

Corporate Overview and Scrutiny Committee

Agenda

Date: Tuesday, 30th March, 2021

Time: 10.00 am

Venue: Virtual Meeting

To view the meeting please click the link below

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

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

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

1. **Apologies for Absence**
2. **Minutes of Previous meeting** (Pages 5 - 8)

To approve the minutes of the meeting held on 28 January 2021.

3. **Declarations of Interest**

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

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

Contact: Joel Hammond-Gant

Tel: 01270 686468

E-Mail: joel.hammond-gant@cheshireeast.gov.uk

4. **Declaration of Party Whip**

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

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

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

Individual members of the public may speak for up to 5 minutes, but the Chairman will decide how the period of time allocated for public speaking will be apportioned, where there are a number of speakers. Members of the public wishing to make a statement are asked to provide notice of this at least three working days in advance of the meeting.

6. **Update from the ASDV Shareholder Committee** (Pages 9 - 20)

To receive an update on the work of the ASDV Shareholder Committee.

7. **Forward Plan** (Pages 21 - 34)

To consider the council's Forward Plan of key decisions.

8. **Work Programme** (Pages 35 - 42)

To review the committee work programme.

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

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

The Committee may decide that the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 3 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

10. **ASDV Review** (Pages 43 - 120)

To consider the report.

Membership: Councillors Q Abel, C Bulman, JP Findlow, R Fletcher, M Hunter, A Moran, B Murphy (Vice-Chairman), J Saunders, M Simon, R Vernon, L Wardlaw and J Clowes (Chairman)

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Corporate Overview and Scrutiny Committee**
held on Thursday, 28th January, 2021 at Virtual Meeting

PRESENT

Councillor J Clowes (Chairman)
Councillor B Murphy (Vice-Chairman)

Councillors C Bulman, JP Findlow, R Fletcher, M Hunter, A Moran,
J Saunders, M Simon, R Vernon and S Gardiner

PORTFOLIO HOLDERS IN ATTENDANCE

Councillor L Crane, Portfolio for Highways and Waste
Councillor K Flavell, Portfolio for Children and Families
Councillor L Jeuda, Portfolio Holder for Adult Social Care and Health; Deputy
Leader of the Labour Group
Councillor J Rhodes, Portfolio Holder for Public Health and Corporate
Services
Councillor A Stott, Portfolio Holder for Finance, ICT and Communication

OFFICERS IN ATTENDANCE

David Brown, Director of Governance and Compliance
Jane Burns, Executive Director of Corporate Services
Alex Thompson, Director of Financial and Customer Services

51 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Q Abel and L
Wardlaw (substituted for by Councillor S Gardiner).

52 MINUTES OF PREVIOUS MEETING**RESOLVED –**

That the minutes of the previous meeting held on 7 January 2021, be
approved as a correct record and signed by the Chairman.

53 DECLARATIONS OF INTEREST

There were no declarations of interest.

54 DECLARATION OF PARTY WHIP

There were no declarations of a party whip.

55 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present who wished to speak.

56 THIRD QUARTER REVIEW (FINANCE) 2020/21

The committee agreed to bring this item forward on the agenda so that it could review the council's present financial position before looking at the longer-term financial plans in the Medium Term Financial Strategy.

Consideration was given to the Third Quarter Review (Finance) for the 2020/21 municipal year. Members asked questions and put comments in relation to;

- the underspend of £600k in Early Help (due to held vacancies) and whether this correlated to the rise in cared for children and/or referrals to Early Help;
- concern about the overall spend on the Best4Business Programme, in light of further one-off spends committed to it; and
- how flexible the council would be when managing its Council Tax Support Scheme, and how residents who continued to struggle due to the impacts of Covid-19 would be supported.

RESOLVED –

- 1 That the report be received and noted.
- 2 That the committee's comments and feedback be reported to Cabinet to consider, prior to its meeting on 2 February 2021.

