

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Corporate Policy Committee**  
held on Tuesday, 13th February, 2024 in Committee Suite 1, 2 & 3,  
Westfields, Middlewich Road, Sandbach CW11 1HZ

## **PRESENT**

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

Councillors C Bulman, D Clark, J Clowes, M Goldsmith, A Harrison,  
C O'Leary, J Pearson, J Rhodes, J Saunders, M Gorman and F Wilson

## **OFFICERS IN ATTENDANCE**

Rob Polkinghorne, Chief Executive  
David Brown, Director of Governance and Compliance  
Alex Thompson, Director of Finance and Customer Services  
Deborah Upton, Solicitor  
Michael Moore, Head of Communications  
Peter Skates, Interim Executive Director, Place  
Nick Billington, Policy Officer  
Brian Reed, Head of Democratic Services and Governance  
Katie Small, Democratic Services Manager  
Nikki Bishop, Democratic Services Officer

## **77 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor N Mannion and  
Councillor M Warren. Councillors F Wilson and M Gorman attended as  
substitutes.

## **78 DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **79 MINUTES OF PREVIOUS MEETING**

### **RESOLVED**

That the minutes of the meeting held on 1<sup>st</sup> February 2024 be approved as  
a correct record.

## **80 PUBLIC SPEAKING/OPEN SESSION**

Councillor Tony Dean addressed the committee as a visiting member in  
relation to the warding proposals for Knutsford. Councillor Dean spoke in  
favour of the proposals from the Electoral Review Sub Committee for  
Knutsford, and urged the committee to vote against any new proposal to

split Knutsford into a two-ward area as he felt this was not in the best interests of the local communities in Knutsford.

Haf Barlow, Town Clerk, Poynton Town Council spoke in relation to the Medium-Term Financial Strategy and highlighted the impact that any temporary closure to the Household Waste and Recycling Centre (HWRC) in Poynton would have on residents. Ms Barlow stated that the HWRC in Poynton was an important and well used community asset and highlighted that residents felt there had been no consultation or engagement on this proposal.

Councillor Glen Williams, Congleton Town Council, addressed the committee in relation to the Electoral Review warding proposals. Cllr Williams spoke in favour of the Electoral Review Sub Committee's proposals for Congleton and the positive impact these would have on the Bromley Farm neighbourhood in Congleton. Cllr Williams stated that Bromley Farm had strong geographical and social links to other areas in the proposed Congleton East ward.

Mr Jo Godden spoke in relation to the Electoral Review warding proposals in relation to Knutsford. Mr Godden stated that he felt Knutsford would be better represented by a split two-person ward, rather than one. Mr Godden highlighted that one particular area of Knutsford had very low voting levels, and those residents did not feel well represented due to the three-member ward system. It was suggested that those residents in the most deprived area being represented by one ward member would be a positive step for the local community.

## **81 CHESHIRE EAST ELECTORAL REVIEW - WARDING PROPOSALS**

The committee considered the recommendations of the Electoral Review Sub-Committee in respect of warding proposals for Cheshire East, which was undertaken in response to an electoral review of Cheshire East Council's electoral arrangements by the Local Government Boundary Commission for England. The final approval of the Council's submission was intended to be given by full Council on 27th February 2024.

A number of visiting members addressed the committee in relation to the proposals, summarised below.

Councillors Liz Wardlaw, Sally Holland and David Brown each addressed the committee in relation to the proposals for Congleton. Each councillor highlighted the positive benefits of maintaining the current two-ward arrangements for Congleton (as the Sub-Committee's recommendations would). This arrangement was felt to be inclusive, well known amongst local communities and promoted improved social, economic and health benefits, as well as evenly dividing elector numbers and councillor workloads. It was stated that any splitting of wards would create a division within communities and therefore committee members were encouraged

to support the warding proposals for Congleton, as recommended by the Electoral Review Sub Committee.

Councillors Sarah Bennett-Wake, Liz Braithwaite, Mary Brooks, Brian Puddicombe, Judy Snowball, Rob Vernon each spoke against the proposals for Macclesfield, as recommended by the Electoral Review Sub Committee and urged the committee to support the proposed amendment to be put forward by Cllr Wilson (Warding Option 1), which was supported by 9 out of the 12 Macclesfield Ward Councillors. Members highlighted the impact that both proposals for Macclesfield would have on local communities and on Councillors' workloads and asked the committee to take into consideration the views of local ward members and residents.

