

CHESHIRE EAST COUNCIL

ADVISORY PANEL – PERFORMANCE & CAPACITY

Date of meeting: 11 December 2008
Report of: Partnerships Workstream, Performance & Capacity Block
Title: Update on Partnership Working

1.0 Purpose of Report

- 1.1 To update the Advisory Panel on the activities of the Partnerships Workstream, specifically the development of the Cheshire East Sustainable Community Strategy (SCS), Cheshire East Local Area Agreement (LAA) and Cheshire East Local Strategic Partnership (LSP) as developed through a Multi Agency Officer Group and internal Member Working Group, and next steps. Appendix A illustrates how these three core areas of work fit together as part of the overall new performance framework for local authorities and their partners.

2.0 Decision Required

- 2.1 To receive the update report.

3.0 Financial Implications for Transition Costs

- 3.1 None.

4.0 Financial Implications 2009/10 and beyond

- 4.1 To be determined. Both the Sustainable Community Strategy and the Local Area Agreement, as the delivery plan of the SCS, are intended to influence the business planning processes of the local authority and all partners from across the public, private, community, voluntary and faith sectors within the local area.
- 4.2 In so doing, it is expected that priorities expressed within both documents inform how resources are allocated and services delivered by the local authority and its partners.
- 4.3 Furthermore, local authorities are expected to play a leadership role in LSPs, initiating and maintaining momentum in the LSP and ensuring appropriate representation across the different sectors including the involvement of local residents where appropriate and scrutiny of the actions of the partner authorities. Again there is likely to be a financial cost in fulfilling these responsibilities.

5.0 Legal Implications

- 5.1 LSPs are not statutory bodies and there are no provisions within the Local Government and Public Involvement in Health Act 2007 Act that create a legal relationship between either local authorities and 'the LSP' or their partners and 'the LSP'. LSPs are instead a collection of organisations and representatives coming together voluntarily to work in partnership.
- 5.2 However, the Local Government Act 2000 does place a statutory duty on all principal local authorities to promote the economic, environmental and social well-being of their areas to improve local quality of life through the preparation of a Sustainable Community Strategy in partnership with others (i.e. usually through the LSP). Once prepared, the Sustainable Community Strategy must then be agreed at full council in accordance with the Local Authorities (Functions and Responsibilities) Regulations 2000/2853.
- 5.3 Similar provision now also exists in relation to the preparation of the Local Area Agreement.

6.0 Risk Assessment

- 6.1 In view of the legal implications outlined in above, the Council would be in breach of those statutory responsibilities placed upon it under the Local Government Act 2000 and the Local Government and Public Involvement in Health Act 2007 if progress in this area was not made.

7.0 Background

Cheshire East Local Strategic Partnership

- 7.1 The concept of a Local Strategic Partnership (LSP) was formalised through the Local Government Act 2000 as the means by which representatives from the public, private, community and voluntary sectors could work better together to improve the quality of life of local people. Over time, the roles and responsibilities of LSPs have evolved but, in summary, are now to:
- exercise a **leadership and governing role** through identifying and articulating the needs and aspirations of local communities and reconciling or arbitrating between competing interests;
 - have **oversight of and coordinate community consultation and engagement** activities of individual partners and where appropriate combine them;
 - produce a **Sustainable Community Strategy (SCS)** based on data and evidence from the local area and its population, to establish a shared local vision and priorities for action;
 - produce a unitary/county-wide **Local Area Agreement (LAA)**, based on the priorities identified in the area's Sustainable Community Strategy;

- have **oversight of the planning and alignment of resources** in the locality (where relevant to delivery of the Sustainable Community Strategies and LAA) in order to achieve more effective and efficient commissioning and ultimately better outcomes; and
- **review and performance manage progress** against the priorities and targets agreed in the LAA and ensure delivery arrangements are in place.