57 MEDIUM TERM FINANCIAL STRATEGY 2021-2025

The committee considered the Medium Term Financial Strategy 2021-25 and the various strategies and plans it comprised. In respect of the Corporate Plan 2021-25, members asked questions and put comments in relation to;

- the highly ambitious nature of the plan and that it had been well put together;
- it brought the council more in-line with what it should be – a public-focused and public-serving organisation, rather than a business operation;
- it was positive to see such ambitious 'green' targets within the plan and hope that these would be achieved; and
- the response rate to the public consultation held.

Following an introduction to the report by the Director of Finance and Customer Services (s151 Officer) members put comments and asked questions in relation to;

- the need for the council to increase its council tax precept to ensure it received the additional £6.9m of ringfenced funding for adult social care services;
- the council's total estimated spend in response to Covid-19; and
- that there could have been greater or more detailed reference to invest-to-save strategies through the council's proposed Capital Strategy.

The committee then considered in detail the changes that had been made to the budgetary proposals following the Pre-Budget Consultation 2021/22 period, with further questions asked on each of these changes.

RESOLVED –

- 1 That the report be received and its recommendations noted.
- 2 That the committee's comments and feedback be reported to Cabinet to consider, prior to its meeting on 2 February 2021.

58 FORWARD PLAN

The committee reviewed the council's Forward Plan of key decisions.

RESOLVED –

That the Forward Plan be noted.

59 WORK PROGRAMME

The committee considered its work programme.

RESOLVED –

That the work programme be agreed.

The meeting commenced at 10.00 am and concluded at 1.20 pm

Councillor J Clowes (Chairman)

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Working for a brighter future together

Corporate Overview and Scrutiny Committee

Date of Meeting: 30th March 2021

Report Title: Update from ASDV Shareholder Committee

Portfolio Holder: Councillor Craig Browne - Deputy Leader

Senior Officer: Frank Jordan - Executive Director - Place

1. Report Summary

- 1.1. The ASDV Shareholder Committee (the Committee) provides Shareholder oversight of Orbitas Bereavement Services Ltd, Transport Services Solutions Ltd and Ansa Environmental Services Ltd. It last reported to the Corporate Overview and Scrutiny Committee on 9th January 2020.
- 1.2. Since last reporting, the Committee has held 7 meetings. It has carried out its usual business cycle of meetings to scrutinise the ASDVs performance as a company, with a focus on their ability to deliver a financial return to the Council; and to review the ASDV's draft 2021/22 business plans. It held an additional meeting to provide timely comment on the Cabinet decision paper to proceed with the Alliance Phase 3 (a commercial alliance between Ansa and 2 other local authorities), which was a matter for shareholder.
- 1.3. Like most other areas of the Council, all three ASDVs suffered severe delivery disruption owing to Covid-19 and the Committee had high praise for how they responded during this time of severe pressure.
- 1.4. The purpose of this report is to outline the process of review and oversight that has been undertaken by the Committee.

2. Recommendations

2.1. That the Corporate Overview and Scrutiny Committee notes:

- 2.1.1. the processes in place to provide oversight of the ASDVs under the remit of the Shareholder Committee.
- 2.1.2. that observations and recommendations have been made to the Deputy Leader by the Shareholder Committee.

3. Reasons for Recommendations

- 3.1. The Shareholder Committee has made a robust appraisal of each of the three ASDV draft business plans under its remit, in addition to reviewing quarterly Directors Reports on the performance of the companies.
- 3.2. The Committee has been able to provide assurance to the Deputy Leader, as the shareholder's representative, that the business plans should be approved, subject to final management fee adjustments as necessary between a company and their commissioner.

4. Other Options Considered

- 4.1. This section is not applicable, as the functions carried out by the Committee, and the need to report on progress and recommendations, are set out in the Shareholder Committee Terms of Reference, and linked to the Constitution.

