

Council Agenda

Date: Wednesday, 13th December, 2023
Time: 11.00 am
Venue: Council Chamber, SKA Observatory, Jodrell Bank, Lower
Withington, SK11 9FT

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

It should be noted that Part 1 items of Cheshire East Council decision making meetings are audio 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 interests, other registerable interests, and non-registerable interests in any item on the agenda.

3. **Minutes of Previous Meeting** (Pages 5 - 20)

To approve as a correct record the minutes of the meeting of Council held on 18 October 2023.

4. **Mayor's Announcements**

To receive such announcements as may be made by the Mayor.

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

In accordance the Council Procedural Rules, a total period of 30 minutes is allocated for members of the public to speak at Council meetings. Individual members of the public may speak for up to 2 minutes, but the Chair will have discretion to vary this requirement where they consider it appropriate.

Due to the location of this meeting, members of the public will be able to speak or ask questions via Microsoft Teams from one of the Council offices. If any member of the public wishes to do so, please contact Katie Small.

Members of the public wishing to speak are required to provide notice of this at least three clear working days in advance of the meeting and should include the question with that notice. Questions should be submitted to: katie.small@cheshireeast.gov.uk or brian.reed@cheshireeast.gov.uk.

6. **Leader's and Deputy Leader's Announcements**

To receive such announcements as may be made by the Leader and Deputy Leader.

7. **Recommendations from Appointments Committee: Appointment of Chief Executive** (Pages 21 - 32)

To consider the recommendations from the Appointments Committee.

8. **Deferred Report: Annual Review of the Committee System (in relation to Planning Committees)** (Pages 33 - 54)

To give further consideration to recommendation 3 of the deferred report.

9. **Recommendations from Corporate Policy Committee: Review of the Committee System and Medium-Term Financial Strategy Saving** (Pages 55 - 70)

To give consideration to the recommendations of the Corporate Policy Committee.

10. **Recommendations from Corporate Policy Committee: Cheshire East Council Electoral Review** (Pages 71 - 140)

To give consideration to the recommendations of the Corporate Policy Committee.

11. **Recommendations from Corporate Policy Committee: Proposed Changes to the Constitution** (Pages 141 - 150)

To give consideration to the recommendations of the Corporate Policy Committee.

12. **Recommendation from Corporate Policy Committee: Council Tax Base 2024/25** (Pages 151 - 160)

To give consideration to the recommendations of the Corporate Policy Committee.

13. **Supplementary Revenue Estimates (Second Financial Review 2023/24)** (Pages 161 - 166)

To approve the increased expenditure related to two fully funded supplementary revenue estimates.

14. **HS2 Cancellation and Network North - Implications for Cheshire East** (Pages 167 - 178)

To give consideration to the report on the implications for Cheshire East.

15. **Notices of Motion** (Pages 179 - 180)

To consider any Notices of Motion that have been received in accordance with the Council Procedure Rules.

16. **Questions**

In accordance the Council Procedure Rules, opportunity is provided for Members of the Council to ask the Mayor or the Chair of a Committee any question about a matter which the Council, or the Committee has powers, duties or responsibilities.

At Council meeting, there will be a maximum question time period of 30 minutes. A period of two minutes will be allowed for each Councillor wishing to ask a question. The Mayor will have the discretion to vary this requirement where they consider it appropriate.

This page is intentionally left blank

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Council**
held on Wednesday, 18th October, 2023 in
The Assembly Room - Town Hall, Macclesfield SK10 1EA

PRESENT

Councillor R Fletcher (Mayor/Chair)

Councillor M Houston (Deputy Mayor/Vice-Chair)

Councillors S Adams, L Anderson, M Beanland, S Bennett-Wake, J Bird, L Braithwaite, J Bratherton, M Brooks, D Brown, C Browne, L Buchanan, C Bulman, A Burton, C Chapman, D Clark, J Clowes, P Coan, A Coiley, N Cook, S Corcoran, L Crane, A Critchley, T Dean, S Edgar, D Edwardes, K Edwards, M Edwards, H Faddes, A Farrall, A Gage, E Gilman, M Goldsmith, M Gorman, E Hall, A Harrison, G Hayes, A Heler, C Hilliard, S Holland, D Jefferay, R Kain, A Kolker, N Mannion, G Marshall, A Moran, R Moreton, H Moss, M Muldoon, C Naismith, K Hague, J Pearson, J Place, B Posnett, J Pratt, J Priest, P Redstone, J Rhodes, J Saunders, H Seddon, M Simon, L Smetham, G Smith, L Smith, J Snowball, R Vernon, M Warren and H Whitaker

34 APOLOGIES FOR ABSENCE

Apologies were received from Councillors R Bailey, R Chadwick, B Drake, S Gardiner, T Jackson, C O'Leary, B Puddicombe, M Sewart, John Smith, Julie Smith, L Wardlaw, F Wilson and J Wray.

35 DECLARATIONS OF INTEREST

Item 13 – Appointment of the Interim Chief Executive: Mr D Parr and Mr D Brown declared an interest and would leave the chamber during consideration of the matter.

36 MINUTES OF PREVIOUS MEETING**RESOLVED:**

That the minutes of the meeting held on 19 July 2023 be approved as a correct record.

37 MAYOR'S ANNOUNCEMENTS

The Mayor, in summary

- 1 stated he was grateful to his Chaplain - Rev Fox, for his reflections, before the meeting, on the ongoing conflict in the Middle East and

that that his thoughts went out to all those affected by this and other conflicts around the world.

- 2 reported that he had attended the funeral of Honorary Alderman and Freeman John Michael Bedson, who died in August.
- 3 asked all present to stand in a minutes silence in memory of those who had lost their lives in the conflicts around the world and in memory of Honorary Alderman Bedson.
- 2 reported that his Civic Service would be held on 5 November at 3 pm in the Wesley Place Methodist Church in Alsager, and encouraged all to attend.
- 3 reported that he had presented over 400 medals and certificates to the young people who had taken part in the Council's "Summer Reading Challenge", and commended the Library Service for running the scheme which encouraged young people to read and join their local library.
- 4 reported that he had met with staff from the End-of-Life Partnership, one of his Mayoral Charities, to learn about the work they do.
- 5 referred to the item 13 on the agenda - the Appointment of interim Chief Executive, and reported that the preferred candidate - Mr David Parr OBE, was in attendance at the meeting and that there would be an opportunity for Members to meet with him later in the day.

38 PUBLIC SPEAKING TIME/OPEN SESSION

Susan Munro, Chair of Elizabeth's Group, stated that Moody Hall was a Grade 2 listed building in the centre of Congleton and was once owned by Elizabeth Wolstenholme Elmy and housed her pioneering School for Girls. The Hall was of historical interest to the women's movement nationally and internationally, as well as to the Congleton community. The gardens at the rear of Moody Hall contained a collection of ancient trees, two of which had preservation orders on them. She stated that she had been campaigning and asking questions about the building since early 2018, when it first came to her notice that the building was empty and open at the rear, which meant that vandals and thieves had gained easy access. Several fires had taken place and some squatters lived there for a few months. She asked that Cheshire East Council put a compulsory purchase order on the property as there were several interested people who wanted to turn it into a community hub and asked what was Cheshire East Council going to do to protect Moody Hall?

In response Cllr M Warren, Chair of Environment and Communities Committee, stated that it was sad to see the historic building in such a poor state of repair. The property was not owned by Cheshire East Council

and, therefore, the Council was limited in its powers to protect it. The Council had previously taken steps to secure the ground floor of the property, including access from the adjoining car park. Following the recent fire, the Council had served an Urgent Works Notice seeking to make access from Moody Street more secure. These works had yet to be put in place and there had been further discussions with the current owner as to their plans to implement previously approved residential planning permission which would secure the long-term future of the building. There had also been a meeting with the Town Council to explain the current situation and officers were regularly visiting the site. They had also been in discussion with the fire service and Cheshire Police. Officers continued to seek the most effective solution for securing the building.

Andrew Wood stated that his question was about the planning department at Cheshire East. He had wished to try and sell a farm building and turn it into a house. He had contacted the Council for advice but could not find any help. He asked why the planning department was not helping the public with advice and form completion to help with planning for converting buildings, garages, and redundant farm building into residential properties as there was a need for housing and there would also be income for the Council from council tax.

In response Cllr M Warren, Chair of Environment and Communities Committee stated that Cheshire East had suffered, like many local authorities, with a lack of resources within its planning department which had affected the normal levels of customer service, particularly in providing pre application support which had been suspended for all but the largest schemes. A review of the service had identified a number of areas where improvement could be made, which included how customers' needs could be best met. A review of the pre-application process was part of the overall review, as was a Service restructure which would seek to include support officer roles which would provide the right level of service for all customers.