Councillor David Edwardes addressed the committee on behalf of Councillor Emma Gilman and stated that both local ward councillors for Tytherington were in support of the proposals of the Electoral Review Sub Committee. Councillor Edwardes indicated that supporting the proposed amendment for Macclesfield (Option 1) would have a detrimental impact on Tytherington resulting in a loss of community identity.

Councillor Ken Edwards spoke in relation to the proposed Bollington and Rainow ward. Councillor Edwards spoke against the proposals of the Electoral Review Sub Committee which he felt would divide Bollington between two wards, reduce electoral equality and reduce the sense of community cohesion.

Members debated the proposals put forward by the Electoral Review Sub Committee and a number of amendments put forward by committee members in relation to Macclesfield, Knutsford and Wilmslow. It was proposed, seconded and subsequently resolved that the proposed "Wilmslow East" ward name be changed to "Wilmslow East and Dean Row" to retain the identity of Dean Row.

**RESOLVED** (by majority)

That the Committee

1. Recommends to Council that Council approve the proposals for the future warding of Cheshire East as set out in Appendix 1 to the report as the Council's submission to the Boundary Commission; with the following amendment: that "Wilmslow East" ward name be changed to "Wilmslow East and Dean Row", to retain the identity of Dean Row.
2. Delegates authority to the Electoral Review Sub-Committee to make any further required changes to the proposals, and to approve any outstanding proposals and to deal with any matters which arise, following the Corporate Policy Committee's meeting and prior to the consideration of the proposals by full Council, and also in respect of any outstanding proposals which have not been finalised in time for consideration by Council.

3. Recommends to Council that the Electoral Review Sub-Committee be granted delegated authority:
  - (a) to make any further changes to the proposals arising from the Council meeting on 27th February, or which become necessary after that meeting; and
  - (b) to respond on the Council's behalf to any further informal or formal consultation by the Boundary Commission which relates to the second period of consultation.

## 82 **MEDIUM TERM FINANCIAL STRATEGY 2024/25-2027/28**

The committee received the report which presented the Medium-Term Financial Strategy (MTFS) for Cheshire East Council for the four years 2024/25 to 2027/28. The committee considered the feedback from the budget consultation and proposals recommending a balanced budget for 2024/25 to the full Council meeting on 27 February 2024.

Councillor Ken Edwards addressed the committee as a visiting member and asked the committee to consider an amendment to the proposals that stated "where a parish or town council expresses an interest in the devolution of a car park, that negotiations are undertaken according to Cheshire East devolution policy in order to protect both Cheshire East and local town and parish council interests".

The committee acknowledged the extremely difficult financial challenges facing the local authority, particularly in relation to inflation, HS2 programme costs and DSG. Members raised concerns in relation to the inadequate council reserves. Officers confirmed that the MTFS included several proposals that had not yet been costed which could result in additional savings but highlighted that more needed to be done to recover reserves. Members requested that each proposal be worked up fully and subsequently added to the relevant committee work programme to ensure scrutiny and oversight.

### **RESOLVED** (by majority)

That the Committee

1. Notes the year-end forecast outturn position for 2023/24 (Appendix C, Section 2).
2. Notes the summary results of the Budget Consultation and Engagement exercise undertaken by the Council, as set out in the attached (Appendix C, Annex 2a and 2b).
3. Notes the report of the Council's Section 151 Officer, contained within the MTFS report, regarding the robustness of estimates and level of

reserves held by the Council based on these budget proposals (Appendix C, Report from the Director of Finance and Customer Services (Chief Finance Officer).

4. Notes the Council's Finance Procedure Rules remain unchanged and will always apply to ensure proper approval should any changes in spending requirements be identified (Appendix C, Annex 14).
5. Recommends to full Council the items at Appendix A.

### **83 URGENT DECISION - EXCEPTIONAL FINANCIAL SUPPORT**

The committee considered an urgent report, under powers set out in the Local Government Act 1972, Section 100B (4), which was not published with the agenda papers. It was confirmed that the report, which was necessitated by an opportunity which arose after the publication of the Committee agenda, sought approval to apply for exceptional financial support from the Department of Levelling Up, Housing and Communities (DLUHC), in the light of the Council's budgetary pressures.

Some concerns were raised by Members in relation to recommendation 2, set out within the report. It was stated that the council already had a negative reserve for high needs, and the report proposed further borrowing to get through the financial crisis, with a payback period of 20 years. Officers confirmed that agreement in principle would not necessarily mean the application would be implemented. It was highlighted that the council would not draw down funds unless needed and that every effort would continue to be made to seek reimbursement for HS2 programme costs, and a settlement grant via the Safety Valve Programme for high needs.