5. Background

- 5.1. The ASDV Shareholder Committee membership comprises Councillor Steve Carter as Chairman, Councillor Mark Goldsmith as Vice-Chairman, and Councillors Sally Handley, Lesley Smetham, and David Browne (who joined the Committee in September replacing Councillor Sarah Pochin).
- 5.2. Also joining the Committee in September, were two co-opted members of the Cheshire East public, Mr Kulnins and Mr Newton. These additional members were selected on the merit of their strong commercial acumen and experience in working with companies similar to our ASDVs, via a formal process conducted by a sub-group of the Committee.
- 5.3. The Committee is tasked with meeting quarterly each year. As per last year the Committee held detailed sessions with each company in November, so that it could robustly consider one company business plan at a time over a period of about 2 hours.

- 5.4. These six meetings were used to also review the quarterly Directors Reports, as had been recommended by the Committee last year, and through the dialogue created during this process, the Committee made further requests for information on the KPIs, risk logs, and growth plans.
- 5.5. In line with recommendations from the business plan review process last year, the company business plans had been better standardised in format this year, and they included comments/feedback from their Commissioner. Along with the enhanced familiarisation of the companies, the strengthened membership, and the additional information shared via the Directors Reports, the review process closely scrutinised the companies performances, as evidenced by this year's observations and recommendations to the Deputy Leader (summarised below in Section 6).
- 5.6. The Committee also fulfilled its responsibility to oversee the ASDV Change Programme, with updates being brought by the Executive Director – Place in January, September, November and February.
- 5.7. The Shareholder Committee is also scheduled to review and provide comment on 6th April to another stage of the ASDV Change Programme.
- 5.8. A final activity to report was the extra meeting of the Shareholder Committee held in February 2020, so that the Committee could provide timely comment to shareholder on the proposal to pursue a third phase of the joint venture through Ansa with High Peak Borough Council and Staffordshire Moorlands District Council called Alliance Environmental Services. The Committee supported this expansion.

6. Key Findings from the annual ASDV Business Plan Review

- 6.1. In accordance with its core duties the Shareholder Committee:-
 - 6.1.1. Recommends that the 2021/22 Business Plans for Orbitas, TSS and Ansa be approved.
 - 6.1.2. Provides assurance, following its detailed review and scrutiny, that the ASDVs are well run operationally and comply with relevant statutory and regulatory frameworks for their respective areas of operation, including compliance with public contracts regulations.
 - 6.1.3. Observes in reviewing the strategic commissioning arrangements, that:
 - The ASDV Change Programme and review process appears robust, and to be engaging appropriately with the companies;

- In relation to Orbitas, it is to be noted that a report is to be presented to cabinet in February to seek an extension to their contract whilst the review is being undertaken, which has been extended owing to the pandemic;
- In relation to TSS, the current contract runs up March 2022. A review is currently being undertaken with recommendations planned to be presented to Cabinet in May;
- In relation to the revised contract for Ansa, the KPIs need to be sufficiently stretching, noting that the majority of the KPIs in the current suite of measures are reported on as RAG green;
- The Council's proposed new performance management framework for Ansa has amongst its many improvements a clear target on commercial growth, and welcomes reassurances that commercial growth performance will also be captured within the other companies' revised performance frameworks;
- A slight misalignment exists between commissioner and company about who should drive the strategic visioning, recognising the role and vested interests of both parties;
- All three companies are still not investing significant time or resource in building up robust and detailed commercial plans, noting that lack of clarity on how to access Council reserves was offered as one reason why; and
- There appeared to have been improved engagement with the Council's commissioner on the development of the business plans, recognising the role the ASDV Change Programme and Review will have played in this strengthened relationship.

6.1.4. In providing assurance that the overarching performance arrangements for each ASDV are fit for purpose, it requires that:

- The companies' internal management of risk are tightened with:-
 - a standardisation of the risk registers used by the companies (with Ansa's being the most developed);

- a more accurate description of each risk (sometimes only issues were captured);
 - a clear articulation of a mitigating action ensuring that the risk scoring is reduced as a result of that action; and
 - equal attention to reducing the impact of a risk if it occurred, not just the likelihood of a risk materialising.
- The companies take note that the Shareholder Committee would like to further monitor their risk management process and ensure:-
 - The committee is fully sighted on all risks; and
 - That risks are categorised clearly by significance so that the key risks are readily identifiable.
 - Similar reporting to that required for risk is introduced for KPIs, in that Shareholder Committee are privy to the full suite of KPIs but that really significant ones are highlighted for attention.