Robert Douglas spoke on fly-tipping and referred to the league table published by the Department of Environment, Food and Rural Affairs of councils detailing the number of fly-tipping incidents and fixed penalty notices issued for the year to March 2022. He noted that Cheshire East had 4,456 fly-tipping incidents and had issued just 22 fixed penalties - less than one penalty for every two hundred incidents. He noted that whilst the number of fly-tipping incidents in Cheshire East fell by about 9% in the year to March 2023, the average cost of each incident increased by about 14% - meaning that fly-tipping was now annually costing the Council £239,400. He asked why the Council's record of issuing fixed penalty notices in respect of fly-tipping was so dismal in the year to March 2022? He asked whether there had been a substantial improvement in the percentage of fixed penalty notices issued in the year to March 2023 compared to that of the previous year? He also asked whether numerous cameras would be installed to catch these criminals, and what other actions were being taken to increase the number of fixed penalties?

In response Cllr M Warren, Chair of Environment and Communities Committee, stated that the Council's Community Enforcement service consisted of 6 Community Enforcement Officers who covered the entire Cheshire East borough. The team dealt with a variety of environmental enforcement issues, including abandoned vehicles, promoting responsible dog ownership, and fly tipping. Due to the size of the team and competing priorities it was not possible for the team to attend each fly tip incident before it was cleared. The team only formally investigated fly tipping incidents where there was clear evidence of a crime. For those incidents which were attended, it was not uncommon for perpetrators to take measures to ensure there was no traceable evidence contained within the fly tipped material. Cllr Warren reported that the number of Fixed Penalty Notices issued specifically for fly tipping in the year to March 2023 was 23. There were no plans to install cameras as a method of deterring or enforcing against fly tipping at this stage. A further two Community Enforcement officers were being recruited. These extra resources would assist with tackling all environment and waste related issues. Partnership working was also ongoing with two Town Councils - Crewe and Macclesfield, who directly funded a Community Enforcement Officer each to tackle issues within specific geographical areas of concern.

Charlotte Peters Rock asked why the Council had not moved a current employee up the pay scale as a temporary measure to cover for the Chief Executive instead of spending an outlay of a minimum base rate of £1,380 per day for three days a week stand-in? She felt that the proposal to raise the base rate paid to the next Chief Executive by another ten to thirty thousand, up to a total outlay of £250,000, was another cost pulling away vital rights from service users. She stated that the Council's Adults and Health Committee was letting down service users by closing the Stanley Centre in Knutsford and instead should be organising viable ways to take extra adult disabled attendees, possibly from Cheshire West and Chester, and of subletting the space during evenings and weekends to keep the facility open, or applying for National Lottery funding to be able to keep the place open for attendees. She felt the decision to remove the funding for the Stanley Centre was a predetermined decision, which ignored disability rights. The consultation results overwhelmingly showed that the purpose-built Stanley Centre was highly valued by its local attendees, their family and carers and the wider community, who all wished to see that vital provision remain. She felt that the consultations result being ignored was an absolute sham and a mockery of the adult learning disabled and their family carers and the community and that allowing one Committee to make such a closure without reference to the full Council was a disgrace.

39 LEADER'S AND DEPUTY LEADER'S ANNOUNCEMENTS

The Leader, in summary:

- 1 paid tribute to Dr Lorraine O'Donnell, who had started as the Chief Executive at Bradford Council, and stated that during her time at

Cheshire East Council she had brought stability to the Council – there had been no police investigations, dealt with a public interest report which recognised the significant improvements made since 2018, the accounts were up to date and the Council had a four year balanced budget and had moved to the committee system.

- 2 Highlighted the financial state of the Council and that the latest forecast was for a deficit of £12m due to increased demand on children's services and increased costs due to inflation. He reported that inflation last year was 10% but council tax only went up by 5%. The Council had been hit twice, with its own costs going up and secondly with more people needing Council services and this has reduced the Council's budget reserves.
- 3 encouraged residents to sign up to the garden waste system, which could be done via the Council's website: -
www.cheshireeast.gov.uk/gardenwaste
- 4 asked Councillors to look into the special education needs and disability provision before the next Council meeting to ensure that they were aware of the significant overspends of £14m a year which were being put in a negative reserve. This was a national problem and the County Councils Network had undertaken research which showed that spend was linked proportionally to deprivation.
- 5 reported that another Conversation with the Leader and Deputy Leader would be taking place, with questions to be submitted this week.
- 6 reminded all Councillors representing the Council at Remembrance Day events in November that wreaths could be obtained from Martin Smith, Registration and Civic Services Manager.

The Deputy Leader, in summary:

- 1 referred to the HS2 announcement of the cancellation of the northern part of the scheme and stated that this was a devastating blow, not only to Crewe and Cheshire East, but also to the wider region as well. He reported that the Prime Minister had given a promise that every penny that would have been spent on Phases 2a and 2b would be re-invested in new projects. He noted that the new network north plans failed to make any reference to Crewe, the Borough, or the transport aspirations of residents. The Council had written to ministers seeking an urgent meeting to discuss both compensation and appropriate funding for Cheshire East.
- 2 stated that the contracts for bus services funded by the Council were due to expire in March 2024 and reported that Councillors, as well as town and parish councils, had been invited to consider whether any

minor changes were required to these contracts and that the deadline for response was 18 October.

- 3 reported that the Enhanced Bus Partnership Forum would be taking place on 26 October. The Forum was intended to provide a platform to discuss issues and opportunities currently faced by the bus network across Cheshire East and would provide an opportunity to work collaboratively with the Council, user groups and commercial operators as well as making recommendations to the Partnership Board.
- 4 reported that 924 responses had been received on the consultation on the proposals to extend the Flexi Link demand responsive transport service. The consultation had run from 9 August to 30 September. The responses were being analysed and any recommendations would be considered at the meeting of the Highways and Transport Committee in March 2024.
- 5 reported on the progress of the latest highways schemes to improve cycling and walking in Cheshire East. The B5358 in Handforth was undergoing significant improvements including a new shared footway for pedestrians and cyclists, new drainage, improvements to pedestrian crossings, and the installation of additional traffic calming measures. The work was taking place in four phases and was due to last 10 weeks through to 1 December.

**40 RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE:
CHESHIRE AND MERSEYSIDE HEALTH AND CARE PARTNERSHIP**

Consideration was given to the Cheshire and Merseyside Health and Care Partnership Terms of Reference.

The matter had been deferred at the last meeting of Council due to ongoing discussions between the nine authorities of the Partnership to reach agreement and finalise the terms of reference. These discussions had been concluded and the terms of reference, as appended to the report, had been agreed by all nine authorities.

RESOLVED: That the Council

- 1 becomes a member of the Cheshire and Merseyside Health and Care Partnership.
- 2 adopts the terms of reference of the Cheshire and Merseyside Health and Care Partnership, as set out in the appendix to the report.
- 3 the Leader of the Council be nominated to be the Council's representative on the Cheshire and Merseyside Health and Care Partnership.

- 4 delegates authority to the Chief Executive to nominate an Executive Director/Director of Public Health to be a member of the Committee if they consider this appropriate.

41 RECOMMENDATION TO COUNCIL FROM CORPORATE POLICY COMMITTEE: FIRST FINANCIAL REVIEW 2023/24

Consideration was given to the report seeking approval of supplementary revenue estimates and a supplementary capital estimate.

A revised Appendix to the report was circulated at the meeting which contained four supplementary revenue estimates for approval and one supplementary capital estimate.

RESOLVED: That Council approve

- 1 supplementary revenue estimates over £1,000,000 in accordance with Financial Procedure Rules, as detailed in Appendix 1 to the report:
Afghan Integration Support - £1,231m
Early Years Supplementary Grant - £1,262m
Energy Bills Support Scheme Alternative Funding - £2,089m
Bus Services Improvement Plan+ - £1,188m
- 2 a supplementary capital estimates over £1,000,000 in accordance with Financial Procedure Rules as detailed in Appendix 1 to the report:
Active Travel Fund - £1,297,882

42 ANNUAL REPORT OF AUDIT AND GOVERNANCE COMMITTEE 2022/23

Cllr Michael Beanland, Chair of the Audit and Governance Committee, presented the Audit and Governance Committee Annual Report 2022/23 to Council.

The report provided details of the work undertaken by the Committee and the assurances received during that year.

The Annual Report was received and noted.

43 RECOMMENDATION FROM AUDIT AND GOVERNANCE COMMITTEE: RECRUITMENT OF CO-OPTED INDEPENDENT MEMBER

The Audit and Governance Committee had appointed a recruitment panel of three members to undertake the recruitment of the second co-opted independent member. The Panel, made up of Councillors M Beanland, K Edwards and P Redstone, had reviewed the applications and interviewed the candidates and recommended to Council that Mrs Jennifer

Clark be appointed as the co-opted independent member to the Audit and Governance Committee.

RESOLVED:

That Mrs Jennifer Clark be appointed as an independent member to the Audit and Governance Committee for a period of 4 years from the date of the Council meeting.

**44 RECOMMENDATION FROM CHILDREN AND FAMILIES COMMITTEE:
ANNUAL YOUTH JUSTICE PLAN**

Consideration was given to the Annual Youth Justice Plan 2023/24.

