2020/24](#)

10. Contact Information

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

Name: Alex Thompson

Job Title: Director of Finance and Customer Services (Section 151 Officer)

Email: alex.thompson@cheshireeast.gov.uk

This page is intentionally left blank



Mid Year Review (FINANCE) 2020/21

October 2020

This report receives scrutiny and approval from Members of Cheshire East Council. As a public report, the Council welcomes feedback to the information contained here.

Anyone wanting to comment is invited to contact the Council at:

shapingourservices@cheshireeast.gov.uk

Introduction

Cheshire East Council is the third largest Council in the Northwest of England, supporting over 380,000 local people with annual spending of over £815m.

Local government is going through a period of financial challenges, with a combination of the impact of the Coronavirus pandemic, increasing demand for services, rising costs and reduced Government grant. The Council's response is to focus on emerging needs of residents and businesses, increasing efficiency and productivity that enables us to deliver sustainable, quality services.

Demand for Council services is increasing, with more individuals and families needing support and services than ever before. This reflects an increase in population but also reflects changes in demographics. This demand is resulting in revenue pressures of £3.6m. These are offset by underspends across council services resulting in a forecast outturn of £301.3m against a net revenue budget of £301.8m.

The Council's budget is under unprecedented pressure due to the Coronavirus and the response required to protect both the health and economic wellbeing of local people and businesses during the Covid-19 Pandemic. To date the Council has received funding related to an array of activities in response to the crisis, however at this current time it is not expected to fully cover all of the costs with a potential £26m shortfall. The Council will continue to manage and review the financial forecasts in response to the emergency and how this affects the Council's revenue budget to mitigate this position and protect General Reserves.

When the 2020/21 budget was set, in February 2020, it was highlighted that the use of reserves was not sustainable. Net spending therefore needs to be contained within the estimates of expenditure that form the budget. This issue, and how Covid-19

affects this will also be considered as part of the ongoing planning for the Medium Term Financial Strategy.

To support openness and transparency, and provide evidence of strong governance, the report has two main sections, to provide background and context, and then seven supporting appendices with detailed information about allocation and management of public money during 2020/21:

Section 1 provides information on the overall financial stability and resilience of the Council. It demonstrates how spending in 2020/21 is being funded, including the positions on overall service budgets, grants, council tax and business rates and centrally held budgets. Further details are contained in the appendices.

Section 2 provides a summary of the issues relating to the Council's Workforce Development Plan.

- **Appendix 1** shows budget changes since the Medium Term Financial Strategy.
- **Appendix 2** shows the latest position for Corporate Grants.
- **Appendix 3** analyses the position on Outstanding Debt.
- **Appendix 4** shows updates to the Capital Strategy.
- **Appendix 5** shows updates to the Treasury Management Strategy.
- **Appendix 6** shows updates to the Investment Strategy.
- **Appendix 7** lists details of Earmarked Reserves.

Alex Thompson

Director of Finance and Customer Services
(Section 151 Officer)

Contents

Introduction	1
2020/21 Revenue Forecast – Mid Year Review Summary	3
Section 1 – Financial Stability	5
Section 2 – Workforce Development	15
Appendices	
Appendix 1 – Changes to Revenue Budget 2020/21 since Medium Term Financial Strategy	20
Appendix 2 – Corporate Grants Register	22
Appendix 3 – Debt Management	35
Appendix 4 – Capital Strategy	36
Appendix 5 – Treasury Management Strategy	52
Appendix 6 – Investment Strategy	66
Appendix 7 – Reserves Strategy	72

2020/21 Outturn Forecast at Mid Year Review - Financial Position

2020/21 Mid Year Review (GROSS Revenue Budget £647.2m)	Revised Budget (NET) £m	Forecast Actual Outturn £m	Forecast Over / (Underspend) £m	For further information please see the following sections
SERVICE DIRECTORATES				Note this table excludes the impact of Covid-19.
People	181.4	183.5	2.1	Section 1 - Paragraphs 5-28
Place	74.3	71.3	(3.0)	Section 1 - Paragraphs 29-44
Corporate	34.1	35.2	1.1	Section 1 - Paragraphs 45-54
Total Services Net Budget	289.8	290.0	0.2	
CENTRAL BUDGETS				
Capital Financing	12.0	12.0	-	Appendix 4
Transfer to/(from) Earmarked Reserves	(0.7)	(0.7)	-	Appendix 7
Corporate Contributions / Central Budgets	0.7	-	(0.7)	Section 1 - Paragraph 55
Total Central Budgets	12.0	11.3	(0.7)	
TOTAL NET BUDGET	301.8	301.3	(0.5)	
Business Rates Retention Scheme	(49.8)	(49.8)	-	Section 1 - Paragraphs 72-76
Specific Grants	(22.4)	(22.4)	-	Appendix 2
Council Tax	(229.5)	(229.5)	-	Section 1 - Paragraphs 61-71
Sourced from Collection Fund	(0.1)	(0.1)	-	
Central Budgets Funding	(301.8)	(301.8)	-	
FUNDING POSITION	-	(0.5)	(0.5)	
	Planned Contribution 2020/21 £m	Forecast Variance Outturn £m	Impact on Reserves Outturn £m	
Impact on Reserves	-	0.5	0.5	Note the impact on reserves excludes the impact of Covid-19.
General Reserves Balance	2020/21 Budget	Mid Year Forecast		
	£m	£m		
Opening Balance April 2020	10.3	Actual	10.3	
2020/21 Impact on Reserves (see above)			0.5	Section 1 - Paragraphs 57-59
Closing Balance March 2021	10.3	Forecast	10.8	

2020/21 Mid Year Review (GROSS Revenue Budget £647.2m)	Covid Financial Pressures		Forecast Over / (Underspend)	For further information please see the following sections
	Expenditure	Income		
	£000	£000	£000	
SERVICE DIRECTORATES				
People	10,212	2,125	12,337	
Place	10,137	9,295	19,432	
Corporate	4,737	1,524	6,261	
Total Services Net Budget	25,086	12,944	38,030	
CENTRAL BUDGETS				Release of Covid Funding received last year held in reserves.
Capital Financing	-	-	-	
Transfer to/(from) Earmarked Reserves	(8,097)	-	(8,097)	
Covid Impact on Collection Fund	9,100	-	9,100	
Corporate Contributions / Central Budgets	-	-	-	
Total Central Budgets	1,003	-	1,003	
TOTAL NET BUDGET	26,089	12,944	39,033	
Business Rates Retention Scheme	-	-	-	Covid Funding received this year.
Specific Grants	(13,251)	-	(13,251)	
Council Tax	-	-	-	
Sourced from Collection Fund	-	-	-	
CENTRAL BUDGETS FUNDING	(13,251)	-	(13,251)	
NET	12,838	12,944	25,782	
The £9.1m impact on the Collection fund does not affect reserves in 2020/21 as the costs can be allocated to 2021/22 – 2023/24 financial years.				
Capital expenditure of £9.335m included in Directorate expenditure above, £6.3m may not materialise until 2021/22.				

1. Financial Stability

Introduction

1. The Council has a strong track record of sound financial management. Nevertheless, in common with all UK local authorities the Council finds itself in a position where pressures on the revenue budget are intensifying as a result of the Coronavirus pandemic, increased costs, growing demand and reducing Government grant. The Council has received funding in response to the Covid-19 crisis, however it is not expected to cover all the costs of additional expenditure and reduced income caused by the pandemic. Demand for Children's and Adults' Social Care remains a significant pressure for the Council.
2. A full mitigation plan is in progress to address any shortfall in funding for the costs of Covid-19 and ensure that the General Reserves are protected. Given the scale of the financial pressures achieving a balanced budget position this year will be extremely challenging.
3. **Table 1** provides a service summary of financial performance at mid year. The current forecast is that services will be £0.2m over budget in the current year on normal activities. The Financial Narratives provide further details and changes to service net budgets since mid year review are analysed in **Appendix 1**.
4. Further items impacting on the level of the Council's balances are detailed in the paragraphs below on Central Contingencies and Contributions.

Table 1 - Service Revenue Outturn Forecasts

2020/21 Outturn Review	Revised Budget	Actual Outturn	Over / (Underspend)
(GROSS Revenue Budget £647.2m)	(NET)		
	£m	£m	£m
SERVICE DIRECTORATES			
Directorate	0.9	0.8	(0.1)
Children's Social Care	40.2	42.8	2.6
Education & 14-19 Skills	15.0	14.5	(0.5)
Prevention & Early Help	8.4	8.1	(0.3)
Adult Social Care - Operations	28.1	28.3	0.2
Commissioning	88.8	89.0	0.2
Public Health	-	-	-
People	181.4	183.5	2.1
Directorate	1.0	0.9	(0.1)
Environment & Neighbourhood Services	40.8	40.6	(0.2)
Growth & Enterprise	20.6	18.1	(2.5)
Highways & Infrastructure	11.9	11.7	(0.2)
Place	74.3	71.3	(3.0)
Directorate	0.7	0.3	(0.4)
Finance & Customer Services	8.7	10.0	1.3
Governance & Compliance Services	10.0	9.3	(0.7)
Transformation	14.7	15.6	0.9
Corporate	34.1	35.2	1.1
Total Services Net Budget	289.8	290.0	0.2

Note this table excludes the impact of Covid-19

Financial Narratives

People Directorate

5. The base budget for the Children and Families Department for 2020/21 at mid-year is £64.5m.
6. There are a number of key pressures within the Directorate resulting in a forecast overspend of £4.1m against the base budget. Additional costs arising from Covid-19 represent a significant factor and these are forecast at £2.4m. The position excluding Covid-19 costs is a £1.7m overspend.
7. The Covid-19 costs facing the Directorate include £1.2m in Children's Social Care from additional placements and higher costs being incurred as a result of delayed court proceedings plus £0.9m from the loss of income from parents for school meals during the lock down period when schools were only open for the children of key workers.
8. The position is summarised in the table below:

Mid Year Review	Base Budget £'000	Outturn Variance £'000	Covid Element £'000	Net of Covid Costs £'000
Executive Director	0.9	(0.1)	-	(0.1)
Children's Social Care	40.2	3.8	1.2	2.6
Prevention and Support	8.4	(0.2)	0.1	(0.3)
Education and Skills	15.0	0.6	1.1	(0.5)
Revised Total	64.5	4.1	2.4	1.7
Dedicated Schools Grant - forecast overspend		5.1		5.1

9. Particular issues are set out in the paragraphs below.

Children's Social Care

10. The overspend excluding Covid-19 costs is forecast at £2.6m.
11. This is mainly as a result of increasing numbers of children in care (from 533 at the end of March 2020 to 547 at the end of July 2020). This has led to a £0.3m pressure.
12. The second key issue is that the new residential services contract is expected to be fully utilised in-year but there will be a delay in maximising occupancy levels. The full use of the contract means additional costs of £1.7m which should be offset by savings from children moving from more costly block contract places into those settings.
13. However, there will be delays in making the expected savings and some associated costs where children have not yet moved. This additional overall cost is forecast at £0.5m.
14. The service is taking forward a number of demand management projects to reduce the pressure on the agency placements budget. These include:
 - Regular reviews of placements to ensure needs are met at the appropriate cost and improved gatekeeping.
 - Greater analysis of the budget basis, the increase in costs over time and unit costs.
 - Working as part of a regional adoption collaboration to increase adopters.
 - Further projects in 2020/21 to move to a "bespoke" service offer and undertake further challenge of costs.

15. The forecast assumes no further growth in placement numbers at this stage.

Prevention and Early Help

16. The department is forecasting an underspend of £0.3m due to holding vacancies. That is excluding Covid-19 costs of £0.1m for an additional manager and loss of income from rental income and training.

Education and Skills

17. The Department is currently reflecting an underspend of £0.5m excluding Covid-19 costs. The key issues are:

- Special Educational Needs ~ staffing expenditure (including permanent and agency staff) is expected to balance following the additional budget allocation for 2020/21.

However, the demands on the service from higher numbers of Education, Health and Care Plans (EHCPs) continues and there are statutory deadlines to meet. The third quarter will provide a further opportunity to review the overall staffing pressure.

The service is undertaking a number of projects to improve systems for different areas of SEND spend and this is requiring additional support. The service is also looking at different arrangements for procuring additional education psychologists time over a number of years.

- Transport ~ the Children and Families outturn assumes a net nil position for transport. This acknowledges there are pressures but an underspend in quarter 1 as transport was not required along with the growth in budget should mitigate the pressure in-year. TSS have a new route planning system which should support delivering future efficiencies.

- Education and Skills ~ the two services supporting schools are reflecting a £0.1m underspend through vacancies.

- Catering ~ there has been a significant loss of income due to Covid-19 of £0.9m. This has been offset by reductions in spend and other contributions to reflect a £0.5m underspend excluding the Covid-19 pressure. The forecasts assume that income from parents returns to normal from September 2020.

- Schools Capital programme – there are potentially increased capital costs of £2m.

Dedicated Schools Grant (DSG)

18. This is ring-fenced funding received for:

- schools
- high needs / special educational needs
- early years provision
- a number of central services including statutory costs and certain support costs.

19. The key pressure on DSG relates to the high needs block. For 2020/21 the amount of high needs DSG funding expected is £40m representing an increase of £3.1m (8.5%) on 2019/20.

20. However, the overspend from high needs of £4.2m has taken the Council's DSG reserve into a credit position of £2.6m at the 1 April. Therefore, the first call on that additional funding is to top up the reserve to nil.

21. The forecast for 2020/21 from placements is £5.1m overspend. This reflects the significant increase in EHCPs. We continue to create additional local capacity, but demand exceeds the current rate of local expansion. A robust process of significant challenge where increased costs are requested

from providers is now in place. The service has made progress on reducing further pressure but overall this remains a challenge.

22. A significant number of measures to address this are being taken forward including:
 - Restructuring the SEND team and increasing capacity.
 - Using new systems to improve monitoring and forecasting.
 - Updating an analysis of SEND needs across the borough.
 - Expanding local SEND provision and opening new facilities to reduce the need for expensive independent placements. This is taking time to deliver and Covid-19 will impact.
 - Piloting a new banding system for funding pupils with SEND to give schools greater flexibility on how the funding is used.
 - Challenging price increases from providers.
 - Developing a demand management strategy.
 23. A recovery plan is being developed to keep track of these items and how the continued growth in EHCPs is being mitigated.
- Adult Social Care, Public Health and Communities**
24. The Adult Social Care (Operations and Commissioning) and Public Health budget remain under continued pressure across the country. The pressure here in Cheshire East comes from a combination of factors, which have been building over a number of years, and relate to meeting the needs of our most vulnerable residents and this has been recognised in the 2020/21 budget where growth has been allocated.
 25. Adult Social Care Commissioning have responded to this challenge by re-commissioning and developing new models of care to ensure there is a better offer to service users and

more sustainability for care providers. In addition to this the Adult Social Care Commissioners have also introduced an Early Help Framework to support better outcomes in the Voluntary, Community and Faith sectors.

26. Covid-19 is creating huge pressures and risks across the wide spectrum of services provided. This includes within the social care market and for our partners such as the NHS, as well as the Voluntary, Community and Faith sectors. Adult Social Care Operations & Commissioners are working collaboratively with providers and our partners to ensure that people's needs continue to be met and that they are protected throughout this challenging time.
27. The service is reporting a forecast overspend of £0.4m at the Mid Year Review point, excluding direct pressure from Covid-19 costs.
28. The forecast overspend for the People Directorate is therefore £2.1m at year end as identified in **Table 1** above.

Place Directorate

29. The Place Directorate is reporting an underspend of £3m at the Mid Year Review point, this excludes revenue costs and loss of income related to Covid-19 which is significant at £14.9m.

Place Directorate £0.1m underspend

30. Savings arise from holding staff vacancies. Contributions to the Constellation Partnership are not expected to be made in 2020/21.

Environment & Neighbourhood Services

31. There is a pressure of £5.2m for Covid-19 revenue costs, excluding these the service would achieve an underspend of £0.2m.

32. Over £2m of the Covid-19 pressure is from Ansa for additional staff, cleaning and PPE costs plus the increased costs of household waste recycling centres and higher levels of waste being collected.
33. Additional costs of £1.2m (a risk projection) have been identified for the delivery of services in leisure centres. This relates to the fact that the leisure trust which provides the leisure centres on behalf of the Council was unable to receive income during the government directed closure of leisure centres. This closure formed part of the restrictions introduced to respond to the pandemic between March and July. Furthermore, whilst leisure centres have reopened they are operating with social distancing restrictions which is expected to impact on income for the remainder of 2020/21.
34. During the period of lock down the trust has been able to reduce its costs and secure additional support, for example funding has come from the Government's job retention scheme. Nonetheless the Trust is projecting that it will not be able to make up the total amount of lost income for the 2020/21 financial year.
35. The Council has therefore provided additional funding to make up this lost income for the 2020/21 year. This may need to be funded from the emergency grant support provided to the council in relation to the expenditure associated with the pandemic.
36. The pandemic has also led to a loss of income including fees for Planning, Building Control and Land Charges. Licensing income has also been reduced as has income within the Libraries service.

37. Excluding pressures related to Covid-19, there are also pressures for reduced recycling income and the revenue costs of rolling out food waste recycling. These have been mitigated by staffing vacancies across the majority of services and by reducing the expenditure on books within libraries.

Growth & Enterprise

38. Covid-19 revenue costs and loss of income total £4.2m within Growth & Enterprise. The underlying position excluding these is an underspend of £2.5m.
39. There is a forecast £2.4m loss of income at Tatton Park due to the pandemic. Other Covid-19 income losses are forecast across Assets, Public Rights of Way, Countryside and Visitor Economy. Services facing an increase in costs due to Covid-19 include Housing for increased support to the homeless.
40. Covid-19 pressures have been partly mitigated by staffing savings across a number of services including Tatton, Housing, Economic Development and Facilities Management. Other mitigations include cost controls at Tatton and drawing down eligible grants within Housing. Significant savings are forecast within Facilities Management due to lower costs of electricity and water and reduced costs of reactive maintenance.

Highways & Infrastructure

41. Covid-19 revenue costs total £5.5m within Highways & Infrastructure. The underlying position excluding these is an underspend of £0.2m.
42. £3.7m of the £5.5m Covid-19 pressure is a forecast loss of income within Parking Services. Other Covid-19 pressures are a reduction in income from developers and additional costs of social distancing and support to other services within Highways.

- 43. In addition there is potentially £4.3m of additional capital expenditure on the major highway infrastructure schemes due to Covid-19.
- 44. The majority of underspends come from vacancies from Highways and Civil Enforcement Officers within the Parking service.

Corporate Directorate

- 45. The £34.1m budget for Corporate Services, which includes the Housing Benefits (HB) Payments Centre is currently forecast to outturn at a £1.1m overspend, this excludes £3.6m of pressures as a result of the Covid-19 pandemic. In addition there are £2.8m additional capital costs relating to Covid-19.
- 46. Pressures elsewhere in the service offset a £2.0m underspend across the controllable service budgets achieved through an in-year budget remediation plan, which has been put in place to address legacy gaps in the base budget for Corporate Services. The reasons for the £1.1m overspend which excludes Covid-19 pressures is as a result of the HB Payments Centre under-recovery (£1.0m), and additional one-off costs relating to implementing the Best4Business System totalling £2.1m split across various Corporate support services (£1.6m) and the Transactional Service Centre (TSC) hosted by Cheshire West and Chester Council (CWaC) (£0.5m).
- 47. Best4Business pressures reported are mainly one-off additional costs that cannot be charged to the capital project or unachievable in-year savings that rely on the system going live to achieve, which will be mitigated from the revenue budget wherever possible. The £2.1m pressure consists of £0.7m in Finance & Customer Services as a result of additional staffing costs (£0.5m) and unachievable savings

linked to the new system (£0.2m); £0.9m in Transformation relating to additional licences costs in ICT Strategy (£0.3m), additional software costs (£0.3m), and unachievable savings within Human Resources (HR) linked to the new system (£0.3m); and additional staff costs in TSC shared service hosted by CWaC (£0.5m). The Shared Services Joint Committee is looking into the detail of the additional costs.

Directorate

- 48. The Corporate Services Directorate area includes the cost of the Chief Executive and associated budgets, and the Executive Director of Corporate Services, along with the temporary £0.3m Corporate Services growth (applies to 2020/21 only). The Directorate is forecast to underspend by £0.35m mainly due to assigning the costs of the Director posts against the relevant service budgets, and the remainder is due to budget remediation actions on the Chief Executive budget.

Finance & Customer Services

- 49. Finance and Customer Services is forecast to overspend by £1.3m, which excludes Covid-19 related pressures of £2.1m arising mainly from an estimated £0.4m loss of overpayment recoveries on the HB Payments Centre, lost court costs income in Revenues (£0.5m) and additional staffing costs through overtime and use of agency staff in Revenues (£0.2m) and Benefits (£0.1m). The majority of the non Covid-19 related service overspend is attributable to a £1.0m under recovery on the HB Payments Centre due to a reduction in HB subsidy from 99% to 97.1% as a result of an increase in supported accommodation costs. These are being investigated as a matter of urgency. The overspend includes the additional costs and unachievable in-year savings within Finance & Procurement linked to implementing the Best4Business System (£0.7m), and the costs of the unbudgeted Director post (£0.1m). These pressures mask

underspending achieved by Finance & Procurement (-£0.2m), and Customer Services (-£0.3m) from implementing the budget remediation plan, through delaying restructures, delaying filling vacancies, and savings on certain non-staff costs.

Transformation

50. Transformation is forecast to overspend by £0.8m, in addition there is £0.6m of additional revenue expenditure and £2.8m of capital expenditure due to Covid-19. Capital expenditure relates to the purchase and set up of equipment to facilitate home working, additional revenue pressures have arisen in ICT Strategy and Service Delivery from a reduction in commissioned project income and additional software.
51. The non Covid-19 related service overspend is attributable to additional costs within ICT relating to implementing the Best4Business System (£0.6m), the shared Transactional Services (TSC) hosted by Cheshire West & Chester (CWaC) overspending by £0.5m mainly due to additional cost relating to implementing the Best4Business System, Business Change loss of income (£0.2m) and unachievable in-year savings within Human Resources (HR) linked to implementing the Best4Business System (£0.3m). The ICT Service Delivery shared service is included in the above figures, an overall pressure of £1.1m is being reported of which the CEC share is £0.6m (related to a reduction in commissioned project income due to unrecoverable time spent on B4B and Covid-19 work and additional software costs).
52. The pressures within Transformation are partially offset by actions in the budget remediation plan, including the HR budget being forecast to underspend by £0.6m due to underspending on Workforce Development (WFD) and Organisational Development due to Covid-19 as well as staff vacancies in addition to ongoing work with the ICT shared

service to mitigate the impacts resulting from the Covid-19 response.

Governance & Compliance

53. Governance & Compliance is forecast to underspend by £0.7m, this is offset by Covid-19 related pressures of £0.9m mainly in the Registrations Service due to lost marriage ceremonies income.
54. The non Covid-19 related service expenditure is forecast to underspend by £0.7m with both Legal Services and Audit & Risk forecasting an underspend of £0.3m due to staff vacancies within Audit and Health & Safety. Changes to the budget combined with reducing the use of locums within Legal Services has resulted in the temporary staffing budget not being required. Governance & Democratic is forecast to underspend by £0.1m due to staffing vacancies and other targeted measures to reduce non-staffing costs.

Central Contingencies and Contributions

55. It is currently forecast that there will be a £0.7m underspend variance to budget on the central budget. This is due to lower past service employer pension contributions following a valuation after the budget was set. Budgeted transfers of £0.7m from earmarked reserves are expected to take place in- year as planned. Grants relating to business rates have been received centrally in-year that are additional to budget which will be transferred to reserves for future use.
56. Details of grants received and reserves can be found at **Appendix 2** and **Appendix 7** respectively.

Outturn Impact

57. The impact of the projected service outturn position is to maintain balances as reported above (**paragraph 3**).
58. Taken in to account with the central budget items detailed above (**paragraph 55**), the financial impact could result in an increase in balances of £0.5m. However the impact of Covid-19 costs may reduce the balances by up to £25.9m.
59. The Council will continue to manage and review the financial forecasts in response to emerging guidance and the local response to the emergency and how this affects the Council's revenue budget.

Collecting Local Taxes for Local Expenditure

60. Cheshire East Council collects Council Tax and Non Domestic Rates for use locally and nationally.

Council Tax

61. Council Tax is set locally and retained for spending locally. Council Tax was set for 2020/21 at £1,503.98 for a Band D property. This is applied to the taxbase.
62. The taxbase for Cheshire East reflects the equivalent number of domestic properties in Band D that the Council is able to collect Council Tax from (after adjustments for relevant discounts, exemptions and an element of non-collection). The taxbase for 2020/21 was agreed at 152,597.84 which, when multiplied by the Band D charge, means that the expected income for the year is £229.5m.
63. In addition to this, Cheshire East Council collects Council Tax on behalf of the Cheshire Police and Crime Commissioner, the Cheshire Fire Authority and Parish Councils. **Table 3**

shows these amounts separately, giving a total budgeted collectable amount of £282.5m.

64. This figure is based on the assumption that the Council will collect at least 99% of the amount billed. The Council will always pursue 100% collection, however to allow for non-collection the actual amount billed will therefore be more than the budget.
65. This figure may also vary during the year to take account of changes to Council Tax Support payments, the granting of discounts and exemptions, and changes in numbers and value of properties. The amount billed to date is £281.0m.

Table 3 – Cheshire East Council collects Council Tax on behalf of other precepting authorities

	£m
Cheshire East Council	229.5
Cheshire Police and Crime Commissioner	32.1
Cheshire Fire Authority	12.1
Town and Parish Councils	8.8
Total	282.5

66. **Table 4** shows collection rates within three years, and demonstrates that 99% collection is on target to be achieved within this period.

Table 4 – Over 99% of Council Tax is collected within three years

Financial Year	CEC Cumulative			
	2016/17	2017/18	2018/19	2019/20
	%	%	%	%
After 1 year	98.3	98.2	98.2	97.9
After 2 years	99.1	99.1	99.0	**
After 3 years	99.3	99.4	**	**

**data not yet available

67. The Council Tax in-year collection rate for the period up to July 2019 is 37.1%. This is a decrease of 1.5% on the previous year and is caused by the effect of Covid-19 on taxpayer's ability to pay. In addition, normal processes to recover unpaid council tax have been postponed during the pandemic. As the situation changes those processes will be recommenced in order to encourage payment where there is ability to pay.
68. Council Tax support payments were budgeted at £16.9m for 2020/21 and at the end of the July the total council tax support awarded was £19.4m.
69. Following consultation changes were made to the Council Tax Support scheme for 2020/21. The scheme was confirmed by full Council in December 2019.
70. Council Tax discounts awarded are £25.1m which is a slight increase on the same period in 2019/20. This is mainly due to

an increase in single person discounts following the postponement of the discount review during Covid-19.

71. Council Tax exemptions awarded is £6.1m which is an increase on the same period in 2019/20. This has been impacted by the postponement of exemption reviews during Covid-19.

Non-Domestic Rates (NDR)

72. NDR is collected from businesses in Cheshire East based on commercial rateable property values and a nationally set multiplier. The multiplier changes annually in line with inflation and takes account of the costs of small business rate relief.
73. The small business multiplier applied to businesses which qualify for the small business relief was set 49.9p in 2020/21. The non-domestic multiplier was set at 51.2p in the pound for 2020/21.
74. Cheshire East Council continues to be in a pooling arrangement with the Greater Manchester (GM) Authorities (also includes Cheshire West and Chester from 2016/17) for the purposes of Business Rates Retention. The purpose of the pool is to maximise the retention of locally generated business rates to further support the economic regeneration of Greater Manchester and Cheshire Councils. As a pool the members will be entitled to retain the levy charge on growth that would normally be paid over to Central Government. Cheshire East will retain 50% of this levy charge locally before paying the remainder over to the pool.
75. **Table 5** demonstrates how collection continues to improve even after year end. The table shows how over 99% of non-domestic rates are collected within three years.

Table 5 – Over 99% of Business Rates are collected within three years

Financial Year	CEC Cumulative			
	2016/17	2017/18	2018/19	2019/20
	%	%	%	%
After 1 year	97.7	98.3	98.5	98.2
After 2 years	99.2	99.4	99.4	**
After 3 years	99.8	99.7	**	**

**data not yet available

76. The business rates in-year collection rate for the period up to July 2020 is 36.0%. This is a reduction of 2.7% compared to the same period in 2019/20 and is caused by the effect of Covid-19 on ratepayer's ability to pay. In addition, normal processes to recover unpaid business rates have been postponed during the pandemic. As the situation changes those processes will be recommenced in order to encourage payment where there is ability to pay.

2. Workforce Development

77. This section sets out the Council's activities and progress in relation to HR, Organisational Development, Health and Safety and Workforce Development plans and changes for during 2020/21.

Culture and Values

78. Following the Local Government Association's independent culture review and acceptance of the report recommendations, overall delivery of the planned phases of the Brighter Future Together (Culture) Programme has been completed. The recommendations have been addressed through the programme and all are complete.
79. The Conversation Toolkit has been further developed to include a Workplace Wellbeing Toolkit. This supports discussions between line managers and their staff focussing on working from home and checking in on welfare and wellbeing. Further conversations will be developed for returning to the office.
80. 'My Conversation' toolkits have been launched to guide staff in conversations in one to one meetings, team meetings and for the performance development meetings. The toolkits are aligned with the Vision for the Council's workplace culture and behaviours, and employee deal. This will allow all staff to embed the behaviours in their day to day work alongside other developments such as utilising the behaviours within a recruitment toolkit, leadership and management skills programme, coaching programme and recognition events.

81. A pulse survey Flexible, Future Workplace was opened to staff during July with a very good response rate of 55%. The initial results are very positive in relation to having the technology to continue working from home, positive support from line managers and communication from the organisation. As expected, some concerns were reported around returning to the workplace whilst the Covid-19 pandemic continues. These matters are being addressed through the Workplace Recovery Workstream.
82. Work has continued to promote the 'Made my Day' scheme that enables staff to be recognised at every level across the Council. Made my Day has continued to be well used to thank colleagues. April saw a record level with 307 nominations being made. 896 nominations were made between April and July 2020. As the usual Making a Difference presentation cannot be held all the nominees received to the end of June have been sent their recognition certificate and a letter direct to their home.
83. Since April there has been a concentrated effort to release wellbeing, resilience and mental health support on a regular basis through the Covid-19 brief. A weekly call, Time to Listen and Chat, was introduced in April to support staff during these very difficult times and continues to run with a relevant themes relating to wellbeing. Similar themed calls have latterly been introduced to support Managers to assist them with managing their teams virtually.

Building Capability and Capacity

84. The Corporate Training Programme and Continuous Professional Development Portfolios seek to ensure that the

Council creates a workforce which is safe, knowledgeable and competent in performing their duties to the highest possible standard, providing the best quality services to the residents and businesses.

85. The Covid-19 pandemic has prevented the continuation of face to face training throughout quarter 1 and quarter 2 of 2020/21, but so far in 2020/21, 3 bespoke virtual courses have been offered to CEC employees with 29 individual sessions taking place. 9 employees successfully secured funding approval via the Continuous Professional Development Panel for role specific development and qualifications in over the year, seeing over £12,609 investment. A suite of workplace and well being e-learning packages are currently being developed to support staff with new ways of working.
86. Developing management capability at all levels has continued with 37 managers being on track to complete the Institute of Learning and Management (ILM) Level 3 and Level 5 Diploma qualifications. 19 Managers have completed their ILM qualifications and a further 4 managers are due to start in August 2020.

Resourcing and Talent

87. The Council continues to support work placements at all levels with 26 social work students undertaking placements within Children's or Adult's social work teams.
88. The apprenticeship scheme continues to grow with 111 apprentices undertaking work-based learning across the

Council. Of this figure, 84 are existing staff taking up the opportunity to develop their skills through the apprenticeship scheme.

Education HR Consultancy

89. The Covid-19 pandemic has led to the postponement of scheduled training in relation to Safer Recruitment in Schools.
90. Guidance and support in responding to Covid-19, subsequent school closures and preparation for their reopening in September 2020 has been provided.

Health and Safety

91. The Council's Health and Safety team have continued to provide advice and guidance, ensuring that colleagues across the Council, ASDVs and Schools are supported to work safely.
92. This includes supporting the reopening of sites and services in line with Covid-19 secure guidance, advising on risk assessments for the work place and the workforce.

Staffing Changes

93. As shown in the table below, both Cheshire East Council's overall headcount and the number of full time equivalent (FTE) employees have increased during the first quarter of 2020/21.

Table 6: Cheshire East Council Employee Headcount and FTE Figures

Executive Directorate & Service	Employee Headcount March 2020	Employee Headcount June 2020	Employee FTE March 2020	Employee FTE June 2020
People	2151	2152	1605.3	1613.6
Adult Social Care & Health	900	899	715.5	714.4
Children's Services	1098	1103	750.4	763.2
Commissioning	142	141	129.7	128.2
Corporate	674	681	623.5	624.6
Audit & Risk	16	16	14.3	14.0
Legal Services	45	47	40.6	42.7
Democratic Services	86	94	71.8	74.1
HR	38	38	34.3	33.7
ICT	179	179	173.1	173.2
Business Change	56	57	54.9	55.9
Customer Services	176	172	157.9	154.2
Financial Support & Procurement	74	74	72.7	72.8
Place	738	766	552.1	583.0
Growth & Enterprise	364	359	251.3	251.8
Highways & Infrastructure	51	53	46.6	48.6
Environment & Neighbourhood Services	316	347	247.2	275.7
Cheshire East Council Total	3565*	3601*	2782.9*	2823.2*

***Note:** The Chief Executive has not been included in any of the Directorate / Service information, but is counted in the overall Cheshire East Council headcount and FTE figures; similarly Executive / Directors and / or "Business Managers" will not appear in the "Service" totals but will appear in the overall "Directorate" figures. Employees with multiple assignments across services will appear in the headcount figures for each service, but will only be counted once in the total CEC headcount figure; where an employee has multiple assignments in the same service they will appear in the overall headcount figure only once for that service.

Agency workers

94. Agency workers are a valuable component of the Council's workforce, providing short term cover, project work and flexible specialist skills to maintain service delivery in areas such as social services, ICT and other professional services. The table below provides a summary of active agency worker assignments at the beginning and end of the first quarter of 2020/21, together with agency worker assignments as a percentage of all Cheshire East assignments.

Table 7: Active agency worker assignments

	Active Assignments on 01.04.20	Active Assignments on 30.06.20	% of all Workforce Assignments on 01.04.20	% of all Workforce Assignments on 30.06.20
People	67	74	3.0%	3.3%
Corporate	82	90	10.8%	11.7%
Place	5	4	0.7%	0.5%
Total	154	168	4.1%	4.4%

95. The overall number of active agency assignments has increased during the first quarter of 2020/21 due to a net increase of 8 assignments in Corporate and 7 in People for a

variety of service needs; particularly, an increase of assignments in ICT and Children's Services.

Absence

96. During the Covid-19 pandemic, absence figures were compiled on a daily basis initially (reducing to weekly) by service areas to give a snapshot of the number of people absent from work due to sickness (Covid-19 related and for other reasons) or they were self-isolating / shielding (because they could not undertake their job role from home). The majority of employees who were self-isolating or shielding continued to work from home during this period. Opportunities for redeployment were considered for those who could not work from home in their substantive role.

Voluntary Redundancies

97. The Council's voluntary redundancy scheme continues to support organisational change and the delivery of the planned programme of change in the Corporate Plan. The effective use of voluntary redundancy in this way enables the Council to achieve its planned savings and efficiencies and also helps to maintain good employee relations within the Authority and minimises the prospect of compulsory redundancy.

Appendices to Mid Year Review (FINANCE) 2020/21

October 2020

Appendix 1

Changes to Revenue Budget 2020/21 since Medium Term Financial Strategy

	MTFS Net Budget £000	Additional Grant Funding £000	Restructuring & Realignments £000	Mid Year Net Budget £000
PEOPLE				
Directorate	907	-	(26)	881
Adult Social Care Operations	27,864	43	213	28,120
Children's Social Care	40,217	42	(69)	40,190
Commissioning	89,012	-	(234)	88,778
Education & 14-19 Skills	14,865	201	2	15,068
Prevention & Early Help	8,103	113	135	8,351
Public Health	-	-	-	-
	180,968	399	21	181,388
PLACE				
Directorate	671	-	306	977
Environment & Neighbourhood Service	40,714	100	30	40,844
Growth & Enterprise	20,489	117	(55)	20,551
Highways & Infrastructure	11,934	-	(25)	11,909
	73,808	217	256	74,281
CORPORATE				
Directorate	693	-	-	693
Finance & Customer Services	8,680	-	(2)	8,678
Governance and Compliance Services	9,985	34	(1)	10,018
Transformation	14,749	-	(21)	14,728
	34,107	34	(24)	34,117
TOTAL SERVICE BUDGET	288,883	650	253	289,786

	MTFS Net Budget £000	Additional Grant Funding £000	Restructuring & Realignments £000	Mid Year Net Budget £000
CENTRAL BUDGETS				
Capital Financing	12,000	-	-	12,000
Corporate Contributions	813	-	(96)	717
Contribution to / from Reserves	(694)	-	-	(694)
	12,119	-	(96)	12,023
TOTAL BUDGET	301,002	650	157	301,809
CENTRAL BUDGETS FUNDING				
Business Rates Retention Scheme	(49,786)	-	-	(49,786)
Specific Grants	(21,565)	(650)	(157)	(22,372)
Council Tax	(229,504)	-	-	(229,504)
Sourced from Collection Fund	(147)	-	-	(147)
TOTAL CENTRAL BUDGETS FUNDING	(301,002)	(650)	(157)	(301,809)
FUNDING POSITION	-	-	-	-

Note: £157,000 additional funding was included in the Outturn Report that was approved at Cabinet in June 2020.

Appendix 2

Corporate Grants Register

Government Grant Funding of Local Expenditure

1. Cheshire East Council receives two main types of Government grants; specific use grants and general purpose grants. The overall total of Government grant budgeted for in 2020/21 was £254.8m.
2. In 2020/21 Cheshire East Council's specific use grants held within the services was budgeted to be £233.2m based on Government announcements to February 2020. At mid-year, this figure was revised up to £241.1m.
3. Mid-year has seen an increase in specific use grants of £7.9m. This is due to a £5.3m grant for Covid-19 Infection Control, £1.5m for a Covid-19 Test, Track and Contain grant, £0.8m for Covid-19 Towns Fund, £0.8m Covid-19 Active Travel and a £0.8m increase in the Public Health Grant. This has been off-set by an adjustment for High Needs Deduction in Schools-related grants. Requests for the allocation of the additional grants received are detailed in **Table 1**.
4. There has also been a reduction in Housing Benefit Subsidy of £1.4m. This grant recompenses the authority for monies which have been paid out to housing benefit claimants and therefore there is a corresponding reduction, the net effect of which is nil.
5. Spending in relation to specific use grants must be in line with the purpose for which it is provided.
6. In the Chancellors Budget on 11 March, two business grant schemes were announced to provide support for businesses as a result of the Covid-19 pandemic.
7. The Small Business Grant Fund (SBGF) is payable to small businesses – essentially those who are currently eligible for Small Business Rate Relief (SBRR) and Rural Rate Relief (RRR). The amount was increased from £3,000 in the Budget to £10,000 in the Chancellor's statement on 17 March.
8. The Retail, Hospitality and Leisure Grant (RHLG) is payable to smaller businesses in this sector, with £10,000 for businesses with rateable values of less than £15,000, and £25,000 for those with rateable values between £15,000 and £51,000 (i.e. those on the Small Business Rate Multiplier).
9. At the beginning of April, Cheshire East was paid £95.5m to passport directly to eligible businesses and by the end of July there had been payments made of £84.6m. The scheme will officially close at the end of August 2020 and any unspent grant will be repaid to central government.
10. General purpose grants were budgeted to be £21.6m. Further in-year grant announcements have increased the amount received to £105.6m.
11. The Covid-19 pandemic has seen additional financial support issued by Central Government.
12. The Government announced in the Budget on 29 October 2018 that it would provide a Business Rates Retail Discount,

to apply in the years 2019/20 and 2020/21. In response to the Coronavirus pandemic, in the Budget on 11 March the Government announced that it would increase the discount to 100% and extend it to include the leisure and hospitality sectors. Following the announcement on 23 March 2020 of further measures to limit the spread of Coronavirus, the Government confirmed that some of the exclusions for this relief have been removed, so that retail, leisure, and hospitality properties that will have had to close as a result of the restriction measures were also eligible for the relief.

13. The estimated full cost for this additional relief for Cheshire East was £58.8m. Usually, local authorities would only be paid their Business Rates Retention share (49%) of any new burdens measures, but in this instance 100% of the funding is being paid to councils to help with cash flow shortfalls. At the end of the financial year, following a detailed reconciliation, the share relating to MHCLG (50%) will be repaid to Government.
14. Other, significant in-year Covid-19 general purpose grants received include £13.3m of Emergency Funding, £2.1m of Council Tax Hardship Funding and Emergency Active Travel Funding.
15. Additional general purpose grants of £0.7m have also been received during the year to date. These include an additional

£0.4m in respect of Children and Families related grants, £0.2m for Place related grants and £0.1m of Corporate related grants. Requests for the allocation of the additional grants received are detailed in **Table 1**.

16. During the quarter service budgets have also been increased by a further £66,668 as a result of an officer decision record. This relates to Environmental Service Feasibility Study (NW Local Energy Hub) funding.
17. Business Rates 'Tax Loss Compensation grants' of £9.2m have also been received during 2020/21. This grant reimburses the Council for providing extra discounts to businesses in line with government guidance. £4.2m of the grant is required to fund services and is included as part of the revenue budget approved in February 2020. The remaining amount will be transferred to the Collection Fund Management earmarked reserve at year end in accordance with the Reserves Strategy.
18. **Table 2** below shows a summary of Covid-19 grants that have already received approval. **Table 3** provides a summary of the updated budget position for grants in 2020/21 by type and service. Further details of grants are shown in **Table 4** Corporate Grants Register.

Table 1 – Requests for Allocation of Additional Grant Funding

Service	Type of Grant	£000	Details
Central Budgets	Covid-19 Business Support Grant (Specific Purpose)	91,227	Funding provided to local authorities to passport directly to eligible businesses applying for business support grants due to the pandemic. Note a further £4.287m already approved in Table 2.
Central Budgets	Covid-19 Emergency Funding Tranches 2 and 3 (General Purpose)	13,251	The Covid-19 Emergency Funding is additional grant received due to the rising costs caused by the pandemic.
Central Budgets	Covid-19 Business Rate Holiday (Specific Purpose)	58,786	<p>Eligible businesses in the retail, hospitality and leisure sectors in England will not have to pay business rates for the 2020 to 2021 tax year. This grant compensates local authorities for the business rates income not received.</p> <p>The grant has been received based on 100% of the discount value to help local authority cash flow situations. A reconciliation will be undertaken at the end of the year to pay back MHCLGs 50% share of this funding accordingly.</p>
Central Budgets	Covid-19 Council Tax Hardship (Specific Purpose)	2,063	New grant funding to support economically vulnerable people and households in their local area.
Allocation For Council Approval		165,327	
Place	Covid-19 Emergency Active Travel Fund (Specific Purpose)	774	To develop and deliver a borough-wide programme of Active Travel measures to support Covid-19 recovery by improving active travel provision for workplaces, schools and town centres. £155,000 has been received and £619,000 is pending.
Allocation For Cabinet Approval		774	

Service	Type of Grant	£000	Details
Corporate	Covid-19 Emergency Assistance Grant for Food & Essential Supplies (Specific Purpose)	326	This grant is for local authorities in England to use to support people who are struggling to afford food and other essentials due to Covid-19.
Corporate	Covid-19 Local Authority Discretionary Grant (Specific Purpose)	170	This grant is intended to fund costs incurred in the administration of business support grants including staff costs, software updates, print & postage and other 3 rd party support.
Place	Covid-19 Reopening High Streets Safely (Specific Purpose)	340	This additional funding is to support the safe reopening of high streets and other commercial areas. The money will allow local authorities in England to put in place additional measures to establish a safe trading environment for businesses and customers, particularly in high streets, through measures that extend to the end of March 2021.
Place	Covid-19 Bus Support Restart (Specific Purpose)	157	This funding is available to increase capacity on buses in order to help keep passengers safe during the Covid-19 crisis, and also to prepare for a recovering economy.
Place	Covid-19 Local Bus Network (Specific Purpose)	180	Additional support for bus services that have been affected by, or need to be adjusted because of, the impact of Covid-19. Conditions apply and any underspend will need to be returned to DfT.
People – Children & Families	Covid-19 Wellbeing for Education Return (Specific Purpose)	55	This grant seeks to better equip schools and colleges to promote children and young people's wellbeing, resilience, and recovery in response to Covid-19.
People – Children & Families	Covid-19 Home to School Transport (Specific Purpose)	295	Thousands of students will be supported with new dedicated school and college transport to get them to school or college in the Autumn term. This funding will help them create extra capacity and allow hundreds of

Service	Type of Grant	£000	Details
			thousands more students to use alternatives to public transport, while social distancing measures remain in place.
People – Children & Families	Extended Rights to Free Transport (General Purpose)	201	The Department for Education provides additional transport funding to local authorities to support children from low-income families to be able to attend schools further from home than the statutory walking distances. The funding is paid as a non-ring-fenced grant paid via the Department for Communities and Local Government under the Local Services Support Grant (section 31 of the Local Government Act 2003).
People – Children & Families	Staying Put Implementation (General Purpose)	113	The purpose of the grant is to provide support for local authorities in England for expenditure lawfully incurred or to be incurred by them, in respect of a young person aged 18 and their former foster carer, who wish to continue living together in a 'Staying Put' arrangement. For the purposes of this grant 'young person' means a former relevant child who was looked after immediately prior to their 18 th birthday. This supported arrangement can continue until the young person's 21 st birthday.
People – Children & Families	Extended Personal Advisor Duty Implementation (General Purpose)	42	The purpose of the grant is to support Local Authorities in England to meet the requirements of the Children and Social Work Act 2017, requiring them to offer Personal Adviser support to all care leavers up to the age of 25. The grant is to support those young people that may request support from the Local Authority after the age of 21 and up to the age of their 25 th birthday. The grant has been provided to meet the extra demand for personal adviser time that the new duties create. The new duty provides the Local Authority the ability to respond positively to requests for support from care leavers who may have difficulties and be struggling to transition to adulthood.
People – Adult Social Care & Health	Independent Living Fund (General Purpose)	43	Following the closure of the Independent Living Fund (ILF) in June 2015, the government agreed to continue funding pre-existing ILF arrangements until the end of 2019 to 2020, through the former ILF recipient grant. On the 20 th December 2019, the government confirmed that that the former ILF recipient grant will continue to be paid to local authorities in 2020 to 2021.

Service	Type of Grant	£000	Details
			The total value of the grant in 2020 to 2021 will be maintained and this additional funding allocation is to cover the cost of the payments made to clients for the ILF, increasing it to the level of the actual 2020/21 grant, which is £42,776 higher than originally forecast in the Medium Term Financial Strategy.
Place	Neighbourhood Planning Grant for Local Planning Authorities (General Purpose)	100	The conditions of grant mean that this funding could be used across the wider Spatial Planning area.
Place	Homelessness Reduction Act (General Purpose)	116	The Minister for Local Government is providing local authorities with new burdens funding following the introduction of the Homelessness Reduction Act. The Homelessness Reduction Act places new statutory duties on Local Authorities.
Place	Letting Agents Transparency & Redress Schemes (General Purpose)	1	This grant is to fund additional monitoring responsibilities within Strategic Housing in respect of letting agents.
Corporate	Individual Electoral Registration (General Purpose)	34	The funding is to be used on activities associated with Individual Electoral Registration (IER) services within the Electoral Services area. Successful delivery of IER as per statutory requirements. Increased number of registered electors in advance of elections and referendums. Improved accuracy of the information held on our electoral database. Increased public trust in the registration system and encourage people to take responsibility for their own inclusion on the Electoral Register and their participation in elections and referendums.
Total Allocation less than £500,000		2,173	
Total Allocation 2020/21		168,274	

Table 2 - Summary of Covid-19 Grants already Approved

Service	Type of Grant	£000	Details
Public Health	Covid-19 Infection Control (Specific Purpose)	5,320	The primary purpose of this fund is to support adult social care providers, including those with whom the local authority does not have a contract, to reduce the rate of Covid-19 transmission in and between care homes and support wider workforce resilience.
Public Health	Covid-19 Test, Track and Contain (Specific Purpose)	1,533	The purpose of the grant is to provide support to local authorities in England towards expenditure lawfully incurred or to be incurred in relation to the mitigation against and management of local outbreaks of Covid-19.
Place	Covid-19 Towns Fund (Specific Purpose)	750	The Towns Fund works with places to address growth constraints and to chart a path of recovery from the impact of Covid-19. The overarching aim of the Towns Fund is to drive the sustainable economic regeneration of towns to deliver long term economic and productivity growth.
Central Budgets	Covid-19 Business Support Grant (Specific Purpose)	4,287	Funding provided to local authorities to passport directly to eligible businesses applying for business support grants due to the pandemic.

Urgent decisions made following Member consultation

Date	Summary of decision	Decision on behalf of	Members, MO/S151 consulted/ content?	Status
26 05 20	Covid-19 Discretionary Grant Fund: approval of supplementary revenue estimate of funds made available from Government, to make payments to businesses in the sum of £4,287,250. Delegation of the design and implementation of a policy and scheme for the distribution of funds.	Council	Yes	Decision made and Members notified
08 06 20	Approval of supplementary revenue estimate of £5.32m relating to the Covid-19 Infection Prevention Fund for Local Authorities' allocation for Cheshire East Council. Authorisation of the distribution of the first 75% of the Grant to eligible care home providers in the Cheshire East Borough in accordance with the DoHSC Grant conditions. Delegated authority to utilise the 25% balance of the Grant to support the wider care market with Infection Control measures.	Council	Yes	Decision made and Members notified

Urgent decisions made by the Chief Executive relating to Covid-19 funding under general delegation dated 2 July 2020

Date	Summary of decision	MO/S151 consulted	Status
07 07 20	Acceptance of the offer of the £750,000 Town Fund allocation for Crewe; agree a Supplementary Capital Estimate; expenditure delegated to the Executive Director of Place, subject to first consulting the Portfolio Holder for Environment and Regeneration.	Yes	Decision made and all Members notified on 08 07 20
08 07 20	Test and Trace: Acceptance of the Council's allocated grant of £1.53m. Authorisation of a Supplementary Revenue Estimate, for the 2020/21 Financial Year, of £1.53m. Authorisation of the Executive Director-People, in consultation with the Portfolio Holder for Public Health and Corporate Services, to distribute the grant in accordance with the conditions which have been attached to it.	Yes	Decision made and all Members notified on 08 07 20 Further clarification provided to all Members on 10 th July 2020 that the previous reference to the Portfolio Holder for Adult Social Care and Health had been corrected.

Table 3 - Summary of Grants

	Original Budget	Revised Forecast MYR	Change from Original Budget
	2020/21 £m	2020/21 £m	2020/21 £m
SPECIFIC USE			
Held within Services	233.2	241.1	7.9
GENERAL PURPOSE			
Business Support Grant	0.0	95.5	95.5
Service Funding:			
People - Childrens and Families	0.0	0.4	0.4
People - Adult Social Care and Health	8.7	8.8	0.1
Place	0.0	0.3	0.3
Corporate	12.8	28.1	15.3
Central Items	0.0	68.0	68.0
TOTAL GENERAL PURPOSE	21.5	201.1	179.6
TOTAL GRANT FUNDING	254.7	442.2	187.5

Table 3 – Corporate Grants Register

Corporate Grants Register 2020/21		Original Budget	Revised Forecast MYR	Change from Original Budget	Treatment of Grant
	Note	2020/21 £000	2020/21 £000	2020/21 £000	Notes 2 & 3
SPECIFIC USE (Held within Services)					
PEOPLE					
Schools	1	151,887	150,438	(1,449)	
Children and Families		1,759	2,021	262	
Adult Social Care		12,637	17,958	5,321	
Public Health		15,967	18,291	2,324	
Total		182,250	188,708	6,458	
PLACE					
Growth and Enterprise		263	1,572	1,309	
Directorate		787	1,897	1,110	
Total		1,050	3,469	2,419	
CORPORATE					
Finance and Customer Services		49,878	48,945	(933)	
Total		49,878	48,945	(933)	
TOTAL SPECIFIC USE		233,178	241,122	7,944	

Corporate Grants Register 2020/21		Original Budget	Revised Forecast MYR	Change from Original Budget	Treatment of Grant
	Note	2020/21 £000	2020/21 £000	2020/21 £000	Notes 2 & 3
GENERAL PURPOSE (Held Corporately)					
Central Funding					
Business Support Grant		0	95,514	95,514	Balances
People - Children and Families					
Staying Put Implementation Grant		0	113	113	SRE
Extended Rights to Free Transport (Home to School Transport)		0	201	201	SRE
Extended Personal Adviser Duty Implementation		0	42	42	SRE
People - Adult Social Care and Health					
Social Care Support Grant		7,616	7,616	0	
Independent Living Fund		818	861	43	SRE
Local Reform & Community Voices, Social Care in Prisons and War Pension Scheme Disregard		340	340	0	
Place					
Neighbourhood Planning Grant for Local Planning Authorities		0	100	100	SRE
Homelessness Reduction Act		0	116	116	SRE
Letting Agents Transparency & Redress Schemes		0	1	1	SRE
Environmental Service Feasibility Study (NW Local Energy Hub)		0	67	67	ODR

Corporate Grants Register 2020/21		Original Budget	Revised Forecast MYR	Change from Original Budget	Treatment of Grant
	Note	2020/21 £000	2020/21 £000	2020/21 £000	Notes 2 & 3
GENERAL PURPOSE (Held Corporately)					
Corporate					
Housing Benefit and Council Tax Administration		1,027	1,022	(5)	Balances
NNDR Administration Allowance		571	571	0	
New Homes Bonus		11,193	11,193	0	
Individual Electoral Registration		0	34	34	SRE
COVID-19 Emergency Funding (Tranche 2)		0	10,539	10,539	Balances
COVID-19 Emergency Funding (Tranche 3)		0	2,712	2,712	Balances
COVID-19 Council Tax Hardship Fund		0	2,063	2,063	Balances
Central Items					
COVID-19 Additional Business Rates Reliefs payments for 2020/21		0	58,786	58,786	Reserves
Business Rates Reliefs Grant 2020/21		0	4,988	4,988	Reserves
Business Rates Reliefs Grant 2020/21		0	4,200	4,200	General Fund
Total Service Funding		21,565	105,565	84,000	
TOTAL GENERAL PURPOSE		21,565	201,079	179,514	
TOTAL GRANT FUNDING		254,743	442,201	187,458	

Notes

1 The Dedicated Schools Grant, Pupil Premium Grant, Sixth Form Grant and Other School Specific Grant from the Education Funding Agency (EFA) figures are based on actual anticipated allocations. Changes are for in-year increases/decreases to allocations by the DfE and conversions to academy status.

2 SRE - Supplementary Revenue Estimate requested by relevant service.

3 ODR - Officer Decision Record to approve immediate budget change to relevant service.

Appendix 3

Debt Management

1. Sundry debt includes all invoiced income due to the Council except for statutory taxes (Council Tax and Non-Domestic Rates). The balance of outstanding debt has increased by £1.9m since the beginning of the year.
2. Annually, the Council raises invoices with a total value of over £70m. Around a quarter of the Council's overall sundry debt portfolio relates to charges for Adult Social Care, the remainder being spread across a range of functions including Highways, Property Services, Licensing and Building Control.
3. The Council's standard collection terms require payment within 28 days of the invoice date, however, services receive immediate credit in their accounts for income due. The Council uses a combination of methods to ensure prompt payment of invoices. Recovery action against unpaid invoices may result in the use of debt collectors, court action or the securing of debts against property.
4. The Revenue Recovery team (using their experience gained in collecting Council Tax and Non-Domestic Rates) engage with services to offer advice and assistance in all aspects of debt management, including facilitating access to debt collection/enforcement agent services (currently provided by Bristow & Sutor). In 2019/20 the team collected £3m on behalf of services.
5. After allowing for debt still within the payment terms, the amount of outstanding service debt at the end of July 2020 was £10.8m.

6. The total amount of service debt over six months old is £4.9m; provision of £5.7m has been made to cover doubtful debt in the event that it needs to be written off.

DEBT SUMMARY

	Outstanding Debt £000	Over 6 months old £000
People		
Adults, Public Health and Communities	7,464	3,482
Children's Social Care (Incl. Directorate)	217	35
Education and 14-19 Skills	71	2
Prevention and Early Help	11	11
Schools	70	21
Place		
Highways and Infrastructure	1,886	974
Growth and Enterprise	605	165
Environment and Neighbourhood Services	373	245
Corporate		
Finance and Customer Services	8	6
Governance and Compliance	16	7
Transformation	91	-
	10,812	4,948

Appendix 4

Capital Strategy

Contents

1. Update on Capital Financing Budget	- 37 -
2. Update on 2020/21-2023/24 Capital Programme	- 38 -

Annexes:

A. Revised Capital Programme	- 40 -
B-C. Supplementary Capital Estimates & Virements	- 42 -
D. Approved Supplementary Capital Estimates (SCEs)	- 44 -
E. Capital Budget Reductions	- 45 -
F. Transfer to and from the Addendum	- 46 -
G. Prudential Indicators	- 48 -

Table 1: Financial Parameters for 2020/21 to 2023/24

Parameter	Value (£m)			
	2020/21	2021/22	2022/23	2023/24
Repayment of Borrowing				
Minimum Revenue Provision*	11.5	14.0	16.4	17.7
External Loan Interest	5.1	4.8	4.8	4.7
Investment Income	(0.9)	(0.9)	(0.9)	(0.9)
Contributions from Services Revenue Budgets	(1.6)	(1.8)	(1.9)	(2.2)
Total Capital Financing Costs	14.1	16.1	18.4	19.3
Use of Financing EMR	(2.1)	(2.1)	(4.4)	(5.3)
Actual CFB in MTFS	12.0	14.0	14.0	14.0
Capital Receipts targets*	3.0	3.0	3.0	3.0
Flexible use of Capital Receipts	1.0	0	0	0

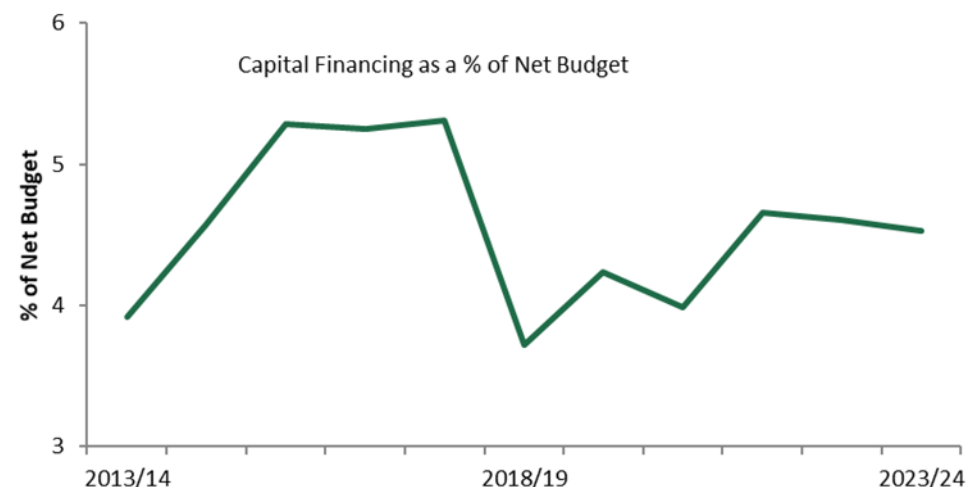
*Anticipated MRP based on achieving capital receipts targets

Repayment of Borrowing

- 1.1 The use of prudential borrowing allows the Council to spread the cost of funding the asset over its useful economic life. Using prudential borrowing as a funding source increases the

Council's capital financing requirement (CFR), and will create revenue costs through interest costs and minimum revenue provision.

- 1.2 Regulation 27 of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003, requires local authorities to charge to their revenue account for each financial year a minimum amount to finance the cost of capital expenditure. Commonly referred to as MRP (Minimum Revenue Provision). This ensures that the revenue cost of repaying debt is spread over the life of the asset, similar to depreciation.



- 1.3 The projection of the Council's Capital Financing Requirement (CFR) and external debt, based on the proposed capital budget and treasury management strategy is shown in Annex G. This highlights the level to which the Council is internally borrowed (being the difference between the CFR and external debt), and the expected repayment profile of the external debt.

- 1.4 The nature and scale of the Council's capital programme means that it is a key factor in the Council's treasury management, including the need to borrow to fund capital works. The treasury management strategy for the Council is included in **Appendix 5** of this report.
- 1.5 The Council's current strategy is to use available cash balances, known as 'internal borrowing' and to borrow short term loans. As short term interest rates are currently much lower than long term rates this is likely to be more cost effective.

Contributions from Services

- 1.6 All business cases supporting capital expenditure will include full analysis of the financial implications of the scheme alongside a clear indication of how the financial implications will be managed within the Medium Term Financial Strategy (MTFS).
- 1.7 When including any scheme in the Council's Capital Programme the Section 151 Officer will determine the appropriate impact on the Revenue Budget. This impact will require service budgets within the MTFS to fund either all, part or none of the net capital costs of the scheme.
- 1.8 In making a determination about funding capital schemes from revenue budgets the level of potential revenue savings or additional revenue income will be considered. If a capital scheme will increase revenue costs within the MTFS, either from the future costs of maintaining the asset or from the costs of financing the capital expenditure, then the approach to funding such costs must be approved as part of the business planning process before the scheme can commence.

- 1.9 The Council's strategy is to use revenue contributions of £7.5m over the next four financial years to finance the Capital Programme to reduce the overall Capital Financing Budget. These contributions come from: £2.8m contribution from schools towards the schools transformation programme; £2.8m from the Investment Portfolio; £1.0m from ESAR for the improvements to the Council's leisure facilities; £0.6m from Highways Street Lighting for the upgrade to LED lighting; and £0.3m from Transformation Services for the Azure 365 upgrade.

Use of Financing Earmarked Reserve

- 1.10 To allow a longer term approach to setting the Financial Parameters of the Capital Strategy the Council will maintain an earmarked reserve to minimise the financial impact of annual variations to the Capital Financing Budget.
- 1.11 The Council's Reserves Strategy determines the appropriate use of reserves and how they are set up and governed. In the first instance any under or overspending of the Capital Finance Budget (CFB) within any financial year will provide a top-up or draw-down from the Financing Earmarked Reserve. In balancing the CFB over the period of the MTFS the Section 151 Officer may also recommend appropriate use of the Financing Earmarked Reserve over the period.
- 1.12 The Council's current strategy is to draw-down up to £13.1m from the Financing Earmarked Reserve for the period 2020/21 to 2023/24.

Capital Programme - Mid Year Review Position

- 1.13 Since the Medium Term Financial Strategy was approved in February 2020 the Capital Programme has increased by £20.2m for the next four year period.

- 1.14 The main changes for the increase are carry forwards (slippage) from the previous year of £8.2m, transfers to and from the addendum of £5.4m and a Supplementary Estimate of £6.8m. **Table 2** below shows a summary of the changes.

Table 2: Summary Capital Programme

	MTFS Budget	C/F from 2019/20	SCEs/ Virements in Quarter	Transfers to/from Addendum	Budget Reductions at MYR	SCEs/ Virements at MYR	Revised MYR Budget
	2020/24 £m	2020/24 £m	2020/24 £m	2020/24 £m	2020/24 £m	2020/24 £m	2020/24 £m
People Directorate	41.3	0.7	-	3.0	-	-	45.0
Place Directorate	377.7	11.3	0.2	2.4	(0.2)	6.8	398.2
Corporate Directorate	53.3	(3.8)	(0.2)	-	-	-	49.3
	472.3	8.2	-	5.4	(0.2)	6.8	492.5

- 1.15 Place Directorate had the largest amount of slippage within their programme of £11.3m and this was namely in the Strategic Highways and Strategic Site Development areas.
- 1.16 The main transfers from the addendum were £2.5m for the A500 Dualling Scheme that has recently gained entry into the Department of Transport's Large Local Majors programme and £3.0m for the Wilmslow High School Basic Need expansion scheme. These changes are shown in **Annex F**.
- 1.17 The revised programme is funded from both direct income (grants, external contributions) and the Council's own resources (prudential borrowing, revenue contributions, capital reserve). A funding summary is shown in **Annex A**.
- 1.18 **Annex B** details requests of Supplementary Capital Estimates (SCE) up to and including £500,000 and Capital Virements up to and including £1,000,000 approved by delegated decision which are included for noting purposes only.

- 1.19 **Annex C** lists details of a Virement over £1,000,000 that requires Cabinet to approve.

- 1.20 **Annex D** lists the details of a Supplementary Capital Estimates over £1,000,000 that has been approved under emergency powers.

- 1.21 **Annex E** lists details of reductions in Approved Budgets where schemes are completed and surpluses can now be removed. These are for noting purposes only.

- 1.22 **Table 3** shows the revised Addendum programme. There have been two small additions to the Addendum from the main programme since the Medium Term Financial Strategy was approved in February 2020. They are £0.172m for Weston Cemetery and £0.030m for the Election's system these schemes are currently on hold.

- 1.23 The addendum also now includes the two additional amendments that were approved at the Council meeting in February in respect of new car parking facilities in Crewe (£0.865m) and new facilities for supported living and adult social care (£12.2m). All the other transfers are shown in **Annex F**.

Table 3: Addendum

Table 3 - Addendum 2020/21 - 2023/24					
	Budget 2020/21 £000	Budget 2021/22 £000	Budget 2022/23 £000	Budget 2023/24 £000	Total Budget 2020-24 £000
Addendum					
People	5,454	17,575	15,775	4,700	43,504
Place	33,109	51,117	36,422	66,463	187,111
Corporate	33,313	34,991	34,724	34,983	138,011
Total Addendum	71,876	103,683	86,921	106,146	368,626

Annex A: Mid Year Review Update

CHESHIRE EAST COUNCIL CAPITAL PROGRAMME SUMMARY

CAPITAL PROGRAMME 2020/21 - 2023/24

	Forecast 2020/21 £000	Forecast 2021/22 £000	Forecast 2022/23 £000	Forecast 2023/24 £000	Total Forecast 2020-24 £000
Committed Schemes - In Progress					
People	19,676	17,725	4,130	1,945	43,476
Place	109,236	110,631	108,620	26,284	354,771
Corporate	16,829	13,306	9,617	8,012	47,764
Total Committed Schemes - In Progress	145,741	141,662	122,367	36,241	446,011

CAPITAL PROGRAMME 2020/21 - 2023/24

	Forecast 2020/21 £000	Forecast 2021/22 £000	Forecast 2022/23 £000	Forecast 2023/24 £000	Total Forecast 2020-24 £000
New Schemes					
People	1,500	0	0	0	1,500
Place	6,163	12,627	12,447	12,247	43,484
Corporate	676	300	310	230	1,516
Total New Schemes	8,339	12,927	12,757	12,477	46,500
Total	154,080	154,589	135,124	48,718	492,511

CHESHIRE EAST COUNCIL CAPITAL PROGRAMME SUMMARY

CAPITAL PROGRAMME 2020/21 - 2023/24

	Forecast 2020/21 £000	Forecast 2021/22 £000	Forecast 2022/23 £000	Forecast 2023/24 £000	Total Forecast 2020-24 £000
Funding Requirement					
Indicative Funding Analysis: (See note 1)					
Government Grants	73,161	84,856	61,043	14,092	233,152
External Contributions	12,386	13,711	26,894	22,650	75,641
Revenue Contributions	300	0	0	0	300
Capital Receipts	3,000	3,000	3,000	3,000	12,000
Prudential Borrowing (See note 2)	65,233	53,022	44,187	8,976	171,418
Total	154,080	154,589	135,124	48,718	492,511

Note 1:

The funding requirement identified in the above table represents a balanced and affordable position, in the medium term. The Council will attempt to maximise external resources such as grants and external contributions in the first instance to fund the capital programme. Where the Council resources are required the preference will be to utilise capital receipts from asset disposals. The forecast for capital receipts over the next three years 2020-24 assumes a prudent approach based on the work of the Asset Management team and their most recently updated Disposals Programme.

Note 2:

Appropriate charges to the revenue budget will only commence in the year following the completion of the associated capital asset. This allows the Council to constantly review the most cost effective way of funding capital expenditure.

Annex B: Delegated Decision - Requests for Supplementary Capital Estimates (SCEs) and Virements

Service / Capital Scheme	Amount Requested £	Reason and Funding Source
Summary of Supplementary Capital Estimates and Capital Virements		
Supplementary Capital Estimates that have been made up to £500,000		
Highways and Infrastructure		
Hollinswood Road/Redhouse Lane	10,000	Total scheme estimate from Cheshire East Highways is £32,477. This additional sum of £10,000 funded by a developer contribution increases the approved budget to the required value.
Total Supplementary Capital Estimates Requested	10,000	
Capital Budget Virements that have been made up to £1,000,000		
Environment and Neighbourhood Services		
Barony Sports Park Improvements	15,165	Virement from the Nantwich Pool project to Barony Sports Park to ensure that the overall spend for the two Nantwich Schemes are allocated correctly.
Total Capital Budget Virements Approved	15,165	
Total Supplementary Capital Estimates and Virements	25,165	

Annex C: Requests for Supplementary Capital Estimates (SCEs) and Virements

Service / Capital Scheme	Amount Requested £	Reason and Funding Source
Capital Budget Virements above £1,000,000 up to and including £5,000,000		
Highways and Infrastructure		
Highway Pothole and Challenge Fund	1,700,000	A virement from the Strategic Projects allocation to increase the Pothole and Challenge funding so that further improvements can be made to the Council's carriageways including drainage, cycling and walking networks and major maintenance schemes.
Total Capital Virements Requested	1,700,000	
Total Supplementary Capital Estimates and Virements	1,700,000	

Annex D: Approved Supplementary Capital Estimates (SCEs)

Service	Amount Requested	Reason and Funding Source
£		
Cabinet are asked to note the approved Capital Supplementary Estimate		
Highways and Infrastructure		
Highway Pothole and Challenge Fund	6,855,000	Additional Department of Transport Grant received from the Transport Infrastructure Investment Fund.
Total Supplementary Capital Estimates Requested	6,855,000	
Total Supplementary Capital Estimates and Virements	6,855,000	

Annex E: Capital Budget Reductions

Service / Capital Scheme	Approved Budget £	Revised Approval £	Reduction Reason and Funding Source £
Cabinet are asked to note the reductions in Approved Budgets			
Highways and Infrastructure			
Brook St, Congleton - Bus Stop	24,000	14,033	(9,967) S106 funded project now completed. Budget no longer required
Growth and Enterprise			
Warm Homes Fund	417,000	207,415	(209,585) The Warm Homes Grant allocation to the Council has been reduced so the approved budget has been reduced in line with the revised grant allocation.
Environment and Neighbourhood Services			
Stanley Hall Park Path Improvements	33,600	33,100	(500) S106 funded project now completed. Budget no longer required
Arnold Rhodes Recreation & Sports Improvements Phase 1	23,367	22,886	(481) S106 funded project now completed. Budget no longer required
Chorley Hall Lane Pitch Improvements	2,211	2,140	(71) S106 funded project now completed. Budget no longer required
	500,178	279,574	(220,604)

Annex F: Transfers from and to the Capital Addendum

Service / Capital Scheme	Amount Transferred Mid Year £	Reason / Comment
Budgets Transferred from the Addendum to the Main Capital Programme		
Education and 14-19 Skills		
Wilmslow High School Basic Need Project	(3,000,000)	An approved budget of £9m for the Wilmslow High School expansion project is already approved in the main capital programme. This additional budget request will be funded by Basic Need Grant taking the total approved budget to £12m.
Highways and Infrastructure		
A500 Dualling scheme	(2,528,545)	The scheme has entry approval in to the Department of Transport Large Local Majors Programme and the budget to take the project to the next gateway has been transferred in to the main programme.
Growth and Enterprise		
Public Rights of Way: Capital Structures Investments	(99,000)	Approval obtained to transfer from Addendum.
Total Budgets Transferred to Main Capital Programme	(5,627,545)	

Service / Capital Scheme	Amount Transferred Mid Year £	Reason / Comment
Capital Budgets transferred from the Main capital Programme to the Addendum		
Environment Client Commissioning: Weston Cemetery Extension	172,717	Project is currently on hold in line with the recommendations in the Cemeteries Strategy.
Transformation Services		
Elections Replacement System	30,000	Budget removed from the Addendum as recommended by the Service.
Total Capital Budget Transferred to the Addendum	202,717	
Capital Budgets reallocated to any scheme held on the Addendum.		
Highways and Infrastructure		
Congleton Link Road	388,000	Re-distributed from the A500 Dualling Scheme. A virement was approved in 2019/20 from the Congleton Link Road project to fund in year spend on the A500 Dualling project. The agreement was once the A500 Dualling project was fully approved the budget would be re-imbursed. The budget is not currently required but may be needed at a later date.
A500 Dualling Scheme	(388,000)	The amount of £388,000 is a re-imburement to the Congleton Link Road project for a prior virement from the scheme to cover costs on the A500 Dualling project until such time as the scheme had full entry to the Department of Transport programme and was able to draw down the funds from the Addendum.
Total Capital Budget Transferred between Schemes	-	
Net Change to the Addendum	(5,424,828)	

Annex G: Prudential Indicators revisions to: 2019/20 and 2020/21 – 2023/24, and future years

Background

- 1.24 There is a requirement under the Local Government Act 2003 for local authorities to have regard to CIPFA's Prudential Code for Capital Finance in Local Authorities (the "CIPFA Prudential Code") when setting and reviewing their Prudential Indicators.

Estimates of Capital Expenditure

- 1.25 In 2020/21, the Council is planning capital expenditure of £154.1m as summarised below.

Capital Expenditure	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	Future years £m
Total	124.0	154.1	154.6	135.1	48.7

Capital Financing

- 1.26 All capital expenditure must be financed either from external sources (government grants and other contributions). The Council's own resources (revenue reserves and capital receipts) or debt (borrowing, leasing and Private Finance Initiative). The planned financing of capital expenditure is as follows.

Capital Financing	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	Future years £m
Capital receipts	7.0	3.0	3.0	3.0	3.0
Government Grants	52.7	73.2	84.8	61.0	14.1
External Contributions	7.3	12.4	13.7	26.9	22.6
Revenue Contributions	0.6	0.3	0.0	0.0	0.0
Total Financing	67.6	88.9	101.5	90.9	39.7
Prudential Borrowing	56.4	65.2	53.1	44.2	9.0
Total Funding	56.4	65.2	53.1	44.2	9.0
Total Financing and Funding	124.0	154.1	154.6	135.1	48.7

Replacement of debt finance

- 1.27 Debt is only a temporary source of finance, since loans and leases must be repaid, and this is therefore replaced over time by other financing, usually from revenue which is known as minimum revenue provision (MRP). Alternatively, proceeds from selling capital assets may be used to replace debt finance. Planned MRP repayments are as follows.

Replacement of debt finance	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	2023/24 Estimate £m
Total	9.7	11.5	14.1	16.4	17.7

Estimates of Capital Financing Requirement

- 1.28 The Council's cumulative outstanding amount of debt finance is measured by the capital financing requirement (CFR). This increases with new debt-financed capital expenditure and reduces with MRP repayments and capital receipts used to

replace debt. The CFR is expected to increase by £55m during 2020/21. Based on the above figures for expenditure and financing, the Council's estimated CFR is as follows.

Capital Financing Requirement	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	2022/24 Estimate £m
Total	371	426	479	517	546

Asset disposals

- 1.29 When a capital asset is no longer needed, it may be sold so that the proceeds, known as capital receipts, can be spent on new assets or to repay debt. The Council is currently also permitted to spend capital receipts on service transformation project until 2021/22. Repayments of capital grants, loans and investments also generate capital receipts. The Council plans to receive £12.8m of capital receipts from asset sales in the coming financial years as follows.

Capital Receipts	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	2023/24 Estimate £m
Asset Sales	10.4	3.0	3.0	3.0	3.0
Loans Repaid	0.1	0.2	0.2	0.2	0.2
Total	10.5	3.2	3.2	3.2	3.2

Gross Debt and the Capital Financing Requirement

- 1.30 The Council's main objectives when borrowing are to achieve a low but certain cost of finance while retaining flexibility should plans change in the future. These objectives are often conflicting and the Council therefore seeks to strike a balance between cheap short term loans (currently available at around 0.3%) and long term fixed rate loans where the future cost is known but higher (currently 2 - 3%).

- 1.31 Projected levels of the Council's total outstanding debt (which comprises borrowing, PFI liabilities, leases are shown below, compared with the capital financing requirement.

Gross Debt and the Capital Financing Requirement	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	2023/24 Estimate £m
Borrowing	201	130	78	77	76
Finance Leases	2	1	1	1	0
PFI Liabilities	22	21	20	19	18
Total Debt	225	152	99	97	94
Capital Financing Req.	371	426	479	517	546

- 1.32 Statutory guidance is that debt should remain below the capital financing requirement, except in the short term. As can be seen from the above table, the Council expects to comply with this in the medium term.

Liability Benchmark

- 1.33 To compare the Council's actual borrowing against an alternative strategy, a liability benchmark has been calculated showing the lowest risk level of borrowing. This assumes that cash and investment balances are kept to a minimum level of £20m at each year end. This benchmark is currently £243m and is forecast to rise to £391m over the next four years.

Borrowing and the Liability Benchmark	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	2023/24 Estimate £m
Outstanding Debt	201	130	78	77	76
Liability Benchmark	181	243	307	355	391

- 1.34 The table shows that the Council expects to remain borrowed below its liability benchmark.

Affordable borrowing limit

- 1.35 The Council is legally obliged to set an affordable borrowing limit (also termed the authorised limit for external debt) each year. In line with statutory guidance, a lower “operational boundary” is also set as a warning level should debt approach the limit.

	2019/20 limit £m	2020/21 limit £m	2021/22 limit £m	2022/23 limit £m	2023/24 limit £m
Authorised Limit for Borrowing	359	420	470	510	540
Authorised Limit for Other Long-Term Liabilities	22	22	21	20	18
Authorised Limit for External Debt	381	442	491	530	558
Operational Boundary for Borrowing	349	410	460	500	530
Operational Boundary for Other Long-Term Liabilities	22	22	21	20	18
Operational Boundary for External Debt	371	432	481	520	548

Investment Strategy

- 1.36 Treasury investments arise from receiving cash before it is paid out again. Investments made for service reasons or for pure financial gain are not generally considered to be part of treasury management.
- 1.37 The Council's policy on treasury investments is to prioritise security and liquidity over yield, that is to focus on minimising risk rather than maximising returns. Cash that is likely to be spent in the near term is invested securely, for example with money market funds, other local authorities or selected high

quality banks, to minimise the risk of loss. Money that will be held for longer terms is invested more widely, including in shares and property, to balance the risk of loss against the risk of returns below inflation.

Treasury Management Investments	31/03/20 Actual £m	31/03/21 Estimate £m	31/03/22 Estimate £m	31/03/23 Estimate £m	31/03/24 Estimate £m
Short term	27	0	0	0	0
Long term	20	20	20	20	20
Total Investments	47	20	20	20	20

- 1.38 Further details on treasury investments are in pages of the Treasury Management Strategy, **Appendix 5**.
- 1.39 Decisions on treasury management investment and borrowing are made daily and are therefore delegated to the Section 151 Officer and staff, who must act in line with the treasury management strategy approved by Council. Quarterly reports on treasury activity are reported to Cabinet as part of the Finance Update reports. The Audit and Governance Committee is responsible for scrutinising treasury management decisions.
- 1.40 Further details on investments for service purposes and commercial activities are in the Investment Strategy, **Appendix 6**.
- 1.41 Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by an investment income receivable. The net annual charge is known as financing costs; this is compared to the net revenue stream i.e., the amount funded from Council Tax, business rates and general government grants.

Ratio of Financing Costs to Net Revenue Stream	2019/20 Actual	2020/21 Estimate	2021/22 Estimate	2022/23 Estimate	2023/24 Estimate
Financing Costs (£m)	12.0	12.0	14.0	14.0	14.0
Proportion of net revenue stream %	4.23	3.99%	4.66%	4.61%	4.53%

1.42 Further details on the revenue implications of capital expenditure are on paragraphs 89-96 of the 2020-24 Medium Term Financial Strategy (**Appendix C**).

1.43 Due to the very long term nature of capital expenditure and financing, the revenue budget implications of expenditure incurred in the next few years will extend for up to 50 years into the future. The Section 151 Officer is satisfied that the proposed capital programme is prudent, affordable and sustainable. The longer term revenue implications have been considered and built into the revenue budget forecasts post the period of the current Medium Term Financial Strategy.

Appendix 5

Treasury Management Strategy

Treasury Management Report

1. Background	- 53 -
2. External Content	- 53 -
3. Local Context	- 55 -
4. Borrowing Strategy	- 58 -
5. Investment Strategy	- 59 -
6. Treasury Management Indicators	- 62 -

Annexes:

A. Economic & Interest Rate Forecast	- 64 -
B. Existing Investment & Debt Portfolio Position	- 65 -

1. Background

- 1.1 Treasury management is the management of the Authority's cash flows, borrowing and investments, and the associated risks. The Authority has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Authority's prudent financial management
- 1.2 Treasury risk management at the Authority is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice 2017 Edition* (the CIPFA Code) which requires the Authority to approve a treasury management strategy before the start of each financial year. This report fulfils the Authority's legal obligation under the *Local Government Act 2003* to have regard to the CIPFA Code.
- 1.3 Investments held for service purposes or for commercial profit are considered in the Investment Report (see **Appendix 6**).

2. External Context

- 1.4 **Economic background:** The UK's exit from the European Union took a back seat during the first

quarter of 2020/21 as the global economic impact from coronavirus took centre stage. Part of the measures taken to stop the spread of the pandemic included the government implementing a nationwide lockdown in late March which effectively shut down almost the entire UK economy. These measures continued throughout most of the quarter with only some easing of restrictions at the end of May and into June.

- 1.5 Bank rate was maintained at 0.1% despite some speculation that the Bank of England's Monetary Policy Committee (MPC) might cut further and some MPC members also suggesting that negative rates are part of the Bank's policy tools. In June the Bank increased the asset purchase scheme by £100 billion, taking the recent round of Quantitative Easing (QE) to £300 billion and total QE to £745 billion.
- 1.6 At the same time, the government also implemented a range of fiscal stimulus measures totalling over £300 billion which had been announced in March and designed to dampen the effect of the pandemic on the labour market.
- 1.7 GDP Growth contracted by 2.2% in quarter 1 (Jan-Mar) 2020 pushing the annual growth rate down to -1.6%. The lockdown only came into force on 23 March, and the markets are braced for a dire set of growth data for quarter 2. In April UK GDP fell 20.4% month-on-month. On the back of the 5.8% month-on-month fall in March, this means economic output fell by 25% compared to its pre-coronavirus peak in February 2020.

- 1.8 The headline rate of UK Consumer Price Inflation fell to 1.2% year on year in May, further below the Bank of England's 2% target.
- 1.9 In the three months to June, labour market data remained largely unchanged on the previous quarter. This is likely due to the government's furlough scheme as more than a quarter of the UK workforce was estimated to be supported by it. The ILO unemployment rate remained unchanged at 3.9% while the employment rate fell to 76.4%. However, employers will have to contribute towards furlough payments from August and the scheme is due to stop at the end of October; unemployment is expected to rise as a result.
- 1.10 The US economy contracted at an annualised rate of 5.0% in quarter 1 2020. The Federal Reserve maintained the Fed Funds rate at between 0% and 0.25% while the US government announced a \$2 trillion fiscal stimulus package. Relations between the US and China, which had briefly improved when Phase 1 of the trade agreement was signed in January, deteriorated over the quarter.
- 1.11 With little room to move on interest rates, the European Central Bank maintained interest rates at 0% and the rate on the deposit facility (which banks may use to make overnight deposits with the Eurosystem) at -0.5% and announced a further huge, open-ended commitment to buy €600bn of bonds under its Pandemic Emergency Purchase Programme (PEPP)

which can be reinvested out to 2022. This lifted the ECB's total bond buying support package to £1.35 trillion.

- 1.12 **Financial Markets:** After selling off sharply in March, equity markets started recovering in April and while still down on their pre-crisis levels, the Dow Jones and FTSE 100 and 250 have made up around half of the losses. Measures implemented by central banks and governments continue to maintain some degree of general investor confidence, however volatility remains.
- 1.13 Ultra-low interest rates and the flight to quality continued to keep gilts yields low over the period with the yield on some short-dated government bonds turning negative. The 5-year UK benchmark gilt yield dropped from 0.18% at the beginning of April 2020 to -0.06% on 30 June. The 10-year benchmark gilt yield fell from 0.31% to 0.14% over the same period, and the 20-year from 0.69% to 0.52%. 1-month, 3-month and 12-month bid rates averaged 0.04%, 0.28% and 0.44% respectively over the quarter.
- 1.14 **Credit Review:** Fitch downgraded the UK sovereign rating to AA- in March which was followed by a number of actions on UK and also non-UK banks from early April onwards. This included revising the outlook on all banks on the counterparty list to negative, with the exception of Barclays Bank, Rabobank, Handelsbanken and Nordea Bank which were placed on Rating Watch Negative, as well as downgrading Close Brothers' long term rating to A-. Network Rail

Infrastructure and LCR Finance's long term ratings were downgraded from AA to AA-. HSBC Bank and HSBC UK Bank were the exceptions however, with Fitch upgrading their long term ratings to AA-.

- 1.15 Fitch affirmed the ratings of Canadian banks but revised their outlook to negative. The agency also downgraded the long and short term ratings of Australia's four largest banking groups. It upgraded the long term deposit rating of both Bayerische Landesbank and Landesbank Baden-Wuerttemberg (LBBW) but downgraded the viability ratings, and revised outlooks to negative. Fitch later placed three Singapore banks on Rating Watch negative.
- 1.16 Standard & Poor's (S&P) also took action on a range of UK and European banks, affirming their ratings but revising their outlook downwards due to the economic consequences of Covid-19. Moody's downgraded the long term rating of Nationwide BS from Aa3 to A1 and S&P downgraded the long and short term ratings of HSBC Bank PLC and HSBC UK Bank PLC to A+ and A-1 respectively.
- 1.17 In May, Fitch and S&P downgraded TfL's long term rating to A+ from AA- after the 95% reduction in tube and train fares which make up 47% of TfL's revenue. However, the UK government agreed to a £1.6 billion

support package which will help ease some of the stress TfL faces.

- 1.18 As the extent of the losses that banks and building societies will suffer due to the impact from the coronavirus pandemic remains uncertain but is expected to be substantial, in early June following Arlingclose's stress testing of the institutions on the counterparty list using bail-in analysis, a number of UK banks and building societies were suspended from the counterparty list for unsecured deposits. Although much better capitalised than before the 2007-09 financial crisis, under the current economic circumstances these entities were suspended for reasons of prudence. For those remaining on the list, the duration advice remains up to 35 days.
- 1.19 An outlook for the remainder of 2020/21 and interest rate forecast provided by Arlingclose is attached at **Annex A**.

3. Local Context

- 1.20 As at 31 July 2020 the Authority has borrowings of £133m and investments of £51m. This is set out in further detail at **Annex B**. Forecast changes in these sums are shown in the balance sheet analysis in **Table 1** below.

Table 1: Balance Sheet Summary and Forecast

	31/03/20 Actual £m	31/03/21 Actual £m	31/03/22 Estimate £m	31/03/23 Estimate £m	31/03/24 Estimate £m
General Fund CFR	371	426	479	517	546
Less: Other long term liabilities *	(24)	(22)	(21)	(20)	(18)
Loans CFR	347	404	458	497	528
Less: External borrowing **	(201)	(130)	(78)	(77)	(76)
Internal (over) borrowing	146	274	380	420	452
Less: Usable reserves	(106)	(102)	(96)	(90)	(87)
Less: Working capital	(80)	(80)	(75)	(73)	(71)
Investments (or New borrowing)	40	(92)	(209)	(257)	(294)

* finance leases and PFI liabilities that form part of the Authority's debt

** shows only loans to which the Authority is committed and excludes optional refinancing

1.21 The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. The Authority's current strategy is to maintain borrowing and investments below their underlying levels, sometimes known as internal borrowing.

1.22 The Authority has an increasing CFR due to the capital programme and will therefore be required to borrow up to £181m over the forecast period.

1.23 CIPFA's *Prudential Code for Capital Finance in Local Authorities* recommends that the Authority's total debt should be lower than its highest forecast CFR over the next three years. **Table 1** shows that the Authority

expects to comply with this recommendation during 2021/21.