6.1.5. Regarding the stimulation of commercial growth, the Committee welcomes:-

- The inclusion of KPIs on commercial growth within the revised performance frameworks being rolled out as a result of the ASDV Change Programme that will allow for a more rounded review of performance by the shareholder;
- The inclusion of a specific target for revenue growth for each company, which should ensure that adequate company effort is applied;
- Initial efforts by the companies, despite the unprecedented disruption to normal operations caused by COVID-19, to provide further focus on their commercial growth strategy and plans.
- Acceptance by the Managing Director that more work is needed to provide confidence to the Committee that growth prospects are being maximised, and agreement to consider the Committee's recommendations that, for each company:
 - Appropriate internal KPIs are set to demonstrate progress towards the commercial growth target, considering which will subsequently be useful in presenting a proposition to new business;

- That the achievability of growth targets is built up per different strand of commercial activity, setting out what income might be achievable, by when;
- That evidence/research is used to inform appropriate conversion rates of prospect to concrete lead to new customer, so that the company Boards, and the Shareholder Committee, can consider pipelines of new business and make realistic assessment of the achievability of a target for each commercial activity strand;
- In relation to Ansa particularly, the Committee was not confident that sufficient resources were committed to growth, noting the breadth of opportunity available, the lead in time to realise the more profitable opportunities, that each opportunity generally had a set 'window' available to it, and the fact that the more profitable opportunities were inherently more risky.

6.1.6. The companies reported concerns about the difference in risk appetite between themselves and the Council, and also flagged that the process for accessing additional reserves/finance was not yet clear. It is advised different risk/value scenarios are worked through, ahead of a real opportunity materialising, so the process doesn't unduly hinder matters when finance is needed.

6.1.7. As per last year, the Committee remains concerned about the capacity for growth within the companies, noting that the higher value opportunities required the setting up of sister companies, and also had considerable lead times, yet most immediate small opportunities would nevertheless still be resource intensive. The Committee believes Council as shareholder should be asking for much more detailed and robust growth plans.

6.1.8. Within Orbitas, the Committee debated the price point used for funerals, accepting that it was a political decision about the right ethical line in pursuing a profit through funerals. Upon advice that the pricing was significantly lower than what other local authorities were charging, it suggests that further projections should be made to test out the impact of slightly increased pricing within Cheshire East, so that the Deputy Leader could consider whether the current balance is the correct one as part of the current review of this area.

- 6.2 The Terms of Reference tasks the Shareholder Committee to prepare and maintain a strategic risk register, and the refreshed version of this is contained in Appendix 1. The register is maintained by the secretariat for the Committee and will be reviewed at least bi-annually as an item of regular business.
- 6.3 The Committee noted that the pandemic has impacted the risks, not least in that some of the proposed mitigations have not yet been implemented, and that delay has increased the risk ratings of those particularly relating to business growth.
- 6.4 Whilst Covid-19 was unprecedented, and created a level of disruption that we all hope will not be experienced again, it did prompt the Shareholder Committee to reflect on the leadership capacity across the group of companies for driving commercial growth, at a time of great strain, and it suggested the Deputy Leader consider if this risk is acceptable to the Council.

7. Implications of the Recommendations

7.1. Legal Implications

- 7.1.1. Pursuant to the Constitution, the exercise of any of the Council's rights as a shareholder in a company is an Executive function. This function is now supported by the ASDV Shareholder Committee.
- 7.1.2. Ongoing legal advice in relation to matters including contracts, shareholder agreements, articles of associations, company matters and decision making are provided, and a legal officer has been in attendance at all Committee meetings to date.
- 7.1.3. The recommendations required are pursuant to the core function of the Shareholders Committee as references in their Terms of Reference, including making recommendations to the Portfolio Holder that;
- strategic commissioning arrangements for the ASDVs are fit for purpose or provide recommendations to ensure that they are.
 - the overarching performance arrangements for each ASDV are fit for purpose or provide recommendations to ensure that they are.
 - the arrangements for ASDVs comply with the Public Contract Regulations 2015.
 - ASDVs are complying with the relevant statutory and regulatory framework for their respective areas of operation.
 - Prepare and maintain a strategic risk register in relation to the group of ASDVs.