7.2 In order to effectively achieve the roles set out above, the following principles are suggested:

- (i) clear and transparent lines of accountability and responsibility through embedded democratic accountability;
- (ii) a structure driven by and reflecting local circumstances but expected to include some form of executive board able to take strategic decisions underpinned by the main thematic partnerships for the area;
- (iii) chairmanship of the board formally recognised by the relevant local authority's executive, though appointed by the LSP;
- (iv) representation from the local third sector and private business sector in the formal membership of the LSP and relevant sub-groups;
- (v) representative of the whole community, including the diverse range of minority community interests; and
- (vi) able to draw on environmental, social and economic expertise through its core membership and thematic partnerships in order to agree a robust Sustainable Community Strategy.

7.3 Across the Cheshire East unitary authority area, three district based LSPs currently exist within a wider Cheshire Partnerships Framework covering the county as a whole. Over the coming months, work is in hand with partners to dismantle these existing arrangements and replace them with a new partnerships framework to formally come into effect from 1 April 2009.

7.4 The construction of the new framework has been informed by a recent review of the current partnerships structure and will be further developed through a series of engagement workshops with key stakeholders and other partners throughout Spring 2009. The first of these events was held on 27 November 2008 and specifically targeted those named as 'statutory partner authorities' within the 2007 Act. This event enabled partners to hear more about the national context and to give initial consideration to the development of the LSP Framework. Following the event, a number of partners have volunteered to work more closely with the authority in shaping the future of partnership working in Cheshire East.

- 7.5 In accordance with the LGR transition project plan, it is envisaged to have a new Shadow LSP Executive Board in place by the end of the January 2009. Whilst the creation of new thematic partnerships is well underway in some areas (e.g. Crime and Disorder Reduction Partnership, Cheshire East Environment Partnership, Cheshire East Third Sector Congress, etc.), further work is needed across other key themes (e.g. Children's Trust). The establishment of a new Shadow LSP Executive board early in the new year is particularly important in driving forward the preparation of a new Sustainable Community Strategy and overseeing the review / refresh process of the Local Area Agreement.

Cheshire East Sustainable Community Strategy

- 7.6 As outlined in paragraph 5.2, the Local Government Act 2000 placed a statutory duty on all principal local authorities to promote the economic, environmental and social well-being of their area and improve the quality of life of local people through the preparation of community strategies or plans produced in partnership with others.
- 7.7 The purpose of a Sustainable Community Strategy is to set the overall strategic direction and long-term vision for an area – typically 10-20 years – in a way that contributes to sustainable development in the UK. It tells the 'story of place' – the distinctive vision and ambition of the area, backed by clear evidence and analysis. The Sustainable Community Strategy is, therefore, the overarching plan for the area and should be the key document against which other organisational plans and strategies are produced, decisions made and budgets set, i.e. Corporate Plan, MTFS, Service Plans, Local Development Framework, etc. This requirement should apply to all partners, not just the local authority.
- 7.8 As with LSPs, there are currently four Sustainable Community Strategies in place across the Cheshire East area. These are:
- Macclesfield Borough Sustainable Community Strategy 2007-2010
 - Congleton Sustainable Community Strategy 2007-2016
 - A Sustainable Community Strategy for Crewe and Nantwich 2006-2016
 - A Sustainable Community Strategy for Cheshire – Interim Document (May 2008)
- 7.9 A replacement Sustainable Community Strategy for Cheshire East will be prepared during 2009 through the newly constituted LSP framework. This will also reflect new information available about the Cheshire East area and the views of its residents identified through the Place Survey, the Joint Strategic Needs Assessment and other more recent research and intelligence.
- 7.10 However, in the meantime, it was necessary to develop an interim document drawn from the current strategies listed in paragraph 7.8 and the 35 areas for improvement identified in the Cheshire Local Area Agreement, to inform the development of an interim Corporate Plan for the new authority and provide the basis for immediate decision making including budget setting. As a result, a

Consolidated (Interim) Sustainable Community Strategy for Cheshire East was developed and formally received by Council on 20 October.