- 1.24 **Liability Benchmark:** To compare the Council's actual borrowing against an alternative strategy, a liability benchmark has been calculated showing the lowest

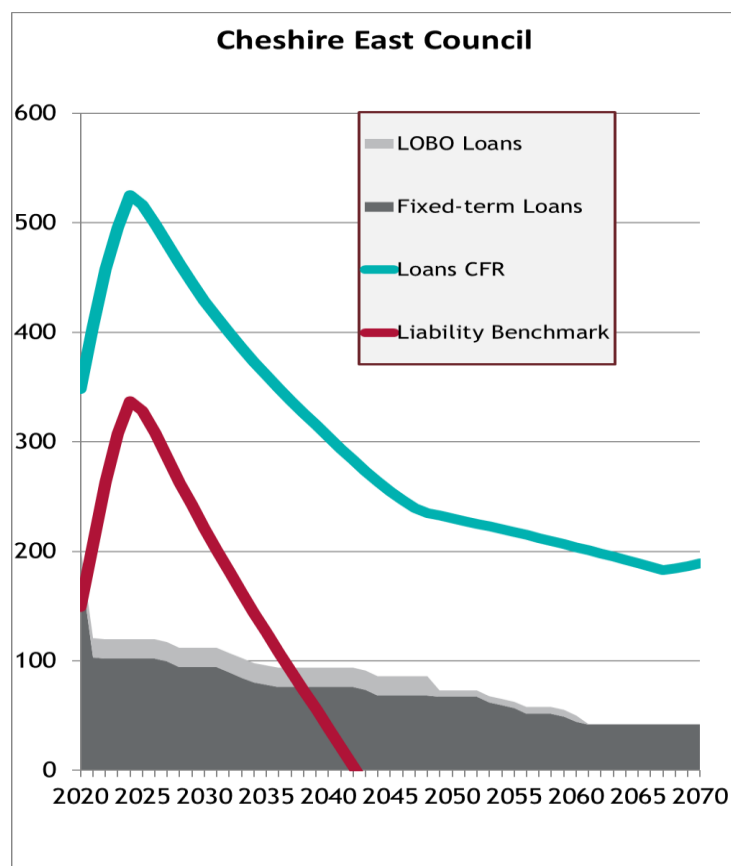
risk level of borrowing. This assumes the same forecasts as **Table 1** above, but that cash and investment balances are kept to a minimum level of £20m at each year-end to maintain a core strategic investment.

Table 2: Liability Benchmark

	31/03/18 Actual £m	31/03/19 Actual £m	31/03/20 Estimate £m	31/03/21 Estimate £m	31/03/22 Estimate £m
Loans CFR	278	304	396	443	497
Less: Usable reserves	(97)	(112)	(90)	(80)	(75)
Less: Working capital	(67)	(86)	(86)	(86)	(63)
Plus: Minimum investments	10	10	10	10	10
Liability Benchmark	124	116	230	287	369

- 1.25 Following on from the medium term forecasts in **Table 2** above the long term liability benchmark assumes minimum revenue provision on new capital expenditure based on a 25 year asset life and income, expenditure and reserves all increasing by inflation of 2.5% a year. This is shown in **Chart 1**.

Chart 1: Liability Benchmark Chart



4. Borrowing Strategy

- 1.26 The Authority currently holds loans of £133m, a decrease of £68m since 31 March 2020. This will increase to a higher level, currently forecast as £256m at 31 March 2021. PWLB debt is reducing by £3.5m this year whilst cash flow shortfalls caused by internal borrowing and the forecast effects of Covid-19 are being funded through cheaper short term borrowing.
- 1.27 At the moment this is being met by temporary borrowing from other Local Authorities which is considerably cheaper than other sources of borrowing. As rates are currently low and the liquidity of short term markets at year end is very much unknown due to the financial effects of Covid-19 on local authority cashflows, new borrowings are for maturity dates extending into 2021/22. The cost (including fees) to 31 July 2020 is around 0.98% although new borrowings are now considerably less. If the predicted interest environment changes or the availability of temporary borrowing changes then this strategy will be re-assessed. A full list of current temporary borrowings is shown below in **Table 3**.

Table 3 – Current Temporary Borrowing

Lender	Start	Maturity	Rate %	£m
Brentwood	05/05/20	03/08/20	0.62	2.0
Chichester	15/05/20	17/08/20	0.25	4.0
North & Tyne CA	19/06/20	19/08/20	0.28	5.0
Warwickshire	19/03/20	21/09/20	1.60	10.0
Trafford	20/03/20	21/09/20	1.50	2.0
Vale of Glamorgan	11/05/20	22/09/20	0.40	2.5
North Yorkshire	27/03/20	28/09/20	1.45	5.0
Tewkesbury	01/04/20	01/10/20	1.00	2.0
Western Isles	23/04/20	23/10/20	1.17	5.0
South Ayrshire	07/07/20	07/01/21	0.45	5.0
West of England CA	22/06/20	22/01/21	0.45	5.0
Wokingham	11/09/19	10/09/21	0.90	5.0
TOTAL				52.5

1.28 Following on from the medium term forecasts in **Table 2** above the long term liability benchmark assumes minimum revenue provision on new capital expenditure based on a 25 year asset life and income, expenditure increasing by inflation of 2.5% a year. This is shown in **Chart 1**.

1.29 **LOBO's:** The Authority holds £17m of LOBO (Lender's Option Borrower's Option) loans where the lender has

the option to propose an increase in the interest rate at set dates, following which the Authority has the option to either accept the new rate or to repay the loan at no additional cost. All of these LOBOS have options during 2020/21, and although the Authority understands that lenders are unlikely to exercise their options in the current low interest rate environment, there remains an element of refinancing risk. The Authority will take the option to repay LOBO loans at no cost if it has the opportunity to do so.

5. Investment Strategy

1.30 The Authority holds invested funds, representing income received in advance of expenditure plus balances and reserves held. Due to the overriding need for short term borrowing, other than £20m invested strategically in managed funds, the investments are generally short term for liquidity purposes. However, receipt of Government funding due to Covid-19 measures and other schemes in advance of expenditure has led to higher balances than expected. The level is currently around £50m and is forecast to reduce through the remainder of 2020/21.

1.31 The CIPFA Code requires the Authority to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Authority's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring

losses from defaults and the risk of receiving unsuitably low investment income.

1.32 The maximum amount that can be invested with any one organisation is set in the Treasury Management Strategy Report. The maximum amount and duration of investments with any institution depends on the organisations credit rating, the type of investment and for banks and building societies, the security of the investment. Generally credit rated banks and building societies have been set at a maximum value of £6m for unsecured investments and £12m for secured investments. Any limits apply to the banking group that each bank belongs to. Limits for each Money Market fund have been set at a maximum value of £12m per fund with a limit of 50% of total investments per fund. There is also a maximum that can be invested in all Money Market Funds at any one time of £50m. Due to their smaller size, unrated Building Societies have a limit of £1m each although none are currently being used.

1.33 Treasury Management income to 31 July 2020 is £390,000 which is higher than the budgeted £330,000. Offsetting this are increased borrowing costs (currently £83,000 higher than budget). The level of cash balances is expected to remain at around £50m until December after which they will decrease in line with normal Local Authority cash flows resulting in a continued need to borrow.

- The average daily investment balance including managed funds up to 31 July 2020 is £52.0m

- The average annualized interest rate received on in-house investments during 2020/21 is 0.31%
- The average annualized interest rate received on the externally managed funds during 2020/21 is 5.09%

1.34 The Authority's total average interest rate on all investments in 2020/21 is 1.64%. The returns continue to exceed our benchmark, the London Inter-bank Bid Rate for 7 days at 0.06%, and our own performance target of 0.60% (Base Rate + 0.50%).

Table 4 – Interest Rate Comparison

Comparator	Average Rate to 31/07/2020
Cheshire East	1.64%
LIBID 7 Day Rate	0.06%
LIBID 3 Month Rate	0.23%
Base Rate	0.10%
Target Rate	0.60%

1.35 As the Authority holds a large amount of reserves and working capital, £20m of this has been placed in strategic investments in order to benefit from higher income returns whilst spreading risk across different asset classes.

- 1.36 The investments are in five different funds which are all designed to give an annual income return between 4% and 5% but which have different underlying levels of volatility. By spreading investments across different types of fund, the intention is to dampen any large fluctuations in the underlying value of the investments.

Table 5 –Strategic Investments

Fund Manager	Asset Class	Invested £m	Current Value £m
CCLA	Property	7.5	7.4
Kames	Multi Asset	5.0	4.7
Fidelity	Equity - Global	4.0	3.8
Schroders	Equity - UK	2.5	1.8
M & G	Bonds	1.0	0.9
TOTAL		20.0	18.6

- 1.37 The value of these investments does vary. The effects of Covid-19 on financial markets and values of underlying assets has been considerable. Fund values at 31 July 2020 are significantly lower than the amounts invested although they have improved slightly since 31 March 2020. However, they all continue to deliver high levels of income return.

Chart 2 – Current Investments by Counterparty Type

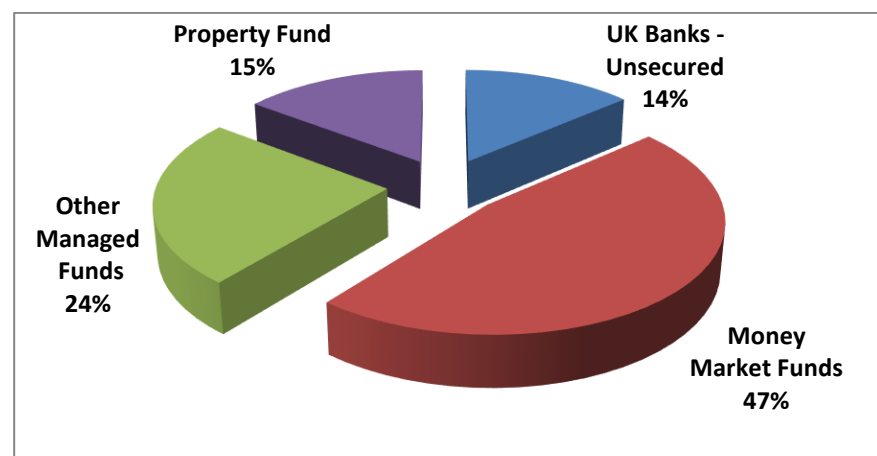


Table 6 – Types of Investments and Current Interest Rates

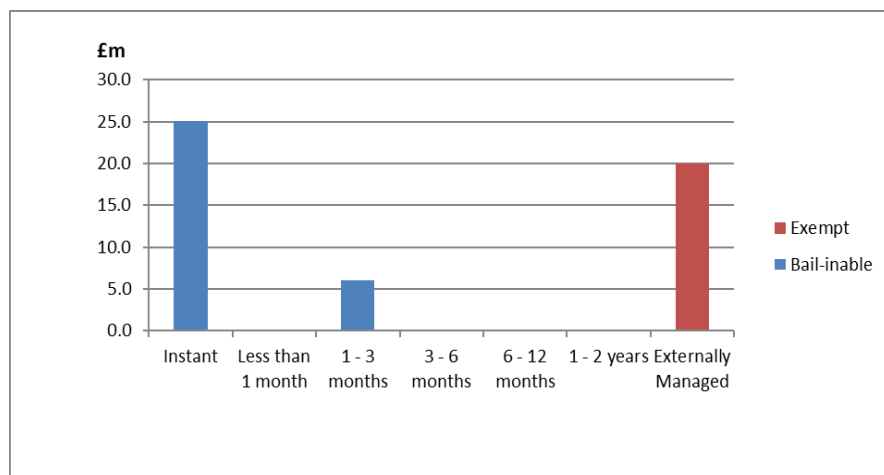
Instant Access Accounts	Average Rate %	£m
Money Market Funds	0.13	24.1
Barclays Bank	0.01	1.0

Call Accounts	Earliest Maturity	Rate %	£m
Santander – 95 day	06/09/20	0.57	6.0

Externally Managed Funds	£m
Total – see table 5	20.0

Summary of Current Investments	£m
TOTAL	51.1

Chart 3 – Maturity Profile of Investments



Note: Bail-inable means that in the event of default the counterparty may be required to use part of the investments as their own capital in which case the Council would not get back as much as they invested. This would apply with most bank and Building Society investments.

6. Treasury Management Indicators

1.38 The Authority measures and manages its exposures to treasury management risks using the following indicators.

1.39 **Interest Rate Exposures:** This indicator is set to control the Authority's exposure to interest rate risk. The upper limit on the one-year revenue impact of a 1% rise in interest rates is:

Interest Rate Risk Indicator	Limit
Upper limit on one-year revenue impact of a 1% <u>rise</u> in interest rates	£545,000
Likely revenue impact in 2020/21 of a 1% <u>rise</u> in interest rates after 31 July 2020	£455,000

1.40 The impact of a change in interest rates is calculated on the assumption that maturing loans and investments will be replaced at current rates. The Council is expected to remain a net borrower in 2020/21 so a fall in rates would lead to savings rather than incurring additional cost so a limit of £0 was set.

1.41 **Maturity Structure of Borrowing:** This indicator is set to control the Authority's exposure to refinancing risk. Lower limits have been set at 0%. The upper limits on the maturity structure of borrowing and the actual maturity profiles as at 31 July 2020 are:

Refinancing rate risk indicator	Upper Limit	Actual
Under 12 months	70%	49%
12 months and within 24 months	35%	5%
24 months and within 5 years	35%	1%
5 years and within 10 years	75%	9%
10 years and within 20 years	100%	12%
20 years and above	100%	24%

- 1.42 Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment. The upper limit for loans maturing in under 12 months is relatively high as short term funding is currently considerably cheaper than alternatives. This will be kept under

review as it does increase the risk of higher financing costs in the future but may currently be limiting ability to take advantage of lower short term rates.

- 1.43 **Principal Sums Invested for Periods Longer than 364 days:** The purpose of this indicator is to control the Authority's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the total principal sum invested to final maturities beyond the period end will be:

Price Risk Indicator	2020/21	2021/22	2022/23
Limit on principal invested beyond year end	£25m	£15m	£10m
Actual amounts committed beyond year end	£0m	£0m	£0m

Annex A: Economic & Interest Rate Forecast – Outlook for 2020/21

The medium term global economic outlook is very weak. While containment measures taken by national governments in response to coronavirus are being eased, it is likely to be some time before demand recovers to pre-crisis levels due to rises in unemployment, the on-going need for virus control measures and the impact on consumer/business confidence.

The response from the Bank of England, HM Treasury as well as other central banks and governments have been significant and will act to support the recovery when it occurs, by keeping financial conditions stable and many businesses solvent/employees employed than would otherwise have been the case. There will be an economic bounce in the second half of the year, as businesses currently dormant begin production/supply services once more.

However, the scale of the economic shock to demand and the probable on-going social distancing measures necessary

before a vaccine is produced will mean that the subsequent pace of recovery is limited.

Arlingclose expects Bank Rate to remain at the current 0.10% level and additional monetary loosening in the near future through further financial asset purchases (QE). While the Arlingclose central case for Bank Rate is no change, further cuts to Bank Rate to zero or even into negative territory cannot be ruled out.

Downside risks remain in the near term as households and businesses react to an unprecedented set of economic circumstances.

Gilt yields are expected to remain very low in the medium term. Some shorter-term gilt yields will remain around zero until either the Bank expressly rules out negative Bank Rate or growth prospects improve.

	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23
Official Bank Rate												
Upside Risk	0.00	0.00	0.00	0.00	0.00	0.15	0.15	0.15	0.15	0.30	0.30	0.30
Arlingclose Central Case	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
Downside Risk	-0.35	-0.35	-0.35	-0.35	-0.35	-0.35	-0.35	-0.35	-0.35	-0.35	-0.35	-0.35

Annex B: Existing Investment & Debt Portfolio Position

	31/07/20 Actual Portfolio £m	31/07/20 Average Rate for the year %
External Borrowing:		
PWLB – Fixed Rate	62	4.44%
Local Authorities	52	0.88%
LOBO Loans	17	4.63%
Other	2	-
Total External Borrowing	133	3.22%
Other Long Term Liabilities:		
PFI	21	-
Finance Leases	1	-
Total Gross External Debt	155	-
Investments:		
<i>Managed in-house</i>		
Short-term investments:		
Instant Access	24	0.13%
Call Accounts	1	0.01%
Notice Accounts	6	0.57%
<i>Managed externally</i>		
Property Fund	7.5	3.80%
Multi Asset Fund	5	4.85%
Equity - Global	4	5.38%
Equity - UK	2.5	9.06%
Bonds	1	4.77%
Total Investments	51	2.12%
Net Debt	104	-

Appendix 6

Investment Strategy

1. Purpose

- 1.1 The Investment Strategy is part of a suite of related documents, and focuses predominantly on matters not covered by Capital Strategy and Treasury Management Strategy.
- 1.2 The Authority invests its money for three broad purposes:
 - because it has surplus cash as a result of its day-to-day activities, for example when income is received in advance of expenditure (known as **treasury management investments**),
 - to support local public services by lending to or buying shares in other organisations (**service investments**), and
 - to earn investment income (known as **commercial investments** where this is the main purpose).
- 1.3 The investment strategy meets the requirements of the statutory guidance issued by MHCLG in February 2018, and focuses on the second and third of the investment categories.

2. Treasury Management Investments

- 1.4 The Authority typically receives its income in cash (e.g. from taxes and grants) before it pays for its expenditure in cash (e.g. through payroll and invoices). It also holds reserves for future expenditure and collects local taxes on behalf of central government. These activities, plus the timing of borrowing decisions, lead to a cash surplus which is invested in accordance with guidance from the Chartered Institute of Public Finance and Accountancy. The balance of treasury management investments is expected to fluctuate between £20m and £148m during the 2020/21 financial year.
- 1.5 Full details of the Authority's policies and plans for 2020/21 for treasury management investments are covered the Treasury Management Strategy (**Appendix 5**).

3. Service Investments: Loans

- 1.6 Loans have been provided to Everybody Sport & Recreation for the purpose of investing in new equipment, with the aim of increasing the usage of leisure centres and improving the health of residents.
- 1.7 In March 2013, Astra Zeneca announced it was relocating its R&D function from Alderley Park to Cambridge. In order to

retain the expertise in the region and to stimulate local economic growth the Council has invested in Alderley Park Holdings Ltd by way of equity investment and loans.

- 1.8 In addition, the Council has committed to investing £5m (and lent £3.9m as at 31 July 2020) in the Greater Manchester & Cheshire Life Science Fund, a venture capital fund investing in a range of life science businesses. Partners in the Fund include the Greater Manchester Combined Authority, Cheshire & Warrington Local Enterprise Partnership and Alderley Park Ltd. The Fund has a regional focus and seeks to target companies looking to re-locate a material part of their business within the Greater Manchester and Cheshire and Warrington areas, which includes Alderley Park where the Fund is based.
- 1.9 Upper limits on the outstanding loans to each category of borrower have been set as follows:

Table 1: Loans for service purposes in £'000

Category of borrower	31/03/20 Actual	As at 31/08/20			2020/21
		Balance owing	Loss allowance	Net figure in accounts	Approved Limit
Subsidiaries	0	0	0	0	2,000
Suppliers	24	24	1	23	500
Local businesses	5,087	5,412	61	5,351	30,000
Local charities	601	601	44	557	2,500
TOTAL	5,712	6,037	106	5,931	35,000

- 1.10 Accounting standards require the Authority to set aside loss allowance for loans, reflecting the likelihood of non-payment. The figures for loans in the Authority's statement of accounts are shown net of this loss allowance. However, the Authority makes every reasonable effort to collect the full sum lent and has appropriate credit control arrangements in place to recover overdue repayments.

4. Service Investments: Shares

- 1.11 The Authority has invested in Alderley Park Holdings Limited in order to maintain and stimulate the key strategic industry of life sciences within the Borough. Cheshire East is a 10% shareholder in Alderley Park, and has invested in the development of the site along with Bruntwood (51% shareholder) and Manchester Science Partnerships (MSP; 39% shareholder). As part of the arrangement, the Council also invested in MSP but sold those shares in September 2019 at a profit of £1.7m.
- 1.12 The Council also has shares in its subsidiary, wholly owned companies. However they are of nominal value, and consequently whilst the turnover of the group of companies is significant (£60m in aggregate) the share values are not considered material in the context of this Investment Strategy.
- 1.13 Upper limits on the sum invested in each category of shares have been set as follows:

Table 2: Shares held for service purposes in £'000

Category of company	31.3. 2020 actual	As at 31/08/2020			2020/21
		Amounts invested	Gains or losses	Value in accounts	Approved Limit (cost of investment)
Local Businesses	3,110	1,070	2,040	3,110	10,000
TOTAL	3,110	1,070	2,040	3,110	10,000

5. Commercial Investments: Property

- 1.14 Note that MHCLG defines property to be an investment if it is held primarily or partially to generate a profit.
- 1.15 The most significant investment is that in land and buildings on the North and East side of Weston road in Crewe purchased in April 2019.

Table 3: Property held for investment purposes in £'000

Property	Actual	31/03/20 actual		31/03/21 expected		2020/21 Approval Limit
	Purchase cost	Gains or (losses) in-year	Value in accounts (includes gains/ (losses) to date	Gains or (losses)	Value in accounts	
Industrial Units	907	522	1,965	0	1,965	
Enterprise Centres	770	(947)	350	0	350	
Retail	23,350	(500)	24,870	0	24,870	
Residential	600	(435)	240	0	240	
Total	25,627	(1,360)	27,425	0	27,425	100,000

6. Commercial Investments: Loans

- 1.16 In considering commercial investment opportunities, the Council will adopt a prudent approach, with two underlying objectives:
- **Security** – protecting the capital sum invested from loss
 - **Liquidity** – ensuring the funds invested are available when needed
 - The Council is entering into a £10m loan agreement with Cheshire & Warrington Local Enterprise Partnership linked to developments within the Business Rates Enterprise Zone. The intention is to stimulate economic development and achieve payback from retained business rates.

Category of borrower	2020/21
	Approved Limit £000
Partner Organisations	20,000

7. Loan Commitments and Financial Guarantees

- 1.17 As Accountable Body for the Cheshire & Warrington Local Enterprise Partnership, the Council acts as Entrusted Entity to a £20m European Regional Development Fund (ERDF) supported Urban Development Fund which is about to commence. The Council, as contracting party, provides guarantees in respect of the amounts provided through ERDF.
- 1.18 The fund is designed to provide loan finance to specific projects across Cheshire and will not generate a return for the Authority. As such the balances are not included in the investment tables above. The workings of the fund are subject to detailed scrutiny and will be managed by a firm of experienced fund managers with a strong track record of providing loans that minimise the risk of default. The Council, as contracting party, will provide guarantees in respect of the amounts provided through ERDF though this will be offset by the professional indemnity insurance held by the fund manager.

8. Proportionality

- 1.19 The Authority is only partially dependent on profit generating investment activity to achieve a balanced revenue budget, in

respect of Place services. **Table 4** below shows the extent to which the expenditure planned to meet the service delivery objectives and/or place making role of the Authority is dependent on achieving the expected net profit from investments over the lifecycle of the Medium Term Financial Plan. Should it fail to achieve the expected net profit, with the Authority's contingency plans for continuing to provide these services include effective budget management and tight cost control.

Table 4: Proportionality of Investments in £'000

	2018/19 Actual	2019/20 Actual	2020/21 Budget	2021/22 Budget	2022/23 Budget
Gross service expenditure - Directorate Level	77,367	73,137	74,082	73,809	75,542
Investment income	(2,298)	(1,785)	(1,698)	(1,698)	(1,698)
Proportion	3%	2.5%	2%	2%	2%

NB: The proportion is the investment income divided by the gross service expenditure

9. Borrowing in Advance of Need

- 1.20 Government guidance is that local authorities must not borrow more than or in advance of their needs purely in

order to profit from the investment of the extra sums borrowed. The Authority follows this guidance.

10. Capacity, Skills and Culture

- 1.21 The Authority has established an Investment Strategy Board comprised of members, supported by officers and where necessary, external advisors, and acts on recommendations from officers that consider opportunities to enhance the Revenue & Capital Budgets of the Council through strategic investments, whether that involves using capital/cash resources or borrowing and lending powers.
- 1.22 The Board is made up of the following individuals:
- The Leader of the Council (Chair)
 - Portfolio Holder for Finance, ICT & Communication
 - Portfolio Holder for Environment & Regeneration
- 1.23 Support is provided by:
- Executive Director Corporate Services
 - S151 Officer
 - Executive Director Place
 - Monitoring Officer
 - Director of Growth & Enterprise

11. Investment Indicators

- 1.24 The Authority has set the following quantitative indicators to allow elected members and the public to assess the Authority's total risk exposure as a result of its investment decisions.

- 1.25 **Total risk exposure:** The first indicator shows the Authority's total exposure to potential investment losses. This includes amounts the Authority is contractually committed to lend but have yet to be drawn down and guarantees the Authority has issued over third party loans.

Table 5: Total investment exposure in £'000

Total investment exposure	31/07/20 Actual	31/03/21 Forecast	31/03/22 Forecast
Treasury management investments	51,100	20,000	20,000
Service investments: Loans	6,037	5,936	5,802
Service investments: Shares	3,110	3,110	3,110
Commercial investments: Property	27,425	27,425	57,425
Commercial Investments : Loans	0	10,000	20,000
TOTAL INVESTMENTS	87,672	66,471	106,337
Commitments to lend	1,159	1,159	1,159
TOTAL EXPOSURE	88,831	67,630	107,496

- 1.26 **How investments are funded:** Currently the Authority's investments are funded by usable reserves and income received in advance of expenditure.
- 1.27 However in 2020/21 there is a possibility if the Authority decides to increase its investments in commercial properties and loans that they may require funding from borrowing.

Table 6: Investments funded by borrowing in £'000

Investments funded by borrowing	31/03/19 Actual	31/03/20 Actual	31/03/21 Forecast
Treasury management investments	0	0	0
Service investments: Loans	0	0	10,000
Service investments: Shares	0	0	0
Commercial investments: Property	28,785	27,425	100,000
Commercial Investments : Loans	0	0	20,000
TOTAL FUNDED BY BORROWING	28,785	27,425	130,000

including the cost of borrowing where appropriate, as a proportion of the sum initially invested. Note that due to the complex local government accounting framework, not all recorded gains and losses affect the revenue account in the year they are incurred.

Table 7: Investment rate of return (net of all costs)

Investments net rate of return	2019/20 Actual	2020/21 Actual	2021/22 Forecast
Treasury management investments	2.12%	1.64%	2.00%
Service investments: Loans	-12.59%	0.13%	0.35%
Service investments: Shares	-26.25%	0.00%	0.00%
Commercial investments: Property	6.66%	6.66%	6.66%

1.28 **Rate of return received:** This indicator shows the investment income received less the associated costs,

Appendix 7

Reserves Strategy

Management of Council Reserves

1. The Council's Reserves Strategy states that the Council will maintain reserves to protect against risk and support investment.
2. The opening balance at 1 April 2020 in the Council's General Reserves was £10.3m as published in the Council's Statement of Accounts for 2019/20.
3. The updated Risk Assessment for 2020/21 provides for the Minimum Level to be set at £10.3m. This is considered a relatively prudent overall target for reserves at 3.4% of the net budget.
4. The Council also maintains Earmarked Revenue reserves for specific purposes. At 31 March 2020 balances on these reserves stood at £40.9m, excluding balances held by Schools.
5. During 2020/21, an estimated £5.3m will be drawn down and applied to fund service expenditure specifically provided for. Service outturn forecasts take account of this expenditure and funding.

6. **Table 1** shows the forecast total reserves at the end of March 2020/21. Overall the Council remains in a strong financial position given the major challenges across the public sector.

Table 1 – Reserves Position

	£m
General Reserve	10.3
Earmarked Reserves (excluding Schools)	35.6
Total Reserves Balance at 31 March 2020	45.9

7. Details of individual reserves are shown in **Table 2** below.

Table 2 – Earmarked Reserves Position

Name of Reserve	Opening Balance 1st April 2020 £000	Forecast Movement in 2020/21 £000	Forecast Closing Balance 31st March 2021 £000	Notes
People				
Adults, Public Health and Communities				
PFI Equalisation - Extra Care Housing	2,504	114	2,618	Surplus grant set aside to meet future payments on existing PFI contract which commenced in January 2009.
Public Health	978	422	1,400	Ring-fenced underspend to be invested in areas to improve performance against key targets. Including the creation of an innovation fund to support partners to deliver initiatives that tackle key health issues.
NHB Community Fund	132	(132)	0	To support administrative staffing costs in relation to Central Government's New Homes Bonus guidance for community projects
Children's Services				
Domestic Abuse Partnership	70	(55)	15	To sustain preventative services to vulnerable people as a result of partnership funding.
SALT and OT	63	(63)	0	To support the additional investment into Speech and Language Therapy (SALT) and Occupational Therapy (OT).

Name of Reserve	Opening Balance 1st April 2019 £000	Forecast Movement in 2019/20 £000	Forecast Closing Balance 31st March 2020 £000	Notes
Place				
Investment (Sustainability)	682	(561)	121	To support investment that can increase longer term financial independence and stability of the Council.
Planning and Sustainable Development				
Trading Standards and Regulations	36	(36)	(0)	Ongoing Trading Standards prosecution case on product safety.
Air Quality	39	(39)	(0)	Air Quality Management - DEFRA Action Plan.
Strategic Planning	638	(160)	478	To meet costs associated with the Local Plan.
Licensing Enforcement	15	(15)	0	Three year reserve to fund a third party review and update of the Cheshire East Council Taxi Licensing Enforcement Policies.
Infrastructure and Highways				
Parking - Pay and Display Machines & Parking Studies	178	(178)	0	Purchase of Pay and Display Machines.
Highways Procurement	193	(193)	0	To finance the development of the next Highway Service Contract.
Well Managed Highway Infrastructure Delay	230	(230)	0	Due to the call in of WMHI, the savings proposed relating to winter service cannot be realised and the forecast service costs have increased by £230,000.
Flood Recovery Works	400	(400)	0	27 locations identified for repair works as a result of the 2019 flood events. There are also a further 16 which require investigation to ascertain the scope of the works required.
HS2	303	(303)	0	To support the Council's ongoing programme in relation to Government's HS2 investment across the borough and Transport for the North's Northern Powerhouse Rail Business Case.
Growth and Regeneration				
Royal Arcade Crewe	99	(99)	0	To provide for future costs relating to the Royal Arcade including repairs and maintenance.
Legal Proceedings on land and property matters	72	(72)	0	To enable legal proceedings on land and property matters.
Housing - Choice Based lettings	71	(71)	0	Housing partner contributions to support the administration of the choice based lettings scheme.
Homelessness & Housing Options	54	(54)	0	To prevent homelessness and mitigate against the risk of increased temporary accommodation costs.
Investment Portfolio	558	(340)	218	To support the Council's Investment Acquisition Strategy.

Name of Reserve	Opening Balance 1st April 2020 £000	Forecast Movement in 2020/21 £000	Forecast Closing Balance 31st March 2021 £000	Notes
Corporate				
Governance and Compliance Services				
Elections	27	112	139	To provide funds for Election costs every 4 years.
Finance and Customer Services				
Insurance (Cheshire East & Cheshire County Funds)	3,889	0	3,889	To settle insurance claims and manage excess costs.
Collection Fund Management	6,828	3,456	10,284	To manage cash flow implications as part of the Business Rates Retention Scheme. Includes liabilities that will not be paid until future years.
Financing Reserve	9,080	(1,468)	7,612	To provide for financing of capital schemes, other projects and initiatives.
New Homes Bonus Community Fund	140	0	140	To support Central Government's New Homes Bonus guidance for community projects, to be allocated in accordance with local priorities.
MTFS Reserve	3,439	(346)	3,093	To support the financial strategy and risk management.
Transformation				
HR (CARE4CE Review, Culture Change, Pay realignment, Learning Mgt System)	450	(27)	423	To fund HR expenditure in relation to the Care4CE review, culture change programme, pay realignment and the Learning Management System.
Brighter Future Transformation Programme	910	(910)	0	To fund the Council's four year transformation programme and its five outcomes of Culture; Estates and ICT systems; Customer Experience, Commercial Approach and Governance.
Cross Service				
Revenue Grants - Dedicated Schools Grant	(2,560)	(2,562)	(5,122)	Overspend on reserve
Revenue Grants - Other	11,360	(1,070)	10,290	Unspent specific use grant carried forward into 2020/21.
TOTAL	40,878	(5,280)	35,598	

This page is intentionally left blank



Working for a brighter future together

Key Decision: Yes

Date First
Published: 17.09.19

Cabinet

Date of Meeting: 6 October 2020

Report Title: Site Allocations and Development Policies Document – Revised Publication Draft

Portfolio Holder: Cllr Toni Fox – Portfolio Holder for Planning

Senior Officer: Frank Jordan – Executive Director of Place

1. Report Summary

- 1.1. The Site Allocations and Development Policies Document (SADPD) forms the second part of the Council's Local Plan. The Council published an initial Publication Draft SADPD and invited representations to be made about it over a period of six weeks during August and September 2019. This report seeks Cabinet approval to publish a Revised Publication Draft SADPD, which makes a number of proposed changes to the initial version, and invite representations to be made about it, similarly over a six week period. The proposed changes follow the careful consideration of representations received in 2019 and reflect updated evidence and circumstances regarding the Plan.
- 1.2. The purpose of the Local Plan is to achieve sustainable development by enabling jobs growth and maintaining a strong local economy, protecting the environment and delivering the new homes needed for existing and future residents. The Revised Publication Draft SADPD remains consistent with the strategic policies of the adopted Local Plan Strategy (LPS) and supports priority actions within the Council's recently approved Environment Strategy including the urgent need to tackle climate change.

- 1.3. Please note that, due to their size, Appendices 1, 2, 3 and 7 to this report are available on the [agenda web page](#) for this Cabinet meeting and are not included in the reports pack.

2. Recommendations

2.1. That Cabinet:

- 2.1.1. consider the views of the Strategic Planning Board;
- 2.1.2. subject to the consideration of any such views, approve the Revised Publication Draft version of the Site Allocations and Development Policies Document (Appendix 1), its Sustainability Appraisal (Appendices 2 and 2a) and Habitats Regulation Assessment (Appendix 3) for publication so that representations can be made about them over a period of six weeks, and approve and publish the draft Plan's supporting evidence base;
- 2.1.3. approve and publish the draft Statement of Common Ground (Appendix 8); and
- 2.1.4. authorise the Head of Planning, in consultation with the Portfolio for Planning, to make any additional non-material changes to the Plan documents or supporting information ahead of the period for representations and prepare any additional explanatory information to support this.

3. Reasons for Recommendations

- 3.1. To enable residents, local councils, developers, landowners, organisations and others to make representations about the SADPD, as amended, following its initial publication in August and September 2019.

4. Other Options Considered

- 4.1. There is no realistic alternative to progressing the SADPD. The Council has expressed its intention to prepare the SADPD within its Local Development Scheme. The SADPD is the route by which a comprehensive set of up-to-date planning policies for the borough can be put in place at the earliest opportunity, leading to the replacement of policies in the legacy local plans.
- 4.2. The Council could submit the initial Publication Draft SADPD for examination following its six-week period representations period in August and September last year; however this would not enable the changes proposed to it to be made. The changes are significant and,

as such, a further period for making representations would be required ahead of the Plan's submission to the Secretary of State for examination (see paragraphs 5.4-5.9).

5. Background

- 5.1. The first part of the Council's Local Plan, the LPS, was adopted in July 2017. It sets out the vision and overall spatial strategy for the borough to 2030. It includes strategic policies and allocates 'strategic sites' for development.
- 5.2. The SADPD is the second part of the Local Plan. It follows the strategic lead of the LPS and sets out more detailed, non-strategic policies to guide planning application decisions. It also allocates a limited number of additional, non-strategic sites for development.

The preparation of the SADPD

- 5.3. The preparation of the SADPD commenced in 2017 and has been shaped by feedback received through public consultation and relevant evidence (see paragraph 5.6). Table 1, below, identifies the key feedback stages that the Plan has gone through.

Table 1: Key stages in the development of the SADPD to date

Stage	Details
Issues Paper (Regulation 18) February 2017	<p>Consultation on the SADPD Issues Paper took place for 6 weeks between February and April 2017. It was the first opportunity for residents, developers and other organisations to give their views on the scope of the SADPD and the direction that its policies should take.</p> <p>The Issues Paper identified a range of matters and issues that the SADPD was likely to address, and asked a series of questions to encourage feedback on them. In parallel, consultation also took place on a draft sustainability appraisal scoping report, setting out the proposed environmental, economic and social issues against which SADPD policies and proposals would be tested.</p> <p>The consultation also included a 'call for sites' exercise, through which landowners and developers were invited to submit sites for consideration, to inform the selection of land allocations in the SADPD.</p> <p>A Report of Consultation, summarising the 1,478 responses to the Issues Paper was published on the Council's website.</p>
First Draft SADPD (Regulation 18)	The First Draft SADPD was published for consultation between 11 September and 22 October 2018. It was close to a full draft Plan.

September 2018	<p>During the consultation, a further ‘call for sites’ took place providing an additional opportunity to submit sites that may be suitable for Gypsy, Traveller and Travelling Showpeople accommodation.</p> <p>A Report of Consultation, summarising the 3,042 responses made to the First Draft Plan was published on the Council’s web site.</p>
Publication Draft SADPD (Regulation 19) August 2019	<p>The initial Publication Draft version of the SADPD was subject to a six-week period for representations from 19 August to 30 September 2019.</p> <p>A Report of Consultation, summarising the 2,698 responses made to the initial Publication Draft Plan was published on the Council’s web site in May this year.</p>

Proposed next steps

- 5.4. The publication draft (Regulation 19) version of a plan should be the version that a Council considers legally compliant and sound and therefore ready for submission for examination and capable of adoption. However, National Planning Practice Guidance (PPG) acknowledges that local planning authorities may identify proposed changes following the publication of their plans and the period in which representations have been invited¹. The PPG refers to the practical guidance on the procedural aspects of the examination of local plans produced by the Planning Inspectorate (PINS)². The PINS Guide advises that if a local planning authority wishes to make changes to a plan following the Regulation 19 consultation and before submission, and wishes the changes to be considered as part of the submitted plan, they should prepare an addendum to the plan containing the proposed changes. It goes on to say that the addendum, together with a sustainability appraisal [SA] of the proposed changes if they are significant, should be published for consultation, on the same basis as the Regulation 19 consultation, before the plan is submitted for examination.
- 5.5. The proposed changes to the SADPD are significant and, therefore, if they are agreed to by the Cabinet, a further period to allow representations to be made to the Plan would be necessary. The proposed changes to the Plan would be presented in a ‘track changes’ format (Appendix 1) and although stakeholders would be encouraged

¹ Planning Practice Guidance Paragraph: 050 Reference ID: 61-050-20190315 Revision date: 15 03 2019

² Procedural Guide for Local Plan Examinations, June 2019 (5th Edition)

<https://www.gov.uk/government/publications/examining-local-plans-procedural-practice>

to focus on the proposed changes to the Plan, representations would be accepted on any part of the Plan, even where they related to policies or parts of it that would be unchanged. Representations to the initial Publication Draft SADPD would, unless withdrawn or superseded, also remain 'live' and be submitted for consideration by the appointed Inspector at the examination stage.

- 5.6. A 'clean' version of the revised Plan³ and a Schedule of Changes document (Appendix 4) would also be made available for the consultation. The latter describes the reasons for the proposed changes. A list of proposed policies and site allocations in the Revised Draft SADPD is set out in Appendix 5. In terms of other supporting documents and related evidence base to the Plan, these would be published, where necessary, as 'clean', updated versions. There is an extensive evidence base which has informed the SADPD and these documents are available to view in the Revised SADPD library which would become the examination library in due course (<https://cheshireeast-consult.objective.co.uk/portal/planning/cs/sadpd/revpubevidence>). A list of documents published in connection with the Revised Publication Draft SADPD is also included in Appendix 6.
- 5.7. As with the Regulation 19 Plan in 2019 (the initial Publication Draft SADPD), representations would be invited on whether or not the Revised Publication Draft SADPD has met the legal requirements for its preparation and whether or not it is sound, namely that it has been positively prepared and is justified, effective and consistent with national policy. These will be tested at during the Plan's examination. The National Planning Policy Framework says that these tests of soundness will be applied to non-strategic policies in a proportionate way taking into account the extent to which they are consistent with relevant strategic policies for the area. It is considered that the Plan, appended to this report, meets these tests.
- 5.8. The period for making representations on the Revised Publication Draft SADPD would continue to be carried out in accordance with the Council's Statement of Community Involvement 2018, subject to a number of temporary revisions to be agreed through a Planning Portfolio Holder decision at the end of beginning of October. These revisions reflect temporary changes⁴ made by the Government to the

³ Reference ED 01b in the Revised Publication Draft SADPD library

⁴ The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020

regulations⁵ governing how Plans are made available at the Regulation 19 Stage. The changes temporarily remove the requirement on a local planning authority to make documents available for public inspection at the authority's principal office and at such other places as the authority considers appropriate, although every effort will still be made to make physical copies of documents available for inspection at libraries where this can be done with safety measures in place. They also make temporary changes to remove the requirement on a local planning authority to provide hard copies of documents. These provisions apply until 31 December 2020. Documents are still required to be made available on the local planning authority's website. Planning Practice Guidance advises that authorities should continue to promote effective community engagement by means which are reasonably practicable, using online engagement methods to their full potential.

- 5.9. Following the period for making representations, the next step would be to collate and summarise the responses and submit the SADPD and its associated documents to the Secretary of State (Planning Inspectorate) for examination. The submission of the Plan would be a Full Council decision. Taking into account the length of time that the examination might take, the Council could be in a position to adopt the SADPD in late 2021 or early 2022.

The proposed changes

- 5.10. All of the proposed changes to the SADPD can be viewed in the documents described above and are appended to this report or available in the Revised Publication Draft SADPD library. The proposed changes include:

- The removal of housing allocations at Local Service Centres (LSCs)

There is evidence that now points to a different conclusion being reached in relation to the allocation of further housing sites at the LSCs. The LPS (policy PG 7 Spatial Distribution of Development) says that the 13 LSCs are expected to accommodate in the order of 3,500 homes. This figure is neither a ceiling nor target to be reached and the supporting material to the policy advises that the numbers it sets out for individual settlements or tier of the settlement hierarchy are an indicative distribution.

⁵ The Town and Country Planning (Local Planning) (England) Regulations 2012

The results of 2020 housing monitoring⁶ shows that the supply of new homes (completions, commitments and a neighbourhood plan allocation) at the LSCs has increased by only a small amount (12 homes) in 2019/20. It now stands at 3,210 homes against an indicative figure of 3,500 homes. Although this is not a marked shift in the level of supply, there are a number of other changes in circumstances which now warrant the removal of LSC allocations, most particularly in the context of many of the allocations currently proposed being dependent on amendments to the Green Belt boundary which can only be justified if exceptional circumstances exist.

The changes are:

- The balance between the components of LSC housing supply shifted substantially towards completions during 2019/20. A total of 418 net additional homes were completed across the LSCs in 2019/20, which now means that 2,007 net additional homes have been built across these villages in the first 10 years of the Plan period. This represents 57% of the 3,500 figure, noting that this figure is indicative only.
- In the light of representations to the initial Publication Draft SADPD, further work has been carried out to identify the potential level of small site windfall development that could take place at LSCs that would add further to their housing supply by the end of the Plan period. If this replicated the average number of homes built on small-site windfall sites during the first 10 years of the Plan period (2010 to 2020), this source of supply would deliver a further 189 homes at LSCs by 2030. With this small site windfall allowance, the current housing supply at LSCs increases to 3,399 homes.
- The 2020 monitoring results show that there remains a significant overall housing supply in the borough. The level of supply flexibility now stands at 13.9%. This compares to a figure of just under 10% when the LPS was examined and found sound. More particularly, the substantial level of housing completions in 2019/20 (3,065 homes) means that supply flexibility, expressed as a proportion of homes still to

⁶ Available on the Housing Supply page on the Council's web site

https://www.cheshireeast.gov.uk/planning/spatial_planning/research_and_evidence/strategic_housing_land_assmnt/housing-monitoring-update.aspx

be built to reach the overall requirement for 36,000 homes, now stands at 24.6%. Adding in the proposed SADPD housing allocations at Middlewich and Poynton (275 homes in total), the respective levels of flexibility increase to 14.6% and 25.9%. The latter figure now means that even if one in five homes within the current housing supply was not built by 2020, the Plan's minimum requirement would still be exceeded.

Whilst taking account of the Council's position on this issue in the initial Publication Draft SADPD and the evidence that supported it, with the change in circumstances described above, it is no longer considered that exceptional circumstances exist to justify the further changes to the Green Belt boundary involved in making the additional allocations in the initial Publication Draft SADPD. There are four allocations that fall outside the Green Belt in the initial Publication Draft SADPD. Three of these are located within northern LSCs on sites outside of the Green Belt. Subject to the application of other policies, these could still, in principle, contribute further towards the LSC and Plan housing supply. The initial Publication Draft SADPD also includes a housing allocation on the edge of Audlem which is surrounded by the Open Countryside but not the Green Belt. Although there is no exceptional circumstances test to apply in relation to this site on the edge of the village it would nevertheless involve the loss of a site greenfield site within the Open Countryside which should, arguably, be avoided in the context of there being a LPS compliant level of housing supply at the LSCs and a significant Plan supply overall.

- Aircraft Noise

Policy ENV 13 (Aircraft Noise) seeks to manage new development in the area around Mobberley and Knutsford affected by noise from aircraft approaching and taking off from Manchester Airport, in order to avoid this having a significant impact on the health and quality of life of people. The policy has been revised to reflect updated advice from the specialist consultants engaged to assist the preparation of the policy. Most significantly it removes the presumption against new residential development between the 60 and 63 dB LAeq 16 hour contours but applies criteria requiring particular noise levels not be exceeded within new homes, consistent with achieving adequate ventilation, and controlling noise within outdoor garden/balcony areas. The justification for the revised policy is set out in Aircraft

Noise Policy Background Report [reference ED 15] available in the Revised Publication Draft SADPD library.

- Environment Strategy

In the light of the Council's recently approved Environment Strategy, two additional elements have been added to Policy ENV 7 (Climate Change).

The first would introduce a requirement, permissible under the Planning and Energy Act 2008, for new build residential development to achieve a reduction in CO2 emissions 19% below what is currently required under the Building Regulations. However, viability evidence⁷ indicates that this could not be achieved in all new residential schemes. This new element of the policy would also fall away in the event that the Government, as they intend, introduce a higher environmental performance standard for new homes some time this year through the Building Regulations, as part of the progression towards a Future Homes Standard in 2025.

The second would introduce a requirement for all new major residential development to provide for at least 10% of its energy needs from on site renewable or low carbon energy generation – the 'Merton Rule' as it is commonly known. Similarly, this could not viably be achieved for all schemes in the Borough.

- Houses in Multiple Occupation (HMOs)

Policy HOU 4 sets out a number of requirements that proposed new HMOs should meet. These have been expanded to include a criteria that seeks to manage the concentration of HMOs in an area. It states that applications will be permitted provided that the proportion of HMOs would not exceed 10% of all residential properties within a 50m radius of an application site. This is consistent with the proposed approach set out in an emerging draft HMO Supplementary Planning Document and is intended to give development plan status to this requirement on adoption.

- Retail and town centres

Retail and town centre policies within the initial Publication Draft SADPD along with the definition of town centre boundaries on the

⁷ Local Plan Site Allocations and Development Policies Viability Assessment. Reference ED 52 in the Revised Publication Draft SADPD library

Local Plan policies map were informed and are supported by the Cheshire East Retail Study 2016 and a 2018 quantitative update. The retail sector has, and continues to, change rapidly affecting the future of town centres. A study that is four to five years old at the time of the Plan examination is likely to be viewed as out of date. The Study has therefore been updated and this has fed into retail and town centre policies. Most notably, it identifies a reduction in future retail floorspace needs generally in the Borough. It highlights the acceleration of recent retail trends and the ongoing uncertainty arising from the COVID-19 situation. The Plan has also been updated to reflect the Government's recent changes to the Use Classes Order, effective from 1 September 2020, which creates a new commercial, business and service use class (Class E). This brings together the previous shops (A1), financial and professional services (A2), restaurants and cafes (A3) with, amongst other uses, offices (B1) to provide greater flexibility for changes in uses within town centres and elsewhere without the need for planning permission.

- Gypsy and Traveller accommodation

It is proposed that a further site is allocated for 4 permanent residential Gypsy and Traveller pitches at Mill Lane, Smallwood (Policy HOU 5a Gypsy and Traveller site provision). It would involve the extension of an existing site with planning permission for 4 pitches. This additional provision would assist in meeting the identified need for additional pitches in the borough.

The policy approach towards Gypsy and Traveller provision is proposed to be changed so that the local need for further pitches for people falling within the category of 'unknown need' and also for people requiring culturally appropriate accommodation but falling outside the planning definition for Gypsy and Travellers can be properly addressed.

- Safeguarded land at LSCs

The SADPD continues to make provision for 13.6 hectares of safeguarded land at the LSCs. This is land removed from the Green Belt to meet longer-term development needs, beyond the current plan period. In the initial Publication Draft SADPD, the apportionment of safeguarded land generally followed the apportionment of new development across the northern LSCs. In the absence of housing allocations and apportionment of development in the Revised Publication Draft SADPD this approach has changed and the

apportionment is now based on a number of factors – the level of services and facilities in the LSC, constraints (e.g. landscape quality and heritage assets), minimising the impact on the Green Belt and site opportunities. In the absence of there being any suitable and available sites in Mobberley to meet its apportionment, additional safeguarded land is directed to Chelford, following the consideration of this and other options. This is set out in evidence⁸ and Policy PG 12 (Green Belt and safeguarded land boundaries) identifies the sites that would be designated.

Policies Map

- 5.11. Councils are required to prepare a policies map, setting out the spatial application of adopted local plan policies on a map base. A map booklet accompanies this report showing the spatial application of the Revised Publication Draft SADPD policies along with LPS policies (Appendix 7). An interactive, on line version of the map will be available when the Plan is published for representations.

Neighbourhood Development Plans (NDPs)

- 5.12. Careful consideration has continued to be taken of the many NDPs prepared and in preparation in the borough. The aim in developing the SADPD has been to support NDPs whilst meeting the strategic requirements of the LPS. There has been a significant amount of engagement with local councils at each stage of the Plan's development. All local councils would be invited to make representations to the Revised Publication Draft SADPD.

Duty to Co-operate

- 5.13. The Council is required to co-operate with other local authorities and other bodies on strategic planning matters that cross administrative boundaries. This was clearly a key consideration in the preparation of strategic policies in the LPS. It is not considered that any new, cross-boundary strategic matters arise through the preparation of the SADPD. This is evidenced through a proposed Statement of Common Ground (Appendix 8) which would be published alongside the Revised Publication Draft SADPD. Neighbouring authorities and other relevant statutory and non-statutory bodies would be invited to sign a final Statement of Common Ground following the period for representations, which would accompany the Plan when submitted for examination.

⁸ Local Service Centres Safeguarded Land Distribution Report. Reference ED 53 in the Revised Publication Draft SADPD library

The effect of COVID-19

- 5.14. COVID-19 has had unprecedented effects for society. It has had a major impact on the UK economy and the country suffered its biggest slump on record between April and June as coronavirus measures pushed the country officially into recession.
- 5.15. It is still too early to know what the longer-term impacts of COVID-19 may be. It is evident; however, that vulnerability to COVID-19 has varied across society with greater vulnerability being linked to deprivation and existing health inequalities. Land-use planning influences how resilient places and communities are to risk and their recovery.
- 5.16. The impact of COVID-19 has been considered in the context of the SADPD. It is important to remember that its role is to set out more detailed, non-strategic policies under the umbrella of the adopted LPS. It is not the role of the SADPD to revisit key strategic matters settled through the LPS process. The updated Viability Assessment and Retail Study accompanying the SADPD both point to the uncertainties that have arisen because of COVID-19.
- 5.17. National planning policy has not been changed in the light of COVID-19, although this would not be expected at this time. The Government's focus has been to introduce greater planning flexibilities through changes to permitted development rules and the Use Classes Order so buildings and changes of use can take place without the need for a planning application. Many of these changes were signalled before the current COVID-19 situation. The Government has also made changes to enable planning decision making and consultation to continue and has brought in provisions to automatically extend certain planning permissions. The Government has also announced proposed radical changes to the planning system which it will bring into effect through new legislation and updated national policy.
- 5.18. In assisting with economic recovery, both in terms of supporting future investment in employment development and housing, it is helpful that the Council has a growth-focused, up to date LPS. The current COVID-19 situation has brought about changes to many aspects of our lives, some of which may continue in the longer-term. For example, there has been more home working for many office-based roles, an acceleration of shopping trends resulting in contracting retail floorspace

on the high street and an increase in the use of digital communication technology. It has also highlighted the need for people to be able to access open and green spaces locally.

- 5.19. The LPS and the policies within the emerging SADPD are generally well placed to respond to these challenges. The ambition of good placemaking and the need to create quality homes and neighbourhoods existed before COVID-19, however the COVID-19 situation has focused more attention on these and exposed those places where they have not been achieved.
- 5.20. SADPD policies towards promoting accessibility standards and space standards for new homes, greenspace protection and provision and greater flexibility in uses within town centres are examples of how the Plan could assist in addressing some of the potential longer-term implications of COVID-19. At this time, however, it is not considered that any further specific policy is warranted in the SADPD in the light of COVID-19.

National planning reforms

- 5.21. At the beginning of August, the Government published, in the White Paper: Planning for the Future, proposals to radically reform the planning system, including the way in which local plans are prepared. Consultation on the proposals is open until 29 October. The White Paper makes clear that the Government wishes to move quickly to a proposed new system of plan-making. Amongst many other changes, the Government intends, in future, that the National Planning Policy Framework (NPPF) would become the primary source of policies for development management and there would be no provision for the inclusion of generic development management policies which repeat national policy within local plans. The proposed reforms have the potential to affect how the SADPD is taken forward, however the White Paper contains insufficient detail to fully gauge the impact of the proposed reforms at this stage. For example, it is unclear what status the SADPD would have under transitional arrangements and how its policies would be affected by the intention that generic development management policies would be set out only in the NPPF.
- 5.22. The proposed reforms inevitably raise a number of issues and uncertainties for many authorities currently preparing plans. Because the proposed reforms are in draft and subject to consultation, and because of the lack of detail within them, it is not recommended that

work on the SADPD be halted at this time. However, it will be important to closely track the progress of the reforms and continue to consider their impacts on the SADPD.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. In accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'), the Council has a statutory duty to prepare planning policies and maintain an up-to-date development plan.
- 6.1.2. Secondary legislation relating to the preparation of development plan documents is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. The proposed consultation on the revised draft SADPD will be carried out in the stage of the plan-making process governed by Regulation 19. Regulation 19 requires Councils to notify particular bodies and groups on the published Plan, and to ensure they are able to make representations on it.
- 6.1.3. As noted earlier in this report, the publication draft (regulation 19) version of a plan should be the version that a Council considers legally compliant and sound and therefore ready for submission for examination and capable of adoption. However, National Planning Practice Guidance (PPG) acknowledges that local planning authorities may identify proposed changes following the publication of their plans and the period in which representation have been invited. PPG refers to the practical guidance on the procedural aspects of the examination of local plans produced by the Planning Inspectorate (PINS). The PINS Guide advises that if a local planning authority wishes to make changes to a plan following the Regulation 19 consultation and before submission, and wishes the changes to be considered as part of the submitted plan, they should prepare an addendum to the plan containing the proposed changes. It goes on to say that the addendum, together with a sustainability appraisal [SA] of the proposed changes if they are significant, should be published for consultation, on the same basis as the Regulation 19 consultation, before the plan is submitted for examination.
- 6.1.4. In line with the requirements of Section 19 of the 2004 Act, the Council has carried out a Sustainability Appraisal of the proposals in the Plan and prepared a report of the findings of the Appraisal. The Plan has been prepared:

- in accordance with the Local Development Scheme that came into effect on 1st October 2018,
- having regard to national policies and advice, and
- in accordance with the Council's Statement of Community Involvement.

6.2. Finance Implications

6.2.1. The preparation of the Revised Publication Draft Plan, including public consultation on it, is included in existing budgets of the Planning Service. The particular resources involved in carrying out public consultation comprise officer time and up to an estimated £2,000 in printing costs.

6.3. Policy Implications

6.3.1. The Local Plan is a key policy document, central to the achievement of sustainable development in Cheshire East.

6.4. Equality Implications

6.4.1. The Council has a duty under Section 149 of the Equalities Act to have due regard to the need to: eliminate discrimination; advance equality of opportunity between persons who share a "relevant protected characteristic" and persons who do not share it; foster good relations between persons who share a "relevant protected characteristic" and persons who do not share it.

6.4.2. An Equality Impact Assessment is incorporated into the integrated Sustainability Appraisal of the Revised Publication Draft SADPD. This will consider how development proposals and planning policies will impact on different groups within the community.

6.5. Human Resources Implications

6.5.1. There are no new implications.

6.6. Risk Management Implications

6.6.1. The Revised Publication Draft SADPD has been prepared taking account of the need to demonstrate the Plan's legal compliance and soundness at examination.

6.6.2. Publication is an essential stage in the progression of the SADPD and a major milestone towards its completion. Currently the Council still relies for many planning decisions on detailed planning policies

adopted by the former Borough Councils. There is hence a significant advantage in securing the timely progression of the SADPD.

6.6.3. In a similar vein, the SADPD addresses a number of contemporary policy agendas not covered within the older plans – and such policies can only be applied with full weight once the plan is adopted.

6.6.4. With these considerations in mind, there a sound rationale for progressing the SADPD without delay.

6.6.5. As highlighted earlier in the report, the progress and detail of Government's recently announced planning reforms will need to be closely monitored to gauge their impact on the SADPD.

6.7. Rural Communities Implications

6.7.1. The Local Plan has implications for rural communities across a range of policies. The Revised Publication Draft Plan has been informed by a Rural Proofing Assessment as part of an integrated Sustainability Appraisal.

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

6.8.1. There are a wide range of Revised Publication Draft SADPD policies that aim to protect and enhance the health and well-being of children and young people.

6.9. Public Health Implications

6.9.1. There are a wide range of Revised Publication Draft SADPD policies that aim to support active and healthy lifestyles. These include promoting prosperity, protecting and providing open space and recreation facilities and encouraging walking and cycling. A Health Impact Assessment is incorporated into the integrated Sustainability Appraisal of the SADPD.

6.10. Climate Change Implications

6.10.1. The Revised Publication Draft SADPD includes detailed policies to manage the impact of new development on the natural environment, climate change mitigation, renewable energy, flood risk management, and natural resources. The Plan seeks to contribute to Objective 4 of the Council's Environment Strategy in supporting sustainable development in the borough. As noted in section 5.9 of this report, the Revised Publication Draft SADPD includes two additional elements which have been added to Policy ENV 7 (Climate Change) - to seek improvements to the environmental performance of new dwellings and

secure renewable and low carbon energy generation, where feasible and viable.

7. Ward Members Affected

7.1. All Ward Members are affected.

8. Consultation & Engagement

8.1. The report seeks approval to invite representations to be made on a Revised Publication Draft SADPD, building on the significant consultation and engagement that has already taken place in drafting the Plan.

9. Access to Information

9.1. The proposed consultation documents are appended to this report. They can also be viewed online, along with the range of supporting documents listed in Appendix 6, at: (<https://cheshireeast-consult.objective.co.uk/portal/planning/cs/sadpd/revpubevidence>)

10. Contact Information

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

Name: Jeremy Owens

Job Title: Development Planning Manager

Email: jeremy.owens@cheshireeast.gov.uk

Or

Name: David Malcolm

Job Title: Head of Planning

Email: david.malcolm@cheshireeast.gov.uk

APPENDICES TO THIS REPORT

Appendix 1: Revised Publication Draft Site Allocations and Development Policies Document (tracked changes version)

This is available on the agenda web page.

Appendix 2: Sustainability Appraisal

This is available on the agenda web page.

Appendix 2a: Sustainability Appraisal (Non-technical summary)

This is available on the agenda web page.

Appendix 3: Habitats Regulations Assessment

This is available on the agenda web page.

Appendix 4: Schedule of changes to the initial Publication Draft SADPD.

This is attached to the report.

Appendix 5: List of Revised Publication Draft SADPD policies and site allocations

This is attached to the report.

Appendix 6: List of documents published in connection with the Revised Publication Draft SADPD

This is attached to the report.

Appendix 7: Draft Adopted Policies Map (Revised Publication Draft SADPD version)

This document, showing the location of proposed allocations and designations arising from the Revised Publication Draft SADPD, is available on the agenda web page. An online, interactive draft policies map showing the allocations and designations arising from the Revised Publication Draft SADPD policies will also be available to view when the Plan is published for representations.

Appendix 8: Duty to Co-operate Draft Statement of Common Ground

This is attached to the report.

Schedule of changes to the initial Publication Draft SADPD 2019

The full detail of all changes is shown in the Revised Publication Draft SADPD (tracked changes version).

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
Chapter 1: Introduction	2	Update references to refer to the Revised Publication Draft SADPD; add reference to Jodrell Bank Observatory World Heritage Site and Buffer Zone to the list of designations shown on the policies map.	To reflect the updated document and to confirm that the World Heritage Site confirmed in 2019 is shown on the policies map.
Chapter 2: Planning for growth (introductory paragraphs 2.1-2.2)	6	No material changes proposed.	
Policy PG 8 'Spatial distribution of development: local service centres'	6	Rename policy as Policy PG 8 'Development at local service centres'; amend policy and supporting information to confirm the approach to housing and employment development in the Local Service Centres ("LSCs"); amend supporting information regarding indicative levels of development for the LSCs and Other Settlements and Rural Areas ("OSRA"); update related documents list.	To reflect the revised approach to development at the LSCS and to clarify the indicative levels of development for LSCs and OSRA.
Policy PG 9 'Settlement boundaries'	7	Amend policy and footnotes to confirm the approach to defining settlement boundaries in neighbourhood plans.	For clarity and to confirm where existing neighbourhood plan settlement boundaries will be brought forwards through the SADPD.
Policy PG 10 'Infill villages'	8	Amend policy to remove Weston from the list of infill villages and remove references to neighbourhood plan settlement boundaries, which are now addressed in Policy PG 9. Update supporting information to confirm that other forms of development outside infill boundaries are still supported in line with other policies in the plan.	Weston has a settlement boundary as defined in its neighbourhood plan; the approach to neighbourhood plan settlement boundaries is best addressed in the settlement boundaries policy.

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
Policy PG 11 'Green Belt boundaries'	9	Delete Policy PG 11 'Green Belt boundaries' and all its supporting information.	To reflect the revised approach to development and site allocations in Local Service Centres.
Policy PG 12 'Safeguarded land boundaries'	10	Rename policy as Policy PG 12 'Green Belt and safeguarded land boundaries'; update the list of sites to reflect the final site selection; and insert a new criterion 4 to set the approach to environmental improvements in the future.	To reflect the revised approach to development and site allocations in Local Service Centres.
Policy PG 13 'Strategic green gaps boundaries'	11	No material policy changes proposed. Please note that detailed boundary changes are proposed and these are reflected on the draft adopted policies map.	To reflect the latest to reflect position in respect of completions and commitments at 31/03/20.
Policy PG 14 'Local green gaps'	11	No material changes proposed.	
Chapter 3: General requirements (introductory paragraph 3.1)	14	No material changes proposed.	
Policy GEN 1 'Design principles'	14	Insert a new criterion 13 to make appropriate reference to the mitigation hierarchy set out in Policy ENV 2 'Ecological Implementation'; include additional wording in the supporting text to the National Design Guide (2019); make appropriate reference in the supporting text to relevant environmental policies in the LPS / SADPD; and provide additional text on inclusive design. Add National Design Guide to the list of related documents.	To make reference to the National Design Guide and provide additional guidance on the importance of inclusive design. Criterion 13 added in response to consultation comments received from the Environment Agency.
Policy GEN 2 'Security at crowded places'	16	Update list of supporting documents.	To reflect the current status of supporting documents.
Policy GEN 3 'Advertisements'	17	Amend criterion 6 to reflect Policy ENV 14 'Light pollution'.	To avoid repeated policy in the SADPD.
Policy GEN 4 'The recovery of	18	Split policy into two separate policies: GEN 4	To address confusion between the two separate

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
infrastructure costs and planning obligations reduced on viability grounds'		'Recovery of forward-funded infrastructure costs' and GEN 7 'Recovery of planning obligations reduced on viability grounds' and policy wording and supporting information reviewed and re-worded.	aims of the differing parts of the policy and to reflect updated guidance on planning obligations and viability published in September 2019.
Policy GEN 5 'Aerodrome safeguarding'	20	No material changes proposed.	
Policy GEN 6 'Airport public safety zone'	21	No material changes proposed.	
Chapter 4: Natural environment, climate change and resources (introductory paragraphs 4.1-4.2)	24	Amend text of paragraph 4.2 concerning the Green Infrastructure Plan to add further detail around the content of the plan.	To update the information about the Green Infrastructure Plan now that the document has been completed.
Policy ENV 1 'Ecological network'	24	Add Cheshire Green Infrastructure Plan to list of related documents. Update date of Green Space Strategy.	Addition of completed documents to evidence base.
Policy ENV 2 'Ecological implementation'	27	Add Cheshire Green Infrastructure Plan to list of related documents.	Addition of completed document to evidence base.
Policy ENV 3 'Landscape character'	28	Add Cheshire Green Infrastructure Plan to list of related documents. Update date of Green Space Strategy.	Addition of completed documents to evidence base.
Policy ENV 4 'River corridors'	29	Add Cheshire Green Infrastructure Plan to list of related documents. Update date of Green Space Strategy.	Addition of completed documents to evidence base.
Policy ENV 5 'Landscaping'	30	Add new supporting evidence about tree planting as part of soft landscaping. Add Cheshire Green Infrastructure Plan to list of related documents. Update date of Green Space Strategy.	To emphasise the role of trees in landscaping; links to the Council's Environment Strategy and to comments made by the Environment Agency and United Utilities. Addition of completed documents to evidence base.
Policy ENV 6 'Trees,	31	No material changes proposed.	

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
hedgerows and woodland implementation'			
Policy ENV 7 'Climate change mitigation and adaptation'	34	<p>Rename policy to ENV 7 'Climate Change' and restructure the numbering of the policy.</p> <p>Move criterion 7 on energy efficiency measures to a new criterion 2 which requires improvements to the energy efficiency of new residential dwellings unless demonstrated as not viable or feasible.</p> <p>Insert new criterion 3 to require non residential development over 1,000 sqm and 'major' residential development schemes to secure at least 10% of its predicted energy needs from decentralised, renewable or low carbon generation unless not viable or feasible.</p> <p>Insert section in supporting information on the practical considerations attached to the implementation of new criteria 2 and 3 in policy ENV 7.</p> <p>Insert section in supporting information relating to the publication of the Council's Environment Strategy.</p> <p>Add CEC Environment Strategy (2020) to related documents</p>	To reflect some of the broad intentions of the CEC Environment Strategy (2020); provisions included in the 2008 Planning and Energy Act and updated evidence in the SADPD Viability Assessment [ED 52].
Policy ENV 8 'District heating network priority areas'	35	Insert reference to CEC Carbon Neutrality Action Plan (2020-2025) in related documents	To make reference to the CEC Carbon Neutrality Action Plan, recently published by the Council.
Policy ENV 9 'Wind energy'	36	<p>To refer to 'air traffic' rather than 'aircraft' safety in policy ENV 9 and its supporting text.</p> <p>Criterion 2 has been deleted and moved to the supporting information of the policy.</p> <p>Reference to the World Heritage site status of Jodrell Bank added to the supporting text.</p>	<p>To avoid duplication in policy wording between the SADPD and the LPS.</p> <p>To update the supporting text to refer to policy HER 9 'World Heritage Site'.</p> <p>To make reference to the CEC Carbon Neutrality Action Plan, recently published by the Council.</p>
Policy ENV 10 'Solar energy'	39	To refer to 'air traffic' rather than 'aircraft' safety in	To reflect updated evidence and refer to policy

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
		policy ENV 10 and its supporting text. Additional text added to criterion 7 to make reference to maximising solar gain. Reference to the World Heritage site status of Jodrell Bank added to the supporting text. Insert reference to CEC Carbon Neutrality Action Plan (2020-2025) in related documents	HER 9 'World Heritage Site' and the World Heritage site status at Jodrell Bank.
Policy ENV 11 'Proposals for battery energy storage systems'	40	Reference to the World Heritage site status of Jodrell Bank added to the supporting text. Insert reference to CEC Carbon Neutrality Action Plan (2020-2025) in related documents	To reflect updated evidence and refer to policy HER 9 'World Heritage Site' and the World Heritage site status at Jodrell Bank. .
Policy ENV 12 'Air quality'	41	Update text in the supporting information section to refer to the new number of AQMA's that the Council have declared and insert additional information on mitigation measures. Update the related documents section to refer to revised documents.	To provide up-to-date information and to also provide additional guidance.
Policy ENV 13 'Aircraft noise'	42	Add introductory text explaining noise contours are shown on the policies maps plus mitigation requirements of the policies. Policy largely reworked to explain how Significant Observed Adverse Effect Level (SOAEL) and Lowest Observed Adverse Effect Level (LOAEL) will be used in determining permission for dwelling houses and other types of development. The introduction of internal ambient noise levels being achieved without the use of mechanical ventilation. The addition of noise level requirements for private gardens, sitting out areas and balconies not to exceed 55dB $L_{Aeq,16hour}$ across a reasonable proportion of them. Removal of reference to mitigating adverse external amenity	To ensure that planning decisions are based on the latest technical and statutory evidence and that development opportunities are realised where advice can be followed and optimum, sustainable solutions achieved. To prevent decisions being made based on atypically low aircraft noise levels.

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
		<p>areas through access to nearby external amenity space.</p> <p>Removal of noise restrictions specifically for outdoor recreational developments.</p> <p>Addition of Noise Impact Assessments for applications.</p> <p>Reference to the 2019 (pre corona pandemic) noise contours being used until the number of air transport movements return to, or exceed, that recorded in 2019.</p> <p>Reference to technical background documents regarding carbon neutrality and ventilation of buildings.</p>	
Policy ENV 14 'Light pollution'	44	<p>Add additional text to criterion 4 to include specialist facilities, and individuals and groups.</p> <p>Amend text in the supporting information section to refer to 'lighting schemes'.</p> <p>Add additional text in the supporting information section to refer to the 'angle of lights' as a possible condition to mitigate any impact; and add reference to dark locations and rural areas.</p> <p>Add an additional paragraph in the supporting information section to state what specialist facilities, and individuals and groups include.</p> <p>Add CPRE dark skies document to the list of related documents.</p>	To accord with updated guidance and for clarification purposes.
Policy ENV 15 'New development and existing uses'	45	Amend policy to add further clarification about not impacting on existing businesses and add additional information in the supporting information section on what business and community facilities include.	For clarification purposes.
Policy ENV 16 'Surface water	46	Amend supporting information to refer to sufficient	For clarification purposes.

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
management and flood risk'		levels of treatment.	
Policy ENV 17 'Protecting water resources'	48	Update the title of the Environment Agency document referenced.	To refer to the latest guidance.
Chapter 5: The historic environment (introductory paragraph 5.1)	52	No material changes proposed.	
Policy HER 1 'Heritage assets'	52	Refer to heritage assets (instead of historic asset) in both criterion 1 and supporting information. Criterion 2: Refer to heritage asset (instead of listed building)	So that the terms used in the policy wording are consistent and unambiguous.
Policy HER 2 'Heritage at risk'	53	Criterion 1: Change wording order Criterion 2 :refer to applications for the positive re-use of heritage assets (instead of applications that enable the positive reuse of heritage assets) Supporting information: add new paragraph to confirm that 'enabling development' is not policy compliant.	To confirm that 'enabling development' is not policy-compliant but may be a material consideration where the resulting benefits outweigh harm.
Policy HER 3 'Conservation areas'	54	No material changes proposed.	
Policy HER 4 'Listed buildings'	56	Delete criterion 4 (iii) requiring the proposed change of use of a listed building to be necessary to ensure its long term preservation. Refer to "significance" of a building, rather than "setting".	So that the requirements for change of use are not overly-prescriptive. To add clarity.
Policy HER 5 'Historic parks and gardens'	57	Amend the policy title to refer to Registered Parks and Gardens (instead of Historic Parks and Gardens). Add policy wording to confirm that the list of matters to be taken into account is not exhaustive. Add reference to The Gardens Trust as a statutory consultee.	To reflect the policy content, only addresses designated assets. To show it is not an exhaustive list. To highlight the need for statutory consultation.
Policy HER 6 'Historic battlefields'	58	No material changes proposed.	

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
Policy HER 7 'Non-designated heritage assets'	58	Supporting information minor amendments to include parks and gardens	To include non registered parks and gardens now not covered in HER 5
Policy HER 8 'Archaeology'	59	No material changes proposed.	
Policy HER 9 'World heritage site'	60	Additional paragraph added to Supporting information 5.35	To confirm that the World Heritage Site and its buffer zone are shown on the policies map.
Chapter 6: Rural issues (introductory paragraph 6.1)	62	No material changes proposed.	
Policy RUR 1 'New buildings for agriculture and forestry'	62	No material changes proposed.	
Policy RUR 2 'Farm diversification'	63	No material changes proposed.	
Policy RUR 3 'Agricultural and forestry workers dwellings'	64	No material changes proposed.	
Policy RUR 4 'Essential rural worker occupancy conditions'	66	No material changes proposed.	
Policy RUR 5 'Best and most versatile agricultural land'	67	No material changes proposed.	
Policy RUR 6 'Outdoor sport, leisure and recreation outside of settlement boundaries'	68	No material changes proposed.	
Policy RUR 7 'Equestrian development outside of settlement boundaries'	69	Confirm that ancillary development should be well-related to "any" existing buildings.	To account for circumstances where there are no existing buildings.
Policy RUR 8 'Visitor accommodation outside of settlement boundaries'	71	Amend policy and supporting text to refer to scale appropriate to the location and setting (instead of small scale). Amend policy to confirm that the allowance for additional buildings refers to the existing or planned operation of the accommodation.	So that the decision-maker is able properly consider proposals on a case by case basis, taking into account the relevant factors and to allow for the growth of rural businesses.
Policy RUR 9 'Caravan and	72	Amend policy refer to scale appropriate to the	So that the decision-maker is able properly

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
camping sites'		location and setting (instead of small scale). Amend policy to confirm that the allowance for additional buildings refers to the existing or planned operation of the facility.	consider proposals on a case by case basis, taking into account the relevant factors and to allow for the growth of rural businesses.
Policy RUR 10 'Employment development in the open countryside'	73	Amend policy to confirm that the allowance for additional buildings refers to the existing or planned operation of the business. Amend supporting information to refer to the latest use classes set out in The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.	To allow for the growth of rural businesses; and to refer to the most up to date use classes.
Policy RUR 11 'Extensions and alterations to buildings outside of settlement boundaries'	74	Amend policy to delete the reference to the openness of the Green Belt.	Under the NPPF (¶145c) and LPS Policy PG 3 'Green Belt', there is no test of openness where an extension is not disproportionate.
Policy RUR 12 'Residential curtilages outside of settlement boundaries'	75	No material changes proposed.	
Policy RUR 13 'Replacement buildings outside of settlement boundaries'	76	Amend the policy to allow floorspace from detached outbuildings to be taken into account in certain circumstances.	So that the decision-maker is able properly consider proposals on a case by case basis, in line with the judgment in Tandridge DC v SoSCLG, [2015] EWHC 2503 (Admin)
Policy RUR 14 'Re-use of rural buildings for residential use'	77	Update the supporting text to confirm that modern agricultural buildings are not often capable of conversion for residential re-use (instead of not generally capable).	Appeal decisions have shown that modern agricultural buildings are sometimes capable of conversion.
Chapter 7: Employment and economy (introductory paragraph 7.1)	80	No material changes proposed.	
Policy EMP 1 'Strategic employment areas'	80	Amend the policy to qualify that the support for employment uses in these areas is subject to	To clarify that whilst there is support for proposals for further investment in these strategic

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
		other policies in the development plan.	employment areas, the plan must be read as a whole and other policies also remain applicable.
Policy EMP 2 'Employment allocations'	81	Amend policy and supporting information to delete reference to Site EMP 2.3 'Land east of University Way, Crewe'. Update policy to information to refer to the latest use classes set out in The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. Update supporting information to refer to minerals issues where sites may contain mineral resources.	Site EMP 2.3 is now under construction for retail purposes and has been lost to employment uses. Minerals information added to confirm that consideration of future applications will take full account of minerals issues. Use classes updated to refer to the most up to date use classes.
Chapter 8: Housing (general issues)	84	Amend introduction to refer to the policy coverage of the housing chapter of the SADPD.	To emphasise the policy focus and intention of the housing chapter in the SADPD.
Policy HOU 1 'Housing mix'	84	Amend policy to provide an appropriate cross reference to policy HOU 3 'self and custom build dwellings' in the SADPD. Reference added to 'demand' in point 1 of the policy. Minor amendment made to the supporting text to highlight the intention of table 8.1 of the policy.	To provide further clarification relating to the application of the policy.
Policy HOU 2 'Specialist housing provision'	86	Amend policy to add reference to supported and specialist housing development being responsive to changing needs over the lifetime of the development. Reference to the Care Quality Commission added to the supporting information to policy HOU 2.	To provide further clarification relating to the application of the policy.
Policy HOU 3 'Self and custom build dwellings'	88	Updated to clarify that on sites of 30+ dwellings, only unmet demand for self/custom-build needs to be considered as part of housing mix.	Updated evidence shows the council is currently comfortably meeting its self-build duties through windfall.
Policy HOU 4 'Houses in multiple occupation'	89	The policy has been amended to provide additional criteria regarding the assessment of planning applications for new or extended HMOs. This includes the requirement that the number of	To provide further clarification relating to the application of the policy.

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
		<p>existing HMOs within 50m of the application site does not exceed 10% of all residential properties. Exceptions to the policy may be considered where the number of dwellings within a group remaining in C3 use is now so low (1 or 2 dwellings) that the loss of the remaining C3 uses would not cause further harm to the character of the area and the proposal is supported by evidence to show there is no reasonable demand for the existing C3 use.</p> <p>Supporting text is amended to refer to possible introduction of Article 4 Directions in parts of Crewe and the preparation of additional Supplementary Planning Guidance to provide further detail about assessing density and exceptions to this.</p>	
Policy HOU 5 'Gypsy, Traveller and Travelling Showpersons provision'	90	<p>Split policy into three separate policies: HOU 5a 'Gypsy and Traveller site provision'; HOU 5b 'Travelling Showperson site provision'; and HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles'.</p> <p>Policy HOU 5a now relates to Gypsy and Traveller site provision. The policy includes details of the overall requirement for pitches; an updated list of proposed allocations and a new policy provision (revised criterion 3) which sets out the policy approach for new pitches in the open countryside outside of the Green Belt. The supporting text has been updated to provide more detail on the application of the policy.</p> <p>Policy HOU 5b is a new policy which sets out the policy approach to the provision of Travelling</p>	To reflect the outcomes of the site selection report [ED 14] and the GTAA (2018) [ED 13].

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
		Showperson Plots in the borough. Policy HOU 5c is a new policy which sets out site principles to be considered for Gypsy and Traveller pitches and Travelling Showperson plots in the borough.	
Policy HOU 6 'Accessibility, space and wheelchair housing standards'	92	Reference added in the supporting text to policy ENV 7 'Climate Change'	To provide further clarity and to assist in the interpretation of the policy.
Policy HOU 7 'Subdivision of dwellings'	93	No material changes proposed.	
Policy HOU 8 'Backland development'	94	No material changes proposed.	
Policy HOU 9 'Extensions and alterations'	94	No material changes proposed.	
Policy HOU 10 'Amenity'	95	No material changes proposed.	
Policy HOU 11 'Residential standards'	95	No material changes proposed.	
Policy HOU 12 'Housing density'	97	Additional text added to criterion 3 (ii) and the supporting information of the policy to highlight that parts of the borough have an established low density character.	To highlight, in policy text, the importance of factors including low density character in the consideration of schemes in the borough.
Policy HOU 13 'Housing delivery'	98	Deletion of criterion 4 (ii) in the policy.	To reflect the intention of national planning policy and clarify the operation of the policy.
Policy HOU 14 'Small and medium-sized sites'	98	No material changes proposed.	
Chapter 9: Town centres and retail (introductory paragraph 9.1)	102	No material changes proposed.	
Policy RET 1 'Retail hierarchy'	102	Revise the supporting text of policy RET 1 to remove references to the 2016 Retail Study.	To reflect updated evidence taken from the Retail Study Partial Update (2020) [ED 17]

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
		Delete reference to local urban centres in paragraph 9.6 Add the Retail Study Partial Update (2020) to the list of related documents.	
Policy RET 2 'Planning for retail needs'	104	Update policy RET 2 so that the policy refers to up to the end of the Plan period rather than 2018 – 2030 time period. Update the supporting text and table 9.2 to reflect revised convenience floorspace requirements at a town level up to 2030.	To reflect the SADPD Plan base date of the 31.03.2020 and update the policy in line with the recommendations of the Retail Study Partial Update (2020) [ED 17]
Policy RET 3 'Sequential and impact tests'	106	Delete reference to Local Urban Centres in criterion 1 and include Local Urban Centres in the list of defined centres in footnote 24 of the policy. Update the 'use class' references included in the policy and supporting text. Introduce additional text in the supporting information as to how the impact threshold in policy RET 3 will apply. Include and update references to reflect the publication of the Retail Study Partial Update (2020)	To reflect updated evidence taken from the Retail Study Partial Update (2020) [ED 17] To ensure the policy reflects recent changes in the Use Class Order (Town and Country Planning (use classes) (amendment) (England) regulations 2020 (SI 2020 no.757)
Policy RET 4 'Shops fronts and security'	108	Add new criteria under the policy to include 'any existing features of historic or architectural interest are retained'.	To ensure policy protects historic features.
Policy RET 5 'Restaurants, cafés, pubs and hot food takeaways'	109	Include principal town, town centres and local centres as exemptions to the approach under criterion 3. Insert additional text in the supporting information section about obesity and hot food takeaways and add new evidence under related documents.	For clarification purposes and to provide further supporting evidence.
Policy RET 6 'Neighbourhood parades of shops'	110	Update the 'use class' references included in the policy and supporting text.	To ensure the policy reflects recent changes in the Use Class Order (Town and Country Planning (use

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
			classes) (amendment) (England) regulations 2020 (SI 2020 no.757
Policy RET 7 'Supporting the vitality of town and retail centres'	111	Update the 'use class' references included in the policy and supporting text. Delete last sentence of criterion 4 of the policy. This is to reflect the view that Local Urban Centres are now included as a defined centre in policy RET 3.	To reflect updated evidence taken from the Retail Study Partial Update (2020) [ED 17] To ensure the policy reflects recent changes in the Use Class Order (Town and Country Planning (use classes) (amendment) (England) regulations 2020 (SI 2020 no.757
Policy RET 8 'Residential accommodation in the town centre'	112	Introduction of an additional paragraph in the supporting text to the policy noting appropriate cross reference to policy RET 7 and other policies in the development plan.	To ensure that the policy is read alongside other policy provisions included in the SADPD.
Policy RET 9 'Environmental improvements, public realm and design in town centres'	113	Additional text added to the policy / supporting text to emphasise the importance of inclusive and accessible design alongside active travel opportunities in town centre environments.	To support the accessibility of town centre environments by all users.
Policy RET 10 'Crewe town centre'	115	Additional text added to the supporting information of the policy on walking / cycling linkages between key development opportunities across the town centre.	To support the accessibility of Crewe town centres by all users.
Policy RET 11 'Macclesfield town centre and environs'	119	Add additional supporting information to paragraph 9.57 about the Macclesfield Town Centre Strategic Regeneration Framework.	To provide additional information following additional engagement with the regeneration team and to reflect the aims of the Macclesfield Town Centre SRF (Cabinet approval October 2019).
Chapter 10: Transport and infrastructure (introductory paragraph 10.1)	124	No material changes proposed.	
Policy INF 1 'Cycleways, bridleways and footpaths'	124	Remove the reference to diverting canal towpaths, add a reference to development providing links to towpaths.	To clarify that canal towpaths are not moveable.
Policy INF 2 'Public car parks'	125	Refer to offsetting the loss of a car park (rather	For clarity.

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
		than mitigating) and confirm that the requirement relates to improvements to nearby transport facilities (rather than just those that will serve the development).	
Policy INF 3 'Highway safety and access'	125	Add new text to the policy relating to electric vehicle points. Add a new paragraph to the supporting information section in reference to electric vehicles points.	To provide additional policy guidance on this matter.
Policy INF 4 'Manchester Airport'	126	No material changes proposed.	
Policy INF 5 'Off-airport car parking'	127	No material changes proposed.	
Policy INF 6 'Protection of existing and proposed infrastructure'	128	Remove reference to the Poynton Relief Road from the policy and supporting information. Amend the supporting information to include reference to the investment plans of the council; update the latest information on the status of each scheme; update the related documents.	Protection of the Poynton Relief Road route is no longer necessary given the advanced stage of the scheme towards construction; to provide the latest information and to reflect the latest evidence base.
Policy INF 7 'Hazardous installations'	130	No material changes proposed.	
Policy INF 8 'Telecommunications infrastructure'	131	Amend policy text to read "there will be no detrimental impact on air traffic safety".	To add clarity.
Policy INF 9 'Utilities'	131	Refer to major schemes (instead of larger schemes) Criterion 2 Delete word 'generally'	To add clarity by using the properly-defined term. To better explain the policy approach.
Policy INF 10 'Canals and mooring facilities'	132	Amend criterion 1 from 'adjacent' to 'affecting' the Boroughs canal. Amend criterion 2 to 'new mooring facilities'. Delete repeated wording in Criterion 2(ii), (iv) and (vi). Delete criterion 2(i)	To better explain the policy approach.

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
		and (viii) and insert as separate criterion. In the supporting information section provide further information on contributions and cross-reference to policy RUR 8 (Visitor accommodation outside settlement boundaries).	
Chapter 11: Recreation and community facilities (introductory paragraph 11.1)	136	No material changes proposed.	
Policy REC 1 'Green/open space protection'	136	Update date of Green Space Strategy in list of related documents.	Updated Green Space Strategy completed.
Policy REC 2 'Indoor sport and recreation implementation'	137	No material changes proposed.	
Policy REC 3 'Green space implementation'	138	Paragraph 11.2 - update document title of Green Infrastructure Plan. Update date of Green Space Strategy in list of related documents. Add Cheshire Green Infrastructure Plan to list of related documents.	To reflect completed document's final title. Updated Green Space Strategy completed. Addition of completed document to evidence base.
Policy REC 4 'Day nurseries'	139	No material changes proposed.	
Policy REC 5 'Community facilities'	140	No material changes proposed.	
Chapter 12: Site allocations (introductory paragraphs 12.1-12.12)	142	Amend section to refer to confirm that the SADPD does not allocate sites for housing in Local Service Centres; and allocates one Local Service Centre employment site at Holmes Chapel. Add reference to the employment site allocations listed in Policy EMP 2 'Employment allocations'; update references to the amended Gypsy, Traveller and Travelling Showperson policies; confirm which settlements have safeguarded land as listed in Policy PG 12 'Green Belt and safeguarded land	To reflect the revised approach to development and site allocations in Local Service Centres. To cross-refer to employment sites, Gypsy, Traveller and Travelling Showperson sites, and safeguarded land.

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
		boundaries'; update the related documents section.	
Site CRE 1 'Land at Bentley Motors'	143	No material changes proposed.	
Site CRE 2 'Land off Gresty Road'	144	Policy amended to refer to Use Class E(g).	To ensure the policy reflects recent changes in the Use Class Order (Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (SI 2020 no.757)
Site CNG 1 'Land off Alexandria Way'	146	To reduce the site area referenced in the policy to reflect an existing commitment on part of the site. To include reference to the preparation of a Minerals Resource Assessment for the site.	To reflect the outcomes contained in the updated Congleton Settlement Report [ED 27]
Site MID 1 'Land off St. Ann's Road'	147	Delete Site MID 1 'Land off St. Ann's Road' and all its supporting information.	The site is now under construction.
Site MID 2 'East and west of Croxton Lane'	148	No material changes proposed.	
Site MID 3 'Centurion Way'	149	To include reference to the preparation of a Minerals Resource Assessment for the site.	To reflect the likelihood that the site contains minerals.
Site PYT 1 'Poynton Sports Club'	150	No material changes proposed.	
Site PYT 2 'Land north of Glastonbury Drive'	151	Update policy to refer to 15m buffer being either side of bank tops and regarding the requirement for a Mineral Resource Assessment; update supporting information to refer to minerals issues and document reference numbers.	For clarification purposes and to increase protection to wildlife. To reflect the likelihood that the site contains minerals.
Site PYT 3 'Land at Poynton High School'	152	Amend policy to reduce the number of dwellings and add new criterion regarding a buffer to the watercourse; update supporting information to refer to consultation with the Coal Authority, confirm that the 3G should be on land not classed as a playing field and to reflect the culverted	To make sure that the policy acknowledges the presence of a culverted watercourse and the approach taken to it. For clarification purposes after discussion with Sport England. Minerals information added to confirm that consideration of future applications will take full account of minerals

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
		watercourse.	issues.
Site PYT 4 'Former Vernon Infants School'	153	Delete criteria 1, 5 and 6 and supporting information referring to sports facilities and the playing field, and a culverted watercourse.	The area of playing field to be lost is minimal, with the intention of the policy to enhance the retained playing field and provide drainage, and parking facilities. The culvert appears to be outside of the development site and of the 8m buffer required by the Cheshire East Land Drainage Byelaws
Site ALD 1 'Land adjacent to Jenny Heyes'	154	Delete Site ALD 1 'Land adjacent to Jenny Heyes' and all its supporting information.	To reflect the revised approach to development and site allocations in Local Service Centres, and the findings of the site selection process for Alderley Edge.
Site ALD 2 'Ryleys Farm, north of Chelford Road'	155	Delete Site ALD 2 'Ryleys Farm, north of Chelford Road' and all its supporting information.	To reflect the revised approach to development and site allocations in Local Service Centres, and the findings of the site selection process for Alderley Edge.
Safeguarded land ALD 3 'Ryleys Farm (safeguarded)'	156	Delete Safeguarded land ALD 3 'Ryleys Farm (safeguarded)' and all its supporting information. Please note that this safeguarded land remains listed in Policy PG 12 'Green Belt and safeguarded land boundaries'.	To reflect the revised approach to development and site allocations in Local Service Centres, and the findings of the site selection process for Alderley Edge.
Site ALD 4 'Land north of Beech Road'	156	Delete Site ALD 4 'Land north of Beech Road' and all its supporting information.	To reflect the revised approach to development and site allocations in Local Service Centres, and the findings of the site selection process for Alderley Edge.
Site AUD 1 'Land South of Birds Nest'	157	Delete Site AUD 1 'Land South of Birds Nest' and all its supporting information.	To reflect the revised approach to development and site allocations in Local Service Centres.
Site BOL 1 'Land at Henshall Road'	158	Delete Site BOL 1 'Land at Henshall Road' and all its supporting information. Please note that this site is now listed as	To reflect the revised approach to development and site allocations in Local Service Centres, and the findings of the site selection process for Bollington.