Local authorities had a statutory duty to submit an annual youth justice plan. Cheshire East had a shared service agreement for Youth Justice Services with the three other local authorities in the sub-region, with the governance arrangements for Youth Justice overseen by a pan Cheshire Partnership Management Board. The 2023/24 Youth Justice Plan had been drafted in partnership with Cheshire Police and other statutory partners and was approved by the Cheshire Youth Justice Management Board on 23 June 2023.

RESOLVED:

That the Cheshire Youth Justice Services Youth Justice Plan 2023/24 be adopted.

**45 RECOMMENDATION FROM APPOINTMENTS COMMITTEE:
AMENDMENT TO PAY POLICY STATEMENT**

The Appointments Committee at its meeting on 5 September 2023 had considered a report relating to the salary range for the appointment of the Chief Executive and had recommended to Council that the Pay Policy Statement 2023/24 be amended to include a pay band for the role of Chief Executive of £170,000 to £190,000.

It was reported at the meeting that the third paragraph of the minute extract on page 107 of the agenda pack contained an error and that the top end of the salary range proposed should read “£200k” and not “£220k.”

An amendment was proposed and seconded to amend the proposed salary range to ‘£160k to £190k’. Following debate, the amendment was put to the vote and declared lost.

Following debate on the substantive recommendation, this was put to the vote and declared carried.

RESOLVED:

That the Pay Policy Statement 2023/24 be amended to include a pay band for the role of Chief Executive of Cheshire East Council of £170,000 to £190,000.

46 APPOINTMENT OF AN INTERIM CHIEF EXECUTIVE

Having previously declared an interest, Mr David Parr and Mr David Brown left the Chamber for this item.

Consideration was given to a report relating to the appointment of an Interim Chief Executive (Head of Paid Service), and of an interim Electoral Registration Officer and Returning Officer until the appointment of a new Chief Executive.

The Mayor reported that he intended to take the two recommendations separately.

Appointment of Interim Chief Executive

The Appointments Committee had undertaken the recruitment and interview process for the post of interim Chief Executive and had unanimously agreed to recommend to Council that the preferred candidate - Mr David Parr OBE, be appointed as the Interim Chief Executive.

RESOLVED:

That Mr David Parr OBE be appointed as Cheshire East Council's Interim Chief Executive (Head of Paid Service) with effect from 18 October 2023.

Interim Electoral Registration Officer and Returning Officer

It was a statutory requirement for the Council to have an Electoral Registration Officer and a Returning Officer. It was common for the same person to carry out both responsibilities but not a requirement of the legislation. The duties of both office holders for electoral matters were personal responsibilities and separate from normal responsibilities in their employment by the Council. Once appointed the office holder was responsible to the Court for the proper carrying out of their duties.

Council was recommended to formally designate David Brown, Director of Governance and Compliance (Monitoring Officer) as the Council's interim Electoral Registration Officer and Returning Officer until the new permanent Chief Executive took up post.

RESOLVED:

That David Brown, Director of Governance and Compliance (Monitoring Officer) be appointed as the Council's interim Electoral Registration Officer

and Returning Officer pursuant to the Representation of the People Act 1983.

Mr Parr and Mr Brown returned to the Chamber. The political group leaders spoke to welcome Mr Parr as the Interim Chief Executive.

47 NOTICES OF MOTION

Consideration was given to the following Notice of Motion which had been submitted in accordance with the Council's Procedural Rules.

1 Two Pound Bus Fares

Proposed by Councillor A Gage and Seconded by Councillor H Moss

This Council asks the Director of Highways and Infrastructure to develop and launch a publicity strategy to locally promote the extension and usage of the £2 bus fare cap.

RESOLVED:

That the Motion be referred to the Highways and Transport Committee.

48 QUESTIONS

- 1 Cllr R Kain referred to the cancellation of HS2 and stated that the Council had already committed £11.2m to the cancelled project, of which, he was led to believe £8m had already been spent on remedial works. It was his opinion that the Council had no true understanding of its budget or deficit until compensation claims had been presented to central government. He asked if the Council would now suspend what he described as the discriminatory green bin and car parking charges to communities across the Borough where car parking is currently free, and which would have a devastating economic effect on towns that did not have the retail offer or facilities, such as permanently staffed police stations; ambulance stations or fire stations found in larger towns where charges were currently in force. He felt that these should be halted until an accurate assessment of the Council's projected finances could be ascertained.

In response Cllr S Corcoran, Leader of the Council, stated that he had spoken in his announcements about the challenging financial situation the Council faced which was largely due to circumstances out of its control, including additional demands on its services due to the cost-of-living crisis and higher than forecast inflation and interest rates. The announcement about HS2 had certainly not helped and therefore it seemed perverse to stop taking the actions that were known as necessary just because it was not known what

further problems the Government was going to cause. The Council would be arguing very strongly for compensation for all the costs that the Council had incurred in preparing for HS2 coming to Crewe, mainly development and design work. It was not remedial work. Cllr Corcoran noted that several councils had issued section 114 notices with government commissioners appointed who then closed libraries, increased charges and Council Tax. He did not want to see that happen at Cheshire East Council. The Council was going to be taking difficult decisions that were necessary and sadly, given that the national economy had been crushed and the ongoing uncertainty around government decisions, he feared that the Council may need to do even more to achieve a balanced budget next year.

Cllr C Browne, Deputy Leader of the Council, responded that it was clear that the Council needed to do everything it could to cut costs and to find innovative non-council tax ways of raising revenue, and this was simply not the time to stand still, close our eyes and hope for the best. Cllr Kain had described the proposals to introduce charging to areas where parking was currently free as discriminatory. Cllr Browne thought that those parts of the borough that have had to pay to park for many years, whilst others have had a free parking, could say that the current charging regime was discriminatory. The proposals did not advocate a 'one size fits all' approach and the proposals for most towns, including Alsager, included a mixture of lower, medium, and high tariff spaces reflecting existing customers levels in different car parks in each town. To suspend these proposals, particularly at a point midway through a public consultation would be irresponsible and incredibly confusing to both residents and businesses.

- 2 Cllr L Anderson congratulated the Council and councillors for moving away from paper agendas, as it was not only good for the environment but saved Cheshire East Council money. She reported that Wilmslow Town Council had also moved to no longer issuing paper agendas. She asked how much paper and trees had been saved and what savings had been made by not buying paper, printing the agendas, and posting the agenda papers out.

In response, Cllr S Corcoran, Chair of Corporate Policy Committee, reported that the Council had planted over 50,000 trees in the last few years on its land to try and tackle climate change. Last year the Council had felled approximately 168 trees of varying sizes and species. Often the trees felled were diseased or hollow, which made the wood unusable for high quality use and would not be commercially attractive to timber merchants. Often it was difficult to access felled trees in parks and open spaces, and these needed to be dismantled in small sections so as not to damage nearby property, paths etc. and this meant that the wood was often not large enough to be processed into products of any value. When

work was carried out by a contractor, the wood became theirs to dispose of. Cllr Corcoran undertook to provide a written answer on the number of trees saved by not using paper agendas and reported that in 2021/22 the Council spent approximately £33,500 on printing and posting agendas and approximately £32,000 in 22/23. All the paper used was PFC certified, recyclable, and sourced from sustainably managed forests and controlled sources. Cllr Corcoran thanked all Members who have gone digital.

- 3 Cllr C Naismith referred to the announcement at the Conservative Party conference last week that the Government was to perform a U-turn on the delivery of the northern leg of HS2 decision. He believed this represented a serious betrayal of the potential for Crewe and the wider area by the Government. Cllr Naismith requested a full debate about HS2 at the full Council meeting in December to include discussion of how the Council mitigated any impacts of the decision on jobs, investment and growth in Crewe and the wider local economy.

The Mayor confirmed that there would be an item on the agenda for the December meeting.

Cllr C Browne, Chair of Highways and Transport Committee, responded that the cancellation of HS2 was devastating for the town of Crewe and the estimated cost to the wider Cheshire and Warrington sub region was £2 billion of GBA annually, as well as 27,000 jobs. The HS2 Member Reference Group would be meeting to consider several key options at the Council's disposal. Cllr Brown suggested that the Member Reference Group, having originally been delegated authority by the Council, makes a series of recommendations back to full Council, which could be debated.

- 4 Cllr G Smith referred to the error made by the Department for Education officials in the school funding allocation for next year, leaving shortfalls in the school budgets of potentially tens of thousands of pounds. He asked how the Council could support heads, governors, teachers, support staff and parents in dealing with this gross incompetence and its potential impact on our schools.

In response Cllr S Corcoran, Leader of the Council, stated that he would write to the Education Secretary to ask that the Cheshire East schools have their budgets restored. He commented that Cheshire East schools were already some of the lowest funded in the country and this announcement would cause real difficulties, not just to school finance services, but also to children and teachers who would have to deal with the consequences.

Cllr C Bulman, Chair of Children and Families Committee, responded that the shortfall may not be restored and that there

would be consequences to the schools. She stated that it was £59 per secondary school pupil and £45 per primary school pupil less than schools had budgeting for and this would have consequences on things like staffing.