7.2. Finance Implications

- 7.2.1. The review of ASDV business plans by Shareholder Committee does make some assessment of financial information. An assessment on whether the business plans match with the management fee held by the council or exceed it has not been made, and it will fall to the Council commissioner to ensure that the ASDV operates within its budget. Going forward, the Shareholder Committee have requested a clear and transparent statement from the commissioner on each business plan or business case so it can gain necessary assurances on financial and other matters.
- 7.2.2. Ongoing financial advice in relation to matters including business plans, business cases for additional funds, contracts, company matters and decision making are provided, and a finance officer has been in attendance at all Committee meetings to date.

7.3. Policy Implications

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

7.4. Equality Implications

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

7.5. Human Resources Implications

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

7.6. Risk Management Implications

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

7.7. Rural Communities Implications

7.7.1. There are no direct implications for rural communities.

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

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

7.9. Public Health Implications

7.9.1. There are no direct implications for public health.

7.10. Climate Change Implications

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

7.10.2. Climate change implications are a consideration included in the ASDV Business Plan/Case Appraisal Tool.

8. Ward Members Affected

8.1. All wards are impacted.

9. Consultation & Engagement

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

10. Access to Information

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

11. Contact Information

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

Name: Frank Jordan

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

Email: Frank.Jordan@cheshireeast.gov.uk

And:-

Name: Councillor Steve Carter

Job Title: Chair of Shareholder Committee

Email: Steve.Carter@cheshireeast.gov.uk

Appendix 1: Strategic Risk Register for the ASDV Group of Companies

	Risk Description (Carried, amended, new)	Likelihood	Impact	Score	SHC Planned Action	Likelihood	Impact	New score
1	Amended:- That companies do not have appropriate access to investment.	2	4	8	<ul style="list-style-type: none"> Company held reserves can be readily accessed for small opportunities Clarification has been provided and will be reiterated that investment is available from the Shareholder but this requires a robust investment proposal and business plan to be produced first 	1	4	4
2	Amended:- There is not the strategic capacity to deliver growth for each company	3	4	12	<ul style="list-style-type: none"> SHC and commissioner scrutiny on each ASDV, will help balance MD capacity across all 3 companies, as will the inclusion of growth KPIs; The demands on the MD, overseeing 3 companies, have been flagged for consideration within this paper 	2	4	8
3	Carried:- Lack of contract certainty is inhibiting a focus on growth	4	3	12	<ul style="list-style-type: none"> ASDV change programme will conclude with clarity on contracts by April 2021 New contracts will include growth KPIs – incl monetary target 	1	3	3
4	Carried:- Current legal structure of companies restrict income-generating potential (The risk RAG has been increased as this year covid has prevented any progress, and the lag time of large opportunities has been explained).	4	4	16	<ul style="list-style-type: none"> SHC will push for progress on Ansa's trading company at its meetings 	2	3	6
5	Carried: - ASDVs don't fulfil full commercial potential (This risk RAG has been increased as there is a lack of detail and transparency about the prospect pipeline, its composition and the potential value and lead in times of each different commercial opportunity)	4	4	16	<ul style="list-style-type: none"> SHC has asked for much more detail from the MDs in its quarterly Directors reports The KPIs in the new operating contracts set by Shareholder, including specific growth target, will ensure resource is applied to generating commercial return 	2	2	4
6	Amended:- Companies fail to deliver a commercial	3	3	9	<ul style="list-style-type: none"> KPIs, including specific growth target set by Shareholder, are 	2	2	4