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
		safeguarded land in Policy PG 12 'Green Belt and safeguarded land boundaries'.	
Site BOL 2 'Land at Oak Lane/Greenfield Road'	159	Delete Site BOL 2 'Land at Oak Lane/Greenfield Road' and all its supporting information. Please note that this site is now listed as safeguarded land in Policy PG 12 'Green Belt and safeguarded land boundaries'.	To reflect the revised approach to development and site allocations in Local Service Centres, and the findings of the site selection process for Bollington.
Site BOL 3 'Land at Jackson Lane'	159	Delete Site BOL 3 'Land at Jackson Lane' and all its supporting information.	To reflect the revised approach to development and site allocations in Local Service Centres, and the findings of the site selection process for Bollington.
Site CFD 1 'Land off Knutsford Road'	160	Delete Site CFD 1 'Land off Knutsford Road' and all its supporting information. Please note that this site is now listed as safeguarded land in Policy PG 12 'Green Belt and safeguarded land boundaries'.	To reflect the revised approach to development and site allocations in Local Service Centres, and the findings of the site selection process for Chelford.
Safeguarded land CFD 2 'Land east of Chelford Railway Station'	160	Delete Safeguarded land CFD 2 'Land east of Chelford Railway Station' and all its supporting information. Please note that this safeguarded land remains listed in Policy PG 12 'Green Belt and safeguarded land boundaries'.	To reflect the revised approach to development and site allocations in Local Service Centres, and the findings of the site selection process for Chelford.
Site DIS 1 'Greystones Allotments'	161	Delete Site DIS 1 'Greystones Allotments' and all its supporting information.	To reflect the revised approach to development and site allocations in Local Service Centres.
Safeguarded land DIS 2 'Land off Jacksons Edge Road'	161	Delete Safeguarded land DIS 2 'Land off Jacksons Edge Road' and all its supporting information. Please note that this safeguarded land remains listed in Policy PG 12 'Green Belt and	To reflect the revised approach to development and site allocations in Local Service Centres, and the findings of the site selection process for Disley.

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
		safeguarded land boundaries’.	
Site HCH 1 ‘Land east of London Road’	162	Update policy to refer to 15m buffer being either side of bank tops and regarding the requirement for a Mineral Resource Assessment; update supporting information to refer to minerals issues. See detailed amendments to Policy HCH 1 and its supporting information.	For clarification purposes and to increase protection to wildlife. To reflect the likelihood that the site contains minerals.
Site MOB 1 ‘Land off Ilford Way’	163	Delete Site MOB 1 ‘Land off Ilford Way’ and all its supporting information.	To reflect the revised approach to development and site allocations in Local Service Centres.
Safeguarded land MOB 2 ‘Land north of Carlisle Close’	164	Delete Safeguarded land MOB 2 ‘Land north of Carlisle Close’ and all its supporting information.	To reflect the revised approach to development and site allocations in Local Service Centres, and the findings of the site selection process for Mobberley.
Site PRE 1 ‘Land south of cricket ground’	164	Delete Site PRE 1 ‘Land south of cricket ground’ and all its supporting information.	To reflect the revised approach to development and site allocations in Local Service Centres.
Site PRE 2 ‘Land south of Prestbury Lane’	165	Delete Site PRE 2 ‘Land south of Prestbury Lane’ and all its supporting information. Please note that this site is now listed as safeguarded land in Policy PG 12 ‘Green Belt and safeguarded land boundaries’	To reflect the revised approach to development and site allocations in Local Service Centres, and the findings of the site selection process for Prestbury.
Safeguarded land PRE 3 ‘Land off Heybridge Lane’	166	Delete Safeguarded land PRE 3 ‘Land off Heybridge Lane’ and all its supporting information. Please note that this safeguarded land remains listed in Policy PG 12 ‘Green Belt and safeguarded land boundaries’.	To reflect the revised approach to development and site allocations in Local Service Centres, and the findings of the site selection process for Prestbury.
Site G&T 1 ‘Land east of Railway Cottages, Nantwich’	166	Update the site name the site policy / supporting information to reflect a recent planning permission issued on the site for six pitches (ref 19/5261N)	To reflect the outcomes of the updated Gypsy and Traveller and Travelling Showperson Site Selection Report [ED 14] and a recent planning permission

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
			issued on the site for six pitches (ref 19/5261N).
Site G&T 2 'Land at Coppenhall Moss, Crewe'	167	Update the supporting information of the policy to cross refer to policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles' and confirm the position re the implementation of occupancy conditions on the site.	To reflect the outcomes of the updated Gypsy and Traveller and Travelling Showperson Site Selection Report [ED 14]
Site G&T 3 'New Start Park, Wettenhall Road, Nantwich'	168	Update the supporting information of the policy to cross refer to policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles' and confirm the position re the implementation of occupancy conditions on the site.	To reflect the outcomes of the updated Gypsy and Traveller and Travelling Showperson Site Selection Report [ED 14]
Site G&T 4 'Three Oakes Site, Booth Lane, Middlewich'	168	Update the supporting information of the policy to cross refer to policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles' and confirm the position re the implementation of occupancy conditions on the site. To refer to the Heritage Impact Assessment (CEC 2019) prepared for the site.	To reflect the outcomes of the updated Gypsy and Traveller and Travelling Showperson Site Selection Report [ED 14]. To respond to comments received from Historic England to the initial publication draft SADPD.
Site G&T 5 'Cledford Hall, Cledford Lane, Middlewich'	169	Update the supporting information of the policy to cross refer to policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles' Include additional text in the supporting information to refer to the Middlewich Eastern Bypass.	To provide an update to the Middlewich Eastern Bypass and reflect the outcomes of the updated Gypsy and Traveller and Travelling Showperson Site Selection Report [ED 14].
Site G&T 6 'Land at Thimswarra Farm, Moston'	170	Delete Site G&T 6 'Land at Thimswarra Farm, Moston' and all its supporting information.	To reflect updated information on commitments and completions up to the 31 March 2020.
Site G&T 7 'Land at Meadowview, Moston'	170	Delete Site G&T 7 'Land at Meadowview, Moston' and all its supporting information.	To reflect updated information on commitments and completions up to the 31 March 2020.
N/A	N/A	Insert new site G&T 8 'The Oakes, Mill Lane, Smallwood' and supporting information.	To reflect the outcomes of the updated Gypsy and Traveller and Travelling Showperson Site Selection Report [ED 14].

Policy / Chapter in the initial Publication Draft SADPD	Page	Summary of proposed change	Reason
Site TS1 'Lorry Park, off Mobberley Road, Knutsford'	171	Update the supporting information of the policy to cross refer to policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles' Delete criterion 3 and paragraph 12.167 regarding the need for a project level Habitats Regulations Assessment on the Midland Meres and Mosses Phase 1 Ramsar and Rostherne Mere Ramsar site.	To reflect the outcomes of the updated Gypsy and Traveller and Travelling Showperson Site Selection Report [ED 14] and the Habitats Regulations Assessment [ED 04].
Site TS2 'Land at Firs Farm, Brereton'	172	To refer to the Heritage Impact Assessment (CEC 2019) prepared for the site. Update the supporting information of the policy to cross refer to policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles'	To respond to comments received from Historic England to the initial publication draft SADPD. To reflect the outcomes of the updated Gypsy and Traveller and Travelling Showperson Site Selection Report [ED 14].
N/A	N/A	Insert new site TS 3 'Land at former brickworks, A50 Newcastle Road' and supporting information.	To reflect the outcomes of the updated Gypsy and Traveller and Travelling Showperson Site Selection Report [ED 14].
Chapter 13: Monitoring and implementation	174	Update related documents.	To reflect the updated evidence base.
Chapter 14: Glossary	176	Update definition of 'Employment land' to refer to the latest use classes set out in The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.	To reflect the most up to date use classes.
Appendix A: Related documents and links	184	Update related documents and links section.	To refer to the latest available evidence base.

Appendix 5: List of Revised Publication Draft SADPD policies and site allocations

Planning for growth

Policy PG 8 Development at local service centres

Policy PG 9 Settlement boundaries

Policy PG 10 Infill villages

Policy PG 12 Green Belt and safeguarded land boundaries

- Safeguarded land ALD 3 'Land at Ryleys Farm, west of Sutton Road', Alderley Edge;
- Safeguarded land BOL 1 'Land at Henshall Road', Bollington
- Safeguarded land BOL 2 'Land at Greenfield Road', Bollington
- Safeguarded land CFD 1 'Land off Knutsford Road', Chelford
- Safeguarded land CFD 2 'Land east of Chelford Railway Station', Chelford
- Safeguarded land DIS 2 'Land off Jacksons Edge Road', Disley
- Safeguarded land PRE 2 'Land south of Prestbury Lane', Prestbury
- Safeguarded land PRE 3 'Land off Heybridge Lane', Prestbury

Policy PG 13 Strategic green gaps boundaries

Policy PG 14 Local green gaps

General requirements

Policy GEN 1 Design principles

Policy GEN 2 Security at crowded places

Policy GEN 3 Advertisements

Policy GEN 4 Recovery of forward-funded infrastructure costs

Policy GEN 5 Aerodrome safeguarding

Policy GEN 6 Airport public safety zone

Policy GEN 7 Recovery of planning obligations reduced on viability grounds

Natural environment, climate change and resources

Policy ENV 1 Ecological network

Policy ENV 2 Ecological implementation

Policy ENV 3 Landscape character

Policy ENV 4 River corridors

Policy ENV 5 Landscaping

Policy ENV 6 Trees, hedgerows and woodland implementation

Policy ENV 7 Climate change

Policy ENV 8 District heating network priority areas

Policy ENV 9 Wind energy

Policy ENV 10 Solar energy

Policy ENV 11 Proposals for battery energy storage systems

Policy ENV 12 Air quality

Policy ENV 13 Aircraft noise

Policy ENV 14 Light pollution

Policy ENV 15 New development and existing uses

Policy ENV 16 Surface water management and flood risk

Policy ENV 17 Protecting water resources

The historic environment

Policy HER 1 Heritage assets

Policy HER 2 Heritage at risk

Policy HER 3 Conservation areas

Policy HER 4 Listed buildings

Policy HER 5 Registered parks and gardens

Policy HER 6 Historic battlefields

Policy HER 7 Non-designated heritage assets

Policy HER 8 Archaeology

Policy HER 9 World heritage site

Rural issues

Policy RUR 1 New buildings for agriculture and forestry

Policy RUR 2 Farm diversification

Policy RUR 3 Agricultural and forestry workers dwellings

Policy RUR 4 Essential rural worker occupancy conditions

Policy RUR 5 Best and most versatile agricultural land

Policy RUR 6 Outdoor sport, leisure and recreation outside of settlement boundaries

Policy RUR 7 Equestrian development outside of settlement boundaries

Policy RUR 8 Visitor accommodation outside of settlement boundaries

Policy RUR 9 Caravan and camping sites

Policy RUR 10 Employment development in the open countryside

Policy RUR 11 Extensions and alterations to buildings outside of settlement boundaries

Policy RUR 12 Residential curtilages outside of settlement boundaries

Policy RUR 13 Replacement buildings outside of settlement boundaries

Policy RUR 14 Re-use of rural buildings for residential use

Employment and economy

Policy EMP 1 Strategic employment areas

Policy EMP 2 Employment allocations

- Site EMP 2.1 'Weston Interchange, Crewe'
- Site EMP 2.2 'Meadow Bridge, Crewe'
- Site EMP 2.4 'Hurdsfield Road, Macclesfield'
- Site EMP 2.5 '61MU, Handforth'
- Site EMP 2.6 'Land rear of Handforth Dean Retail Park, Handforth'
- Site EMP 2.7 'New Farm, Middlewich'
- Site EMP 2.8 'Land west of Manor Lane, Holmes Chapel'
- Site EMP 2.9 'Land at British Salt, Middlewich'

Housing

Policy HOU 1 Housing mix

Policy HOU 2 Specialist housing provision

Policy HOU 3 Self and custom build dwellings

Policy HOU 4 Houses in multiple occupation

Policy HOU 5a Gypsy and Traveller site provision

Policy HOU 5b Travelling Showperson site provision

Policy HOU 5c Gypsy and Traveller and Travelling Showperson site principles

Policy HOU 6 Accessibility, space and wheelchair housing standards

Policy HOU 7 Subdivision of dwellings

Policy HOU 8 Backland development

Policy HOU 9 Extensions and alterations

Policy HOU 10 Amenity

Policy HOU 11 Residential standards

Policy HOU 12 Housing density

Policy HOU 13 Housing delivery

Policy HOU 14 Small and medium-sized sites

Town centres and retail

Policy RET 1 Retail hierarchy

Policy RET 2 Planning for retail needs

Policy RET 3 Sequential and impact tests

Policy RET 4 Shop fronts and security

Policy RET 5 Restaurants, cafés, pubs and hot food takeaways

Policy RET 6 Neighbourhood parades of shops

Policy RET 7 Supporting the vitality of town and retail centres

Policy RET 8 Residential accommodation in the town centre

Policy RET 9 Environmental improvements, public realm and design in town centres

Policy RET 10 Crewe town centre

Policy RET 11 Macclesfield town centre and environs

Transport and infrastructure

Policy INF 1 Cycleways, bridleways and footpaths

Policy INF 2 Public car parks

Policy INF 3 Highway safety and access

Policy INF 4 Manchester Airport

Policy INF 5 Off-airport car parking

Policy INF 6 Protection of existing and proposed infrastructure

Policy INF 7 Hazardous installations

Policy INF 8 Telecommunications infrastructure

Policy INF 9 Utilities

Policy INF 10 Canals and mooring facilities

Recreation and community facilities

Policy REC 1 Green/open space protection

Policy REC 2 Indoor sport and recreation implementation

Policy REC 3 Green space implementation

Policy REC 4 Day nurseries

Policy REC 5 Community facilities

Site allocations

Site CRE 1 Land at Bentley Motors, Crewe

Site CRE 2 Land off Gresty Road, Crewe

Site CNG 1 Land off Alexandria Way, Congleton

Site MID 2 East and west of Croxton Lane, Middlewich

Site MID 3 Centurion Way, Middlewich

Site PYT 1 Poynton Sports Club, Poynton

Site PYT 2 Land north of Glastonbury Drive, Poynton

Site PYT 3 Land at Poynton High School, Poynton

Site PYT 4 Former Vernon Infants School, Poynton

Site HCH 1 Land east of London Road, Holmes Chapel

Site G&T 1 Land east of Railway Cottages, Nantwich (Baddington Park)

Site G&T 2 Land at Coppenhall Moss, Crewe

Site G&T 3 New Start Park, Wettenhall Road, Nantwich

Site G&T 4 Three Oakes Site, Booth Lane, Middlewich

Site G&T 5 Cledford Hall, Cledford Lane, Middlewich

Site G&T 8 The Oakes, Mill Lane, Smallwood

Site TS 1 Lorry park, off Mobberley Road, Knutsford

Site TS 2 Land at Fir Farm, Brereton

Site TS 3 Land at former brickworks, A50 Newcastle Road

This page is intentionally left blank

Appendix 6: List of documents published in connection with the Revised Publication Draft SADPD

- Revised Publication Draft Site Allocations and Development Policies Document (version showing tracked changes) (2020, Cheshire East Council) [ED 01a]
- Revised Publication Draft Site Allocations and Development Policies Document ('clean' version) (2020, Cheshire East Council) [ED 01b]
- Schedule of Changes to the Initial Publication Draft SADPD (2020, Cheshire East Council) [ED 01c]
- Initial Publication Draft Site Allocations and Development Policies Document (2019, Cheshire East Council) [ED 01d]
- Draft adopted policies map (2020, Cheshire East Council) [ED 02]
- Revised Publication Draft SADPD Sustainability Appraisal (2020, Cheshire East Council) [ED 03]
- Revised Publication Draft SADPD Sustainability Appraisal Non-technical Summary (2020, Cheshire East Council) [ED 03a]
- SADPD Habitats Regulations Assessment (Revised Publication Version) (2020, JBA Consulting) [ED 04]
- The Provision of Housing and Employment Land and the Approach to Spatial Distribution (2020, Cheshire East Council) [ED 05]
- Settlement and Infill Boundaries Review (2020, Cheshire East Council) [ED 06]
- Site Selection Methodology Report (2020, Cheshire East Council) [ED 07]
- Strategic Green Gaps Boundary Definition Review (2020, Cheshire East Council) [ED 08]
- Ecological Network for Cheshire East (2017, Total Environment) [ED 09]
- Cheshire East Landscape Character Assessment (2018, LUC) [ED 10]
- Cheshire East Local Landscape Designation Review (2018, LUC) [ED 11]
- Employment Allocations Review (2020, Cheshire East Council) [ED 12]
- Cheshire East, Cheshire West and Chester, Halton and Warrington Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2018, Opinion Research Services) [ED 13]
- Gypsy, Traveller and Travelling Showpeople Site Selection Report (2020, Cheshire East Council) [ED 14]
- Aircraft Noise Policy Background Report (2020, Jacobs) [ED 15]
- Threshold Policy for Main Town Centres Uses Impact Test: Evidence and Justification Report (2018, WYG) [ED 16]
- Cheshire East Retail Study Update (2020, WYG) [ED 17]
- Green Space Strategy Update (2020, Cheshire East Council) [ED 18]
- Cheshire East Playing Pitch Strategy and Action Plan (2019, Knight, Kavanagh & Page) [ED 19]
- Playing Pitch Strategy Assessment Report Update (2019, Knight, Kavanagh & Page) [ED 19a]
- Cheshire East Indoor Built Facilities Strategy (2017, Knight, Kavanagh & Page) [ED 20]
- Indoor Built Facilities Strategy Progress and Evidence Review (2019, Cheshire East Council) [ED 20a]
- Alderley Edge Settlement Report (2020, Cheshire East Council) [ED 21]
- Alsager Settlement Report (2020, Cheshire East Council) [ED 22]
- Audlem Settlement Report (2020, Cheshire East Council) [ED 23]
- Bollington Settlement Report (2020, Cheshire East Council) [ED 24]
- Bunbury Settlement Report (2020, Cheshire East Council) [ED 25]
- Chelford Settlement Report (2020, Cheshire East Council) [ED 26]

- Congleton Settlement Report (2020, Cheshire East Council) [ED 27]
- Crewe Settlement Report (2020, Cheshire East Council) [ED 28]
- Disley Settlement Report (2020, Cheshire East Council) [ED 29]
- Goostrey Settlement Report (2020, Cheshire East Council) [ED 30]
- Handforth Settlement Report (2020, Cheshire East Council) [ED 31]
- Haslington Settlement Report (2020, Cheshire East Council) [ED 32]
- Holmes Chapel Settlement Report (2020, Cheshire East Council) [ED 33]
- Knutsford Settlement Report (2020, Cheshire East Council) [ED 34]
- Macclesfield Settlement Report (2020, Cheshire East Council) [ED 35]
- Middlewich Settlement Report (2020, Cheshire East Council) [ED 36]
- Mobberley Settlement Report (2020, Cheshire East Council) [ED 37]
- Nantwich Settlement Report (2020, Cheshire East Council) [ED 38]
- Poynton Settlement Report (2020, Cheshire East Council) [ED 39]
- Prestbury Settlement Report (2020, Cheshire East Council) [ED 40]
- Sandbach Settlement Report (2020, Cheshire East Council) [ED 41]
- Shavington Settlement Report (2020, Cheshire East Council) [ED 42]
- Wilmslow Settlement Report (2020, Cheshire East Council) [ED 43]
- Wrenbury Settlement Report (2020, Cheshire East Council) [ED 44]
- Call for Sites Report (2020, Cheshire East Council) [ED 45]
- Other Settlements and Rural Areas Report (2020, Cheshire East Council) [ED 46]
- Cheshire East Green Infrastructure Plan (2019, The Environment Partnership) [ED 47]
- Heritage Impact Assessments of Sites in Local Plan Site Selection (2019, Hinchliffe Heritage) [ED 48]
- Cheshire East Residential Mix Assessment (2019, Opinion Research Services) [ED 49]
- Restaurants, Cafés, Pubs and Hot Food Takeaways Background Report (2020, Cheshire East Council) [ED 50]
- SADPD Duty to Co-operate Statement of Common Ground (2020, Cheshire East Council) [ED 51]
- Local Plan Site Allocations and Development Policies Viability Assessment (2020, HDH Planning and Development) [ED 52]
- Local Service Centres Safeguarded Land Distribution Report (2020, Cheshire East Council) [ED 53]
- Local Plan Monitoring Framework (2020, Cheshire East Council) [ED 54]
- Green Infrastructure Assessment of Cheshire East (2018, The Mersey Forest) [ED 55]
- SADPD Consultation Statement (2020, Cheshire East Council) [ED 56]
- Nationally Described Space Standards (2019, Cheshire East Council) [ED 57]
- The Approach to Small Sites (2020, Cheshire East Council) [ED 58]

APPENDIX 8

Cheshire East Council Site Allocations and Development Policies Duty to Co-operate Draft Statement of Common Ground

August 2020

**CHESHIRE EAST COUNCIL
SITE ALLOCATIONS AND DEVELOPMENT POLICIES
DUTY TO CO-OPERATE
DRAFT STATEMENT OF COMMON GROUND**

1. Introduction

1.1 The Local Plan in Cheshire East¹ will be made up of four documents:

- The Local Plan Strategy (“LPS”) sets out the vision and overall planning strategy for the borough over the period to 2030. It includes strategic planning policies and allocates strategic sites for development. The Local Plan Strategy was adopted in July 2017.
- The Site Allocations and Development Plan Document (“SADPD”), which will set detailed non strategic planning policies to guide planning decisions and allocate additional sites for development, where necessary, to assist in meeting the overall development requirements set out in the LPS. This draft statement of common ground (August 2020) supports the consultation on the revised publication version of the SADPD.
- The Minerals and Waste Development Plan Document (“MWDPD”), which will set out planning policies for minerals and waste, including the identification of specific sites for these uses where required. The first draft of the MWDPD is currently being prepared.
- The Crewe Station Hub Area Action Plan (CSHAAP) will set out a planning framework to manage change and support investment and development of Crewe station and the surrounding area associated with the arrival of HS2 in Crewe.

1.2 This duty to co-operate draft statement of common ground (“DTC SoCG”) relates to the revised publication version of the Cheshire East Site Allocations and Development Policies document (August 2020) (“SADPD”) which represents the second part of the council’s Local Plan.

1.3 Section 33A of the Planning and Compulsory Purchase Act 2004, amongst other things, requires that local planning authorities co-operate with each other and with prescribed bodies in maximising the effectiveness of development plan preparation in terms of strategic matters. In respect of the SADPD, that means sustainable development or the use of land that has or would have a significant impact across administrative boundaries.

1.4 National planning policy and guidance re-affirm that local planning authorities are under a duty to co-operate on cross-boundary strategic matters. It highlights the need for relevant organisations to collaborate to identify these matters which need to be addressed in plans. Indeed, effective and ongoing joint working on these matters is described as integral to the production of a positively prepared and justified strategy and should be demonstrated through

¹ Excluding the part in the Peak District National Park where the park authority is responsible for planning matters.

the preparation and maintenance of one or more statements of common ground.

- 1.5 The SADPD has been prepared as a 'daughter' document to the adopted LPS. The SADPD is not seeking to amend any strategic policies in the Local Plan Strategy. There are no new strategic cross boundary matters arising from the content of the SADPD. The council has agreed this with all of its neighbouring local planning authorities and other relevant bodies. Although guidance on the preparation of a statement of common ground is directed at strategic policy-making authorities during the process of planning for strategic cross-boundary matters, the preparation of this statement serves to demonstrate that the council has properly discharged its legal duty and has reached agreement with all relevant parties that the SADPD does not give rise to any new strategic cross boundary issues. The Statement also provides an opportunity for the council to show how it has continued to work effectively and on an ongoing basis with relevant bodies regarding the strategic cross boundary matters identified during the preparation of the LPS.
- 1.6 Planning practice guidance says that a statement of common ground should include
 - A description of the administrative area covered by the statement with a justification for this;
 - the key strategic matters being addressed by the statement;
 - the governance arrangements and how the statement will be maintained and kept up to date; and
 - a record where areas of agreement have (or have not) been reached on key strategic matters, including the process for reaching agreements on these.

This statement addresses all of those matters in turn.

2. Geographical & Administrative area covered the statement

- 2.1. As the SADPD does not give rise to any new strategic cross boundary issues this SoCG does not need to cover any other area outside of Cheshire East which, for plan-making purposes, excludes an area in the Peak District National Park that falls within the borough. Through the LPS, it was established that the borough does not form part of a shared functional economic area and that Cheshire East is comprised of a single housing market area.

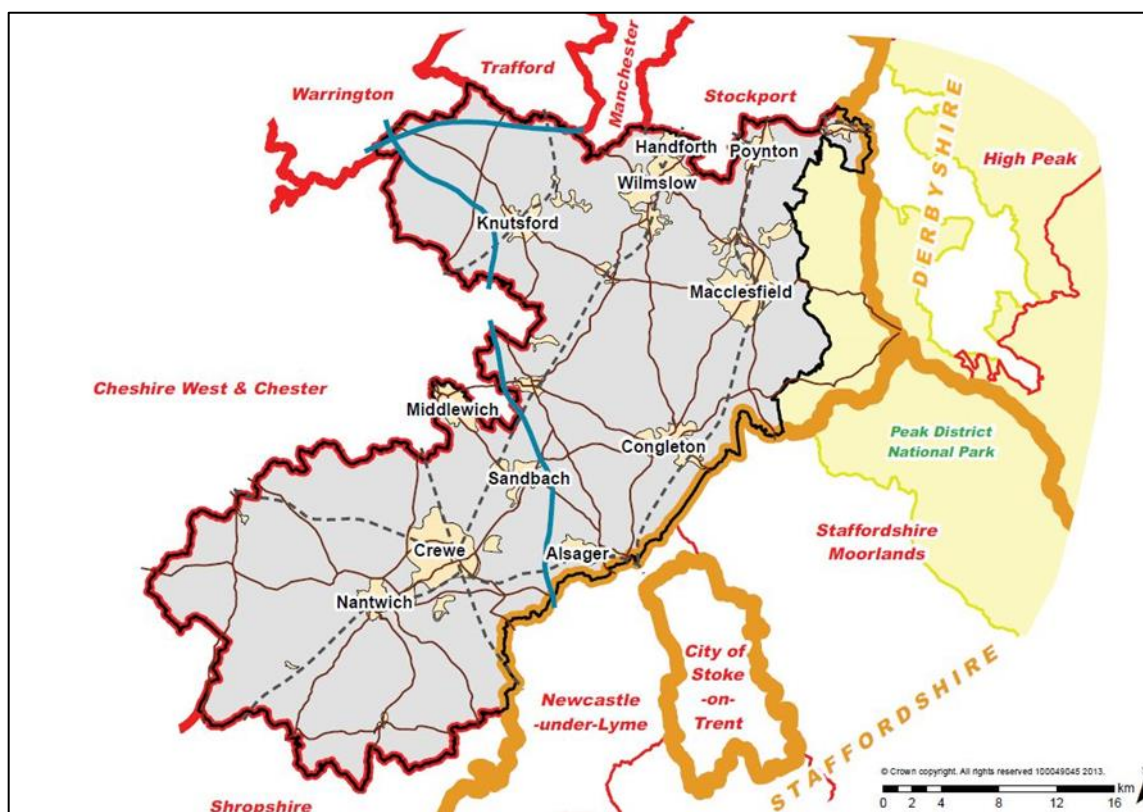


Figure 1: Cheshire East in Context

- 2.2. Cheshire East shares a border with nine local authority areas: Cheshire West & Chester, Warrington, Trafford, Manchester, Stockport, High Peak, Staffordshire Moorlands, Newcastle-under-Lyme and Shropshire, as shown in Figure 1 above. The city of Stoke-on-Trent is also relatively close. Trafford, Manchester and Stockport are part of the Greater Manchester Combined Authority. The borough includes part of the Peak District National Park, as do High Peak and Staffordshire Moorlands and other local authorities not adjoining Cheshire East.

3. Strategic and Development Plan Context

- 3.1. In the development of the LPS and through work with other authorities and organisations, a number of strategic, cross-boundary matters arose and were addressed through the duty to co-operate. The examining Inspector was satisfied that the legal duty and national policy requirements had been met. There is no need to deal with these matters again in this statement insofar as the SADPD is concerned. However, an up to date commentary on the workstreams emanating from the strategic cross boundary matters identified through the LPS process is provided later in this report. Although it is not considered strictly necessary to cover this in this statement of common ground, it has nevertheless been included to inform parties of how this work, related to the content of the LPS, has been progressed.

High Speed 2 (HS2) and the Constellation Partnership

- 3.2. The HS2 high speed rail link will connect London, Birmingham, Manchester and Leeds. As part of Phase 2a, HS2 is expected to connect to the West Coast Main Line just south of Crewe in 2027. HS2 Limited is currently working on the preferred route for the line (Phase 2b) from Crewe to Manchester: this runs northwards through the borough and parts of Cheshire West and Chester, before turning northeast into Greater Manchester and on to Manchester Piccadilly (via Manchester Airport).²
- 3.3. A review of HS2 has recently been undertaken suggesting that the project be delivered in 2 phases. As part of Phase 1, HS2 is expected to connect to the West Coast Main Line at Crewe, in the period 2028-31. Phase 2 will incorporate links to Manchester, Sheffield, Leeds, and beyond. This phase is expected to be operational in the period 2035- 2040
- 3.4. Whilst the LPS recognises that HS2 may arrive at the borough within the current plan period, it does not address the land-use consequences of the proposed development of HS2. The land use consequences of HS2 would be a matter for an update of the LPS to deal with. In line with the LPS, the SADPD is also, therefore, a 'pre-HS2 Plan'.
- 3.5. The council continues to develop proposals for a Crewe Hub Station anticipating the arrival of HS2 to the town. A new, high quality interchange would be created, reinforcing the role of Crewe as a strategic transport gateway to the north west of England. Related to this, the council is preparing an Area Action Plan (AAP) focused on the area around the future Crewe Hub Station. The AAP is separate to the SADPD and is supported by its own evidence base and statement of common ground.
- 3.6. The council is working in partnership to ensure that the wider sub-region benefits from the opportunities that HS2 will bring to the area in terms of

² <https://www.gov.uk/government/publications/hs2-phase-2b-crewe-to-manchester-route-section-map>

sustainable development. The Constellation Partnership³ comprises of two Local Enterprise Partnerships and seven local authorities, including Cheshire East⁴. The Partnership continues to have a dialogue with the Government about longer term sustainable development and infrastructure investment, however, consideration of this falls outside the scope of the SADPD. As noted earlier, other than the work ongoing through the development of the AAP, the implications of HS2 would be considered through a subsequent update of strategic planning policies.

Greater Manchester Spatial Framework (GMSF) and the evolving plans of other adjacent local authorities

- 3.7. The local authorities within Greater Manchester are working together to prepare the Greater Manchester Spatial Framework. A second (pre-publication) draft of the GMSF was consulted upon in early 2019⁵ with the intention of publishing a final draft Plan in November / December 2020 before submission for examination. Manchester City Council completed its Local Plan Review Issues consultation in May 2020⁶. Warrington Borough Council has produced and consulted on a publication version of its Local Plan review in the first half of 2019⁷ with the submission of the Plan expected in 2020. Stoke-on-Trent and Newcastle-under-Lyme are currently developing a Joint Local Plan⁸. A Preferred Options consultation took place in early 2018 and a pre-publication draft Plan is expected to be consulted upon in early 2020. Shropshire is undertaking a partial review of its Plan⁹ and is preparing a regulation 18, version of the Plan to consult upon in August / September 2020. Cheshire West and Chester adopted the Local Plan (Part 2) Land Allocations and Detailed Policies document in July 2019¹⁰. It is evident that the scope of plans and plan-making timetables vary significantly amongst Cheshire East's neighbouring authorities. Where relevant, each of these plans is, or will be, accompanied by its own statement of common ground relevant to what it is proposing.

Development Plan Context

- 3.8. The council's development plan and progress on emerging plans is set out in Table 1 below:

³ <http://constellationpartnership.co.uk/>

⁴ Cheshire and Warrington Local Enterprise Partnership, Stoke-on-Trent & Staffordshire Enterprise Partnership, CE, Cheshire West & Chester Council, Stafford BC, Staffordshire Moorlands DC, Newcastle under Lyme BC, City of Stoke-on-Trent, Staffordshire CC.

⁵ <https://www.greatermanchester-ca.gov.uk/gmsf>

⁶ https://manchester-consult.objective.co.uk/portal/planning/issues_and_options_2020/lpi

⁷ <https://www.warrington.gov.uk/localplan>

⁸ <https://www.newcastle-staffs.gov.uk/all-services/planning/planning-policy/joint-local-plan>

⁹ <https://shropshire.gov.uk/planning-policy/local-planning/local-plan-partial-review-2016-2036/>

¹⁰ <http://consult.cheshirewestandchester.gov.uk/file/5425635>

Table 1: Development plan documents in Cheshire East

Document (see footnotes for web links to these documents)	Stage	Date
Cheshire East Local Plan Strategy 2010 to 2030 ¹¹	Adopted	July 2017
Saved policies: ¹²		
Retained Policies from Congleton Borough Local Plan First Review	Adopted	January 2005
Retained Policies from Borough of Crewe and Nantwich Replacement Local Plan	Adopted	February 2005
Retained Policies from Macclesfield Borough Local Plan	Adopted	January 2004
Retained Policies from Cheshire Replacement Minerals Local Plan	Adopted	June 1999
Retained Policies from Cheshire Replacement Waste Local Plan	Adopted	July 2007
Cheshire East Site Allocations and Development Policies Document (SADPD) 2010 to 2030 ¹³	Revised publication Version consultation mid 2020.	N/A
Minerals and Waste Development Plan Document 2010 to 2030 ¹⁴	Pre-publication draft expected to be consulted on late 2020	N/A
Crewe Station Hub Area Action Plan ¹⁵	Publication draft expected to be consulted on in 2020.	N/A
Neighbourhood Plans ¹⁶	30 Plans made, as of June 2020	Various

3.9. Cheshire East's up to date strategic planning policies are set out in the Local Plan Strategy ("LPS"). The LPS sets out the overall levels and location of new development across the borough from 2010 to 2030. The Plan was adopted in July 2017 and includes the following strategic priorities:-

- Promoting economic prosperity by creating conditions for business growth.
- Creating sustainable communities, where all members are able to contribute and where the Infrastructure required to support the community is provided.

¹¹ https://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/local-plan-strategy/local_plan_strategy.aspx

¹² https://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/saved_and_other_policies.aspx

¹³ https://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/site_allocations_and_policies.aspx

¹⁴ https://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/minerals-and-waste-development-plan-documents.aspx

¹⁵ https://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/area-action-plan-for-crewe/area-action-plan-for-crewe.aspx

¹⁶ <https://www.cheshireeast.gov.uk/planning/neighbourhood-plans/neighbourhood-planning.aspx>

- Protecting and enhancing environmental quality of the built and natural environment.
 - Reducing the need to travel, managing car use and promoting more sustainable modes of transport and improving the road network.
- 3.10. The LPS sets out the overall strategy for the pattern, scale and quality of development. It is supported by an infrastructure delivery plan and provides the strategic context for the conservation and enhancement of the natural, built and historic environment in the borough.
- 3.11. Following on from the Local Plan Strategy, the Council is now preparing its Site Allocations and Development Policies Document (SADPD) and a Minerals and Waste Development Plan Document. These will form the second and third parts of the Local Plan and, once adopted, these will replace all the retained policies in the older, but still extant, local plans (1999 – 2007) listed in Table 1. These older plans were prepared and adopted by the councils that existed prior to local government re-organisation in 2009 and the creation of Cheshire East.
- 3.12. The Crewe Station Hub Area Action Plan (CSHAAP) will set out a planning framework to manage change and support investment and development of Crewe station and the surrounding area.

Strategic, cross-boundary matters related to the LPS

- 3.13. The LPS was supported by memoranda of understanding and detailed reports setting out areas of agreement on strategic matters and the further collaborative work necessary to address these. This included work related to the planning of transport and infrastructure around the boundary with Greater Manchester, amplified by the work currently in progress on the Greater Manchester Spatial Framework. It also included further consideration of transport and education (schools provision) planning across the Cheshire East-Newcastle-under-Lyme boundary (mainly with regard to Alsager). This has involved engagement with Stoke-on-Trent City Council, Newcastle-under-Lyme and Staffordshire County Council. Appendix 1 provides a short summary of the position of neighbouring local authorities and / or prescribed bodies, in respect of the SADPD and matters requiring further joint work following the adoption of the LPS.

Community Infrastructure Levy ("CIL")

- 3.14. The Cheshire East CIL Charging Schedule came into effect on 1st March 2019. The process of preparing a CIL charge for Cheshire East has not identified any cross boundary strategic matters in respect of the provision of infrastructure.

Summary of SADPD Position

- 3.15. The SADPD is a 'daughter' document to the LPS and designed to fulfil two functions. The first is to set detailed non strategic planning policies to guide

planning decisions and also to allocate additional sites, where necessary to do so, for development to assist in meeting the overall development requirements set out in the LPS.

3.16. As documented by the responses received in Appendix 1, there are no strategic cross boundary issues that flow from the policies and proposals set out in the SADPD. There is also ongoing engagement with other local authorities related to existing memoranda of understanding put in place to support the Local Plan Strategy.

4. Governance and Management

Governance

- 4.1. The draft Statement of Common Ground has been prepared by officers from the council's Strategic Planning Team and agreed by Cheshire East's Cabinet alongside the approval to consult on the revised publication draft of the SADPD, its Sustainability Appraisal and Habitats Regulations Assessment.
- 4.2. The Strategic Planning Team will take lead responsibility for reviewing and updating the Statement, and for collaborating with other teams and partner organisations. For the avoidance of doubt, this SOCG relates to the SADPD and other DTC SOCGs will be prepared alongside subsequent Development Plan Documents, as required.
- 4.3. This DTC SOCG is being published as a draft document for consideration by, in particular, relevant DTC organisations who will be then invited to sign it, prior to it being submitted to the Secretary of State for consideration by the appointed Inspector at examination.

Review

- 4.4. The SoCG will be formally reviewed and updated, as required, as circumstances change and new development plan documents are prepared.

Working with Partners

- 4.5. Cheshire East Council will continue to work with all relevant organisations to support successful plan-making. These include not just Cheshire East's neighbouring local authorities, but also other organisations with an important role in addressing strategic matters.
- 4.6. In addition to neighbouring councils, the council has engaged with the following "prescribed bodies" in the preparation of the SADPD:-
 - Environment Agency;
 - Historic England;
 - Natural England;
 - Homes England;

- NHS Clinical Commissioning Group(s);
- Highways England;
- Civil Aviation Authority;
- Network Rail Infrastructure Limited

4.7. The council has also engaged with the following additional 'specific consultation bodies:-

- Utility providers in respect of: Gas; Electric; Sewage; Water; and Telecommunications
- The Coal Authority

4.8. Local Enterprise Partnerships and Local Nature Partnerships are not subject to the requirements of the duty but in accordance with Planning Practice Guidance the council has engaged them in the preparation of the Plan and has had regard to their activities relevant to local plan-making.

5. Signatories

To be completed during consultation on the revised publication draft SADPD.

6. Appendix 1: Summary of position with adjacent Local Authority or Prescribed bodies.

- 6.1. Adjacent local authorities, prescribed and other bodies (where relevant to do so) have been consulted with at all stages of the development of the Plan (the SADPD) and where appropriate there has been specific engagement and collaboration in the preparation of joint studies and evidence based documents.
- 6.2. Where comments have not been received during formal consultation stages then additional engagement has taken place to confirm the position of neighbouring authorities and relevant prescribed bodies. This included a set of letter(s) sent through March – May 2019 which sought to confirm whether stakeholders felt that the First Draft SADPD gave rise to any new strategic matters that cross administrative boundaries. Followed by letters sent in August – November 2019 regarding the publication draft SADPD. A further letter was sent in February 2020 which provided for a progress update on the SADPD. The outcomes of this engagement is briefly summarised In table 2 below:-

Table 2: - Summary of responses to the SADPD	
Local Authority / prescribed bodies	Outcome of DTC engagement
Cheshire West and Chester	<p><u>First Draft SADPD</u></p> <p>Response received to the First Draft SADPD consultation (September / October 2018) confirmed that the key strategic matters between the two authorities have been fully addressed through the preparation and adoption of the Local Plan (Part One) Strategic Policies in Cheshire West and the Local Plan Strategy (LPS) in Cheshire East. Additional comments of a technical and non strategic nature received relating to the approach of the First Draft SADPD to Middlewich and policies including GEN 5, ENV 1 and INF 8.</p> <p><u>Publication Draft SADPD</u></p> <p>CWAC responded to the consultation on the publication draft SADPD noting that having reviewed the consultation documents and did not consider that the publication draft SADPD raised any cross-boundary strategic issues.</p> <p>CWAC also responded to the publication draft SADPD version of the draft Statement of Common Ground</p>

	<p>(response received 11.02.2020) noting agreement to the summary position outlined above subject to minor amendments to reflect the status of the Cheshire West and Chester Local Plan (Part two) Land Allocations and Detailed Policies document (adopted in July 2019).</p> <p>In the Report on the Examination of the Cheshire West and Chester Council Local Plan (Part Two) Land Allocations and Detailed Policies (June 2019)¹⁷, the Inspector notes that “There is convincing evidence of constructive and ongoing joint working between the two councils on the strategy for development around Middlewich, including housing and employment land, during the preparation of this Plan; a matter that is confirmed by both councils” (Paragraph 22).</p> <p>Cheshire West and Chester and Cheshire East Council’s continue to work collaboratively regarding the delivery of the proposed Middlewich Eastern Bypass, a key piece of infrastructure to facilitate planned development at Middlewich and improve connectivity to Junction 18 of the M6. An element of the scheme falls within Cheshire West and Chester and the collaborative working has now culminated in the granting of planning permission for this scheme by both councils.</p>
Derbyshire County Council	<p><u>First Draft SADPD</u> Response received 14.03.2019 confirming that the Cheshire East Local Plan SADPD does not give rise to any new strategic matters that cross the Cheshire East/Derbyshire boundary.</p> <p><u>Publication Draft SADPD</u> A consultation response was not received by Derbyshire County Council to the publication draft version of the SADPD.</p>
Halton Borough Council	<p><u>First Draft SADPD</u> Response received 10.04.2019 confirming that the draft SADPD does not raise any strategic issues likely to affect Halton.</p> <p><u>Publication Draft SADPD</u> Halton Borough Council responded to the publication draft SADPD draft Statement of Common Ground noting</p>

¹⁷ Available at http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/cw_lp_part_two/sub/

	agreement to the summary position outlined above (response received 27.11.2019).
High Peak Borough Council	<p><u>First Draft SADPD</u> Response received 18.03.2019 confirming that the SADPD (August 2018) does not give rise to any new strategic matters under the Duty to Co-operate.</p> <p><u>Publication Draft SADPD</u> High Peak Borough Council responded to the publication draft SADPD draft Statement of Common Ground noting agreement to the summary position outlined above (30.09.2019).</p>
Manchester City Council	<p><u>First Draft SADPD</u> Response received 01.04.2019 confirming that the SADPD does not give rise to any additional issues of a strategic cross boundary nature. Additional comment of a technical nature made regarding policy ENV 9 (Wind Energy).</p> <p><u>Publication Draft SADPD</u> A consultation response was not received by Manchester City Council to the publication draft version of the SADPD.</p>
Trafford Council	<p><u>First Draft SADPD</u> Response received 21.03.2019 confirming that the SADPD does not give rise to any new strategic matters that cross administrative boundaries.</p> <p><u>Publication Draft SADPD</u> Trafford Council also responded to the publication draft SADPD draft Statement of Common Ground noting agreement to the summary position outlined above (10.12.2019).</p>
Greater Manchester Combined Authority	<p><u>First Draft SADPD</u> Response received 26.04.2019 confirming that that GMCA does not consider that the Cheshire East SADPD gives rise to any new strategic cross-boundary issues from a Greater Manchester perspective.</p> <p><u>Publication Draft SADPD</u> A consultation response was not received by the Greater Manchester Combined Authority to the publication draft version of the SADPD.</p>
Peak District	<u>First Draft SADPD</u>

National Park Authority	<p>Response received 01.04.2019 stating that the authority has no specific concerns with the proposals in the SADPD, however it would ask that robust protection is given to the setting of the National Park and that there is a duty on all public bodies when making decisions likely to affect the National Park, and the setting of a National Park, to have regard to the purposes for which national parks were designated, namely the conservation of wildlife, cultural heritage, and natural beauty.</p> <p><u>Publication Draft SADPD</u> Peak District National Park also responded to the publication draft SADPD draft Statement of Common Ground noting agreement to the summary position outlined above (23.09.2019).</p> <p>A response of a technical nature was received to the publication draft SADPD from the Peak District National Park Authority to the Wind Energy policy.</p>
Shropshire Council	<p><u>First Draft SADPD</u> Response received 01.04.2019 noting that the Local Plan Strategy which was adopted in 2017 contains the strategic planning policies and strategic site allocations and it is the purpose of the Draft SADPD to provide detailed policies and further, smaller, non-strategic allocations. Having considered the Draft SADPD, Shropshire Council does not consider that the proposals within it will create any significant cross border strategic issues with Shropshire Council.</p> <p><u>Publication draft SADPD</u> Shropshire Council also responded to the publication draft SADPD draft Statement of Common Ground noting agreement to the summary position outlined above (23.10.2019).</p>
Staffordshire County Council	<p><u>First Draft SADPD</u> Response received 28.03.2019 confirming that the SADPD does not give rise to any new strategic matters that cross administrative boundaries.</p> <p>Following the adoption of the LPS there were a series of cross boundary issues identified and mechanisms to address these were set out in both the Plan and a signed Memorandum of Understanding (MoU) between the authorities. The Joint Local Plan for Stoke-on-Trent and Newcastle-under-Lyme is now progressing and Staffordshire County Council will therefore need to further enact the MoU, particularly around education and</p>

	<p>transport infrastructure. Ongoing engagement on these matters is and will need to continue.</p> <p><u>Publication Draft SADPD</u> Staffordshire County Council also responded to the publication draft SADPD draft SOCG noting agreement to the summary position outlined above (13.09.2019).</p>
Staffordshire Moorlands Borough Council	<p><u>First Draft SADPD</u> Response received 18.03.2019 confirming that the SADPD (August 2018) does not give rise to any new strategic matters under the Duty to Co-operate.</p> <p><u>Publication Draft SADPD</u> Staffordshire Moorlands Borough Council also responded to the publication draft SADPD draft SOCG noting agreement to its content (30.09.2019).</p>
Stockport Metropolitan Borough Council	<p><u>First Draft SADPD</u> Response received 09.05.2019 confirming that that having checked the proposed allocations and associated policies, Stockport Council does not intend to make specific comment on any of those matters at this stage. The proposed allocations which are in broad proximity to Stockport's boundary, or which might affect Stockport, are sites of which the Council was already aware as a result of the LPS. The comments that were made by the Council at that time in relation to those sites were addressed through the examination of the LPS.</p> <p>Stockport Council is conscious of the ongoing cross-boundary issues which exist in relation to proposed developments in both the 'Site Allocations' and 'Local Plan Strategy' documents, particularly in relation to transport matters. It is the intention to continue working with Cheshire East on these matters through the development of all planning documents relating to both Cheshire East and Stockport.</p> <p><u>Publication Draft SADPD</u> A consultation response was not received by Stockport Metropolitan Borough Council to the publication draft version of the SADPD.</p>
Stoke-on-Trent and Newcastle-Under-Lyme	<p><u>First Draft SADPD</u> Response received 03.04.2019 confirming that whilst the SADPD does not give rise to any new strategic matters that cross administrative boundaries there is recognition that there are existing cross boundary issues</p>

Borough Council	<p>which remain from the Cheshire East Local Plan Strategy and will require further collaboration. This has been flagged up through Duty to Co-operate meetings.</p> <p>There were a series of cross boundary issues identified in the LPS and mechanisms to address these were set out in both the Plan and a signed Memorandum of Understanding (MOU) between authorities and Staffordshire County Council, particularly concerning highways and transport issues.</p> <p>The Joint Local Plan for Stoke-on-Trent and Newcastle-under-Lyme is progressing and is at a point where transport modelling is being undertaken. It is important to ensure that the transport modelling correctly recognises the cross boundary issues already flagged up through the MOU for the Cheshire East Local Plan and that these are addressed jointly. Ongoing engagement on these matters is and will need to continue.</p> <p><u>Publication Draft SADPD</u></p> <p>Newcastle-Under-Lyme Council also responded to the publication draft SADPD draft SOCG noting agreement to the position outlined above (30.09.2019).</p>
Warrington Borough Council	<p><u>First Draft SADPD</u></p> <p>Response received 28.03.2019 confirming that the Cheshire East Site Allocations and Development Policies Document does not give rise to any new strategic matters that cross our administrative boundaries.</p> <p><u>Publication Draft SADPD</u></p> <p>Warrington Borough Council also responded to the publication draft SADPD draft SOCG noting agreement to the position outlined above (26.09.2019).</p>
Environment Agency	<p><u>First Draft SADPD</u></p> <p>Response received 29.04.2019 confirming that having reviewed the first draft of the SADPD and they have not identified any new strategic matters resulting from the first draft of the SADPD. Comments were also provided regarding the content of policies contained in the first draft SADPD.</p> <p><u>Publication Draft SADPD</u></p> <p>Environment Agency also responded to the publication draft SADPD draft SOCG noting agreement to the position outlined above (26.09.2019).</p> <p>Response received to the publication draft SADPD (30.09.2019) with detailed comments to the policies included in the SADPD.</p>

Historic England	<p><u>First Draft SADPD</u> Response received 08.05.2019 confirming that they do not consider that there are any strategic matters as set out in S110 of the Localism Act 2011 which affect the historic environment. However, bearing in mind that the duty to co-operate is an ongoing process, hope that, should any strategic matters arise which would affect the historic environment of the area; Historic England will be able to continue to work closely with the Council.</p> <p><u>Publication Draft SADPD</u> Historic England also responded to the publication draft SADPD draft SOCG noting agreement to the position outlined above (19.09.2019).</p> <p>Response received to the publication draft SADPD (20.09.2019) with detailed comments to the policies included in the SADPD.</p>
Natural England	<p><u>First Draft SADPD</u> Response received 18.06.2019 stating that Natural England confirmed that they do not consider that the Cheshire East Site Allocations Development Policies Draft Plan gives rise to any new strategic matters.</p> <p><u>Publication Draft SADPD</u> Natural England also responded to the publication draft SADPD draft SOCG noting agreement to the position outlined above (01.10.2019).</p> <p>Natural England confirmed that they had reviewed the publication draft SADPD and had no comments to make.</p>
Civil Aviation Authority	<p><u>First Draft SADPD</u> Response received 30.04.2019 - No comment to make.</p> <p><u>Publication Draft SADPD</u> No comments were received to the publication draft SADPD.</p>
Homes England	<p><u>First Draft SADPD</u> Response received 14.06.2019 stating that Homes England submitted a response to the draft SADPD on 19.10.18. This addressed technical, site specific points where Homes England have an active land interest rather than any strategic, plan-wide matters which are for the local authority to determine, based on</p>

	<p>appropriate and available evidence.</p> <p><u>Publication Draft SADPD</u> Homes England responded to the publication draft SADPD draft Statement of Common Ground noting agreement to the summary outlined above (27.09.2019).</p> <p>Homes England responded to the publication draft SADPD noting that it does not have any land holdings affected by the consultation but are keen to work with the Council to fulfil housing growth ambitions.</p>
South Cheshire Clinical Commissioning Group	<p><u>First Draft SADPD</u> Response received 07.05.2019 stating that NHS South Cheshire CCG has reviewed the Site Allocations and Development Policies Document. The CCG is supportive of the changes made within the document, but with the points raised that additional housing will create pressure on both Primary Care and Acute services within the CCG area. The pressure on Primary Care is significant both from physical 'premise capacity' to the pressures on clinical staffing. The CCG would welcome advance notice of new housing developments in the area and continued interoperability with the local authority in the process of obtaining additional funds that will assist with the pressures mentioned above.</p> <p><u>Publication Draft SADPD</u> South Cheshire Clinical Commissioning Group responded to the publication draft SADPD draft Statement of Common Ground noting agreement to its content (27.09.2019).</p> <p>Minor comments made of a technical nature to the publication draft SADPD (27.09.2019).</p>
Highways England	<p><u>First Draft SADPD</u> Response received 10.06.2019 stating that based on the additional information provided for the Recipharm site (Site HCH1), it is concluded that the site expansion in isolation is not of a significant scale that it would result in an impact to the operation and safety of the Strategic Road Network ("SRN") (namely M6 Junction 18). Notwithstanding, it would be expected that Highways England is consulted at the pre-application scoping stage should the site be progressed in the future, with appropriate assessment determined at this time. Highways England therefore maintains that, based on the available evidence, there are no individual sites that</p>

	<p>should not be progressed to the next stage of consultation on the SADPD based on their anticipated impacts on the capacity and safety of the SRN.</p> <p>Through the correspondence with CEC to date, Highways England is aware that a strategic model of the borough does not currently exist and therefore it is not possible to assess the traffic impacts on a borough-wide scale at this stage. Nevertheless, we recommend that during the life of the Local Plan a Transport Study is undertaken in order to monitor the performance of the individual SRN junctions as the development sites come forward.</p> <p>Updated transport evidence undertaken at suitable mid-point(s) of the Local Plan would enable the performance of these junctions to be monitored and for the effects of these schemes, combined with development sites coming forward, to be better understood by both parties.</p> <p><u>Publication Draft SADPD</u></p> <p>Highways England responded to the publication draft SADPD draft Statement of Common Ground noting agreement to the summary position outlined above (17.09.2019).</p> <p>Highway England responded to the Publication Draft SADPD noting that they recommend that during the life of the Local Plan a Transport Study is undertaken in order to monitor the performance of the individual SRN junctions as the development sites come forward. Highways England will continue to liaise with Cheshire East Council to establish what assistance can be provided to enable a transport study to be undertaken to assess the cumulative highway traffic impacts of development set out within Cheshire East Council's Local Plan and Site Allocations and Development Policies Document.</p>
Cheshire Region Local Nature Partnership	<p><u>First Draft SADPD</u></p> <p>Response received 18.06.2019. The Local Nature Partnership (LNP) recognises that the SADPD policies add detail to the strategic policies of the LPS including those that relate to the protection and enhancement of the natural environment. The LNP do not consider that there are any new or additional strategic cross boundary matters arising through the policies and proposals of the SADPD.</p> <p>Suggest that consideration is given to highlighting the role of the ecological framework in both targeting net gain and safeguarding existing ecological assets in future policy. Referencing Northern Forest will also help to highlight opportunities that this initiative may provide for the borough.</p> <p>Welcome the inclusion of net gain and natural flood management as key considerations and these are</p>

	<p>certainly cross boundary issues that will need future coordination.</p> <p><u>Publication draft SADPD</u> A consultation response was not received by Cheshire Region Local Nature Partnership to the publication draft version of the SADPD.</p>
Cheshire Local Enterprise Partnership	<p><u>First Draft SADPD</u> Response received 28.06.2019. The Local Enterprise Partnership confirms that from a LEP perspective, the Local Plan is consistent with the ambitions of the LEP's Economic Plan and that the Site Allocations and Development Policies Document does not give appear to give rise to any new strategic matters.</p> <p><u>Publication draft SADPD</u> A consultation response was not received by Cheshire Local Enterprise Partnership to the publication draft version of the SADPD.</p>



Working for a brighter future together

Key Decision: Y Date First Published: 2/7/20
--

Cabinet

Date of Meeting: 06 October 2020

Report Title: Section 19 Flood Investigation Report – July 2019 Flood Event

Portfolio Holder: Cllr Laura Crane – Portfolio Holder for Highways & Waste

Senior Officer: Frank Jordan – Executive Director - Place

1. Report Summary

- 1.1 This report reviews the flood event in the catchments of Poynton Brook, River Dean, River Bollin, Harrop Brook and tributary of Todd Brook experienced in July 2019.
- 1.2 The Council, as Lead Local Flood Authority, has a statutory duty under Section 19 of the Flood Water Management Act 2010, to investigate and produce a report on significant flood events and publish it.
- 1.3 The report attached as Appendix 1, has therefore been prepared by the Council for the specific purpose of meeting the requirements of Section 19 (1) and (2) of the Flood and Water Management Act (2010). The report will be published on the Council's website.
- 1.4 The report provides some background information, including existing risk and antecedent weather conditions, and provides a summary of the nature of the weather event that caused flooding. It goes on to provide a summary of the timeline for the event, including responses from the Risk Management Authorities involved. Known responses are listed, both during and shortly after the event.
- 1.5 The report splits each catchment into sub-catchment areas to ensure that no individual properties are identified or blighted. Site-specific recommendations

are made for each catchment area for all the Risk Management Authorities and homeowners as appropriate.

- 1.6 The recommendations of the report have been shared with the Risk Management Authorities, so that there was no delay in actioning the investigations, flood recovery works and capital works in affected communities required.
- 1.7 Cheshire East has already completed many of the recommendations from the report independently or in conjunction with the other Risk Management Authorities and the affected communities have been made aware of the works and outcomes.
- 1.8 The outcomes and actions from the Section 19 report will be disseminated to affected communities and town/parish councils by the Council, in conjunction with the other Risk Management Authorities, via a number of different engagement methods which will include public meetings and newsletters.
- 1.9 The Council will monitor the response of the Risk Management Authorities in relation to the recommendations of the Section 19 report.
- 1.10 In areas identified at risk of flooding, the risk of flooding will remain, despite the best efforts of the Risk Management Authorities (RMAs). The Section 19 report identifies the actions that each Risk Management Authority has exercised or is proposing to exercise as part of their function to reduce this future risk. The Council as Lead Local Flood Authority will monitor these as part of its responsibilities and work with the Risk Management Authorities to ensure these actions are delivered.

2. Recommendations

That Cabinet:

- 2.1. Approves the Section 19 report as a factual report on the significant flood event that occurred in the catchments of Poynton Brook, River Dean, River Bollin, Harrop Brook and tributary of Todd Brook in July 2019.
- 2.2. Approves that the Section 19 report can be published on the Council's website in compliance with the statutory requirements placed on the Council as Lead Local Flood Authority under the Flood and Water Management Act (2010).

3. Reasons for Recommendations

- 3.1. The report has been prepared using a common template that has been developed and agreed in conjunction with the Cheshire Mid-Mersey Regional Sub Group. This ensures a consistent approach to flood risk management across the sub-regional catchment areas.
- 3.2. The report has been reviewed internally and by Environment Agency and United Utilities to ensure accuracy of the reported data.

4. Other Options Considered

- 4.1. No other options are available. The Council, as Lead Local Flood Authority, has a statutory duty under Section 19 of the Flood Water Management Act 2010, to investigate and produce a report on significant flood events and publish it.

5. Background

- 5.1. On becoming aware of a flood in its area, the Council, as a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate which Risk Management Authorities have relevant flood risk management functions, and whether each of those authorities has exercised, or is proposing to exercise, those functions in response to the flood.
- 5.2. Where an authority carries out an investigation under subsection (1) it must; (a) publish the results of an investigation, and (b) notify any relevant Risk Management Authorities.
- 5.3. The Local Flood Risk Management Strategy for Cheshire East sets out how the Council intends to manage risk from local sources of flooding. This includes how the Council will implement the number of legal duties and responsibilities placed upon them under the Act, including the duty to investigate and report on flooding incidents that occur in their area.

Earlier Flood Events in June and September 2016

- 5.4. Based on the number of properties which suffered internal flooding and the impact on critical infrastructure (e.g. A roads, rail links, bridges), the flooding events in Poynton of June and September 2016 were classified as 'significant' under local policy and required a full investigation and the publication of a Section 19 Report.

- 5.5. The approved Section 19 Flood Investigation Report for the Poynton flooding events in June and September 2016 was published on the Council website in February 2019.
- 5.6. In response to the flood event in June 2016 the Council's highway service undertook flood recovery works to highway assets in the Poynton including gulley and trash screen clearance.
- 5.7. In addition, as a Lead Local Flood Authority it has undertaken the following works:

• Higher Poynton:

- Defect on culvert identified by June 2016 Flood
- •Riparian owner approached by LLFA, survey undertaken and fault repaired
- Walkover of CEC assets undertaken June 2017
- Syphon under Middlewood Way inspected, was functioning
- Riparian owners downstream of Middlewood Way was approached by LLFA, river cleared by riparian owners to expose structure

• Willow Close/Park Lane

- Vegetation and silt from the channel cleaned December 2018
- Culvert under the highway cleared April 2019
- From this confined space, a number of substantial tree stumps, bin lids, and a traffic cone, were removed

5.8. In addition, a Business Case has been submitted to the Environment Agency seeking capital Flood Defence Grant-in-Aid (FDGiA) funding for capital improvements in Poynton

5.9. The council has also undertaken engagement and communication with residents and Town Council, including public meetings in Poynton at the Civic Centre. The last public event was May 2019.

July 2019 Flood Event

5.10. In response to the flood event in July 2019 the Council's highway service has undertaken flood recovery works to highway assets in the affected catchments including:

- >14,000 gullies cleared,
 - >290 Ironwork repairs,
 - >270 additional jetting jobs,
 - 111 drainage issues investigated and completed
 - Major structural repairs to culvert on Ingersley Road, Bollington completed with Moggie Lane retaining wall, Poynton and culvert repairs/headwall and drainage/retaining wall reconstruction at two locations on Macclesfield Road, Kettleshulme due to be completed July 2020.
- 5.11. The Council's highway service has also undertaken flood recovery works without prejudice on riparian owned drainage systems in the affected catchments at Melrose Crescent, Mayfair Close, Vicarage Lane, Glastonbury Drive, Covell Road and Tulworth Road in Poynton.
- 5.12. An update on the works the Council and other external Risk Management Authorities have undertaken to date in response to the 2016 and 2019 adverse weather events will form part of the next Flood Risk Management presentation to Overview and Scrutiny Committee and representatives from the other Risk Management Authorities will be invited to attend.

6. Implications of the Recommendations

6.1. Legal Implications

The preparation and publication of a report into significant flood events is a statutory requirement to comply with Section 19 (1) and (2) of the Flood and Water Management Act (2010).

6.2. Finance Implications

- 6.2.1. The preparation of Section 19 reports is part of the role and responsibilities of the Council as Lead Local Flood Authority. This function is currently delivered by the Highway Service Flood Risk Management team and staff costs for the preparation and publication of the Section 19 report are funded from within the Highway Service base budget.
- 6.2.2. Section 19 reports are subject to further review by the Environment Agency, the Regional Flood & Coastal Committee, the Department for Environment, Food & Rural Affairs with a view to identify options for potential future investment projects and schemes suitable for funding.

- 6.2.3. As a supporting partner to the Cheshire and Mid-Mersey Flood Partnership Group, the Council works with partners to prioritise future schemes and projects as part of the Regional Flood and Coastal Committee Capital and Local Levy Investment Programmes.
- 6.2.4. The Section 19 report helps develop bids for other sources of external funding from central government as and when these are accessible. (eg Natural Flood Management project initiatives).
- 6.2.5. The Highway Service develops and delivers annual programme of revenue and capital drainage works subject to available funding. These are prioritised on a risk based approach with risk of flooding to property an important factor in determining the programme. The 2020/21 programme includes works in the catchment areas identified in the Section 19 report.

6.3. Policy Implications

- 6.3.1. None

6.4. Equality Implications

- 6.4.1. None

6.5. Human Resources Implications

- 6.5.1. None

6.6. Risk Management Implications

- 6.6.1. Risk Management Authorities have all been found to be correctly exercising their flood risk functions in accordance with Statutory requirements.
- 6.6.2. In areas identified at risk of flooding, the risk of flooding will remain, despite the best efforts of the risk management authorities. The Section 19 report assesses that each risk management authority has exercised or is proposing to exercise its function.
- 6.6.3. The Section 19 document may provide the evidence required to attract national funding by the risk management authorities.

6.7. Rural Communities Implications

Rural communities sit within the catchment areas impacted by the flood event in July 2019. While the report will not remove the flood risk in these

communities, any capital works to mitigate flood risk would result in benefits by minimising interaction between them and floodwater.

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. While the report will not remove the flood risk in these communities, any capital works to mitigate flood risk would result in public health benefits where the interaction between residents and floodwater is reduced.

6.10. Climate Change Implications

6.10.1. The Council has committed to becoming Carbon neutral by 2025; and to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint.

6.10.2. Natural flood management and 'slow the flow' schemes aid carbon capture by increasing creation of wetland.

6.11. Ward Members Affected

6.11.1. Ward Members for the catchment areas affected by the July 2019 flood event are those within the affected hydrological catchments of Poynton Brook, River Dean, River Bollin, Harrop Brook and tributary of Todd Brook.

6.11.2. Residential areas impacted: Poynton, Wilmslow, Prestbury, Kettleshulme, Pott Shrigley, Rainow, Bollington, Handforth.

7. Consultation & Engagement

7.1. Public consultation events were held in the communities of Poynton, Wilmslow and Bollington and attended by approximately 390 flood affected residents.

7.2. A series of multi-agency meetings were held following the event chaired by the Strategic Recovery Co-ordination Group (SRCG).

7.3. A series of multi-agency flood incident response meetings were held to discuss flood recovery works and the further works/recommendations within the Section 19 report.

- 7.4. The report was shared with the Environment Agency and United Utilities for review and comments in December 2019 and was shared with Stockport Borough Council and the Canal and River Trust for review in June 2020.

8. Access to Information

- 8.1. The background papers relating to this report can be inspected by contacting the report writer.
- 8.2. Any information relating directly to residential properties remains confidential.

9. Contact Information

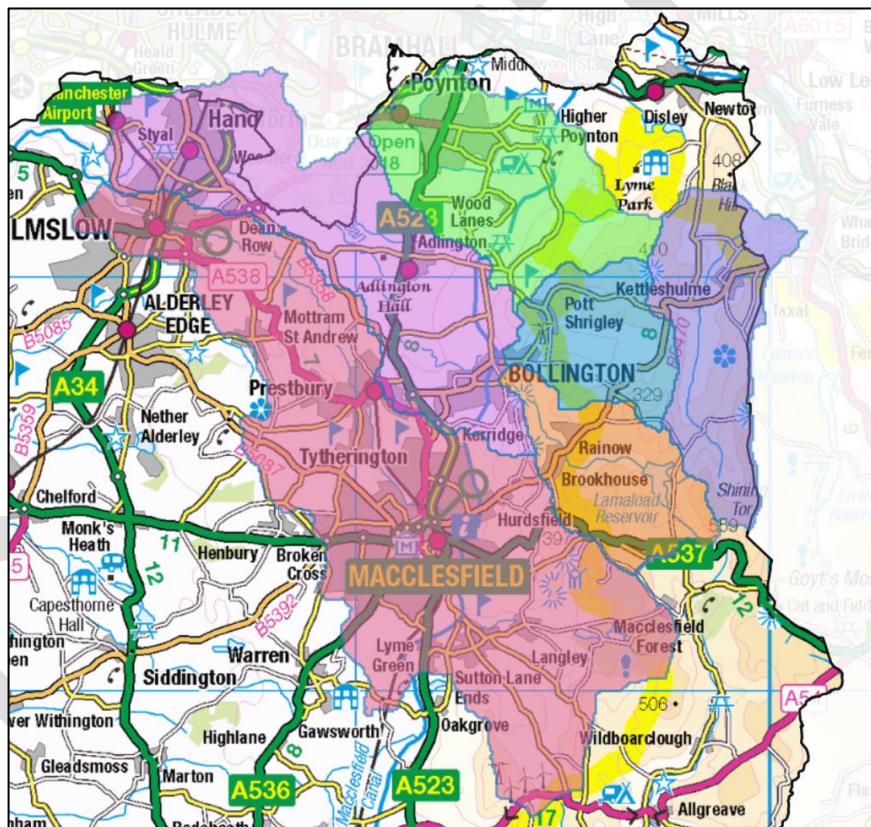
- 9.1. Any questions relating to this report should be directed to the following officer:

Name: Vicky Venn, Flood Risk Engineer

Email Vicky.Venn@cheshireeasthighways.org

S19 Flood Investigation Report

July 2019 Flood Event



Flood Risk Management Team Cheshire East Council – Lead Local Flood Authority

Flood Date: 28-31/07/2019

Catchments of: Poynton Brook, River Dean, River Bollin, Harrop Brook and tributary of Todd Brook

Flood Investigation Reference Number: 2019/002

Version: Draft 6 – Council Review

OFFICIAL

Disclaimer

Although every effort has been taken to ensure the accuracy of the information contained within the pages of this report, we cannot guarantee that the contents will always be current, accurate or complete.

This report has been prepared as part of Council's responsibilities under the Flood and Water Management Act (2010) as Lead Local Flood Authority (LLFA).

The findings of this report are based on a subjective assessment of the information available to those undertaking the investigation and therefore may not include all relevant information. Therefore it shouldn't be considered as a definitive assessment of all factors that may have triggered or contributed to the flood event.

The opinions, conclusions and any recommendations in this report are based on our assumptions when preparing this report, including, but not limited to those key assumptions noted in the reports, including reliance on information provided by third parties.

The Council expressly disclaims responsibility for any error in, or omission from, this report arising from or in connection with any of the assumptions made being incorrect. The opinions, conclusions and any recommendations in these reports are based on conditions encountered and information reviewed at the time of preparation and the Council expressly disclaims responsibility for any error in, or omission from, this report arising from or in connection with those opinions, conclusions and any recommendations.

The Council forbids the reproduction of this report or its contents by any third party without prior agreement.

Control and Distribution

Revision schedule: 2019/002/001 Flood Investigation

Revision	Originator:	Approved by:	Approved by:	Approved by:
Date	Name Vicky Venn	Name Paul Reeves	Name	Name
	Signature	Signature	Signature	Signature
	Position Flood Risk Engineer	Position Flood Risk Manager	Position	Position
Document Status:				

This document is owned, maintained, and updated by the Flood Risk Team, Cheshire East Council.

All users are asked to advise the Flood Risk Team of any changes in circumstances or information that may materially affect this investigation.

Information should be sent to:

Flood Risk Team, Floor 6 Delamere House, Delamere Street, Crewe. Cheshire. CW11 2LL

Tel: 0300 123 5500 E-mail: Flood.Investigation@cheshireEast.gov.uk

Contents

1	Introduction.....	7
1.1	Flooded Areas	7
1.2	Flood Risk.....	8
1.3	Previous Flood Events.....	8
2	Legislative Background	9
2.1	Section 19 of the FWMA 2010.....	9
2.2	CEC Local Flood Risk Management Strategy (LFRMS)	9
2.3	Risk Management Authorities.....	10
2.3.1	Risk Management Authorities in Cheshire East.....	10
2.3.2	Environment Agency.....	10
2.3.3	Cheshire East Council	10
2.3.4	Highways England.....	11
2.3.5	Water Companies	11
2.3.6	Other Stakeholders.....	11
3	28th - 31st July 2019 Weather Event	12
3.1	Antecedent conditions	12
3.1.1	Antecedent Rainfall	12
3.1.2	Antecedent River Levels and Flows	12
3.1.3	Antecedent Soil Moisture deficient	12
3.1.4	Antecedent Groundwater.....	13
3.2	Recorded Event Data	14
3.2.1	Recorded Rainfall	15
3.2.2	Calculation of reoccurrence interval	15
3.2.3	Recorded Hyrad data.....	16
3.3	Recorded River Levels	17
3.4	Recorded River Flows	18
3.5	Canal Discharges	19
3.6	Environment Agency Flood Warning Areas	20
4	28th - 31st July 2019 Flooding – Catchment responses.....	21
4.1	Poynton Brook Catchment.....	22
4.1.1	Summary description of surface water and sewer flooding in Poynton Brook catchment	23
4.1.2	Summary description of surface water and highway flooding in Poynton Brook catchment	23
4.1.3	Description of Main River flooding for Poynton Brook catchment (Booth Green and Poynton Brook)	23
4.1.4	Description of flooding for Booth Green Brook (Main River, in Poynton Brook catchment)	24
4.1.5	Description of flooding for Poynton Brook (Main River, in Poynton Brook catchment)	24
4.1.6	Description of flooding for Park Lane Stream (ordinary watercourse) (including Higher Poynton)	30
4.1.7	Description of flooding for Coppice Stream (ordinary watercourse).....	40
4.1.8	Description of flooding for unnamed ordinary watercourses around Poynton Pool.....	44
4.1.9	Description of flooding for Norbury Brook (Main River) within Cheshire East.....	46

4.1.10	Poynton Brook - RMA Responses	47
4.1.11	Poynton Brook Catchment - Site Specific Recommendations	48
4.2	Todd Brook Catchment	50
4.2.1	Description of flooding in Kettleshulme (ordinary watercourse and surface water):.....	51
4.2.2	Todd Brook Catchment - RMA Responses	53
4.2.3	Kettleshulme, Todd Brook Catchment - Site Specific Recommendations.....	54
4.3	Harrop Brook Catchment	55
4.3.1	Description of flooding at Bollington (Ingersley Road) (Ordinary Watercourse flooding)	56
4.3.2	Description of flooding at Pott Shrigley	57
4.3.3	Harrop Brook Catchment – RMA responses.....	57
4.3.4	Harrop Brook Catchment - Site Specific Recommendations	57
4.4	River Dean Catchment	58
4.4.1	Description of flooding at River Dean (Main River)	59
4.4.2	Description of Main River flooding near Lower Mill/Oldham Street, Bollington.	59
4.4.3	Description of flooding at Princess Street (surface water/ordinary watercourse).....	61
4.4.4	Description of flooding in Wilmslow:	62
4.4.5	Description of flooding in Handforth:.....	62
4.4.6	River Dean Catchment - RMA Responses	63
4.4.7	River Dean Catchment - Site Specific Recommendations.....	63
4.5	River Bollin Catchment	64
4.5.1	Description of flooding at Prestbury	65
4.5.2	Woodlea Drive (surface water)	66
4.5.3	River Bollin Catchment - RMA Responses	67
4.5.4	River Bollin Catchment - Site Specific Recommendations.....	67
4.6	Other Impacts	68
4.6.1	Borough Road Closures	68
4.6.2	Rail Closures	68
5	General actions by Risk management Authorities across Cheshire East during/post flooding 28th July onwards	69
6	Generic Recommendations for all Risk management Authorities and local communities	70
7	Conclusion	72
	Appendix A – Contacts and useful websites	73
	Appendix B - Glossary	75

Figures

Figure 1 Affected River Catchments	7
Figure 2 Groundwater levels for indicator sites at the end of June 2019 and July 2019	13
Figure 3 Location of Environment Agency Gauges.....	14
Figure 4 Rainfall Recorded (mm) at Cat and Fiddle.....	15
Figure 5 Hyrad data at times between 11am and 17:30 on Wednesday 31 st July 2019	16
Figure 6 Measured River Level at Poynton Brook	17
Figure 7 Main River levels (m)	18
Figure 8 Main River Flows (cubic metres per second / cumecs).....	18
Figure 9 Macclesfield Canal Interactions with natural drainage paths	19
Figure 10 Flood Warning areas associated with River Bollin and Poynton Brook.....	20
Figure 11 Flooded Locations	21
Figure 12 Indicative catchment of Poynton Brook.....	22
Figure 13 Canal Interactions with Poynton catchment.....	24
Figure 14 Flood risk at Poynton Brook near Aqueduct	25
Figure 15 Fluvial Flood Risk near Wards End Bridge, Poynton Brook.....	26
Figure 16 Flood risk* along Poynton Brook between Ward End bridge and industrial estate	27
Figure 17 Poynton Brook Floodzones 2 & 3 (Industrial Estate)	28
Figure 18 Poynton Brook Floodzones 2 & 3 (Wigwam Wood)	29
Figure 19 Poynton Brook Flood zones 2 & 3 (Confluence with Norbury Brook).....	29
Figure 20 Indicative natural catchment of Park Lane Stream	30
Figure 21 Flood Risk Map Middlewood Way area	31
Figure 22 Flood Risk Map Middlewood Road / Anson Road area	32
Figure 23 Flood Risk Map Park Lane area	33
Figure 24 Flood Risk Map Park Lane / Clumber Road area	34
Figure 25 Flood Risk Map Poynton Sports Club area.....	35
Figure 26 Bifurcation of Park Lane stream towards Poynton Pool.....	36
Figure 27 Ordinary watercourses near Glastonbury Drive	37
Figure 28 Flood risk near Glastonbury Drive	38
Figure 29 Flood routes to Poynton Brook north of Glastonbury Drive.....	39
Figure 30 Indicative natural catchment of Coppice Stream.....	40
Figure 31 Coppice Stream, Waterloo Road, Worth Primary School area	41
Figure 32 Coppice Stream, Ivy Road, Holly Road, Clumber Close area.....	42
Figure 33 Coppice Stream indicative path shown as blue line.....	43
Figure 34 General arrangements at Poynton Pool Reservoir	44
Figure 35 Flood Risk maps and ordinary watercourses around Poynton Pool.....	45
Figure 36 Norbury Brook Floodzones 2 & 3 (Land shaded orange falls within Stockport Borough Council).....	46
Figure 37 Todd Brook Catchment	50
Figure 38 Indicative catchment of tributary of Todd Brook.....	51
Figure 39 Indicative catchment of Todd Brook tributary through Kettleshulme	52
Figure 40 Flood risk for Kettleshulme	53
Figure 41 Harrop Brook Catchment	55
Figure 42 Risk map for Ingersley Road, Bollington	56
Figure 43 River Dean Catchment	58
Figure 44 Canal Interactions with Dean catchment	59
Figure 45 Lower Mill, River Dean, Bollington	60
Figure 46 Flood risk at Princess Street, Bollington	61
Figure 47 Finsbury Way, River Dean	62
Figure 48 The River Bollin Catchment	64
Figure 49 Spencer Brook, Prestbury.....	65
Figure 50 River Dean, Woodlea Drive	66

Tables

Table 1 Previous flood reports	8
Table 2 Risk Management Authorities	10
Table 3 Number of properties reported* flooding in Poynton	22
Table 4 Response Timeline Poynton Brook Catchment	47
Table 5 Recommended actions for the Poynton Brook Catchment	48
Table 6 Number of properties reported* flooding in Kettleshulme:.....	50
Table 7 Response Timeline for Todd Brook Catchment	53
Table 8 Recommended actions for Todd Brook Catchment	54
Table 9 Number of properties reported* flooding in Harrop Brook Catchment.....	55
Table 10 Response Timeline Harrop Brook – July 2019.....	57
Table 11 Recommended actions for Harrop Brook.....	57
Table 12 Number of properties reported* flooding in River Dean Catchment:	58
Table 13 Response Timeline River Dean Catchment	63
Table 14 Recommended actions for River Dean Catchment	63
Table 15 Number of properties reported* flooding in River Bollin Catchment	64
Table 16 Response Timeline River Bollin Catchment	67
Table 17 Recommended actions for the River Bollin Catchment.....	67

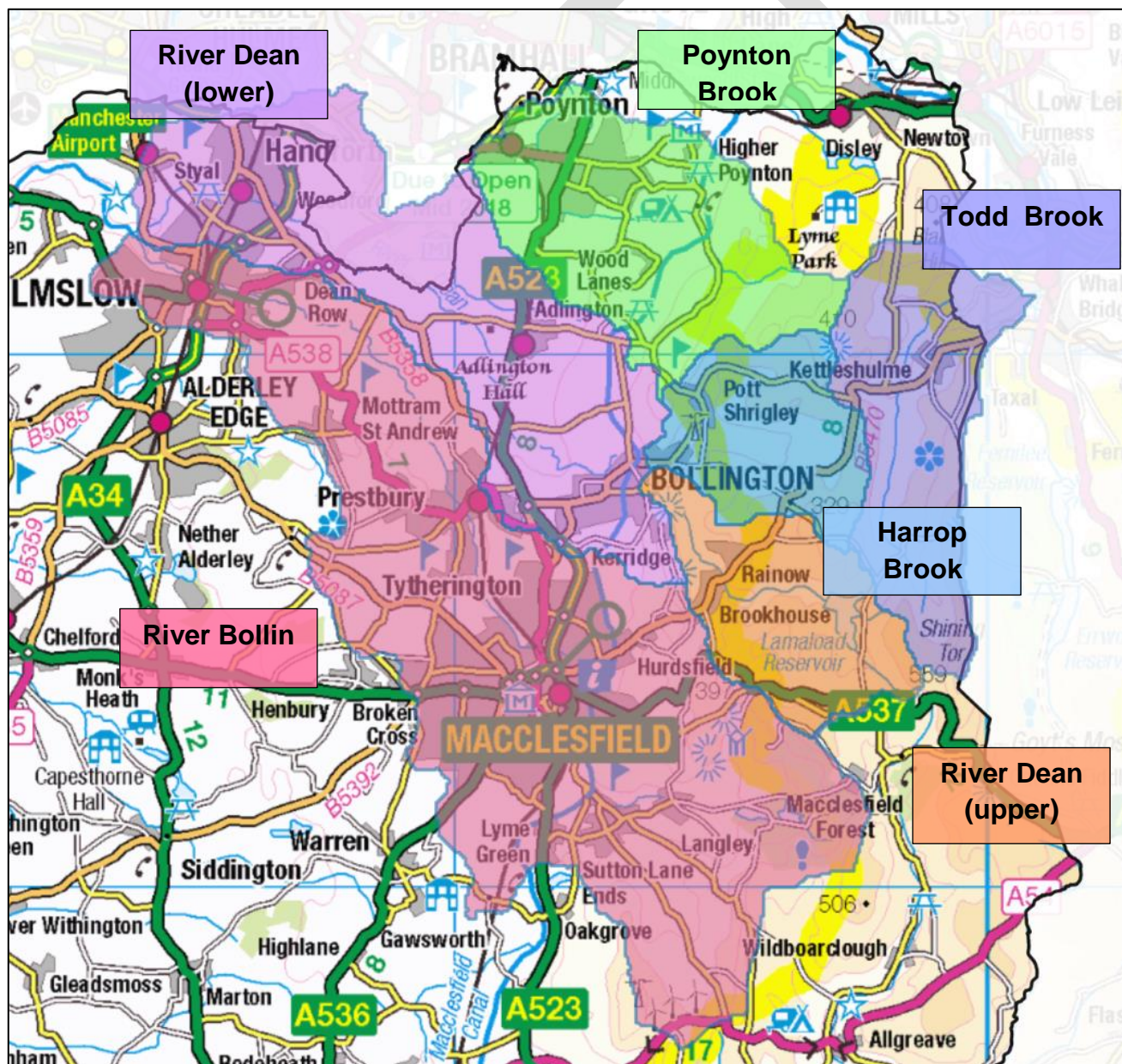
1 Introduction

1.1 Flooded Areas

The description of flooding and responses of individual Risk Management Authorities to the event are listed by catchment area. This scale was chosen as a result of the scale of this incident. Individual properties are not listed or identified in this study, to avoid property blight.

The report details flooding that has been reported to or by the flood risk management agencies; Cheshire East Council as Lead Local Flood Authority and Highways department, the Environment Agency, United Utilities, Cheshire Police and Cheshire Fire and Rescue. As category one and two responders' agreements are in place that allow the transfer of sensitive information, that other parties may not be able to share due to general data protection regulations (GDPR). This data will not be disclosed or shared with any other parties.

Figure 1 Affected River Catchments



1.2 Flood Risk

Detailed flood risk mapping is available online, hosted by the Environment Agency; they are available to the public and can be searched by either address or postcode. To understand the flood risks at your property please consult both surface water and fluvial flood risk maps.

Surface Water Flood Risk <https://flood-warning-information.service.gov.uk/long-term-flood-risk/map>

Fluvial Flood Risk <https://flood-warning-information.service.gov.uk/long-term-flood-risk/map>

Based on the latest research extreme weather events in the UK are likely to increase with rising temperatures, causing:

- heavier rainfall events – with increased risk of flooding
- higher sea levels – with larger storm waves putting a strain on the UK's coastal defences
- more and longer-lasting heat waves

<https://www.gov.uk/guidance/climate-change-explained>

1.3 Previous Flood Events

Flooding within the following locations have recently been reported:

Table 1 Previous flood reports

Catchment	Location	Year
Poynton Brook	Poynton	2019
Poynton Brook	Poynton	2016
Poynton Brook	Poynton	2011
Poynton Brook	Poynton	2010
Poynton Brook	Poynton	2002
Poynton Brook	Poynton	1994
Poynton Brook	Poynton	1976
Todd Brook	Kettleshulme	2019
Todd Brook	Kettleshulme	2011
Todd Brook	Kettleshulme	1989
Upper Bollin	Macclesfield	1872
Upper Bollin	Macclesfield	1882
River Bollin	Bollington, Wilmslow	2012
River Bollin	Princess Street, Bollington	2011
River Dean	Oldham Street, Bollington	1998

Following the 2016 flood event in Poynton a Section 19 report was published:

<https://www.cheshireEast.gov.uk/planning/flooding/floods-and-flood-risk/flood-investigations.aspx>

Details of the flood actions by the risk management authorities in response to the recommendations of this report have been shared with the community, Poynton Flood Action Group and Poynton Town Council at various meetings and at a public meeting held in Poynton Civic Hall 16th May 2019 (1pm – 7pm).

2 Legislative Background

2.1 Section 19 of the FWMA 2010

The Flood and Water Management Act 2010 (FWMA 2010) places a number of duties on Lead Local Flood Authorities (LLFAs) in relation to local flood risk management. One of the principal duties of the LLFAs, as laid out in the Act, is the responsibility to record and investigate flooding incidents within their area.

This document has been prepared by Cheshire East Council, as the Lead Local Flood Authority (LLFA) in the Cheshire East Borough for the specific purpose of meeting the requirements of Section 19 (1) and (2) of the Flood and Water Management Act (2010) which states:

- (1) On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate:*
 - (a) which risk management authorities have relevant flood risk management functions, and*
 - (b) whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.*
- (2) Where an authority carries out an investigation under subsection (1) it must—*
 - (a) publish the results of its investigation, and*
 - (b) notify any relevant risk management authorities.*

The Flood and Water Management Act 2010, will be referred to as “the Act” in the remainder of this document

2.2 CEC Local Flood Risk Management Strategy (LFRMS)

The LFRMS for Cheshire East sets out how the Council intends to manage risk from local sources of flooding. This includes how the Council will implement the number of legal duties and responsibilities placed upon them under the Act, including the duty to investigate and report on flooding incidents that occur in their area.

Based on the number of properties which suffered internal flooding and the impact on critical infrastructure (e.g. A roads, rail links, bridges etc), the flooding events in the reported locations are classified as ‘significant’ under local policy and require a full investigation.

A full copy of the document is available online at: http://www.cheshireEast.gov.uk/highways_and_roads/highway-services/flood-risk-management/flood-risk-management.aspx

2.3 Risk Management Authorities

The following organisations are defined as RMAs under the Act and have the following flood risk management functions. Table 2 lists each RMA and the source of flooding for which they take responsibility for.

Table 2 Risk Management Authorities

Flood Source	Environment Agency	LLFA	District/Unitary Council	Water Company	Highway Authority (Local & National)
Main River*	X				
Ordinary Watercourse*		X	X		
Surface water from highway					X
Surface water from other sources		X			
Sewer flooding				X	
The sea			X		
Groundwater flooding		X			
Water supply infrastructure				X	

*Main Rivers have been designated as such by the Environment Agency. These tend to be major rivers or rivers with a high flood risk. Ordinary watercourses are all other rivers and streams not classified as a Main River.

2.3.1 Risk Management Authorities in Cheshire East

2.3.2 Environment Agency

The Environment Agency (EA) has a strategic overview of all sources of flooding and coastal erosion (as defined in the Act). It is also responsible for flood and coastal erosion risk management activities on Main Rivers and the coast, regulating reservoir safety, and working in partnership with the Met Office to provide flood forecasts and warnings.