- 5 Cllr K Parkinson stated that she was finding the approach on how Members were committed to spending their member ward budgets inconsistent and, despite following the correct routes of inquiry, including MES, had not yet received a conclusive reply to how much of her budget she still had available. She had submitted her last inquiry on 11 August and asked if she had enough budget left to fund an assessment of double yellow lines in Pickmere following severe parking issues and related antisocial behaviour that the village had endured over three years. She stated that it had taken over a year for a fellow Member, in the south of the Borough, to achieve the same at a cost of £3500 - over half the budget available to a single member ward. She asked the Highways that provide an update of
- a) what works are deemed permissible for a ward member to commission.
 - b) The current prices of such works and
 - c) provide Members with an up-to-date account of their individual budgets spent together with the balance of monies available for future works.

Cllr C Browne, Chair of Highways and Transport Committee, responded that he also found himself in a similar position with a ward member budget request in his own ward. He undertook to ensure that a written response was provided to address the specific concerns.

- 6 Cllr H Moss referred to the £1.2m given by Government to improve bus services and asked for the David Lewis Centre on Mill Lane in Great Warford to be incorporated into a bus service route. This would enable hundreds of staff, who worked at one of the biggest employers within Cheshire East, to use public transport as an option to get to work.

In response Cllr C Browne, Chair of Highways and Transport Committee, stated that he was aware of the David Lewis requests having visited only a few months ago with the former Chief Executive and the Leader. Given the funding available there were likely to be quite limited opportunities to introduce new services as part of the re-tendering exercise about to be launched. If, however, there was a willingness to provide, or an ability to identify some private sector match funding, this would significantly assist in helping to find a solution. He referred to the inaugural meeting of the Enhanced Bus Partnership Forum taking place at Alderley Park Conference Centre next Thursday and stated that this would be an

excellent opportunity to raise this issue directly with the bus operators.

- 7 Cllr M Beanland referred to the no-assurance judgement given by the section 106 report done by Cheshire East Internal Audit team and asked if the Chairs of Environment and Communities Committee and the Finance Sub Committee would provide the Council with assurance that the timetable of deadlines to rectify the issues of the section 106 procedures were understood and would be met.

Cllr M Warren, Chair of the Environment and Communities Sub Committee, responded that there was a meeting scheduled for the coming Friday morning for the Chairs of the various committees to discuss this matter and a written response would be provided following this meeting.

- 8 Cllr H Whitaker referred to the proposed car parking charges that were imminent, and asked for a change in the way the public could respond to the consultation. She stated that at present members of the public were asked to either write in or e-mail in their comments regarding the consultation. She had received a number of complaints from residents to the effect that this felt quite obstructive and asked whether an online form could be provided by the Council where residents could simply click on a link and then complete the documentation and then click submit, as this would be easier than trying to find an email address and doing a separate e-mail.

In response Cllr C Browne, Chair of Highways and Transport Committee, stated that there may be difficulties in trying to change the process of the consultation midway through the consultation itself, and stated he would need to take legal advice on whether it was possible.

- 9 Cllr P Redstone referred to the green waste bin charge and that both the standard and small bin were proposed to be the same subscription with £56. He stated that the idea of the smaller bin was for small premises or people who are older or less mobile so that they could manoeuvre their bins with ease and asked why the charge was not reflecting of the level of service provided and why was there not a monthly service offered at a lower charge.

In response Cllr M Warren, Chair of Environment and Communities Committee, stated that it was the service for which residents were paying. The collection of the green waste, whether a full bin, full large bin or full small bin did not make the service any cheaper, as there was still a requirement to have the vehicles, the staff and the backroom working to provide that service. Cllr Warren undertook to provide a written response to the second part of Cllr Redstone's question.

- 10 Cllr A Farrell stated that it had been reported that the Government's promise to halve inflation by the end of the year was off track. He asked what the Council could do, perhaps in conjunction with other neighbouring councils and our MPs, to request appropriate support packages from the Government to plug the financial economic hole.

In response Cllr S Corcoran stated that the Government had given the Council some grants, which had been referred to earlier in the meeting, but these were ring fenced for specific purposes. He referred to the £46m in a negative reserve for special education needs and that the Council had been allocated £1,000,000 to assist with this negative reserve through the Government's Delivering Better Value programme. He stated that all Councils were under severe financial pressure because of the increasing inflation, increase in interest rates and the increasing demands on services. The Local Government Association and the County Council's Network were to petition Government and to put the case forward for more funding for local authorities. The number of councils issuing Section 114 notices was expected to increase – it was a national problem and the Government needed to address it. The Council would be looking at its own resources and this was why it was taking difficult decision around raising extra income and, in some cases, reducing services.

- 11 Cllr G Marshall referred to the garden waste recycling scheme and asked if any figures were available on residents' take up of the scheme so far.

Cllr M Warren, Chair of Environment and Communities Committee, responded that so far 11,387 people had subscribed to the scheme, which was encouraging since scheme had only been open a couple of weeks.

Cllr A Moran stated that 9500 people had paid the £56 fee, which accrued to £532,000.

- 12 Cllr A Gage referred to the Leader's remark that garden waste scheme was a great service and easy to sign up to and stated that this was not the experience of a resident in Rope who had contacted him to express their difficulty. The resident did not have a computer, and they were hard of hearing and could not sign up via the available means. Cllr Gage reported that he tested the user experience himself and had rung the hotline on the resident's behalf - 17 minutes later an operator asked if they could ring him back because they would need to speak with a supervisor on the issue. An hour later he had been advised that the resident could visit Delamere House in person to sign up or they could give cash to him in the understanding that he would sign them up. Cllr Gage had met the resident in person and having watched them come down the

stairs with great difficulty and reasoned that visiting Delamere House was not viable option. He had told the resident that he would be happy to them sign up, if need be, but this practice was less than ideal in a wider sense. The resident had noted that they could probably find a neighbour to do this for them, but they wished to stay independent. Cllr Gage asked the Chair of the Environment Committee if they would commit to providing further sign-up options, including the consideration of paper options.

In response Cllr M Warren, Chair of Environment and Communities Committee, stated that he was happy to find some kind of resolution for those people that might not be able to use the current sign-up options.

- 13 Cllr J Place asked how widely the Enhanced Bus Partnership Forum event was going to be advertised.

Cllr C Browne, Chair of Highways and Transport Committee, responded that he understood that it was a public event open to members of the Council and members of the public. He anticipated that following his announcement earlier in this meeting that there would be a press release going out this week for the advance notice of the event taking place.

The meeting commenced at 11.00 am and concluded at 1.44 pm

Councillor R Fletcher (Chair)

COUNCIL MEETING – 13TH DECEMBER 2023**APPOINTMENT OF CHIEF EXECUTIVE****RECOMMENDATION**

That

- 1. The preferred candidate, Rob Polkinghorne, be appointed as the Chief Executive**
 - 2. The salary of £180,000, with the option for Council to increase in line with the pay scale agreed by Council, be approved**
 - 3. That the preferred candidate, Rob Polkinghorne, be appointed as the Electoral Registration Officer and Returning Officer**
-

Extract from the minutes of the Appointments Committee meeting on 27th November 2023

23 RECRUITMENT AND SELECTION FOR POST OF CHIEF EXECUTIVE

The Committee considered the feedback from the interview process for the position of Chief Executive and recommended a candidate for appointment.

RESOLVED (unanimously):

1. That the preferred candidate, Rob Polkinghorne, be recommended to Council for appointment as the Chief Executive
2. That the salary of £180,000, with the option for Council to increase in line with the pay scale agreed by Council, be recommended to Council for approval
3. That the preferred candidate, Rob Polkinghorne, be recommended to Council for appointment as the Electoral Registration Officer and Returning Officer

NOTE

Rob Polkinghorne began his career in local government in 1996. He held various roles focusing on regeneration and environmental projects, subsequently transitioning to strategic planning, policy formulation, performance management, and organisational transformation. Rob has worked in unitary, county, borough, and district councils, covering both urban and rural areas.

Beyond local government, he assumed leadership roles in the Fire and Rescue Service and the NHS before securing the post of Chief Operating Officer at Aberdeen City Council and then becoming Chief Executive at Southend City Council.

Appointments Committee

27 November 2023

Recruitment and Selection for post of Chief Executive

Report of: Alex Thompson, Director of Finance and Customer Services

Report Reference No: AP/04/23-24

Ward(s) Affected: All

Purpose of Report

- 1 To provide details of the assessment arrangements for shortlisted candidates as part of the recruitment and selection process for the appointment of the Chief Executive and Returning Officer. To agree the recommendation that Full Council approves the appointment of the preferred candidate as a spot salary of £[tbc].