	Risk Description (Carried, amended, new)	Likelihood	Impact	Score	SHC Planned Action	Likelihood	Impact	New score
	return for the Council				to be included in new operating contracts for start of 21/22 that can then be monitored by SHC			
7	Amended: - Companies could operate in isolation to values of Cheshire East.	2	4	8	<ul style="list-style-type: none"> New KPIs have a clear focus on 2 objectives excellent service to residents and commercial return, suite of KPIs on service should ensure company delivers in line with values/standards it sets Continued SHC scrutiny of business plans and directors reports 	1	1	1
8	New: Risk is not sufficiently identified and managed by the companies to prevent some adverse impact, especially around growth.	3	3	9	<ul style="list-style-type: none"> SHC considers companies risk registers should better define risk, include measures to reduce the impact if risks eventuate, be presented to SHC for scrutiny in full, with key risks highlighted 	2	3	6
9	New: Having the same MD over all 3 companies exposes the Council to higher risk of disruption if they were to be unavailable to work for any length of time – especially in the area of strategic leadership	3	4	12	<ul style="list-style-type: none"> The Council will continue to seek assurances, including through SHC, that strategy and delivery plans are sufficiently robust and detailed that all steps and resource requirements in realising an opportunity are identified, for each service on offer, and there is evidence that these steps are being actioned. 	2	2	4

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FORWARD PLAN FOR THE PERIOD ENDING 30TH JUNE 2021

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

“an executive decision which is likely –

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Forward Plan

Key Decision and Private Non-Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
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Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 20/21-3 Flowerpot Junction Improvement Scheme	To approve procurement of works to improve Flowerpot Junction, utilising the NPIF allocation from DfT and local funding contributions from s106 contributions and council match funding. Authorise the preparation and making of a CPO relating to land required for the junction improvements where this cannot be acquired through negotiation, and delegate authority to the Director of Infrastructure and Highways, in consultation with the Portfolio Holder for Strategic Transport to finalise the scheme details and enter into an agreement with the Council's appointed Highways Term Services to deliver the scheme.	Cabinet	9 Mar 2021			N/A

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
<p>CE 20/21-7 Covid-19 - Update on Response and Recovery</p>	<p>To receive an update report on the Council's response to Covid-19 and the Recovery Plan.</p> <p>To note the financial effects of Covid-19 on the Council, as regards additional expenditure and loss of income, and to consider the potential options for managing residual financial implications within the Council's Medium-Term Financial Strategy.</p> <p>An update report will be presented to each successive Cabinet meeting up to and including 4th May 2021.</p>	<p>Cabinet</p>	<p>9 Mar 2021</p>		<p>Jane Burns, Executive Director of Corporate Services</p>	<p>N/A</p>

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 20/21-22 Housing Repairs and Adaptations for Vulnerable People Financial Assistance Policy	To approve the Housing Repairs and Adaptations for Vulnerable People Financial Assistance Policy 2021-2026, and to authorise Officers to take all necessary actions to implement the proposal.	Cabinet	9 Mar 2021		Karen Whitehead	N/A
CE 20/21-32 Dedicated Schools Grant Management Plan 2021/22 to 2024/25	To approve the Council's Dedicated Schools Grant Management Plan 2021/22 to 2024/25.	Cabinet	9 Mar 2021		Jacky Forster, Director of Education and 14-19 Skills	N/A

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 20/21-35 Shareholder Committee Review of Council Owned Company Business Plans	The report provides endorsement from the ASDV Shareholder Committee for the 2021 Business Plans for Orbitas Bereavement Services Ltd, Transport Service Solutions Ltd and ANSA Environmental Services Ltd, and provides recommendation for the Portfolio Holder to consider alongside approving these business plans.	Deputy Leader of the Council	Not before 19th Mar 2021		Frank Jordan, Deputy Chief Executive and Executive Director of Place	