- 7.11 This document contains the following 16 high level priority themes which will continue to be refined and prioritised through the new LSP Framework and in the context of new and emerging information with a view to producing, consulting upon and finalising a more robust, forward looking Strategy for adoption by Council during Year 1.
- Reducing inequalities / narrowing the gap between the most disadvantaged and successful areas of Cheshire East and sectors of the community
 - Addressing the key issues surrounding our ageing population
 - Addressing the priority services for children and young people
 - Improving access to and availability of affordable and appropriate housing
 - Reducing anti-social behaviour, arson and criminal damage
 - Reducing re-offending
 - Tackling the adverse effect of alcohol
 - Achieving sustainable management of waste resources
 - Responding to the challenge of climate change
 - Reducing worklessness and improved skills
 - Improving business and enterprise
 - Improving road safety and maintenance thereby reducing accidents
 - Improving environmental cleanliness
 - Maintaining an efficient transport network
 - Reducing the risk of industrial and commercial emergencies
 - Improving access to and participation in sport, culture and leisure

Cheshire Local Area Agreement 2008/11

- 7.12 The Local Area Agreement (LAA) sets out the 'deal' between central government and local authorities and their partners to improve services and the quality of life for local people. As such, the LAA is also a shorter-term delivery mechanism for the Sustainable Community Strategy with the Strategy providing the story of the local area and articulating a longer term ambition, evidence and rationale beyond the focus of the three-year LAA.
- 7.13 The LAA is prepared by a responsible local authority as defined in Section 103 of the Local Government and Public Involvement in Health (LGPIH) Act 2007. This includes County Councils and Unitary District Councils though those authorities are also under a statutory duty to consult, cooperate and involve all partner authorities in identifying the content of the LAA. The Statutory Guidance – "Creating Strong, Safe and Prosperous Communities" – states that this should be done through the Local Strategic Partnership (LSP) and its thematic partnerships to collectively agree a shared set of priorities for the LAA, before working with them to determine how each target is drafted. The role of the responsible local authority is therefore to:
- seek to achieve collective consensus, via the LSP, to the content of the LAA;

- ensure the right balance and level of ambition of targets; and
 - ensure that the normal requirements of local government legislation are met.
- 7.14 The LAA for an area must contain up to 35 ‘designated’ improvement targets drawn from the new national indicator set published in March 2008 plus 16 statutory educational attainment and early years targets. The national indicators are the only indicators against which local authorities’ performance, alone or in partnership, will be reported to Central Government. As such, they are the only measures against which Government can agree targets with a local authority or partnership (through the LAA).
- 7.15 In addition, local authorities and their partners may incorporate any number of ‘non-designated’ improvement targets for priorities of specifically local concern. In legal terms, the distinction between designated and non-designated targets is the circumstances under which they may be amended. Targets that have been designated by the Secretary of State, either following the submission and approval of the draft LAA or as part of a revision proposal, may not be altered without the agreement of all partners signed up to the target and the Secretary of State. By contrast non-designated targets may be amended or dropped without the approval of the Secretary of State – with only the agreement of the relevant partner authorities and after the responsible local authority has consulted those who have agreed to help deliver the target on a voluntary basis.
- 7.16 In agreeing targets for inclusion in LAAs, local authorities and their partners need to consider how the delivery of these priorities will be resourced. It is expected all revenue and capital funding should support the delivery of national and local priorities for the area including local income (e.g. council tax, capital receipts), Formula Grant (i.e. RSG, NNDR), Single Capital Pot, specific grants and the new non-ringfenced Area Based Grant – a general grant providing additional revenue to areas according to specific policy criteria made up of a range of former specific grants from seven Government departments (e.g. Children’s Fund, Connexions, Carers, Preserved Rights, Detrunking, Supporting People, etc.). In addition, the Government have recently concluded consultation on a new model for calculating LAA Performance Reward Grant to provide a continued financial incentive for the achievement of improvement targets.
- 7.17 Once agreed, each LAA will be subject to an annual **review** intended to identify and address any issues around delivery, including risks and good practice, to help assess and benchmark progress of the three-year span of the Agreement. In addition, the review is an opportunity to revise, by exception, particular targets to reflect changes in local circumstances or national priorities. It should be noted, however, that the arrangements for the imminent first Annual Review will be different and will include a distinct **refresh** element. In part this is due to the fact that the first Comprehensive Area Assessment (CAA), which will provide evidence and conclusions to inform LAA annual reviews, has not yet taken place. Furthermore, ongoing development of the national indicator set