Executive Summary

- 2 Following the resignation of Dr Lorraine O'Donnell from the post of Chief Executive, the Appointments Committee was convened to:
 - Undertake the recruitment and selection process, for a replacement Chief Executive, in accordance with the Employment Procedure Rules.
 - Recommend appropriate changes to the Council's Pay Policy Statement that supports the appointment process.
 - Recommend the proposed appointment to Council, alongside the recommended annual spot salary, before an offer of appointment is made to that person.
 - Note that the Appointments Committee may make recommendations to Council for interim arrangements for the role of Chief Executive if required.
- 3 The Appointments Committee has been undertaking these tasks through a mixture of informal and formal meetings with the support from Cheshire East

officers and Faerfield, Cheshire East Council's procured executive search partner.

- 4 The Pay Policy Statement has been amended by Full Council on the recommendation of the Appointments Committee so that the salary range for the post of Chief Executive is £170,000 to £190,000.
- 5 David Parr OBE has been appointed to the post of Interim Chief Executive which was approved by Full Council.
- 6 The permanent post of Chief Executive has been advertised with 14 applications received. Eight of which were long-listed for a technical interview from which four were invited for further assessment and a formal interview with the Appointments Committee.
- 7 [name to be inserted] is the candidate recommended to Full Council for appointment to the post of Chief Executive.

RECOMMENDATIONS

The Appointments Committee recommends that Council:

1. Note the recruitment and selection process completed by the Committee to provide a suitable candidate for the permanent role of Chief Executive.
2. Approve the appointment of the preferred candidate, [name to be inserted], at a spot salary of £[tbc].
3. In addition, agree to the appointment of [name to be inserted] as the Electoral Registration Officer and Returning Officer.

Background

- 8 On 19 July 2023, Full Council were asked to note the resignation of Dr Lorraine O'Donnell from the post of Chief Executive. Council was also asked to note that the Appointments Committee would:

Recommendation 2.1: Convene to undertake the recruitment and selection process, for a replacement Chief Executive, in accordance with the Employment Procedure Rules.

Recommendation 2.2: Recommend appropriate changes to the Council's Pay Policy Statement that supports the appointment process.

Recommendation 2.3: Recommend the proposed appointment to Council, alongside the recommended annual spot salary, before an offer of appointment is made to that person.

Recommendation 3: Note that the Appointments Committee may make recommendations to Council for interim arrangements for the role of Chief Executive if required.

- 9 The Appointments Committee has been undertaking these tasks through a mixture of informal and formal meetings.
- 10 Following a compliant procurement exercise, the Appointments Committee appointed Faerfield Limited as the executive search agency to support the recruitment and selection process in accordance with recommendation 2.1.
- 11 The Committee recommended changes to the pay Policy Statement in accordance with recommendation 2.2. Full Council agreed these changes on 18 October 2023 and amended the Pay Policy Statement so that the salary range for the post of Chief Executive is £170,000 to £190,000.
- 12 The Committee recommended the appointment of David Parr OBE as Interim Chief Executive in accordance with recommendation 3. Full Council agreed the appointment on 18 October 2023.
- 13 The job advertisement for the permanent Chief Executive role was published on 21 September 2023 and closed on Friday, 13 October 2023. Faerfield, executive search partner, recommended appropriate extensions to support the Committee in having a wide choice of candidates.
- 14 There were 14 applications received, of which eight were longlisted for a technical assessment during the week commencing 30 October 2023. The technical assessment was undertaken by Faerfield with David Parr, Interim Chief Executive, as the technical expert.
- 15 On 6 November 2023, following the technical assessments, the Appointments Committee received feedback on each of the longlisted candidates from Faerfield and David Parr on their technical ability and potential suitability for the post of Chief Executive. This information enabled the Appointments Committee to shortlist candidates for further assessment and formal interview on 27 November 2023.
- 16 Following careful consideration of the feedback, four candidates were shortlisted for further assessment and formal interview on 27 November 2023.
- 17 [name to be inserted] is the candidate recommended to Full Council for appointment and a short briefing on this candidate is provided at Appendix 1.

Selection Process for the Shortlisted Candidates

- 18 The framework for the further assessment and formal interview arrangements for 27 November 2023 can be found in Appendix 2.

Electoral Matters

- 19 It is a statutory requirement that each local authority has an Electoral Registration Officer, pursuant to Section 8 of the Representation of the People Act 1983; and a Returning Officer, pursuant to Section 35 of the 1983 Act. It is common to appoint the same person to carry out both responsibilities, but this is not a requirement of the legislation.
- 20 David Brown, Director of Governance and Compliance (Monitoring Officer) is currently the interim Electoral Registration Officer and Returning Officer.
- 21 The Appointments Committee recommends to Full Council that [preferred candidate] is designated at the Council's Electoral Registration Officer and Returning Officer.
- 22 Under this designation, the Returning Officer will be responsible for the proper conduct of all Borough and Parish elections for the wards and parishes of the Borough of Cheshire East. The holder of this office also acts as the Acting Returning Officer for Parliamentary Elections and the Local Counting Officer for other elections or referenda held within the Borough. This approach enables the Interim Chief Executive to concentrate on other priority issues for the organisation during their tenure.
- 23 The duties of both office holders for electoral matter are personal responsibilities and separate to their normal responsibilities in their employment by the Council. Once appointed, the office holder is responsible to the Council for the proper carrying out of their duties.
- 24 The person designated as Electoral Registration Officer has a duty to maintain a register of parliamentary and local government electors and to take certain steps for the purpose of complying with that duty.

Consultation and Engagement

- 25 Not applicable.

Reasons for Recommendations

- 26 In accordance with the Constitution, the Appointments Committee is required to undertake the recruitment and selection process for Chief Executive (and Head of Paid Service) in accordance with the Employment Procedure Rules.

27 The recommendations confirm that the Committee has now fulfilled all the relevant requirements approved by Full Council at its meeting of 19th July 2023.

Other Options Considered

28 Not applicable.

Implications and Comments

Monitoring Officer/Legal

29 The appointment of the Head of Paid Service is a matter for Full Council, on the recommendation of the Appointments Committee. Under section 4 of the Local Government and Housing Act 1989 every local authority must designate one of its officers to be the Head of Paid Service.

Section 151 Officer/Finance

30 The salary for the Chief Executive is managed within existing Corporate Services budgets. The costs of the recruitment exercise is covered within the HR supplies and services budget. The costs are contained within the current Medium Term Financial Strategy.

Policy

31 The recruitment to the post of Chief Executive is key to the Council fulfilling all of its Corporate Plan commitments, and the leadership provided by this post will be central to ensuring that staff are able to deliver on members' priorities and meet the Council's financial commitments set out in the Medium Term Financial Plan.

Equality, Diversity and Inclusion

32 There are no direct equality implications.

33 All equality considerations will be taken into account as part of the recruitment process for the Chief Executive recruitment process.

Human Resources

34 All actions have been undertaken in accordance with the Constitution and appropriate HR policies and procedures.

Rural Communities

35 There are no direct implications for rural communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

36 There are no direct implications for Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (Send)

Public Health

37 There are no direct implications for public health.

Climate Change

38 There are no direct implications for climate change.

Access to Information	
Contact Officer:	Sara Barker, Head of Human Resources sara.barker@cheshireeast.gov.uk
Appendices:	Appendix 1 – Summary of career history in respect of the preferred candidate. Appendix 2 – Framework for Assessment and Formal interview
Background Papers:	None

Appendix 1

Summary of Preferred Candidate (TBC)

Further Assessment Activities for Shortlisted Candidates

Activity	When	Comments
Psychometric assessment	w/c 6 November to allow for feedback to the candidates and appointments committee	Psychometric questionnaires
Leader and Deputy Leader session	Prior to 27 November 2023 (Teams/in person)	Discussion Session with individual candidates
Partners session	Prior to 27 November 2023 (Teams)	<p>Facilitated discussion / interview with partner focus. Suggested make-up of panel (subject to availability):</p> <ul style="list-style-type: none"> • NHS • LEP • Fire Authority • Chamber of Commerce • CVSCE • Active Cheshire • Health Watch Cheshire <p>Open discussion with feedback to Appointments Committee.</p>

Employees panel	On 27 November 2023 (in person)	Format: Structured conversation Representatives from the Champions group Discussion Topic: Considering our commitment within the Employee Deal, how would you, as Chief Executive, motivate and inspire the workforce?
Conversation with Interim Chief Executive	Prior to 27 November 2023 (Teams)	Informal meeting/conversation - 'Working for Cheshire East Council'
CLT panel	On 27 November 2023 (in person)	Representatives from Corporate Leadership Team Open discussion with feedback to Appointments Committee.
Meet members	Prior to 27 November 2023 (Teams)	Group of 'non Appointment Committee' members. Cllr Laura Crane Cllr Liz Braithwaite (other Councillors tbc) Open discussion with feedback to Appointments Committee.

Appointments Committee	On 27 November 2023 (in person)	<p>Format:</p> <p>Formal, structured interview and presentation.</p> <p>Topic for presentation:</p> <p>Under your leadership as Chief Executive, what would be your priorities for the first six months? What would you hope to have achieved after three years and then five years?</p> <p>(Maximum of 10 minutes followed by questions of clarification from the interview panel)</p>
------------------------	--	---

Full Council Minute Extract – 19 July 2023**25 RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE: ANNUAL REVIEW OF THE COMMITTEE SYSTEM**

Consideration was given to a report on the annual review of the committee system. The report made recommendations for changes to the Constitution and recommendations for Council to consider as improvements to the future functionality of the committee system.