2.3.3 Cheshire East Council

Cheshire East Council (CEC) has a joint risk management role in its capacity as unitary council, highway authority and LLFA. The Council as a highway authority has a duty under the Highways Act 1980 to maintain highways that are maintainable at public expense. This requires attention to the drainage requirements of the public highway. As Lead Local Flood Authority the Council has a number of duties and powers as laid out under the Flood and Water Management Act, 2010, in addition to the duty to investigate flooding; the LFRMS describes these in more detail. Cheshire East Council also takes an overseeing role to ensure that RMAs and landowners are fulfilling their responsibilities adequately.

2.3.4 Highways England

Highways England has responsibility as a highway authority for the motorways in Cheshire. It shares similar duties to flood risk management as Cheshire East Council has as a highway authority.

2.3.5 Water Companies

Water companies have a duty under Section 94 of the Water Industry Act 1991 to provide and maintain sewers for the drainage of buildings and associated paved areas within property boundaries. They are also now responsible for those private sewers and lateral drains covered by the 2011 Private Drains and Sewers act, which communicate with the public sewers.

United Utilities (UU) are the local regional water company covering the Poynton area, and the other affected catchments. With regards to local flood risk management, they are responsible for any flooding which is directly caused by its assets – i.e. its water or sewerage pipes, and must maintain a register of properties that have flooded due to hydraulic incapacity of the sewerage network, and have a duty to cooperate with other relevant authorities.

2.3.6 Other Stakeholders

Riparian landowners are those who own land adjoining or containing a watercourse (including culverted, underground watercourses). They have certain rights and responsibilities, including the maintenance of watercourses and assets within their ownership to ensure flood risks are not increased upstream or downstream of their land.

Residents who are concerned they may be at risk of flooding should take appropriate action to protect themselves and their property. These actions should include registering with the Environment Agency to receive flood warnings, obtaining a personal supply of sandbags, and moving valuable items to higher ground. Individuals should also consider more resilient and permanent property protection measures including water resistant doors, air brick covers, floodgates, raised electrical sockets and the fitting of non-return valves on pipes.

The Canal & River Trust are not a Risk Management Authority under the Flood and Water Management Act 2010. The responsibilities of the Canal and River Trust relate to its function as a navigation authority. It is not funded for flood risk management except in the context of maintaining the canals and their feeder streams, by-passes and discharge weirs fit for purpose.

3 28th - 31st July 2019 Weather Event

3.1 Antecedent conditions

The following information has been used to help provide an overall picture of the conditions that led to the flooding events in Poynton, 31st July 2019:

- **Environment Agency (EA), Water Situation report, July 2019** - The EA issues monthly water situation reports for England, which provide an overview of various hydrological information including rainfall, soil moisture and river flows.
- **Centre for Ecology and Hydrology (CEH), Hydrological Summary report, July 2019** – The Centre for Ecology and Hydrology issues reports for the United Kingdom, which similar to the EA Water Situation Reports; provide analysis of various hydrological records for the month.

3.1.1 Antecedent Rainfall

From mid-month, more unsettled weather followed under a south-westerly airflow, bringing further disruption to power and transport infrastructure from convective activity: on the 19th, in Aberdeen, Cheshire and south Wales; on the 24th/25th, affecting up to 20,000 properties in northern Britain; and on the 28th (e.g. 91mm at Rochdale in 24 hours to 9pm on the 28th), causing surface water flooding of properties and transport networks in Scotland and north-west England (CEH, July 2019).

Most significantly of all, on the 30th, persistent convective activity across the Peak District and Yorkshire Dales resulted in remarkable rainfall totals: 95mm at Old Spital Farm (58mm in 45 minutes) and 102mm at Arkle Town (82mm in 90 minutes). This caused severe disruption through surface water flooding of local road networks and landslides across railway lines in the Yorkshire Dales. Substantially above average July rainfall totals were recorded in northern England, the Midlands and much of Scotland, most notably in an area stretching through the southern Pennines, Cheshire (which recorded more than twice the July average) and the Midlands (CEH, July 2019).

July rainfall totals in the Mersey, Irwell and Cheshire Rivers Group catchments were the 6th highest on record (records assessed from 1891) and were classed as exceptionally high for the time of year (Water situation report EA, July 2019).

3.1.2 Antecedent River Levels and Flows

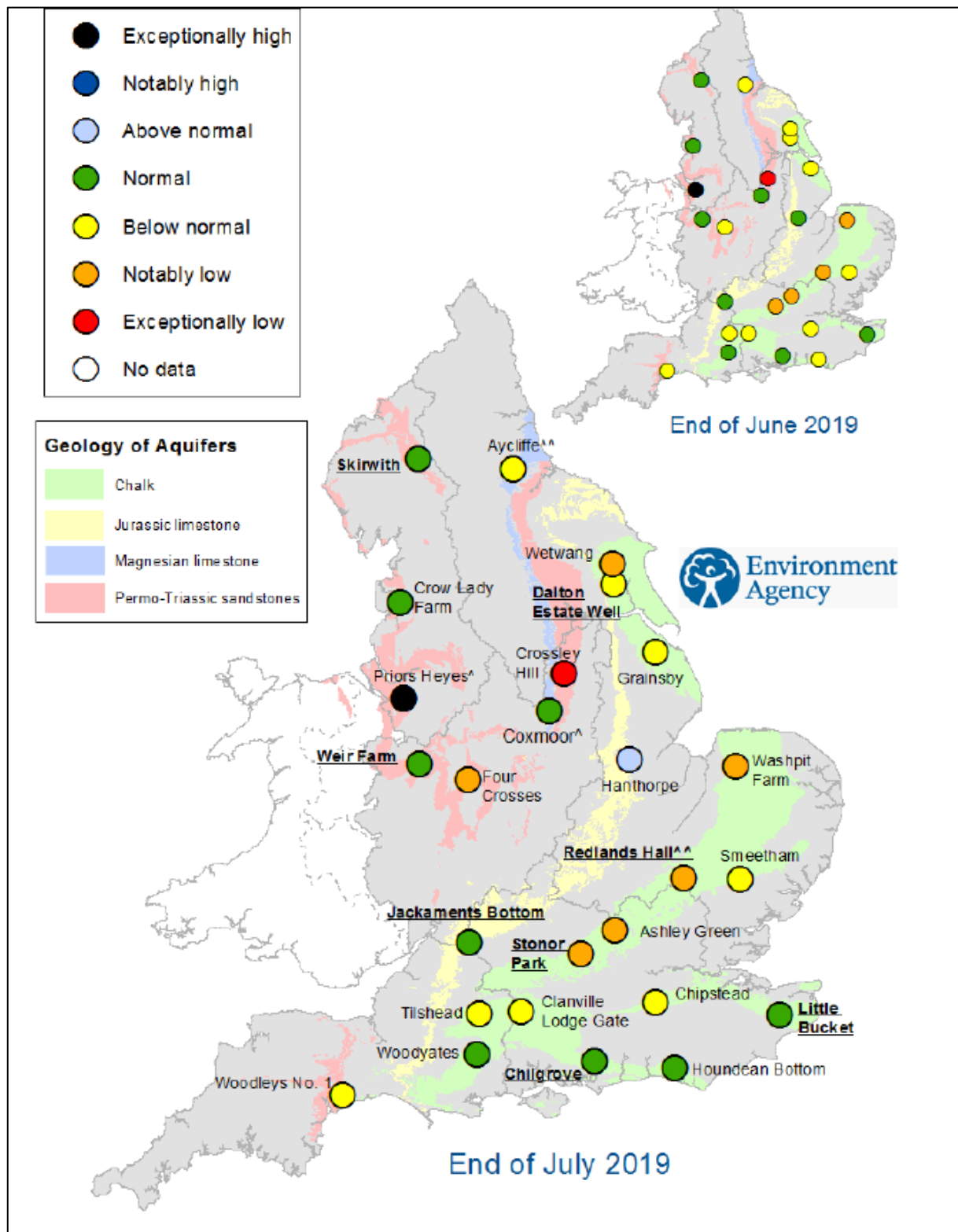
River flooding on the 28th in localised parts of northern England was reported. The Mersey recorded its two highest July daily mean flows on record (in a series from 1976) on the 28th and 31st. Rivers across the southern Pennines also responded markedly to exceptional rainfall on the 30th, destroying an iconic bridge near Grinton (North Yorkshire). July mean flows were generally above normal in northern Scotland, Yorkshire and the East Midlands, and were particularly notable in parts of north-west England (more than twice the average on the Mersey) (CEH, July 2019).

3.1.3 Antecedent Soil Moisture deficient

Soils became wetter during July in north-west England and became drier in parts of southern and Eastern England, reflecting the spatial distribution of rainfall. By the end of July, soil moisture deficits (SMDs) were lower than average (soils were wetter than average) for the time of year across much of north-west, north-East and central England. Water situation report EA, July 2019) Across the North West SMD of ≤ 10 mm were reported. For summer, this figure is usually 100 or 200 mm. The low figure for the end of July indicates how saturated the ground was prior to the this flood event.

3.1.4 Antecedent Groundwater

Figure 2 Groundwater levels for indicator sites at the end of June 2019 and July 2019



[^] The level at Priors Heyes remains high compared to historic levels because the aquifer is recovering from the effects of historic abstraction

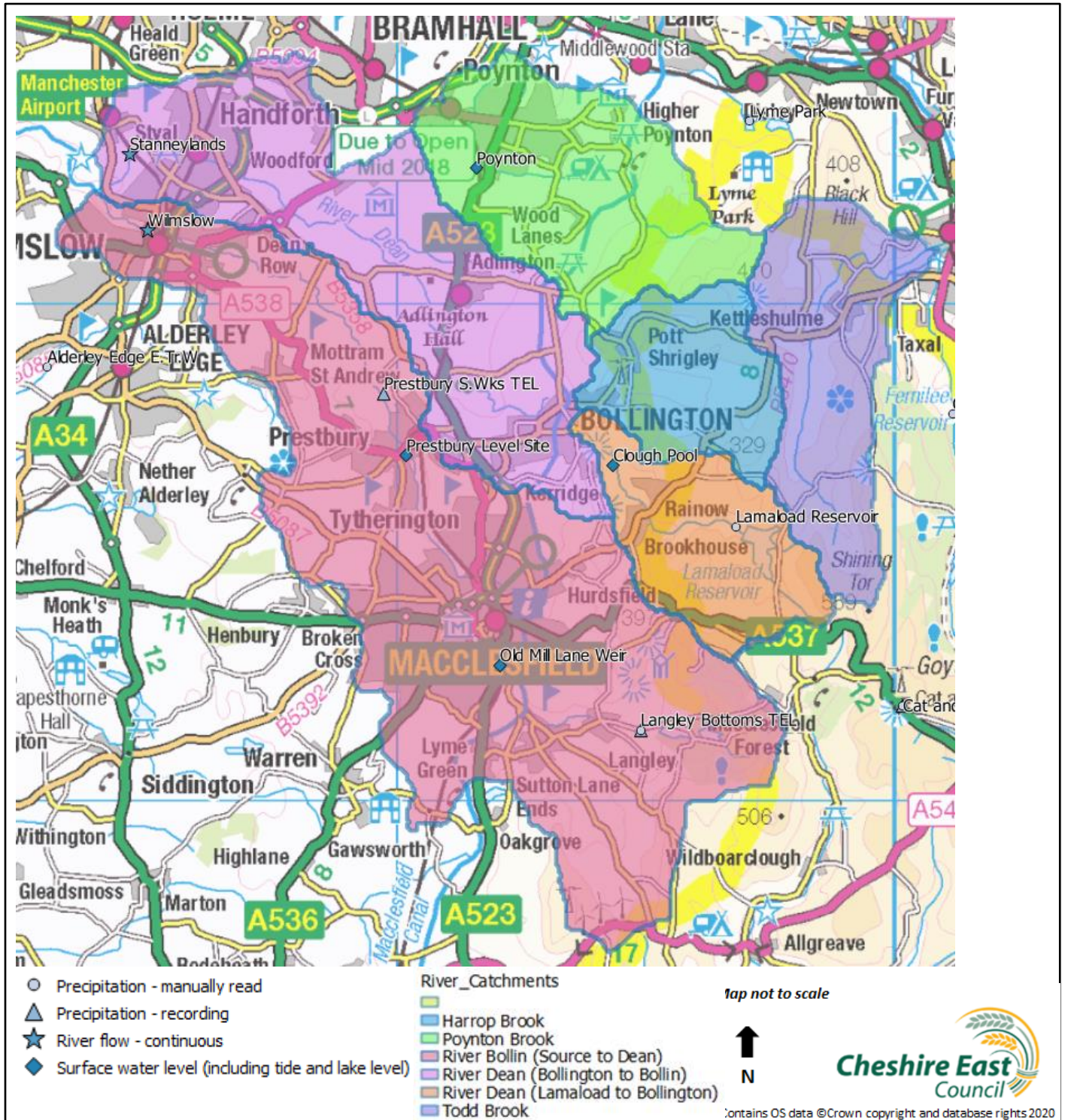
3.2 Recorded Event Data

Across the catchments a number of data sets are recorded, these include:

- Rainfall , both manually read and automated
- River level or surface water levels
- River flow

The location of the local catchment gauges are shown in the figure below.

Figure 3 Location of Environment Agency Gauges



3.2.1 Recorded Rainfall

Rainfall totals for the 27th – 31st July 2019 were recorded at the following locations:

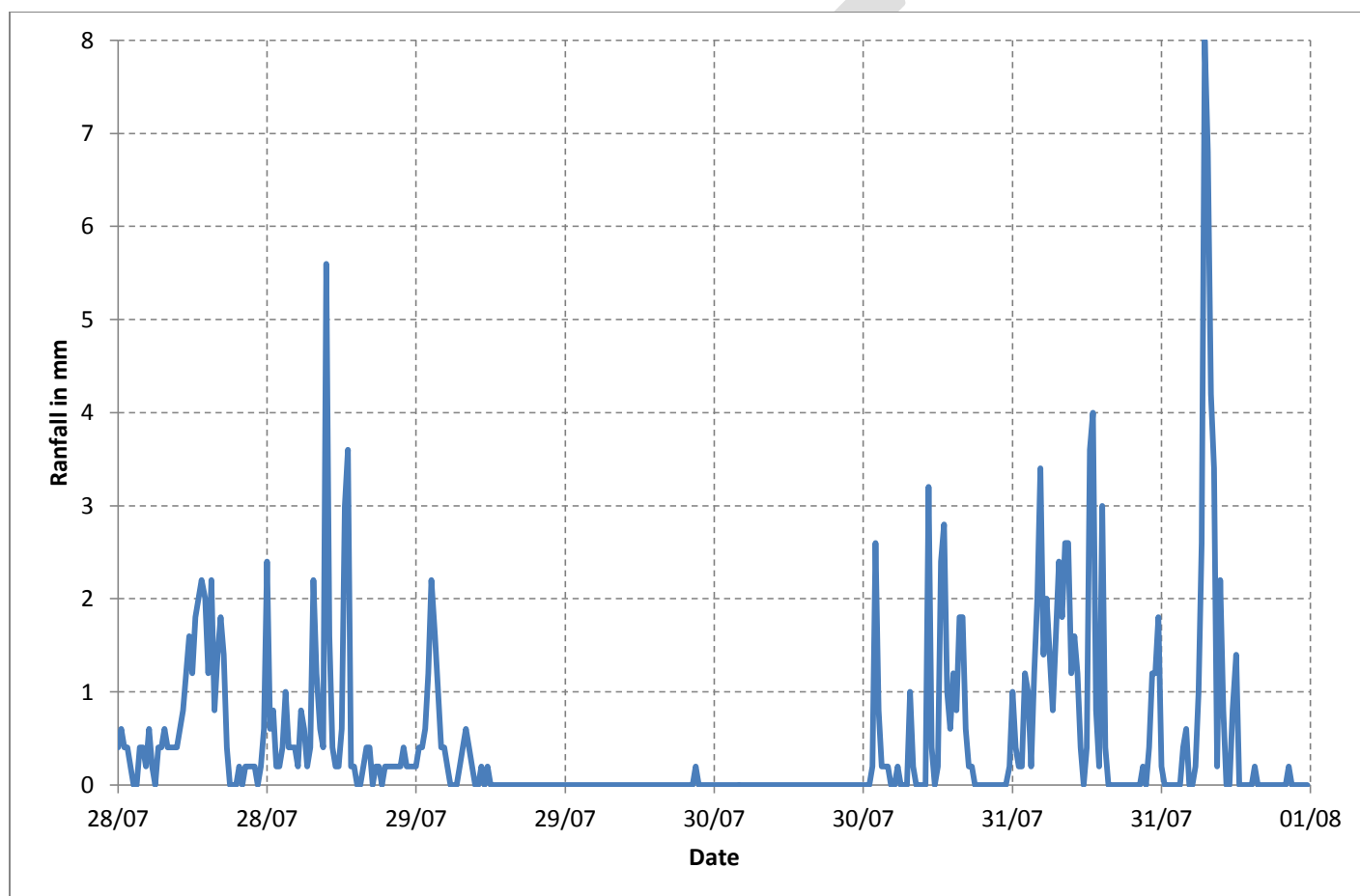
- 150mm at Hazel Grove
- 129mm at Prestbury WWTW*
- 180mm at Cat & Fiddle
- 128mm Langley Bottoms

Based on long term averages, the monthly average rainfall expected during July would be between 70-80mm.

*WWTW = Waste Water Treatment Works

The rainfall pattern is shown across the time period by the gauged record at the Cat and Fiddle, which shows the rainfall on the 27-28th July and 30-31st July, with a peak intensity of 30mm within an hour.

Figure 4 Rainfall Recorded (mm) at Cat and Fiddle



3.2.2 Calculation of reoccurrence interval

Rainfall events can be expressed as a probability or a return period, this is a statistical measure used to represent the magnitude of an event. For example the probability of a flood in any one year may be expressed as 1% Annual Exceedance Probability (AEP) or 1 in 100 year.

This does not mean that such a flood would occur every 100 years it is a statistical measure that suggest that in any given year, there is a 1% chance that it will happen, regardless of when the last similar event was. Or, put differently, it is 10 times less likely to occur than a flood with a 10% AEP or 1 in 10 years return period.

For this event the calculated return period across the catchments varies from approximately 0.5% AEP (1 in 200 year) for the Cat and Fiddle, 1.28% AEP (1 in 78 years) for Langley bottoms and 0.65% AEP (1 in 153 years) for Prestbury WWTW.

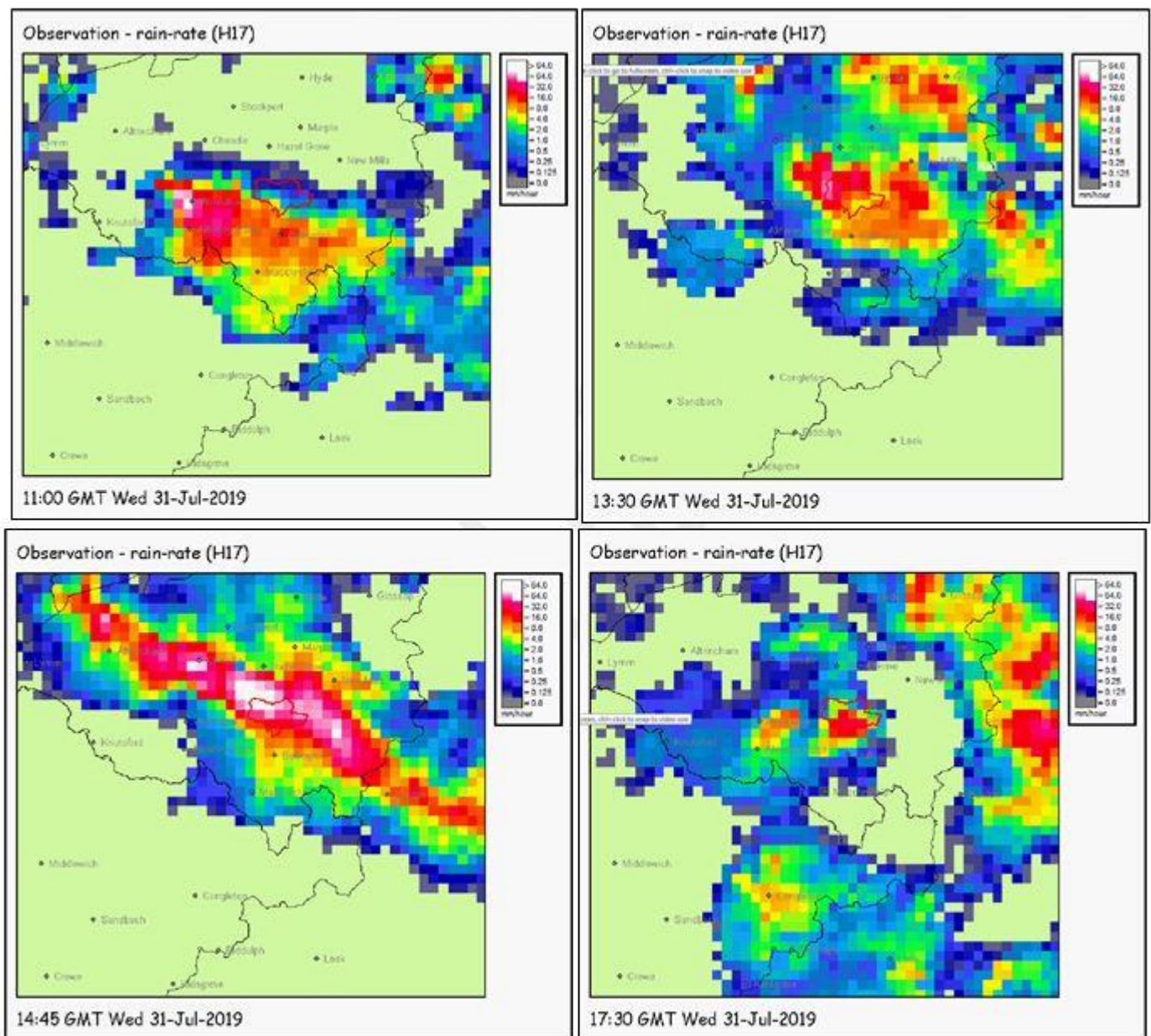
The variation in return period reflects where the most intense rain fell. The Cat and Fiddle gauge is just above the Todd Brook/Kettleshulme area.

3.2.3 Recorded Hyrad data

Rainfall Radar data is also reported as Hyrad data (Hyrad is a real-time record of radar and other hydro meteorological products)

The Hyrad images below show the storm on the 31st tracking across the catchments. The pink and white squares indicate areas where rainfall intensity is equal or greater than 32mm/hour.

Figure 5 Hyrad data at times between 11am and 17:30 on Wednesday 31st July 2019



Images courtesy of the Environment Agency - ©Institute of Hydrology.

3.3 Recorded River Levels

There are a number of gauges on Main Rivers which record the water level. This data is used by risk management authorities to monitor water levels in Main Rivers; this information may be used to trigger flood alerts or flood warnings, or remote gauges maybe used.

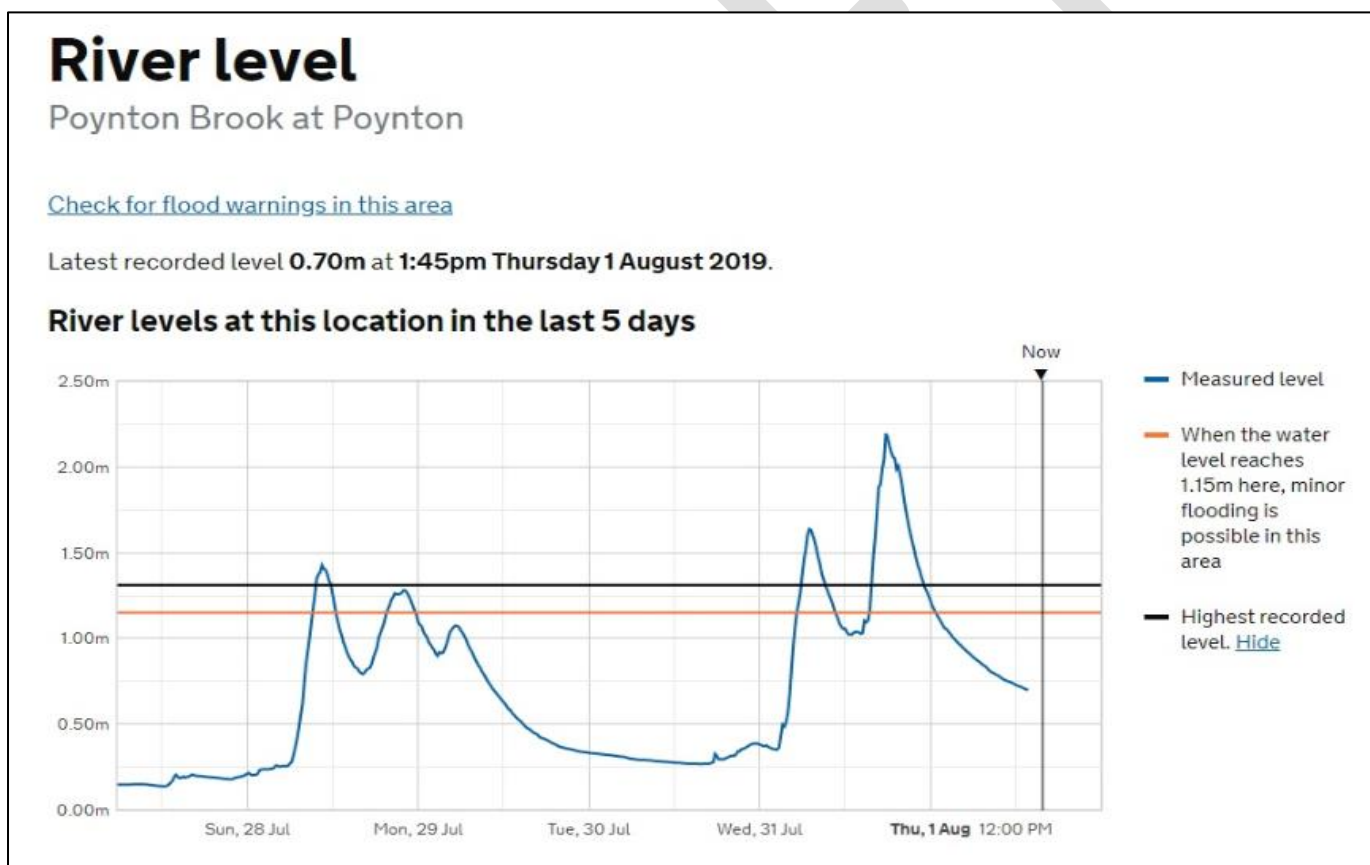
Local gauges are found at:

- Poynton Brook – Poynton brook near Midway
- River Dean – Clough Pool and Stanneylands
- River Bollin – Old Mill Lane, Prestbury and Wilmslow

There are no level gauges on the rivers on the Todd Brook or Harrop Brook catchments.

For the Poynton catchment a water level gauge is situated on Poynton Brook near midway at grid reference: 391600, 382718. Water levels at this gauge rose on Sunday 28th July following heavy rainfall, remaining elevated prior to further rain on Wednesday and Thursday. Records were broken on Thursday 31st July 2019 at 5:45pm when recorded river levels at Poynton Brook reached 2.195m, nearly a metre higher than the previous highest recorded on the 11th June 2016 (1.2m).

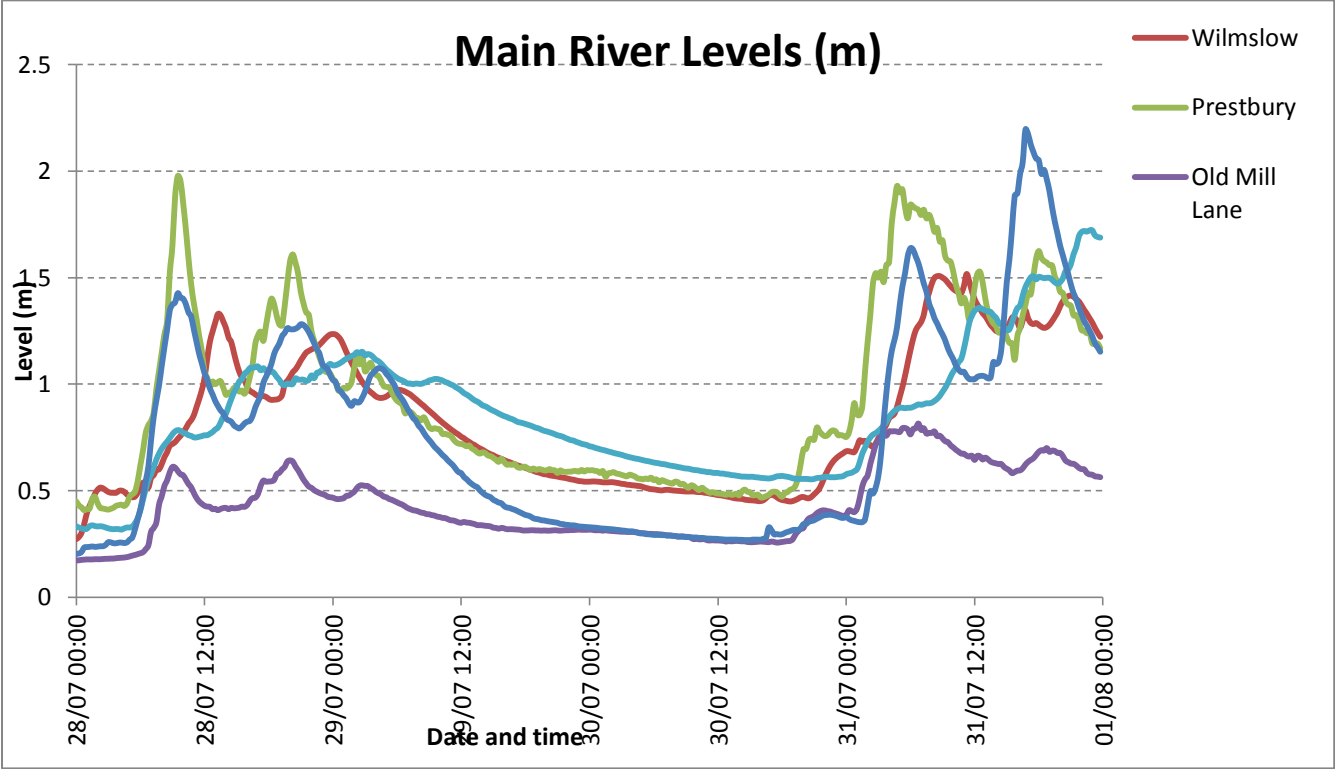
Figure 6 Measured River Level at Poynton Brook



Gauged water levels across the catchment show the rivers responses to this weather event.

The other river water level gauges all showed a similar pattern as the catchments responded to the rainfall event. The catchment responses will vary and dependant on the physical characteristics of the river catchment, barriers to flow, artificial drainage and any additional inflow/outflows to the system.

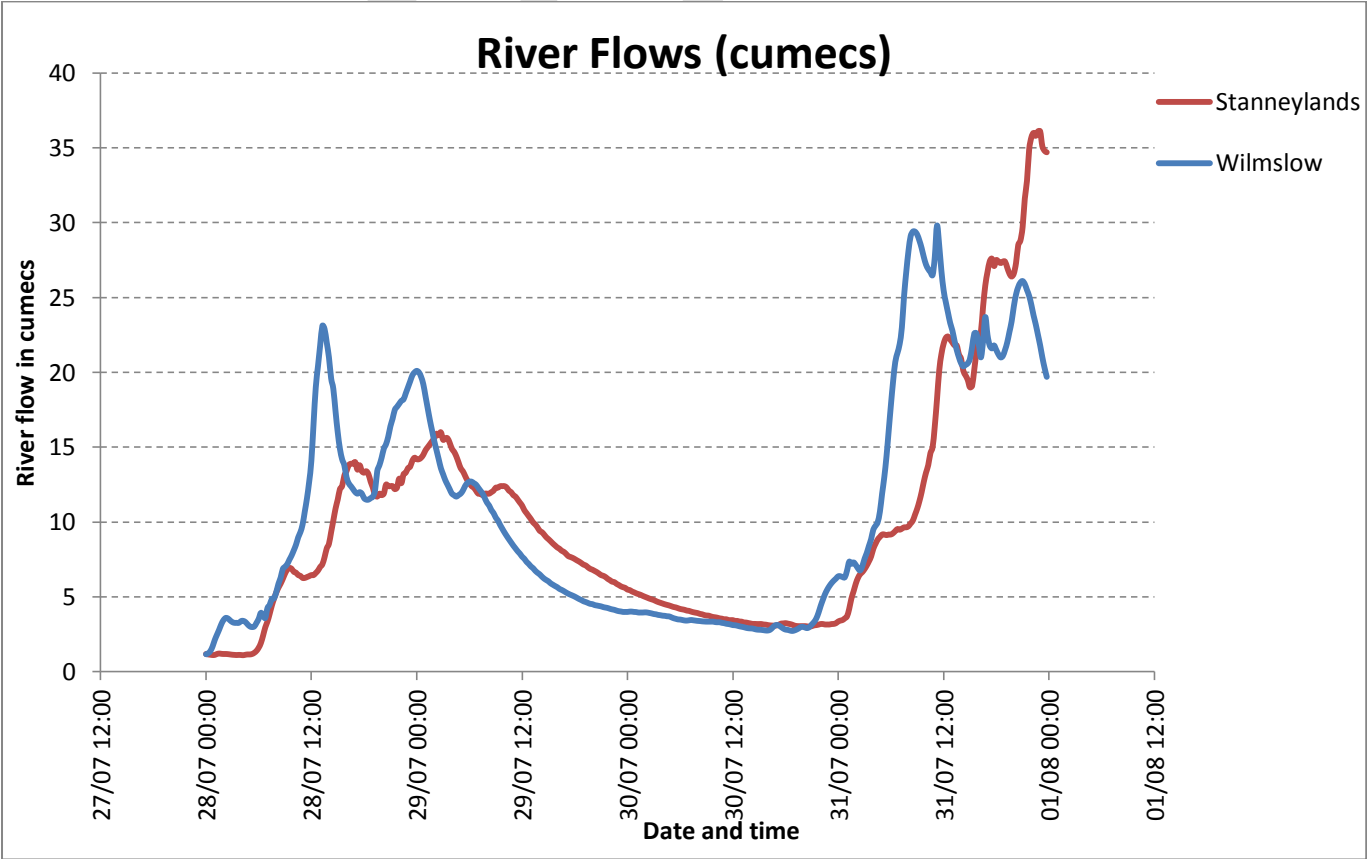
Figure 7 Main River levels (m)



3.4 Recorded River Flows

Across the catchments river flows are recorded on the River Dean at Stanneylands and River Bollin at Wilmslow. There are no flow gauges on the rivers on the Poynton Brook, Todd Brook or Harrop Brook catchments.

Figure 8 Main River Flows (cubic metres per second / cumecs)



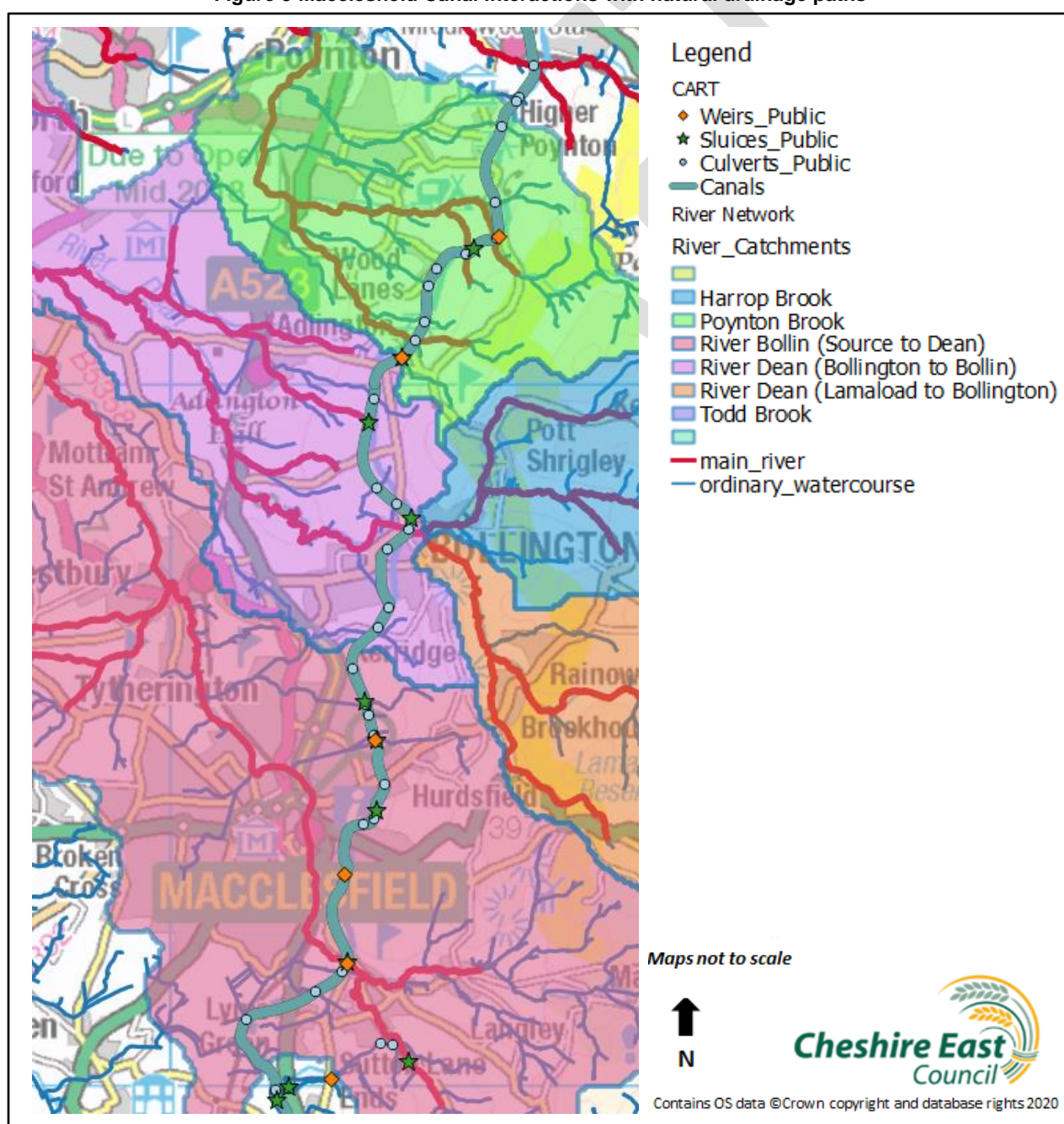
3.5 Canal Discharges

The canal network is managed by the Canal and River Trust. Canals are not designed or constructed to carry significant flood flows. The Macclesfield Canal runs from a junction with the Peak Forest Canal at Marple in the north, in a generally southerly direction, through the towns of Macclesfield and Congleton, to an end-on junction with the Hall Green Branch of the Trent and Mersey Canal. Four reservoirs feed water into the canal system.

Water levels are monitored at a number of locations. Trigger levels are set to prompt appropriate responses to fluctuations in water levels. During extreme events “Hi Hi” (Extreme high water trigger) or “Lo Lo” (Extreme low water trigger) levels result in the deployment of the duty staff to inspect and action as appropriate. Sluices are maintained along the canal that can be used as part of emergency responses. During the event 28th -31st July, no “Hi Hi” trigger levels were reached and no staff was deployed to site within Cheshire East, no sluices were opened.

When water levels in the canal are raised a number of static overflow weirs are located to allow excess water to flow from the system to maintain water levels. Weirs are located at: Redacre, Ryles Wood, Astrazeneca with the main flood weir located at Gurnett.

Figure 9 Macclesfield Canal Interactions with natural drainage paths



OFFICIAL

3.6 Environment Agency Flood Warning Areas

These catchments are served by four Environment Agency flood warning areas:

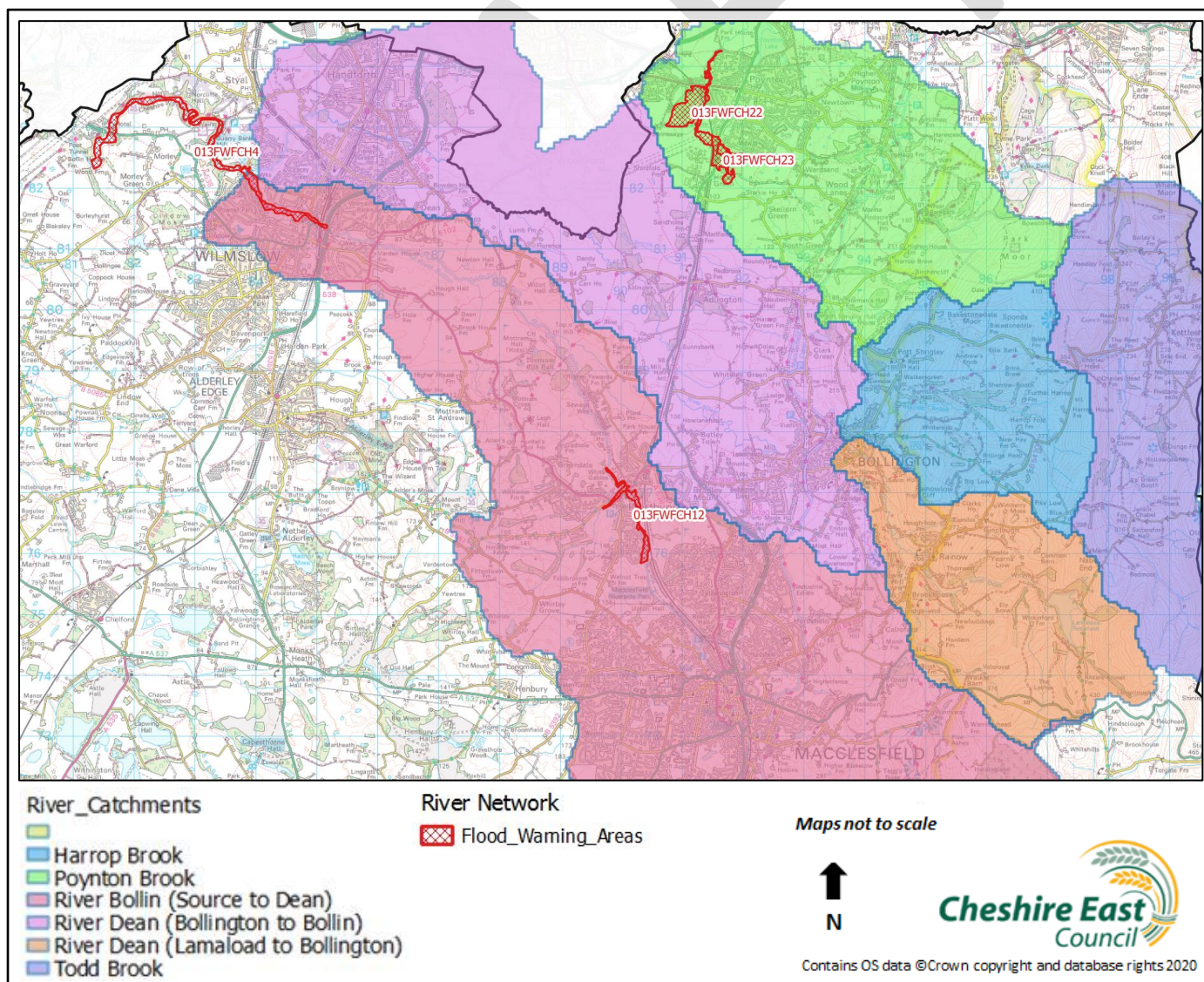
- River Bollin at Prestbury
- River Bollin at Wilmslow
- Poynton Brook at Wigwam Wood and parts of Armcon business park (013FWFCH22)
- Poynton Brook at Poynton and Midway (013FWFCH23)

Residents and/or businesses wishing to receive flood warnings can register online: <https://www.fws.environment-agency.gov.uk/app/olr/register> you do not need to live in the designated flood warning area to receive notification of flood warnings.

The river level at Poynton was above the Flood Warning level threshold for the first time since the installation of the river level gauge in 2008. Flood Warnings were issued prior to the thresholds being reached.

Flood warnings were issued for 013FWFCH22 at 10:20 on the Sunday 28th July and 06:21 on Wed 31st July. A Flood warning for 013FWFCH23 was issued at 18:05 on Wed 31st July.

Figure 10 Flood Warning areas associated with River Bollin and Poynton Brook

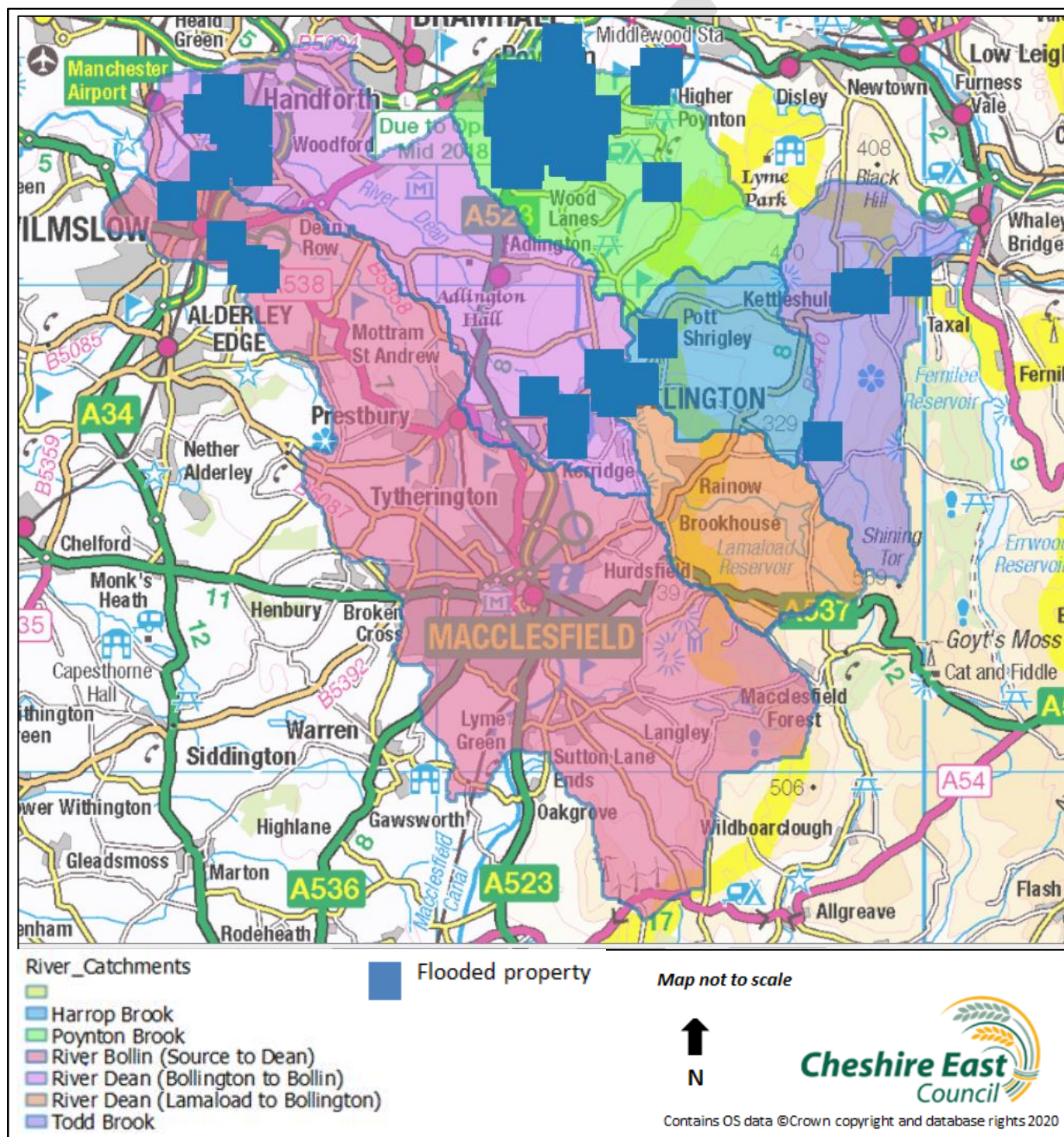


4 28th- 31st July 2019 Flooding – Catchment responses

The blue squares on the map below shows the locations which reported experiencing internal property flooding to the LLFA, United Utilities or the Environment Agency (either residential or commercial) during the period of 28th-31st July 2019.

Data shared with other parties may have been cross referenced with this dataset, however due to data protection regulations cannot be shared without the home owner's prior permission.

Figure 11 Flooded Locations



OFFICIAL

4.1 Poynton Brook Catchment

The image below shows the area that drains onto Poynton Brook. The catchment can be split into a number of sub-catchments; Booth Green Brook and Poynton Brook (both classified as Main River); and Park Lane Stream and Coppice Stream (both classified as Ordinary watercourse).

Figure 12 Indicative catchment of Poynton Brook

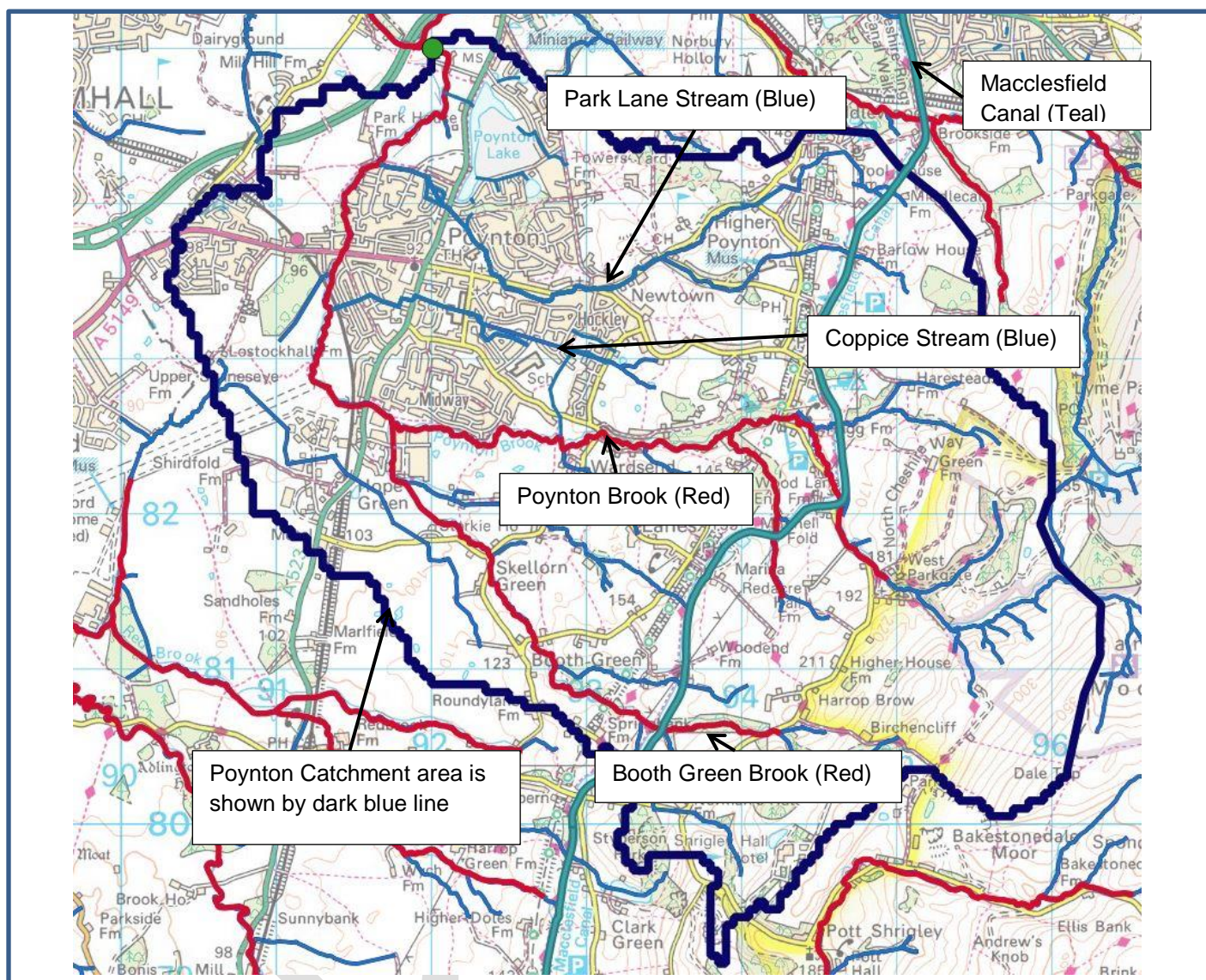


Table 3 Number of properties reported* flooding in Poynton

No. of properties reported*	July 2019
Internal Flooding Residential**	78
Internal Flooding Businesses	8

*formally reported to the Lead Local Flood Authority, Environment Agency and/or United Utilities

** Internal flooding residential refers to reports of (internal property flooding, including integrated garages. This does not include: uninhabitable cellars, detached garages and gardens

4.1.1 Summary description of surface water and sewer flooding in Poynton Brook catchment

Foul water drains flow downstream, typically by gravity, to the sewerage treatment works at Davyhulme in Manchester. Surface water sewers will outfall where possible into watercourses, both Main River and ordinary watercourses, where this is not possible they will drain into combined sewers (foul and surface water sewers) which will flow downstream to the treatment works.

In addition many of the highways gullies which drain surface water from the highway discharge water into these surface water or combined sewers.

During heavy rainfall events, surface water sewers maybe prevented from discharging when river levels are elevated. In extreme events this may cause the surface water sewer pipes to fill with water and/or surcharge the network.

Although all running throughout, five United Utilities foul water pumping stations were overwhelmed during the event on the 31st July 2019, three directly affected by the backing up of river water, which introduced flow which exceeded the capacity of the pump stations during the event.

4.1.2 Summary description of surface water and highway flooding in Poynton Brook catchment

Gullies are designed to remove water from the highway, on adopted roads within Cheshire East they are the responsibility of Cheshire East Highways to maintain. In residential areas like Poynton, most highways gullies will drain into United Utilities surface water or combined sewers, in areas in which no surface water sewers exist then highways drains may exist that outfall to watercourses, surface water sewers, combined sewers or soakaways. Highways drains are designed and constructed to drain water falling directly on the highway, for more smaller, low return period storms.

During heavy rainfall events, highway drainage and surface water sewers maybe prevented from discharging when river levels are elevated. In extreme events this may cause the systems to fill with water and/or surcharge the network.

4.1.3 Description of Main River flooding for Poynton Brook catchment (Booth Green and Poynton Brook)

Poynton Brook is classified as a Main River, with approximately 20km² of land within its catchment area which drains along Booth Green Brook and Poynton Brook (both Main River), forming part of the upper River Mersey catchment. All rainwater that falls within the green shaded area above will naturally drain towards and through Poynton.

Prolonged rainfall over the Poynton catchment led to 150mm of rain falling over a 5 day period. This caused river levels in the Main Rivers (and ordinary watercourses) to rise in response to this. In addition, surface water drainage systems (including highway drainage and surface water sewers) also reached capacity and flowed downstream (overland) towards Poynton Brook.

The flood map zone 3, indicates the extent of flooding associated with a 1% AEP (1 in 100yr event). In some places this flow is within the main channel or more typically flows go out of bank on the 1% AEP flow.

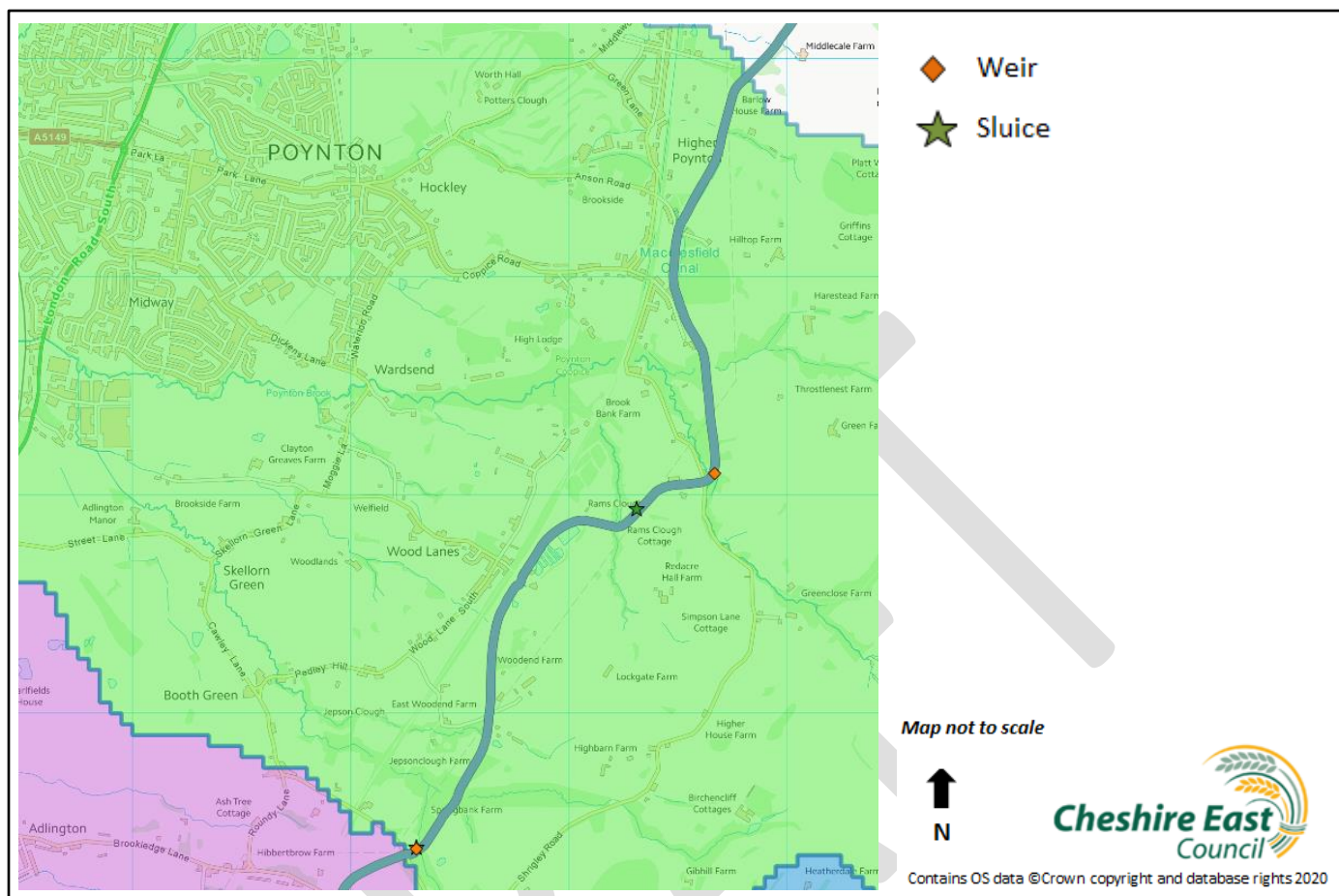
The river levels gauge on Poynton Brook shows the rivers response to the rainfall over the 5 day period, exceeding trigger levels on the 28th July resulting in the Environment Agency issuing flood alerts and flood warnings. On the 31st July the river level rose again triggering the Environment Agency to issue a Flood Warning for Poynton Brook at Wigwam Wood and parts of Armcon business park and Poynton Brook at Poynton and Midway.

Records were broken on Thursday 31st July 2019 at 5:45pm when recorded river levels at Poynton Brook reached 2.195m, nearly a metre higher than those recorded on the previous flood event of 11th June 2016. (1.2m).

The Macclesfield Canal interacts with the watercourses via weirs near the aqueduct near Mitchell Fold and Ryles Wood and sluices at Rams Clough and Ryles Wood. The Canal and River trust report that no "Hi Hi" trigger levels

were reached and no staff were deployed to site within the Poynton catchment or any of the Cheshire East area, no sluices were opened.

Figure 13 Canal Interactions with Poynton catchment



Symbols weir: orange diamond, sluice: green star

4.1.4 Description of flooding for Booth Green Brook (Main River, in Poynton Brook catchment)

The tributary to Poynton Brook is Booth Green Brook, which is also classified as a Main River. Evidence suggests that there are three locations in the Armcon Industrial Estate at which water overtopped the watercourse at low spots in the banks, which align with the modelled floodplain of this area:

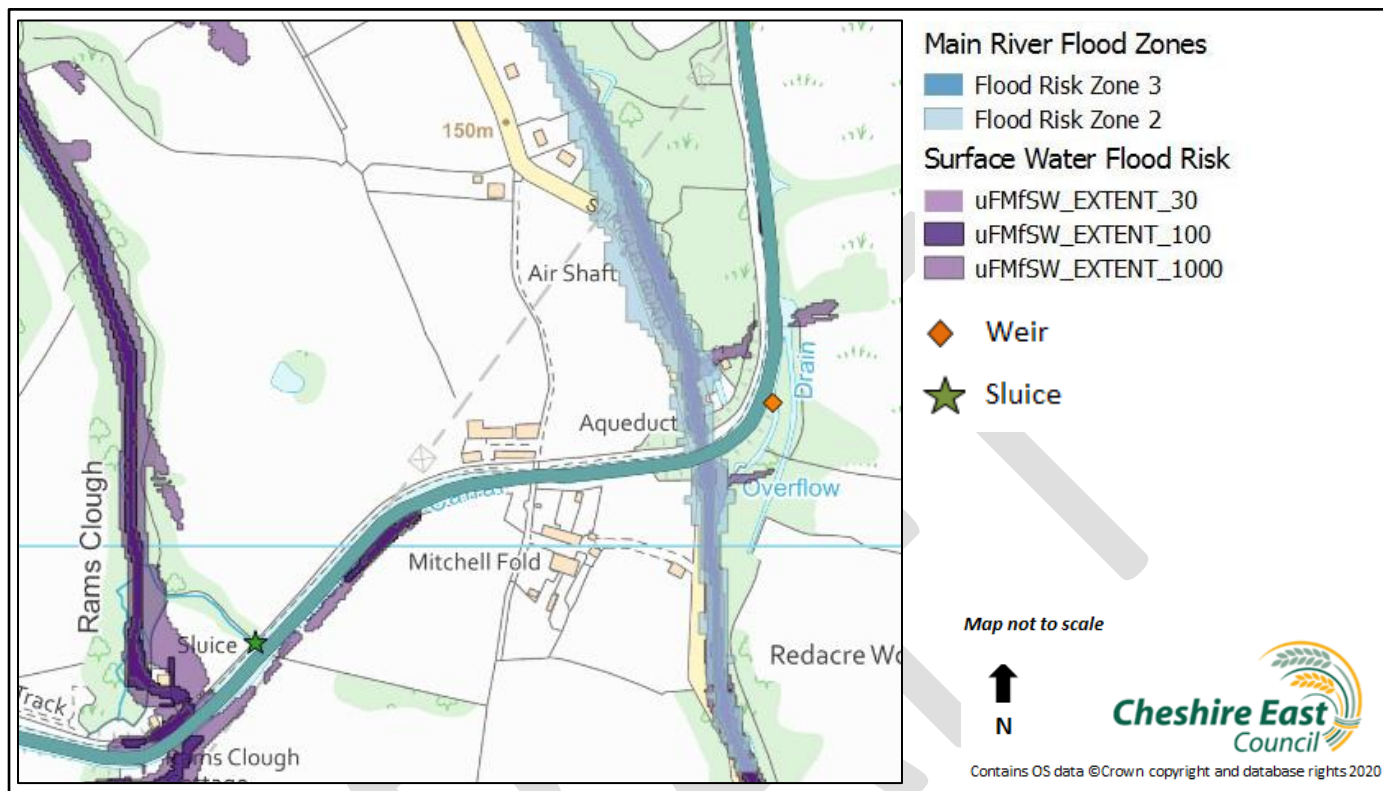
The right bank of Booth Green was overtopped upstream of the culvert at First Avenue, whilst reports were received that the culvert under First Avenue had overtopped on the right bank, just downstream of the bridge, photos show water lapping out of bank on right bank but not quite overtopping a decking area they have on the bank top. Flood wrack/debris further upstream indicated flow within channel, which was confirmed at the back of Second Avenue, which was also confirmed to be in-channel between Second Avenue and Hope Lane. Booth Green Brook was observed to be in bank at the confluence with Poynton Brook. Surface water flooding due to surcharged gullies was also evident on the industrial estate.

4.1.5 Description of flooding for Poynton Brook (Main River, in Poynton Brook catchment)

Reported flooding incidents on Poynton Brook are tackled from up to downstream. Residents reported river bank erosion on Poynton Brook near to the aqueduct to both the Environment Agency and The Lead Local Flood Authority. The site was visited following the flooding by the Environment Agency who met with local residents.

At this location excess water can leave the Macclesfield canal via a weir (shown as orange diamond) draining into an overflow channel that flows south into Poynton Brook. Poynton Brook then flows north via a culvert under the Macclesfield canal. The sluice was not operated during this event.

Figure 14 Flood risk at Poynton Brook near Aqueduct

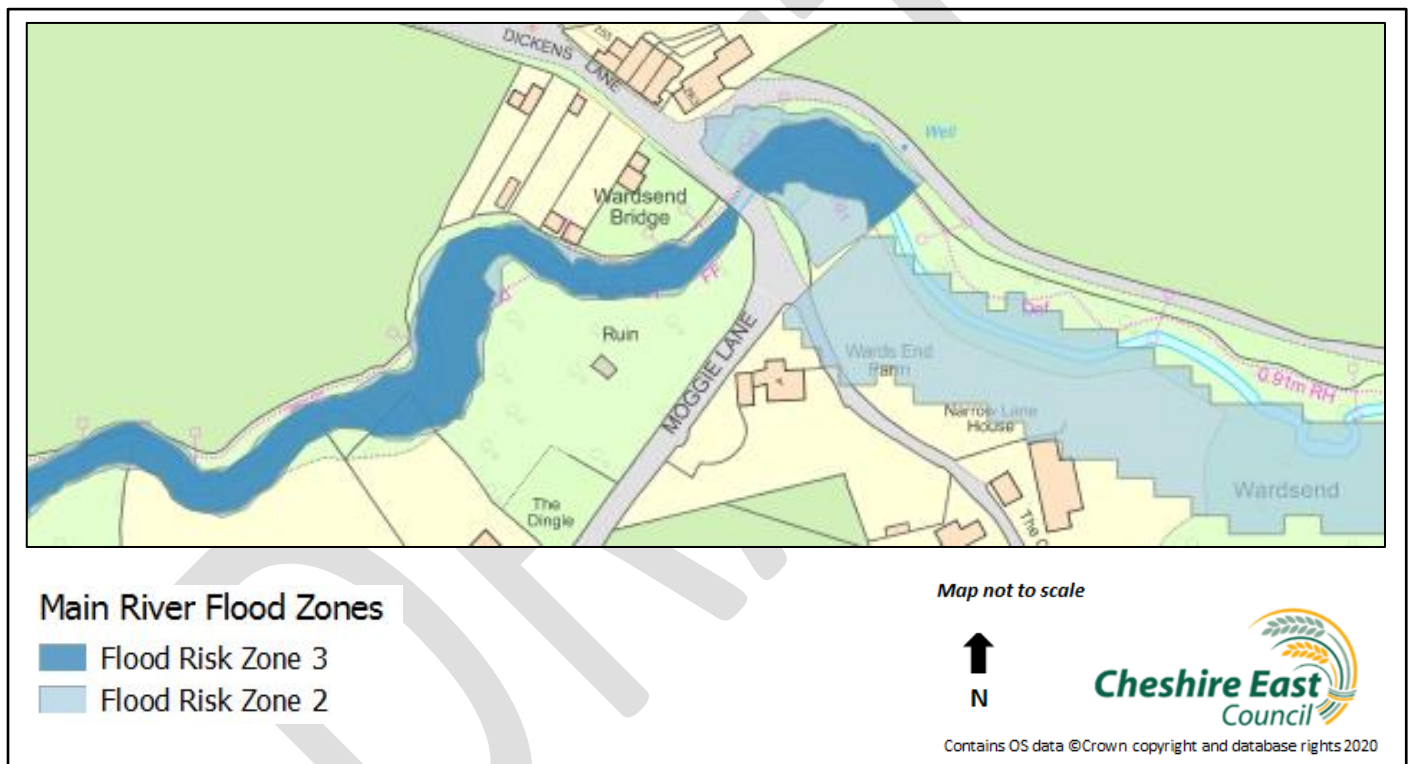


Property flooding from Main River and surface water overland flow occurred adjacent to Wards End bridge. Water levels were reported to be high upstream of the bridge, and then rose quickly. The high water levels overtopped the bridge, and caused the downstream parapet to fail, along with considerable erosion of adjacent land. The limited size of the aperture of the bridge opening and its high headwall suggests it acted to retain water and reduce flows downstream, and may have been specifically designed to reduce flooding further downstream. It was reported that the rapid water level rise was due to a blockage in the bridge opening. At some point the blockage cleared through the opening. Both gas and mains water pipes flow across this structure which has been considered in its redesign by Cheshire East Highways, the Environment Agency was consulted to as part of these works.

Photograph 1 Wards End Bridge retaining wall upstream (left photo) and downstream (right photo) after the flood.

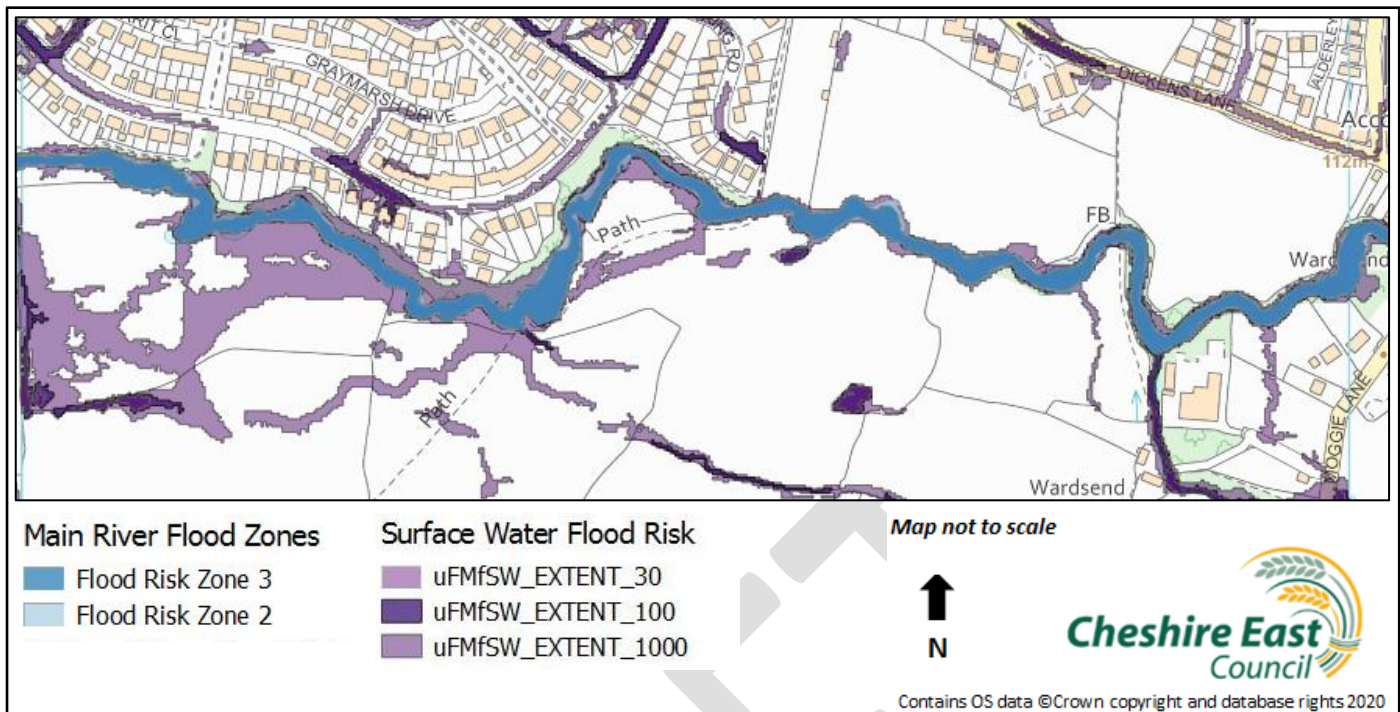


Figure 15 Fluvial Flood Risk near Wards End Bridge, Poynton Brook



Poynton Brook then flows west, naturally filling up its natural floodplain. Much of the corridor adjacent to Poynton Brook remains undeveloped; there were no reports of property flooding until the urban area. Flood wrack was observed on the right bank at several locations, indicating water out of bank on the right bank (to the north) of Poynton Brook.

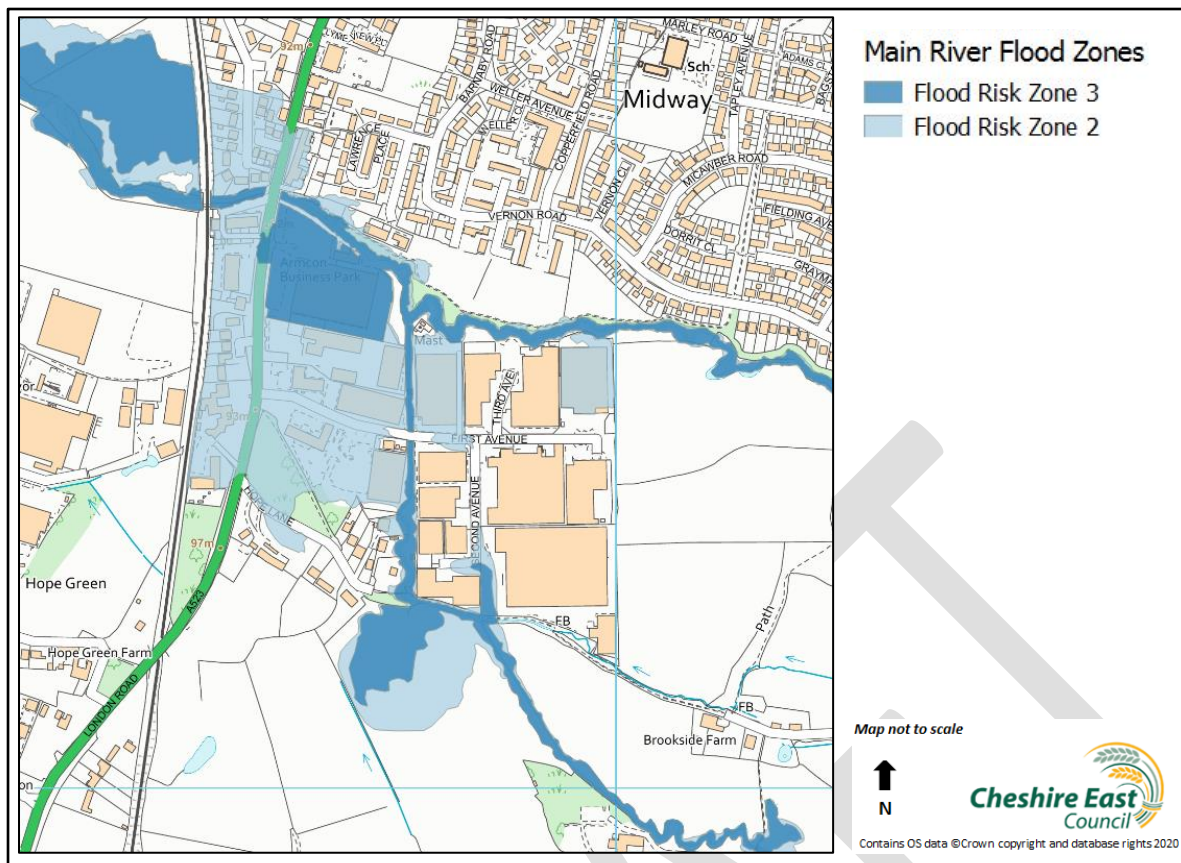
Figure 16 Flood risk* along Poynton Brook between Ward End bridge and industrial estate



On the left bank (south side) of Poynton Brook next to Armcon industrial estate upstream of the Booth Green confluence, flood wrack marks were observed to be contained in-bank (but only just) for the majority of the section, apart from a low spot where out of bank flows across the back of a industrial unit were observed for around 20 metres and an exit route for flows (back to Poynton Brook) was observed.

Downstream of the confluence with Booth Green Brook, Poynton Brook was contained in channel on the left bank (south side) along the rest of the industrial estate perimeter due to an embankment that is approximately 5 feet higher than floor levels in industrial estate. The river was contained the river side of the embankment until a low spot adjacent to the corner of industrial unit, where the bank is considerably lower and wrack was observed indicating that flows entered the Armcon Industrial Estate at this point from Poynton Brook. This low spot runs for around 40 metres. Downstream of here, flood wrack indicated that the remaining flows were just in-bank on the left bank, probably in part due to a large portion of the flows flowing out through the industrial estate.

Figure 17 Poynton Brook Floodzones 2 & 3 (Industrial Estate)

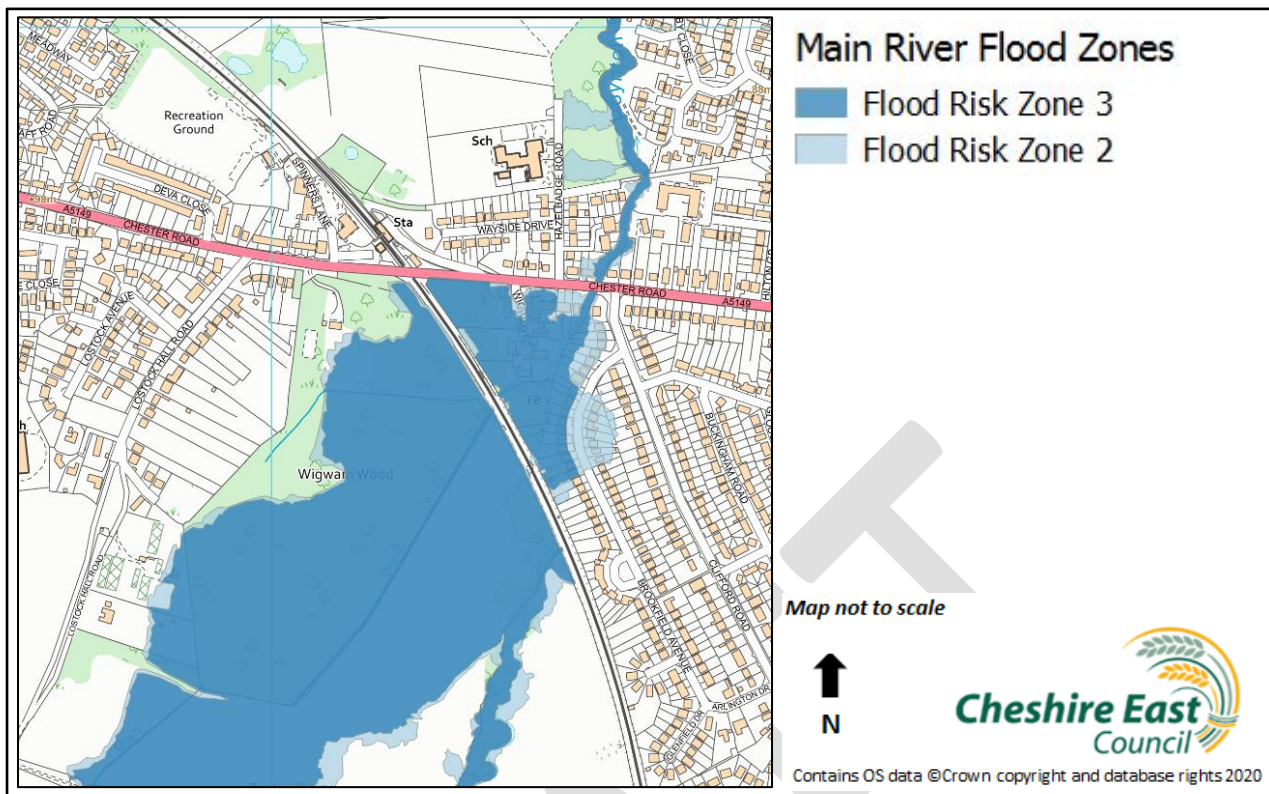


Once the flood water had left the watercourse, it followed the natural topography of the floodplain/land as it made its way along the lowest point back to the watercourse. This, coupled with surface water flooding (resident reported gullies and manholes surcharging) resulted in flooding to properties and premises in the Armcon industrial Estate, on London Road, Lostock Road and Woolley Avenue. Water flowed along the highways, into properties and through gardens as it made its way back into Poynton Brook. Water then receded quickly.

At a local care home staff confirmed that water got into garages not the property, but flooding was exacerbated by vehicle movements through the floodwaters (bow waves).

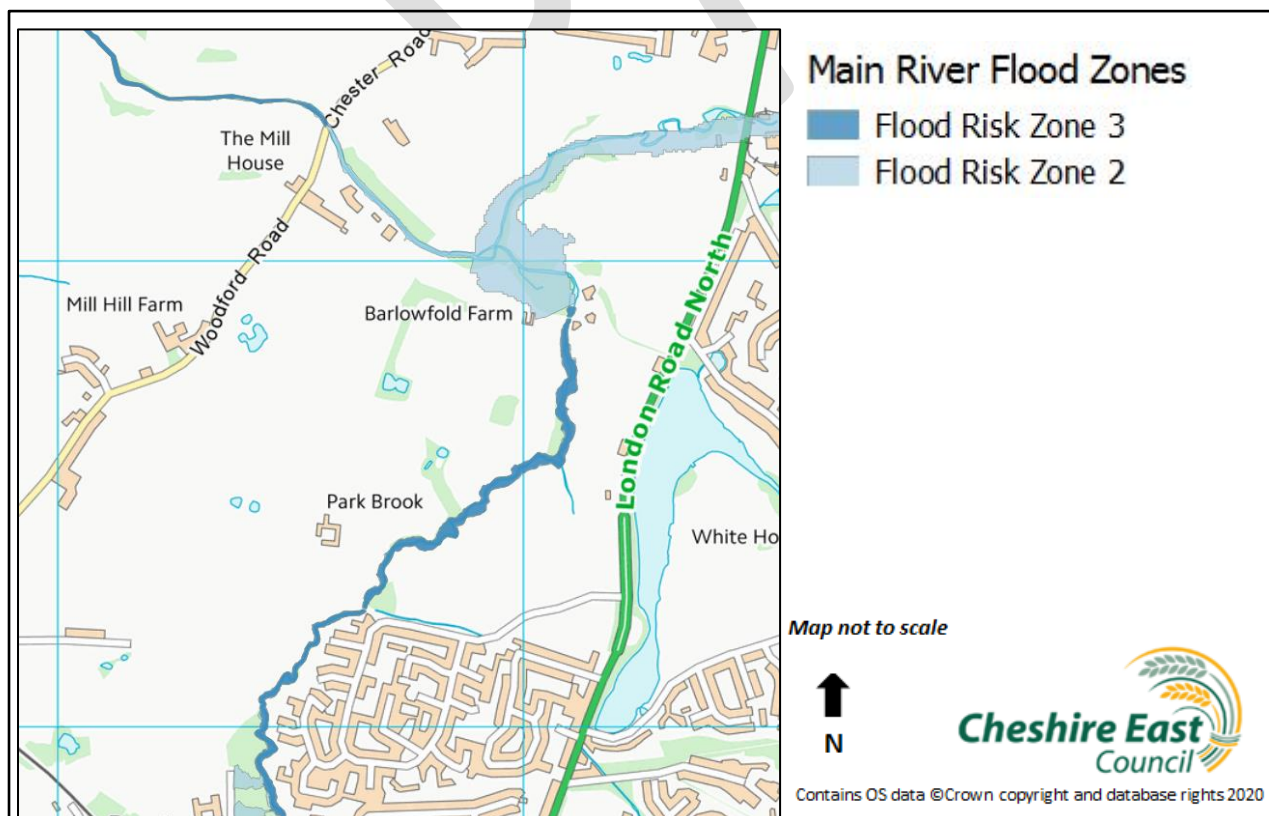
Poynton Brook then flows north towards Wigwam Wood, with the Coppice Stream joining the Main River behind Brookfield Avenue after flowing under the railway line. Additional watercourses drain into the Main River at Wigwam Wood and this area is classified as a natural floodplain for Poynton Brook. Residents reporting internal and external property flooding in this location and raised river levels and along this stretch as far up at Hazelbadge footbridge; the flood risk zones at this location are shown below.

Figure 18 Poynton Brook Floodzones 2 & 3 (Wigwam Wood)



As Poynton Brook continues north, Park Lane Stream joins the Main River downstream of Philips Bridge. Poynton Brook then flows to join Norbury Brook. Main River levels were elevated along this reach, with water spilling out of bank onto the natural river floodplain.

Figure 19 Poynton Brook Flood zones 2 & 3 (Confluence with Norbury Brook)



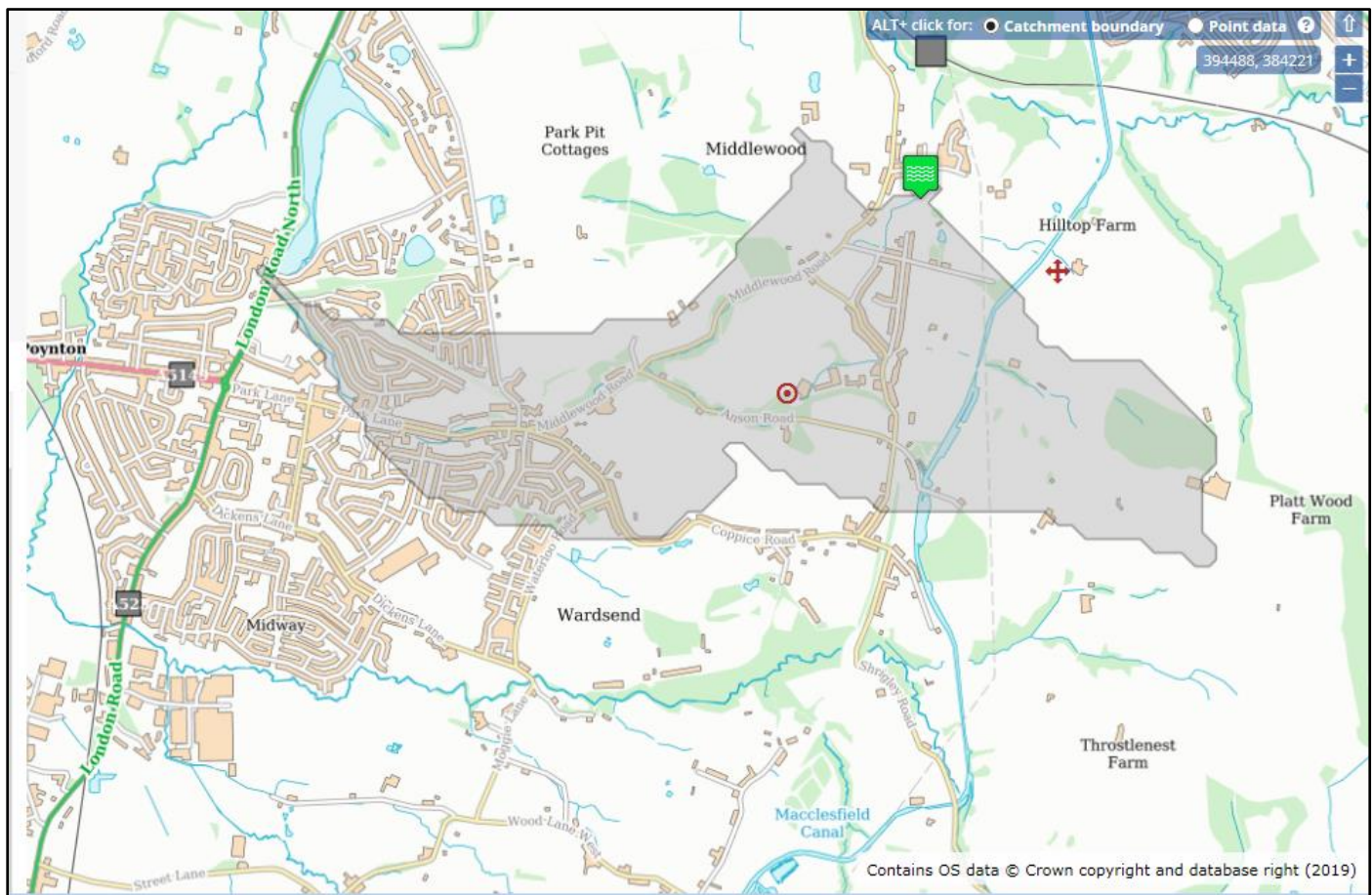
4.1.6 Description of flooding for Park Lane Stream (ordinary watercourse) (including Higher Poynton)

Flooding occurred on 31st July, with a further weather event occurring on Friday 9th August 2019.

Flooding on the 31st July in Poynton related to Main River, surface water and local drainage systems; on the 9th August flooding was a result of surface water and local drainage systems.