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 20/21-34 Article 4 Directions for Small Houses in Multiple Occupation	Decision to confirm three non-immediate Article 4 Directions, to come into effect on 1 November 2021, for the areas in Crewe around Nantwich Road, West Street and Hungerford Road, having considered the feedback from public consultation carried out between 19 October 2020 and 11 January 2021.	Portfolio Holder for Planning	Not before 31st Mar 2021		Claire Coombs	
CE 20/21-33 Houses in Multiple Occupation Supplementary Planning Document	Approval is sought to publish the Houses in Multiple Occupation Supplementary Planning Document and Consultation Statement for the purpose of seeking representations.	Portfolio Holder for Planning	Not before 31st Mar 2021		Claire Coombs	

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 20/21-26 Site Allocations and Development Policies Document (SADPD) Submission	To approve the submission of the Site Allocations and Development Policies Document to the Secretary of State for independent examination by an appointed Planning Inspector.	Cabinet	13 Apr 2021		Jeremy Owens	N/A

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 20/21-28 Homelessness and Rough Sleeping Strategy 2021-25	To authorise Officers to consult formally on the draft Homelessness and Rough Sleeping Strategy 2021-2025; and to delegate 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.	Cabinet	13 Apr 2021		Karen Carsberg, Strategic Housing and Intelligence Manager	N/A

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 20/21-29 Household Waste Recycling Centre New Contract Service Provision	The household waste recycling centre contract is due for renewal in 2023 and the open procurement process will start in 2021. This report will present the results of the public consultation carried out Nov 2020 – Jan 2021 to inform the procurement and will seek to authorise officers to take all necessary actions to implement the proposal.	Cabinet	13 Apr 2021		Ralph Kemp, Corporate Manager for Commissioning	N/A
CE 20/21-31 Updated Asset Transfer Policy	To approve a new Asset Transfer Policy and authorise the Portfolio Holder for Environment and Regeneration to vary the policy from time to time.	Cabinet	13 Apr 2021		Peter Skates	N/A

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 18/19-60 The Minerals and Waste Development Plan	To seek approval to consult on the first draft of the Minerals and Waste Development Plan.	Cabinet	4 May 2021		David Malcolm	N/A
CE 20/21-23 ASDV Review	To approve the recommendations within the report and authorise Officers to take all necessary actions to implement them.	Cabinet	4 May 2021		Richard Hibbert	Fully exempt - paras 3 and 4
CE 20/21-30 Update on the Beechmere Recovery Programme	To update Cabinet on progress relating to the reinstatement of Beechmere Extra Care Housing and the proposed remedial works for the remaining four 'Meres' and the impact this will have for the Council.	Cabinet	4 May 2021		Nichola Thompson, Director of Commissioning	Fully exempt - paras 3 & 5

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 20/21-27 Crewe HS2 Hub Update	To approve preferred concept designs for the Crewe HS2 Hub Station scheme and supporting funding and financing strategy; and to authorise the progression of the work towards a planning application and to conclude funding and financing discussions with Government.	Highways and Transport Committee	July 2021		Hayley Kirkham	N/A

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Working for a brighter future together

Corporate Overview and Scrutiny Committee

Date of Meeting: 30 March 2021

Report Title: Work Programme

Senior Officer: Jane Burns, Executive Director of Corporate Services

1. Report Summary

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

2. Recommendation

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

3. Reason for Recommendation

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

4. Background

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

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

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

- Does the issue fall within a corporate priority?
- Is the issue of key interest to the public?
- Does the matter relate to a poor or declining performing service for which there is no obvious explanation?
- Is there a pattern of budgetary overspends or underspends?
- Is it a matter raised by external audit management letters and or audit reports?
- Is there a high level of dissatisfaction with the service?

5.3. The committee should not add any items to its work programme (and should delete any existing items) that fall under any one of the following:

- The topic is already being addressed elsewhere by another body (i.e. this committee would be duplicating work)
- The matter is sub-judice
- Scrutiny would not add value to the matter
- The committee is unlikely to be able to conclude an investigation within a specified or required timescale

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1. There are no direct legal implications.