The recommendations as set out in the report were proposed and seconded.

During the debate, an amendment was proposed and seconded which sought to defer consideration of recommendation 3 in the report to allow further consultation to take place, including with the Planning Committee Chairs, to fully understand the risks and be brought forward in a further report which would address all relevant issues to the December meeting of Council. This amendment was carried and therefore became part of the substantive proposition.

RESOLVED:

That Council

1. Approve the amendments to the Constitution as attached at Appendix 1 to the report to the Corporate Policy Committee
2. Agree that the Public Rights of Way Sub-Committee functions be incorporated into the functions of the Highways and Transport Committee as shown in Appendix 2
- 3. Agree to defer consideration of the realignment of the Planning Committees from 3 to 2 to the December meeting of Council to allow further consultation to take place, including with the Planning Committee Chairs, to fully understand the risks**
4. Delegate to the Monitoring Officer, the power to make such consequential changes to the Council's Constitution as he deems necessary to give effect to the wishes of Council
5. Note the savings in relation to venues for meetings and printing and postage of agendas

This page is intentionally left blank

COUNCIL MEETING – 19TH JULY 2023

ANNUAL REVIEW OF THE COMMITTEE SYSTEM

RECOMMENDATION

That Council

- 1. approve the amendments to the Constitution as attached at Appendix 1 to the report to the Corporate Policy Committee;**
- 2. agree that the Public Rights of Way Sub-Committee functions be incorporated into the functions of the Highways and Transport Committee as shown in Appendix 2;**
- 3. agree to realign the Planning Committees from 3 to 2, with responsibilities as set out in Appendix 2;**
- 4. delegate to the Monitoring Officer, the power to make such consequential changes to the Council's Constitution as he deems necessary to give effect to the wishes of Council; and**
- 5. note the savings in relation to venues for meetings and printing and postage of agendas.**

Extract from the Minutes of the Corporate Policy Committee meeting on 15 June 2023

8 ANNUAL REVIEW OF THE COMMITTEE SYSTEM

The Committee considered a report which made recommendations for changes to the Constitution in relation to the rules of debate and notices of motion, and recommendations for Council to consider as improvements to the future functionality of the committee system. The report had been considered by the previous Constitution Working Group.

Councillor B Puddicombe, Chair of the Strategic Planning Board, and Councillor F Wilson, Vice-Chair of the Northern Planning Committee, spoke as visiting members in relation to the proposed changes to the planning committees, stating that in their view the case for the proposed changes had not been made.

Jane Gowing, Interim Director of Planning and Peter Hooley, Planning and Enforcement Manager attended the meeting for this item and responded to members' questions regarding the proposed changes to the planning committees. They advised that the proposed changes would achieve savings in officer time and administration.

RESOLVED (by majority)

That Council be recommended to

1. approve the amendments to the Constitution as attached at Appendix 1 to the report;
2. agree that the Public Rights of Way Sub-Committee functions be incorporated into the functions of the Highways and Transport Committee as shown in Appendix 2;
3. agree to realign the Planning Committees from 3 to 2, with responsibilities as set out in Appendix 2;
4. delegate to the Monitoring Officer, the power to make such consequential changes to the Council's Constitution as he deems necessary to give effect to the wishes of Council; and
5. note the savings in relation to venues for meetings and printing and postage of agendas.

Corporate Policy Committee

15 June 2023

Annual Review of the Committee System and Medium-Term Financial Strategy Savings

Report of: David Brown – Director of Governance and Compliance

Report Reference No: CP/5/23-24

Ward(s) Affected: All

Purpose of Report

- 1 This report makes recommendations for changes to the Constitution and recommendations for Council to consider as improvements to the future functionality of the committee system.
- 2 To note the Medium-Term Financial Strategy savings, in relation to printing and postage of agendas and venues for meetings.

Executive Summary

- 3 By the time Council considers this report, the committee system of governance will have been in place for two municipal years. No changes to the Council's governance arrangements were implemented following the first year of its operation but the experience of the two years of its operation now presents an opportunity to bring improvements and efficiencies to the Council's decision-making arrangements.
- 4 The change in the Council's governance arrangements took place on 4 May 2021. Improvements and alignments of internal and external policies, procedures, internal and external protocols will be reflected in continuing governance and constitutional improvements as a journey of learning and development. This journey is similar to continuous improvement which took place under the Cabinet system, and the description used during the 2018 review that the Constitution was a 'living document' remains apt.

- 5 The policy parameters relating to the adoption of the committee system were set by Council on [19 November 2020](#). The approach to those parameters reflected the design principles agreed in Appendix G of the 19 November 2020 report. A summary review of the agreed design principles, against delivery, is set out below. The ability of the Council to make timely, lawful decisions during the period of change of governance to a committee system has been achieved.
 - **Openness:** Virtually all Members are engaged in the committee process either by membership of a service committee or in an oversight function. Proportional committees allow decisions to benefit from input from most political groups.
 - **Quick Decision Making:** The committee cycle is two-monthly. As will be seen from the content of this report, there is now an opportunity to streamline the Council's decision-making structure, which will produce more efficient decision-making arrangements.
 - **Affordability:** The cost of a committee system will be kept to a minimum by providing value for money and an efficient decision-making process. If the recommendations of this report are agreed by Council, the cost of the Council's decision-making arrangements will reduce.
 - **Legal Requirements:** The Council must comply with all legal requirements, and legal advice will be available to all meetings.
 - **A Modern Committee System:** The system provides for equivalent public engagement to that which previously applied.
- 6 In light of the continuous need for improvement and current budget constraints, it is necessary to review the decision-making structure, and terms of reference of the Council's Committees to ensure that these still meet the design principles, particularly in relation to affordability. This proposal would contribute to the budget efficiency saving in the MTFS which was agreed by Council In February 2023. This is an expected part of a process aimed at establishing whether current arrangements are fit for purpose, when measured against the original policy parameters, and it is timely to do so with the benefit of two years' experience of the Council's decision-making arrangements.
- 7 This report has been considered by the previous Constitution Working Group and is divided into two parts. Part 1 makes recommendations for changes to the Constitution attached (Appendix 1). Part 2 (Appendix 2) set out the proposed changes to the committee structure.

- 8 It should be noted that due to the impending restructure of senior management, the Monitoring Officer will also be required to make any consequential amendments to the Constitution as he deems necessary to reflect the wishes of the Council.

RECOMMENDATIONS

That Council be recommended to:

1. Approve the amendments to the Constitution, attached at Appendix 1.
2. Agree that the Public Rights of Way Sub-Committee functions be incorporated into the functions of the Highways and Transport Committee, as shown in Appendix 2.
3. Agree to realign the Planning Committees from 3 to 2, with responsibilities as set out in Appendix 2.
4. Delegate to the Monitoring Officer, the power to make such consequential changes to the Council's Constitution as he deems necessary to give effect to the wishes of Council.
5. Note the savings in relation to venues for meetings and printing and postage of agendas.

Background

- 9 Since the introduction of the committee system form of governance on 4 May 2021, its operation has been kept under review by the Constitution Working Group, and the Corporate Policy Committee.
- 10 On [22 June 2021](#), following review, Council approved revisions to the following parts of the Constitution: the Introduction, Summary and Explanation in Chapter 1, the Responsibilities for Functions in Chapter 2, the Procedural Rules in Chapter 3 and the Member Allowances Scheme in Chapter 5. Amendments were made to the Constitution to

reflect the management structure of the Council. Delegated authority was given to the Monitoring Officer to make consequential amendments to the Constitution to give effect to the new management structure.

- 11 On [15 December 2021](#) Council considered an Interim Review of the Committee System and approved a revised consolidated text for the Constitution.
- 12 On [27 April 2022](#), Council gave consideration to the first Annual Review of the Committee System and approved revised text to the Constitution. Council agreed that a further annual review would be considered in 2023.
- 13 **PART 1 Recommended changes to the Constitution**
- 14 Since the first Annual Review of the Committee System report, the Constitution Working Group has met on four occasions. The Working Group has focussed upon, and recommends as follows:
 - Public and Member Questions at Council and Committee Meetings - Whilst acknowledging that improvements could be made to the rules, the Working Group's view was that no changes should be made to them at this time, rather operation of the Rules should be allowed a further year to "bed-in".
 - Rules of Debate and Notices of Motion proposed changes attached at Appendix 1.
 - Following the Corporate Policy Committee meeting on 10 February 2022, the Working Group gave consideration to the question of whether some formal meetings should be "twilight" or evening meetings and to the introduction of a standard commencement time of 10.00 am for all morning meetings of formal bodies. It was agreed that a standard commencement time of 10.00 am for all morning meetings of formal bodies be introduced and that following the elections in May 2023, a survey should be circulated to all Members of the Council, about the potential introduction of twilight/evening meetings. This was ratified by Corporate Policy Committee on 23 March 2023.
- 15 **PART 2 - Proposed future changes to the Constitution.**
- 16 The Constitution Working Group will continue to review and make recommendations upon further constitutional changes. Proposed future work of the Constitution Working Group includes:
 - Financial scheme of delegation
 - Conflicts of Interest

- Officer scheme of delegation
- Improvements to the Scrutiny function to ensure it aligns with the decision-making structure of the Council, meeting legal requirements and needs of residents and partners.
- Improvements to self-scrutiny of the service committees.
- Review of the committee structure.