The ordinary watercourse capacity throughout Poynton has an annual exceedance probability of between 5% - 3.3%. This means that the system will be surcharged and flood following a storm with a magnitude greater than 5% AEP or a 1 in 20 year return period. This means that based on current data the probability of the system flooding for any one year is 5%

Figure 20 Indicative natural catchment of Park Lane Stream



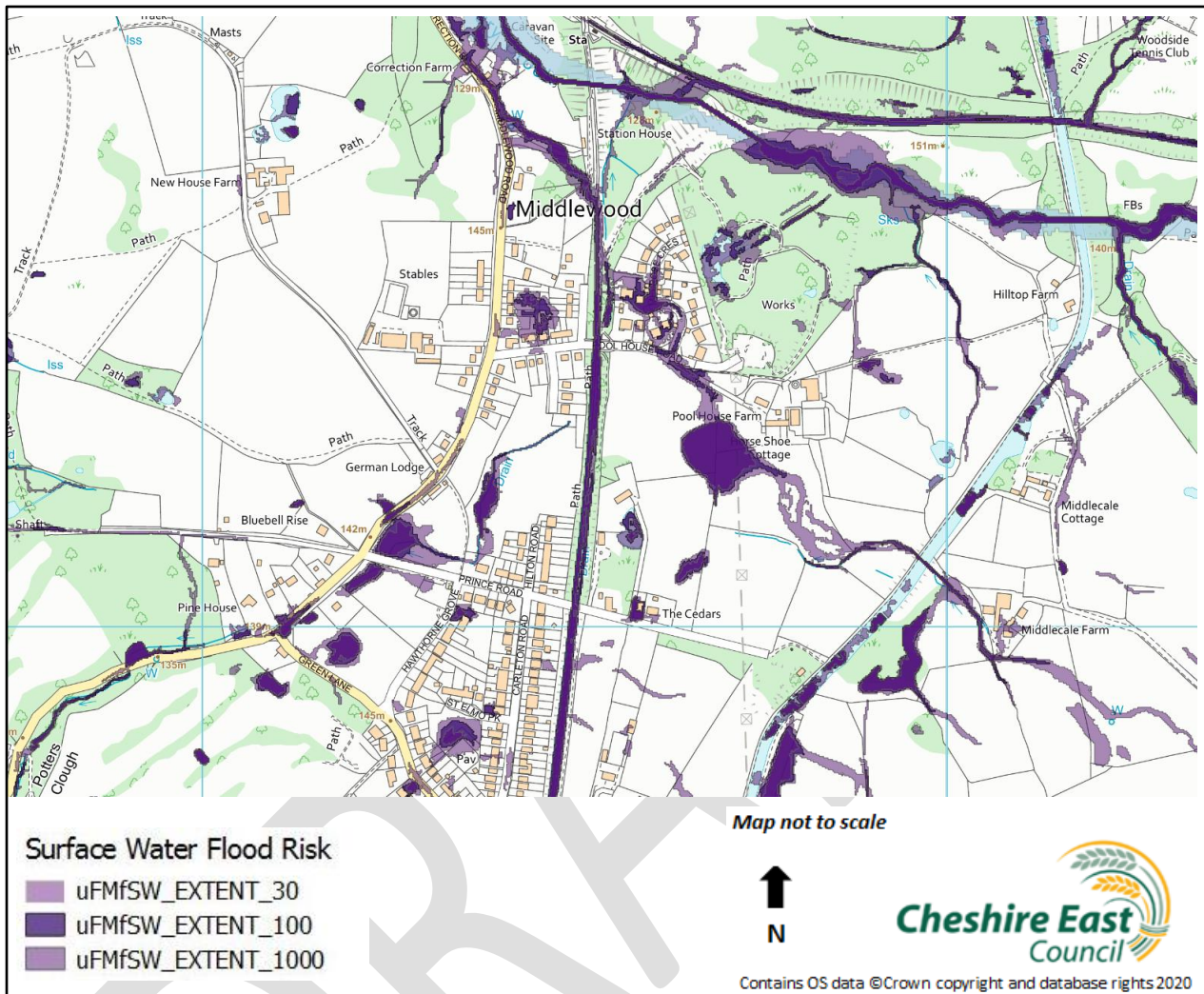
In Higher Poynton the catchment of Park Lane stream extends East beyond the Macclesfield canal as shown in the figure above. The river flows west following the natural topography of the land making its way across the surface, land drains and through the soil and rocks underground.

Water ponds at Pool House farm, in a natural depression. There is a land drain across Pool House farm that drains west under the Middlewood Way (the old Railway) to join the open watercourse in fields towards the end of Hilton Road, this then flows south towards Prince Road and then west towards Middlewood Road. When the capacity of the drainage channel and the natural depression at Pool House farm is exceeded; excess water flows overland to the north following the ground levels. By flowing north, eventually down to the Middlewood Way the flood waters move into the neighbouring catchment of Norbury Brook.

As the watercourse flows downstream, a depression in the field to the north of Prince Road fills with water. Frequent flooding here is due to the post-industrial landscape and small culvert sizes in the drainage channels, and there may

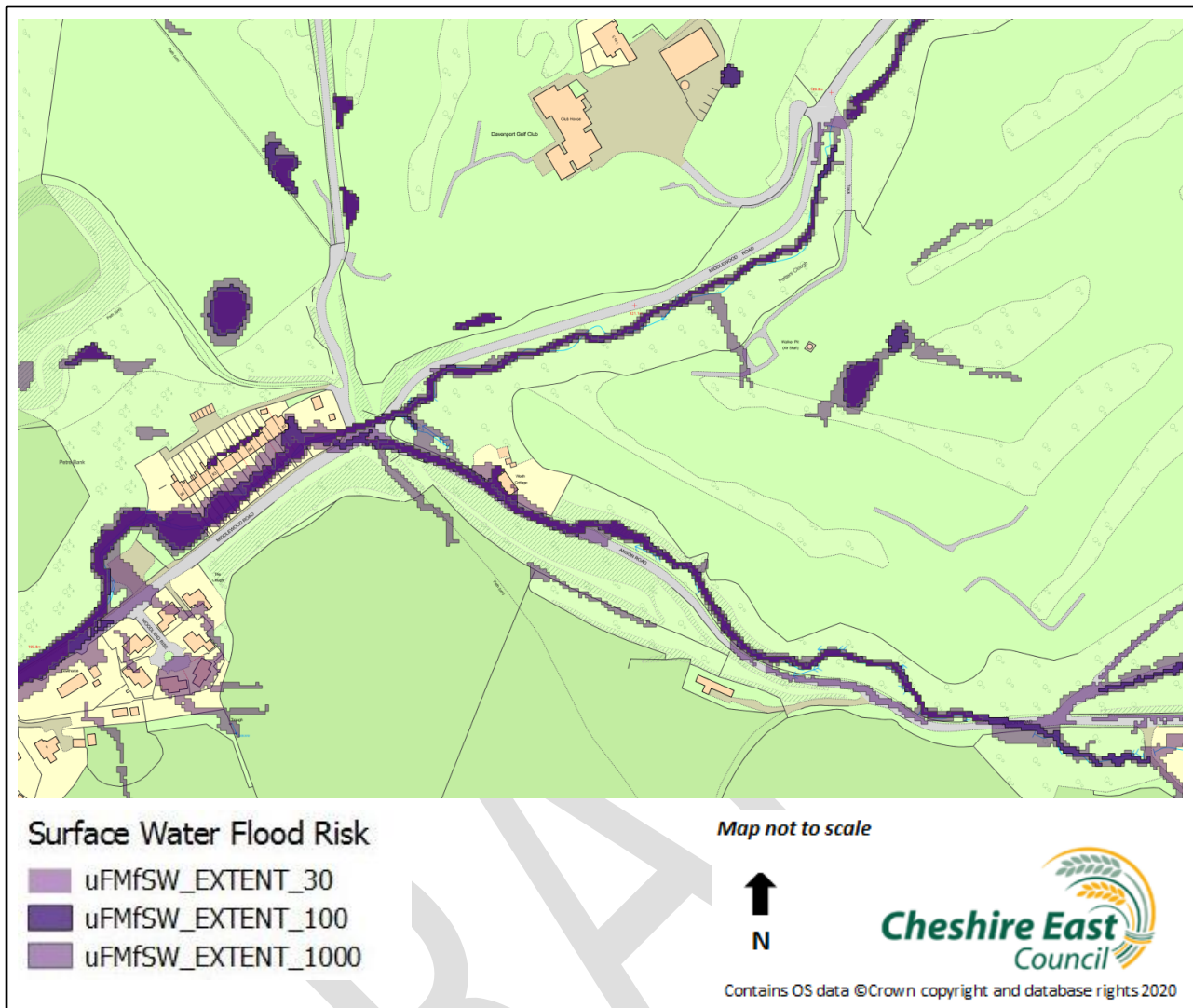
also be subsidence due to mining. The pond was formerly more extensive, named Richardson's Pool (1849 maps), later known as "German Pool". This fills as the channel outfall capacity is exceeded.

Figure 21 Flood Risk Map Middlewood Way area



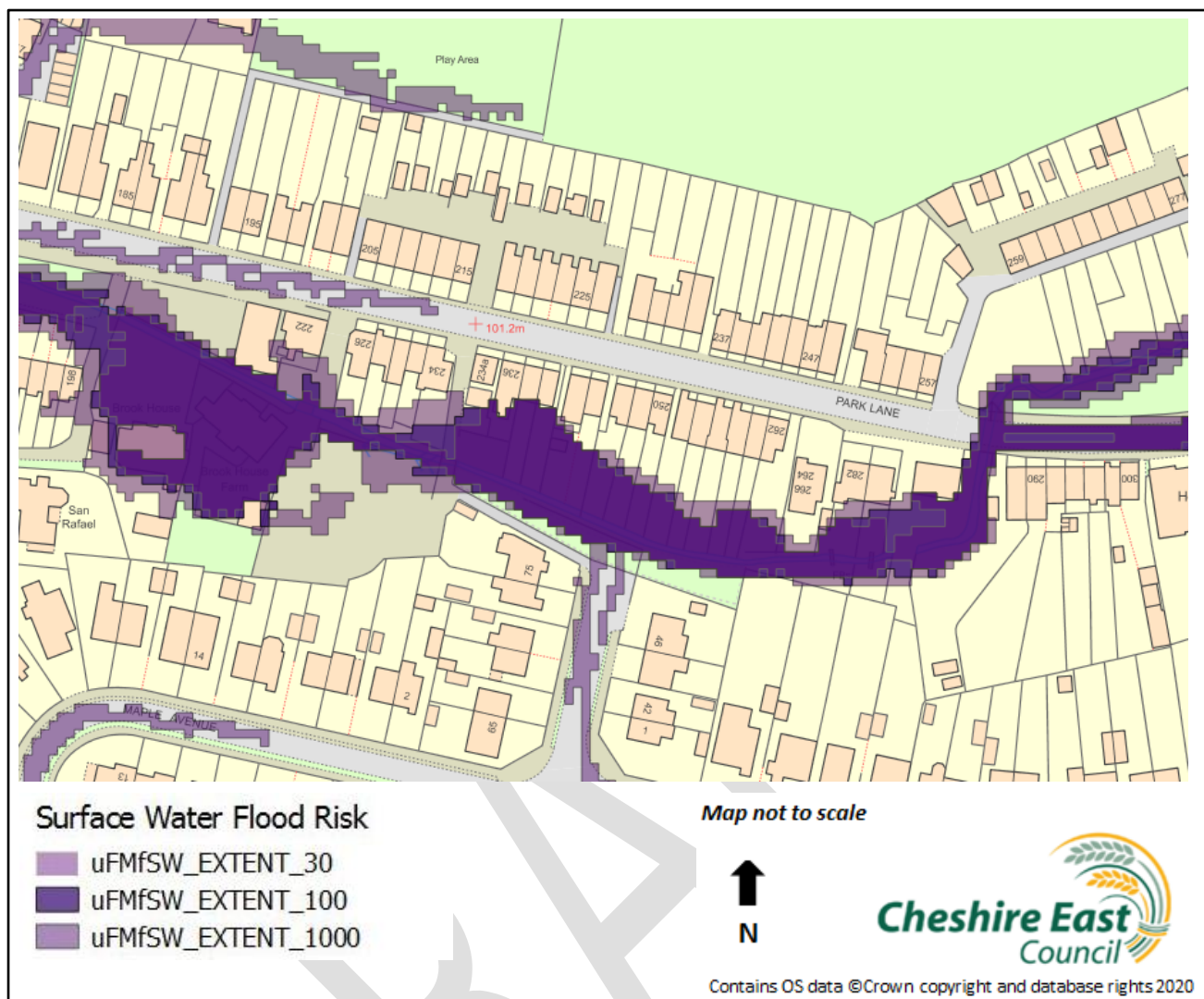
Downstream of this location the surface water continued to flow off saturated fields downhill onto Middlewood Road, which became a channel for flood waters, overwhelming surface water drainage systems. Reports and footage of saturated surfaces (fields) generating large volumes of runoff were received in this area, as the capacity of the land to store water was exceeded. In some instances where properties are located downslope, flooding occurred.

Figure 22 Flood Risk Map Middlewood Road / Anson Road area



Park lane Stream flows in a westerly direction, flowing to the north of Middlewood Road, crossing under Towers Road and flowing parallel to Park Lane. Flood waters appeared to use the highway as an overflow channel, reducing flows along Park Lane stream. As the stream turns and flows south under Park Lane the two systems merged and downstream of this point, the combined flows resulted in out of bank flooding along Park Lane stream affecting properties and business. Sewers were also overwhelmed in these areas driven by the high water levels in the stream and property owners directing flood water into the combined sewer. In this area the stream flows through a number of residential gardens.

Figure 23 Flood Risk Map Park Lane area

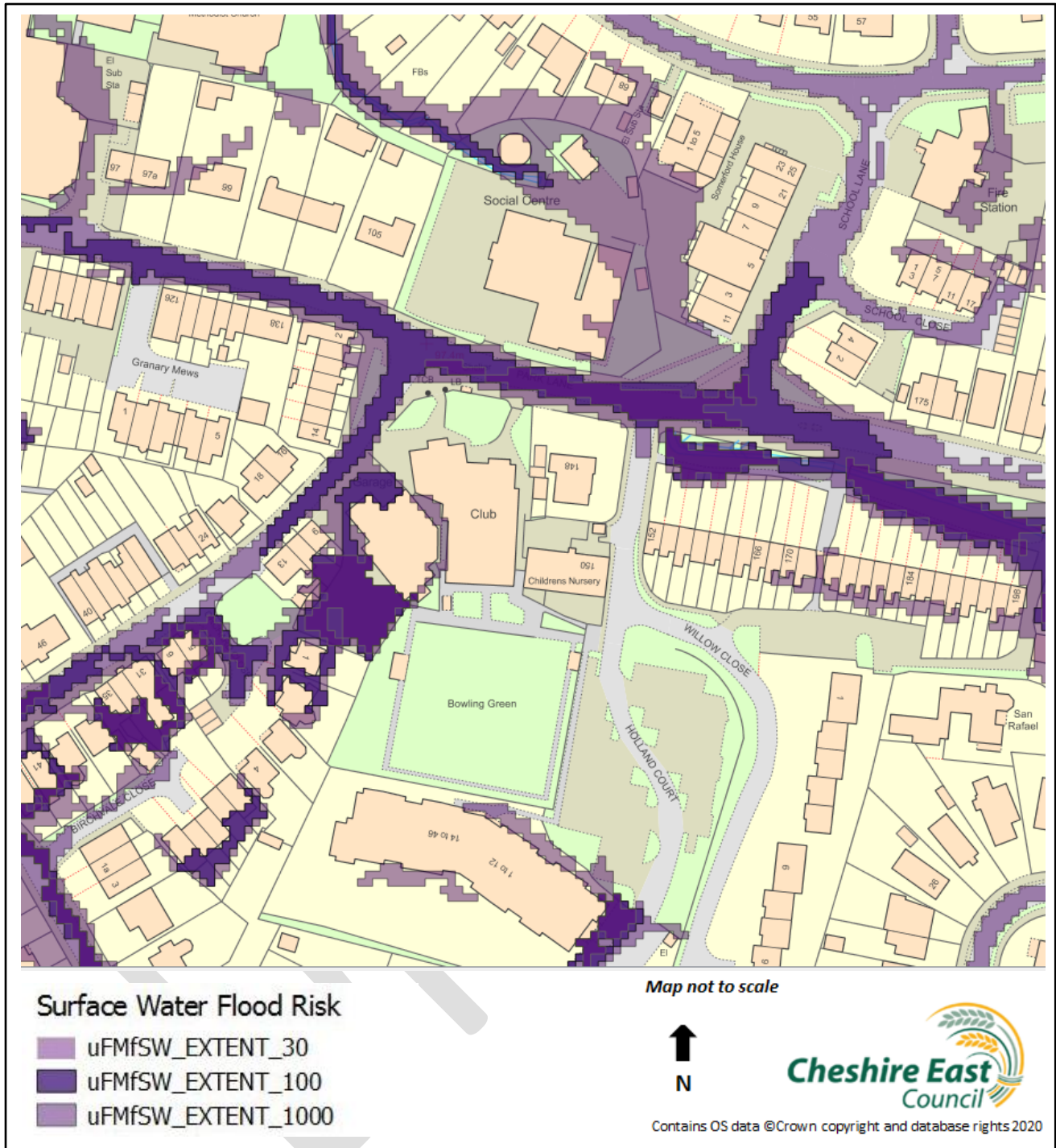


Park Lane stream continues to flow west towards Willow Close, this section surcharged and water flowed out of bank, following the ground levels to find the lowest point, down highways, footways and driveways towards properties and gardens. As the stream flows north in culvert around the social centre out of bank flooding was also reported.

Following the 2016 floods work was undertaken by the Council and local landowners to clear the channel and culvert under Willow close / Park Lane to increase the capacity in this location. The trash screen at this location is inspected and maintained by Cheshire East highways on a monthly basis and in response to storm events.

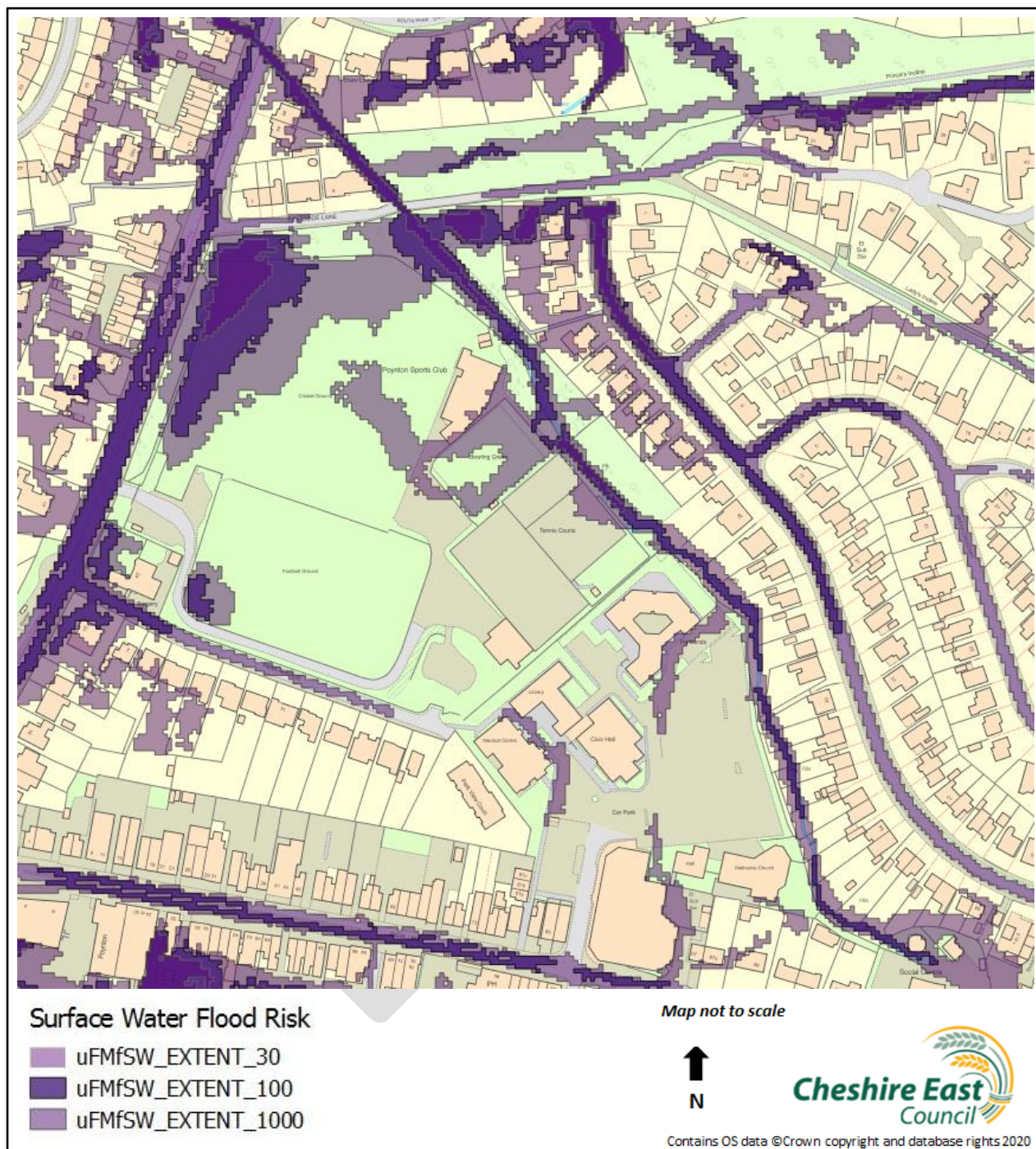
A combination of river water from Park Lane Stream and surface water flows south down Clumber Road. Foul flooding was also reported by local residents in this area, likely to be the result of inundation from river water directed to the sewer further upstream in the catchment. Evidence suggests that the flow paths indicated by the risk mapping and the ponding locations were closely matched during flood events.

Figure 24 Flood Risk Map Park Lane / Clumber Road area



The stream flows north through the gardens of a number of properties, then alongside Poynton Sports club, where it splits into two (bifurcates). A walkover of this area was undertaken after the flooding and wrack marks suggested that the risk maps provided a good approximation of the pattern of flooding experienced at this location.

Figure 25 Flood Risk Map Poynton Sports Club area



The main channel continues north to Woodside Lane and under London Road North towards Mayfair Close, with a secondary channel, which is largely culverted flowing a short distance north through a number of gardens to discharge into Poynton Pool. This channel has been observed a number of times since the 2016 event, and was blocked temporarily without consent from Cheshire East Council in 2017. Since this date the system has been passing a flow, allowing excess water from the channel to flow to Poynton Pool. Access onto this riparian system is

limited. Cheshire East Council is proposing to locate an additional access chamber to allow flows to be monitored on Woodside Lane. If feasible this channel will be utilised to divert some surface water flows from the main channel, this work will be undertaken in partnership by Cheshire East Council and United Utilities.

Figure 26 Bifurcation of Park Lane stream towards Poynton Pool



As the river emerges from underneath London Road the river flows downstream through residential gardens through a metal trash screen and into a bifurcated culvert system underneath Mayfair Close and Tulworth Close. These structures remain the maintenance responsibility for the riparian owner at this location.

The main flow of water is directed north under Mayfair Close, then west under residential gardens to a section of open channel at Glastonbury Drive. The second, an overflow channel flows west through gardens to Tulworth Road where it flows north to rejoin the main flow. The maintenance of these systems remains the responsibility of the property/land owners, predominantly the local residents, where these culverts flow under a section of adopted/public highway this would be the responsibility of Cheshire East Council. Without prejudice, Cheshire East Council undertook a through clean of this culvert system removing several tonnes of silt and debris in Spring 2020. No defects were found on this system at this time.

Figure 27 Ordinary watercourses near Glastonbury Drive

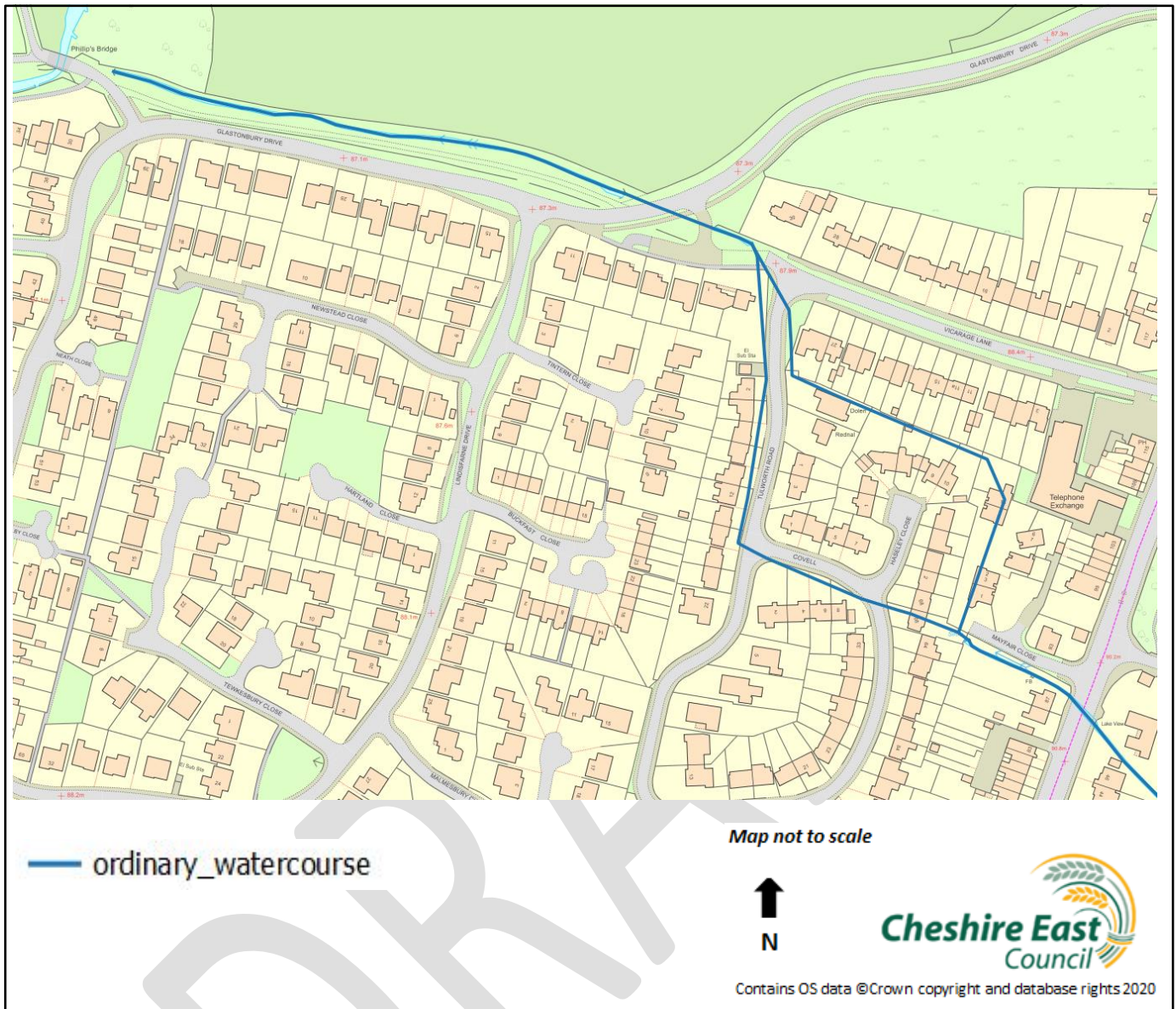
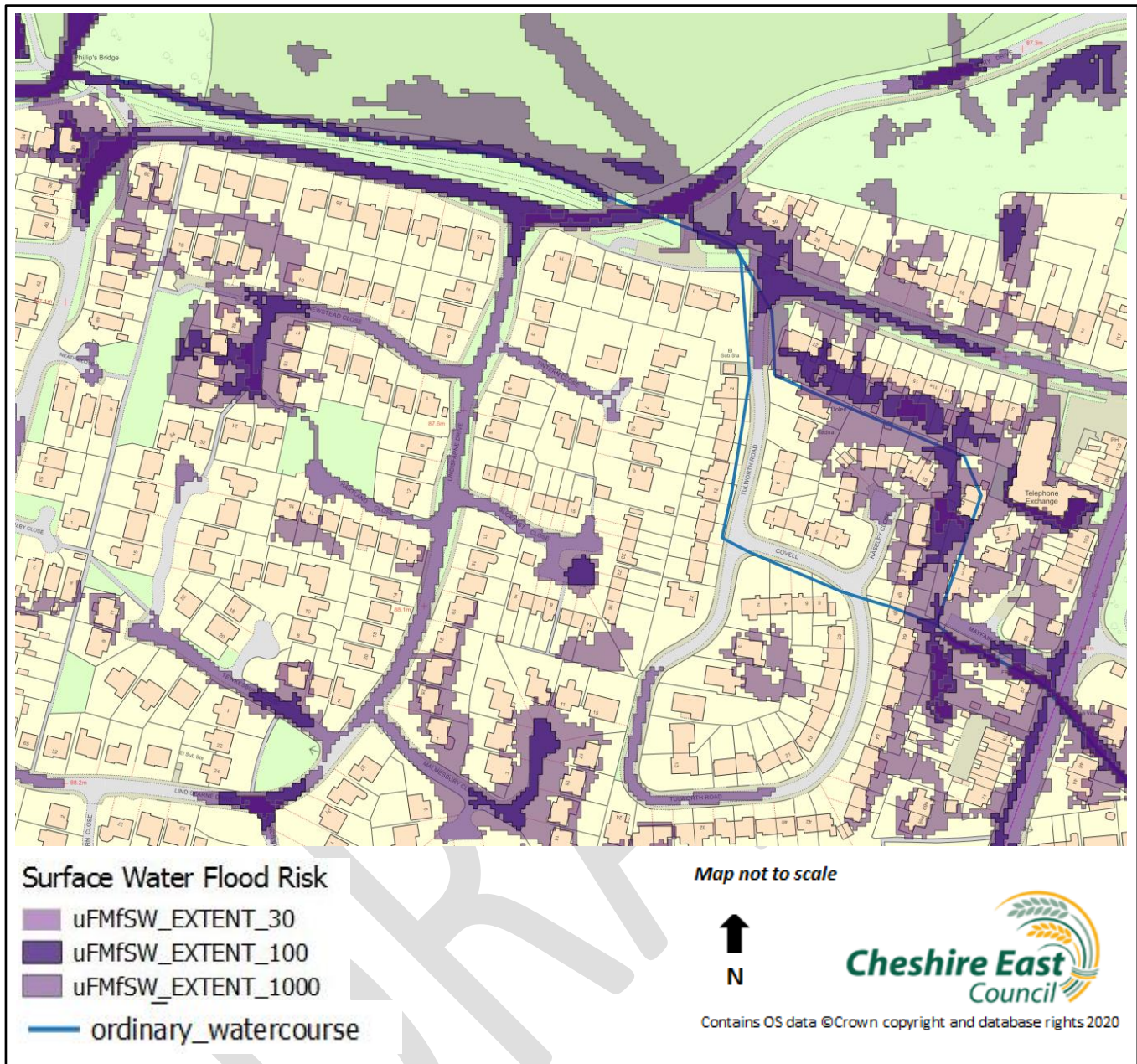


Figure 28 Flood risk near Glastonbury Drive



The natural course of the river then flows west joining Poynton Brook at Phillips Bridge. The natural overland flow routes across the adjacent fields show the paths floodwater is expected to accumulate and flow.

During flood events residents have reported that a small channel cut into the banks of the channel alongside Glastonbury Drive helped to divert water back into the channel and onto adjacent land to the north.

Figure 29 Flood routes to Poynton Brook north of Glastonbury Drive

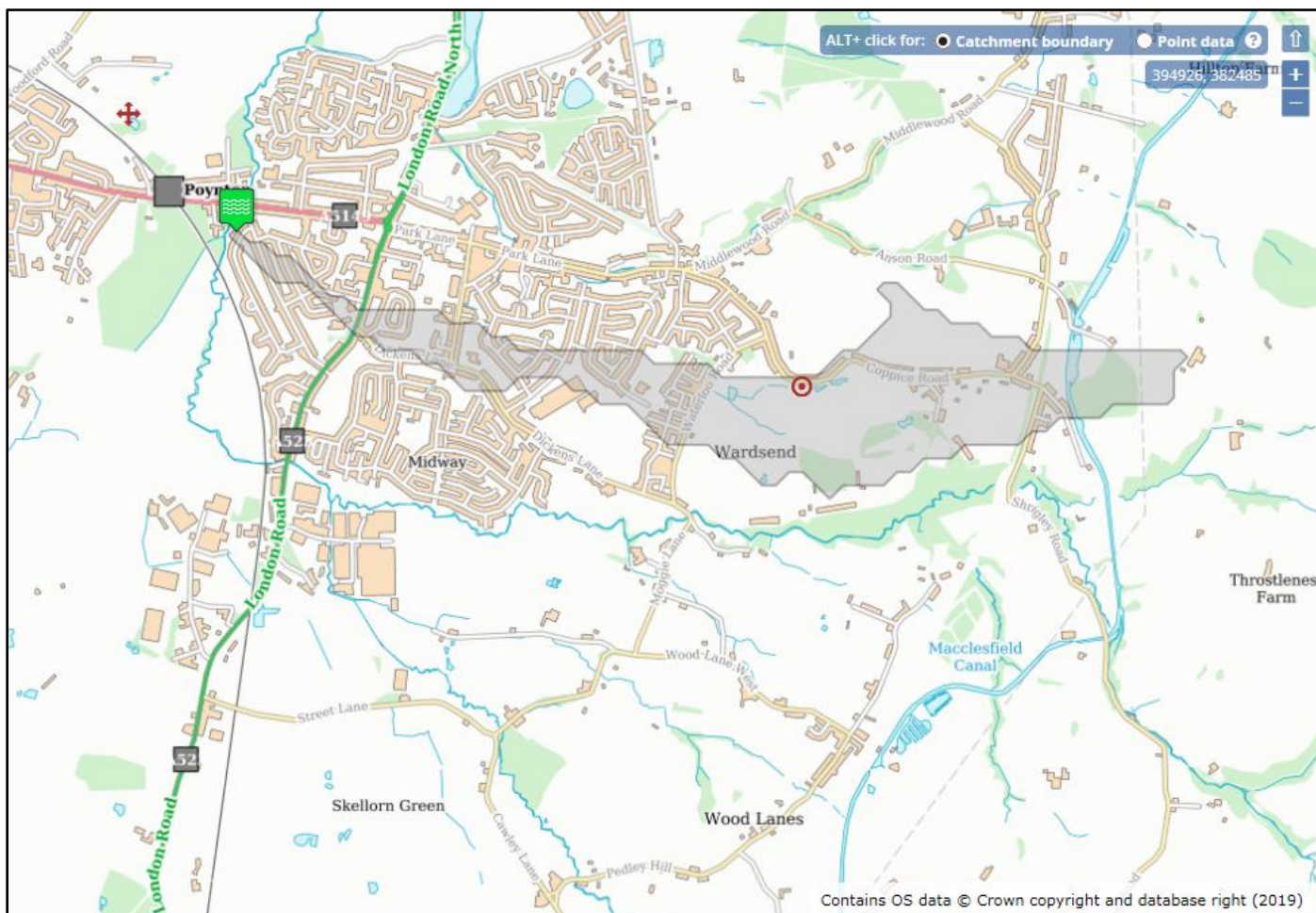


4.1.7 Description of flooding for Coppice Stream (ordinary watercourse)

Flooding occurred on 31st July, and a further (smaller) weather event occurred on Friday 9th August 2019.

The ordinary watercourse capacity throughout Poynton has an annual exceedance probability of between 5% - 3.3%. This means that the system will be surcharged and flood following a storm with a magnitude greater than 5% AEP or a 1 in 20 year return period. This means that based on current data the probability of the system flooding for any one year is 5%.

Figure 30 Indicative natural catchment of Coppice Stream



The headwaters of the ordinary watercourse, Coppice Stream are in Poynton Coppice and the adjacent agricultural land. The watercourse flows East via a number of small ponds towards Waterloo Road where it then splits and flows in culvert under neighbouring residential estates for a considerable distance. The lower part of Coppice Stream is diverted from Easton Close (via Kettleshulme Way and the Worth Primary School) in culvert to Poynton Brook. Surface water and watercourse flooding occur in these locations. Anecdotal evidence suggests that historically land use management practices upstream were more beneficial at slowing the flow and that more water may have been stored upstream of Waterloo Road.

The second culverted section joins with United Utilities sewers to flow towards Pine Walk and Cherry Tree Avenue. During extreme rainfall events flooding is reported in these areas as the systems below overwhelmed, and as overland flow from the school playing fields flows Eastwards.

Although this natural watercourse is now in culvert/sewers the land levels may still reflect the natural drainage paths as highlighted on the flood risk maps. In heavy rainfall, it is expected that water will still flow to these topographical low spots.

The culverted watercourse continues to flow East, following Ivy Road, Holly Road towards Clumber Close where there are two sections of daylighted or open watercourse. When capacity in the culvert is exceeded, water may surcharge from this system. Flooding occurred in this vicinity from a combination of surface water and ordinary watercourse flooding. Flood water is looking to rejoin the watercourse and flows via the easiest path to rejoin the watercourse at Vernon Primary School.

Coppice Stream then continues to flow East to London Road South, along Queensway, crossing both Clifford Road and Brookfield Avenue before joining the Main River to the East of the railway line.

Flooding occurred at downstream locations where local drainage systems were unable to discharge due to elevated Main River levels. Further upstream flooding occurred, because the runoff generated by the significant rainfall, exceeded the design capacity (size) of the pipes.

Figure 31 Coppice Stream, Waterloo Road, Worth Primary School area

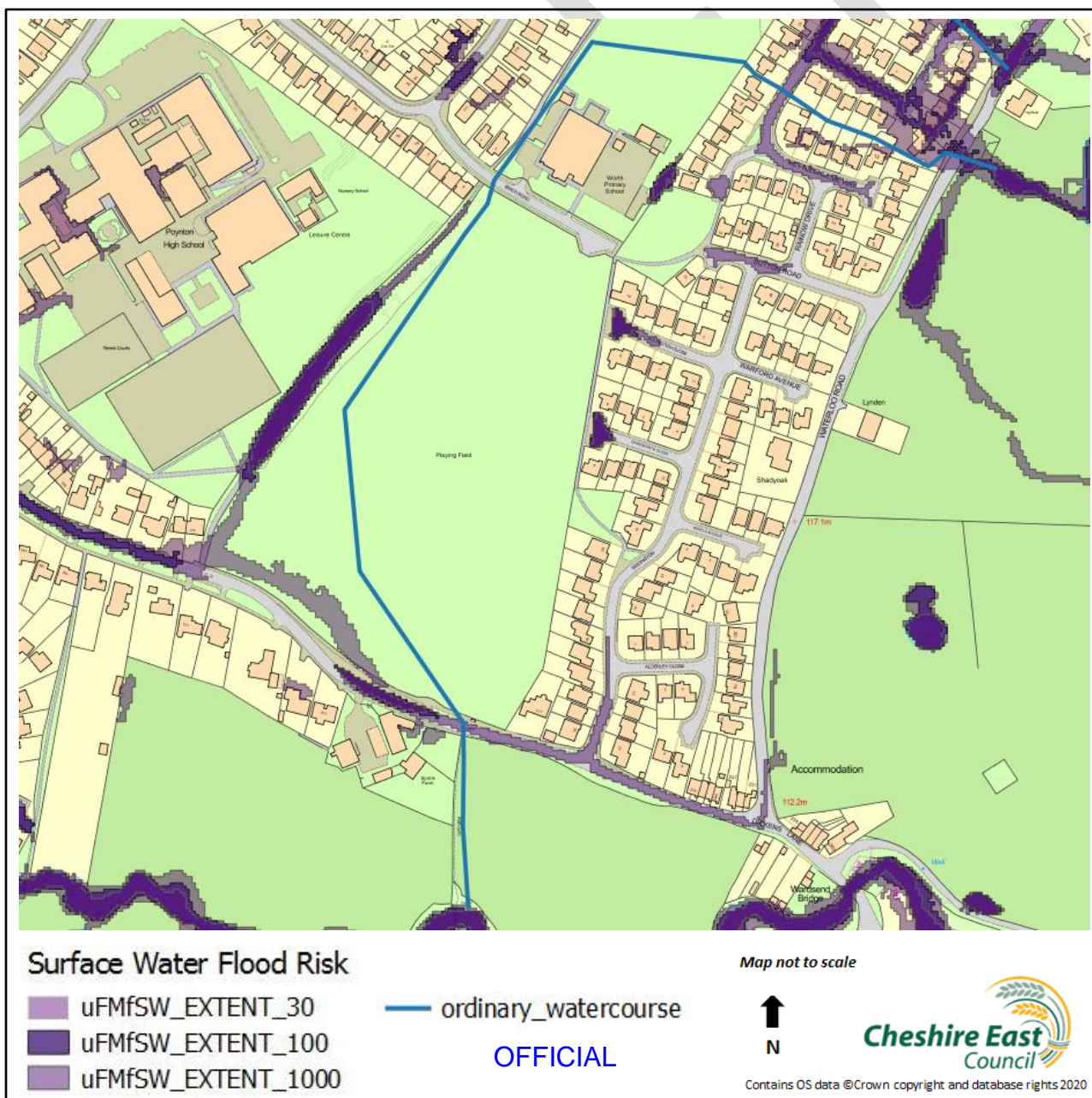


Figure 32 Coppice Stream, Ivy Road, Holly Road, Clumber Close area

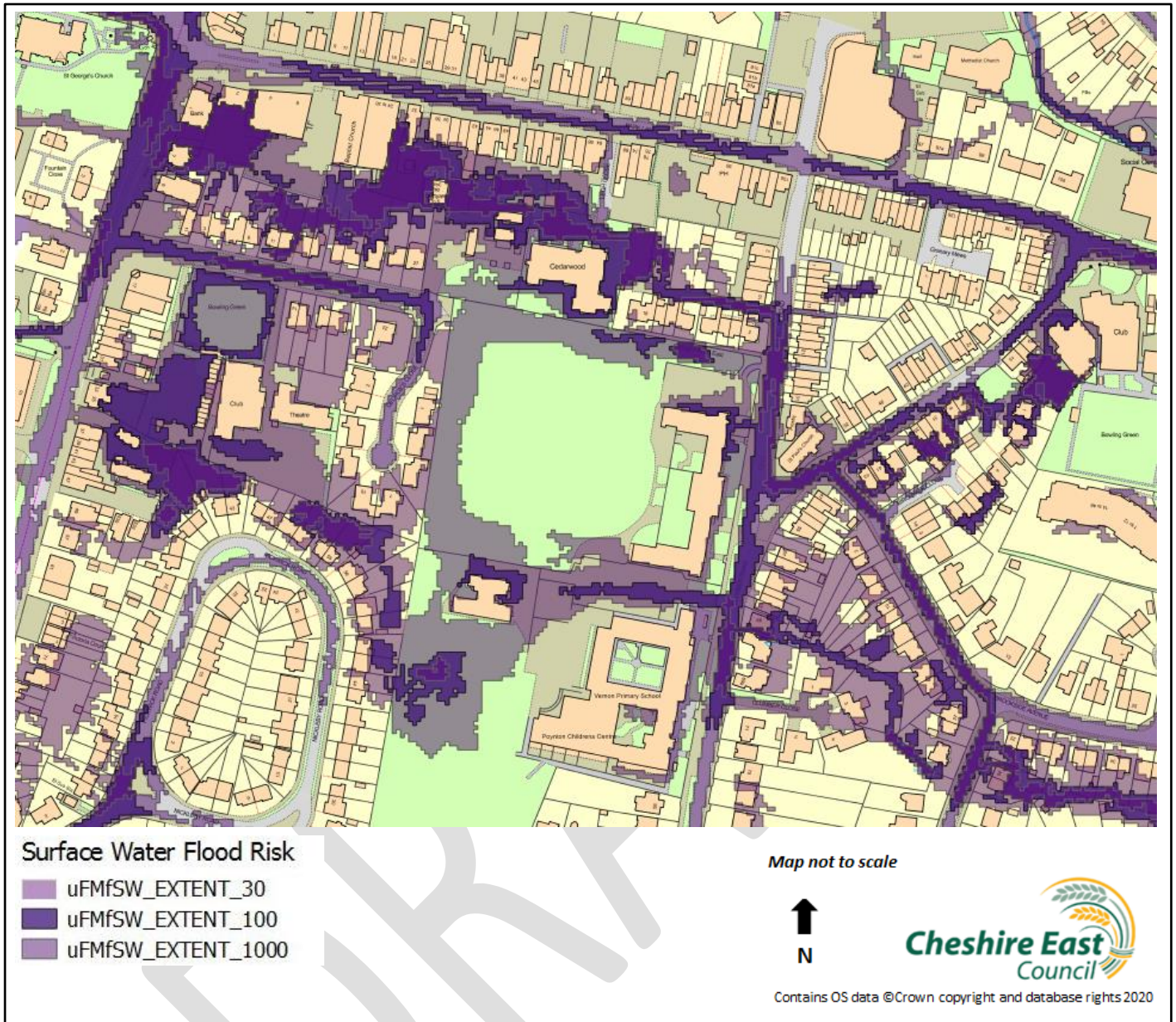
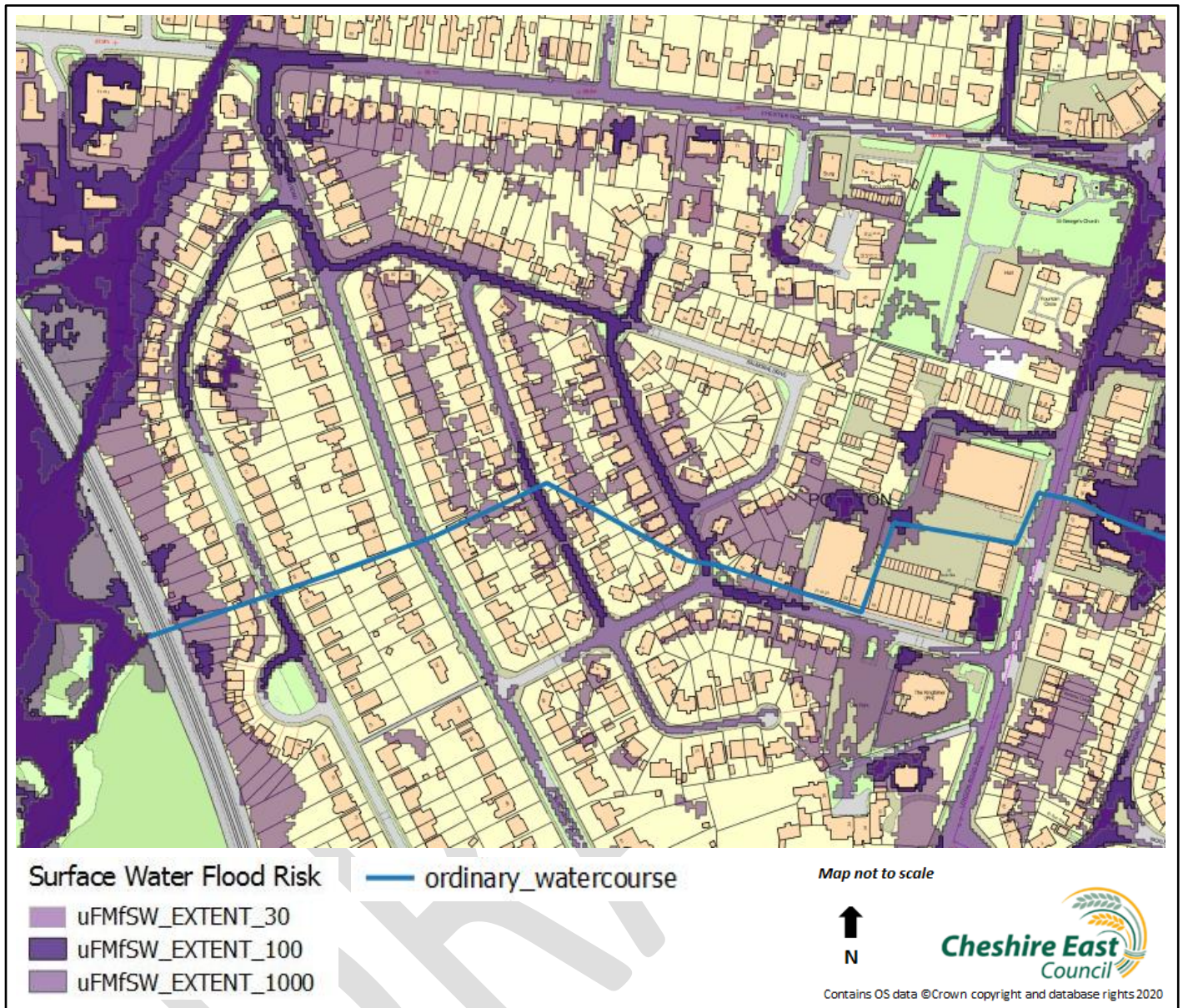


Figure 33 Coppice Stream indicative path shown as blue line



4.1.8 Description of flooding for unnamed ordinary watercourses around Poynton Pool

Flooding occurred on 31st July, a further smaller weather event occurred on Friday 9th August 2019.

A number of unnamed ordinary watercourses drain into Poynton Pool, the bifurcation stream from Park Lane stream and others along South Park Drive, Anglesey Drive and from the pond on Towers Road. In these areas flooding was reported from various mechanisms including surface water, sewer and ordinary watercourse. Teams from Cheshire East Highways and United Utilities are working with residents to resolve these issues.

Poynton Pool discharges via a culvert into Poynton Brook, Main River. Poynton Pool is maintained by Cheshire East Council in line with its duties under the Reservoirs Act, 1975.

The reservoir was surveyed in October 2019 and improvements are currently being made to the outfall which flows through adjacent farmland discharging into Poynton Brook to allow for the system to be drawn down in extreme events. The natural catchment of Poynton Pool is limited and the feature has not been designed as a flood defence feature.

Figure 34 General arrangements at Poynton Pool Reservoir

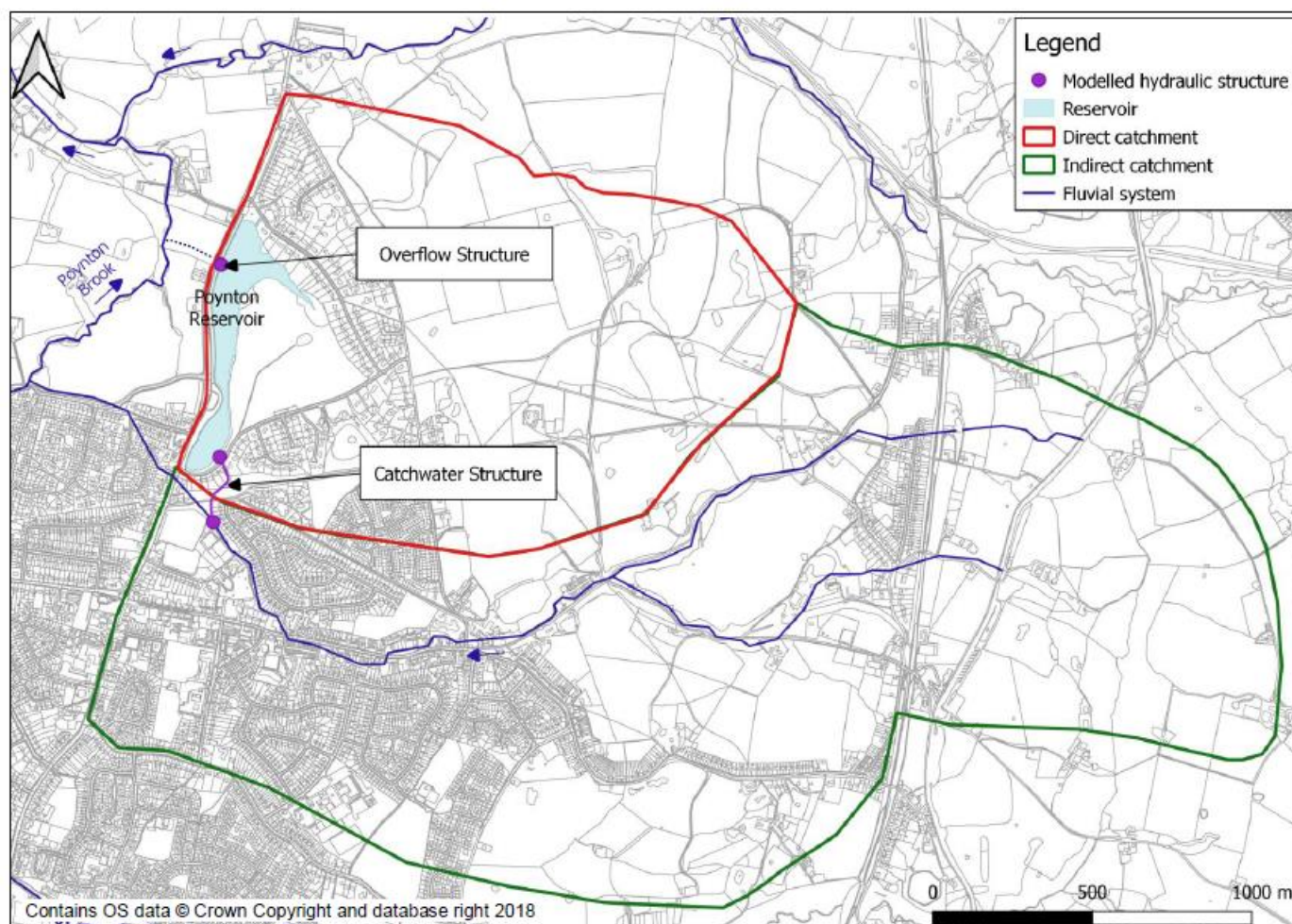
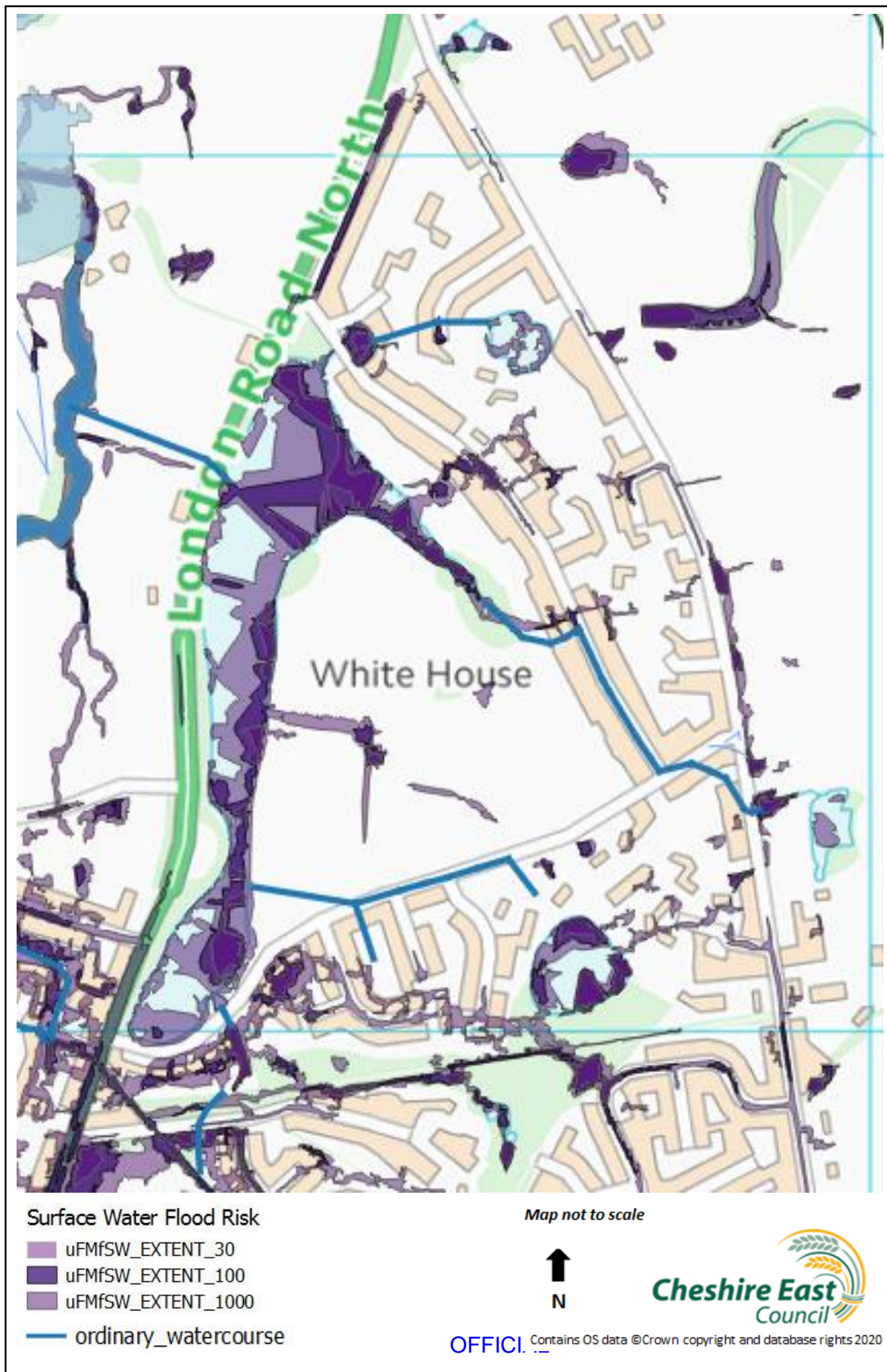


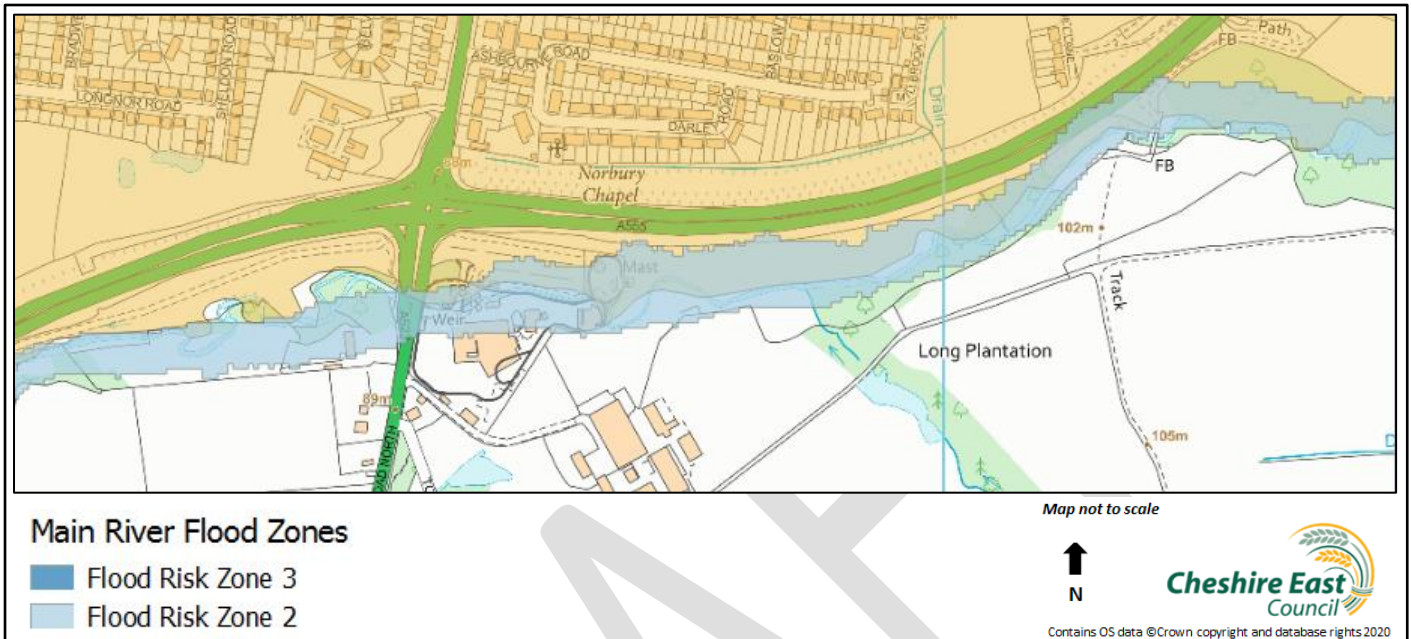
Figure 35 Flood Risk maps and ordinary watercourses around Poynton Pool



4.1.9 Description of flooding for Norbury Brook (Main River) within Cheshire East

Flooding was experienced adjacent to Norbury Brook, which is a Main River, where water left the main channel and floodplain flows spilled through a local garden centre. The flooding associated with the Norbury location is being investigated further by Cheshire East Council, Stockport Borough Council and the Environment Agency.

Figure 36 Norbury Brook Floodzones 2 & 3 (Land shaded orange falls within Stockport Borough Council)



Further downstream no obstructions to flow was reported at the A555 bridge where Poynton Brook joins Norbury Brook, although the river level was high and spilling out of bank.

Photograph 2 A555 Bridge over Norbury Brook, image taken: 18:16 on 31/07/2019



4.1.10 Poynton Brook - RMA Responses

Table 4 Response Timeline Poynton Brook Catchment

Date & Time	RMA	Response
28/07/2019 10:19	Environment Agency	Flood Warning issued for Poynton Brook at Wigwam Wood and parts of Armcon Business Park
28/07/2019 10:23	Environment Agency	Flood Alert raised for Middle River Mersey
28/07/2019 (various)	United Utilities	Attended 17 customer enquiries
29/07/2019	Environment Agency	Community Information Officers sent to Poynton to verify flooding following issue of Flood Warning on 28 July. No internal property flooding found.
29/07/2019 08:20	Cheshire East Highways	Attended site – emergency call out to Dickens Lane
29/07/2019 (various)	United Utilities	Attended 5 customer enquiries
30/07/2019 (various)	Cheshire East Highways	Attended 1 customer enquiry
31/07/2019 06:21	Environment Agency	Flood Warning issued for Poynton Brook at Wigwam Wood and parts of Armcon Business Park
31/07/2019	Environment Agency	EA Site Controller attended site
31/07/2019	Cheshire East Highways	Sandbags available from Poynton Town Council Civic Centre
31/07/2019 08:57	Environment Agency	Flood Alert raised for Middle River Mersey
31/07/2019	LLFA attended site	Investigating localised garden flooding
A major flooding incident has been declared		
31/07/2019 (various)	Cheshire East Highways	Number of calls / locations
31/07/2019	Cheshire East Council	Emergency refuge centre opened in Poynton
31/07/2019 (various)	Cheshire Fire and Rescue	Cheshire Fire and Rescue Service attended a total of 42 flooding related incidents in and around Poynton, Bollington and Wilmslow. Within Poynton crews had been to more than 20 incidents, including rescuing at least 11 people from flood water in the area
31/07/2019 (various)	United Utilities	Attended 27 customer enquiries
31/07/2019 13:00	LLFA attended site	Investigated flooding following the length of Park Lane stream from Middlewood Road to Poynton Brook.
31/07/2019	Cheshire East Highways	Staff deployed to remove log from culvert at Tulworth Road
31/07/2019 18:05	Environment Agency	Flood Warning raised Poynton Brook at Poynton and Midway
01/08/2019	Cheshire East Highways	Sandbags available from Poynton Town Council Civic Centre
01/08/2019	Environment Agency	Community Information Officers sent to verify flooding
01/08/2019 (various)	United Utilities	Attended 31 customer enquiries
05/08/2019	Environment Agency	Community Information Officers sent to verify flooding
07/08/2019	Environment Agency	Officers attended to survey properties flooded
08/08/2019	Environment Agency	Officers attended to survey properties flooded
15/08/2019 1-7pm	Multi-Agency	Multi-Agency Drop in session, Civic Centre in Poynton attended by approximately 300 residents

4.1.11 Poynton Brook Catchment - Site Specific Recommendations

Based on the analysis for July 2019 flooding events, the following actions are recommended to the locals RMAs.

Table 5 Recommended actions for the Poynton Brook Catchment

RMA	Recommended Action
Cheshire East Council and Stockport Borough Council	Investigate local flooding associated with Poynton garden centre from Norbury Brook location
Cheshire East Council	Work with Town Council and Flood Action Group to update Community Resilience plan for Poynton (held by Poynton Town Council and first established in 2015)
Cheshire East Highways	Investigate drainage on Dickens Lane, highway drainage, in conjunction with property East
	Investigate London Road (North and South) Completed March 2020
	Investigate Anglesey Drive drainage. Completed March 2020
	Investigate Clifford Road highway drains – discharge into Main River at Hazelbadge Bridge
	Investigate Brookfield Avenue – discharge to Main River
	Investigate Pickwick Road
	Investigate Dicken Lane/Yew Tree Lane
	Investigate Clumber road
	Reconstruct Wards End retaining wall. Due to be completed July 2020.
	Investigate drainage on Middlewood Road
	Proposed new access chamber on Woodside Lane. Meetings held on site Spring 2020 to seek feasibility with regards to local oil pipeline.
CEC as LLFA in conjunction with partners as applicable*	Investigate feasibility for a surface water separation (from sewer to watercourse) scheme upstream of Pine Walk/Elm Close/Cherry Tree Avenue at Worth Primary School

	Investigate feasibility of a surface water separation (from sewer to watercourse) scheme around Dickens Lane area
	Investigate feasibility of a “slow the flow” Natural Flood Management project for Coppice Stream – upstream of Waterloo Road, with partners and land owners
	Investigate feasibility of a “slow the flow” project for Park Lane Stream – upstream of Middlewood Road, with partners and land owners
	Assist with the investigation of the privately owned /riparian owned drainage system in the catchment upstream of Jacksons Brickworks.
Environment Agency	<p>As part of the post-flood recovery, EA teams went through main watercourse from Wards End Bridge to the Armcon Industrial Estate, and at key points and in the more built-up areas, removed flood wrack blockages to enhance conveyance. A similar process was undertaken further downstream at Wigwam Wood.</p> <p>The EA are also investigating the Main River capacity and bank heights at Armcon Industrial Estate.</p> <p>The EA have commissioned Cheshire Wildlife Trust to work with partners to implement NFM interventions upstream of Poynton.</p>

*(United Utilities/Environment Agency/Land owners)

4.2 Todd Brook Catchment

The image below show the extent of the Todd Brook river catchment.

Figure 37 Todd Brook Catchment

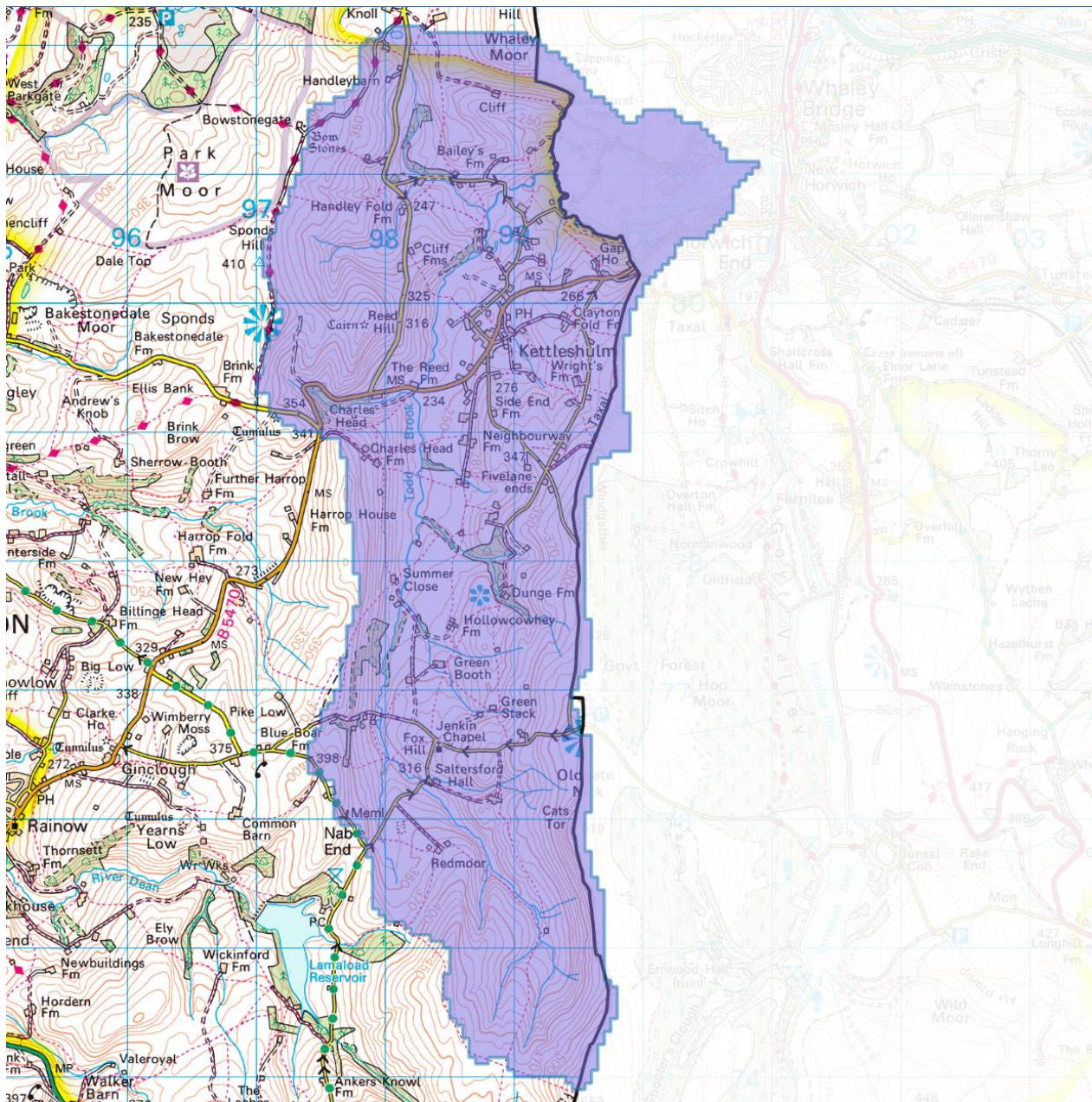


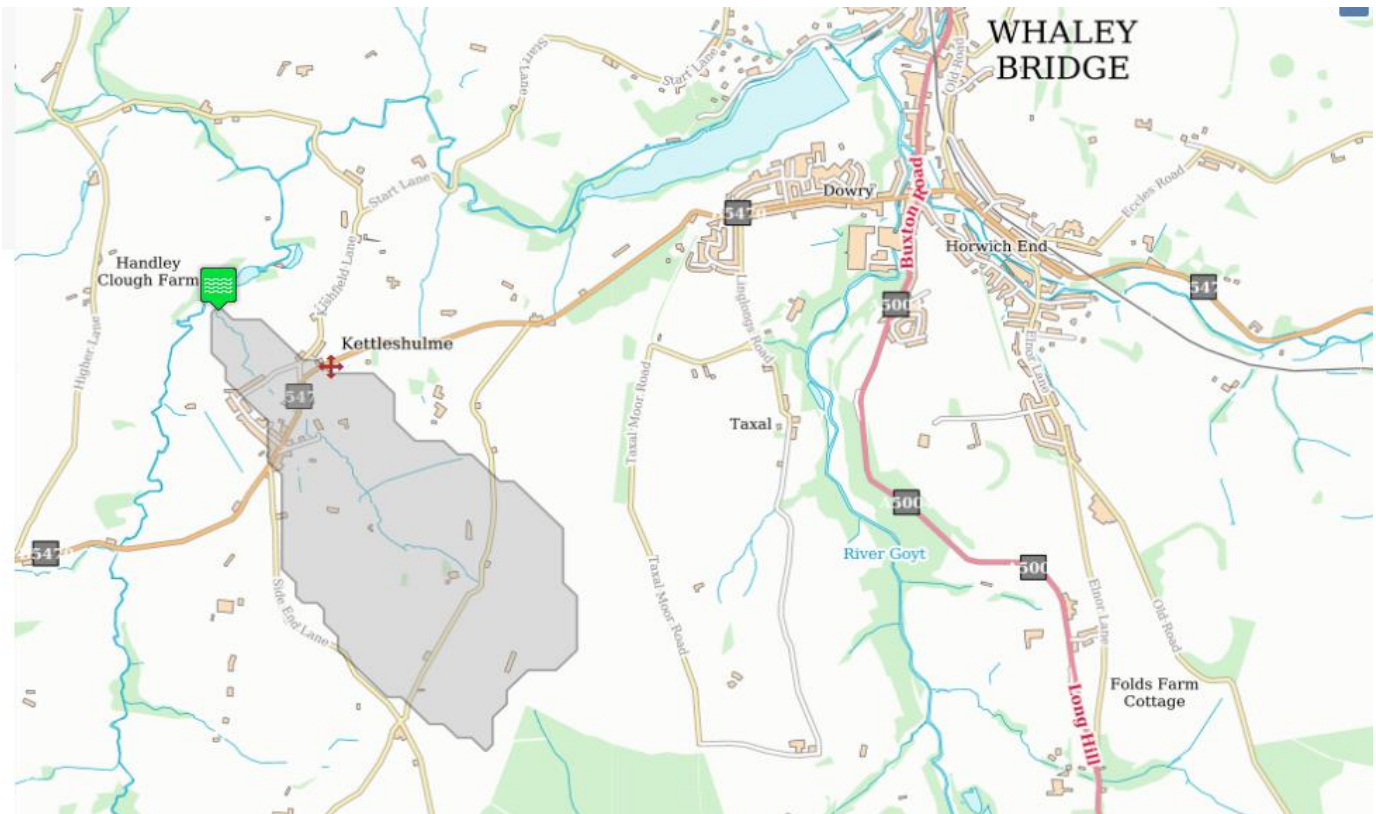
Table 6 Number of properties reported* flooding in Kettleshulme:

No. of properties reported*	July 2019
Residential flooding**	11
Commercial Flooding	3

*formally reported to the Lead Local Flood Authority, Environment Agency and/or United Utilities

** refers to reports of (internal property flooding, including integrated garages. This does not include: uninhabitable cellars, detached garages and gardens

Figure 38 Indicative catchment of tributary of Todd Brook



4.2.1 Description of flooding in Kettleshulme (ordinary watercourse and surface water):

Following days of rainfall, local watercourses swelled as water poured down from the local saturated hillsides into the un-named tributaries that feed Todd Brook. The catchment map indicates the area which gathers rainfall and drains downstream towards Kettleshulme into Todd Brook and ultimately towards Whaley Bridge. The Cat and fiddle Rain gauge, which recorded the most rainfall, is just upstream of Kettleshulme and the Todd Brook catchment.

Following a large cloud burst on the afternoon of Wednesday 31st July, the small watercourse quickly rose, residents reporting a surge as watercourses levels rose by 2-3feet. This level was sustained for a period of approximately an hour, before levels rapidly started to drop. The water flowed over land and down roads to reach drains and watercourses, which flowed down through the local pub and garden centre carrying huge volumes of debris and silt, eventually flowing down adjacent to a row of terraced houses, the water entered residential properties at this location, and the pressure of the water caused severe structural damage resulting in the need for the cottages to be evacuated, uninhabitable until repair works have been completed.

This was not the only area within Kettleshulme; a property reported flooding from local drainage, which also was overwhelmed following the cloud burst.

Figure 39 Indicative catchment of Todd Brook tributary through Kettleshulme

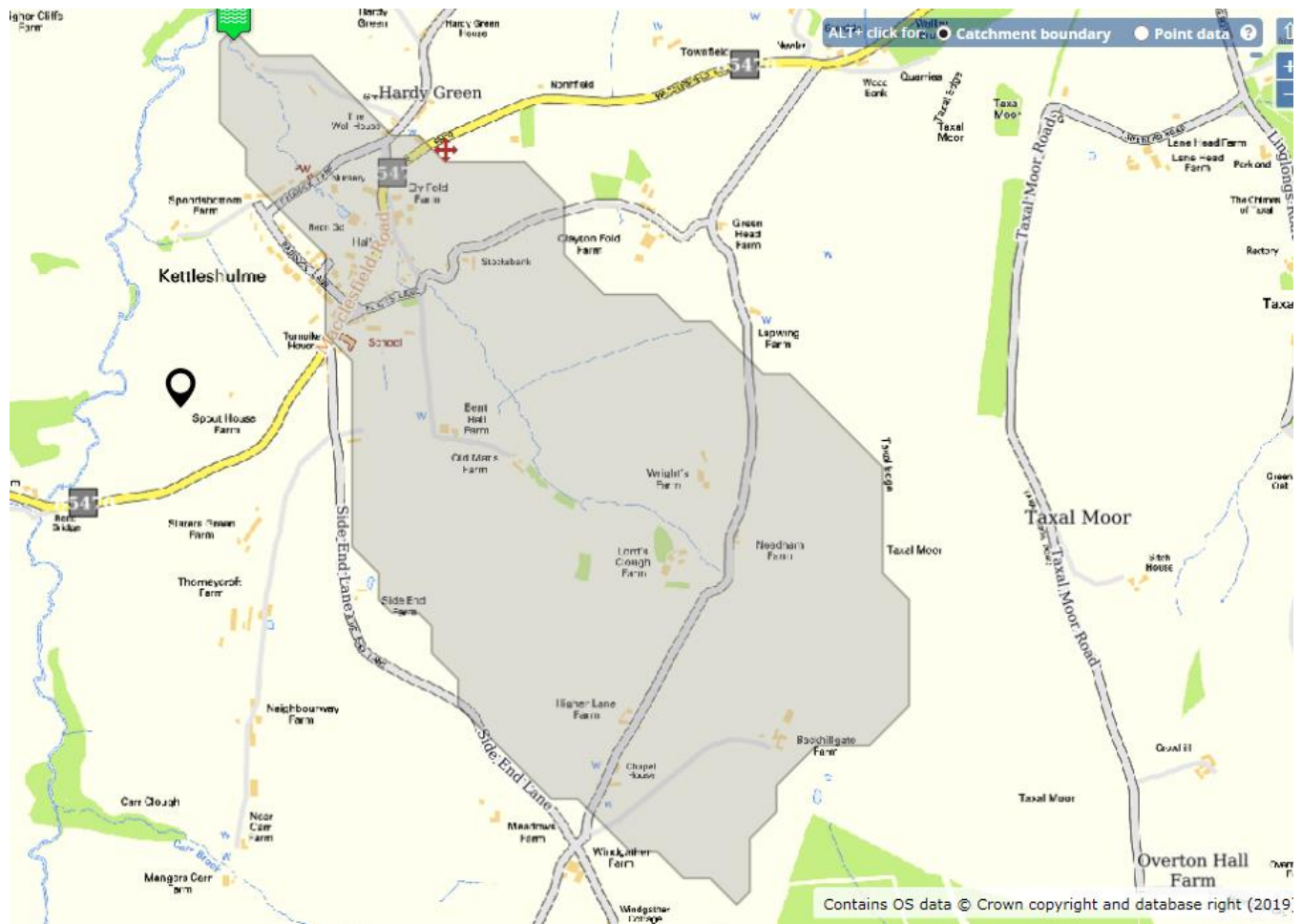
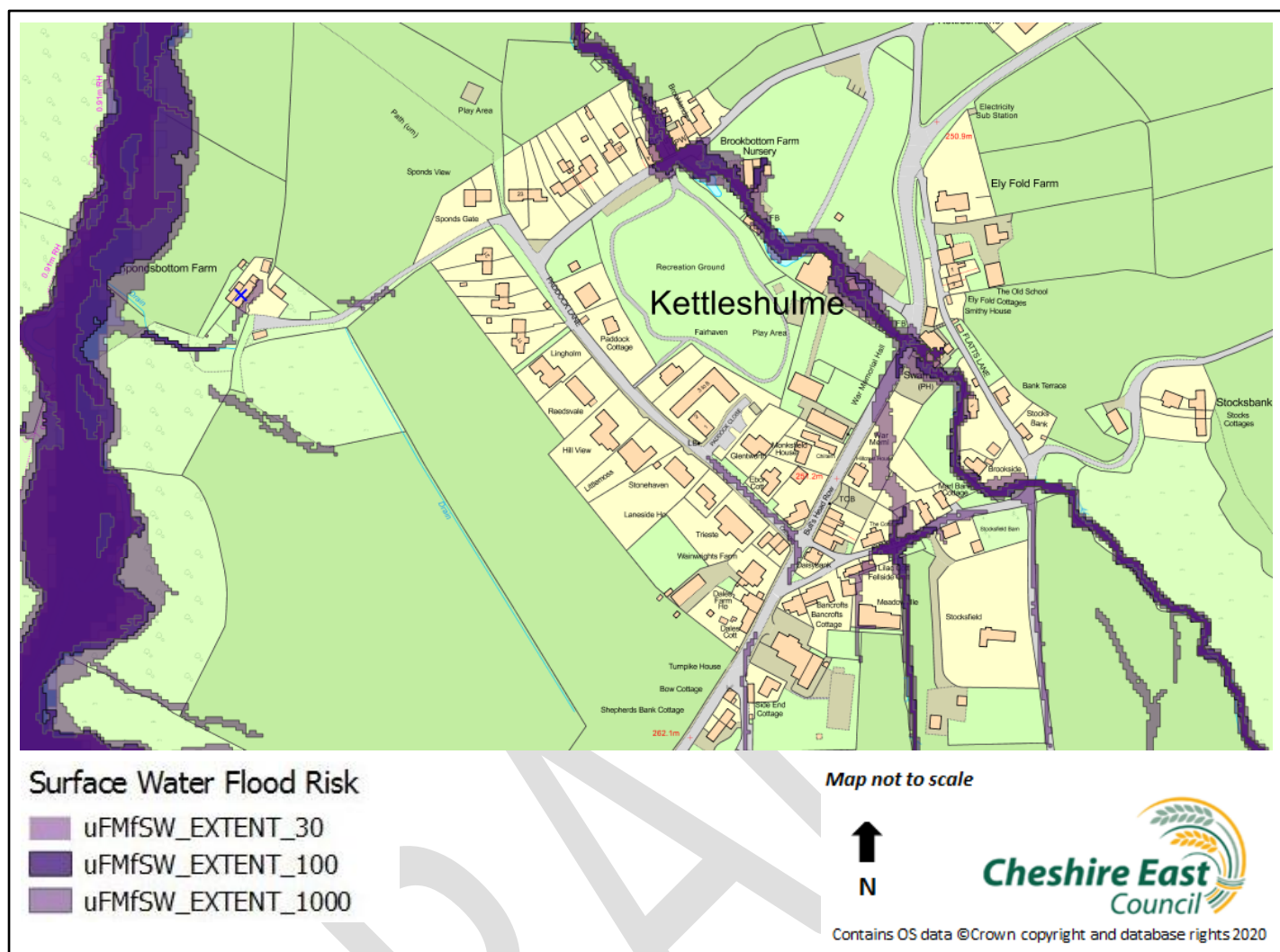


Figure 40 Flood risk for Kettleshulme



4.2.2 Todd Brook Catchment - RMA Responses

Flooding was not initially reported to the risk management authorities. Discussions have been undertaken with the Parish Council and residents who are now working with Cheshire Flood Resilience team at Cheshire East Council to ensure that a community resilience plan is in place now that the risk of flooding has been identified in this area.

Table 7 Response Timeline for Todd Brook Catchment

Date & Time	RMA	Response
31/07/2019	Cheshire Fire and Rescue	Not notified
31/07/2019	Cheshire East Highways	Not notified
04/09/2019 3-7pm	Multi-Agency	Multi-Agency Drop in session, Civic Centre in Bollington attended by approximately 80 residents
04/10/2019	Environment Agency	Site visit with NFM practioners to look at upstream Natural Flod Management (NFM) intervention options.
10/08/2019	Environment Agency	Community Information Officers sent to verify flooding on site.
25/10/19	Environment Agency and Cheshire East	Community Resilience meeting at Kettleshulme Parish Council
07/05/20	Environment Agency and Cheshire East	Virtual community resilience meeting with Kettleshume Parish Council

4.2.3 Kettleshulme, Todd Brook Catchment - Site Specific Recommendations

Based on the analysis for July 2019 flooding events, the following actions are recommended to the locals RMAs.

Table 8 Recommended actions for Todd Brook Catchment

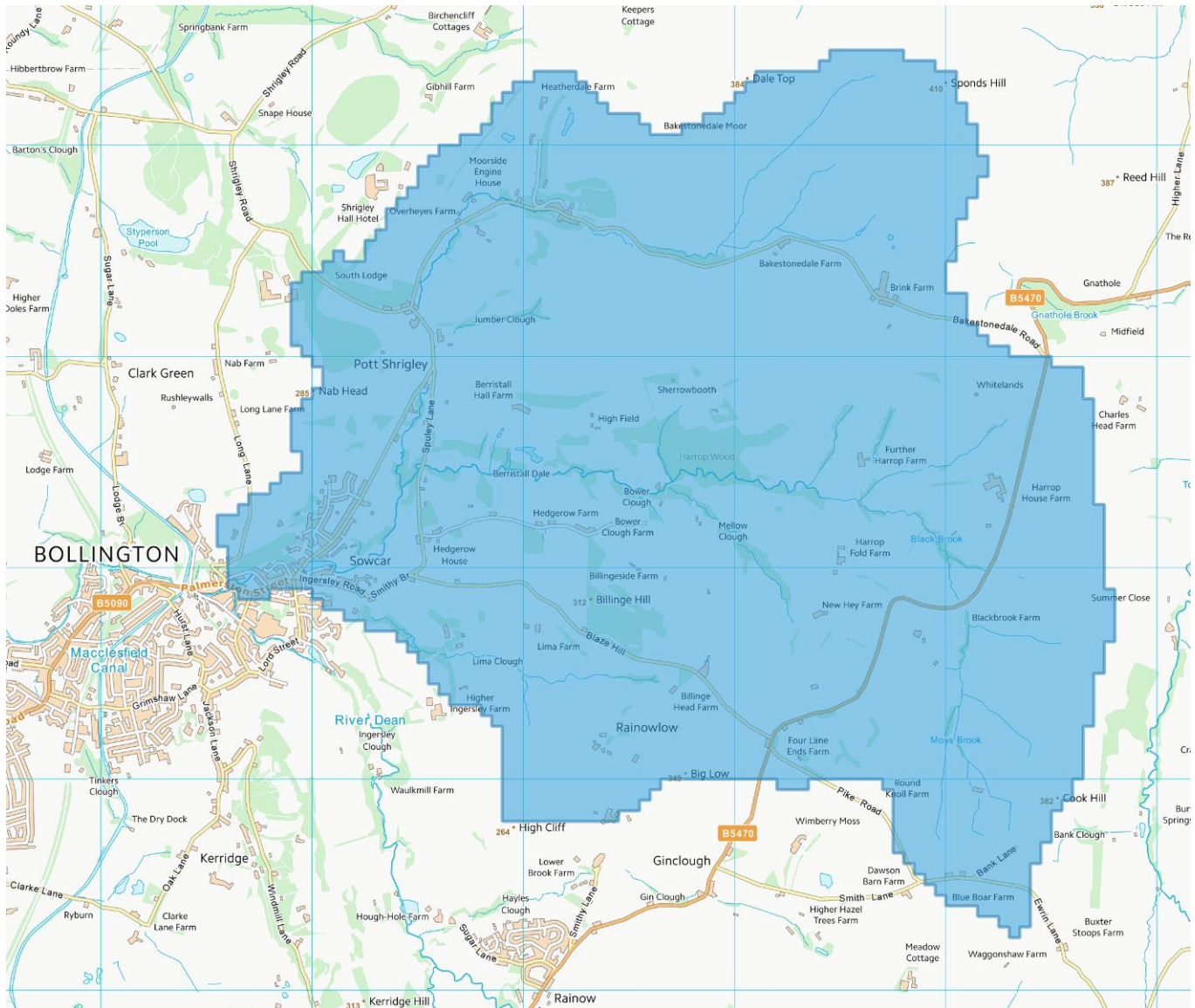
RMA	Recommended Action
Property Owners	Consider property level protection measures for those properties lower than adjacent land levels, and within a flood risk area where flow paths are identified on the flood risk maps. Advice can be provided by the LLFA and The Flood Hub: https://thefloodhub.co.uk/
Cheshire East as LLFA	Discuss and enforce where necessary the maintenance of local landowners drainage systems
Riparian Owners	Maintenance of local field drainage systems
CEC as LLFA in conjunction with partners as applicable*	EA instigated Natural Flood Management site visit. Work with local residents to ascertain land ownership. The EA have commissioned Cheshire Wildlife Trust to implement Natural Flood Management (NFM) interventions upstream of Kettleshulme.

*(United Utilities/Environment Agency/Land owners)

4.3 Harrop Brook Catchment

The figure below shows the extent of the Harrop Brook catchment. Harrop Brook joins the River Dean at Bollington and forms the River Bollin.

Figure 41 Harrop Brook Catchment



Flooding Mechanism: Surface water, Ordinary watercourse

Table 9 Number of properties reported* flooding in Harrop Brook Catchment

No. of properties reported	July 2019
Residential Flooding**	24
Commercial Flooding	4

*formally reported to the Lead Local Flood Authority, Environment Agency and/or United Utilities.