#### **RESOLVED** (by majority)

That the Committee:

1. Agrees that the Chief Executive shall continue to seek resolution of financial issues related to the abortive costs of HS2 and the financial deficit in High Needs education budgets.
2. Agrees that the Chief Executive finalise and submit a request for exceptional financial support in the form of an in-principle capitalisation direction for 2023/24 and 2024/25 to the Secretary of State for Levelling Up for up to £17.6m.

### **84 PEER REVIEW/CORPORATE PEER CHALLENGE**

The Committee received the report prepared in response to a Notice of Motion proposed at Full Council on 13 December 2023 that requested that the Council embrace an urgent Peer Review. The motion, which had been proposed by Cllr Rachel Bailey and seconded by Cllr Russell Chadwick,

proposed that the Council urgently engaged with the Local Government Association (LGA) to seek guidance through a Financial Peer Review or Corporate Peer Challenge to investigate its in year overspend of £18.7m.

Councillor Rachel Bailey addressed the committee as the proposer of the Notice of Motion and urged committee members to seek clarity on the type of peer review being considered. Cllr Bailey stated that this had been intended as a friendly motion in order to promote good practice, drawing on the resources of the LGA. Cllr Bailey highlighted that such a review was important to ensure residents and staff were informed of how the council's budget overspend had incurred, and the steps that needed to be taken to correct it.

Councillor Russell Chadwick, addressed the committee as the seconder of the Notice of Motion and spoke in favour of the recommendations of the report stating that an LGA review would help to improve service delivery across the council.

Councillor Liz Wardlaw addressed the committee as a visiting member. Cllr Wardlaw requested that the scope and timing of the peer review be clarified. It was requested that any review be based upon the recommendations arising from the 2020 Peer Review.

It was stated that the intention was to ask that LGA to undertake a full corporate Peer Challenge which focused on five fixed key areas however it was within the council's gift to ask the peer review team to explore particular areas, such as budget reserves, further. The Chief Executive confirmed that subject to the availability of the peer reviewers, a Peer Challenge could be arranged to start within six weeks.

**RESOLVED** (unanimously)

That the Committee

1. Authorises the Chief Executive to make arrangements for a local government peer review to take place.
2. Delegates to the Chief Executive in consultation with the Council's political group leaders the finalisation of the scope, terms of reference and timing of the peer review.

## 85 **DEVELOPING THE NEW CHESHIRE EAST PLAN**

The committee considered the report which provided an update on progress made in relation to developing a new strategic plan for Cheshire East following consultation undertaken between September – December 2023.

**RESOLVED** (unanimously)

That the Committee

1. Notes the outcomes of the public consultation and engagement on the Cheshire East Plan.
2. Agrees that the new Cheshire East Plan will be finalised following the approval of the Medium Term Financial Strategy and awareness of available resources.

## **86 TRANSFER OF LOCAL ENTERPRISE PARTNERSHIP FUNCTIONS TO LOCAL AUTHORITY CONTROL**

The committee considered a report which set out the changes needed to implement the requirements of government guidance on Local Enterprise Partnership functions, which would become the responsibility of Local Authorities from 1 April 2024.

The committee debated the report and queried the member oversight and scrutiny of the proposals. It was confirmed that member briefings had taken place in September 2023 and January 2024 to provide members of the council with an overview of the direction of travel. Members noted that a joint committee would be established with representation across the three local authorities.

Cllr O’Leary queried the objectives of the LEP to provide subsidy. Officers committed to providing a written response.

### **RESOLVED** (by majority)

That the Committee recommends that Council:

1. Agree the retention of the partnership approach between Warrington Borough Council, Cheshire West and Chester Council and Cheshire East Council in respect of sub-regional functions.
2. Agree that Cheshire and Warrington Local Enterprise Partnership (including Marketing Cheshire) functions should continue to be delivered by a Company jointly owned by all three Councils, based on the business case set out in Appendix A.
3. Agree to set up a Joint Committee (JC) by 1 April 2024 with Terms of Reference as set out in Appendix B.
4. Agree that a Cheshire and Warrington Business Advisory Board be created to ensure a continued influential business voice in sub-regional economic strategy and priorities following the end of the Cheshire and Warrington LEP Board. Terms of Reference be agreed by the Joint Committee.
5. Grant delegated authority to the Director of Growth, in conjunction with the Council’s Section 151 Officer and Monitoring Officer, to

effect non-material changes to the proposed changes to the Articles of Association of C&W LEP as referenced in Appendix C of this report.