17 Public Rights of Way Sub Committee

- 18 Members are asked to consider the inclusion of the functions of the Public Rights of Way Sub Committee, within the functions of the Highways and Transport Committee.
- 19 The Financial Implications section of this report details the Special Responsibility Allowance which applies to the Chair of the Public Rights of Way Sub Committee, together with other meeting-related costs.
- 20 During the period between May 2021 and May 2023, the Sub Committee was scheduled to meet on eight occasions. Of the eight scheduled meetings, two were cancelled. During this period, 30 reports were presented to the Sub Committee, 13 of which being reports for information or “noting”. If reports for information or noting had been circulated to Members electronically, there would have been only 17 reports for formal decision during the two-year period. If an assumption can be made that the pattern above will continue, the Highways and Transport Committee could take-on the responsibilities of the Public Rights of Way Sub Committee, as detailed in Appendix 2 to the report.

21 Planning Committees

- 22 The Council currently has three committees which discharge planning functions, primarily relating to determining planning applications. There are two “area committees” (Northern and Southern Planning Committees), which both have the same functions and responsibilities, but which generally deal with planning matters on a broadly geographical basis. There is also a Strategic Planning Board, which deals with planning proposals relating to major developments. In addition, the Environment and Communities Committee also has responsibility, in summary, for the development and delivery of matters relating to strategic planning policy and the oversight, scrutiny and performance and other monitoring of the planning service.
- 23 The financial implications section of this report details the Special Responsibility Allowance which applies to the Chairs of the Planning Committees, together with other meeting-related costs.

- 24 Having three planning committees' places great demand upon the planning officers and support officers who service them. Merging the functions of the planning committees would release officer resource, which would allow officers more time to focus on delivering the various demands within the service, as well supporting the implementation Planning Modernisation Plan agreed by Members.
- 25 There would also be a benefit in terms of potential conflicts of interest and overlaps between the planning committees and service committees. With three service committees, having a total membership of 39 members, and three planning committees, with a total membership of 36 members, there may be overlaps and conflicts. Such conflicts could occur if a member of a planning committee has taken part in the determination of a planning matter, and where there is subsequently a related item on the agenda of a service committee, or vice versa. Merging the committees would proportionately reduce the potential number of conflicts.
- 26 This report recommends a reduction in the number of planning committees from 3 to 2, retaining the two area committees, which would also deal with planning proposals relating to major developments in their areas and other matters currently covered by the Strategic Planning Board. This proposal would result in the dissolution of the Strategic Planning Board. The relevant service committee (the Environment and Communities Committee), would oversee the development and delivery of planning policy, including the Local Plan, and the performance of the Planning service as it currently does in order to ensure timely and consistent decision-making at the most appropriate level. The detail is shown in Appendix 2.
- 27 **Further Savings**
- 28 Further efficiency savings of £40,000-£50,000 can be delivered through reductions in print and postage by not routinely printing committee agenda packs, using internal venues and pursuing other efficiencies. All Members have been provided with new laptops to facilitate a digital approach.

Consultation and Engagement

- 29 Throughout the year, feedback from Members has been considered by the Constitution Working Group, as it has arisen.
- 30 The consultation on the 2023/2024 budget and MTFS had a high degree of public support for reducing the costs of democracy.

Reasons for Recommendations

- 31 To ensure that the committee system remains fit for purpose, meeting the requirements of Cheshire East Council, partners, and residents.
- 32 To meet the savings identified in the Medium-Term Financial Strategy.
- 33 It is best practice to regularly review the Council's Constitution.

Other Options Considered

Option	Impact	Risk
Approve some of the recommendations of this report.	The approval of only some of the recommendations would impact on the proposed MTFS savings.	Negative impact on the proposed MTFS savings
Do nothing	The Constitution is a living document, which needs to be kept under review to ensure that it is fit for purpose and that it meets the needs of the Council. Doing nothing is not appropriate, as this would not result in the Council learning from experience and improving.	That the Council will not implement changes to its decision-making structure in response to what it has learned from the experience of the last two years. Failure to meet Corporate Plan Priorities

Implications and Comments

Monitoring Officer/Legal

- 34 The proposed amendments to the Constitution are part of the continuing development of the committee system. Although predominately to ensure consistency with a committee style of governance, changes

require approval of full Council such as the editorial amendments to terms of reference.

- 35 The Constitution is the functioning rule book used by all officers and Members in driving forward the business of the Council. Like any set of rules, it needs to remain current and consistent with the intent of Council and practicable in the delivery of the Council's objectives.
- 36 The core elements of the Constitution are set through various legislative regimes and the current Constitution appears to meet the substantive legal requirements. The areas in which the Council has a discretion, the constitution must also remain broadly reasonable and consistent with the objectives of the council.
- 37 Failure to keep the Constitution under review and adapt to the changing needs of the organisation will build in levels of risk into the decision-making process. Those risks may manifest themselves as delay, poor quality decisions or ultimately a challenge to the decision itself.

Section 151 Officer/Finance

- 38 The Public Rights of Way Sub Committee has 7 Members meeting 4 times a year. The Chair receives an SRA of £4,200 (subject to the established rule of no more than one SRA being paid to any Member). There are also meeting-related costs associated with travel, subsistence, and officer time.
- 39 Each Planning Committee has 12 Members and meets on a 3-weekly basis. The Chair receives an SRA of £7,650, (subject to the established rule of no more than one SRA being paid to any Member). There are also meeting-related costs associated with travel, subsistence, and officer time.
- 40 The reduction in number of committees would have direct impact on the budget in relation to Member allowances, Member and officer time and travel etc. In allowances terms, if all of the proposals were agreed, that would equate to a saving of approximately £11,850 (subject to the established rule of no more than one SRA being paid to any Member).
- 41 The proposals make a contribution to the proposed savings highlighted in the MTFS. Further efficiency savings will be pursued in terms of reducing costs of printing and postage and costs associated with external venues. This is estimated at £40,000 - £50,000. If Members do not agree the proposals contained in this report, consideration would need to be given to additional changes to the MTFS to ensure that its proposals balance.
- 42 There are no direct cost implications of the Constitutional updates.

Policy

- 43 The recommended changes to the Constitution will, if agreed by Council, result in constitutional change.

An open and enabling organisation

Ensure that there is transparency in all aspects of council decision making

Equality, Diversity and Inclusion

- 44 An Equality Impact Assessment was completed for the original decision to change governance. The accessibility and intelligibility of the Constitution has remained at the forefront of the drafting process. Accessibility and transparency are core design principles and additional learning has been incorporated through the changes to and the review of remote meetings.

Human Resources

- 45 There are direct implications for human resources. Staff (and Members) have requested additional training. Training requests include process training on how decisions are made, and practical issues such as additional training on report writing given the change in audience from Cabinet to committee. Members have sought better understanding of how to obtain best results from officers who present reports, consistency in style of recommendations, to process and procedural issues.

Risk Management

- 46 The risks of changing systems of governance were set out in paragraph 1.6 onwards of the November 2020 [report](#). The Council has continued to effectively manage the strategic risks related to the wider pandemic, changes in legislation on meetings, resource constraints and the fixed time frame set by the November decision. At present these risks appear to have been successfully mitigated.
- 47 The review of the operational effectiveness of the committee system and supporting Constitution is an essential component of ensuring the efficacy of corporate decision making which is a key element of continuing risk mitigation.

Rural Communities

- 48 There are direct implications for rural communities, specifically in relation to the proposed retention and bolstering of the responsibilities of the two area planning committees. These committees would, essentially, retain their local focus, but would have enhanced powers, thereby enabling them to exercise those powers with local needs in mind.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

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

Public Health

- 50 The direct implications for public health are set out in the ICS paper previously decided on this agenda.

Climate Change

- 51 There are no direct implications for climate change, although the Council would continue to pursue its climate change response by promoting paperless options to its approach to decision-making. Fewer committees would contribute to this.

Access to Information	
Contact Officer:	Brian Reed, Head of Democratic Services and Governance Brian.reed@cheshireeast.gov.uk
Appendices:	Changes to the Constitution - Appendix 1 Proposed changes to the committee structure - Appendix 2
Background Papers:	Previous Full Council reports (as hyperlinked throughout this report)

Recommendations of the Constitution Working Group: Rules of Debate

Introduction

The Constitution Working Group has given consideration to a number of key provisions of the Council's Rules of Debate, including the rules relating to Notices of Motion, time allowed for Members to speak, amendments proposed during debate, points of order, points of personal explanation etc.