** refers to reports of (internal property flooding, including integrated garages. This does not include: uninhabitable cellars, detached garages and gardens

4.3.1 Description of flooding at Bollington (Ingersley Road) (Ordinary Watercourse flooding)

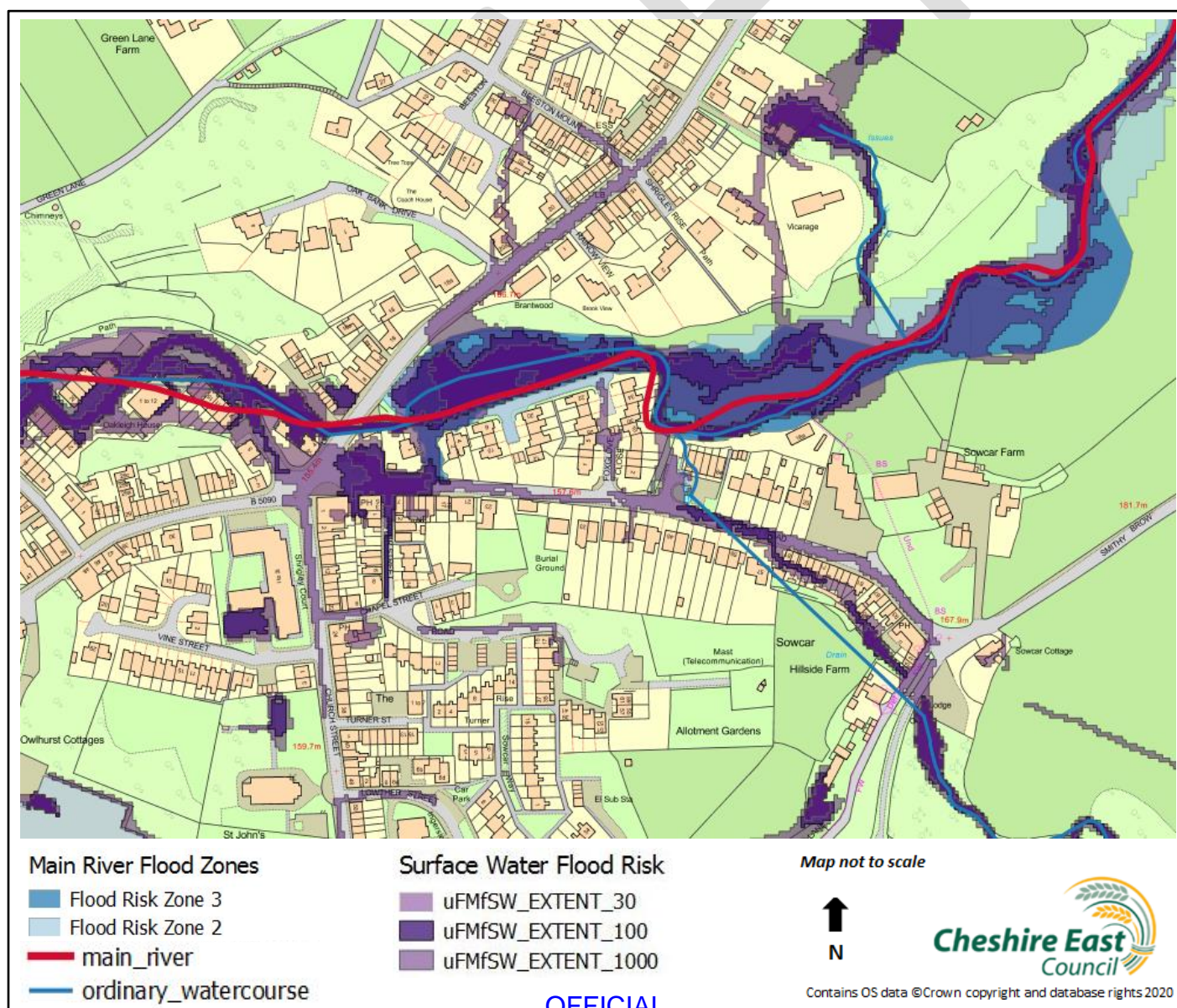
On Sunday 28th July a resident reported a crack appearing in Ingersley Road, they stated that the tarmac was lifting up along the crack and also the pavement appeared to have been lifted and sunk in places. It was stated that water was running out of these cracks down the road. This was reported to Cheshire East Highways, the Police and United Utilities. The site was inspected on Monday 29th July by the highways team. It was suggested to the residents that the culvert underneath the road surface may be blocked.

Following the torrential rainfall a section of Ingersley road was flooded by the early hours of Wednesday 31st July. The watercourse that runs under Ingersley Road Culvert, appears to have become obstructed during the flood event which resulted in a build-up of a large volume of water. Consequently the pressure built up to such an extent that the force of the water demolished the culvert and the surrounding road infrastructure.

Residents reported pumping flood water from outside the pub into the river, for 12 hours, using a number of pumps and from inside the pub to a local road gully. The road was closed with signs and cones on site.

Following the event significant levels of work are being undertaken to ensure that the water can flow freely along Ingersley Road Culvert. These works have now been completed. The restoration of this section of Ingersley Road entailed a significant level of work.

Figure 42 Risk map for Ingersley Road, Bollington



4.3.2 Description of flooding at Pott Shrigley

Property and carriageway were inundated with water when the river levels rose and flowed out of bank. Site visits have confirmed these to be in locations where culverts were surcharged. This appears to correspond to the sheer volume of water, and flood debris rather than any specific capacity related issues.

4.3.3 Harrop Brook Catchment – RMA responses

Table 10 Response Timeline Harrop Brook – July 2019

Date & Time	RMA	Response
29 th July 2019	Cheshire East Highways	Attended the site
31 st July 2019	Cheshire East Highways	Attended site, road was reported clear at 01:05am 01/08/2019
12 th , 13 th , 14 th August 2019	Environment Agency	Community information officers sent to Bollington to verify flooding Community information officers sent to Bollington to verify flooding
4 September 2019	Multi Agency	Multi agency flood drop in held at Bollington Civic Centre
7 th November 2019	Environment Agency	EA site visit to Pott Shrigley
27 th February 2020	Environment Agency	EA further site visit with Cheshire East

4.3.4 Harrop Brook Catchment - Site Specific Recommendations

Based on the analysis for July 2019 flooding events, the following actions are recommended to the locals RMAs.

Table 11 Recommended actions for Harrop Brook

RMA	Recommended Action
Cheshire East Highways	A condition survey is to be conducted on the ordinary watercourse from Mill Lane to outfall into Harrop Brook.
	Review the extent of erosion to the embankment and the effect it could have on the structure of the road (brook at Mitchelfold)
	Kerb raising work, on request and with permission of property owner completed.
	Work ongoing to alleviate immediate impact of the culvert collapse and to determine the nature and extent of the repair work required.
Environment Agency	The Environment Agency served notice on the owner of the culvert to improve the culvert intake and works to improve this are underway and ongoing. The EA have commissioned Mersey Rivers Trust to implement Natural Flood Management (NFM) interventions upstream of Pott Shrigley.
Riparian Owners	Ensure that you have access to any watercourses that flow through your land, by installing suitable access chambers or seeking an agreement with neighbours to use theirs for access to inspect and maintain the watercourse.

*(United Utilities/Environment Agency/Land owners)

4.4 River Dean Catchment

Figure below shows the extent of the River Dean catchment. The orange shading shows the upper catchment (Llamaload to Bollington) and the purple shading the lower catchment (Bollington to the River Bollin).

Figure 43 River Dean Catchment

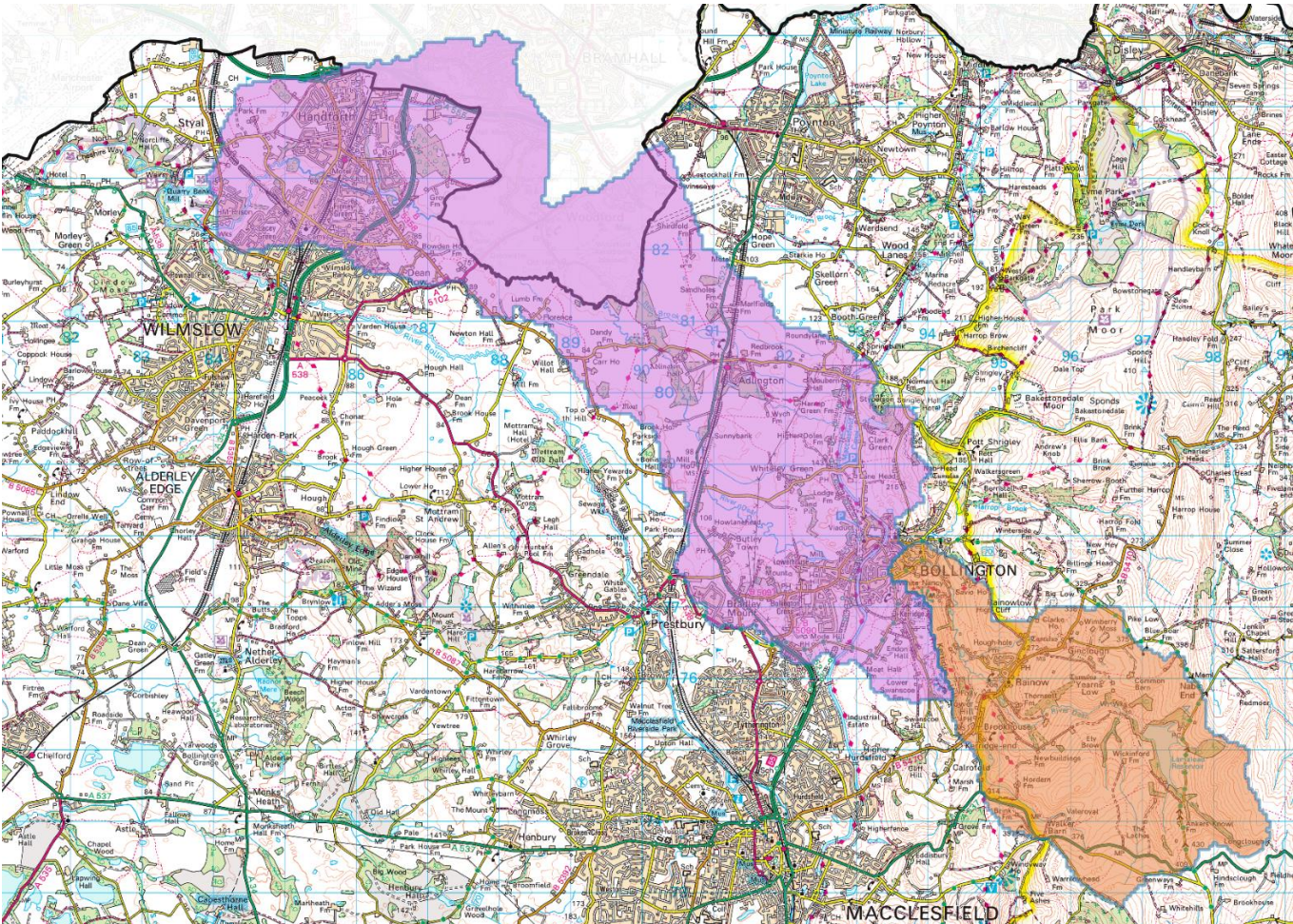


Table 12 Number of properties reported* flooding in River Dean Catchment:

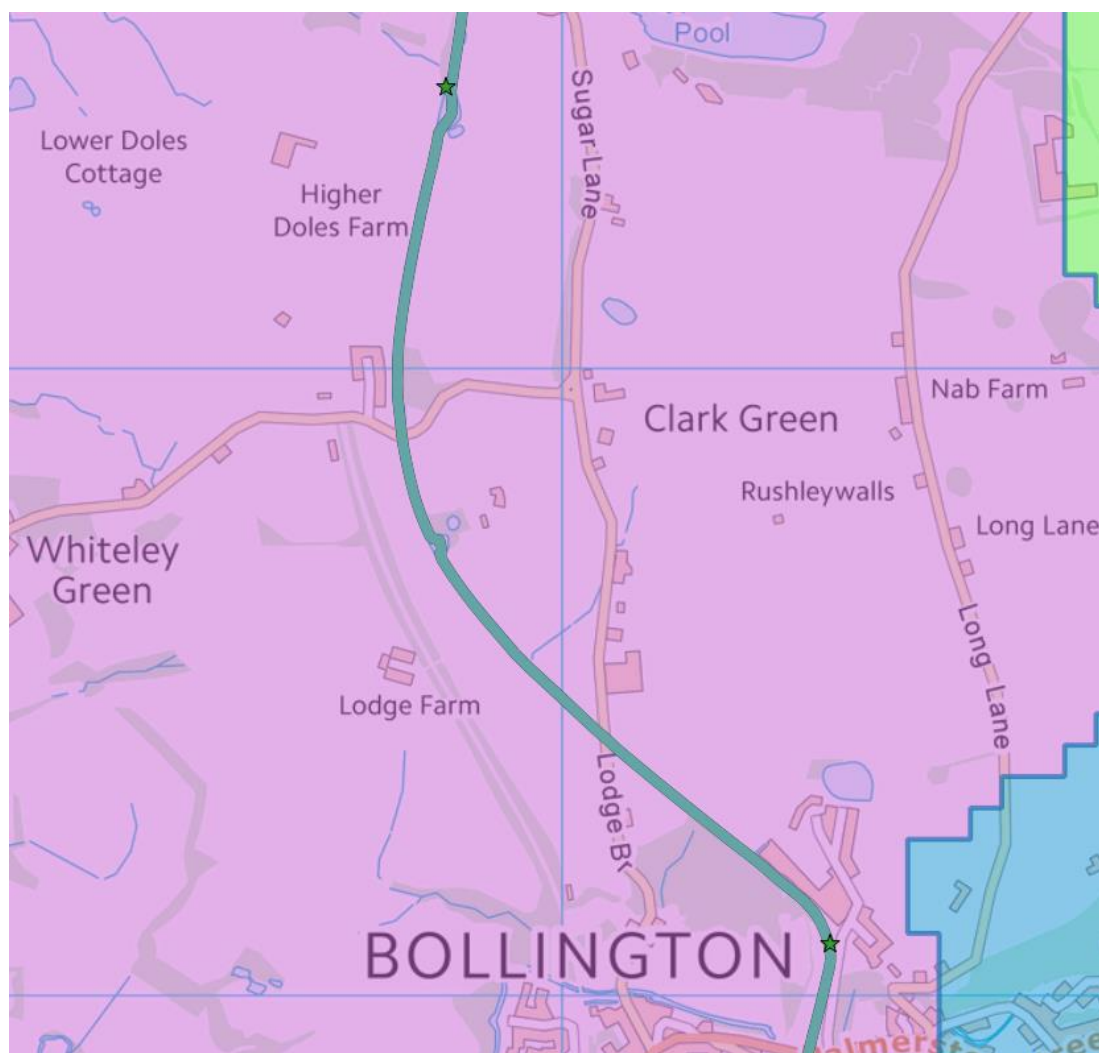
No. of properties reported*	July 2019
Residential flooding**	7
Commercial Flooding	1

*formally reported to the Lead Local Flood Authority, Environment Agency and/or United Utilities

** refers to reports of (internal property flooding, including integrated garages. This does not include: uninhabitable cellars, detached garages and gardens

** Internal flooding residential refers to reports of (internal property flooding, including integrated garages. This does not include: uninhabitable cellars, detached garages and gardens

Figure 44 Canal Interactions with Dean catchment



Symbols: Sluices shown as green stars near Clark Green and Clarence Road, no overflow weirs in the catchment.

4.4.1 Description of flooding at River Dean (Main River)

Residents in properties at Lowerhouse and Waterhouse Mill, saw elevated levels in the River Dean, but the water did not flow out of bank at this location.

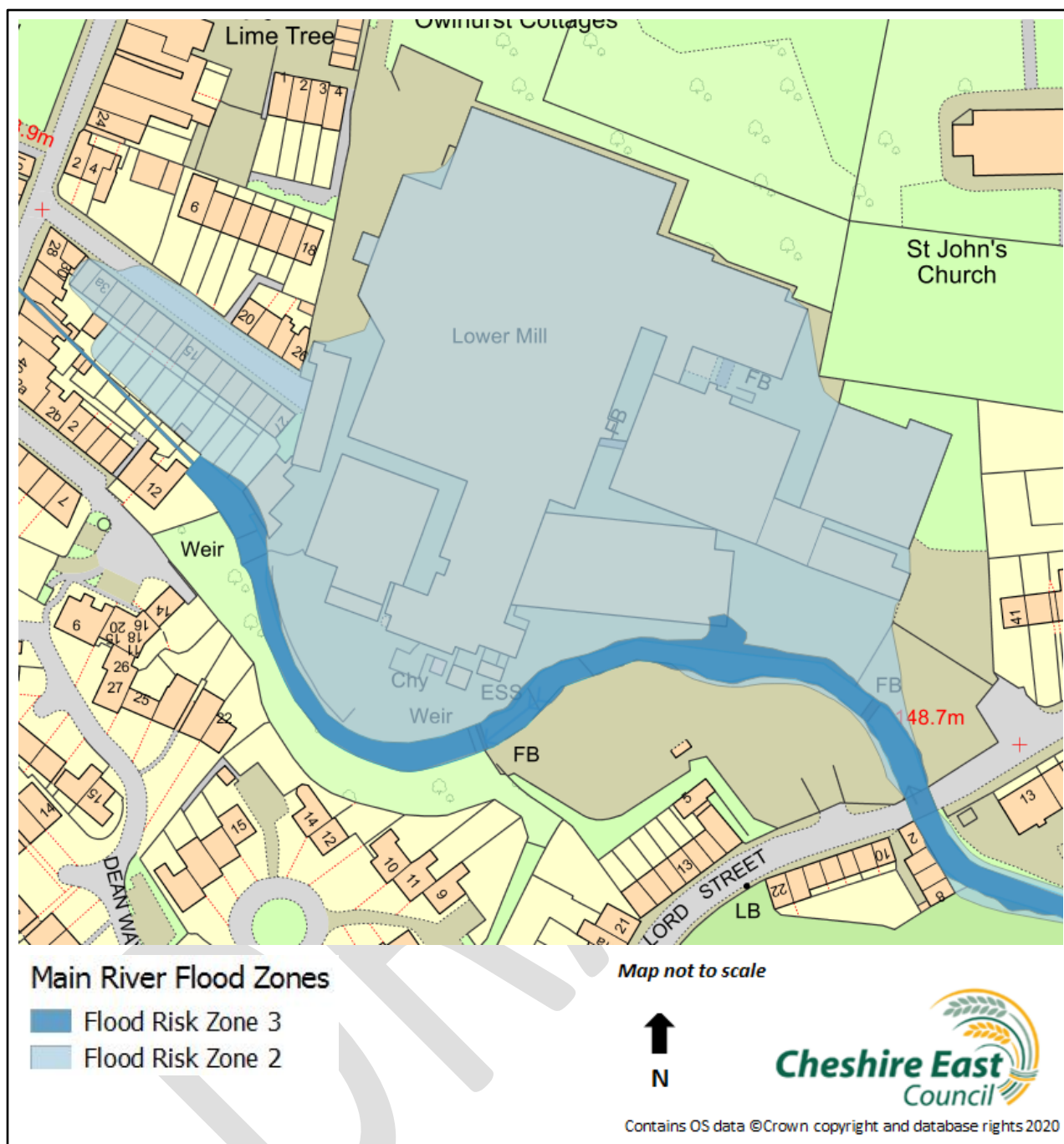
The Recreation Ground was flooded by water from the River Dean combined with surface water, the water flowing and returning to the Dean downstream of the weir.

4.4.2 Description of Main River flooding near Lower Mill/Oldham Street, Bollington.

Lower Mill sits adjacent to the River Dean in the floodplain. During this event it was reported that flooding mechanism was caused by the Main River, River Dean. Water levels rose and breached the banks of the river flooding a nearby factory. The flood water then built up against the back wall of the factory (bordering Oldham Street) and finally caused a door to blow, allowing flood water to escape, flowing with some velocity. In a previous event (1998) a similar mechanism was reported.

Further downstream at Water street, a footbridge across the river reduced conveyance, causing a localised increase in water levels upstream.

Figure 45 Lower Mill, River Dean, Bollington



Further downstream at Water Street and John Street a footbridge across the river reduced conveyance, causing a localised increase in water levels upstream. As well as causing river levels to overtop the banks upstream, this exacerbated the local surface water drainage issues reported below, by elevating river levels and preventing local drainage routes to the river.

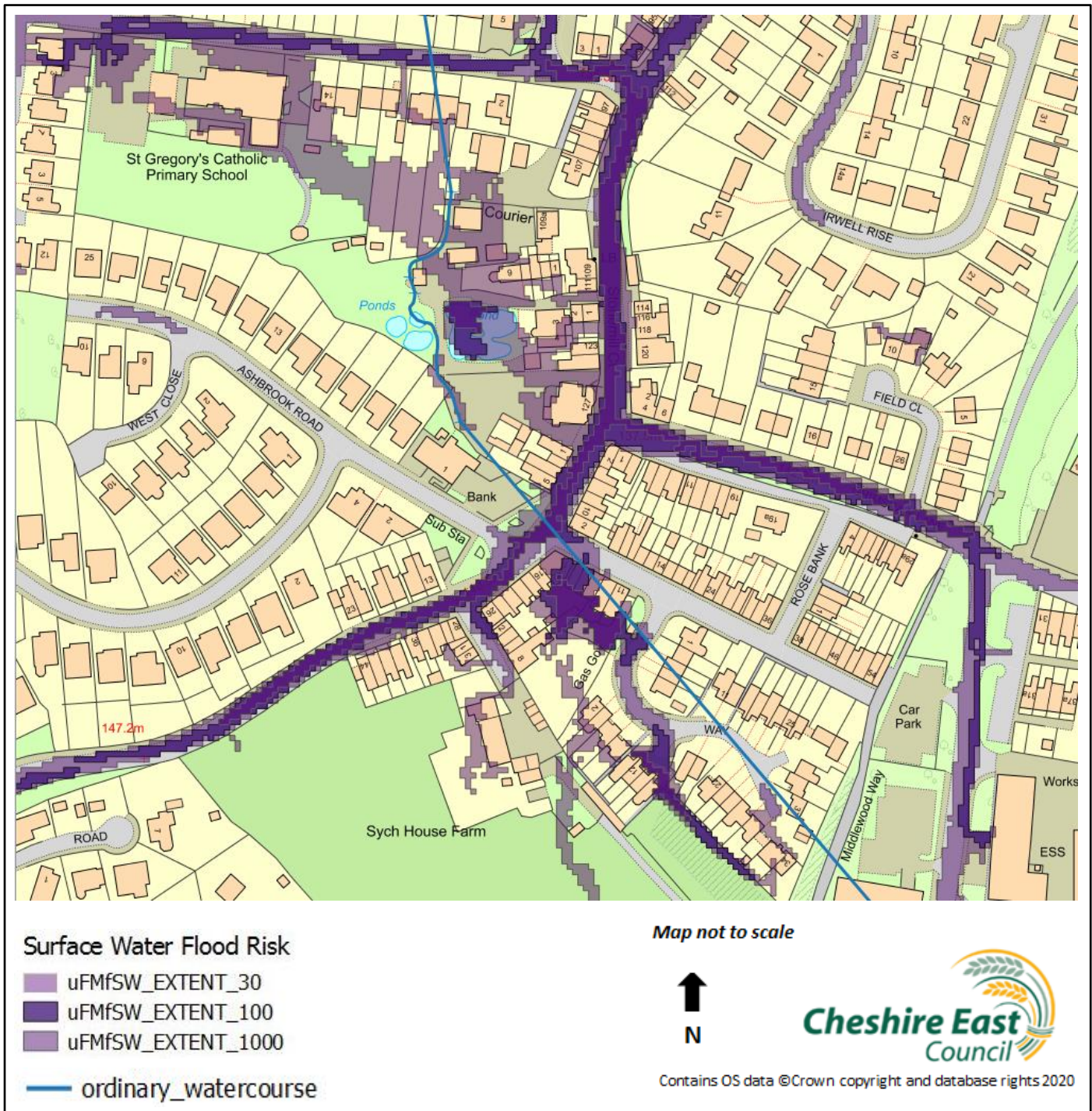
4.4.3 Description of flooding at Princess Street (surface water/ordinary watercourse)

Flooding to local cellars and gardens experienced in this area. Two fire engines attended site to assist 5 local homeowners, highways and the Council were notified of flooding. Investigations following the event identified a blockage was found a section of ordinary watercourse.

The riparian owner was instructed to remove the blockage by the LLFA (blockage removed 24/09/2019) and ensure that the flow through this section is maintained.

Surface water systems maintained by United Utilities also outfall into this culverted section of the watercourse, United Utilities to investigate.

Figure 46 Flood risk at Princess Street, Bollington



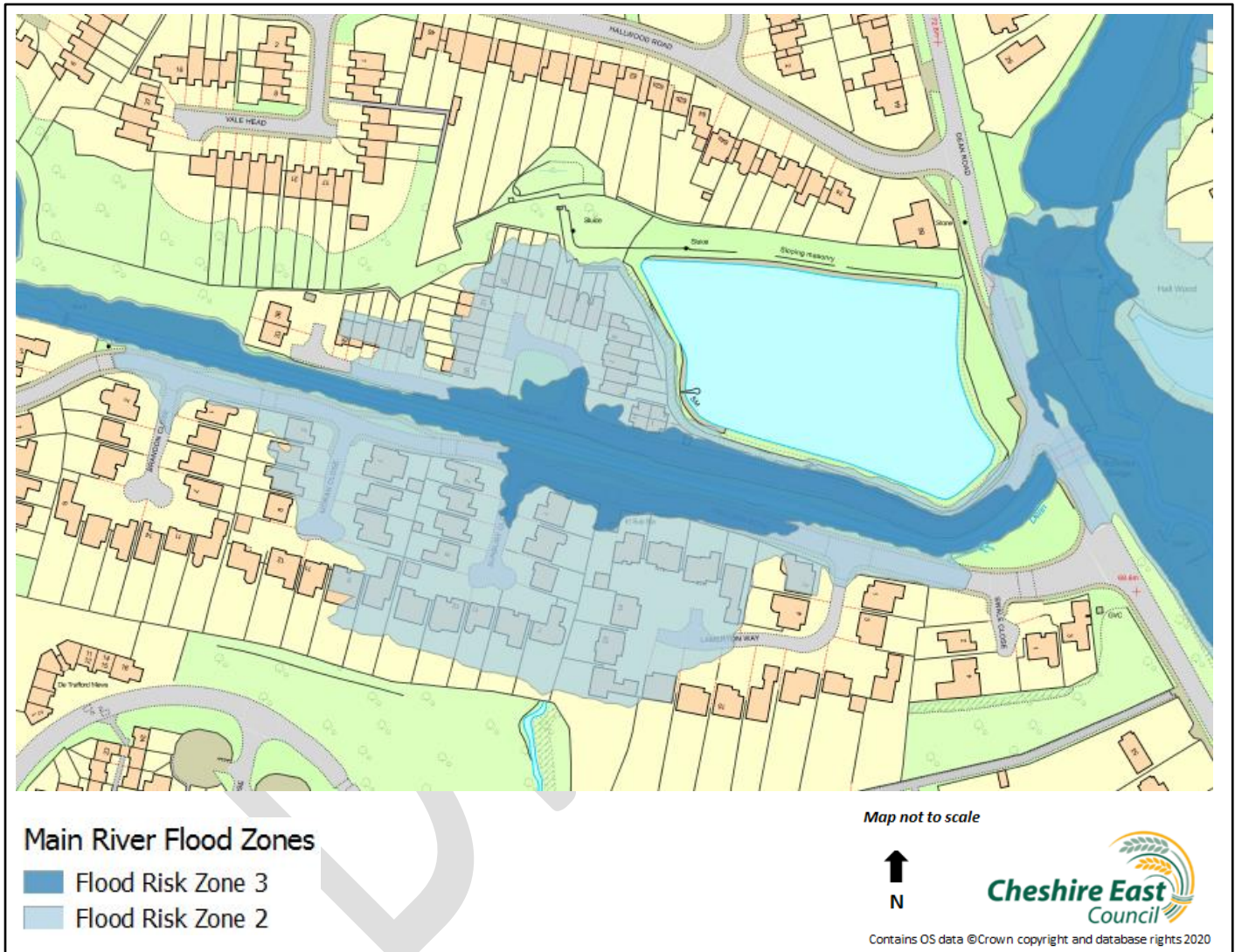
4.4.4 Description of flooding in Wilmslow:

Environment Agency Community Information Officers attended on 5th August 2019, and found no evidence of internal flooding in Wilmslow town centre.

4.4.5 Description of flooding in Handforth:

Finsbury Way which runs in parallel to River Dean was flooded by the Main River, flood water was reported into local driveways and up to doorstep level. The stream on the other side of the road between Finsbury Way and Welland Road is maintained by a pump and the water levels rise following heavy rainfall. This area is within floodzone 2 & 3 as indicated by the Environment Agency's risk map.

Figure 47 Finsbury Way, River Dean



4.4.6 River Dean Catchment - RMA Responses

Table 13 Response Timeline River Dean Catchment

Date & Time	RMA	Response
31/07/2019	Cheshire Fire and Rescue	Attended site
31/07/2019	Environment Agency	Environment Agency site controller attended site at Handforth
31/07/2019	United Utilities	Attended site
31/07/2019	Cheshire East Highways	Attended site
05/08/2019	Environment Agency	Community Information Officers sent to Wilmslow, to verify flooding on site. No internal property flooding found
05/08/2019	Environment Agency	Community Information Officers sent to Handforth, to verify flooding on site.
12/08/2019	Environment Agency	Community Information Officers sent to Bollington, to verify flooding on site.
13/08/2019	Environment Agency	Community Information Officers sent to Bollington, to verify flooding on site.
14/08/2019	Environment Agency	Community Information Officers sent to Bollington, to verify flooding on site.
04/09/2019	Multi Agency	Community flood drop in held at Bollington Civic Centre attended by approximately 80 residents
12/09/19	Multi Agency	Community flood drop in held at Wilmslow Library attend by 11 residents

4.4.7 River Dean Catchment - Site Specific Recommendations

Based on the analysis for July 2019 flooding events, the following actions are recommended to the locals RMAs.

Table 14 Recommended actions for River Dean Catchment

RMA	Recommended Action
CEC as LLFA in conjunction with partners as applicable*	Investigated flooding on Princess Street, in conjunction with United Utilities. A blockage was found in a section of ordinary watercourse. The riparian owner was instructed to remove the blockage by the LLFA (blockage removed 24/09/2019) and ensure that the flow through this section is maintained.
Environment Agency	Investigate Lower Mill, River Dean. Flooding mechanism and existing fluvial controls

*(United Utilities/Environment Agency/Land owners)

4.5 River Bollin Catchment

The image below shows the area that drains onto the River Bollin.

Figure 48 The River Bollin Catchment

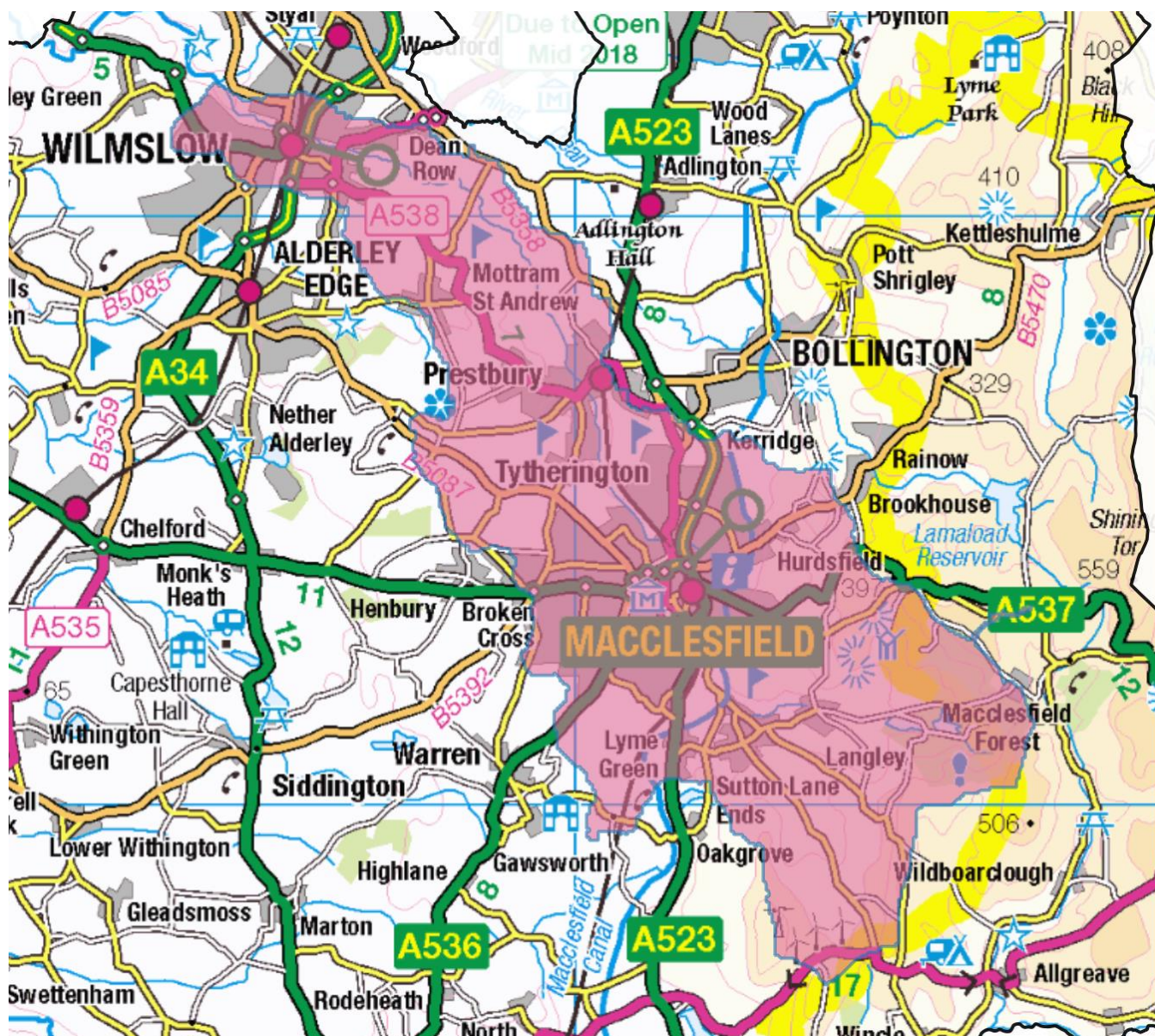


Table 15 Number of properties reported* flooding in River Bollin Catchment

No. of properties reported	July 2019
Internal Flooding Residential**	5
Internal Flooding Businesses	0

*formally reported to the Lead Local Flood Authority, Environment Agency and/or United Utilities

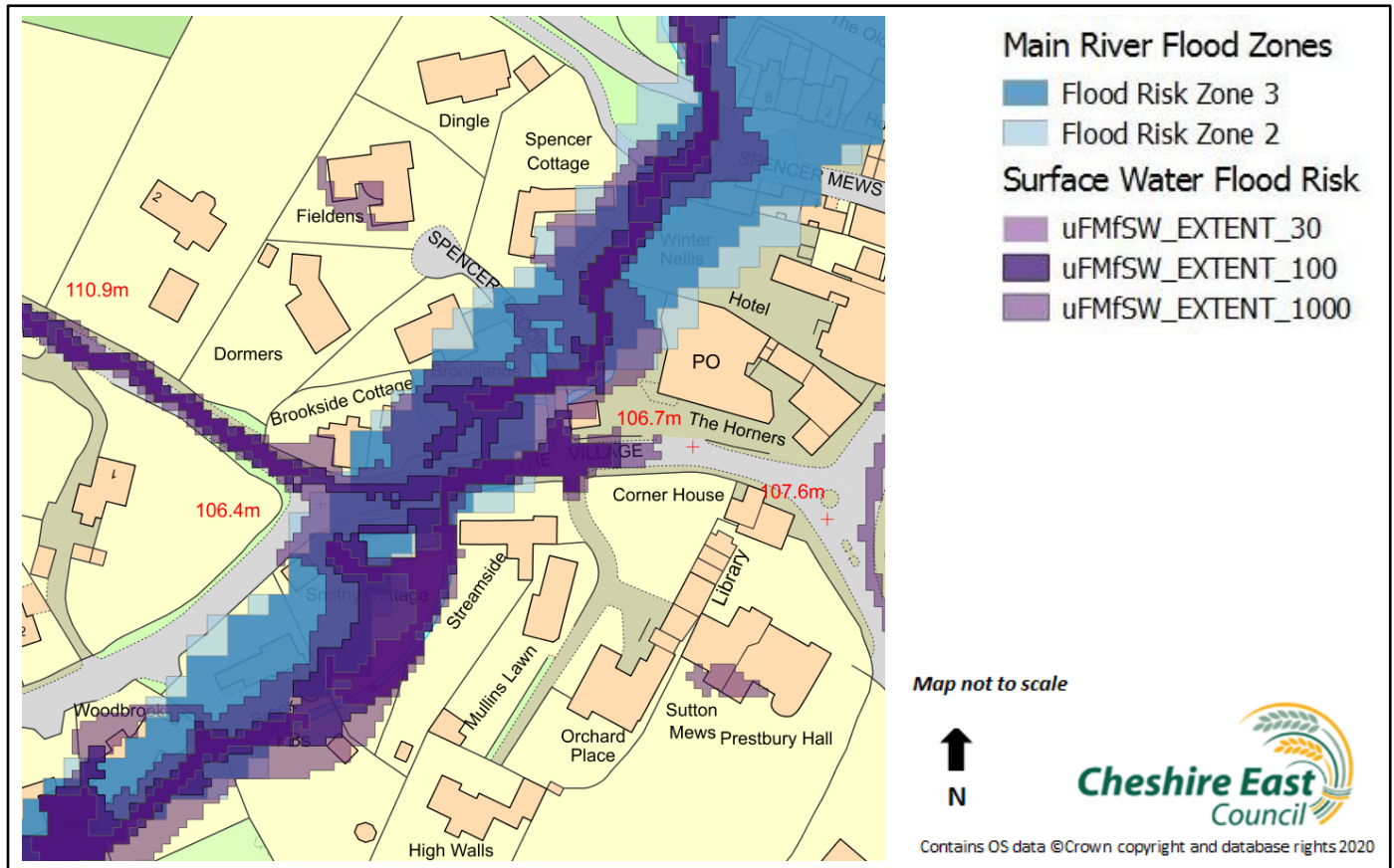
** Internal flooding residential refers to reports of (internal property flooding, including integrated garages. This does not include: uninhabitable cellars, detached garages and gardens

4.5.1 Description of flooding at Prestbury

Prestbury was affected by surface water flooding, with some residents experiencing property flooding and more narrowly avoiding water ingress into properties.

In the area known as The Village, surface water attempted to flow into Spencer Brook which is a Main River. In areas where this is prevented water will pond and accumulate. As the water levels in Spencer Brook rise, any surface water drainage system which outfall to this watercourse may not be able to do so.

Figure 49 Spencer Brook, Prestbury

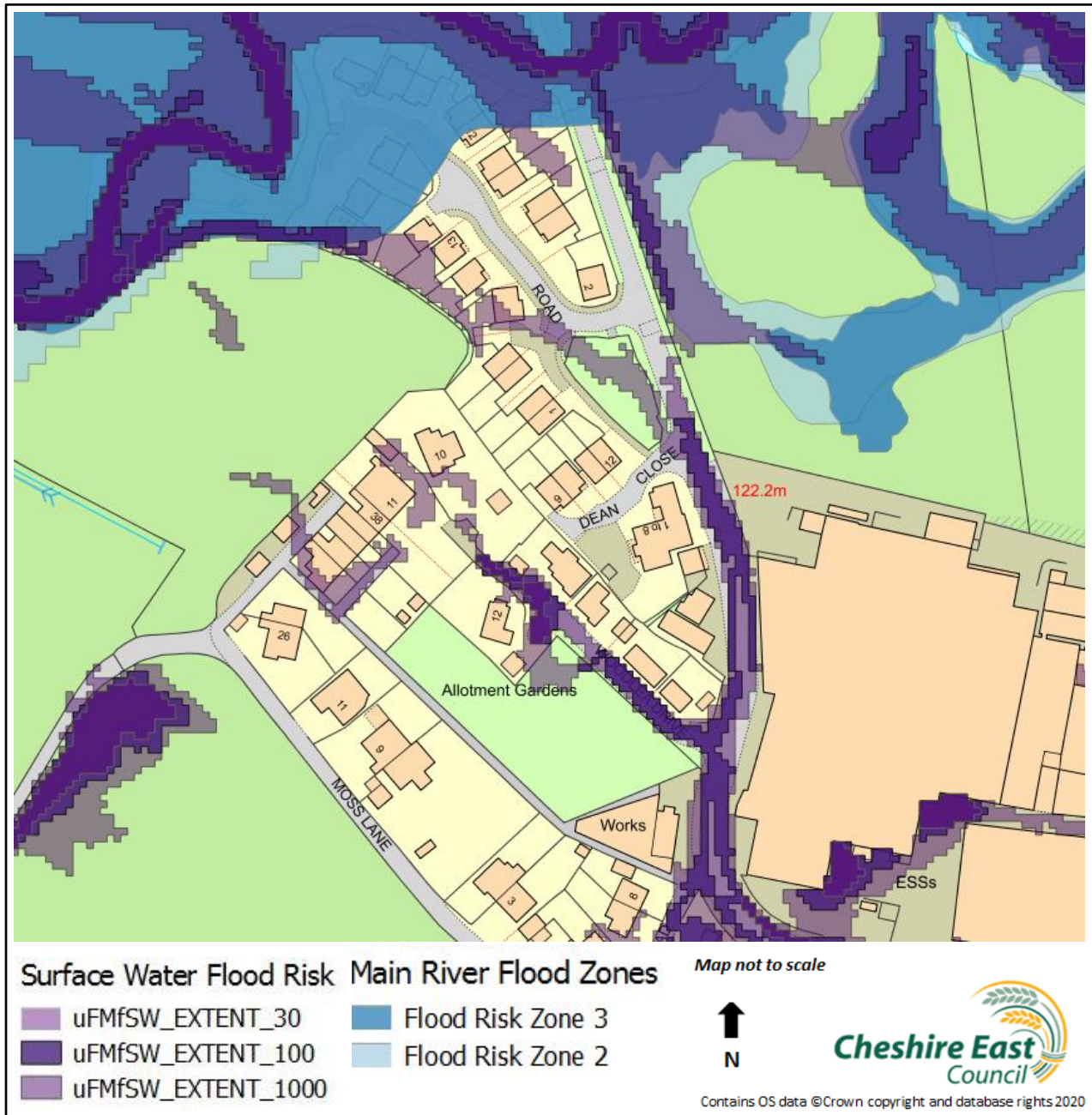


4.5.2 Woodlea Drive (surface water)

Woodlea Drive is a short cul-de-sac of five houses with two further houses off a short drive at its 'closed' end. It runs slightly downhill off Albert road and has seven grids for collecting surface water. This should be perfectly adequate.

However in both the heavy rains of August 1st and 9th the area outside the bottom two houses was flooded by several inches; further, the flooding continued to the houses down the drive at the end. The water reached the front door of one of the properties, as it subsided the flood water deposited silt and sewer waste.

Figure 50 River Dean, Woodlea Drive



4.5.3 River Bollin Catchment - RMA Responses

Table 16 Response Timeline River Bollin Catchment

Date & Time	RMA	Response
28/09/2019 10:24	Environment Agency	EA Flood alert issued
28/09/2019 12:42	Environment Agency	EA Flood alert issued
31/07/2019	Cheshire Fire and Rescue	Cheshire Fire and Rescue Service attended a total of 42 flooding related incidents in and around Poynton, Bollington and Wilmslow
31/07/2019	Environment Agency	Surface water flooding wasn't reported to the EA, so they were unaware
31/07/2019	Cheshire East Highways	Attended site
12/08/2019	Environment Agency	Community Information Officers sent to Bollington to verify flooding onsite
13/08/2019	Environment Agency	Community Information Officers sent to Bollington to verify flooding onsite
14/08/2019	Environment Agency	Community Information Officers sent to Bollington to verify flooding onsite

4.5.4 River Bollin Catchment - Site Specific Recommendations

Based on the analysis for July 2019 flooding events, the following actions are recommended to the locals RMAs.

Table 17 Recommended actions for the River Bollin Catchment

RMA	Recommended Action
Cheshire East LLFA	Formal enforcement action taken where required by the Council under Land Drainage Act 1991. Situation will be monitored.
CEC as LLFA in conjunction with partners as applicable*	Investigate feasibility of flood mitigation measures with partners.

*(United Utilities/Environment Agency/Land owners)

4.6 Other Impacts

4.6.1 Borough Road Closures

Road closures were in place during the flood event across Cheshire East including:

- Anglesey Drive, Poynton
- Bonis Hall Lane, Poynton – closed in both directions due to flooding
- Moggie Lane, Higher Poynton, following up on Police request due to the water compromising the bridge parapet.
- A555 - The section of the A555 between the Oil Terminal roundabout and the A6. The section between the Oil Terminal roundabout, heading down Woodford Road to the A34
- Styal Road, Wilmslow - closed in both directions
- Flash Lane, Astbury - closed in both directions
- Fol Hollow, Congleton - closed in both directions
- Mill Lane, Adlington - closed in both directions
- Moggie Lane, Higher Poynton - closed in both directions due to collapse of the bridge at the junction with Narrow Lane
- Skellorn Green Lane, Adlington - closed due to flooding at the junction with Street Lane and Cawley Lane
- A555 Manchester Airport link road
- Moggie Lane Bridge, Poynton
- London Road, Poynton
- Park Lane, Poynton
- Clumber Road, Poynton
- Ingersley Road, Bollington

4.6.2 Rail Closures

Train services affected between Manchester Airport and Wilmslow.

5 General actions by Risk management Authorities across Cheshire East during/post flooding 28th July onwards

Date & Time	RMA	Response
31/07/2019	Environment Agency	EA Flood alert issued
31/07/2019	Environment Agency	EA Flood warning issued
31/07/2019	Police	A major flooding incident has been declared
31/07/2019	Police	Emergency refuge centre opened in Handforth
31/07/2019	Police	Emergency refuge centre opened in Poynton
31/07/2019	Cheshire East Highways	Attended site
31/07/2019	Cheshire Fire and Rescue	Cheshire Fire and Rescue Service attended a total of 42 flooding related incidents in and around Poynton, Bollington and Wilmslow
31/07/2019	Environment Agency	Attended site
31/07/2019	United Utilities	Attended site
31/07/2019	Lead Local Flood Authority	Attended site Attended site
31/07/2019	Cheshire East Highways	Attended site
01/08/2019 am	Multi-Agency Meeting (SRCG 1)	Strategic recovery co-ordination group (Various teams from Cheshire East Council, Environment Agency, Police, Fire & Rescue, Public Health England, British Red Cross, RED North.
01/08/2019 pm	Multi-Agency Meeting (SRCG 2)	Strategic recovery co-ordination group (Various teams from Cheshire East Council, Environment Agency, Police, Fire & Rescue, Public Health England, British Red Cross, RED North, Warrington Borough Council, Meteorological Office.
02/08/2019	Multi-Agency Meeting (SRCG 3)	Strategic recovery co-ordination group (Various teams from Cheshire East Council, Environment Agency, Police, Fire & Rescue, RED North.
06/09/2019	CEC & UU	Incident response meeting
07/08/2019	Multi-Agency Meeting (SRCG 4)	Strategic recovery co-ordination group (Various teams from Cheshire East Council, Environment Agency, Police, Fire & Rescue, Public Health England, British Red Cross, RED North.
12/08/2019	Multi-Agency Meeting (SRCG 5)	Strategic recovery co-ordination group (Various teams from Cheshire East Council, Environment Agency, Police, RED North.
15/08/2019 1-7pm	Multi-Agency	Multi-Agency Drop in session, Civic Centre in Poynton attended by approximately 300 residents
04/09/2019	Mult Agency	Mult Agency Drop in session, Bollington Civic Centre attended by approximately 80 residents
12/09/2019 3-7pm	Multi-Agency	Multi-Agency Drop in session, Library in Wilmslow attended by 11 residents
20/08/2019	Multi-Agency Meeting (SRCG 6)	Strategic recovery co-ordination group (Various teams from Cheshire East Council, Environment Agency and Police.
13/09/2019	Multi-Agency Meeting (SRCG 7)	Strategic recovery co-ordination group (Various teams from Cheshire East Council and Environment Agency.
13/09/2019	Multi-Agency	Strategic recovery co-ordination group stood down from recovery phase to investigation phase.

6 Generic Recommendations for all Risk management Authorities and local communities

RMA	Recommended Action
Cheshire East Council as Emergency Planning	Invite affected town/parish councillors to strategic group multi-agency response meetings.
	Prepare a flooding factsheet, to be hosted online and printed and displayed following flood events in key locations via Town/Parish Councils. Paper copies to be printed by Town/Parish Councils and distributed on request.
	Continue to work with Town and Parish Councils to develop Community Resilience plans. Community Resilience Plans will require review to maintain currency, by local communities.
Cheshire East Highways	Maintain efficient operation of highway drains and structures
	Ensure necessary recovery works are carried out to local highway drains following flood event
Cheshire East Council as LLFA in conjunction with Environment Agency	Consider additional flood mitigation schemes in areas of known flood risk.
CEC as LLFA in conjunction with partners as applicable	Continue to manage flood risk from new development. Seek flood risk benefits from new development where possible
Environment Agency	Consider flood mitigation schemes for Poynton, Kettleshulme and Pott Shrigley, and other locations, including leading on potential Natural Flood Management for surface and ordinary watercourse flood risk as well as Main River.
Riparian Owners	Understand responsibilities of being a riparian owner: https://www.gov.uk/guidance/owning-a-watercourse#get-advice
	Monitor and maintain flow in watercourse, clear debris and screens when safe to do so and adhere to the rules regarding restricted development with 8m of a watercourse
Property Owners	Check your properties risk from fluvial flooding online: https://flood-map-for-planning.service.gov.uk/
	Check your properties risk from surface water flooding online: https://flood-warning-information.service.gov.uk/long-term-flood-risk/map
	Prepare a flood plan and discuss this with all members of the household: https://thefloodhub.co.uk/

	<p>If you live in a flood risk area, make sure you have property flood insurance. If your premium or excess is too expensive, "Flood Re" could help you to access affordable cover: https://thefloodhub.co.uk/</p>
	<p>Consider installation of Property Level Protection such as flood doors, barriers, non-return valves, or air brick covers: https://thefloodhub.co.uk/</p>
	<p>Establish flood action groups. Guidance and support can be provided by The Flood Hub. Town/Parish Councils have access to existing community resilience plans, work together to ensure these documents are current and accessible</p>
Communities and individuals	<p>Do not to enter or walk in flood waters either as there are often hidden dangers under the surface, e.g., missing manhole covers or debris and may contain infectious organisms, including intestinal bacteria such as E. coli, Salmonella, and tetanus.</p>
	<p>Do not lift and leave manholes uncovered during flood events unless a) you are authorised to do and b) the hazard is clearly marked</p>
	<p>Do not drive into flood water that's a) moving and/or b) more than 10cm (4 inches) deep, unless you are in an emergency vehicle.</p> <p>Driving through flood water generates bow waves, which may increase flood impacts within your community and may damage your vehicle.</p>
	<p>Information service / Q&A be available on the both the Flood Hub https://thefloodhub.co.uk/ and Cheshire East Council https://www.cheshireEast.gov.uk/planning/flooding/flooding.aspx websites to assist in signposting residents to the relevant departments and agencies to resolve problems and respond to concerns.</p>

7 Conclusion

Based on the investigation of the flood event, the relevant Flood Risk Management Authorities (RMAs) across the area were the: Environment Agency, Cheshire East Council, Cheshire East Highways, Lead Local Flood Authority, and United Utilities in relation to the flooding from Main Rivers, ordinary watercourses, surface water and sewers in response to the rainfall events.

These agencies have exercised or have proposed to exercise the correct function in response to the flood, in accordance with their duties under the Flood and Water Management Act 2010 and other relevant UK legislation. Recommendations have been provided to each RMA on a site-specific basis; these are found under the relevant section of the report. The delivery of these actions will be heavily dependent on funding availability and other RMA priorities.

Some work has already been carried out or is already planned by the RMAs in response to the flooding events. The implementation of the recommendations will be monitored and implemented in line with the Cheshire East Council Local Flood Risk Management Strategy:

<https://www.cheshireeast.gov.uk/planning/flooding/floods-and-flood-risk/flood-risk-management.aspx>

Recommendations for local communities, residents and land owners are also included.

Appendix A – Contacts and useful websites

Key Flooding Contact Details: The following gives guidance on whom to contact about various types of flooding.

Always contact the emergency services first (**999**) if you or a family member is in immediate danger.

Flooding from a Public Sewer

United Utilities	Report sewer flooding 0345 6723 723 www.unitedutilities.com
------------------	---

Flooding from a Burst Water Mains

United Utilities	Report a leak 0800 330033 www.unitedutilities.com
------------------	---

Flooding from the Public Highway or Ordinary Watercourses (Non-Main River)

Cheshire East Highways Service	To report an incident 0300 123 5020 To report an incident out of working hours 0300 123 5025 (for use after 5pm and before 9am, including weekends.) https://www.cheshireeast.gov.uk/home.aspx
--------------------------------	--

Flooding from a Main River

Environment Agency	General enquiries 03708 506 506 (Mon-Fri, 8am – 6pm) Incident hotline 0800 80 70 60 (24 hour service) Floodline 0345 988 1188 (24 hour service) General enquiries email enquiries@environment-agency.gov.uk https://www.gov.uk/government/organisations/environment-agency
--------------------	--

Useful Web Resources:

The following web links contain useful information about being prepared, understanding flood risk and reporting drainage issues to CEC.

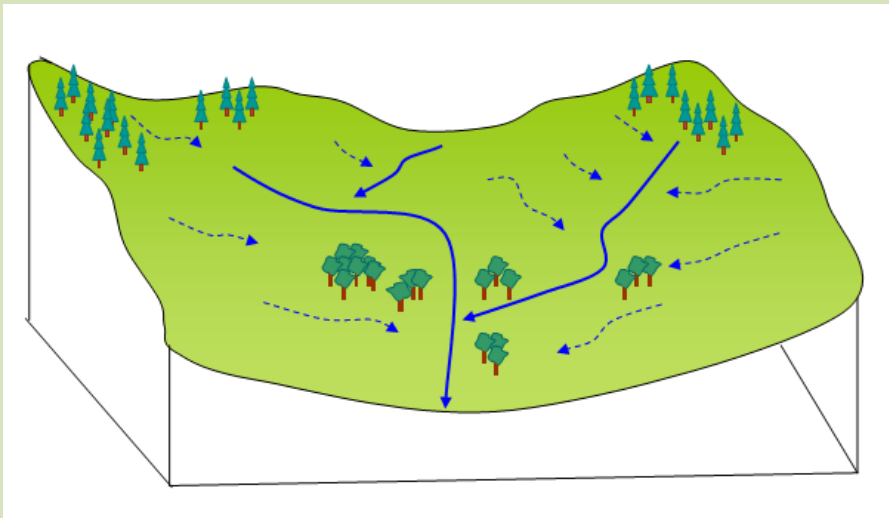
Being Prepared

Prepare for a flood and get help during and after:	https://www.gov.uk/government/publications/flooding-what-to-do-before-during-and-after-a-flood
--	---

Be ready for flooding:	https://www.gov.uk/prepare-for-flooding
Make a personal flood plan:	https://www.gov.uk/government/publications/personal-flood-plan
Prepare your property for flooding:	https://www.gov.uk/prepare-for-flooding/future-flooding
Understanding Flood Risk and Flood Warnings	
Check current flood warnings and river levels:	https://www.gov.uk/check-flood-risk
Sign up for flood warnings:	https://www.gov.uk/sign-up-for-flood-warnings
Reporting a Flood	
Report flooding from a public highway to CEC:	<p>To report an incident 0300 123 5020</p> <p>To report an incident out of working hours 0300 123 5025 (for use after 5pm and before 9am, including weekends.)</p>
Report a problem with a drain or a grid (also known as a gully):	<p>To report an incident 0300 123 5020</p> <p>To report an incident out of working hours 0300 123 5025 (for use after 5pm and before 9am, including weekends.)</p>

Appendix B - Glossary

The glossary below defines some of the frequently used terminology within the flood risk management industry and this document.

Term	Definition
Annual Exceedance Probability (AEP)	Flood events are defined according to their likelihood of a particular flood occurrence in any one year. For example, a flood with an annual probability of 1 in 100 can also be referred to as a flood with a 1% annual probability. This means that every year there is a 1% chance that this magnitude flood could occur.
Bifurcation	The division of something into two branches or parts. Bifurcation channel is where the channel splits into two reaches.
Catchment Area	<p>When rain falls on an area of land, the water travels downhill and typically collects in ponds or travels on through a river. The area where this happens is called a Catchment Area. In a catchment area water can be collected through rain or drained by rivers or streams or manmade drainage systems. A catchment area can also be known as Drainage Basin</p> 
Category 1 Responders	Organisations at the core of the response to most emergencies (the emergency services, local authorities, NHS bodies). Category 1 responders are subject to the full set of civil protection duties.
CEC	Cheshire East Council
CEH	Cheshire East Highways Service
CFRS	Cheshire Fire and Rescue Service
EA	Environment Agency
Flood Risk Management Function	A function listed in the Act (or related Acts) which may be exercised by a risk management authority for a purpose connected with flood risk management.
FWMA (2010)	Flood and Water Management Act 2010
Very Low Flood Risk	Area with a very low probability of flooding from rivers (< 1 in 1,000 annual chance of flooding or <0.1%).
Low Flood Risk	Area with a low probability of flooding from rivers (between a 1 in 1000 and 1 in 100 annual chance of flooding or between 0.1% and 1%)
Medium Flood Risk	Area with a medium probability of flooding from rivers (between a 1 in 100 and 1 in 30 annual chance of flooding or between 1% and 3.33%).
High Flood Risk	Area with a high probability of flooding from rivers (> 1 in 30 annual chance of flooding or greater than 3.3%).
Instances of property flooding	This is a count of the reported incidents of internal property flooding that occurred across the event. Properties which were flooded twice are accounted for twice and therefore not a count of the number of properties.
LLFA	Lead Local Flood Authority
Main River	Main Rivers are usually larger streams and rivers, but some of them are smaller watercourses

Term	Definition
	of local significance. Main Rivers indicate those watercourses for which the Environment Agency is the relevant risk management authority.
Ordinary Watercourse	An ordinary watercourse includes every river, stream, ditch, drain, cut, dyke, sluice, sewer (other than public sewer) and passage through which water flows which does not form part of a Main River. The Lead Local Flood Authority, District/Borough Council or Internal Drainage Board is the relevant risk management authority.
Return Period	Statistical measure used to represent the magnitude of an event. For example the probability of a flood in any one year may be expressed as 1% or 1 in 100 years. This does not mean that such a flood would occur every 100 years it is a statistical measure that suggests that in any given year, there is a 1% chance that it will happen, regardless of when the last similar event was. Or, put differently, it is 10 times less likely to occur than a flood with a 10% AEP or 1 in 10 years return period.
Riparian Owner	Owner of land adjoining, above or with a watercourse running through it who has certain rights and responsibilities, i.e. maintenance of the watercourse to prevent restrictions thus leading to fluvial flooding. https://www.gov.uk/guidance/owning-a-watercourse
SOP	Standard of Protection, protection offered by a defence/structure usually expressed as an annual exceedance probability
RMA	Risk Management Authority
uFMfSW_EXTEN_30	Updated Flood Map from Surface Water 30yr Return period
uFMfSW_EXTEN_100	Updated Flood Map from Surface Water 100yr Return period
uFMfSW_EXTEN_1000	Updated Flood Map from Surface Water 1000yr Return period
UU	United Utilities



Working for a brighter future together

Key Decision: N

Date First

Published: N/A

Cabinet

Date of Meeting: 6 October 2020

Report Title: Spotlight Review on Children's Mental Health Services

Portfolio Holder: Councillor K Flavell, Portfolio Holder for Children and Families

Senior Officer: Mark Palethorpe, Executive Director People

1. Report Summary

1.1. This report introduces the findings, conclusions and recommendations made by the Children and Families Overview and Scrutiny Committee following its Spotlight Review on Children's Mental Health Services, on 24 February 2020.

1.2. The attached report was agreed and endorsed by the Children and Families Overview and Scrutiny Committee on 28 September 2020.

2. Recommendations

2.1. That Cabinet receives the report of the Children and Families Overview and Scrutiny Committee.

2.2. That Cabinet responds to the following recommendations:

2.2.1. That the council and partners endeavour to create a clearer pathway and screening tool for assessing the needs of children and young people presenting with mental health issues, with standardised outcome measures across services to make it easier to identify where other improvements may be made in the future.

2.2.2. That commissioners review the current service provision, and access to services, with a view to ensuring that services are commissioned for children and young people up to the age of 25.

- 2.2.3. That a review be undertaken of the Cheshire East Live Well programme, and that as part of this, the council specifically considers access and availability to wellbeing support services for children, young people and their parents/carers.
- 2.2.4. That Cabinet look to use and prioritise the Troubled Families process to improve the level and breadth of support available for parents and carers of children and young people experiencing mental health issues.
- 2.2.5. That commissioners be asked to provide a further update to the Children and Families Overview and Scrutiny Committee in January 2021, on the progress of implementing the Thrive model and an update on service accessibility.
- 2.2.6. That commissioners and providers ensure that the eligibility and accessibility criteria for services is clear and transparent for children and young people and their families/carers.
- 2.2.7. That Cheshire CCG, CAMHS and the council ensure that all staff who support both children's and adults' services, undertake transition training to secure safe and reasonable handovers of cases when young people leave children's services and enter the adult social care system.
- 2.2.8. That commissioners endeavour to ensure that services provided by Visyon are equitable and available across the whole borough of Cheshire East.
- 2.2.9. That Cabinet reviews the council's commission for the Emotionally Healthy Children Programme, with a view to ensure that there is a single commissioning strategy that is aligned to the CCG Mental Health Trailblazer project and make it easier to secure future funding.
- 2.2.10. That the Leader of the council write to the Secretary of State for Health and Social Care and the Minister for Education, to request further investment to improve the access to therapeutic support services for children and young people in Cheshire East.
- 2.2.11. That the council and NHS partners work together to review the way in which data relating to children and young people's mental health is collected, to more consistently align to national targets and measures.
- 2.2.12. That the Leader of the council write to the Department of Education to request that funding for the Adoption Counts service be continued and prioritised, and encourage each of the partner authorities receiving the Adoption Counts service to do the same, to lobby for more funding for this important service.

- 2.2.13. That full Council be asked to ensure its Budget is adjusted to accommodate the cost required to re-commission Adoption Counts, provided that the other local authorities put forward their contributions also.
- 2.2.14. That the council and partners ensure that the joined-up working arrangements relating to adoption are sustained and properly funded, to secure positive long-term outcomes for adoptive children and families in Cheshire East.
- 2.2.15. That the outcomes of the council's Bespoke Project be reviewed, and its successes be used to inform future commissions and projects.
- 2.2.16. That a review be carried out to ascertain best practice in areas where a 24/7 crisis offer is already in place, and how this type of crisis service could be provided in the most effective, joined-up way in Cheshire East.
- 2.2.17. That the council and Cheshire CCG work together to ensure that commissioning and contract management arrangements are more closely and effectively integrated.
- 2.2.18. That the council monitors the impact of alternative education service provisions to support young people and reduce rates of exclusions.
- 2.2.19. That CAMHS and commissioners urgently review the support provided to children and young people who are unable to leave their homes to attend their scheduled appointments.
- 2.2.20. That commissioners consider the commissioning of specialist health visitors to support schools in their teaching and managing of students' mental health and wellbeing.
- 2.2.21. That CAMHS, Cheshire CCG and the council work together to review and improve the way in which support is targeted and provided to young people that do not attend school, college, training or work due to their mental health struggles.
- 2.2.22. That the council and partners work together to make sure that the offer of online support services is refreshed and promoted, and that it is equitable for all young people in the borough.
- 2.2.23. That schools in Cheshire East be asked to use a consistent title for the designated Mental Health Leads.

3. Reasons for Recommendations

- 3.1. Conversations around mental health have become increasingly prevalent in recent years, with major efforts undertaken to reduce and remove the public stigma relating to mental health and wellbeing issues.
- 3.2. The Children and Families Overview and Scrutiny Committee is united in its desire to try and achieve positive, sustainable change in the way mental health issues for children and young people are perceived and appreciated across Cheshire East.

4. Other Options Considered

- 4.1. No alternative options were considered.

5. Background

- 5.1. The Children and Families Overview and Scrutiny Committee organised to undertake this Spotlight Review on Children's Mental Health Services on 24 February 2020. The aim of the review was to carry out a 'deep dive' review on the range and effectiveness of services and support available to children and young people with mental health issues.
- 5.2. A number of council services and partner organisations were invited to present evidence at the Spotlight Review meeting, including:
- Young people who had been service users of young people's mental health services
 - Commissioners of children's mental health services (Cheshire Clinical Commissioning Group)
 - NHS providers of Children and Adolescent's Mental Health Services (Cheshire and Wirral Partnership NHS Foundation Trust)
 - Cheshire East Children's Social Care
 - Adoption Counts
 - Services commissioned by Cheshire East Council
 - Education
 - Integrated Youth Support Service
 - Participation Service.

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1. There are no legal implications associated to the report and recommendations at this stage, however, there may be legal implications associated with the implication of any approved recommendations.

6.2. Finance Implications

6.2.1. The full list of recommendations, which are being made to Cabinet by the Children and Families Overview and Scrutiny Committee, have not yet been financially assessed. Further work would be required to capture the financial implications of any approved recommendations.

6.3. Policy Implications

6.3.1. There are no policy implications at this stage, however, the approval of any recommendations may result in policy changes.

6.4. Equality Implications

6.4.1. There are no equality implications.

6.5. Human Resources Implications

6.5.1. There are no human resources implications.

6.6. Risk Management Implications

6.6.1. There are no risk management implications.

6.7. Rural Communities Implications

6.7.1. There are no direct implications for rural communities.

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

6.8.1. The recommendations are intended to improve the range and effectiveness of services and support for children and young people with mental health issues.

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 climate change implications expected as a result of this report and its recommendations.

7. Ward Members Affected

7.1. No ward members are directly affected.

8. Consultation & Engagement

8.1. No formal consultation and engagement was required.

9. Access to Information

9.1. Access to the recording of the Spotlight Review meeting can be found here:

<http://moderngov.cheshireeast.gov.uk/ieListDocuments.aspx?CId=776&MIId=7849&Ver=4>

10. Contact Information

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

Name: Joel Hammond-Gant

Job Title: Scrutiny Officer

Email: joel.hammond-gant@cheshireeast.gov.uk

Children's Mental Health Services

Spotlight Review – Children and Families Overview and Scrutiny Committee



February 2020

Contents

Chairman's Foreword	3
Recommendations	4
Committee Membership	7
Introduction & Purpose	8
Overview and Scrutiny and the Cheshire East Corporate Plan	8
What is children and young people's mental health?	8
Background and Rationale	9
Why are we scrutinising children and young people's mental health?	9
Covid-19 – the global pandemic.....	9
Children and young people in Cheshire East by numbers	10
Personal Accounts from Service Users	11
NHS Commissioners and Providers of Children's Mental Health Services in Cheshire East.....	17
Children's Social Care	24
Adoption Counts.....	25
Council-Commissioned Services	29
Education	31
Integrated Youth Support Service (IYSS)	34
Participation Service	36

Chairman's Foreword

As members of the Children and Families Overview and Scrutiny Committee we had become increasingly aware of the challenges faced by children and young people in Cheshire East in terms of mental health and wellbeing services. We had heard anecdotal evidence of families becoming distressed at not being able to access services in a timely way, and that there was inequity in terms of the services provided across the borough.

This committee is committed to ensuring that our children and young people receive a service that enables them to face the many challenges that mental health issues bring, and therefore decided to hold a one-day spotlight review on Children's Mental Health Services in February 2020. Service users, providers and commissioners were all invited to present evidence to enable the committee.



Since this spotlight review took place, Cheshire East, like the rest of the country has been rocked by the public health and mental health and wellbeing challenges caused by the Covid-19 pandemic. The long-term impacts of 'lockdown' – which has involved some of our children missing up to six months of normal schooling – are not yet known, however, we already know that it has adversely affected the mental health of many of our children and young people. The recommendations made by the committee are therefore even more pertinent in light of this.

The committee would like to thank all of those who contributed to the spotlight review, especially the children and young people who shared their experiences with us.

Special thanks also go to Joel Hammond-Gant and Helen Davies for their assistance in compiling this report.

Councillor Jos Saunders, Chairman of the Children and Families Overview and Scrutiny Committee

Recommendations

The committee made a total of 23 recommendations following its findings from the spotlight review. The full list of recommendations is set out below, and they are also included within the main body of the report after the end of each report section.

1. **That the council and partners endeavour to create a clearer pathway and screening tool for assessing the needs of children and young people presenting with mental health issues, with standardised outcome measures across services to make it easier to identify where other improvements may be made in the future.**
2. **That commissioners review the current service provision, and access to services, with a view to ensuring that services are commissioned for children and young people up to the age of 25.**
3. **That a review be undertaken of the Cheshire East Live Well programme, and that as part of this, the council specifically considers access and availability to wellbeing support services for children, young people and their parents/carers.**
4. **That Cabinet look to use and prioritise the Troubled Families process to improve the level and breadth of support available for parents and carers of children and young people experiencing mental health issues.**
5. **That commissioners be asked to provide a further update to the Children and Families Overview and Scrutiny Committee in January 2021, on the progress of implementing the Thrive model and an update on service accessibility.**
6. **That commissioners and providers ensure that the eligibility and accessibility criteria for services is clear and transparent for children and young people and their families/carers.**
7. **That Cheshire CCG, CAMHS and the council ensure that all staff who support both children's and adults' services, undertake transition training to secure safe and reasonable handovers of cases when young people leave children's services and enter the adult social care system.**
8. **That commissioners endeavour to ensure that services provided by Visyon are equitable and available across the whole borough of Cheshire East.**
9. **That Cabinet reviews the council's commission for the Emotionally Healthy Children Programme, with a view to ensure that there is a single commissioning**

strategy that is aligned to the CCG Mental Health Trailblazer project and make it easier to secure future funding.

10. That the Leader of the council write to the Secretary of State for Health and Social Care and the Minister for Education, to request further investment to improve the access to therapeutic support services for children and young people in Cheshire East.
11. That the council and NHS partners work together to review the way in which data relating to children and young people's mental health is collected, to more consistently align to national targets and measures.
12. That the Leader of the council write to the Department of Education to request that funding for the Adoption Counts service be continued and prioritised, and encourage each of the partner authorities receiving the Adoption Counts service to do the same, to lobby for more funding for this important service.
13. That full Council be asked to ensure its Budget is adjusted to accommodate the cost required to re-commission Adoption Counts, provided that the other local authorities put forward their contributions also.
14. That the council and partners ensure that the joined-up working arrangements relating to adoption are sustained and properly funded, to secure positive long-term outcomes for adoptive children and families in Cheshire East.
15. That the outcomes of the council's Bespoke Project be reviewed, and its successes be used to inform future commissions and projects.
16. That a review be carried out to ascertain best practice in areas where a 24/7 crisis offer is already in place, and how this type of crisis service could be provided in the most effective, joined-up way in Cheshire East.
17. That the council and Cheshire CCG work together to ensure that commissioning and contract management arrangements are more closely and effectively integrated.
18. That the council monitors the impact of alternative education service provisions to support young people and reduce rates of exclusions.
19. That CAMHS and commissioners urgently review the support provided to children and young people who are unable to leave their homes to attend their scheduled appointments.

20. That commissioners consider the commissioning of specialist health visitors to support schools in their teaching and managing of students' mental health and wellbeing.
21. That CAMHS, Cheshire CCG and the council work together to review and improve the way in which support is targeted and provided to young people that do not attend school, college, training or work due to their mental health struggles.
22. That the council and partners work together to make sure that the offer of online support services is refreshed and promoted, and that it is equitable for all young people in the borough.
23. That schools in Cheshire East be asked to use a consistent title for the designated Mental Health Leads.

Committee Membership



Cllr James Barber



Cllr Michael Beanland



Cllr June Buckley



Cllr Carol Bulman



Cllr Penny Butterill
(Vice-Chairman)



Cllr Sally Handley



Cllr Marilyn Houston



Cllr Arthur Moran



Cllr Jos Saunders
(Chairman)



Cllr Nicky Wylie



Cllr Steve Edgar (sub)



Cllr Liz Wardlaw (sub)

Introduction & Purpose

Overview and Scrutiny and the Cheshire East Corporate Plan

Cheshire East Council is committed to “Working for a brighter future together” through the delivery of its Vision, Values and Corporate Plan. There are six strategic outcomes included within the Plan, outlining the vision for the borough, the priorities to focus resources on, and the approach for how these are delivered.

The Children and Families Overview and Scrutiny Committee use two of these outcomes to underpin its Work Programme:



Outcome 3: People have the life skills and education they need in order to thrive.

Outcome 6: People should live well and for longer.

The committee works with these outcomes squarely at the front of decisions and recommendations relating to the scrutiny and overview of work contained within its work programme.

What is children and young people’s mental health?

Statistics from the Mental Health Foundation show mental health issues affect about 1 in 10 children and young people, and that up to 70% of those who experience a mental health problem have not had appropriate interventions at a sufficiently early age.

The emotional wellbeing of children is just as important as their physical health. Good mental health allows children and young people to develop the resilience to cope with whatever life throws at them and grow into well-rounded, healthy adults. Given that approximately one third of the UK’s population is made up of children and young people up to the age of 25, it is vital that their health and wellbeing is invested in to ensure future generations of prosperity.

Children’s and adults’ services have traditionally been separated by the turning of age 18. The council operates using a social model definition, rather than this longstanding medical definition, with a view to caring more holistically for young people up to the age of 25. Many partner organisations, including the NHS, have begun to adopt this newer way of developing models of care and providing services.

Background and Rationale

Why are we scrutinising children and young people's mental health?

The committee had been made aware of anecdotal reports to suggest that access to CAMHS (Child and Adolescent Mental Health Services) had been difficult, and felt that this spotlight review presented a good opportunity to open dialogue across the borough to understand what the mental health offer was to Children and Young People, where they could turn to and what the data in this area reflected.

Mental health conversations have been an emerging trend within the wider public for several years. Numerous high-profile individuals across sport, television, performing arts, and even the Royal Family have led the way in campaigning to remove the stigma around mental health and treatment for people of all ages.

The Children and Families Overview and Scrutiny Committee is united in its desire to try and achieve positive, sustainable change in the way mental health issues for children and young people are perceived and appreciated across Cheshire East. It is keen to ensure that this area is appropriately resourced with effective services for our young people and that crucially appropriate funding is identified, pursued and awarded.

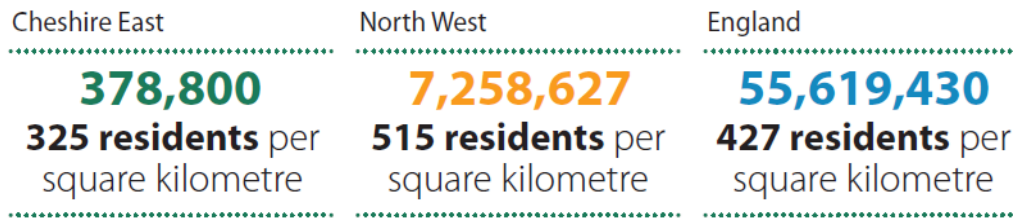
Covid-19 – the global pandemic

This spotlight review was carried out on 24 February 2020, not long before the government instructed the UK enter 'lockdown' on 23 March, following the serious threat of Covid-19. In order to slow the spread of the virus, the whole of the UK had to operate differently; people remained in their homes and worked from home where possible, whilst nearly all other activities ceased.

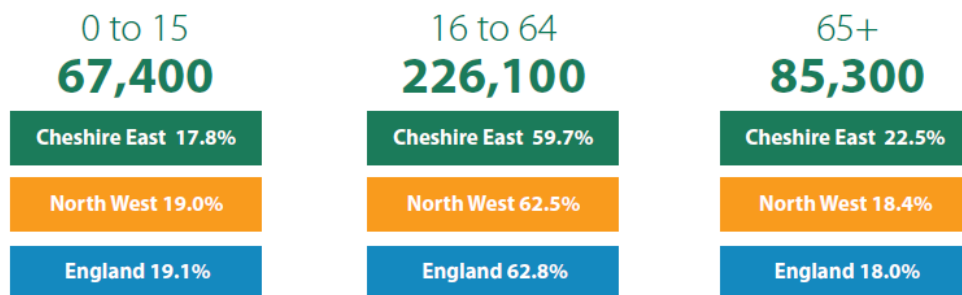
The total impacts of the global pandemic on peoples' physical and mental health are not yet truly understood. However, it has already been recognised that there will be short and long-term impacts on the mental health of people of all ages. It is anticipated that the impacts of Covid-19 on children and young people's mental health and wellbeing will be closely monitored and scrutinised in the future.

Children and young people in Cheshire East by numbers





Age profile



Between the 2001 and 2011 Census, the median age of residents has increased from 40.6 years to 43.6 years. By 2030, the median age of residents is expected to further increase to approximately 47 years.

Population Estimates for UK, Mid-2017, ONS

The Office for National Statistics suggested that through 2027, the numbers of children and young people will only increase marginally. However, if local economic and housing policies are taken into consideration, this figure could rise to around 5,300 over the same period. This emphasises the importance of having the right models of care and support networks in place to ensure that the council and partners can sustainably care for the mental health needs of an increasing population of children and young people.

Personal Accounts from Service Users

The committee watched a video that outlined recent feedback from the Cheshire East Youth Council on the range of mental health services in Cheshire East. The video showed questions posed to the Youth Council and their responses to them.

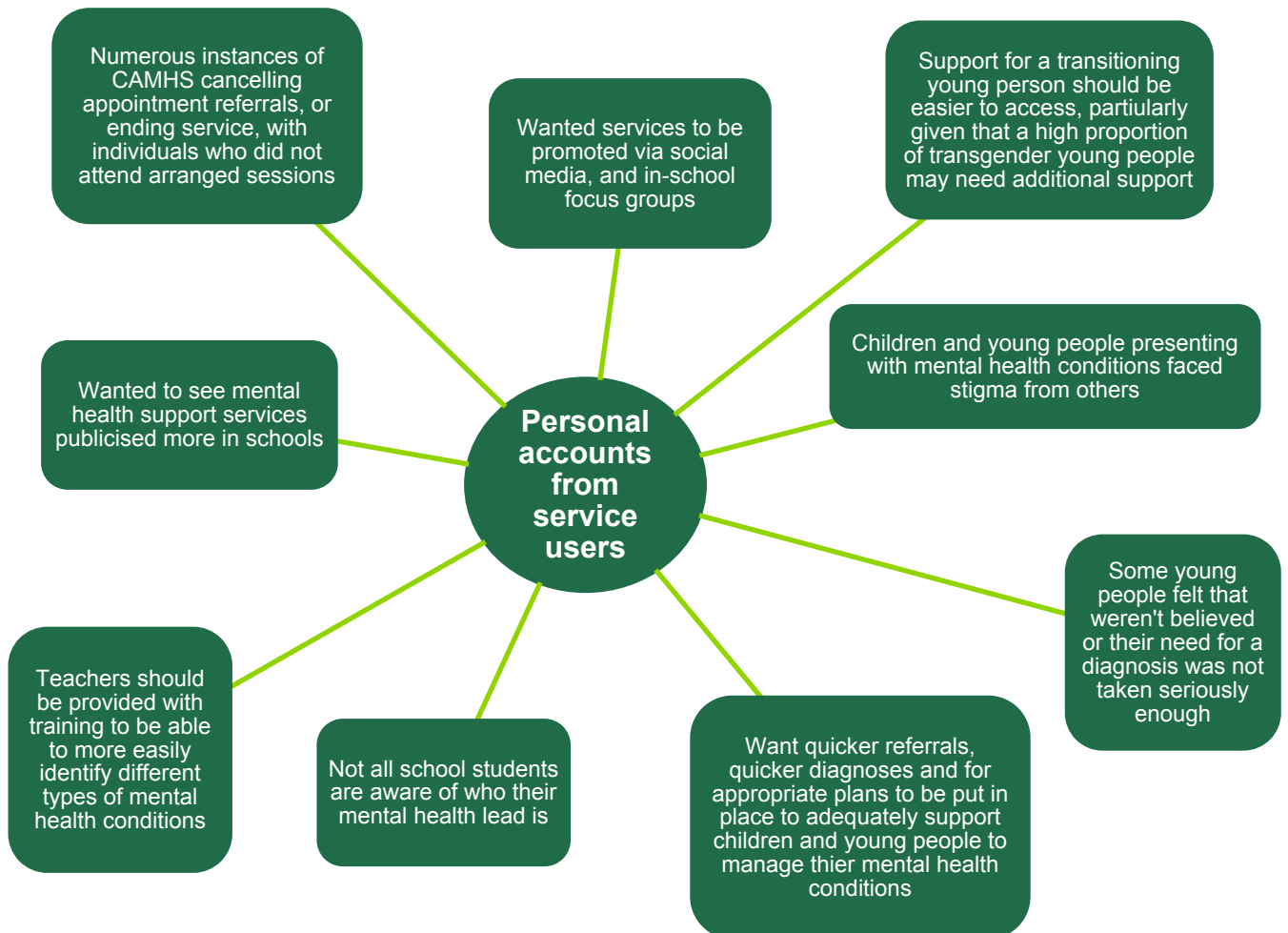


Figure 1 – a summary of the personal accounts of young people who had experienced mental health problems and had sought support from different places.

When asked specifically about what services young people may access if they did not feel they could talk to friends or family, members were advised that there was a range of support that could be accessed, including;

- youth workers;
- pastoral staff in schools (although there was a perception amongst service users that they couldn't do anything about it);
- KOOTH, the online mental wellbeing community;
- Visyon (although the drop-in services and out of hours number wasn't known about); and
- CAMHS (although a referral would most likely be needed in order to access support.)

CAMHS
It appeared to take a long time to receive initial assessments from CAMHS and diagnoses
It was evident that referrals were often complex.
A screening by CAMHS was one step in an assessment process, and it was a challenge to align measurable outcomes.
Mental health is a spectrum and it is complicated. As such, people may need a range of different services, and clinical CAMHS was not always the correct pathway for people.
The link between CAMHS and adults' services is not integrated enough to ensure the right services continue for young people entering adulthood.
Multiple issues were raised regarding CAMHS cancelling or ending services with people who did not attend arranged sessions. This is a significant issue for those whose mental health issues affect them and may prevent them from attending appointments.

Figure 2. a summary of the accounts of services users in respect of CAMHS

The responses of services users in respect of CAMHS were mixed. Whilst some were positive and advised that it had “helped me get back on track and feel more like myself again,” the majority who had taken part in this survey exercise appeared to have been put off by the negative feedback about CAMHS from their peers. These service users noted that CAMHS had not reacted quickly enough to their needs and the time to wait from referral to appointment was too long. Some service users were not aware of the negative stigma surrounding CAMHS, however, the Youth Council identified that it was important that CAMHS promoted its positive news stories and endeavoured to better promote its services through social media and communications.

It was a common thread amongst the feedback from service users that there was a desire for service providers to more regularly and effectively use social media to provide information on available services. Young people also felt that focus groups could be used within school settings to encourage healthy discussions around mental health.

Finally, one young person had noted that, as a transitioning young person, it had not been easy for them to access the basic support that they had felt was necessary and should be available, for a young, transgender person.

Other Available Help
Adults had to meet different criteria than children in order to access services, and it was noted that there was potentially less intensive help and support available for adults. This could have an impact on our young people when they reach the age of 18.
There appeared to be several expert professionals concentrated to one child without any obvious screening tools.
Services need to be joined up to reduce the number of people “falling through the cracks”.
Concern about the effectiveness of Personal, Health, Social and Economic (PHSE) lessons in schools that are currently delivered by teachers who may not have quality knowledge of mental health issues. Suggestion that schools should try to use professionals to teach students about this.
Lot of variation between schools and how they manage PHSE / pastoral support, with some doing this more effectively than others. Is there a way that good models can be replicated between schools in the borough?
Would want to see mental health being publicised more in schools and care for those with mental health needs within a school setting should be fit for purpose for the individual with a dedicated teacher for early intervention.
Ultimately need to have more resource available to provide the range and quality required to support all children and young people in the borough, and to remove the stigma surrounding mental health and accessing support.
When diagnoses are given, a long-term plan needs to be quickly put in place.
Earlier interventions needed at a younger age for children displaying behaviours that could infer mental health struggles.
Should there be an expert in teaching emotional/mental health and dealing with these issues that is in every school. Should a councillor/social worker be attached to every school to provide support and expert advice?
Need to have a better means of measuring what ‘good’ is, and better measure whether services are making children and young people feel better.

Figure 3. a summary of the accounts of service users in respect of other available support and help

The committee was advised that often there was stigma for children and young people who present with a mental health condition. Some young people who knew friends or peers with mental health diagnoses aspired or wanted to receive the same diagnosis. Many young

people had trouble opening up to people and trusting them at times, when they had done so, they hadn't been believed which created a much bigger barrier in the long run. There were issues when young people had an existing condition, such as Attention Deficit Hyperactivity Disorder (ADHD), alongside a separate mental health diagnosis and the pathway for that individual.

Often agencies would refer children and young people back to a department they knew would get support to the individual or they would find an appropriate solution to the situation, rather than spending time assessing who had responsibility for the individual which in turn masked the issue. Young people were clear in their thinking and feedback that people need a range of help and support as mental health needs can be specific to a situation in their life or be part of a long-term condition. They were also clear that preventative support that enables young people to support each other and their own wellbeing was important.

It was noted that the development of mental health issues in young people can often be caused by problems within the family unit. Twelve/six-week programmes that finish at aged 16 are not enough, they should extend to the point at which the young person is ready to finish.

The committee asked the following three key questions:

- 1) What else do you believe young people of Cheshire East need more of to help them be happy and safe?
- 2) If money was no object- what would you like to see transformed across Cheshire East in respect of service provision for Children and Young Peoples Mental Health?
- 3) What would your top two recommendations be to overview and scrutiny committee as a result of this review?

Officers present felt that there was an evident need for more targeted and stigma-free resources available to young people, alongside the offer of in-house services; and that there should be more training in schools to ensure the most effective, holistic support networks are in place for young people in Cheshire East.

Members agreed there was not enough emphasis on personal development delivered by expert services and that not all schools had a full-time counsellor or nurse to enable drop-in sessions for students.

Conclusions

1. Service users did not consistently feel believed and/or understood when they presented with mental health issues.
2. A number of service users had had negative experiences with CAMHS, namely long waiting times to receive an appointment, and the cancellation of service appointments if they had been unable to consistently attend (even if the reason for absence related to their mental health difficulties.)

3. There was a consistent message from service users that organisations and providers could and should make better use of social media to raise awareness of what services are available to young people experiencing mental health difficulties, as well as to try and reduce the stigma surrounding the accessing of these services.
4. Some young people felt that they were prematurely discharged from their services, and that they should be able to identify when they are ready for the support to end.
5. Young people with mental health issues needed consistency and familiarity in their service provision and felt that the relationships and support they had received during childhood should be maintained after turning 18 and transitioning to adulthood.
6. The council, schools, NHS partners and other organisations needed to work together to ensure the most effective, 'wrap-around' service was available to support Cheshire East children experiencing mental health difficulties.

Recommendations

1. **That the council and partners endeavour to create a clearer pathway and screening tool for assessing the needs of children and young people presenting with mental health issues, with standardised outcome measures across services to make it easier to identify where other improvements may be made in the future.**

The ideal situation would be for children and young people to receive a timely diagnosis and a supportive treatment plan that continues until they feel well and able to manage their mental health and wellbeing. As young people grow older and move into adults' services, service quality should not be compromised, and allowances should be made to ensure familiarity between different consultants and services.

2. **That commissioners review the current service provision, and access to services, with a view to ensuring that services are commissioned for children and young people up to the age of 25.**

Evidence received from the entire spotlight review, particularly the feedback from service users, revealed that young people needed more consistency and familiarity from the services they receive. This could be improved by commissioning services for young people up to the age of 25.

3. **That a review be undertaken of the Cheshire East Live Well programme, and that as part of this, the council specifically considers access and availability to wellbeing support services for children, young people and their parents/carers.**

The committee felt it was important that some of the work already underway by the council through the Live Well programme be reviewed, to determine whether certain

strategies or programmes could be improved through pragmatic adaptations that would potentially better meet the needs of children, young people and parents.

4. **That Cabinet look to use and prioritise the Troubled Families process to improve the level and breadth of support available for parents and carers of children and young people experiencing mental health issues.**

The committee recognised the need to offer support to parents struggling with their mental health and as the struggle to parent their children as well as they might. The committee recommended that the Family Focus (Troubled Families) process be utilised and prioritised to improve support for parents.

NHS Commissioners and Providers of Children's Mental Health Services in Cheshire East

The committee considered a shared presentation, provided by NHS Cheshire Clinical Commissioning Group (CCG) and Cheshire and Wirral Partnership NHS Foundation Trust. Members were informed of how Cheshire CCG and CAMHS work together to provide these services for the young people of Cheshire East, as well as the specific projects and pieces of work being undertaken to make services more resource-effective and provide better outcomes for service users.



Figure 4. Statistics relating to the mental health issues experienced by children and young people in Cheshire East

i-Thrive

Officers explained i-Thrive, part of the new Thrive model, an integrated, person-centred and needs led approach to delivering mental health services for children, young people and families which conceptualises need in four categories: Getting Advice, Getting Help, Getting Risk Support and Getting More Help. The committee heard that commissioners had begun to move towards the Thrive model – to replace the tiered system of defining services and cases – but noted that the current provider still preferred this older system.

A number of recent developments included: an All Age Wellbeing Hub (a single point of referral and triage for both professionals and the public); a single advice line for professionals (health workers, teachers or carers) between 1-5pm for advice and information that follow the Thrive model quadrants; support for KOOTH delivery (online support; and counselling and weekend assessments for children and young people (thereby saving over 40 beds over the last 12 months).