6. Recommend to the Joint Committee that they then make changes to the Articles of Association and that the name of Cheshire and Warrington Local Enterprise Partnership be changed to Enterprise Cheshire and Warrington (ECW).
7. Agree the findings of the due diligence report undertaken and set out in Appendix D, including finances, risks and liabilities that the Council will incur in respect of LEPCo.
8. Recommend to the Joint Committee that when established, one officer from Cheshire East Council, with appropriate corporate skills and experience is appointed as a Director of LEPCo. That the officer is identified through consultation with the Council's Monitoring Officer, Place Director and Section 151 Officer.
9. Agree to enter into a Service Agreement with Cheshire West and Chester Council, Warrington Council and LEPCo on the terms set out in Appendix E, and to delegate final approval of the terms of the Service Agreement to the Director of Governance and Compliance in consultation with the Place Director and S151 Officer.
10. Recommend the Business Plan of the LEPCo to the Joint Committee as set out at Appendix F.
11. Agree that Cheshire East Council should continue to be the Accountable Body for the purposes of funding, and that the Director of Governance and Compliance be authorised to make any necessary changes to the Collaboration Agreement.
12. Agree that the Council's Monitoring Officer be given the authority to make any consequential changes to the Council Constitution to give effect to these recommendations.

## **87 TARGETED REVIEW OF MEMBERS' ALLOWANCES**

The committee considered the report which set out the recommendations of the Independent Remuneration Panel in respect of a targeted review of Members' Allowances in the context of the budget consultation on the Council's financial position.

Members sought clarity on recommendation 1e which proposed that the allowances scheme be amended to allow for two special responsibility allowances to be claimed by any one Councillor. This recommendation was debated by the committee, both the positive impact this would have for working members and also the impact this could have on the budget



and the MTFs proposal to reduce the costs of democracy, was highlighted.

**RESOLVED** (by majority)

That the Committee recommends that Council:

- 1a) Agree that the Constitution Working Group reviews the job descriptions for the Leader and Deputy Leader of the Council, Service Committee Chairs and Vice Chairs and Opposition Spokespersons.
  - b) The Working Groups recommendations in respect of these job descriptions to be submitted to the Independent Remuneration Panel.
  - c) The Independent Remuneration Panel consider and review these job descriptions and report back to Constitution Working Group; the Working Group to consider if the job descriptions should be referred onwards.
  - d) A full review of all member allowances by the new Independent Remuneration Panel be carried out after the actions set out in a) to c) have been completed.
  - e) The allowances scheme be amended, to allow for two special responsibility allowances to be claimed by any one Councillor.
2. Agree that, where the annual NJC officer pay award is for a flat rate and percentage increase to salaries and other allowances respectively, the percentage increase applicable to other allowances will be regarded as that year's uplift in respect of Cheshire East's Scheme of Members' Allowances.
  3. That no uplift to the Scheme of Members' Allowances be implemented in 2023/2024.

**88 CALENDAR OF MEETINGS 2024-2025**

The Committee considered a report on the Calendar of Meetings for 2024-2025.

It was proposed, seconded and subsequently carried that, as a trial over the course of the next municipal year, every Service Committee, including the Finance Sub Committee, arranged one twilight meeting scheduled over the cycle of its meetings. It was agreed that individual Service Committees should determine the start time (twilight being between 4-6pm).

**RESOLVED** (unanimously)

That

1. The draft calendar of meetings for Cheshire East Council for the municipal year 2024/25 be recommended to Council for approval, subject to delegated powers being granted to the Director of Governance and Compliance, in consultation with committee chairs and vice chairs, to make any changes to the calendar of meetings which might arise from the review of the committee structure.
2. Council be recommended that each Service Committee, including the Finance Sub-Committee, arrange one twilight meeting over the course of its scheduled cycle of meetings during 2024-25.

Councillor Craig Browne left the meeting at 5.38 pm and did not return.  
Cllr James Pearson left the meeting at 5.41 pm and did not return.

## 89 **WORK PROGRAMME**

Members considered the Work Programme. It was highlighted that the July 2024 meeting had been removed from the calendar of meetings. Members discussed if an additional meeting would be needed between June and October 2024.

Officers agreed to look into the implications of moving the June 2023 meeting to July and feedback to the Committee. It was also highlighted that the calendar of meetings would be approved by Council and therefore members had another opportunity to request amendments for the 2024-25 calendar.

### **RESOLVED**

That the Work Programme be received and noted.

## 90 **MINUTES OF SUB-COMMITTEES**

### **RESOLVED:**

That the minutes of the Finance Sub-Committee held on 11<sup>th</sup> January 2024 be received and noted.

The meeting commenced at 2.00 pm and concluded at 5.54 pm

Councillor S Corcoran (Chair)