resulted in a number of non-finalised negotiations with targets remaining to be set across a number of areas.

- 7.18 **Review** - The review will take place in the context of limited delivery data and will, therefore, look more at local capacity and delivery arrangements to ensure future delivery. Issues for consideration will include arrangements with partners and their commitments, performance management systems, joint commissioning and citizen engagement, including efforts to communicate with residents on local priorities.
- 7.19 **Refresh** - While the refresh element may conclude some limited revisions where new evidence is available, it is anticipated that most changes will be in terms of 'unfinished business' from the negotiations. This unfinished business comprises delayed indicators, revised indicators and targets that are inconsistent with their indicator definition. The aim is that all outstanding targets will be resolved ready for year two of the LAA (from 1 April 2009).
- 7.20 The introduction of a LAA for Cheshire against the background of local government re-organisation has been particularly challenging. At the time of formal agreement with the Government, the responsible authority for the preparation of the LAA was Cheshire County Council. However, in view of the imminent re-structuring, it was agreed to prepare a 'transitional, severable' Agreement for Cheshire, incorporating separate targets for the Cheshire West and Chester and Cheshire East local authority areas where possible, which could then be taken forward by the new authorities and their partners at the earliest opportunity.
- 7.21 Since the Cheshire LAA was formally agreed on 30 June, the responsibility for the preparation, submission and approval of the LAA and any subsequent proposed revisions made to it under the annual refresh process has transferred to the two new unitary authorities under the Local Government (Structural Changes) (Transitional Arrangements) Regulations 2008. As a result, the Cheshire East element of the LAA will be presented to Council on 9 December for adoption.
- 7.22 As part of the review / refresh process, work is now underway with partners to re-examine the LAA indicators, baselines and improvement targets to ensure that they remain valid for the Cheshire East area and reflect any changing external influences. This process will continue through to 26 March 2009 by which time final LAAs need to be submitted to Government Office for the North West.

8.0 Overview of Day One, Year One and Term One Issues

8.1 Key Milestones

By Day One:

- New Cheshire East LSP Framework (including thematic partnerships) in place

- New Cheshire East LSP Executive Board in place (to run in Shadow mode from end January 2009)
- Place Survey results disaggregated
- Joint Strategic Needs Assessment finalised
- Draft Cheshire East Sustainable Community Strategy 2010 – 2020 out for consultation
- Cheshire Local Area Agreement reviewed, refreshed, adopted by Council as the new Cheshire East LAA and submitted via GONW to the Secretary of State
- Revised LAA Delivery Plans in place

By Year One:

- Cheshire East Sustainable Community Strategy 2010 – 2020 finalised and adopted
- Comprehensive Area Assessment judgement
- Cheshire East LAA reviewed in the light of CAA outcome
- Year 2 LAA delivery performance managed through the LSP / Council processes

9.0 Reasons for Recommendation

- 9.1 To understand the importance and inter-relationship of these core elements of the partnerships workstream with other Performance and Capacity functions in accordance with the agreed terms of reference of the Panel.

For further information:

Portfolio Holder: Councillor David Brown

Officer: Alison Armstrong

Tel No: 01244 973336

Email: alison.armstrong@cheshire.gov.uk

Background Documents:

Documents are available for inspection at:

Cheshire East Council Support Office
 Congleton Borough Council
 Westfields
 Middlewich Road
 Sandbach

APPENDIX A