6.2. Finance Implications

6.2.1. There are no direct financial implications.

6.3. Policy Implications

6.3.1. There are no direct policy implications.

6.4. Equality Implications

6.4.1. There are no direct equalities implications.

6.5. Human Resources Implications

6.5.1. There are no direct human resources implications.

6.6. Risk Management Implications

6.6.1. There are no direct risk management implications..

6.7. Rural Communities Implications

6.7.1. There are no direct implications for rural communities.

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

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

6.9. Public Health Implications

6.9.1. There are no direct implications for public health.

6.10. Climate Change Implications

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

7. Ward Members Affected

7.1. All members are potentially affected.

8. Access to Information

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

9. Contact Information

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

Name: Joel Hammond-Gant

Job Title: Scrutiny Officer

Email: joel.hammond-gant@cheshireeast.go.uk

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30.03.21	08.04.21
10.00am	2.00pm
Virtual meeting	Virtual meeting

<u>Item</u>	<u>Purpose</u>	<u>Lead Officer</u>	<u>Portfolios</u>	<u>Suggested by</u>	<u>Scrutiny role</u>	<u>Corporate priorities</u>	<u>Date</u>
Update from the ASDV Shareholder Committee	To consider the update.	Deputy Chief Executive & Executive Director of Place	Deputy Leader	Chairman	To monitor activity and progress in relation to ASDVs	A responsible effective and efficient organisation	30.03.21
ASDV Review	To consider the ASDV Review report (Part 2 – exempted), prior to it being present to Cabinet for a decision to be made.	Deputy Chief Executive & Executive Director of Place	Deputy Leader Portfolio Holder for Children and Families	Deputy Chief Executive & Executive Director of Place	Pre-decision scrutiny	A responsible effective and efficient organisation	30.03.21
Review of the Council’s Management and Governance Structure	To consider an update on the council’s management and governance structure.	Executive Director of Corporate Services	Public Health and Corporate Services	Committee	To contribute to matters of strategy, finance and governance, in respect of the	A responsible, effective and efficient organisation	08.04.21

<u>Item</u>	<u>Purpose</u>	<u>Lead Officer</u>	<u>Portfolios</u>	<u>Suggested by</u>	<u>Scrutiny role</u>	<u>Corporate priorities</u>	<u>Date</u>
					committee system.		
Review of the Council's ICT Infrastructure Spend	Following a request made on 7 January 2021, to consider a report on the specifics of the council's ICT spend, and whether cost-per-person value for money has been achieved.	Head of ICT and Chief Information Officer	Finance, IT and Communications	Committee	Performance monitoring	A responsible, effective and efficient organisation	08.04.21
Update on ORACLE (Best4Business) from the Joint Scrutiny Working Group	To receive an update on the Best4Business Programme from the Joint Scrutiny Working Group. <i>The next meeting is scheduled for mid-February 2021, therefore the update will be provided at the 8 April 2021 meeting.</i>	Executive Director of Place and Deputy Chief Executive	Finance, IT and Communications	Portfolio Holder	Monitor the development and progress of the project	Cheshire East has a strong and resilient economy	08.04.21
Corporate Performance Scorecard – Quarter 3 (2020/21)	To consider the performance data relating to Corporate Services from Quarter 3 of 2020/21.	Executive Director of Corporate Services	Public Health and Corporate Services Finance, IT and Communications	Committee	Performance monitoring	Cheshire East has a strong and resilient economy A responsible effective and efficient organisation	08.04.21
Corporate Peer Challenge	To receive an update on progress of the Corporate Peer Challenge that took place in January 2020 and link this item with the item above on the Councils Political Management Structure.	Executive Director of Corporate Services	Public Health and Corporate Services	Chairman	Pre-Cabinet report consideration	A responsible effective and efficient organisation	08.04.21 (moved back from Jan 21)

<u>Item</u>	<u>Purpose</u>	<u>Lead Officer</u>	<u>Portfolios</u>	<u>Suggested by</u>	<u>Scrutiny role</u>	<u>Corporate priorities</u>	<u>Date</u>
Task and Finish Group – Members’ Facilities, Accommodation and Culture	To consider the final report of the task and finish group for approval.	Scrutiny Officer	Finance, IT and Communications	Committee	Adoption of scrutiny report	A responsible, effective and efficient organisation	08.04.21

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