Families with nursery aged children that presented with mental health difficulties were supported through a 12-step programme. The NHS had begun to operate on more of a needs-based approach at a wider community level, however, despite the introduction of the Thrive model, staff were still using the tiered system internally to organise referrals. This led the committee to ask how successfully the new model had been integrated from within the NHS outwards.

CAMHS
CAMHS only provides services to 35% of the children and young people with mental health issues that need support. The other 65% “can’t access” the services due to not meeting accessibility criteria.
CAMHS informed that it had noticed an increased number and proportion of complex cases, particularly of children and young people diagnosed with autistic spectrum disorder, as well as other mental health needs.
CAMHS insisted that they do not have a waiting time issue – approximately 3 weeks for appointment (this has never exceeded 8 weeks) and 7 weeks for treatment to begin. CAMHS was clear that the public concern about waiting times is caused by the eligibility criteria and children and young people not being able to access services because they are not eligible. This has gone from a 4 year wait to an 8 week wait within 18 months.
CAMHS had tried to improve wider understanding of what the service can provide, and for which types of symptoms, by sending short information sheets to GPs and other potential referrers.
One of the biggest barriers is enabling commissioners to commission mental health services that move away from mental health belonging to CAMHS. Mental health should be embedded within everything and everyone needs to own this and support this work.
CAMHS / NHS are currently looking at the whole picture of children’s and adult’s mental health services, reviewing the differences in thresholds to determine how improvements could be made to improve the ease of transition for patients.
Central funding is the biggest obstacle to NHS / CAMHS providing the services they need to, to the children that need them.

Figure 5. a summary of the key points made regarding CAMHS

Long Waiting Times

In response to the anecdotal evidence of long waiting times, CAMHS advised that the NHS had begun to review moving away from the traditional ages 0-16 for children's support services, to a 0-25 years approach. It was noted that the eligibility criteria for accessing children's and adult's services were different, but that discussions had commenced on how to resolve this issue.

The committee was alarmed by issues raised by service users, commissioners and provider, regarding service eligibility and the low proportion of children and young people unable to meet eligibility criteria, or being stuck on waiting lists for extensive amounts of time (one particular case reported to the committee noted a child had spent two years on a waiting list before receiving an appointment.)

Early Years

It was also recognised that young people can be on waiting lists for so long that they can fall into crisis before being able to access services. A pilot had been carried out with nursery-aged children to support the early identification and support of mental health difficulties; however, it did not receive further funding to be carried out on a wider scale.

The committee heard that there was a provision for young children aged 0-2 years, related to maternal depression and its impacts on young peoples' mental health, but that this was provided at a Cheshire and Merseyside regional level, not specifically in Cheshire East.

It was reported that there was a greater need for mental health early intervention in Crewe and parts of Macclesfield. Members were keen on the use of all-age assessments and noted that more needed to be done on the provision of early intervention for younger children.

Trailblazer Scheme

Members heard how a 'Trailblazer' bid has been secured, which would enable the piloting of two teams working with a Clinical Lead across 11 schools in Cheshire in Ellesmere Port, Winsford and Crewe. It was anticipated that this would serve around 16,000 pupils, with selection being completed through a needs assessment analysis.

There were a number of other bids planned to be submitted to try and extend this offer across the rest of Cheshire. NHS partners had worked closely with heads of education, reviewed deprivation markers, and used data on A&E admissions to determine which areas the 'Trailblazer' schools would be placed in.

Out of Hours and Crisis Support

An out of hours advice line was open from 5.00 to 11.00pm on weekends and 12.00 to 8.00pm on weekdays. A separate offer of a crisis support line was in development, which

would be 24/7 and provide young people with fast responses in a parallel model to the home support and home crisis service already provided for adults.

Mental Health Leads in Schools

The Department of Health and Social Care and Department for Education (in 2018) introduced the need for schools to have a designated Mental Health Lead, whose role was set out as to:

- coordinate the school's provision for young people's mental health needs;
- build clear working links with children and young people's mental health services so that the school can refer to the NHS when appropriate;
- oversee the mental health interventions that take place in school; and
- give members of staff the knowledge and skills they need to support children with emerging mental health issues.

It was noted that in order for mental health issues to be more effectively managed by schools, general ICT systems needed to be improved to enable concerns to be flagged and referred to the appropriate persons or organisations quicker.

In order to support disengaged students that did not attend school – sometimes owing to their mental health struggles – a peer support network for parents, school nurses and teachers had been established. A peer-to-peer support network was in development to be in place around the end of 2021.

Conclusions

7. CAMHS and the NHS has begun to consider extending its provision of mental health services for young people from up to the age of 16, to the age of 25, including a review of the differences between the accessibility criteria for children's and adult's services.
8. There has been an increased proportion of complex cases, such as children or young people diagnosed with autistic spectrum disorder, as well as other mental health needs.
9. It can often be confusing for families to manage referrals and visits to a variety of services, which was hoped to be improved and resolved by the introduction of the iThrive model.
10. Visyon provides services only in the north of the borough; the NHS is looking to extend the offer and commission equitable services across Cheshire East.

11. Although there is some provision of support services for young children aged 0-2, this is provided on a regional basis across Cheshire and Merseyside. There is need for this to be improved at a local level in Cheshire East.
12. Through Early Help and the Emotionally Healthy Children Programme, training has been undertaken to embed mental health support as a priority throughout service provision.

Recommendations

5. **That commissioners be asked to provide a further update to the Children and Families Overview and Scrutiny Committee in January 2021, on the progress of implementing the Thrive model and an update on service accessibility.**

The committee noted that commissioners had introduced the new Thrive model to replace the previous tiered system for defining services. It supports the value of an improved needs-based approach being adopted.

6. **That commissioners and providers ensure that the eligibility and accessibility criteria for services is clear and transparent for children and young people and their families/carers.**

The committee acknowledged the widespread perception and experiences from service users of council services that CAMHS has very long waiting times for appointments in relation to the screening, assessment, diagnosis and treatment of children with complex needs. There was a reality that the longer that young people stay on waiting lists the quicker the likelihood will be they fall into crisis which can result in inappropriate attendance at A&E and admission to hospital.

The committee also noted that Cheshire and Wirral Partnership NHS Foundation Trust, who provide CAMHS locally in Cheshire East, was clear they do not have a waiting time issue and stated there was an approximate 3 week waiting time for an appointment and 7 weeks to wait before treatment begins. They stated that public concern about waiting times is caused by the eligibility criteria, and that children and young people not being able to access services is due to them not being eligible.

7. **That Cheshire CCG, CAMHS and the council ensure that all staff who support both children's and adults' services, undertake transition training to secure safe and reasonable handovers of cases when young people leave children's services and enter the adult social care system.**

The committee understood that once a care leaver is over 25 and has technically 'left' the councils children's services umbrella, teams would still try to get in contact up to twice a year (text / email etc.) to check in and see how they are doing.

The committee advocated for the need to extend care up to 25 years by recommending that any future redesign of CAMHS services for those in greatest need should extend up to age 25, rather than 19. This should particularly consider a continuous care plan for those children who are care leavers and those who have been exposed to violence, abuse and trauma as children into adulthood.

8. **That commissioners endeavour to ensure that services provided by Visyon are equitable and available across the whole borough of Cheshire East.**

As at the time of this spotlight review, Visyon was commissioned to provide services in the north of the borough. It was reported that commissioners had begun to look into extending this offer, and the committee agreed that this was important and necessary.

9. **That Cabinet reviews the council's commission for the Emotionally Healthy Children Programme, with a view to ensure that there is a single commissioning strategy that is aligned to the CCG Mental Health Trailblazer project and make it easier to secure future funding.**

The committee understood that mental wellbeing should be embedded in everything that is done through both through the Emotionally Healthy Children Programme, and the Council. One of the biggest barriers to achieving this was the funding available to commission services, with one solution to this being a shift away from CAMHS being responsible for providing all mental health services.

10. **That the Leader of the council write to the Secretary of State for Health and Social Care and the Minister for Education, to request further investment to improve the access to therapeutic support services for children and young people in Cheshire East.**

The committee heard considerable evidence that the perception and reality of service users and Council Officers that CAMHS service currently has long waiting times for screening, assessment, diagnosis and treatment of children with complex needs. CAMHS contradicted this view stating that the discussed waiting times were a myth, however; CAMHS had quoted that they currently operate a service of approximately 3 weeks for appointment and 7 weeks for treatment to begin.

Whilst it was acknowledged that there was a funding gap for CAMHS (only 35% of children with a clinical need able to access services,) the committee noted that young people can remain on service waiting lists for so long that they experience crisis, sometimes resulting in avoidable A&E presentations and hospital admissions.

11. **That the council and NHS partners work together to review the way in which data relating to children and young people's mental health is collected, to more consistently align to national targets and measures.**

The committee understood that the national target is to provide services to 35% of children and young people, however, data is not collected in the same, consistent way by all organisations and authorities. The committee recommended a change in the way data is collected to align as a consistent measure.

Children's Social Care

The committee were given an overview of the current position on young peoples' mental wellbeing within the children's social care setting, with a focus on cared for children, care leavers, as well as the Child in Need and Child Protection services.

Several pertinent points were put to the committee, including that:

- most referrals that were made to Children's Social Care came from the police and related to domestic abuse;
- all cared for children have experienced trauma and loss – some children in care will be at higher risk of placement instability and thus, ensuring their mental health needs are identified and supported is key;
- statistics showed that there had been an increase in the number of children in need of additional support;
- As a council we do not have a high number of cared for children that end up in the justice system, however, usually when cared for children have offended, they have been high risk cases;
- the current training offer on supporting children's mental health needs for foster carers should be reviewed to ensure it is robust and fit for purpose; and
- there was a need for clearer service pathways and screening tools to be in place to more efficiently and effectively assess children.

In addition, the committee were made aware of two specific projects that had been undertaken by the council:

Bespoke Project

A specialised children's home, operating with a new model of care that sees services come in to visit and support children, rather than them having to go out to speak to lots of different professionals.

Mockingbird Project

Creating a network of foster carers, similar to receiving support from the extended family network, making sure that they have the right support and advice to enable them to be effective carers and provide the best possible care for the children they look after.

Early Help

Following members' questions, it was noted that the Early Help offer could be improved by ensuring that robust plans were put in place around whole families, and that the child in need of support, their parents/carers, siblings and other close supports understand any plan put in place and how they each can support it.

Furthermore, it was suggested that a review of the eligibility criteria for accessing services be undertaken, for more young children in need to be able to receive the support they require.

Leaving Care or Transitioning to Adult's Services

Once a care leaver turns 25, they will have technically left the council's children's services 'umbrella'. However, it was made clear that over-25s that return to the children's services teams are not turned away and will always be supported helped when in need and crisis, such as taking a person to A&E, or with advice on higher education. Children's services teams carry out welfare checks up to twice a year, usually via text or email, to check in and see how the person is managing.

It was reiterated to the committee that there was a shift in thinking towards asking children and young people what they believe the most suitable solutions would be for them, and to from there, work together to find the best solutions and outcomes.

Gaps in Service Provision

There is a gap in service provision for children and young people with mental health issues that are at risk of committing crimes. At present, these young people will only receive fast-tracked help from CAMHS once a crime has been committed, and/or if they are in the youth justice system. This fast-tracking of services is not available for other Early Help services.

This does not help the early intervention/prevention agenda and, if it were to be revised, a greater number of children could be provided with the support and mental health services they need that could prevent them from committing crimes and ending up in the youth justice service.

Adoption Counts

Within the wider update on Children's Social Care, the committee received information from Adoption Counts – a new, collaborative adoption agency that has brought together the professional expertise of five local authorities including Cheshire East Council – who work with adopters and ensure that adopted families have the most stable and supportive environment possible.

The key points made during this presentation to members were:

- Statistics showed that approximately one quarter to one third of all adoptive families are struggling significantly, to the extent that they require a considerable amount of support.
- Adoption Counts works with adopters before they adopt to prepare discussions around adoption and the birth family.
- Of the five local authorities that co-commissioned Adoption Counts, Cheshire East has the highest numbers of referrals, which is significant when considering that its population size (roughly 380,000) is a lot lower than that provided for by Manchester City Council (approx. 550,000 residents).
- It had been recognised in national research that CAMHS had not always been as responsive as it had needed to be to meet the specific needs of adoptive families.
- If CAMHS, Education and Children's Social Care services were integrated more effectively, the services available to adoptive families would improve.
- Adoptive children need tailored and sophisticated mental health services too, which needed to be acknowledged properly by commissioners. A lot of the time, adoptive children may not have diagnosable mental health issues, but the majority have still benefitted from some form of therapeutic intervention, and that this has helped to prevent the development of more significant mental health issues.
- Children's mental health should be at the forefront of health agendas with a view to securing long-term solutions for affected children.

Following further questioning by the committee, it was noted that the service provided by Adoption Counts was both ground-breaking and evidently effective in making sure that the needs of adoptive children and their adopters are met. With the commission for this service due to end soon, it was made clear to the committee that, were the five local authorities not to recommission the service, it would increase the pressure and cost on other council services, and result in potentially less support available for adoptive families.

The committee heard that the Adoption Counts model had proved to be an effective invest-to-save model for each of the involved local authorities and that last summer, all five had written to the Department of Education to request an increase in funding to support the continuation of the service, but that this was rejected.

Conclusions

13. The council has undertaken two important and innovative pieces of work through the Bespoke and Mockingbird Projects, the successes of which should be monitored and considered as to whether their models of work could be replicated on a wider scale.
14. Children and young people who are at risk of entering the youth justice system need earlier intervention and preventative support.
15. A more joined-up approach to the commissioning of children and young people's mental health services, between Cheshire CCG and the council, would help to ensure that the right type, amount and coverage of services were provided.

16. The threshold for accessing CAMHS is too high, which has resulted in too many children and young people in need of help, being without support.
17. There is a need for clearer pathways and screening tools to be implemented, to more efficiently and effectively assess and refer children to the correct services.
18. The service model used by Adoption Counts had proven to be cost effective and provided local authorities with an opportunity to invest-to-save, whilst providing a highly effective service for adoptive children and families.
19. If CAMHS, Education and Children's Social Care services were better integrated, adoptive families would likely receive a more effective, holistic service.
20. Adoptive children, even those who may not have diagnosed or suspected mental health difficulties, need tailored and sophisticated support. Many have benefitted from therapeutic interventions, and it is thought that such support can help to prevent the development of mental health issues.

Recommendations

12. **That the Leader of the council write to the Department of Education to request that funding for the Adoption Counts service be continued and prioritised, and encourage each of the partner authorities receiving the Adoption Counts service to do the same, to lobby for more funding for this important service.**

The committee noted how important it was that adoptive children and families receive the right, timely services that they need, and that Adoption Counts had supported Cheshire East Council to do this in a cost-effective manner.

13. **That full Council be asked to ensure its Budget is adjusted to accommodate the cost required to re-commission Adoption Counts, provided that the other local authorities put forward their contributions also.**

Were additional funding not to be available to renew the Adoption Counts commission, it is important that the council, and the four other local authorities partnered in the commission, take the initiative to ensure that it is accounted for in their budgets.

14. **That the council and partners ensure that the joined-up working arrangements relating to adoption are sustained and properly funded, to secure positive long-term outcomes for adoptive children and families in Cheshire East.**

The committee agreed that adoptive parents should have the same rights as any other parents. There was a risk attached to the cessation of funding. The committee recommended writing to the Department of Education to express concerns and ask

what its plan is for continuation. Scrutiny do not want short termism, want long term outcomes.

15. **That the outcomes of the council's Bespoke Project be reviewed, and its successes be used to inform future commissions and projects.**

Through the Bespoke Project, the council had been able to trial an innovative and new approach to providing services in an efficient and effective way to children and young people. If this new model of delivery proves to be successful and create positive outcomes for service users, the committee agreed that it should be used as part of the development of future commissions and projects.

16. **That a review be carried out to ascertain best practice in areas where a 24/7 crisis offer is already in place, and how this type of crisis service could be provided in the most effective, joined-up way in Cheshire East.**

The committee understood that Street Triage was standardised across the borough and it actively worked to dissuade children and young people from being taken to custody suites by Police when suffering a mental health breakdown typically on a Friday and/or Saturday evening.

Council-Commissioned Services

The committee was informed that the Cheshire East All Age Mental Health Strategy 2019-22 was in development; the overview and scrutiny of the strategy was undertaken around the time this review was undertaken (February 2020). The strategy was intended to provide better outcomes for all living in Cheshire East who had a functional mental health condition, i.e. one that has a predominant psychological cause, such as depression, schizophrenia, mood disorders and anxiety.

The strategy proposed a whole system approach to improve the mental health and wellbeing of children, young people, adults and their families, and was supported by integrated health and social care services, resilient communities, inclusive employers and services that maximise independence and choice.

Further scrutiny and questioning by the committee revealed that:

- statistics and performance measures needed to be analysed further to assess the gaps in funding and success of joint contract management arrangements with Cheshire CCG;
- there was a proposed offer of establishing Early Start Hubs, targeted at bringing different agencies and services together to 'wrap around' support for families; and
- the integration of commissioning and delivery needs had to be the way forward, to ensure the most effective provision and outcomes of services.

The committee also heard that the council had worked to establish a new school in Crewe, which would be opened to specifically support children and young people with mental health needs, who due to their needs, cannot be supported effectively within a mainstream school.

As a follow-up to the previous presentations it had received, the committee queried the experiences of long waiting times for children to receive appointments from CAMHS. Members heard of the case of one child who unfortunately had to wait two years for an appointment, following their referral to CAMHS.

Conclusions

21. The voice of children, and the priorities of children and young people, were central to the commission of any service and performance review of any ongoing commission.
22. The Cheshire East All-Age Mental Health Strategy 2019-22 had been recently developed, with a view to ensuring mental health support is in place for people from birth.

Recommendations

17. **That the council and Cheshire CCG work together to ensure that commissioning and contract management arrangements are more closely and effectively integrated.**

It was clear from the committee's investigations that through more effective joint-arrangements and co-commissioning, the council and partners would be able to reduce the gaps in services and improve outcomes for service users.

Education

The council has two teams under the service area of Education, which directly support children and young people with mental health difficulties:

- (1) the Medical Needs Tuition Team
- (2) Safeguarding Children in Education Settings (SCIES) Team

The committee was informed that there had been increased number of children not able to access/attend school due to mental health problems. Furthermore, there was a cohort of young people who are unengaged and potentially unknown to services, they spend their time in their bedrooms and are becoming a growing concern for the council and schools.

There was some anecdotal evidence to suggest that CAMHS will not go out and visit disengaged young people to provide them with appointments. The committee was concerned to hear that home visits were not undertaken, even if service users had missed appointments due to their mental health and wellbeing issues preventing them from leaving their homes. It was reported that if service users missed three appointments, their service with CAMHS would be ended.

Cornerstones Project

This project was established to support primary school children on the cusp of exclusion, with a focus on understanding and resolving behaviour escalations. Since the project had been put in place, there had not been any primary school exclusions in the last year. Following its early success, the project had been extended to work with children that had struggled to adjust and adapt to moving from primary to secondary school.

Support in Schools

Ofsted had changed some of its focus from being target and achievement focused, to prioritising the welfare and emotional support needs of children as part of the curriculum, which has influenced how schools formed their curricula.

It was noted by the committee that teachers – already under the pressure and strain of delivering more with less resources – did not always have the capacity to take on further responsibility with regards to supporting pupils' mental health and wellbeing. Too much pressure and responsibility can lead teachers to feel mentally unwell themselves and as such, the Council had begun working with trade unions to improve stress awareness and resiliency.

Elective Home Education

The council had overhauled its systems and approach towards children who are electively home educated. After being notified of a parent(s)/carer(s) wanting to electively home

educate, the council will visit the family and provide advice on the impact of elective home education, especially if there are students with mental health conditions.

The key to effectively managing a request to electively home educate is to support a full understanding of the rationale behind the decision, for example, if this is due to issues within the school such as bullying, which could potentially be resolved.

Ultimately, the council is always supportive of families' decisions to electively home educate, however, if there are concerns that this may not be suitable or ideal for students, the council would quickly raise these with the parent(s) and if required, challenge them on their decision.

The Lodge

The committee was informed of the Lodge – an alternative education provider that can deliver quality, short-term, alternative provision for the most vulnerable learners. Testimonials from schools that had used the Lodge noted that it offered a structured programme for attendees that facilitated personal development and focused on supporting students to ready themselves for returning to their school environment.

Placements at the Lodge had been found to be popular with both students and parents, with transition into the provision, communication, safeguarding and transition back to school being highly effective.

It was noted that the Lodge was just one alternative education provider that had been used by schools in Cheshire East. Funds had been allocated to clusters of schools from across the borough, which had then determined what alternative education provision was required on a more local level.

Conclusions

23. The Medical Needs Team reported that approximately 80% of cases they had supported had related to mental health issues.
24. The Cornerstones Project had successfully supported primary schools to more effectively manage pupil behaviour escalation and resolve issues before the need for school exclusion arose.
25. Although CAMHS had reported undertaking home visits to disengaged young people, there was anecdotal evidence that there was resistance to undertake these.
26. The Lodge was one example of an alternative education provider that had been used to provide vulnerable pupils with short-term structured programmes for vulnerable learners that support them to return to their usual school environments.

Recommendations

18. **That the council monitors the impact of alternative education service provisions to support young people and reduce rates of exclusions.**

Although the council does not have capacity to put further funding into this type of provision, the committee recommended that the successes of the Lodge be considered when its annual funding review is carried out.

19. **That CAMHS and commissioners urgently review the support provided to children and young people who are unable to leave their homes to attend their scheduled appointments.**

The committee was concerned by the evidence it had received throughout the spotlight review that had revealed that in some instances where young people had not been able to attend three service appointments – reportedly due to the impacts of their mental health and wellbeing issues preventing them from feeling able to leave their homes to attend these – CAMHS had ended their services.

The committee agreed that, in cases such as these, it was unacceptable that CAMHS should end services without a home visit.

20. **That commissioners consider the commissioning of specialist health visitors to support schools in their teaching and managing of students' mental health and wellbeing.**

The committee stressed how important it was that schools were able to provide the right amount of information and teaching on young peoples' mental health and wellbeing, and in the most effective format. Specialist health visitors coming into schools would be able to support teachers and help to deliver lessons on this, and reduce the pressure on teaching staff to be the primary source of support for matters relating to student's mental health and wellbeing.

Integrated Youth Support Service (IYSS)

The committee received information on the work of the Integrated Youth Support Service (IYSS), and the wide range of support (including an allocated worker) provided to young people who are not in education, employment or training (NEET) – which in Cheshire East is approximately 150 people.

Most children and young people accessing the service have complex needs (often attributed to mental health issues) and there are notably fewer requiring less intervention. The young people traditionally have low aspirations and ambitions, and do not work well within an education setting therefore creative alternatives and solutions must be found. Importantly the work being done with this cohort of young people is not just about qualifications, but also about social interactions. This is especially true for those that do not have a diagnosable mental health issue (e.g. this could be low self-esteem or, isolation), yet they are still struggling and require some type of mental health support as part of their solutions.

There had been an increase in mental health issues experienced by young people identifying as lesbian, bi-sexual, gay or transgender (LGBT+). Moreover, of the 40 young people that had attended and found support with the Utopia Group in Crewe, notably a large percentage have a mental health condition – workers are available to support these young people.

Training Opportunities

It was reported that there was a proportion of young people each year (approximately 100) who were not able to access apprenticeship opportunities, despite there being a prevalence of such opportunities in both Crewe and Macclesfield.

This meant that different, more creative approaches were needed for young people across the borough that need more supported help, work experience with a dedicated support and/or mentoring system in the workplace. Supported Internships are effective but are only available for people with special educational needs and/or disabilities (SEND.)

In order to provide better support for young people who are NEET, there needs to be more training providers, providing a wider range of opportunities. The model of supported internships could be used to help improve the opportunities on offer and improve the positive outcomes of young people who are NEET.

Supporting Young People Not in Education, Employment or Training

Following questions from members regarding what can be done to better support these young people, it was heard that there needed to be an improved solution for supporting disengaged young people.

The courses provided by the IYSS were available for Key Stage 4 students and those that had dropped out of school, but colleges were prepared to offer reduced-hour approaches if this would better suit a young person's needs better.

Conclusions

27. There is a potential for young people who are NEET to feel mental health challenges as a result of their situation.
28. The cases presented to the service are often complex and require a multidisciplinary approach to find a solution and identify the correct support.
29. There is potentially a gap in the provision of services in the summer holiday period, particularly for students preparing to transition from secondary school to college.

Recommendations

21. **That CAMHS, Cheshire CCG and the council work together to review and improve the way in which support is targeted and provided to young people that do not attend school, college, training or work due to their mental health struggles.**

The committee acknowledged that disengaged young people residing in their bedroom are becoming a growing concern for council and schools. This cohort of young people typically do not attend school, college or work due to poor mental health.

The committee accepted the anecdotal evidence that CAMHS will not go out and visit disengaged young people to give them their appointments and recommended improved access and closer links to CAMHS for disengaged young people who are struggling to attend school, training or work, as the current service design does not result in home visits being delivered by qualified nurses or therapists.

Some young people may not have a diagnosable mental health issue (e.g. they could have low self-esteem or isolate themselves,) but they still clearly require some type of mental health support as part of their solution that parents, schools and youth services are not equipped to deliver currently.

Participation Service

The council's Participation Service is closely linked to the Integrated Youth Support Service. The committee heard that the Youth Council and young people working with the Participation Service were keen to influence the delivery of mental health support and services.

Members were advised that, whilst there was a lot on offer to young people, the feedback from the Youth Council and other groups was that the young people did not know enough about what was on offer.

It was reported that users of the Participation Service had reported a negative stigma regarding CAMHS, and that many of the personal accounts of service users (as aforementioned in this report) had also been reported to this service. For example, there was feedback from some young people that they were not aware of schools having designated Mental Health Leads. As there had been no specific direction or requirement for these posts to have a uniform title, schools named the role differently, which had made it unclear to students who to go to for mental health queries and support.

The committee heard that the service had worked with young people on the awareness and impacts of cyber bullying, and how social media posts are monitored. It was noted that better awareness of KOOTH – how to access it and what benefits young people could gain from using it – would be beneficial, and that school social media accounts and communications to students and parents could be used to promote it.

Conclusions

30. The Participation Service had received feedback that there had been confusion regarding the designated mental health leads at schools, and that across different schools they had different titles.
31. The council and partners ensure a broad provision of effective services for children and young people, however, feedback suggested that there could be greater awareness and understanding of the offer and how to access services.

Recommendations

22. **That the council and partners work together to make sure that the offer of online support services is refreshed and promoted, and that it is equitable for all young people in the borough.**

The committee recognised that KOOTH, and other similar services, could be better promoted. Given the inequality at present, the committee acknowledged there was a feeling of postcode lottery with KOOTH, as only two thirds of the service is commissioned by the CCG.

- 23. That schools in Cheshire East be asked to use a consistent title for the designated Mental Health Leads.**

In order for young people to have the awareness and understanding of who their school's mental health lead is and what they do, it would be helpful for there to be a consistent approach to the name used by Cheshire East schools to identify this role.

This page is intentionally left blank



Working for a brighter future together

Key Decision Y

Date First
Published: 2/7/20

Cabinet

Date of Meeting: 06 October 2020

Report Title: Development of a Youth Facility in Crewe

Portfolio Holder: Councillor Kathryn Flavell Portfolio Holder - Children & Families

Senior Officer: Mark Palethorpe – Executive Director People

1. Report Summary

- 1.1 The Council has undertaken preliminary market research and feasibility on improving youth services and facilities for children and young people in Cheshire East.
- 1.2 This report provides information on a proposed Youth Zone model and seeks delegated approval for Cheshire East Council to enter into a Partnership Agreement with a charitable organisation in order to submit a funding bid to the Department for Digital, Culture, Media and Sport's (DCMS) Youth Investment Fund (YIF) to support the development of a Youth Zone in Crewe.
- 1.3 This project is dependent on a strong, successful funding bid to DCMS, that only charitable organisations are allowed to submit. A bid will need to clearly evidence that a Partnership Agreement is in place between the Council and a suitable charitable organisation.
- 1.4 The Council is currently working to identify and secure a suitable location for the scheme. The initial focus has been on Council-owned sites in Crewe town centre. These sites are being evaluated further and their availability will also be subject to the outcome of the Council's Future High Streets Fund bid to Government, which is seeking funding towards residential-focused redevelopment schemes in the Town Centre.

- 1.5 The current facilities to support young people in Crewe are very limited and there has been no formal consideration to date to consider capital investment into dedicated facilities for young people beyond schools and general community leisure facilities. This proposed Partnership Agreement and funding opportunity would enable the Council to demonstrate our investment in young people as valued citizens and notably, vital users of our town centres.
- 1.6 The Partnership Agreement will enable the Council and partners to create a high quality new build facility that supports young people to develop new skills and socialise in a safe, positive and accessible environment. The attraction of a successful Youth Zone encourages parents and carers to spend time in town centre retail and recreation facilities which will be critically important as we come out of the current lockdown, but also essential to the future success of town centres. This is why we want to develop a Partnership that will complement the redesign and planning of the Crewe town centre.
- 1.7 The proposed development of a Youth Zone has a strategic fit with the Council's priorities for the coming years.
- 1.8 Following our 'Together' principles of co-production and starting our service development through listening to the views of children and young people we have heard a clear message that a top priority is to improve access to positive things to do that help them to stay active for health and for mind.

The proposed development of a Youth Zone would also have a clear fit with the Children and Young People's Plan 2019 – 22 and the overarching aim to make Cheshire East a great place to be young. Together we want the following 6 outcomes for children and young people:

- Children and young people we care for are happy and given every opportunity to achieve their full potential.
- Children and young people feel and are safe.
- Children and young people are happy and experience good mental health and wellbeing.
- Children and young people are healthy and make positive choices.
- Children and young people leave school with the best skills and qualifications they can achieve and the life skills they need to thrive into adulthood.
- Children, young people and young adults with additional needs have better chances in life.

2. Recommendations

That Cabinet:

- 2.1 Notes that an open market testing exercise will be undertaken to understand the ability of charitable organisations to become an effective partner of the Council for

the purposes of submitting a funding bid to the Department of Culture, Media and Sport.

2.2 Delegates authority to the Executive Director People in consultation with the Portfolio Holder for Children and Families to:

- evaluate the market testing and ensure an appropriate due process is undertaken to select a preferred partner in order to enter into a Partnership Agreement to deliver this scheme.
- review a detailed options appraisal to be prepared by the Council's Assets Department on potential sites for the delivery of a Youth Zone in Crewe.

2.3 Notes that a further Cabinet report will be prepared to seek approval for:

- the final detailed proposal for the scheme.
- the business case including any required capital and revenue contributions.
- authority for the disposal and / or use of the Council's land to enable the delivery of the scheme.

3. Reasons for Recommendations

3.1 The development of a Youth Zone in Crewe will provide a much needed facility for young people and ensure Cheshire East is a great place to be young.

3.2 To ensure an effective stepped approach to developing a Youth Zone that secures external funding, ensures due diligence / compliance and an aspirational facility that is sustainable for generations of young people to come.

3.3 The introduction of a Youth Zone facility in Crewe town centre would support the continued diversification of the town centre, building on recent investments in the Lifestyle Centre, UTC and Market Hall as well as aligning to other initiatives in the pipeline. This approach is key to ensuring there are more reasons for more people to visit the town centre throughout the day and evening, and aligns with the objectives of the Crewe Town Centre Regeneration Framework.

4. Other Options Considered

4.1 The options in this instance are limited. The Council had not considered developing a major purpose-built youth facility in the borough before considering the proposal as presented, the options are therefore limited as indicated below.

4.2 Option 1 - Do nothing and reject the proposal to establish a Partnership Agreement. The opportunity to create sustainable youth provision in the borough would be lost and the Council would have to make alternative provisions for Crewe using its own resources. This option is not recommended.

4.3 Option 2 - Full Council led development. This would result in the Council needing to provide 100% capital and revenue funding (less any grant funding it could

raise); Council would be required to follow the Public Contract Regulations 2015 that would add time and cost in addition to carrying capital overrun full risk and revenue liabilities. In this instance the Council's capital investment is likely to be in excess of £8m. This option is not recommended.

- 4.4 Option 3 – make a capital investment into the local voluntary sector. The capital sum is unlikely to be matched by the voluntary sector – and any opportunities to do this would take considerable time. Without additional capital the youth facilities would only be able to offer less than half the opportunities on offer through a Partnership approach with a charitable organisation. The borough would lose the opportunity of an inward capital and revenue investment. This option is not recommended.

5. Background

- 5.1 Crewe incorporates some of our most deprived wards and the ability to support the areas young people to access positive things to do in their community will not only improve their health and wellbeing and drive aspirations for adulthood but also support community cohesion and a vibrant Crewe town centre. Our young people tell us on many occasions that improving positive things to do is one of their main priorities.
- 5.2 In June 2020 we have suffered flooding damage to our current Crewe Youth Hub. This is a building which we lease from a private landlord in an historic arrangement since 2010. This shop front is no longer fit for purpose to enable the Youth Service to deliver high quality provision that also sends a message to our young people that we value them and want to invest in their needs going forwards. The lease has come to an end and as such we are looking to relocate Youth activities to the Lifestyle Centre on a temporary basis until we can develop new premises for the future.
- 5.3 The Council has undertaken preliminary market research and feasibility on improving youth services and facilities for children and young people in Cheshire East. This report proposes a Partnership Agreement that will enable the Council and partners to create a high quality new build facility that supports young people to develop new skills and socialise in a safe, positive and accessible environment.
- Youth Zones provide large-scale multi-activity facilities which typically include a multi-use 3G pitch, indoor sports hall, climbing wall, gym, music, dance, performing and creative arts facilities and café, along with flexible spaces that can respond to young people's changing needs and preferences. Local young people will be involved in the naming, branding and interior design of the new Youth Zone from the very start.
- 5.4 The formation of a partnership between the Local Authority, charitable trusts and local businesses will provide both capital and revenue funding for the development of much needed youth facilities in Crewe.

Several existing Youth Zones have more than 3,500 members and evaluation indicates that every £1 invested in Youth Zones by local authorities achieved a social return on investment of £6.66. The evaluation identified benefits for young people including health and wellbeing improvements, improved school attendance and reductions in crime and anti-social behaviour by Youth Zone members.

More recent independent research has identified the reduction rate of anti-social behaviour in areas surrounding Youth Zones as being between 50-70%. The centres also provide opportunities to enhance local skills of young people to support them in becoming more work-ready through employability programmes, and offer volunteering and training opportunities for the wider community too.

- 5.5 The provision of a Youth Zone aims to inspire young people to lead healthier and more positive lives, raising their aspirations so they grow up to become happy, caring and responsible citizens. Young people between the age of 8 and 19, and up to 25 with additional needs, can access over a range of activities each session at a Youth Zone, occupying their bodies and minds in a fun way, while learning new skills and socialising in a safe, positive way. They open weekday evenings, all through the weekend and all day every school holiday.
- 5.6 Each Youth Zone is typically established as an independent local charity and company limited by guarantee with a local Board of Directors and an independent Chair. The Council will be invited to nominate one Board Director.
- 5.7 The one-off capital cost for the proposal is estimated to be £8,400,000. Assuming the preferred charitable organisation's bid to the Youth Investment Fund is successful then it is estimated that the Council would be required to contribute £2,100,000 towards these costs. This would be in the form of a grant to the new independent local charity. The lead charitable organisation will be required to use all reasonable endeavours to secure the balance of capital funding required for the project.
- 5.8 Once built, the facility, which will be located on Council owned land, would be granted on a 125 year lease, at a peppercorn rent, without break clauses but with strict user clauses and provision for forfeiture in the event of fundamental failure of the charity to comply with the terms of the lease. A proposed site is still to be confirmed by the Council. The proposed utilisation of any council owned land would be subject to a further report containing specific legal advice on the nature of the legal agreement governing its use. It is unlikely that the Council will need to purchase land to enable the development of the Youth Zone. Until the site has been identified and the build costs detailed, the total development costs cannot be confirmed.
- 5.9 Annual revenue costs for the Youth Zone, once fully operational, are estimated to be £1.3m. This is anticipated to be met through fundraising through the charitable organisation we partner with, including specifically targeting corporate support through the local business community and also income from young people by way

of membership/attendance fees and secondary spend. The revenue investment required through the Council is estimated to be £400,000 pa. This will be in the form of a grant to the new independent charity. In order to secure the Council's revenue contribution a redesign of youth services will be undertaken and this will be managed each year in the wider context of the medium term financial strategy. Our partner charitable organisation will act as lead organisation, supporting Crewe Youth Zone, for the purposes of raising the first three years' anticipated revenue costs of operating the Youth Zone to the extent that it is not provided by the Council.

5.10 The Council will undertake a market testing exercise to determine whether suitable charitable organisations are available and have the track record to deliver a major Youth Zone scheme. Charitable organisations will have to evidence their ability to offer significant capital match funding, access significant government grant funding, generation of ongoing significant revenue investment from fundraising / private sector and establish and successfully deliver a 21st century inclusive youth provision.

5.11 The next steps to deliver this Crewe Youth Zone project are set out below:

- Detailed options appraisal on potential sites for a Youth Zone
- Consultation with planning
- Negotiation on legal agreements required to deliver the Youth Zone
- Financial appraisal of site development costs and operations
- Further Cabinet report seeking a decision to create the Crewe Youth Zone

6. Implications of the Recommendations

6.1 Legal Implications

This project presents significant risk in the following areas and further legal advice will be required as the project progresses to mitigate and safeguard the Council's position:

6.1.1. That an appropriate process is undertaken to select a partner charitable organisation and suitable terms are agreed for the partnership agreement.

6.1.2 The Constitution of the new registered charity: further advice will be required to ensure that the key procurement activities to be undertaken around the design and construction of the building and the supply of the Youth Zone services are exempt from the Public Contracts Regulations 2015, given that it is the charity that will undertake these activities. Also further legal advice will be required in relation to governance of the charity to ensure that the Council's interests are adequately protected when decisions are made by the charity.

6.1.3 The leases and Youth Zone operational agreement: further legal advice will be required to ensure that in the event the charity fails either during or after the initial 3 year period due to a lack of funding or for other reasons there are

clear exit mechanism in place which will lead to acceptable outcomes for the Council.

6.1.4 State aid: to ensure that the granting of funding by the Council is not deemed to be unlawful state aid. If the funding is being granted to a charity then it is arguable that the charity, as a not for profit organisation, will not be classed as an economic undertaking.

6.1.5 Any lease of the Council's land will be subject to the provisions of s123 of the Local Government Act 1972 and indeed where the rent payable is nominal the disposal must satisfy the requirements of the General Disposal Consent and any State aid requirements. Once the site has been identified the Council's Legal Department will advise in relation to any matters affecting the site prior to the lease grant and will undertake a full review of the proposed lease prior to any final decision being made to grant a lease of the Council's land.

6.2 Finance Implications

6.2.1 The one-off capital cost for the proposal is estimated to be £8,400,000. Assuming that the partner charitable organisation is successful with the bid to the DCMS Youth Investment Fund then the Council would be required to contribute approximately £2,100,000 towards these costs. This would be in the form of a grant to the new independent local charity. Our partner charity will be required to commit to using all reasonable endeavours to secure the balance of capital funding required. The £2.1m proposed capital investment from the Council would cost approximately £87k pa in extra revenue funding for borrowing and Minimum Revenue Provision (MRP). These revenue implications of capital expenditure are not currently in the future forecasts of the Capital Financing Budget.

6.2.2 The facility would be granted on a 125 year peppercorn lease, although a site is still to be confirmed. Until the site has been identified and the build costs detailed, the total development costs cannot be confirmed. It is also worth noting that, depending on the site appraisal and decisions, there could be a loss of a potential capital receipt.

6.2.3 Annual revenue costs for the Youth Zone, once fully operational, are estimated to be £1.3m. This is anticipated to be met through fundraising through the charitable organisation we partner with, including specifically targeting corporate support through the local business community and also income from young people by way of membership/attendance fees and secondary spend. The revenue investment required through the Council is estimated to be £400,000 pa. This will be in the form of a grant to the new independent charity. Our partner charitable organisation will act as lead organisation, supporting Crewe Youth Zone, for the purposes of raising the first three years anticipated revenue costs of operating the Youth Zone to the extent that it is not provided by the Council.

6.2.4 The revenue and capital implications for the Council as detailed above will be included within the Council's planning and consultation for the next Medium Term Financial Strategy.

6.2.5 The revenue implications of developing a Youth Zone in Crewe will be incorporated into a business case to redesign youth services within current base budget and manage budget setting in the wider context of the medium term financial strategy.

6.2.6 The key financial risks for the Council are:

- committing the Council to annual revenue expenditure of up to £400,000.
- the scope for any increase in revenue contribution in future years.
- the need for an exit strategy if the benefits of the scheme do not materialise or partners drop out.

6.3 Policy Implications

6.3.1 There are no policy implications to this report.

6.4 Equality Implications

6.4.1. An Equality Impact Assessment will be completed as part of service development. This proposal is not expected to discriminate or have negative impacts on people with protected characteristics. The development of a Youth Zone will be inclusive and ensure accessibility for those aged up to 25 that have a disability.

6.5 Human Resources Implications

6.5.1 There are no human resource implications to this report

6.6 Risk Management Implications

6.6.1 The Council will continue to work to identify and secure a suitable location for the proposed facility, which is essential for the project to be a success. If the Council is unable to identify a suitable location, the project will not be able to continue. It is essential that the location identified meets the key criteria required to ensure success of the project. Early work by officers within the Place Directorate have identified tentative site options in Crewe which require full evaluation / appraisal to ensure a fit with the parameters of the Youth Zone approach and also the wider Crewe town centre developments.

6.6.2 There is a risk that there is insufficient funding to deliver the project which could result in significant additional costs and financial strain on the Council to deliver the project or cause the project to halt, resulting in the Council being poorly regarded.

Indicative capital and revenue costs will be sought through the next round of planning and consultation for the Council's medium term financial strategy and this will be kept under review each year. The preferred partner charitable organisation will need to evidence significant experience in fundraising for their contribution to such projects and in supporting management committees thereafter.

- 6.6.3 There is a risk that project capacity across a range of disciplines is insufficient to ensure the key milestones for this project are met. Senior officers will work with the Programme Management Office to ensure capacity is applied to ensure the project is delivered effectively.

6.7 Rural Communities Implications

- 6.7.1 No rural communities' impacts are expected.

6.8 Implications for Children & Young People/Cared for Children

- 6.8.1 There are significant benefits of developing a Youth Zone for Crewe young people in terms of aspirational things to do, support to mental health and wellbeing, community cohesion and changing mindset around school attendance.

6.9 Public Health Implications

- 6.9.1 Developing a Youth Zone will encourage improved physical activity and mental health and wellbeing thereby improving key public health outcomes.

6.10 Climate Change Implications

- 6.10.1 There are no direct implications for climate change.

7 Ward Members Affected

- 7.1 Crewe wards

8 Consultation & Engagement

- 8.1 There has been no direct consultation and engagement undertaken at this early stage of developing a Youth Zone.

9. Access to Information

- 9.1 Nothing at this point in the development.

10. Contact Information

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

Name: Ali Stathers-Tracey

Job Title: Director of Prevention and Early Help

Email: Alison.Stathers-Tracey@cheshireeast.gov.uk



Working for a brighter future together

Key Decision Y

Date First Published:
27/07/2020

Cabinet

Date of Meeting: 06/10/2020

Report Title: Re-procurement of Case Management Systems: Adult's and Children's Social Care

Portfolio Holder: Councillor Amanda Stott (Portfolio for Finance, IT and Communications) Councillor Laura Jeuda (Portfolio Holder for Adult Social Care and Health); Councillor Kathryn Flavell (Portfolio for Children and Families);

Senior Officer: Mark Palethorpe, Executive Director People and Jane Burns, Executive Director Corporate Services

1. Report Summary

- 1.1. There is a service requirement to review the existing case management, financial systems, directory of services and eBrokerage for Adults and Children's services as the corresponding systems contracts expire on the 31st of March 2021. An exercise has begun to review potential systems, the current market and the route to procurement that is available.
- 1.2. The estimated value of the procurement will be £1.287m over a 4-year period.
- 1.3. The systems options and routes to procurement are explained within this report for the service to consider in relation to system direction and strategy.

2. Recommendation

- 2.1. That Cabinet authorises the Executive Director of Corporate Services in consultation with the Portfolio Holder for Finance, ICT and Communication to award and enter into a contract to deliver Case Management Systems: Adult's and Children's Social Care for Cheshire East Council, via GCloud11 framework, with an estimated value of the procurement of £1.287m over a 4-year period.

3. Reasons for Recommendation

- 3.1. The requirements of Adult and Children services do not materially vary from the existing system functionality provided by Liquidlogic and Oxford Computer Consultants. These supplier solutions are available via the GCloud11 framework.
- 3.2. The recommended option is to re-procure systems via new framework contract.
- 3.3. The recommendation allows the council to use a compliant procurement framework solution, using Crown Commercial Services – G-Cloud 11 (2years +1 year + 1 year) 2021-2025.

4. Other Options Considered

- 4.1. **Option 2** – Re-procure via open competitive tender process for all the functionality provided by the incumbent suppliers. If this option is considered there would be the potential for large scale operational change and other implementational costs which would need to be factored into the decision.
- 4.2. **Option 3** – Seek to extend existing LASA framework contract for its final 2 years extension that is available (requires supplier agreement on terms). This option would enable the supplier to set contractual terms at a potential disadvantage to the Council.
- 4.3. **Option 4** – Do nothing - Cheshire East needs a robust case management solution to meet statutory function and support the most vulnerable residents across our borough.

5. Background

- 5.1. The current systems that are used by the Social Care Service across Adults and Children's are provided by Liquidlogic and Oxford Computer Consultants (OCC). The systems covered by these suppliers have been in place since 2014 and the supplier performance throughout the contract lifespan has been very positive for the Local Authority.
- 5.2. A series of feedback gathering sessions have taken place with key service leads and stakeholders to help identify the following: Functionality Gaps, Data Storage, System Bugbears, Future Enhancements.
 - 5.2.1. Adults key themes were that existing systems were well embedded and working well for the service. Adults key service managers felt that the solutions provided by the incumbent supplier have brought about positive changes to the operational function of Adult Social Care, in Cheshire East.
 - 5.2.2. Children's key themes were similar to the adult's feedback. There was a greater focus on the timeliness in which system enhancements are

introduced as a result of emerging legislative changes. There were some suggestions of how the system could help support closer case recording with other disparate systems.

5.3. Large amounts of the feedback exposed the need for further council internal effort on reporting and changes to the systems solutions that are within Cheshire East's control. The emphasizes the internal investment needed to ensure that ICT systems are best utilised and that Cheshire East achieve a positive return on Investment.

5.3.1. Further detailed feedback can be requested from the Programme if required.

5.4. There are several other suppliers in the social care systems marketplace covered below:

5.4.1. OLM – This supplier has been offering case management products for several years but the functionality compared to the incumbent supplier would be less.

5.4.2. Liquidlogic – The incumbent supplier of the Liquidlogic Adults System and Children's Case Management System. One of the industry leaders and increasing market share.

5.4.3. Servelec – Currently provides Education Case Management to Cheshire East for several years (pre LGR). This supplier was recently purchased by another company enabling it to branch into social care case management by having Core Logic, to its suite of products. This supplier is slowly increasing its market share in the social care systems space.

5.4.4. Oxford Computer Consultants – Provide the Cheshire East online directory 'Live Well' and financial provisioning for adults and Children's social care. This supplier is one of the only financial system suppliers that has proven interfacing with Liquidlogic Case Management products.

6. Implications of the Recommendation

This decision will have little impact on the Council's operational function if the decision is to continue with the existing system's requirements and look to replace like for like.

6.1. Legal Implications

6.1.1. The proposed procurement via a Crown Commercial Service's G-Cloud Framework is a compliant route to procure the proposed system. The systems were originally procured under the Crown Commercial Service's G-Cloud iii Framework in 2014 which permitted a maximum contract term of 2 years. When the systems were subsequently re-procured it was felt that a longer term for the contract would be more appropriate and so the Crown Commercial Service's RM1059 Local Authority Software

Applications Framework was used as this permitted a maximum contract term of 7 years, the contract being procured for a term of 5 years. The Crown Commercial Service has now changed the maximum term permitted for call-off contracts under the G-Cloud Framework and contracts may be up to 4 years in length, the proposed procurement is therefore a compliant route.

6.2. Finance Implications

- 6.2.1. Within the terms of the current contractual arrangement there is provision for an annual price increase of no more than the rate of RPI at a given census date. An arrangement on the same basis would be usual and expected under each of the options identified within this report.
- 6.2.2. The anticipated 4 year value of a new contract is approximately £1.175m has this is included within the current MediumTerm Financial Strategy.
- 6.2.3. ICT contracts frequently apply annual contractual inflation linked to RPI. Any uplift in excess of the current MTFS forecast would require growth within the base budget of ICT. If for an illustrative example inflation of 1.5% was applied over the 4 year period this would amount to approximately £112,000.
- 6.2.4. Anticipated annual growth will need to be reviewed yearly to ensure that it links to current RPI.
- 6.2.5. Investment in current contracted systems (expiry 31st March 2021)

Supplier	One-off capital imp and licence	Annual support/maint. In final year of contract	Existing contract end date
Liquidlogic	£672,579	£229,630	31 st March 2021
Oxford Computer Consultants	£234,969	£80,335	31 st March 2021

6.3. Policy Implications

- 6.3.1. No Policy implications based on current recommended approach. Links to current service policies and practices.

6.4. Equality Implications

- 6.4.1. Not applicable.

6.5. Human Resources Implications

6.5.1. No Human Resources implications based on current recommended approach.

6.6. Risk Management Implications

6.6.1. Financial risk to Council if the decision is to proceed with Option 2 due to unknown supplier potential.

6.6.2. Compliance risk if the Council does not sign a new contract with a supplier by the 31st of March 2021.

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. This decision has a direct link to the support and case management that the Council provides for children and young people. An efficient system across Adults and Children's Social Care is critical in supporting a positive journey with the council to residents in receipt of services.

6.8.2. An industry leading system solution ensures that workers have the most appropriate case management support to do their job, at their best.

6.9. Public Health Implications

6.9.1. There are no direct implications for public health.

6.10. Climate Change Implications

6.10.1. The system would help support reduction in carbon footprint as workers are able to access the system remotely.

7. Ward Members Affected

7.1. Not applicable.

8. Consultation & Engagement

8.1. All social care Senior and Junior operational managers have been consulted and engaged with throughout the project, gathering views and opinions on the current systems in place.

9. Access to Information

9.1. Supporting links:

<https://www.liquidlogic.co.uk/news-events/news/one-platform-rochdale-metropolitan-borough-council/>

<https://www.servelec.co.uk/about-digital-care/case-studies/mosaic-helps-richmond-and-wandsworth-councils-to-unify-fa-processes-helping-workforces-to-fully-integrate-across-the-boroughs/>

<https://www.olmsystems.com/eclipse/>

10. Contact Information

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

Name: Jon Sayer

Job Title: Project Manager

Email: jonathan.sayer@cheshireeast.gov.uk



Working for a brighter future together

Key Decision: Yes

Date First
Published: 05.08.20

Cabinet

Date of Meeting: 6th October 2020

Report Title: Tenancy Strategy 2020

Portfolio Holder: Cllr Nick Mannion – Portfolio Holder for Environment and Regeneration

Senior Officer: Frank Jordan – Executive Director - Place

1. Report Summary

- 1.1. Under Section 150 of the Localism Act (2011), local authorities are required to prepare and publish a tenancy strategy. This sets out the matters that registered housing providers must consider when they are preparing their own tenancy policies.
- 1.2. This can include:
 - 1.2.1. the types of tenancies that they will grant
 - 1.2.2. the circumstances under which different tenancies are granted
 - 1.2.3. when to grant 'fixed-term' tenancies and for how long, and
 - 1.2.4. the circumstances where a further tenancy is granted following the expiry of a fixed-term tenancy.
- 1.3. In 2012, Cheshire East Council adopted its first tenancy strategy, and following a full review, we have now produced a revised draft strategy which will be tested through a consultation exercise.

- 1.4. The objective of the revised draft strategy is to ensure the best use is made of affordable housing stock to
 - 1.4.1. meet local housing need
 - 1.4.2. benefit vulnerable households
 - 1.4.3. contribute to strengthened communities
 - 1.4.4. enable households to make realistic choices based on their own circumstances.

2. Recommendations

2.1. That Cabinet

- 2.1.1. Authorises Officers to formally consult on the draft Tenancy Strategy for a period of 12 weeks.
- 2.1.2. Notes that Environment and Regeneration Overview and Scrutiny Committee will consider the revised draft and result of consultation once that is completed.
- 2.1.3. Delegates authority to the Director of Growth and Enterprise in consultation with the Portfolio Holder for Environment and Regeneration to consider the results of the consultation and to approve the final version of the strategy.

3. Reasons for Recommendations

- 3.1. It is a statutory requirement that Local Authorities have a tenancy strategy in place under Section 150 of the Localism Act 2011. The strategy needs to reflect changes in legislation and government guidance as well as local requirements.
- 3.2. It is important that the strategy is reviewed to ensure that it remains fit for purpose and continues to ensure that the limited resource of social housing is allocated fairly, in line with legislation and with local and national priorities.

4. Other Options Considered

- 4.1. There was no other alternative option considered. The current strategy was adopted in 2012 and there have been a number of changes over recent years, both locally and nationally. It is good practice to ensure that the objectives and data within the document are still reliable and relevant.

5. Background

- 5.1. Demand for social housing across Cheshire East continues to outstrip supply. Despite the target of 355 affordable properties per year being exceeded for the past couple of years, the number of households on the housing waiting list remains high.
- 5.2. As outlined previously, the Localism Act (2011) requires local authorities to produce a tenancy strategy, which sets out the objectives of the authority and is intended to provide registered housing providers with a clear directive for when they are determining their own in-house tenancy management policies and procedures.
- 5.3. This draft strategy sets out the current registered housing providers who are operating in Cheshire East, their numbers of housing stock and provides an analysis of local data in terms of tenure type and property prices, compared to national and regional averages.
- 5.4. Since the adoption of the 2012 Tenancy Strategy, there have been a number of significant changes within the housing sector, which this draft strategy seeks to address. The introduction of the Homelessness Reduction Act in 2017, the Government's ambition to eradicate rough sleeping by 2027, and the introduction of the Welfare Reform Act in 2012 have required local authorities to focus more clearly on how they make use of housing stock. Details of these changes in national policy are contained within the draft strategy.
- 5.5. The focus of the 2012 strategy was the promotion to registered housing providers to make use of flexible tenancies, which allowed a more fluid approach to managing stock and a move away from a 'house for life'.
- 5.6. The focus of this new draft strategy still retains the ability to use flexible tenancies, however the preference now is for lifetime tenancies, which give households the security and comfort they need to build strong and vibrant communities.
- 5.7. Stability and security of tenure are vitally important to residents in social housing across the whole borough of Cheshire East. The draft strategy considers the use of different types of tenancies, including secure tenancies and the use of flexible tenancies, which allow registered providers the ability to end a tenancy after a certain period of time. This is to ensure effective and efficient use of housing stock, and respond to changing circumstances of tenants.
- 5.8. Throughout 2019, officers requested data from the registered providers who operate within Cheshire East. This was to ascertain their use of flexible, fixed-term tenancies over recent years, and their proposed intentions to continue using these into the future. The response

demonstrated a general move away from the use of fixed-term tenancies, with only a relatively small percentage intending on using them in the future.

- 5.9. The draft strategy seeks to ensure security of tenure and promotes the use of lifetime tenancies for general needs households, as below:

5.9.1. A Periodic Secure or Assured Tenancy (not a Periodic Assured Shorthold) unless used as a Probationary Tenancy (Introductory or Starter)

5.9.2. If a tenancy is fixed term that it be for a period of 5 to 10 years, **or exceptionally**, in helping to manage a particular set of circumstances for the minimum of no less than 2 years, additional to the period of a Probationary tenancy.

- 5.10. Following the compiling of responses from stakeholders at the end of the consultation period, amendments and changes will be added to the draft strategy, if applicable. The final draft of the strategy will then be considered by the Overview and Scrutiny Committee before being presented to the Director of Growth and Enterprise in consultation with the Portfolio Holder for Environment and Regeneration to consider the results of the consultation and to approve the final version of the strategy.

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1. The Localism Act 2011 (sections 150 - 151) places a duty on all local authorities to prepare and publish a Tenancy Strategy. The strategy has to set out the matters to which registered providers of social housing in its district are to have regard to in formulating policies relating to tenancies and should contain the following:

6.1.1.1. The kind of tenancies they grant

6.1.1.2. The circumstances in which they will grant a tenancy of a particular kind

6.1.1.3. Where they grant tenancies for a term certain, the lengths of the terms and

6.1.1.4. The circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.

6.1.2. Before adopting a tenancy strategy or modifying it, local authorities must:

6.1.2.1. Send a copy of the draft strategy, or proposed modification, to every private registered provider of social housing for its district, and

6.1.2.2. Give the private registered provider a reasonable opportunity to comment on those proposals.

6.1.2.3. Consult such other persons as the Secretary of State may by regulations prescribe.

6.1.3. The authority must also have regard to

6.1.3.1. Its current allocation scheme under section 166A of the Housing Act 1996,

6.1.3.2. Its current homelessness strategy under section 1 of the Homelessness Act 2002

6.2. Finance Implications

6.2.1. The draft strategy and the objectives included within it are cost-neutral to the Council. Any costs which arise due to the consultation will be met from existing housing budgets.

6.3. Policy Implications

6.3.1. The Cheshire East Housing Strategy 2018-2023 aims for an outcome of local communities which are strong and supportive, leading to integration and social inclusion.

6.3.2. The allocation of social housing households is managed via the Common Allocations Policy (2018). One of the key objectives of that document is to 'encourage balanced and sustainable communities' which allow for registered housing provider flexibility in managing their housing stock.

6.3.3. Whilst it is a statutory requirement for the local authority to have a tenancy strategy, registered housing providers are only required to take regard of the document in their own policy development.

6.4. Equality Implications

6.4.1. An Equality Impact Assessment is being completed for the draft strategy, and will consider how the objectives of the document affects those who fall within the definition of protected characteristics.

6.5. Human Resources Implications

- 6.5.1. The consultation process will be managed and completed by existing officers, and no additional capacity for staffing will be required.

6.6. Risk Management Implications

- 6.6.1. In order to ensure that Cheshire East do not face legal challenge it is important to ensure that all registered housing provider partners are consulted with regards to the development of the draft tenancy strategy. By consulting with partners and agreeing the proposed changes, then this mitigates against the risk of partners being unaware of the Council's objectives and ambitions.

6.7. Rural Communities Implications

- 6.7.1. There are no direct implications for rural communities specifically; however, the strategy will apply to the whole borough of Cheshire East, including all rural communities.

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

- 6.8.1. The strategy seeks to clarify the rationale for allocating a fixed-term tenancy for households, and for how long this should be. The strategy states that if fixed-term tenancies are to be used, they should be for a period of between five to ten years, or until the youngest child reaches school-leaving age, whichever is longer.

6.9. Public Health Implications

- 6.9.1. The draft strategy seeks to outline Cheshire East Council's approach to tenancy management for registered housing providers. This includes ensuring households who live in social housing properties aren't experiencing over-crowding issues which may impact on their physical or mental health.

6.10. Climate Change Implications

- 6.10.1. The Council has committed to becoming carbon neutral by 2025, and to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint. There are no implications from the draft strategy that will impact on this commitment.

7. Ward Members Affected

- 7.1. All wards are affected by this updated strategy. If Cabinet approve the recommendations of the report, external consultation will take place with Ward Members for their input.

8. Consultation & Engagement

- 8.1. In order to provide an updated evidence base for the draft strategy, all registered housing providers who operate within Cheshire East were contacted and asked to provide information in regards to the types of tenancies they use, as well as their future ambitions. This data helped to inform the direction of the strategy.
- 8.2. This report requests authority to consult externally with registered providers, and wider stakeholders, Members and residents of Cheshire East.

9. Access to Information

- 9.1. The full draft Tenancy Strategy accompanies this report.

10. Contact Information

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

Name: Christopher Hutton
Job Title: Senior Policy Officer
Email: christopher.hutton@cheshireeast.gov.uk

This page is intentionally left blank



DRAFT TENANCY STRATEGY 2020

Contents

- 1.0 Introduction
- 2.0 Strategic Vision and Objective
- 3.0 Strategic Contexts
- 4.0 Housing in Cheshire East
- 5.0 Policy Issues

To help address housing demand, there must be an efficient use of social housing, working to increase the delivery of affordable housing, and continued support provided to vulnerable households. This includes working with households to enable them to make informed decisions about their housing options.

There is an expectation that Cheshire East social landlords will continue the use of long term tenancies, with the use of shorter, fixed term tenancies **as the exception**, as part of a neighbourhood regeneration / asset management project.

1.0 Introduction

Cheshire East is a great place to live, work, study and visit. It is well placed for the continued opportunities that our thriving, job-based economic growth is providing across all areas of the Borough. The Cheshire East Housing Strategy 2018-2023 outlines the Council's actions to achieve aims and objectives for housing in the Borough, working to improve the quality, choice and supply of housing for current and future residents. With a population of 376,700 and estimated to grow to 427,100 by 2030 [13.4% increase], housing of the right type and in the right place is an important part of supporting sustainable growth.

Map of Cheshire East:



There are 178,158 homes in Cheshire East¹. The 3 main tenures are:

Tenure	Number of properties
Owner –occupied / private rented	156,185
Social rented	21,973 ²

The Government has given Registered (social rented) Housing Providers (RPs) the choice of using Flexible Tenancies, which are secure fixed-term tenancies with a statutory minimum of 2 years, after which the tenancy may be ended by the landlord based on the circumstances of the household.

¹ <https://www.gov.uk/government/statistics/council-taxbase-2019-in-england>

² <https://www.gov.uk/government/statistics/statistical-data-return-2018-to-2019>

This new Tenancy Strategy is in line with Section 150 of the Localism Act 2011 which says that:

(1) A local housing authority in England must prepare and publish a strategy (a “tenancy strategy”) setting out the matters to which the registered providers of social housing for its district are to have regard in formulating policies relating to -

(a) The kinds of tenancies they grant

(b) The circumstances in which they will grant a tenancy of a particular kind

(c) Where they grant tenancies for a certain term, the lengths of the terms, and

(d) The circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy

(2) The tenancy strategy must summarise those policies or explain where they may be found.

This Strategy document examines the kinds of tenancies offered by social landlords in Cheshire East, and is a replacement of the Cheshire East 2012 Tenancy Strategy.

Demand for social housing in Cheshire East continues to outstrip the supply, and housing developments alone can't fill the gap. Cheshire East acknowledges that, in some scenarios, Flexible Tenancies may help to respond to local circumstances and pressures, enabling RPs to make the best use of their stock whilst taking care of the most vulnerable households.

The rationale for tenure reform was that some households' income can rise through tax and benefit assistance, and as job seeking leads to employment. This can change between households or within the same household over time as circumstances change. Therefore the reason a household was allocated a property may no longer exist, resulting in properties which are under-occupied, or occupied by households able to afford to rent privately, or even to purchase on the open market.

Having consulted Cheshire East social landlords, it is apparent that the majority of the time it is the case that RPs let properties on Assured Tenancies, a home for life for as long as the tenant complies with the terms of the tenancy agreement.

This new Tenancy Strategy outlines Cheshire East's position on tenancies and how they should be used. There are 51 RPs operating in Cheshire East, with a range in the number of properties they own and manage in Cheshire East, and what that number is as a percentage of the RP's total housing stock.

2.0 Strategic Vision and Objective

The Cheshire East Housing Strategy vision is that:

All residents in Cheshire East are able to access affordable, appropriate and decent accommodation.

The Tenancy Strategy seeks to complement this.

The Tenancy Strategy objective is to:

Make sure that the best use is made of Cheshire East affordable housing stock to meet local housing need and to benefit vulnerable households, contribute to strengthened communities, and enable households to make realistic choices based on their own circumstances.

3.0 Strategic contexts

National Context

There are some key issues which make it necessary to examine the local use of social housing.

Welfare Reform

The Government has introduced various reforms to the welfare system, meaning that Local Housing Allowance (LHA) is often considerably lower than market rents, and the Single Room Subsidy and the Shared Room Allowance for under 35s restricts access to the private rented sector for this age group.

Local Housing Allowance

The Valuation Office Agency Rent Officers determine Local Housing Allowance (LHA) rates used to calculate housing benefit for tenants renting from private landlords.

LHA rates are based on private market rents being paid by tenants in the broad rental market area (BRMA). This is the area within which a person might reasonably be expected to live. Many households find that the rent is not covered by LHA, which leaves them having to pay the difference from another source, or else accrue arrears which can quickly increase if the shortfall between rent and LHA is significant.

Appendix 2 has a detailed breakdown of the LHA rates by Cheshire East settlement and property size.

Universal Credit

Universal Credit is a payment to help with households with their living costs. It is paid monthly, and is aimed at people on a low income or out of work. It brings six benefits, including Housing Benefit, together into the one payment.

Affordable Rent

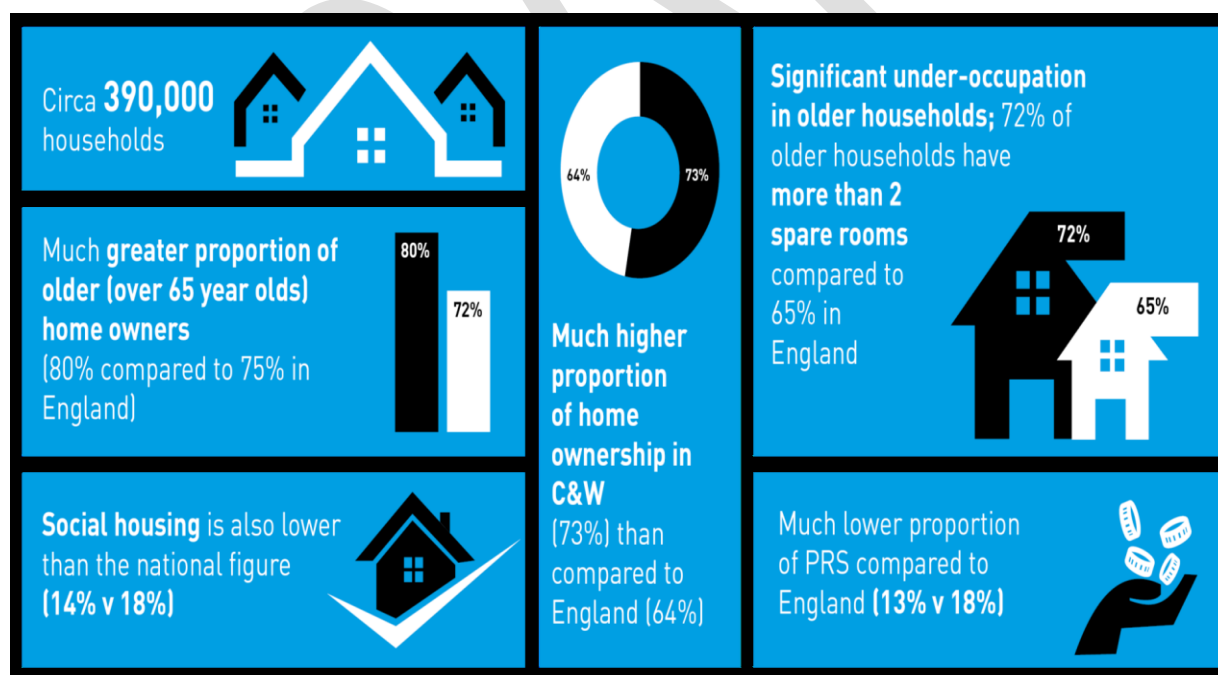
An Affordable Rent is set at up to 80% of the market rent (the average rent for local private lettings) inclusive of any service charges, so it costs less than renting privately but is generally more than other types of social housing rent. The tenancy was originally for a fixed term of five years, and for 10 years for new tenancies from April 2018.

Regional Context

In its Strategic Economic Plan, the Cheshire and Warrington Local Enterprise Partnership (LEP) sets out its ambition to be “home for and attractive to a well-educated, highly skilled, adaptable workforce”.

Housing is central to this, and achieving a balanced, well-functioning housing market will be essential if the Cheshire and Warrington districts are to meet the changing needs of existing residents, those skilled workers and their families looking to in-migrate to take advantage of the employment opportunities on offer, and of those (mostly young) households looking to out-migrate for employment and training opportunities.

This includes working with the market to develop homes that are attractive and affordable to younger and older people.



Local Context

Cheshire East is increasing the supply of affordable housing to support economic growth and development in the area, along with a determination to see the best

use of the area's existing housing stock. Annual affordable housing completion targets are currently being exceeded at the time of writing in 2020.

This will address the housing issues of some of the area's households in need.

The Allocations Policy underpins the ability of people to move who are in housing need to appropriate social housing. With approximately 6,500 registered for housing needs each year and only an average of 1,300 properties available annually, it is vital the policy strikes the balance between supporting sustainable, settled neighbourhoods, whilst giving priority to those people who are in urgent housing need.

This Tenancy Strategy will underpin that.

4.0 Housing in Cheshire East

Registered Providers

There are 51 social landlords with properties in Cheshire East, totalling 21,973 units, of which 16,984 are General Needs units. RP stock ranges in numbers from 1, up to the largest, with 5,474. A full list of landlords is in **Appendix 1**.

RP's operating in Cheshire East 2015	RP's operating in Cheshire East 2019	Change	Small RP's in Cheshire East 2015	Small RP's in Cheshire East: 2019	Change
41	51	10	14	17	3

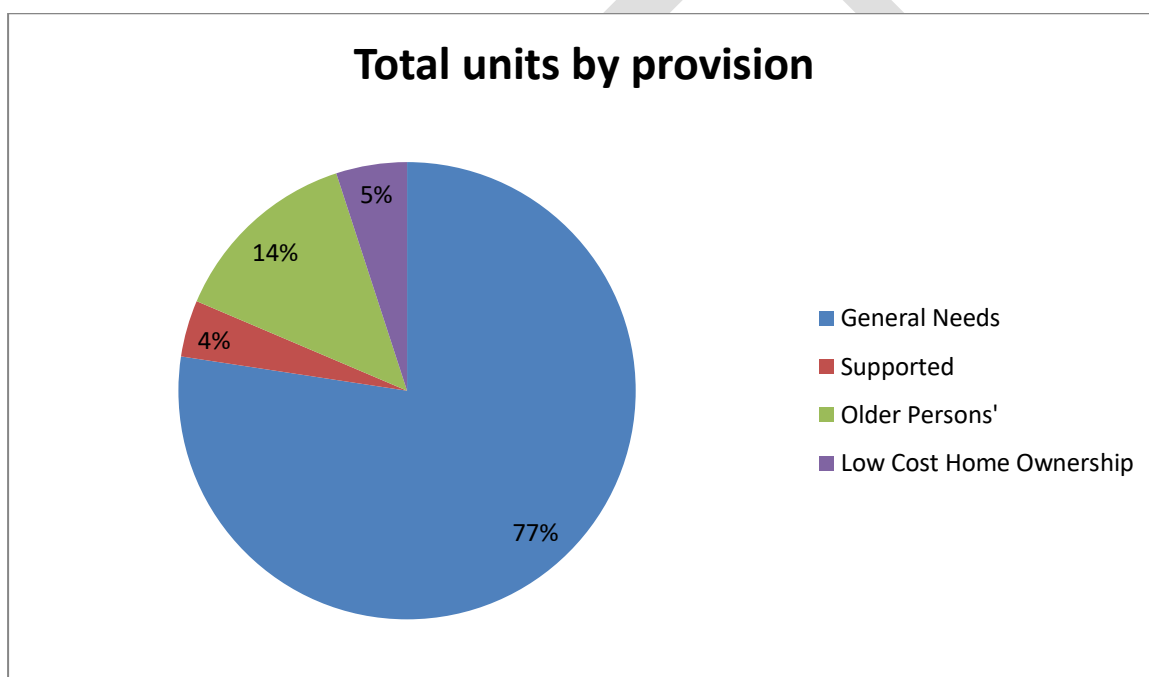
The main landlords with General Needs Stock in Cheshire East are shown below. Some landlords are advertising 100% of their homes on the Cheshire Homechoice website (shown in **bold** in the table).

Landlord	General Needs stock in Cheshire East	As a percentage of total GN stock in Cheshire East
Jigsaw Homes	176	1.0
Arcon Housing Association Limited	66	0.4
Aspire Housing Limited	293	1.7
Contour	664	3.9
Great Places Housing Group	704	2.7
'Johnnie' Johnson Housing Trust Limited	71	0.4
Muir Group Housing Association Limited	248	1.5
One Vision	65	0.4
Peaks & Plains Housing Trust	3,754	22.1
Places for People Homes Limited	236	1.4

Plus Dane Housing Limited	3,908	23.0
Regenda	782	4.6
Sanctuary Housing Association	214	1.3
The Guinness Partnership Limited	4,537	26.7
The Riverside Group Limited	535	3.2
Your Housing Limited	576	3.4
Total	16,829	99.0

There are in addition to the above general needs units 880 supported housing units, 2,985 units of accommodation for older people, and 1,101 units of low cost home ownership.

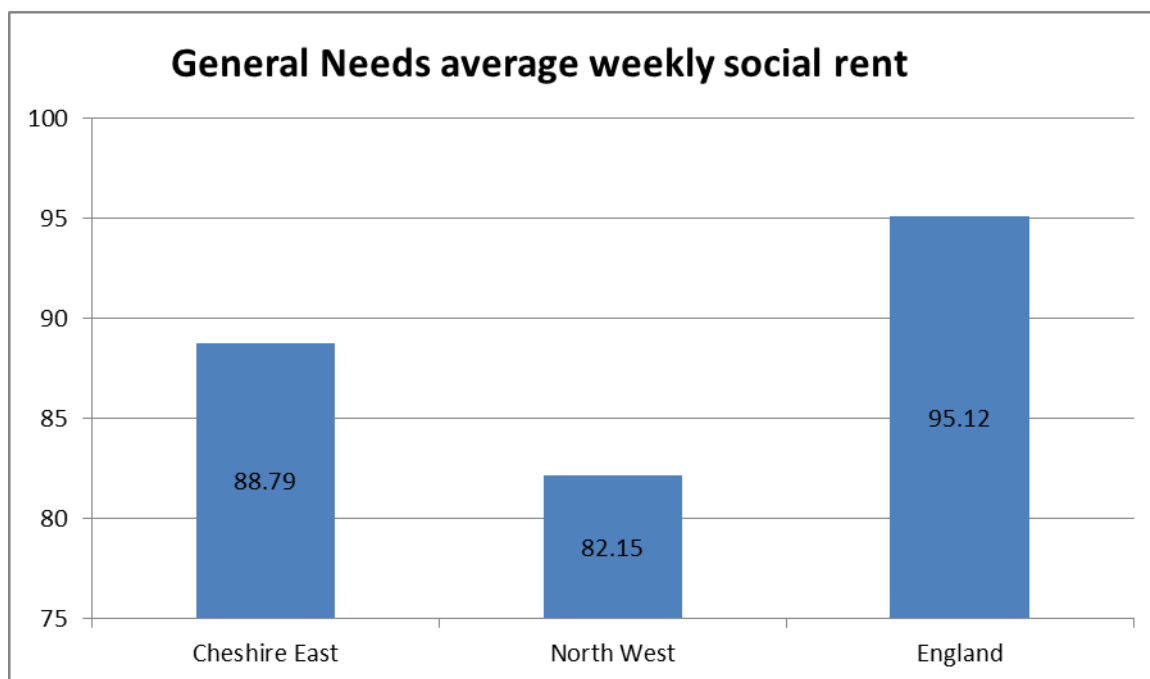
The next chart shows each type of accommodation by percentage of total social stock:



Housing costs have decreased for those Cheshire East tenants of social housing providers, with an average decrease of 1.65% between 2016/17 (average rent £90.28) and 2018/19 (average rent £88.79).³

Comparative average General Needs rents are shown in the next chart:

³ <https://www.gov.uk/government/collections/rents-lettings-and-tenancies>



Use of fixed term tenancies in Cheshire East

An audit of local social landlords was undertaken in 2019. The data collected shows little use of Fixed Term Tenancies in Cheshire East, and no intention to begin using them.

Never used fixed term tenancies	47%
Have used them but no intention to use them again	7%
Currently using fixed term tenancies with a view to phasing them out	13%
Use instead of Introductory / Starter tenancies later converted to Assured / Lifetime tenancies	33%
100%	

Across social landlords generally there is a move away from the use of Fixed Term tenancies.

Private Rent levels

There are implications of Local Housing Allowance (LHA) levels for the major towns and settlements. Properties in Cheshire East are above the LHA level, which means households are going to struggle to pay their rent without market interventions such

as Housing Benefit / LHA. A Cheshire East report into the Private Rented Sector (PRS) highlights accessibility issues replicated across the Borough.

There are high rent levels here compared to other areas, and they demonstrate the potential to attract investment. Some wards have seen large rent increases, such as Chelford, Crewe Central, and Mobberley.

Private Rental Market rents⁴

The next tables show a Private Rental Market Summary of monthly rents recorded in 2018 / 2019 in Cheshire East:

	Count of rents	Mean	Lower quartile	Median	Upper quartile
Summary	3,840	784	550	650	850

and a Private Rental Market summary of monthly rents by number of bedrooms recorded between 2018/2019 in Cheshire East:

Number of beds	Count of rents	Mean	Lower quartile	Median	Upper quartile
One bed	500	516	425	495	590
Two bed	1,900	672	550	625	750
Three bed	990	853	650	795	950
Four bed	350	1,670	995	1,395	1,950

More detail is available in **Appendix 2**, which shows rental information by LHA, settlement, and property size.

Local Housing Allowance

Welfare reform has affected LHA rates, which have been frozen until 2020. The Council pays out the following in LHA monthly figures in Broad Rental Market Areas (BRMA) (£s).

LHA by BRMA

	1 bed shared	1 bed self-contained	2 bedrooms	3 bedrooms	4 bedrooms
East Cheshire	308.08	449.99	565.01	730.00	1,084.57
South Cheshire	237.25	368.65	475.02	550.02	749.99

⁴

<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/privaterentalmarketsummarystatisticsinengland>

There are implications of LHA levels for the major towns and settlements. Properties are above the LHA level, which means households are going to struggle to pay their rent. See **Appendix 2**.

Property prices

Land Registry Price Paid Data, put the Borough's median house price at £223,000 (based on property transactions in 2018), although the cheapest 25% sell for under £145,000 and the most expensive 25% for over £338,000. The cheapest 10% sell for under £105,000, whilst the highest-valued 10% are sold for over £514,000.

Lower income areas (and higher levels of deprivation) are predominantly found within the towns of Congleton, Crewe, Macclesfield and Nantwich, whilst the majority of higher income areas are the smaller towns and rural areas of the Borough (with typically lower levels of deprivation), with the highest average earners located in the north of the Borough.

Housing Need and Demand

Cheshire Homechoice

Not everybody is able to afford to buy or rent on the open market and are therefore reliant on affordable housing. Cheshire East does not have any Council housing of its own to rent to those in need. Instead, Cheshire East is partnered with local housing providers who advertise affordable rented properties (referred to as 'social housing') via a website called Cheshire Homechoice. This is where people can make an application for social housing. Homechoice offers access to affordable homes for people wanting to rent or buy a new home.

The number of people on Cheshire Homechoice exceeds the number of affordable housing properties available. The number is increasing each year. The number of people on Homechoice varies year to year based on annual reviews of applicants, applicants' circumstances changing, and on affordable housing stock availability (the number of lets available).

Total households on Homechoice 2017 - 2019⁵

Year	Total
2017	7,070
2018	7,931
2019	9,212

The majority of the main applicants' on Homechoice main reasons for needing to move are:

- under-occupation
- overcrowding
- lacking security of tenure

⁵ 68 households are double counted as they are queuing for a studio or 1 bedroom property

- medical need

The most in demand properties are 1 bed (48.8%), 2 bed (29.5%), and 3 bed (13.9%), with little demand for 4 and 5 bed properties (7.7%). However securing larger properties for large households in need is difficult due to the low number of properties and property turnover (leaving the property so that someone else can move into it).

Number of bedrooms wanted	1	2	3	4	5	5+	Total
Total	4,497	2,720	1,281	399	315	0	9,212

Cheshire Homechoice includes data on those who would like to live in social housing. The Housing Act 1996 requires Cheshire East to give a 'reasonable preference' when assessing those who are in genuine 'need', and whose needs are not being met by their current accommodation or circumstances.

All qualifying applications will be assessed under this policy, to ensure that those in greatest housing need are given preference for an allocation of accommodation.

Cheshire Homechoice gives reasonable preference to applicants as set out in section 166A(3) of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017). These are:

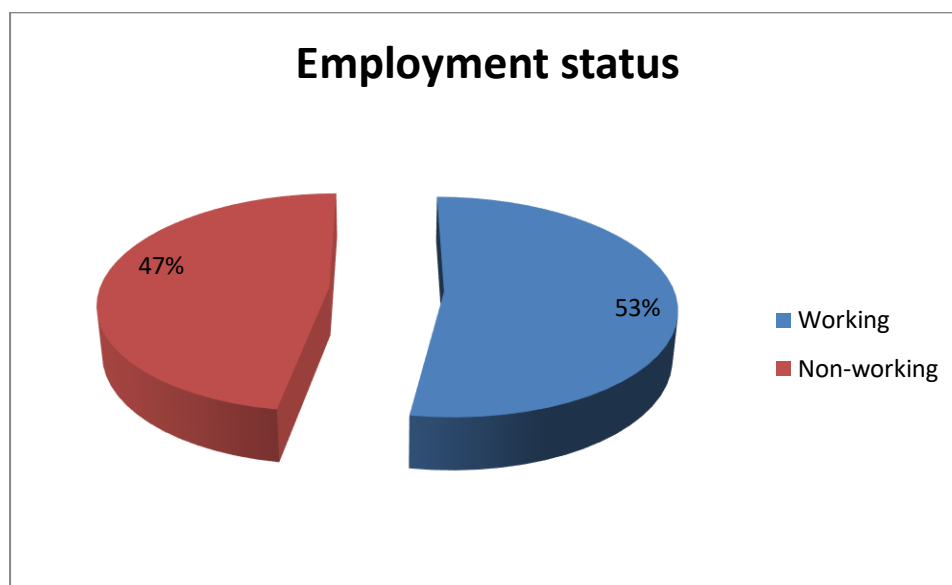
- People who are homeless including those who are intentionally homeless and those who are not in priority need.
- People who are owed a duty by a local authority under section 190(2), 193(2), (189b) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under s.192(3)
- People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds, including grounds relating to disability
- People who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or to others)

Nominations

Registered Providers (not formal Cheshire Homechoice partners) operating within Cheshire East will provide at least 50% of their vacancies (excluding transfers) for nominations via the scheme. The Local Authority will monitor to ensure compliance with the nomination agreements in their area.

Over half (53%) of the households on Cheshire Homechoice are working. This includes households on low pay and part-time hours. The other households are classified as non – working households.

Cheshire Homechoice applicant employment status in 2019



However, 60% of single households are not in employment, and those aged under 35 may therefore face hardships when accommodated due to LHA shortfalls, or will face a lack of options in where they are able to live due to shared accommodation rates.

5.0 Policy issues

The Council is keen to see an efficient use of social housing, working to increase the delivery of affordable housing, and continued support provided to vulnerable households. This includes working with households to enable them to make informed decisions about their housing options.

There is an expectation of the use of long term tenancies, with the use of shorter, fixed term tenancies as the exception, as part of a neighbourhood regeneration / asset management project.

Presumption of security

We expect that general needs households will be issued with a lifetime tenancy.

1. a Periodic Secure or Assured Tenancy (not a Periodic Assured Shorthold) unless used as a Probationary Tenancy (Introductory or Starter)
2. If a tenancy is fixed term that it be for a period of 5 to 10 years, **or exceptionally**, in helping to manage a particular set of circumstances for the minimum of no less than 2 years, additional to the period of a Probationary tenancy.

Circumstances for granting a particular type of tenancy

Particular households require stability and have a situation which is unlikely to change. Households receiving this should include at least:

1. one person aged 60 years or over
2. one person with a long-term medical and / or welfare need

The length of time of a fixed term tenancy, if used

Cheshire East's wish is that any Fixed Term tenancies will be of duration of at least 5 years.

The Cheshire East Housing Strategy 2018-2023 aims for an outcome of local communities which are strong and supportive, leading to integration and social inclusion, and the Allocations Policy 2018 key objectives to 'encourage balanced and sustainable communities' allow for RP flexibility in managing sustainable communities. Therefore under exceptional circumstances a tenancy of less than 5 years may be issued in the case of proposed demolition or refurbishment of properties.

If a Fixed Term Tenancy is issued to a family it should be for a minimum of 5 years or until the youngest child reaches school leaving age, whichever is the latter.

- **Under-occupancy**

Cheshire East social landlords need to address this in their tenancy policies, and should refer to the Cheshire East Allocations Policy and have regard to the following table for overcrowding and under-occupation criteria:

Household	Bedroom Need
Single Applicant	Studio/One bedroom
Couple	One bedroom
Person age 21 or over	One bedroom
Single child from birth	One bedroom
Two children, both under 10 years old	One bedroom
Two children of the same sex, aged 10-20	One bedroom
Two children of opposite sex, one or both over 10 years old	Two bedrooms

Households on Fixed Term Tenancies should not see their tenancies end for the following reasons, which should be dealt with under normal possession procedures, to see if the issue can be resolved to prevent repossession and potential homelessness.

- **Rent arrears**

Cheshire East expects any local social landlords to make use of a Pre Action Protocol for rent arrears to seek arrears resolution, rather than ending any Fixed Term tenancy.

- **Anti-social behaviour**

Social landlords should not end any Fixed Term tenancies due to anti-social behaviour, but instead deal with any tenancy breaches using normal possession grounds, allowing a court to make a final decision.

Circumstances for granting a further tenancy

Cheshire East expects that the end of a Fixed Term Tenancy will lead to the issue of a new lifetime tenancy, with shorter-term tenancies being the exception, as described above.

Lifetime tenancies will be especially relevant in the case of:

- ❖ Families – with the length of tenancy to reflect the age of the youngest child's leaving of school at 16 years of age
- ❖ Vulnerable households - lifetime tenancies are expected to be issued in sheltered and supported housing for older people, people with learning difficulties, and enduring mental health issues.
- ❖ Shorter – term tenancies will be used in areas of stock management and in areas of wider regeneration.
- ❖ In areas of high demand, or properties in short supply, such as larger properties, short-term tenancies may be issued in agreement with Cheshire East, avoiding a 'post code lottery' where turnover is high in a particular settlement sub-area.

Monitoring and review

Cheshire East will monitor lettings data at a provider and MHCLG level, and expects RP partners to make the Council aware of any proposed changes to the types of tenancy issued or to the length of tenancies issued. This will include providing copies of draft tenancy policies to Cheshire East for review.

This can also be discussed at Strategic Partnership meetings which are held on a regular basis.

Equalities

An Equalities Impact Assessment is being carried out, as Protected Characteristics groups are affected, namely children, older people, and people with disabilities.

Consultation

Cheshire East will hold a consultation on the draft Tenancy Strategy between xx/xx/2020 and xx/xx/2020 online, and it will be circulated to all Cheshire East RPs for their views.

The draft document will be amended in light of the consultation.

Appendices

Appendix 1 shows all social landlords in Cheshire East, and Appendix 2 shows average rent by settlement, and the LHA rate.

DRAFT

APPENDIX 1

The next table shows all 51 social landlords with properties in Cheshire East.

Those landlords advertising 100% of their homes on the Cheshire Homechoice website are shown in **bold**.

	Number of additional LAs RP operates in (not shown for regional totals)	Total Social Stock	% Total Social Stock in area	% of RPs total Social Stock	General Needs self- contained units	% General Needs self-contained units in area	% of RP's total General Needs self- contained stock
Accent Housing Limited	64	30	0.1%	0.2%	-		-
Adactus Housing Association Limited	19	189	0.9%	2.3%	176	1.0%	2.8%
Adullam Homes Housing Association Limited	18	44	0.2%	8.5%	-	-	-
Alpha (R.S.L.) Limited	10	32	0.1%	3.6%	-	-	-
Anchor Hanover Group	268	259	1.2%	0.7%	-	-	-
Arcon Housing Association Limited	12	66	0.3%	5.8%	66	0.4%	6.0%
Arpeggio Properties Limited	26	5	0.0%	5.1%	5	0.0%	5.1%
Aspire Housing Limited	6	436	2.0%	4.8%	293	1.7%	3.6%
Beech Housing Association Limited	7	15	0.1%	3.7%	8	0.0%	4.0%
Bespoke Supportive Tenancies Limited	101	4	0.0%	0.3%	-	-	-
Charity of Marjorie	-	10	0.0%	100.0%	10	0.1%	100.0%

OFFICIAL

	Number of additional LAs RP operates in (not shown for regional totals)	Total Social Stock	% Total Social Stock in area	% of RPs total Social Stock	General Needs self- contained units	% General Needs self-contained units in area	% of RP's total General Needs self- contained stock
Hurst							
Charity of Sarah Jane Wood & Mary A Garnett	-	15	0.1%	100.0%	-	-	-
Cheshire Peaks & Plains Housing Trust	2	5,078	23.1%	96.6%	3,754	22.1%	96.5%
Contour Homes Limited	21	938	4.3%	8.1%	664	3.9%	7.2%
Crewe YMCA	-	87	0.4%	100.0%	-	-	-
Encircle Housing	25	8	0.0%	2.8%	-	-	-
Fence Trust	-	7	0.0%	100.0%	-	-	-
Great Places Housing Group	33	885	4.0%	4.6%	704	4.0%	3.8%
Heylo Housing Registered Provider Limited	188	49	0.2%	2.8%	-	-	-
Hilldale Housing Association Limited	18	11	0.1%	2.2%	-	-	-
Inclusion Housing Community Interest Company	104	15	0.1%	0.7%	-	-	-
'Johnnie' Johnson Housing Trust Limited	25	72	0.3%	1.6%	71	0.4%	4.4%
Knowsley Housing Trust	4	33	0.2%	0.2%	33	0.2%	0.3%
Metropolitan Housing Trust Limited	141	1	0.0%	0.0%	-	-	-
Muir Group Housing Association Limited	30	401	1.8%	7.5%	248	1.5%	6.4%

OFFICIAL

	Number of additional LAs RP operates in (not shown for regional totals)	Total Social Stock	% Total Social Stock in area	% of RPs total Social Stock	General Needs self- contained units	% General Needs self-contained units in area	% of RP's total General Needs self- contained stock
My Space Housing Solutions	63	3	0.0%	0.3%	-	-	-
One Vision Housing Limited	6	78	0.4%	0.6%	65	0.4%	0.6%
Onward Homes Limited	15	68	0.3%	0.4%	-	-	-
Partners Foundation Limited	30	2	0.0%	0.7%	-	-	-
Places for People Homes Limited	208	247	1.1%	0.7%	236	1.4%	0.7%
Places for People Living+ Limited	87	16	0.1%	0.3%	-	-	-
Plexus UK (First Project) Limited	63	5	0.0%	0.3%	5	0.0%	0.3%
Plus Dane Housing Limited	12	4,506	20.5%	34.4%	3,908	23.0%	33.9%
Regenda Limited	27	871	4.0%	7.6%	782	4.6%	8.4%
Reside Housing Association Limited	100	5	0.0%	0.4%	-	-	-
Sage Housing Limited	32	11	0.1%	2.5%	11	0.1%	2.5%
Sanctuary Housing Association	231	334	1.5%	0.5%	214	1.3%	0.4%
Southway Housing Trust (Manchester) Limited	2	13	0.1%	0.2%	12	0.1%	0.2%
Staffordshire Housing Association Limited	4	57	0.3%	2.1%	30	0.2%	1.5%
Stanley & Brocklehurst Alms Houses	-	12	0.1%	100.0%	-	-	-

OFFICIAL

	Number of additional LAs RP operates in (not shown for regional totals)	Total Social Stock	% Total Social Stock in area	% of RPs total Social Stock	General Needs self- contained units	% General Needs self-contained units in area	% of RP's total General Needs self- contained stock
The Guinness Partnership Limited	159	5,474	24.9%	9.4%	4,537	26.7%	10.1%
The Jane Maddock Homes	-	5	0.0%	100.0%	-	-	-
The Poynton-with-Worth Alms House Charity	-	6	0.0%	100.0%	-	-	-
The Richmond Fellowship	22	4	0.0%	1.3%	-	-	-
The Riverside Group Limited	150	620	2.8%	1.4%	535	3.2%	1.5%
THT and L&Q Community Limited	1	8	0.0%	27.6%	8	0.0%	27.6%
Weaver Vale Housing Trust Limited	1	39	0.2%	0.6%	26	0.2%	0.4%
Westmoreland Supported Housing Limited	107	6	0.0%	0.5%	-	-	-
Wirral Partnership Homes Limited	2	10	0.0%	0.1%	7	0.0%	0.1%
Your Housing Limited	43	883	4.0%	3.8%	576	3.4%	3.6%

APPENDIX 2

There are implications of Local Housing Allowance (LHA) levels for the major towns and settlements. Properties in the Cheshire East Private Rented Sector are above the LHA level, which means low income / benefit - reliant households are going to struggle to pay their rent without a market intervention such as Housing Benefit / LHA.

Settlement	Average Market Rent (per month)	Current LHA (per month)
Alsager		
1 Bed Shared	£350	£244.38
1 Bed Self Contained	£495	£368.65
2 Bed	£550	£475.02
3 Bed	£650	£550.02
4 Bed	£900	£749.99
Congleton		
1 Bed Shared	£375	£244.38
1 Bed Self Contained	£495	£368.65
2 Bed	£600	£475.02
3 Bed	£750	£550.02
4 Bed	£900	£749.99
Crewe		
1 Bed Shared	£325	£244.38
1 Bed Self Contained	£440	£368.65
2 Bed	£575	£475.02
3 Bed	£750	£550.02
4 Bed	£850	£749.99
Middlewich		
1 Bed Shared	£325	£244.38
1 Bed Self Contained	£425	£368.65
2 Bed	£530	£475.02
3 Bed	£650	£550.02
4 Bed	£1000	£749.99
Nantwich		
1 Bed Shared	£390	£244.38
1 Bed Self Contained	£495	£368.65
2 Bed	£595	£475.02
3 Bed	£750	£550.02
4 Bed	£850	£749.99
Sandbach		
1 Bed Shared	£395	£244.38
1 Bed Self Contained	£450	£368.65
2 Bed	£550	£475.02
3 Bed	£750	£550.02
4 Bed	£1000	£749.99

Macclesfield		
1 Bed Shared	£450	£317.33
1 Bed Self Contained	£525	£449.99
2 Bed	£750	£565.01
3 Bed	£875	£730.00
4 Bed	£1200	£1084.57
Knutsford		
1 Bed Shared	£495	£317.33
1 Bed Self Contained	£600	£449.99
2 Bed	£900	£565.01
3 Bed	£1200	£730.00
4 Bed	£1750	£1084.57
Alderley Edge		
1 Bed Shared	£525	£317.33
1 Bed Self Contained	£895	£449.99
2 Bed	£1000	£565.01
3 Bed	£1500	£730.00
4 Bed	£2000	£1084.57
Wilmslow		
1 Bed Shared	£500	£317.33
1 Bed Self Contained	£750	£449.99
2 Bed	£900	£565.01
3 Bed	£1200	£730.00
4 Bed	£2000	£1084.57
Poynton		
1 Bed Shared	£650	£317.33
1 Bed Self Contained	£750	£449.99
2 Bed	£870	£565.01
3 Bed	£950	£730.00
4 Bed	£2000	£1084.57
Prestbury		
1 Bed Shared	£523	£317.33
1 Bed Self Contained	£1000	£449.99
2 Bed	£1300	£565.01
3 Bed	£1900	£730.00
4 Bed	£2600	£1084.57

This page is intentionally left blank



Working for a brighter future together

Key Decision Y

Date First
Published: 15.09.20

Cabinet

Date of Meeting: 6th October 2020

Report Title: Public Space Protection Orders (PSPO) Consultation Results

Portfolio Holder: Cllr Mick Warren – Portfolio Holder for Communities

Senior Officer: Mark Palethorpe – Executive Director of People

1. Report Summary

- 1.1. The purpose of this report is to seek authorisation to extend the Public Space Protection Orders (PSPO's) made in October 2017, relating to Dog Fouling and Dog Control and transfer the legal status of the previous gating schemes that required a "Gating Order" (under the Cleaner Neighbourhoods and Environmental Act 2005) across the borough to a consolidating PSPO.
- 1.2. The extended use of these orders will allow a consistent and manageable approach in tackling irresponsible and anti-social dog ownership, promoting safe and enjoyable use of our open spaces and protecting our residents from being victims of criminal and anti-social behaviour.

2. Recommendation

- 2.1. It is recommended that Cabinet:

Agree the extension of the existing Public Space Protection Orders, in accordance with s.60 (2) of the Anti-Social Behaviour Act 2014 for a further period of 3 years from 20th October 2020 relating to the boroughwide Dog Fouling and Dog Control, Carrs Park, Wilmslow and transfer the legal status of the previous gating schemes that required a "Gating Order" (under the Cleaner Neighbourhoods and Environmental Act 2005) across the borough to a consolidating PSPO.

3. Reasons for Recommendation

- 3.1. On the 5th February 2020 The Portfolio Holder for Communities authorised the commencement of necessary consultation on three Public Space Protection Orders (PSPO's) two of which relating to dog fouling and dog control and one relating to Gating Orders within the borough. This was carried out in accordance with Section 72 of the Anti-Social Behaviour Crime and Policing Act 2014. The consultation ran from 29th June 2020 for a period of 6 weeks until the 10th August 2020. The normal process for consultations of this nature would run for a 4 week period but due to the circumstances relating to the Covid Pandemic, the above dates allowed for a 6 week period to provide a longer time period for people to respond. Comments received have been taken into consideration and approval is now sought In line with the above recommendations.
- 3.2. Under the Anti-Social Behaviour, Crime and Policing Act 2014, the Council can make a Public Spaces Protection Order (PSPO) to control certain activities in a specified area if those activities are likely to have a detrimental effect on the quality of life of people in that area. This can include many forms of anti social behaviour, including problems often associated with dogs, for example, dog fouling and those at risk of causing anti-social behaviour.
- 3.3. A requirement of the Act is for The Council to review its existing PSPO's within a three year period. This is achieved through a consultation process, the outcomes of which will determine whether to extend, vary or discharge or simply to allow to lapse, those orders.
- 3.4. The current PSPO for Dog Fouling and Dog Control came into force on the 1st November 2017 and states "if a dog defecates at any time on land to which this part of the Order applies, and the person who is in charge of the dog at that time fails to remove the faeces from the land forthwith", that person shall be guilty of an offence of breaching the order. The Carrs Park, Wilmslow was the subject of a Dog Control Order which was made by the Council on 2 August 2012 and came into effect on Monday 20 August 2012. By virtue of the provisions of the Ant-Social Behaviour, Police and Crime Act 2014 (S.75) within 3 years of the commencement of the Act (that is by 19th October 2017) all existing DCO's across Cheshire East along with other orders for example, Designated Public Places Orders (DPPO's) and Gating Orders automatically transitioned into Public Space Portection Orders (PSPO's) for the maximum length of three years.
- 3.5. The PSPO relating to the Carrs Park, Wilmslow created 4 offences, including Dog Fouling, Total number of dogs a person can take on the land

is 4, a person needs to keep a dog on a lead and a person does not comply to a direction by an authorised officer to put or keep a dog on a lead.

- 3.6. The terms of the DCO / Interim PSPO relating to the Carrs Park, Wilmslow created 4 circumstances in which the order would be breached, including dog fouling, total number of dogs a person can take on the land is 4, a person needs to keep a dog on a lead and a person does not comply to a direction by an authorised officer to keep or put a dog on a lead.
- 3.7. Cheshire East Council made a total of 11 Gating Orders which were established between 2008 and 2010. 9 of these gating orders in Crewe, with a further scheme in Middlewich and Macclesfield. Full details of these gating orders are available on the Cheshire East Website. As noted at paragraph 3.5 above, by virtue of the provisions of the Anti-social Behaviour Police and Crime Act 2014, (S 75) within 3 years the commencement of the Act (that is by 19th October 2017) all existing Gating Orders across Cheshire East automatically transitioned into Public Space Protection Orders (PSPO's) for the maximum length of three years.
- 3.8. A requirement within the act is for the Council to review its existing PSPO's within the 3 year lifetime of the PSPO as in accordance with s.60 of the Act, a PSPO cannot have effect for more than 3 years, unless extended under s.60 (2). This section permits a local authority to extend a PSPO where it is satisfied on reasonable grounds that doing so is necessary to prevent an occurrence or recurrence of the activities identified in the Order. Any extension must be agreed before the expiry of the previous Order.

4. Other Options Considered

- 4.1. Cease the enforcement for dog fouling and dog control covered by the boroughwide and the Carrs Park, Wilmslow PSPO.
- 4.2. Allow the current Gating Orders to lapse.

5. Background

- 5.1. The introduction of the boroughwide PSPO for dog fouling and dog control has led to the issue of 146 Fixed Penalty Notices (FPN's). In addition to the data recorded on the number of FPN's issued, the actual existence of the PSPO and supporting information made available to the public through website and signage has also provided a deterrent for some dog owners to not act irresponsibly.
- 5.2. The consultation in respect of the boroughwide PSPO resulted in 341 responses, overwhelmingly a high percentage of the respondents either agree or strongly agree with the extension of the current order until 2023.

- 5.3. Of those that chose to respond, just under 96% of the respondents were residents of Cheshire East, combined with a good balance of postcode areas in relation to survey responses.
- 5.4. The responses in general were lower than that of the 1428 obtained from the original consultation which was ran in 2017 when the order was introduced. A Summary Report of the boroughwide PSPO consultation is attached as Appendix A to this report. The reduction in responses could partly be due to the Covid lockdown period, but likely that this is not a new order and the Council are not looking to add or take anything away from the current order.
- 5.5. A total of 42 responses were received in relation to the Carrs Park, Wilmslow PSPO. (A copy of the Summary Report is attached as Appendix B). Overwhelmingly, a high percentage of the respondents either agree or strongly agree with proposal for the Public Spaces Protection Order (PSPO) at the Park with many of the responders from the SK9 area, relevant to the Parks location.
- 5.6. The responses in general were low, however the council do not have any statistics to compare this to when the original Dog Control Order was introduced in 2012. Again, the Covid period may be a contributory factor but also that this order although being proposed as a “new order” did not change or amend anything that were in the 4 separate orders in relation to this area.
- 5.7. Since November 2017 (up until 31 July 2020) patrols have issued 78 Fixed Penalty Notices for breach of PSPO within the Wilmslow area. Although the council cannot confirm that every Fixed Penalty Notice (FPN) issued is in relation specifically to Carrs Park, it is highly likely that the majority of these are.
- 5.8. There is support for the Council to consider, more enhanced prohibitions on the Order to control other issues relating to dog control. The highest response with regards to the boroughwide PSPO for Dog Fouling and Dog Control was in relation to a condition requiring those people with a dog in their control being able to supply on request evidence of means by which they intend to clear the dogs foul up with, of which just under 86% of responses were in favour.
- 5.9. An extension to the current Dog Fouling and Dog Control Orders would also give the Council an opportunity to further review our parks and open areas to look at amending the existing PSPO's. Further community engagement and consultation can be undertaken to further potential prohibitions for these specific areas across the Borough via amendment

procedures to an existing PSPO as outlined in section 61 of the ASB Crime and Policing Act 2014.

- 5.10. The consultation relating to the current Gating Order PSPO's was consistent with the time period applied to the Dog Fouling and Dog Control consultation (6 weeks) similarly to account for the Covid lockdown, though the process used was different.
- 5.11. A total of 630 Resident letters (Appendix C) were hand posted to properties affected by the council's intentions to transfer the legal status of the previous gating schemes that required a "Gating Order" (under the Cleaner Neighbourhoods Environmental Act 2005) to a consolidating Public Spaces Protection Order (PSPO) under the provisions of the 2014 Anti-social Behaviour, Crime and policing Act'.
- 5.12. A copy of the draft Order (Appendix D) which includes details of the restrictions, locations and barrier numbers was attached to the correspondence with links to the Council website address for further information relating to Gating Orders.
- 5.13. As part of the consultation, the Council invited residents who 'Do Not Agree' with the provisions of the draft consolidated PSPO to respond using either a unique council consultation e-mail address or writing to the Council with their reasons.
- 5.14. No objections were received during the consultation period to the Council in relation to the proposals set out in the Residents Letter from the responders residing in any of the areas involved in the consultation process.
- 5.15. There are indeed other barriers in the borough which have not been included in the draft order for consultation. The reason for this is that, there not being available, copies or any other documents indicating the existence of an order covering these sites.
- 5.16. Given the forthcoming expiration of the order the subject of the consultation and the added difficulties posed by Covid 19, the council has had to concentrate on, those sites known to be currenbtly regulated.
- 5.17. The result of this is that those gated sites not listed in the draft consolidated PSPO do not have the benefit of the provisions of a statutory PSPO and its associated enforcement powers to prevent use of this stretch of highway.
- 5.18. That said, if when reviewing the future of these unregulated sites, officers can be satisfied that it the grounds set out in the draft of the PSPO out for consultation, also exist at the sites of these unregulated barriers, then it is

entirely possible for the Council to consider making a new PSPO governing these sites.

- 5.19. Full details of all consultations were published on the Councils website with circulation provided via e-mail to all Local Elected Members. A press release was also provided giving information on each of the consultations and incorporated the appropriate links to encourage responses. Details of the Dog Fouling and Dog Control consultation was circulated to town and Parish Councils and details of the Gating Order PSPO's placed on the Crewe Town Council website and social media platforms across Crewe Town.
- 5.20. Details of the Consultation processes for each PSPO have been shared with partners of the MAAG (Multi Agency Action Group) as per Council's procedure. Partner agencies within the group membership also agreed to share the information on their own social media platforms to encourage their customers and service users to respond.
- 5.21. An extension provided to the current PSPO's would not affect the amounts charged in relation to fines. Breach of any of the prohibitions would be dealt with by means of a Fixed Penalty Notice of £100 in line with the fine levels for a breach of a PSPO in Cheshire East.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. Consideration would have to be given to make sure by extending the PSPO's the Council would be legally compliant in making sure that relevant signage is put in place if not already done so.
- 6.1.2. The Council will erect new signage once approval for the extension of the Orders has been approved.

6.2. Finance Implications

- 6.2.1. The consultation process in relation to Dog Fouling and Dog Control has received several requests for signage to be reviewed and/or refreshed to make sure that relevant signage is in place to support the Orders, (if extended).
- 6.2.2. This process will also need to be adopted in respect of the Dog Control Order and Gating Orders at the appropriate sites across the borough.
- 6.2.3. Quotations for the costs associated with the signage have been calculated at approximately £2000.

- 6.2.4. Representatives of the Safer Cheshire East Partnership (SCEP) including The Police and the Police and Crime Commissioners office (PCC) have approved the use of SCEP funding to support the provision and installment of signage.

6.3. Policy Implications

- 6.3.1. Cheshire East Council is an enforcing Council and committed to tackling anti social behaviour and environmental crime.
- 6.3.2. The elements of this report are being fed into the current enforcement review being carried out internally by the Council.
- 6.3.3. All enforcement actions and decisions will be taken in accordance with Cheshire East Council's Enforcement Policy (also currently under review).

6.4. Equality Implications

- 6.4.1. Equality Impact Analysis/Assessments have been completed and approved by the Head of Service. It will be necessary to review the outcomes of the consultation process to identify any actions arising from the initial analysis/assessments. (Appendix E)

6.5. Human Resources Implications

- 6.5.1. Training and guidance has already taken place for operational staff involved in the enforcement of PSPO's.
- 6.5.2. Officers are already actively addressing dog fouling across the borough within the limits of the current legislation. The extension of the PSPO's would further enhance this work and support both residents and visitors to the Borough and assist in the behaviour change to those who choose to offend.
- 6.5.3. Officers are delegated with the powers via the Council's Constitution and Schemes of Delegations.

6.6. Risk Management Implications

- 6.6.1. The current resource provision for the Council to issue Fixed Penalty Notices (FPN's) is provided by 5 Community enforcement Officers, one Senior Community Enforcement Officer and 2 externally contracted environmental enforcement officers who are authorised to prosecute on those who breach PSPO's.

6.6.2. The Council as part of its commissioning arrangements has extended the contract for the external environmental enforcement delivered by LA Support (part of the Kingdom Group) be extended to the 31st December 2020. Commissioning are currently working to provide an 'Exit Strategy' to de-commission the service beyond this time.

6.7. Rural Communities Implications

6.7.1. A positive impact will be made on the rural community by protecting its open spaces from dog foul and enhancing the controls of irresponsible dog ownership.

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

6.8.1. Dog fouling is unpleasant, a nuisance and can be a hazard to health large percentage of the British population are worried about the amount of dog fouling, not just because of the mess it causes but because it can also be linked to health risks including 'toxocara canis'. Roundworm eggs are found in dog mess, which can easily be picked up by young children. This causes stomach upsets, sore throats, asthma and in rare cases blindness. The eggs can remain active in the soil for many years, long after the dog mess has weathered away. We recognise that most dog owners are responsible and clean up after their pets, but a small minority continue to cause problems.

6.9. Public Health Implications

6.9.1. Refer to 6.8.1.

7. Ward Members Affected

7.1. All Ward and Ward Members

8. Access to Information

8.1. Appendix A – Consultation report Dog Fouling and Dog Control

8.2. Appendix B – Consultation report – Carrs Park, Wilmslow

8.3. Appendix C – Gating Orders – Residents Consultation Letter

8.4. Appendix D – Draft Consolidated PSPO Gating Order

8.5. Appendix E – Equality Impact Assessment – Gating Order Consultation

8.6. Appendix F – Equality Impact Assessment – Dog Fouling Consultation

9. Contact Information

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

Name: Mr Richard Christopherson

Job Title: Locality Manager – Community Safety

Email: Richard.christopherson@cheshireeast.gov.uk

This page is intentionally left blank

APPENDIX ITEM A - BOROUGH WIDE DOG FOULING AND DOG CONTROL PUBLIC SPACES PROTECTION ORDER PROPOSAL TO EXTEND CONSULTATION SUMMARY

Consultation Headlines:

- The consultation ran from 29 June 2020 until 10 August 2020. The normal process would be to run such consultations for a 4-week period. Due to the pandemic situation, it was decided that the consultation would run for a 6-week period to allow longer for people to respond to the survey.
- 341 responses were received in relation to the consultation
- Overwhelmingly a high percentage of the respondents either agree or strongly agree with the extension of the current order until 2023.
- There is support for the council to consider extra, more enhanced prohibitions on the order for specific areas. All but one suggestion had an over 70% in favour rate. The lowest that fell below this was a suggestion around restrictions on number of dogs per owner, which just under 59% of responses were in favour of. The highest response was in relation to a condition requiring those with a dog in their control being able to supply on request evidence of means by which they intend to clear the dogs foul up with, of which just under 86% of responses were in favour of.
- Of those that chose to respond to the question, just under 96% of the respondents were residents of CE.
- There is a good balance of postcode areas in relation to survey responses
- There is a good balance of Male/Female and age band respondents.
- The responses in general were low compared to the original consultation which ran in 2017 when the order was first introduced, which produced 1428 responses. This could partly be due to lock down, but also that this order is not a new order and we are not looking to add or take anything away from the current order. The consultation was circulated to all local members, town and parish councils. In addition to this we also launched a press release and advertised on social media. Partner agencies and key departments within the authority were also informed and asked to circulate with their local groups and contacts. An example of the press release can be found via the below link:

https://www.cheshireeast.gov.uk/council_and_democracy/council_information/media_hub/media_releases/council-seeks-to-extend-dog-fouling-and-gating-orders.aspx

A summary of the survey results is tabled within this report. A further appendix attachment with all responses and open-ended comments/questions can be made available on request. The document containing all open-ended responses is quite lengthy, having reviewed them I have provided a summary of the “general” comments/responses.

Summary of “open ended” questions and comments:

There were several comments/suggestions made in the open-ended fields of the survey. There are summarised below. Furthermore I have supplied a FAQ at the bottom of this report to add some context to the questions and comments which we will publish on our website as part of the survey results section once a decision has been made and published on the extension of this order:

Comment/suggestion/question	Tally	Response
More patrols/enforcement	46	<p>Patrols Cheshire East council currently has 5 Community Enforcement Officers, one Senior Community Enforcement Officer and 2 externally contracted environmental enforcement officers who are authorised to prosecute those seen breaching our dog fouling and dog control PSPO. Police do also have these powers as do Police Community Support Officers, who can report members of public for breaches of this order so as the council can then issue a fine based on their witness statement. We have recognised that in order to properly enforce and patrol against the current order and any potential additional powers to the order will require careful consideration and a management of expectations around this.</p> <p>Enforcement Since the implementation of this order in November 2017 (up until 31 July 2020) patrols the authority has issued 146 Fixed Penalty Notices for breach of the PSPO. Patrols have and do take place as often as we are able to. We try to target our patrols based on local knowledge and reports of poor behaviour. Catching a dog owner not clearing up after their dog has fouled or not being in proper control of their dog can be quite difficult, especially when a uniformed officer is present. We find when patrols take place, even the minority of dog owners that might not normally clean up after their dogs tend to change their behaviour in the presence of a uniformed officer. We have issued a number of fines based on witness statements from members of the public who have been able to identify the offender, whether that be a local neighbour or via the registration of a car they have seen the individual arrive/leave in.</p>
Dogs must be on lead in all public spaces	29	<p>The authority has tried to carefully balance decisions around dog control so as the vast majority of dog owners are able to exercise their dog off a lead in public as long as they are in control of their dog. To apply an order to ban this in all public areas would not be proportionate at this stage. We have recognised that it may however be appropriate to apply more restrictions in some of our parks and open areas where we have had increased reports of a lack of dog control. We will be</p>

		further reviewing this within the next 3 years.
More bins/emptying of bins	16	The authority no longer supplies “dog poo bins” as owners are now able to place their dogs waste in a normal litter bin. Many of the bins specifically for dog foul have now been removed or will no longer be replaced if they have to be removed. We are also not installing any new dog foul bins. In most public spaces there are litter bins nearby, and where there are none, then members of public will be expect to carry any litter/dog foul with them until they are able to find a bin or return home with their litter and dispose of it at home. There are several open spaces public and privately owned that public have access to that may not have many bins or any bins at all due to their own rules and regulations. It is sometimes not possible to have bins in some of the rural or vast locations as the emptying of these would be extremely difficult. There are plenty of areas where there are several bins accessible if dog owners are not too keen on taking the waste home with them or carrying their dog waste with them for too long before they reach a suitable bin. If any member of public comes across a bin owned by the authority that is overflowing/in need of emptying and appears to have been missed then this can reported via our website www.cheshireeast.gov.uk .
Enforcement should also include bagged foul left behind	12	The current PSPO does include this, this is included in a “failure to remove the faeces from the land forthwith”. Leaving your dog poo behind in a bag on the floor, in a tree, outside a building, by a bin or a gate is not removing it from the land. We have issued fines for this behaviour and will continue to do so.
More signage/campaigns/education	11	We have had several requests to review the signage that we currently have up and around the borough. As part of this consultation and extension of the order we will be looking to refresh some of our signage working with our colleagues in the parks departments, and private landowners such as the national trust to increase and replace some of our signage over the next 12 months. Where we can we will look to work on some targeted campaigns as and when we are able to and the request for this has been very much noted.
Would like a “dog friendly area” that allows exercise of dogs off lead in a safe zone	9	This is not something that the council have supplied or is looking to supply at this stage, but comments around this as a result of the consultation have been passed on to the relevant portfolio holders and directors/higher management.
Bring back licensing of dogs/enforce against those not chipped/DNA testing on foul	7	The Authority are currently not looking at DNA testing for breaches of the fouling element of our order, however there are other potential requirements we may consider moving forward in relation to having a means to clear up after your dog if requested to show evidence of this by an authorised officer. <i>Information in relation to licensing and chipping enforcement has been requested from **Jane Mathews and will forward on when received**</i>
Higher fines	5	Currently, this is the highest rate fine we can apply in relation to failing to remove from land dog foul and also failing to control a dog. The fine levels were set by the home office as part of this legislation (under the ASB Crime and Policing Act 2014). We set the fine at its highest level which is £100, and have given no early payment reduced rate. There is no other legislation currently available to the authority that would allow us to make this fixed penalty notice any higher.

		However, for repeat offenders, or offenders who refused or fail to pay the fine, we will look to progress the matter to the magistrates court, whereby if found guilty an offender could receive a fine of up to £1000 and a criminal conviction.
More legislation to protect livestock on private land	4	There are pieces of legislation that allow landowners to protect/defend their land from dog attacks on their livestock.
License Dog walking businesses	4	<i>** passed onto Jane Mathews for comments **</i>
Should apply to private land not open to public	3	Unfortunately, the authority cannot use a PSPO to cover private land with no public access. This would be a civil trespass issue.
Name and shame those receiving fine/prosecution	2	We are unable to name and shame any individual that receives a fixed penalty notice for breach of a PSPO. Payment of a Fixed Penalty Notice gives a defendant the opportunity to discharge themselves of the offence by payment of the fine, therefore there is no criminal conviction that would allow public reporting. However, if an individual is taken to court and found guilty of an offence of breach of PSPO then reporting could take place. This would however have to meet a test of public interest and proportionality.
Ability to submit pictures of those caught in breaching the order	2	If is extremely difficult to launch an investigation based solely on a picture of an “unknown” individual with a dog who allegedly did not pick up after the dog they were in control of has fouled, therefore pictures submitted on this basis will often remain not investigated. However; if there are any further leads, such as a witness statement, details as to who the individual might be, where they might live, specific times of day they may walk their dog in the area, or a vehicle registration that could be linked to the individual this would be extremely helpful. We would still need a witness statement in conjunction with this in order to proceed.
Enforcement against dogs “damaging” public areas/digging up flowerbeds/digging holes/damaging fencing.	2	We currently do not have any powers or evidence base in order to pursue such a condition on our PSPO. However, if a person in charge of a dog in public allows their dog to damage property along these lines then a officer could instruct that the dog is put and placed on a lead and controlled accordingly. If this is not complied with then there would be a breach of our current order.
Better reporting mechanism than complex webforms with map pinpoint system that does not work	1	We are sorry that this is the case, we are aware that reporting could be much more effective, and we are currently undergoing a review of how these sort of reports, amongst may others come through to us.

Of Note further FAQ responses:

- Dog Warden and Community Enforcement Officers

There were several comments/suggestions on the consultation that referred to “Dog Wardens” and lack of enforcement around the order. To clarify, we have one local authority Dog Warden that sits within our Regulatory Services and Animal Health Department. Their primary role is to deal with incidents of stray dogs and promote responsible dog ownership via prevention and educative visits/discussions. The authorities Dog Warden is not currently authorised to issue Fixed Penalty Notices to those who are in breach of our PSPO. The Warden does however link in closely with our Community Enforcement Officers (formally known as Community Wardens), who sit within our Community Safety Anti-Social Behaviour Team who have the powers to enforce against the order amongst a number of other offences such as littering and fly tipping.

- Coverage of our Dog Fouling and Dog Control PSPO

To clarify, our current order applies to ALL areas that are publicly and privately owned that can be accessed by the public. This is not just parks and countryside areas. It is residential areas, towns, pathways, canal paths, PROW, forests and heathland. It also covers areas owned by our colleagues in the National Trust, and other similar private owned areas of which public have access to. It is impossible to patrol all of these areas at anyone time, so we allocated patrol plans based on reports and requests for attendance to the areas as best we can. We also have one other PSPO that has been applied to Carrs Park, Wilmslow, of which is separate to our borough wide order and supersedes this order. This is a converted dog control order that was applied to the park in 2012 due to increased reports of issues with dogs off lead, and number of dogs per owner.







- Signage in parks and open areas requiring dogs to be kept on leads at all times:







With the exception of Carrs Park Wilmslow, any signage in our parks and open areas requiring dogs to be kept on leads are rules of the park and are currently not enforceable. Under our current order officers, if they see that a dog appears to not be under control can request that a dog is put and placed on a lead for the duration of their visit to the area. If the owner refuses to do so or cannot do so then the officer will issue a fixed penalty notice to the owner. They are unable to issue a fine or instruct a person to put and place their dog on a lead solely because there is a sign in the area asking them to, the officer would need to see that the dog was not under control first.

- Dangerous Dogs

The council do not have powers under the Dangerous Dogs Act. If a person or another dog has been attacked by a dog or has genuinely felt that they were going to be attacked by a dog this matter needs reporting to the police for further investigation. We would not be introducing any additional requirements under our PSPO to cover this element as there is already firm legislation in place within the Dangerous Dogs Act to cover such incidents.

Dog Fouling and Dog Control Public Space Protection Order proposed extension - Consultation Results

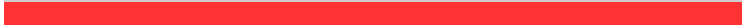



1. How strongly do you agree or disagree with the extension of the councils current 'Dog Fouling and Dog control Public Spaces Protection Order (PSPO)'? Please select one option only			Response Percent	Response Total
1	Strongly agree		76.4%	252
2	Tend to agree		11.5%	38
3	Neither agree nor disagree		3.3%	11
4	Tend to disagree		4.5%	15
5	Strongly disagree		2.7%	9
6	Unsure/ Don't know		1.5%	5
			answered	330

2. Which of the following locations/areas would you like to be specifically or generally covered in any future reviews of the PSPO for dog fouling and dog control? Please select all that apply			Response Percent	Response Total
1	Restriction on the number of dogs per owner that can be taken out into public spaces at one time		58.73%	195
2	A requirement that a dog owner should be able to present to an authorised officer evidence of means by which they intend to clear up after their dog (e.g. dog poo bag)		85.84%	285
3	A requirement that a dog should remain on a lead at all times in certain areas of the borough (e.g. parks)		73.49%	244
4	"No dogs" allowed areas (e.g. enclosed children's play areas)		78.31%	260
5	None of the above		2.41%	8
6	Other (please specify):		13.86%	46
			answered	332
			skipped	9





3. Do you have any further comments that you would like to make regarding the intended extension of this Public Space Protection Order? Please detail below

		Response Percent	Response Total
1	Open-Ended Question (summary of comments in detailed report)	100.00%	154
		answered	154
		skipped	187










4. Which of the following applies to you? Please select all that apply

			Response Percent	Response Total
1	Resident of Cheshire East		95.67%	309
2	I work in Cheshire East		16.41%	53
3	I am a local CEC/Parish Councillor		7.43%	24
4	I am a member of a local community group (please state which group below)		6.50%	21
			answered	323
			skipped	18







6. What is your gender identity? Please select one option only

			Response Percent	Response Total
1	Male		39.06%	125
2	Female		55.94%	179
3	Prefer not to say		4.69%	15
4	Prefer to self describe (please write in the box below):		0.31%	1
			answered	320
			skipped	21








7. What age group do you belong to? Please select one option only

			Response Percent	Response Total
1	16-24		0.31%	1
2	25-34		4.98%	16
3	35-44		19.31%	62
4	45-54		25.23%	81
5	55-64		23.36%	75
6	65-74		19.31%	62
7	75-84		3.12%	10
8	85 and over		0.31%	1
9	Prefer not to say		4.05%	13
			answered	321
			skipped	20




8. What is your ethnic origin? Please write in below

			Response Percent	Response Total
1	White British / English / Welsh / Scottish / Northern Irish / Irish		88.40%	282
2	Any other White background		1.57%	5
3	Mixed: White and Black Caribbean / African / Asian		0.00%	0
4	Asian / Asian British		0.31%	1
5	Black African / Caribbean / Black British		0.31%	1
6	Prefer not to say		8.15%	26
7	Prefer to self describe (please write in the box below):		1.25%	4
			answered	319
			skipped	22

9. Which of the following best describes your religious belief / faith? Please select one option only

			Response Percent	Response Total
1	Buddhist		0.63%	2
2	Christian		49.06%	157
3	Hindu		0.00%	0
4	Jewish		0.31%	1
5	Muslim		0.31%	1
6	Sikh		0.00%	0
7	None		32.50%	104
8	Prefer not to say		14.06%	45
9	Prefer to self describe (please write in the box below):		3.13%	10
			answered	320

10. Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months? This includes problems related to old age. Please select one option only

			Response Percent	Response Total
1	Yes		9.09%	29
2	No		85.58%	273
3	Prefer not to say		5.33%	17
			answered	319
			skipped	22

Emailed responses:

Formal responses via our safer mailbox were received from Sandbach Town Council:

Good Afternoon,

Thank you for consulting Sandbach Town Council on the following:

Dog Fouling and Dog Control Public Space Protection Order notice to extend June 2020

Sandbach Town Council support the reactivation of this order for a further 3 years.

Best regards,

Mike Wellings

Operational Support Officer

And a report was provided to us by Cheshire East Countryside Access Forum of which is embedded with this report:
[C:\Users\ag856p\OneDrive - OurCheshire\Documents\YROOT\ASB POWERS\PSPO\DOG CONTROL\Consultation responses\Dog Control and Dog Fouling PSPO CECAF response \(002\).pdf](C:\Users\ag856p\OneDrive - OurCheshire\Documents\YROOT\ASB POWERS\PSPO\DOG CONTROL\Consultation responses\Dog Control and Dog Fouling PSPO CECAF response (002).pdf)

APPENDIX ITEM B - CARRS PARK DOG FOULING AND DOG CONTROL PUBLIC SPACES PROTECTION ORDER CONSULTATION SURVEY SUMMARY

Consultation Headlines:

- The consultation ran from 29 June 2020 until 10 August 2020. The normal process would be to run such consultations for a 4-week period. Due to the pandemic situation, it was decided that the consultation would run for a 6-week period to allow longer for people to respond to the survey.
- 42 responses were received in relation to the consultation
- Overwhelmingly a high percentage of the respondents either agree or strongly agree with proposal for the Public Spaces Protection Order (PSPO) at the Park
- Of those that chose to respond to the question, all lived, worked or were part of a local group within CE.
- There is a good balance of postcode areas in relation to survey responses many of which were from the SK9 area, relevant to the Parks location.
- There is a good balance of Male/Female and age band respondents, however there did not appear to be any responses under the age of 35 unless they were in the “prefer not to say” category.
- The responses in general were low, however we do not have any statistics to compare this to when the original Dog Control Order was introduced in 2012. This could partly be due to lock down, but also that this order although being proposed as a “new order” did not change or amend anything that were in the 4 separate orders in relation to this area. The consultation was circulated to all local members, town and parish councils. In addition to this we also launched a press release and advertised on social media. Partner agencies and key departments within the authority were also informed and asked to circulate with their local groups and contacts. An example of the press release can be found via the below link:

https://www.cheshireeast.gov.uk/council_and_democracy/council_information/media_hub/media_releases/council-seeks-to-extend-dog-fouling-and-gating-orders.aspx

A summary of the survey results is tabled within this report. A further appendix attachment with all responses and open-ended comments/questions can be made available on request. Below is a table of some comments/questions that were raised within the open-ended elements of the survey.

Summary of “open ended” questions and comments:

I have supplied responses in green and an FAQ at the bottom of this report to add some context to the questions and comments which we will publish on our website as part of the survey results section once a decision has been made and published on the decision around this order:

Comment/suggestion/question	Tally	Response
More patrols/enforcement	10	<p><u>Patrols</u> Cheshire East council currently has 5 Community Enforcement Officers, one Senior Community Enforcement Officer and 2 externally contracted environmental enforcement officers who are authorised to prosecute those seen breaching our dog fouling and dog control PSPO. Police do also have these powers as do Police Community Support Officers, who can report members of public for breaches of this order so as the council can then issue a fine based on their witness statement. Our teams have regularly patrolled Carrs Park for breaches of this order.</p> <p><u>Enforcement</u> Since November 2017 (up until 31 July 2020) patrols have issued 78 Fixed Penalty Notices for breach of PSPO within the Wilmslow area. Although we cannot confirm that every Fixed Penalty Notice issued is in relation specifically to Carrs Park, it is highly likely that the majority of these are.</p>
Dogs must be on lead in all public spaces	4	The authority has tried to carefully balance decisions around dog control so as the vast majority of dog owners are able to exercise their dog off a lead in public as long as they are in control of their dog. To apply an order to ban this in all public areas would not be proportionate at this stage. We have recognised that it may however be appropriate to apply more restrictions in some of our parks and open areas where we have had increased reports of a lack of dog control. Carrs park already has conditions around dogs on lead in some areas of the park.
Enforcement should also include bagged foul left behind	2	The current PSPO does include this, this is included in a “failure to remove the faeces from the land forthwith”. Leaving your dog poo behind in a bag on the floor, in a tree, outside a building, by a bin or a gate is not removing it from the land. We have issued fines for this behaviour and will continue to do so.
More signage/campaigns/education	1	We have had several requests to review the signage at Carrs Park and it is our intention to do so once the new order is in place.
Higher fines	6	Currently, this is the highest rate fine we can apply in relation to failing to remove from land dog foul and also failing to control a dog. The fine levels were set by the home office as part of this legislation (under the ASB Crime and Policing Act 2014). We set the fine at its highest level which is £100 and have given no early payment reduced rate. There is no other legislation currently available to the authority that would allow us to make this fixed penalty notice any higher. However, for repeat offenders, or offenders who refused or fail to pay the fine, we will look to progress the matter to the magistrate’s court, whereby if found guilty an offender could receive a fine of up to £1000 and a criminal conviction.

Would like to condition in relation to number of dogs per owner reduced to less dogs	1	At this stage we do not have evidence to show that this is required, however we will continue to monitor the situation, and if this changes then we will review and look to potentially vary the order.
--	---	---

Of Note further FAQ responses:

- Who is an “authorised person” in relation to who can issue fines for breach of PSPO?

An “authorised officer” is an officer who has been delegated and authorised powers by the council to issue fixed penalty notices for breach of our PSPO’s. Within Cheshire East authorised officers are:

- (i) Cheshire East Community Enforcement officers
- (ii) Environmental Enforcement Officers (externally procured company)
- (iii) Police Officers
- (iv) Police Community Support Officers

There are no other council officers, community group members of other body that have been authorised to use powers to police against this order.

All officers will be able to show you either their Cheshire East Council photo ID with a written authorisation on the back of their identification card and a phone number to contact if you wish to check this. A Police officer or Community Enforcement Officer will be able to show you similar as well.

Police officers do not issue fines on the spot but have the power to police against the order. If they witness anyone committing this offence, they have the power to request details and report the individual to us for breach. The Council will then issue the Fixed Penalty Notice off the back of a statement from the police authority.



Can someone refuse to give details/give false details?

Refusing to give details to an authorised officer is a criminal offence and anyone committing this offence will be reported for officer obstruction offences. If an individual refuses to give details then the police may be contacted who will also attend the scene and use their powers to assist with the situation, this could in extreme circumstances also involve power of arrest.






If on issue of a fixed penalty notice it becomes apparent that false details have been given then again, offenders will be pursued for obstruction offences alongside the original offence that was committed.

The Carrs Park, Wilmslow Dog Fouling and Dog Control Public Space Protection Order Consultation results Summary





1. How strongly do you agree or disagree with Part 1 of the order as outlined above which focuses on clearing up dog foul and disposing of it correctly? Please select one option only

			Response Percent	Response Total
1	Strongly agree		97.62%	41
2	Tend to agree		2.38%	1
3	Neither agree or disagree		0.00%	0
4	Tend to disagree		0.00%	0
5	Strongly disagree		0.00%	0
6	Unsure/Don't know		0.00%	0
			answered	42
			skipped	0





2. How strongly do you agree or disagree with Part 2 of the order as outlined above which focuses on maximum number of dogs per owner visiting the park? Please select one option only

			Response Percent	Response Total
1	Strongly agree		80.95%	34
2	Tend to agree		9.52%	4
3	Neither agree or disagree		2.38%	1
4	Tend to disagree		0.00%	0
5	Strongly disagree		4.76%	2
6	Unsure/Don't know		2.38%	1
			answered	42
			skipped	0


3. How strongly do you agree or disagree with Part 3 of the order as outlined above which focuses on dogs on lead by direction in certain areas of the park? Please select one option only

			Response Percent	Response Total
1	Strongly agree		92.86%	39
2	Tend to agree		2.38%	1
3	Neither agree or disagree		0.00%	0
4	Tend to disagree		2.38%	1
5	Strongly disagree		2.38%	1
6	Unsure/Don't know		0.00%	0
			answered	42
			skipped	0



4. How strongly do you agree or disagree with Part 4 of the order as outlined above which focuses on dogs on lead by direction in certain areas of the park? Please select one option only

			Response Percent	Response Total
1	Strongly agree		92.86%	39
2	Tend to agree		2.38%	1
3	Neither agree or disagree		2.38%	1
4	Tend to disagree		0.00%	0
5	Strongly disagree		2.38%	1
6	Unsure/Don't know		0.00%	0
			answered	42
			skipped	0




5. How strongly do you agree or disagree with the potential outcomes for those in breach of this public spaces protection order as outlined above? Please select one option only

			Response Percent	Response Total
1	Strongly agree		88.10%	37
2	Tend to agree		7.14%	3

5. How strongly do you agree or disagree with the potential outcomes for those in breach of this public spaces protection order as outlined above? Please select one option only

			Response Percent	Response Total
3	Neither agree or disagree		2.38%	1
4	Tend to disagree		0.00%	0
5	Strongly disagree		2.38%	1
6	Unsure/Don't know		0.00%	0
			answered	42
			skipped	0



6. Which of the following applies to you? Please select all that apply

			Response Percent	Response Total
1	Resident of Cheshire East		100.00%	39
2	I work in Cheshire East		7.69%	3
3	I am a local CEC/Parish Councillor		0.00%	0
4	I am a member of a local community group (please state which group below)		5.13%	2








8. What is your gender identity? Please select one option only

			Response Percent	Response Total
1	Male		57.50%	23

8. What is your gender identity? Please select one option only

			Response Percent	Response Total
2	Female		40.00%	16
3	Prefer not to say		2.50%	1
4	Prefer to self describe (please write in the box below):		0.00%	0
			answered	40
			skipped	2




9. What age group do you belong to? Please select one option only

			Response Percent	Response Total
1	16-24		0.00%	0
2	25-34		0.00%	0
3	35-44		10.00%	4
4	45-54		30.00%	12
5	55-64		15.00%	6
6	65-74		17.50%	7
7	75-84		10.00%	4
8	85 and over		2.50%	1
9	Prefer not to say		15.00%	6
			answered	40
			skipped	2





10. What is your ethnic origin? Please write in below

		Response Percent	Response Total
--	--	------------------	----------------




10. What is your ethnic origin? Please write in below

			Response Percent	Response Total
1	White British / English / Welsh / Scottish / Northern Irish / Irish		84.21%	32
2	Any other White background		2.63%	1
3	Mixed: White and Black Caribbean / African / Asian		0.00%	0
4	Asian / Asian British		0.00%	0
5	Black African / Caribbean / Black British		0.00%	0
6	Prefer not to say		13.16%	5
7	Prefer to self describe (please write in the box below):		0.00%	0
			answered	38
			skipped	4

11. Which of the following best describes your religious belief / faith? Please select one option only

			Response Percent	Response Total
1	Buddhist		0.00%	0
2	Christian		38.46%	15
3	Hindu		0.00%	0
4	Jewish		0.00%	0
5	Muslim		0.00%	0
6	Sikh		0.00%	0
7	None		41.03%	16
8	Prefer not to say		15.38%	6
9	Prefer to self describe (please write in the box below):		5.13%	2
			answered	39
			skipped	3

12. Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months? This includes problems related to old age. Please select one option only

			Response Percent	Response Total
1	Yes		5.26%	2
2	No		86.84%	33
3	Prefer not to say		7.89%	3
			answered	38
			skipped	4

APPENDIX C**Safer Communities**

Westfields
Middlewich Road
Sandbach
CW11 1HZ

Date: June 2020

OUR REF: JB/RC/pspo/cons

Dear Resident,

Re: Consultation on a consolidating Public Space Protection Order (PSPO) to replace existing Gating Orders

Cheshire East Council is writing to you and all the residents affected in your community to provide information about the currently installed barrier gates situated near your home.

Reasons for this Consultation

Under revised legislation, Cheshire East Council intends to transfer the legal status of the previous gating schemes that required a "Gating Order" (under the Cleaner Neighbourhoods and Environmental Act 2005) to a consolidating Public Spaces Protection Order (PSPO) under the provisions of the Anti-social Behaviour, Crime and policing Act 2014, in line with the transitional provisions under section 75 of the 2014 Act.

In doing so, the Council must undertake a review to ensure that the current installed barrier gates continue to be effective and necessary. The Council have identified the opportunity to continue to protect residents and their properties with the preferred option to transfer the legal status of the previous gating schemes. Please be advised however that to date no decision has been agreed. The Council keeps an open mind and is willing to reconsider its proposals in the light of any responses it receives during the consultation process.

If there are objections made to the proposal as a result of the public consultation and those objections cannot be overcome or resolved and they genuinely relate to the transfer of the legal status of the previous gating schemes then those objections will be reviewed by the Portfolio Holder before a final decision is made in this regard.

What does this change mean?

It is proposed that the restrictions contained in the original 'Gating Orders' will continue through the making of a new consolidating PSPO made for a maximum period of 3 years as the current Gating Orders are due to expire in October 2020.

In making this new consolidating PSPO the Council and the community must see the value in continuing the restrictions imposed in the current orders for the alley barriers. Please find attached for your information a copy of the draft Order, which includes details of the restrictions, locations and barrier numbers, which, depending on the outcome of this consultation, may be implemented from 20th October 2020.

The draft PSPO's Order is attached and can be viewed on the Council's website at: https://www.cheshireeast.gov.uk/environment/community_safety/alley-gates.aspx free of charge.

As part of the consultation, the Council is inviting residents who 'DO NOT AGREE' with the provisions of the draft PSPO, to either write to **Safer Communities, Cheshire East Council, Westfields, Middlewich Road, Sandbach, Cheshire. CW11 1HZ** or email: PSPOConsultation@cheshireeast.gov.uk no later than (insert date) stating the grounds on which they are made.

If no such objections are duly made, or if any so made are withdrawn, the Council may make the Public Space Protection Order (PSPO). Even if any such representations or objections are made, the Council may nevertheless still make the PSPO if it is appropriate for it to do so and in the interests of the wider community.

Should you currently rent the property you occupy, you must inform your Landlord/Lady or Letting Agent of this correspondence.

Thank you for your time and attention.

Yours sincerely

R. Christopherson

Locality Manager - Community Safety
Cheshire East Council

Romanian - Această scrisoare, și detalii despre Gating Order sunt disponibile pe Websitul Cheshire East la
https://www.cheshireeast.gov.uk/environment/community_safety/alley-gates.aspx, unde pot fi accesate cu opțiunea de a citi informațiile într-o limbă alternativă.

Polish:

Ten list i szczegółowe informacje na temat zamówień bramkowania są dostępne na stronie internetowej Cheshire East pod adresem https://www.cheshireeast.gov.uk/environment/community_safety/alley-gates.aspx, do której można uzyskać dostęp za pomocą funkcji umożliwiającej odczytanie informacji w alternatywnym języku.

Slovakian:

Tento list a podrobné informácie o objednávkach na brány sú k dispozícii na webovej stránke Cheshire East na adrese https://www.cheshireeast.gov.uk/environment/community_safety/alley-gates.aspx, ktoré sú dostupné pomocou funkcie na čítanie informácií v alternatívnom jazyku.

Portuguese:

Esta carta, e detalhes sobre as Encomendas de Gating estão disponíveis no Site cheshire East em https://www.cheshireeast.gov.uk/environment/community_safety/alley-gates.aspx que podem ser acedidos com uma facilidade para ler a informação em uma língua alternativa.

APPENDIX D



CHESHIRE EAST BOROUGH COUNCIL PUBLIC SPACES PROTECTION ORDER

Cheshire East Borough Council [the Council] makes this Order under **Section 59 Anti-Social Behaviour, Crime and Policing Act 2014** [hereinafter referred to as the 'Act'], having consulted as required by **Section 72** of that **Act**.

This Order takes effect on 20th October 2020 and has a duration of three years.

It applies to the public places listed in the first column of the Schedule to this order, hereinafter referred to as 'the Restricted Areas' defined by section 59(4) of the Act as any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.

The Council is satisfied on reasonable grounds that activities of a criminal nature, for example dwelling house burglaries, have been facilitated by use of a right of way within the Restricted Areas which have given rise to nuisance and complaint and have had a detrimental effect on the quality of life of those in the locality. Further, it is satisfied that, without restriction of the public right of way over a highway within the Restricted Areas the effect of these activities is or is likely to be of a persistent or continuing nature, is or likely to be such as to make the activities unreasonable, and the effect of the activities justifies the restrictions imposed.

Cheshire East Borough Council therefore has exercised its power under section 59(4) Anti-Social Behaviour, Crime and Policing Act 2014 to make this order to:

PROHIBIT

1. **Person(s)** exercising a public right of way over the highway(s) within the Restricted Areas described in the First Schedule and, in which, for the purposes of enforcement of this restriction, the Order authorises the installation of a gate, operated and maintained by the Council.

Save that exemptions to the restriction shall apply to:

- a. All owners and occupiers of premises adjoining the Highway(s).*
- b. Police, Fire and Rescue Services, and NHS Trust/Foundation staff when in exercise of their duties.*
- c. Employees contractors or agents of statutory undertakers (providers of gas, electricity, water, or telecommunications services) in the exercise of their functions.*
- d. Local Authority officers and their contractors or agents in the exercise of their functions.*

REQUIRE

2. **Person(s)** to use alternative routes for public passage as described in the Second Schedule to this order

In making this Order, the Council certifies that it has had particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Convention. Further, the Council certifies that it has had regard to Section 64 of the Act and complied with the additional requirements of, and restrictions imposed on, Public Safety Protection Orders which restrict public rights of way.

Failure without reasonable excuse to comply with the prohibitions or requirements imposed by this Order is an offence under **Section 67** of the **Anti-Social Behaviour, Crime and Policing Act 2014**. A person guilty of this offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale, namely **£1000.00**.

A constable or an authorised person may under **Section 68** of the **Anti-Social Behaviour, Crime and Policing Act 2014**, issue a fixed penalty notice to anyone he/she has reason to believe has committed an offence under **Section 67** of that Act in relation to this Order.

APPEALS

In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order or Variation is made.

Signed..... Position

Acting with the authority of Cheshire East Borough Council under section 101 of the Local Government Act 1972

Dated:.....

SCHEDULES

First Schedule Restricted area	Second Schedule Alternative routes for public passage	Gate Numbers	Grid Reference Finder
A length of highway which runs from Derby Street in a westwards direction to the rear of the properties 1-19 Chell Street (Gate 38), being its entire length.	Chell Street	Number of gates – 1 Gate number 38	53°06'10.7"N 2°27'17.7"W
<p>A length of highway which runs from Timbrell Avenue southwards alongside the western boundary of 35 Timbrell Avenue and the eastern boundary of 37 Timbrell Avenue (Gate 61) to the northern boundary of 132 Badger Avenue (Gate 59).</p> <p>A length of highway which runs in a eastwards direction to the rear of the properties 202-164 Badger Avenue and 35-3 Timbrell Avenue.</p> <p>A length of highway which runs from Timbrell Avenue in a southwards direction alongside the western boundary of 1 Timbrell Avenue and the eastern boundary of 3 Timbrell Avenue (Gate 60); and to the rear of the properties 156-132 Underwood Lane to Badger Avenue.</p>	Timbrell Avenue, Underwood Lane, Badger Avenue.	<p>Number of gates – 3</p> <p>Gate numbers 59, 60, 61</p>	<p>53°06'21.1"N 2°27'26.9"W</p> <p>53°06'22.8"N 2°27'26.4"W</p> <p>53°06'23.2"N 2°27'30.7"W</p>
A length of highway which runs from Broom Street in a southwards direction alongside the western boundary of 40 Broom street (Gate 69) and to the rear	Broom Street	Number of gates – 6	53°06'17.2"N 2°27'26.5"W

<p>of the properties 42-46 Broom Street.</p> <p>A length of highway which runs from Newcastle Street in a northwards direction alongside the boundary of 35 Newcastle Street (Gate 70) and to the rear of the properties 52-48 Broom street.</p> <p>A length of highway which runs from Broom Street in a southwards direction alongside the western boundary of 30 Broom street (Gate 68) and the eastern boundary of 32 Broom street then continuing in an eastwards direction to the rear of the properties 30-8 Broom Street (Gate 67,66,65).</p>		<p>Gate numbers 65, 66*, 67, 68, 69, 70, 71</p> <p>*gate no 66 – the alleyway between 12/14 Broom Street is unadopted and not been included in the PSPO.</p>	<p>53°06'17.2"N 2°27'28.0"W</p> <p>53°06'17.2"N 2°27'29.6"W</p> <p>53°06'17.2"N 2°27'30.9"W</p> <p>53°06'16.0"N 2°27'30.7"W</p> <p>53°06'16.6"N 2°27'26.7"W</p>
<p>A length of highway which runs from Timbrell Avenue northwards alongside the eastern boundary of 34 Timbrell Avenue and the western boundary of 32 Timbrell Street (Gate 62)</p> <p>A length of highway which runs eastwards to the rear of the properties 43-13 Brooklands Grove and 32-2 Timbrell Avenue. (Gate 63)</p> <p>A length of highway which runs from Timbrell Avenue in northwards direction alongside the eastern boundary of 2 Timbrell Avenue, the western boundary of 156a Underwood Lane and to the rear of properties 156a – 168 Underwood lane (Gate 64)</p>	<p>Timbrell Avenue, Underwood lane, Brooklands Grove</p>	<p>Number of gates – 3</p> <p>Gate numbers 62, 63, 64</p>	<p>53°06'24.7"N 2°27'30.0"W</p> <p>53°06'23.3"N 2°27'26.3"W</p> <p>53°06'24.0"N 2°27'24.3"W</p>
<p>A length of highway which runs from a point approximately 4.5 metres west of its junction with Stamford Avenue westwards alongside the southern boundary of 36 Stamford Avenue (Gate 227) and to the rear of the properties 24-58 Gainsborough Road (Gate 221); and 20-2 Clifton Street to a point approximately 1.5 metres east of its junction with Clifton Street (Gate 223) (FY1266).</p> <p>A length of highway which runs from a point approximately 4 metres east of Clifton Avenue eastwards alongside the southern boundary of 11 Clifton Avenue (Gate 222) and to the rear of the properties 1-19 Clifton Street (FY1267).</p> <p>A length of highway which runs from a point approximately 3.5 metres south of its junction with Alton Street southwards alongside the properties 82/84 Alton Street (FY1268).</p> <p>A length of highway which runs from a point approximately 6.5 metres north of its junction with Clifton Street northwards alongside the eastern boundary of 19 Clifton Street to the rear of the properties 28-2 Stamford Avenue; and</p>	<p>Stamford Avenue, Alton Street, Clifton Avenue and Gainsborough Road</p>	<p>Number of gates – 8</p> <p>Gate numbers 221, 222, 223, 224, 225, 226, 227, 228,</p>	<p>53°05'35.8"N 2°26'59.2"W</p> <p>53°05'34.4"N 2°26'57.0"W</p> <p>53°05'34.9"N 2°26'56.9"W</p> <p>53°05'37.4"N 2°26'59.0"W</p> <p>53°05'37.9"N 2°26'56.3"W</p> <p>53°05'34.0"N 2°26'54.5"W</p> <p>53°05'36.8"N 2°26'54.0"W</p>

<p>from Clifton Street in a southwards direction alongside the eastern boundary of 20 Clifton Street and to the rear of the properties 34/36 Stamford Avenue (FY1269).</p> <p>A length of highway which runs from a point approximately 5 metres west of its junction with Stamford Avenue westwards alongside the northern boundary of 2 Stamford Avenue and to the rear of the properties 66-82 Alton Street (FY1270).</p>			
<p>A length of highway which runs adjacent to 2 Barker Street (Gate 190) westwards alongside the rear of the properties 38-70 Bedford Street and 15-9 Herbert Swindells Close (FY1282).</p> <p>A length of highway that runs from the rear of 101 Bedford Street (Gate 189) in an easterly direction to the rear of 70 Bedford Street and easterly boundary of 11 Herbert Swindells Close.</p>	Barker Street and Bedford Street	<p>Number of gates – 2</p> <p>Gate numbers 189, 190</p>	<p>53°05'09.7"N 2°26'27.6"W</p> <p>53°05'10.6"N 2°26'19.6"W</p>
<p>A length of highway which runs from Manning Street eastwards to the rear of 8-2 Bedford Street and 6, 7 and 8 Dario Gradi Drive (FY1283)</p>	Bedford Street, Gresty Road and Clair Street.	<p>Number of gates – 5</p> <p>Gate numbers 172, 189, 194, 198, 200</p>	<p>53°05'09.7"N 2°26'27.6"W</p> <p>53°05'10.6"N 2°26'19.6"W</p>
<p>A length of highway which runs from Chambers street eastwards alongside 58-60 Chambers Street (Gate 181) and to the rear of 16/18 Catherine Street (FY1277).</p> <p>A length of highway which runs from a point approximately 2.60 metres north of its junction with Catherine Street northwards and north-westwards alongside the eastern boundary of 2 Catherine Street (Gate 182) and the western boundary of 2a Catherine Street; and to the rear of the properties 82-40 South Street (Gate 183); 2-116 Catherine Street and 58-44 Chambers Street (FY1278).</p>	Chambers Street, Catherine Street and South Street.	<p>Number of gates – 3</p> <p>Gate numbers 181, 182, 183</p>	<p>53°05'15.2"N 2°26'18.0"W</p> <p>53°05'16.9"N 2°26'16.1"W</p> <p>53°05'07.7"N 2°26'12.9"W</p>
<p>A length of highway which runs from a point approximately 2.90 metres south of Laura Street southwards alongside the western boundary of 2 Laura Street and the eastern boundary of 4 Laura street; and to the rear of 160-170 Gresty Road (FY1284).</p> <p>A length of highway which runs from a point approximately 2 metres east of its junction with highway FY1286 on its north side and from its junction with highway FY1286 on its south side in a westwards direction to the rear of the properties 42-4 Laura Street and 24-2 Cloughton Avenue (FY1285).</p>	Laura Street, Gresty Road, and Cloughton Avenue.	<p>Number of gates – 2</p> <p>Gate numbers 359, 360</p>	<p>53°05'03.9"N 2°26'17.5"W</p> <p>53°05'05.5"N 2°26'11.9"W</p>

Public footpath number 97, Macclesfield: from Vincent Street to Buckley Street, the length to be gated is approximately 31 metres.	Vincent Street, Brown Street and Buckley Street, Macclesfield	Number of Gates – 2 380, 381	53°15'16.6"N 2°07'39.2"W
<p>A length of highway which runs from a point 12 metres north of Tynedale Avenue northwards alongside the properties 56 and 58 Tynedale Avenue to its junction with highway (FY1070)</p> <p>A length of highway (FY1070) which runs from a point 6.9 metres south of Lunt Avenue on the east side and 4.4 metres south of Lunt Avenue on the west side in a southwards direction alongside the properties 37 and 39 Lunt Avenue and continuing eastwards to the rear of the properties 15-37 Lunt Avenue and 46-58 Tynedale Avenue to a point 27 metres west of its junction with highway (FY1069).</p> <p>A length of highway (FY1069) which runs from a point 29 metres south of its junction with Lunt Avenue southwards to the rear of the properties 57-1 Ruskin Road and 223-225 Nantwich Road and 42-20a Tynedale Avenue.</p> <p>A length of highway (FY1072) which runs from a point 5.5 metres west of its junction with Ruskin Road westwards alongside the properties 31 and 33 Ruskin Road to its junction with highway (FY1069).</p> <p>A length of highway (FY1074) which runs from a point 6 metres east of its junction with Tynedale Avenue eastwards alongside 20a and 22 Tynedale Avenue to its junction with highway (FY1069).</p> <p>A length of highway (FY1071) which runs from a point 1.5 metres east of the rear boundary of 10-12 Smallman Road westwards to the rear of the properties 14-32 Smallman Road.</p>	Lunt Avenue, Ruskin Road, Nantwich Road, Smallman Road, Carlisle Street.	<p>Number of Gates - 5</p> <p>Gate numbers 330, 331, 332, 334, 336</p>	<p>53°05'13.7"N 2°26'52.1"W</p> <p>53°05'15.6"N 2°26'53.1"W</p> <p>53°05'20.1"N 2°26'55.0"W</p> <p>53°05'13.7"N 2°26'51.7"W</p> <p>53°05'17.0"N 2°26'49.0"W</p>
A length of highway which runs from a point 2.8 metres north of its junction with Bedford Street northwards alongside the properties 59 and 61 Bedford Street (FY1281).	Bedford Street, Gresty Road and Catherine Street	Number of Gates - 1 Gate number 176	53°05'11.8"N 2°26'20.8"W
A length of highway which runs south easterly from in between the rear of 24 St Anne's Road and side of 2 West Street down to its junction, whereby it runs north easterly in between the rear of properties on West street and Beech Street ending to the rear of West End Cottage and 19 Beech Street.	Beech Street and West Street, Middlewich	Number of Gates – 2 Gate numbers 382, 384	53°11'31.0"N 2°26'53.4"W

EQUALITY IMPACT ASSESSMENT

TITLE: PSPO Consultation Gating Orders

APPENDIX E

VERSION CONTROL

Date	Version	Author	Description of Changes
21/04/2020	1	Richard Christopherson	
22/04/2020	1	Kathryn Bradley	Minor changes to progress document further
28/04/2020	1	Phil Christian	Suggested data to support areas of the document

EQUALITY IMPACT ASSESSMENT

EQUALITY IMPACT ASSESSMENT

CHESHIRE EAST COUNCIL - EQUALITY IMPACT ASSESSMENT

Stage 1 Description: Fact finding (about your policy / service /

Department	Adult Social Care		Lead officer responsible for assessment		Richard Christopherson	
Service	Community Safety		Other members of team undertaking assessment		Richard Christopherson	
Date	21 st April 2020		Version 1			
Type of document (mark as appropriate)	Strategy	Plan	Function	Policy	Procedure	Service
Is this a new/ existing/ revision of an existing document (please mark as appropriate)	New		Existing		Revision	
<p>Title and subject of the impact assessment (include a brief description of the aims, outcomes , operational issues as appropriate and how it fits in with the wider aims of the organisation)</p> <p>Please attach a copy of the strategy/ plan/ function/ policy/ procedure/ service</p>	<p>Public Space Protection Orders (PSPO) alley gate consultation.</p> <p><u>Background</u></p> <p>This EIA relates to the consultation process in respect of alley gate Public Space Protection Orders which are to be reviewed in accordance with statutory requirements.</p> <p>Public Spaces Protection Orders (PSPOs) specify an area where activities are taking place that may negatively affect the local community's quality of life. PSPOs impose conditions or restrictions on people using that area, such as alcohol bans or putting up gates (since 2014 PSPOs have replaced Alley Gating Orders). Breach of a PSPO may be a criminal offence punishable by fixed penalty notice or prosecution.</p> <p>Public Space Protection Orders (PSPO's) were introduced as part of the 2014 Anti Social Behaviour Act. The Highways Act (Gating Orders) (England) Regulations 2006 came into operation on 1 April 2006 and allowed for the installation of gates on the highway to address anti-social behaviour (ASB), reduce the number of household burglaries and reduce other incidents of criminality. Since that time Cheshire East Council has introduced a number of Gating Orders mainly across areas of Crewe with the exception of one in Middlewich and a further Order Macclesfield.</p> <p>The Anti-Social behaviour, Police and Crime Act came into force in October 2014 and introduced streamlined tools</p>					

EQUALITY IMPACT ASSESSMENT

and powers to address ASB. By virtue of section 75 (2) within 3 years of the commencement of the Act (that is by 1st October 2017) all existing gating orders across Cheshire East automatically transitioned into Public Space Protection Orders (PSPOs).

The legislation stipulates Local Authorities must review any existing PSPOs within a three year period and therefore Gating Orders in Cheshire East which became PSPOs following the 2014 Act now require review before October 2020.

Extending the current PSPO's for areas where former alley gating orders were introduced between 2008 and 2010 will contribute to the Council's strategic outcomes of protecting and enhancing 'quality of place' in the Borough, ensuring Cheshire East is a green and sustainable place.

Cheshire East Council has in place a robust PSPO policy and before making a PSPO the Council must consult with the Police and community representatives underlining the importance of local consultation, accountability and transparency in decision making.

Consultation process

Before introducing, extending, varying or discharging a PSPO, there are requirements under the Act regarding consultation.

The Council is obliged to consult with the local chief officer of police; the police and crime commissioner; owners or occupiers of land within the affected area where reasonably practicable, and appropriate community representatives. Any county councils (where the Order is being made by a district), parish or community councils that are in the proposed area covered by the PSPO must be notified.

There are additional requirements under the Act regarding Orders that restrict public rights of way over a highway. Beyond this, and the broad requirements above, the Council can determine what an appropriate consultation process might entail.

Consideration has been given to the length of the consultation process to ensure all parties are given the opportunity to engage and whether consultation could affect people on the basis of 'protected characteristics'. Having regard to evidence gathered for the preparation of PSPO's, the number of national insurance registrations for adult overseas nationals entering the UK between 2010 to 2019 was amongst the highest in the Borough for the majority of the

EQUALITY IMPACT ASSESSMENT

	<p>areas included in the consultation. The same applies in terms of the percentage of pupils with English as an additional language – it is significantly higher than the Borough average. The EIA therefore highlights the need to consider race as a protected characteristic through the consultation process.</p> <p>The EIA will be subject to review once consultation has been undertaken.</p>
Who are the main stakeholders and have they been engaged with? (e.g. general public, employees, Councillors, partners, specific audiences, residents)	<p>Consultation will take place with local residents, ward councillors, and Town Council representatives. Consultation is a statutory requirement of the 2014 Anti-Social Behaviour Act along with notification to the Police and Crime Commissioners office.</p>
What consultation method(s) did you use?	<p>Consultation methods will be carefully considered following discussions with the Council's business intelligence department.</p> <p>Supporting text relating to the consultation will be made available on the Cheshire East Website to extend access to information to mitigate the risk of exclusion.</p> <p>It is highly likely those being consulted will require the opportunity for materials to be provided in a format to avoid any discrimination on the grounds of race and in addition, age or disability which are all "protected characteristics".</p>

Stage 2 Initial Screening

Who is affected and what evidence have you considered to arrive at this analysis? (This may or may not include the stakeholders listed above)	<p>Those residing in areas at addresses included in the original gating orders introduced by the Council between 2008 and 2010. Ward Councillors and Town Council representatives.</p> <p>The Cheshire East Website holds records providing copies on the original gating orders including details of the specific locations of the alley gates and those properties included in each of the schemes.</p> <p>The number of incidents recorded by the Police have reduced since the implementation of the alley gate programme.</p>
Who is intended to benefit and how?	<p>The beneficiaries of this proposal will be the local residents as they will continue to enjoy a quality of life resulting from the additional security afforded to them with the extension of the orders. Regard will be given to any representations received raising objections or concerns within the affected areas.</p>

EQUALITY IMPACT ASSESSMENT

Could there be a different impact or outcome for some groups?	Not Expected							
Does it include making decisions based on individual characteristics, needs or circumstances?	Not Expected							
Are relations between different groups or communities likely to be affected? (eg will it favour one particular group or deny opportunities for others?)	<p>No, it is not anticipated that the continuation of a PSPO will affect or unfairly disadvantage any particular group, however this will be reviewed through the consultation process. The continuation of a PSPO in these areas will allow existing conditions to merely be extended for a further 3 years.</p> <p>The consultation process should take into account those individuals residing in areas where PSPO's are currently in operation and are aware of what is being proposed.</p> <p>The consultation is to ensure those who are categorised as having 'protected characteristics' of age, race and disability are all able to access and understand the information.</p>							
Is there any specific targeted action to promote equality? Is there a history of unequal outcomes (do you have enough evidence to prove otherwise)?	<p>The objective is to provide an opportunity to enhance the quality of life for local residents for a further 3 year period and further support the local community is placing their safety as a priority.</p> <p>The ward with the highest percentage of residents aged 3 or more whose main language was not English and could not speak it well or at all was Crewe Central (5.3%). This ward was also ranked highest for residents born outside the UK and for percentage of residents belonging to a Black or Minority Ethnic group.</p>							
Is there an actual or potential negative impact on these specific characteristics? (Please tick)								
Age	Y	N	Marriage & civil partnership	Y	N	Religion & belief	Y	N
Disability	Y	N	Pregnancy & maternity	Y	N	Sex	Y	N
Gender reassignment	Y	N	Race	Y	N	Sexual orientation	Y	N
What evidence do you have to support your findings? (quantitative and qualitative) Please provide additional information that you wish to include as appendices to this document, i.e., graphs, tables, charts							Consultation/ involvement	

EQUALITY IMPACT ASSESSMENT

The Portfolio Holder Decision Paper supports the process for PSPO consultation			carried out	
			Yes	No
Age	There may be impact at a consultation stage. Older people may need access to non digital forms of information in order for them to be able to participate in the consultation process.		Yes	
Disability	There may be an impact at the consultation stage. People with disabilities may need assistance in accessing information.		Yes	
Gender reassignment	No particular negative impacts have been identified at this stage. However a public consultation is to be undertaken which may raise issues which have not been identified.			No
Marriage & civil partnership	No particular negative impacts have been identified at this stage. However a public consultation is to be undertaken which may raise issues which have not been identified.			No
Pregnancy & maternity	No particular negative impacts have been identified at this stage. However a public consultation is to be undertaken which may raise issues which have not been identified.			No
Race	There may be an impact at the consultation stage. People from different backgrounds may require access to information in languages other than English in order for them to be able to participate in the consultation.		Yes	
Religion & belief	There may be an impact at the consultation stage. People from different backgrounds may require access to information in languages other than English in order for them to be able to participate in the consultation. In particular information relating to the consultation exercise will be extended to a mosque located within a residential area in which consultation is taking place.		Yes	
Sex	No particular negative impacts have been identified at this stage. However a public consultation is to be undertaken which may raise issues which have not been identified.			No
Sexual orientation	No particular negative impacts have been identified at this stage. However a public consultation is to be undertaken which may raise issues which have not been identified.			No
Proceed to full impact assessment? (Please tick)	Yes	No	Date 21st April 2020	
Lead officer sign off		Date		

EQUALITY IMPACT ASSESSMENT

Head of service sign off		Date	
--------------------------	--	------	--

If yes, please proceed to Stage 3. If no, please publish the initial screening as part of the suite of documents relating to this issue

EQUALITY IMPACT ASSESSMENT

Stage 3 Identifying impacts and evidence

This section identifies if there are impacts on equality, diversity and cohesion, what evidence there is to support the conclusion and what further action is needed

Protected characteristics	Is the policy (function etc....) likely to have an adverse impact on any of the groups? Please include evidence (qualitative & quantitative) and consultations <i>List what negative impacts were recorded in Stage 1 (Initial Assessment).</i>	Are there any positive impacts of the policy (function etc....) on any of the groups? Please include evidence (qualitative & quantitative) and consultations <i>List what positive impacts were recorded in Stage 1 (Initial Assessment).</i>	Please rate the impact taking into account any measures already in place to reduce the impacts identified <i>High:</i> Significant potential impact; history of complaints; no mitigating measures in place; need for consultation <i>Medium:</i> Some potential impact; some mitigating measures in place, lack of evidence to show effectiveness of measures <i>Low:</i> Little/no identified impacts; heavily legislation-led; limited public facing aspect	Further action (only an outline needs to be included here. A full action plan can be included at Section 4) <i>Once you have assessed the impact of a policy/service, it is important to identify options and alternatives to reduce or eliminate any negative impact. Options considered could be adapting the policy or service, changing the way in which it is implemented or introducing balancing measures to reduce any negative impact. When considering each option you should think about how it will reduce any negative impact, how it might impact on other groups and how it might impact on relationships between groups and overall issues around community cohesion. You should clearly demonstrate how you have considered various options and the impact of these. You must have a detailed rationale behind decisions and a justification for those alternatives that have not been accepted.</i>
Age				
Disability				
Gender reassignment				
Marriage & civil partnership				
Pregnancy and				

EQUALITY IMPACT ASSESSMENT

maternity				
Race				
Religion & belief				
Sex				
Sexual orientation				
Is this change due to be carried out wholly or partly by other providers? If yes, please indicate how you have ensured that the partner organisation complies with equality legislation (e.g. tendering, awards process, contract, monitoring and performance measures)				

EQUALITY IMPACT ASSESSMENT

Stage 4 Review and Conclusion

Summary: provide a brief overview including impact, changes, improvement, any gaps in evidence and additional data that is needed			
Specific actions to be taken to reduce, justify or remove any adverse impacts	How will this be monitored?	Officer responsible	Target date
Please provide details and link to full action plan for actions			
When will this assessment be reviewed?			
Are there any additional assessments that need to be undertaken in relation to this assessment?			
Lead officer sign off		Date	
Head of service sign off		Date	

Please publish this completed EIA form on the relevant section of the Cheshire East website

This page is intentionally left blank

APPENDIX F

Equality impact assessment is a requirement for all strategies, plans, functions, policies, procedures and services under the Equalities Act 2010. We are also required to publish assessments so that we can demonstrate how we have considered the impact of proposals.

Section 1: Description

Department	Community Safety Delivery	Lead officer responsible for assessment	Laura Woodrow-Hirst
Service	Partnerships & Communities	Other members of team undertaking assessment	Richard Christopherson/Sandra Murphy
Date	05/05/2020	Version	V1
Type of document (mark as appropriate)	Strategy	Plan	Function Policy Procedure Service
Is this a new/existing/revision of an existing document (mark as appropriate)	New	Existing	Revision
<p>Title and subject of the impact assessment (include a brief description of the aims, outcomes, operational issues as appropriate and how it fits in with the wider aims of the organisation)</p> <p>Please attach a copy of the strategy/plan/function/policy/procedure/service</p>	<p>Public Space Protection Order – Dog Fouling and Dog Control across Cheshire East Borough - a consistent approach – consultation around intent to extend this order.</p> <p>A Public Space Protection Order (PSPO) covering the whole of Cheshire East Borough Council was implemented on 1st November 2017 by the authority to allow a consistent and manageable approach going to tackle irresponsible and anti social dog ownership.</p> <p>The order lasts for 3 years and, unless extended, will expire at midnight on 31st October 2020.</p> <p>The council intends to give notice for the purposes of reducing anti-social behaviour proposes to extend the Borough wide Dog Fouling and Dog Control Public Space Protection Order (the 'PSPO') using its powers under Section 60(2) Anti-Social Behaviour, Crime and Policing Act 2014 (the 'Act') and of all other enabling powers.</p>		

	<p>Section 60(2) of the Act gives the Council a discretionary power to extend the PSPO if, in addition to having regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Convention, it is satisfied on reasonable grounds that an extension is necessary in order to prevent after that time, the occurrence or recurrence of, or an increase in the frequency or seriousness of, the activities identified in paragraphs (a) to (d) of the Introduction to the Order.</p> <p>In accordance with its duty under Section 72(3) of the Act, the Council will be seeking views of the Public on the proposed extension. At this stage the council is seeking to extend the order in its entirety with no amendments or changes. However; the council are aware that there may be some parks, and open spaces within the borough that might also benefit from more enhanced conditions (such as, number of dogs per owner, dogs on lead at all time zones etc.).</p> <p>The council are satisfied that due to restrictions we find ourselves in during this pandemic period it would not be appropriate to consult on or introduce any new prohibitions other than those currently in place as our ability to consult, engage, education and enforce at this time is very restricted.</p> <p>Once our main order is extended we will continue to liaise with representatives from these areas to discuss in more detail any extra requirements. If the council is satisfied we have evidence to pursue extra requirements within specific parks and open areas then we will seek to vary the order accordingly making sure full consultation takes place as per its duties under section 61 and 72(3) of the Act.</p> <p>Consultation over our intentions will be primarily via our webpage, social media and local media releases, with information sent to all of our key stakeholders including Members, ward, parish and town. Members of public will have the option to request paper copies of our consultation should they require them.</p>
Who are the main stakeholders? (eg general public, employees, Councillors, partners, specific audiences)	General public, employees (in particular Community Enforcement Officers), all ward and members, partners (MAAG partners), public and private land owners whereby public have access to the land and would normally use the area to exercise their dogs within this land (such as national trust, council town parks, town council and parish council land etc.)

--	--

Section 2: Initial screening

Who is affected? (This may or may not include the stakeholders listed above)	Members of the public (in particular dog owners), and all of the above stakeholders.
Who is intended to benefit and how?	Members of the public through a consistent, continued approach to dog foul and dog control. Park and open space owners/voluntary groups land is associated with. Enforcement teams, enabling existing powers to remain in place so as the approach to responsible dog ownership can continue.
Could there be a different impact or outcome for some groups?	Bigger impact on those who have dogs (either residents or those that travel into CE). The impact will not differ to that of the original order, as we are only planning to consult over extending the order that has already been in place since 1 st November 2017. Consultation needs to take place well before 31 st October 2020, which means that there is a high likelihood of the launch of the consultation (which has to run for a minimum of 4 weeks) taking place during some form of lockdown measures due to the Covid 19 pandemic. If the consultation does not take place the order will be lost. This means that the council will be heavily reliant on social media advertisements for the consultation, more so than normal. This may mean that some members of the community that are currently unable or not leaving their houses as a result of the pandemic may not be aware of the consultation taking place. We will be mitigating as best we can these issues by making sure that we place, where possible some notices on our main parks and open areas via our rangers and town park managers. Parish and Local members will have notifications for our plans sent to them via email as part of our consultation launch of which they will be notified that they can inform their constituents as they see fit in addition to the measures that the council will be taking themselves (e.g printing off the notice and placing in any areas that they would like to themselves as well).
Does it include making decisions based on individual characteristics, needs or circumstances?	The need is to protect the environment and health and reduce the amount of dog foul in the community and also allow authorised enforcement officers to continue to have a power to request that a dog is put and placed on a lead if they have witnessed that the owner does not appear to be in control of their dog. There are certain sets of circumstances within the order whereby individual characteristics of an individual is exempt to enforcement under this order (those registered as blind, those dogs that are operating as working dogs etc.). In these circumstances an assessment will be made by the officer at the time the offence is witnessed, or in some circumstances the individual may be asked to provide evidence to prove that they fall within the exempt category.

	<p>Some parks and areas within our borough would like to see more enhanced prohibitions on this order, (such as dogs on leads at all times, number of dogs per owners etc.). Due to the issues highlighted earlier in this document (title of assessment) the council will not be consulting on bespoke variations for areas until we are able to properly engage with these areas, which can be done at any point if the order is agreed to continue for another 3 years. Some may argue that an extension of our basic order does not meet their needs.</p>
<p>Are relations between different groups or communities likely to be affected? (eg will it favour one particular group or deny opportunities for others?)</p>	<p>No, the order in its current format allows dog owners to exercise their dogs on or off a lead as long as they are in control of their dog. It does not favour any particular group as it also allows officers to take enforcement action on those that don't. The council also has a legal duty to have an ability to undertake enforcement action on those dog owners that fail to clear up after their dog has fouled.</p>
<p>Is there any specific targeted action to promote equality? Is there a history of unequal outcomes (do you have enough evidence to prove otherwise)?</p>	<p>There are particular exemptions within the order that cover some members of the community that fall within protective factors within the Equality Act 2010. There is no history on unequal outcomes or particular targeting of any groups in relation to age, race, disability or gender. Where it is obvious to an enforcing officer that an exemption applies, enforcement action will not take place. In some circumstances an individual may be asked to provide evidence of an exemption for review by a manager before enforcement action is withdrawn (EG medical certification)</p> <p><u>Details of exemptions are as follows:</u></p> <p>Exemptions for Disabled People</p> <p>9. The dog fouling provisions in this Order do not apply to a person who:</p> <p>(a) is registered as partially sighted or blind, in a register compiled under section 29 of the National Assistance Act 1948; or</p> <p>(b) is registered as "sight-impaired", "severely sight-impaired" or as "having sight and hearing impairments which, in combination, have a significant effect on their day to day lives", in a register compiled under section 18 of the Social Services and Well-being (Wales) Act 2014; or</p> <p>(c) has a disability which affects his mobility, manual dexterity, physical coordination, or ability to lift, carry, or otherwise move everyday objects, such that he cannot reasonably be expected to remove the faeces; or</p> <p>(d) has some other disability, such that he cannot reasonably be expected to remove the faeces.</p> <p>10. For the purposes of this Order, a "disability" means a condition that qualifies as a disability for the purposes of the Equality Act 2010 and a "disabled person" means a person who has such a disability.</p> <p>Exemption for Working Dogs</p>

EQUALITY IMPACT ASSESSMENT FORM

			<p>11. Nothing in this Order shall apply to the normal activities of a working dog, whilst the dog is working. This includes dogs that are being used for work in connection with emergency search and rescue, law enforcement and the work of Her Majesty's armed forces; farm dogs that are being used to herd or drive animals; dogs that are being lawfully used for the capture or destruction of vermin and dogs that are being lawfully used for the purposes of hunting.</p>								
<p>Is there an actual or potential negative impact on these specific characteristics? (Please tick)</p>											
Age	Y	N	Marriage & civil partnership	Y	N	Religion & belief	Y	N	Carers	Y	N
Disability	Y/N		Pregnancy & maternity	Y	N	Sex	Y	N	Socio-economic status	Y	N
Gender reassignment	Y	N	Race	Y	N	Sexual orientation	Y	N			
<p>What evidence do you have to support your findings? (quantitative and qualitative) Please provide additional information that you wish to include as appendices to this document, i.e., graphs, tables, charts</p>									<p>Consultation/involvement carried out</p>		
<p>The Portfolio Holder Decision Paper supports the process for PSPO consultation</p>									<p>Yes</p>		<p>No</p>
Age			<p>There may be impact at a consultation stage. Older people may need access to non digital forms of information in order for them to be able to participate in the consultation process. Contact information will be provided for anyone that would like to complete the consultation survey over the phone or request a paper copy to be sent out.</p>								N
Disability			<p>There may be an impact at the consultation stage. People with disabilities may need assistance in accessing information. As above, the survey will be supplied in a number of formats. In relation to the order itself, there are certain exemptions (mentioned earlier in this assessment) in relation to disability and working dogs which means individuals registered as disabled under certain categories will be exempt from prosecution under</p>								N

EQUALITY IMPACT ASSESSMENT FORM

	this order.		
Gender reassignment	No particular negative impacts have been identified at this stage. However a public consultation is to be undertaken which may raise issues which have not been identified.		N
Marriage & civil partnership	No particular negative impacts have been identified at this stage. However a public consultation is to be undertaken which may raise issues which have not been identified.		N
Pregnancy & maternity	No particular negative impacts have been identified at this stage. However a public consultation is to be undertaken which may raise issues which have not been identified.		N
Race	There may be an impact at the consultation stage. People from different backgrounds may require access to information in languages other than English in order for them to be able to participate in the consultation. The consultation will be advertised on our website, of which can be translated in a number of different languages via google translate. There is a specific link to this on our website.		N
Religion & belief	No particular negative impacts have been identified at this stage. However a public consultation is to be undertaken which may raise issues which have not been identified.		N
Sex	No particular negative impacts have been identified at this stage. However a public consultation is to be undertaken which may raise issues which have not been identified.		N
Sexual orientation	No particular negative impacts have been identified at this stage. However a public consultation is to be undertaken which may raise issues which have not been identified.		N
Proceed to full impact assessment? (Please tick)	Yes	No	Date 05/05/2020

If yes, please proceed to Section 3. If no, please publish the initial screening as part of the suite of documents relating to this issue

Section 3: Identifying impacts and evidence

This section identifies if there are impacts on equality, diversity and cohesion, what evidence there is to support the conclusion and what further action is needed

Protected characteristics	Is the policy (function etc....) likely to have an adverse impact on any of the groups? Please include evidence (qualitative & quantitative) and consultations	Are there any positive impacts of the policy (function etc....) on any of the groups? Please include evidence (qualitative & quantitative) and consultations	Please rate the impact taking into account any measures already in place to reduce the impacts identified High: Significant potential impact; history of complaints; no mitigating measures in place; need for consultation Medium: Some potential impact; some mitigating measures in place, lack of evidence to show effectiveness of measures Low: Little/no identified impacts; heavily legislation-led; limited public facing aspect	Further action (only an outline needs to be included here. A full action plan can be included at Section 4)
Age	No	No	Low	
Disability	No	Y/N	Low	There are clauses within the order itself that protect some members of the public that are registered as disabled from enforcement action.

EQUALITY IMPACT ASSESSMENT FORM

Gender reassignment	No	No	Low	
Marriage & civil partnership	No	No	Low	
Pregnancy and maternity	No	No	Low	
Race	No	No	Low	
Religion & belief	No	No	Low	
Sex	No	No	Low	
Sexual orientation	No	No	Low	
Is this project due to be carried out wholly or partly by contractors? If yes, please indicate how you have ensured that the partner organisation complies with equality legislation (e.g. tendering, awards process, contract, monitoring and performance measures)				

Yes, partly – LA support services Ltd (Kingdom). The tendering process was evaluated and considered equality legislation. The current contract in place also contains equality statements signed by both parties. Weekly operational meetings are held at Team Leader level and equality is considered throughout the length of the contract. Police officers, PCSO's and our in house community enforcement officers also have powers to enforce against the order.

Section 4: Review and conclusion

Summary: provide a brief overview including impact, changes, improvement, any gaps in evidence and additional data that is needed

There is no specific impact identified for protected characteristics as dog ownership can be across all residents and visitors. All residents are affected by the issues outlined and it is not specific. The main group targeted will be irresponsible dog owners and in particular we will be protecting the environment and public health.

Specific actions to be taken to reduce, justify or remove any adverse impacts	How will this be monitored?	Officer responsible	Target date
Please provide details and link to full action plan for actions			
When will this assessment be reviewed?	If the order is extended from the 1 st November 2020 then full review will take place before 31 st October 2023, or if any variation of the order is applied for in the meantime.		
Are there any additional assessments that need to be undertaken in relation to this	No		

EQUALITY IMPACT ASSESSMENT FORM

assessment?			
Lead officer signoff		Date	
Head of service signoff		Date	

Please publish this completed EIA form on your website