In general, the Working Group was content with the Council's existing rules, but did wish to see changes in respect of some specific matters:

- Notices of Motion
- Amendments
- Closure motions

This report brings forward the Constitution Working Group's recommendations upon the above matters.

Notices of Motion

The Working Group took the view that, in the majority of cases, Notices of Motion should not be introduced by the proposer and seconder at Council meetings, but that Notices of Motion should simply appear on the Council agenda with a supporting written submission. In the view of the Working Group, the Council's existing arrangements, which allow the proposer and seconder to speak for two minutes, do not provide for the best use of Council time.

The Working Group also held the view that, when the Mayor determines whether a Notice of Motion should be debated in full at a Council meeting, he or she should consult the Monitoring Officer before making that determination.

The Constitution Working Group therefore recommends the following amendments to the existing Council Procedure Rules 1.31&1.37:

"Notice of every motion (other than a motion which may be moved without notice) including such supporting information as might be necessary to enable the Mayor to support the reference of the notice of motion to the appropriate committee, or to enable the Mayor to determine that it should be debated in full and determined at the Council meeting, shall be given in writing, signed by the Member(s) of the Council giving the notice, and delivered, at least 7 clear working days before the next meeting of the Council, to the Monitoring Officer or the Head of Governance and Democratic Services by whom it shall be dated, in the order in which it is received.

“When a Motion has been moved and seconded the mover and seconder shall not be permitted to speak in support of the Motion, nor shall there be any debate or vote upon it. The Mayor may then decide that the motion ~~shall~~ould stand referred without discussion to ~~such of those bodies as the Mayor may determine~~the appropriate committee, for determination. However, if the Mayor, having consulted the Monitoring Officer, considers it conducive to the despatch of business, the motion may be dealt with at the meeting at which it is initially considered.”

Amendments

The Working Group formed the view that, except where exceptional, amendments proposed at Council meetings should be submitted in advance of the meeting, in writing, to the Monitoring Officer.

The Constitution Working Group therefore recommends that the existing Council Procedure Rule 1.41 be replaced as follows:

“Motions and Amendments

~~*“1.41 No motion or amendment shall be discussed unless it has been proposed and seconded. Where required by the Mayor, motions or amendments shall be put in writing and handed to the Mayor before they are further discussed or put to the meeting. The Mayor may, at his/her discretion, allow a motion or amendment to be put which is not in writing, provided that the Mayor has concluded that the wording of the motion or amendment is understood by all members of the body concerned*~~

“1.41 No motion or amendment shall be discussed unless it has been proposed and seconded. Except where the Mayor determines that a proposed amendment is exceptional (for example, where the proposer of the amendment could not reasonably have foreseen that they would wish to propose the amendment until after the deadline set for submission), motions or amendments shall be put in writing and submitted to the Monitoring Officer not less than three clear working days before the Council meeting. The Monitoring Officer will be responsible for validating the amendment as lawful, in which case the amendment may be proposed and seconded as part of the debate upon the agenda item in question. The Monitoring Officer may only disallow an amendment on the grounds that it is unlawful.

“Where the Mayor determines that a proposed amendment is exceptional, it may be proposed at the Council meeting and, if seconded, will be debated and voted upon at the Council meeting. The Mayor may require the amendment to be submitted in writing to him or her during the meeting unless the Mayor has concluded that the wording of the amendment is understood by all members of the meeting.”

Motions which may be moved during debate

Rule 1.52 (c), as currently drafted, creates uncertainty, as it simply states that a Member may propose a motion to adjourn a debate. This could leave the matter unresolved, with no prospect of resolution. The Working Group took the view that this should be amended to read:

1.52 When a motion is under debate no other motion shall be moved except the following; (C) A Member may propose a motion to adjourn the debate or motion to a future date, the proposer of the motion to provide a reasoned explanation to Council as to why the matter should be adjourned

Closure motions

Closure motions are motions which may be proposed by any Member following which, if they succeed, the debate on the substantive matter will be brought to an end. The current rules anticipate three scenarios:

- That the meeting should proceed to the next item of business on the agenda (1.53 (a) below)
- That the meeting should immediately vote upon the substantive matter (1.53 (b) below-that the question be now put)
- That the debate or the meeting be adjourned (1.53 (c) below)

The Constitution Working Group took the view that the Rules should be amended to make it clear that there would be no debate upon any of the closure motions unless the Mayor determined that the matter had been insufficiently discussed. The Working Group also concluded that some additional clarification should be added to the Rules and therefore recommends the following amendments to Council Procedure Rule 1.53:

“1.53 A Councillor may move, without comment, at the conclusion of a speech of another Member, “That the Council proceed to the next business”, “That the question be now put”, “That the debate be now adjourned”, or “That the Council do now adjourn”. When one of these Motions has been seconded the Mayor shall proceed as follows:

*“(a) on a motion to proceed to next business - unless in his/her opinion the matter before the meeting has been insufficiently discussed, he/she shall first give the mover of the original motion the right of reply. **There shall be no debate., and then put to the vote.** The motion to proceed to next business **will then be put to the vote and if passed, there shall be no further debate nor vote on the original motion and it shall lie undetermined.***

*“(b) on a motion that the question be now put - unless in his/her opinion the matter before the meeting has been insufficiently discussed, he/she shall put to the vote the motion that the question be now put. **There shall be no debate. If the motion-and, if it***

is passed, *the Mayor shall* give the mover of the original motion the right of reply before putting the *original* motion to the vote

“(c) on a motion to adjourn the debate or the meeting — *unless* if in his/her opinion the matter before the meeting has been insufficiently discussed on that occasion he/she shall put the adjournment motion to the vote without giving the mover of the original motion the right of reply on that occasion. *There shall be no debate and the adjourned matter will then normally be considered at the next Council meeting*”

Highways and Transport Committee - Incorporating the Terms of Reference of the Public Rights of Way Committee

Membership: 13 Councillors

Functions

- 1 The Highways and Transport Committee shall be responsible for developing policies and making decisions on matters relating to highways and transport as they affect the area of the Council taking into account regional and national influences.
- 2 The Committee's responsibilities include:
 - 2.1 formulation, co-ordination and implementation of corporate policies and strategies in connection with all car parking, transport and accessibility matters;
 - 2.2 determination of any matter affecting the Council's interests in relation to national infrastructure matters, for example HS2, Northern Powerhouse Rail and the National Road Network;
 - 2.3 discharge of the Council's responsibilities as Highway Authority; local transport authority; parking authority; and lead local flood authority
 - 2.4 determination of policies and making decisions in relation to flooding and accessibility, in co-ordination with the Scrutiny Committee;
 - 2.5 compulsory purchase of land to support the delivery of schemes and projects promoted by the Committee; and
 - 2.6 *In respect of public rights of way:*
 - 2.7 *discharge all the functions of the Council in relation to public rights of way (except the determination of non-contentious Public Path Order applications 2.9 which has been delegated to the Executive Director Place);*
 - 2.8 *discharge of Commons and Town and Village Greens functions;*
 - 2.9 *being apprised of, approve, and comment on a range of policies,*
 - 2.10 *programmes and practices relating to Rights of Way, Commons, Town and Village Greens and countryside matters including:*
 - 2.11 *progress reports on implementation of the Rights of Way improvement Plan (part of the Annual Progress Review for the Local Transport Plan);*
 - 2.12 *Statements of Priorities;*
 - 2.13 *Enforcement Protocols;*
 - 2.14 *Charging Policy for Public Path Order applications*
- 3 Oversight, scrutiny, reviewing outcomes, performance, budget monitoring and risk management of the Directorate of Highways and Infrastructure including: Transport Policy; Transport Commissioning; Car-parking; Highways; Infrastructure and HS2.

Northern and Southern Planning Committees – Revised Terms of Reference

1. *To exercise the Council's functions relating to town and country planning and development control, the protection of important hedgerows, preservation of trees, regulation of high hedges and any relevant applications pursuant to Schedule 17 of the High Speed Rail Acts. Some of these functions are delegated on to the Head of Planning: the following are retained for the Planning Committees.*
2. *Applications for major development for:*
 - 2.1.1. *residential developments of 20 dwellings or more, or 1 ha or more.*
 - 2.1.2. *retail, commercial, industrial, or other floor space of 5,000 square metres or more, or 2 ha or more.*
 - 2.1.3. *This does not include re-applications for extant schemes or detailed applications where outline consent has been given or removal/variation of conditions.*
 - 2.2. *Applications for major minerals or waste development other than small scale works which are ancillary to an existing mineral working or waste disposal facility.*
 - 2.3. *The Applicant is either a Councillor, a senior Council officer (Grade 12 or above) or is an immediate family member, or the application is in respect of land within their ownership or control, and where representations objecting to the application have been received.*
(Where objections have been received, applications recommended for refusal can be dealt with by officers under delegated powers Senior Council Officer is defined as Grade 12 or above and all officers within the Planning service with delegated responsibility to determine planning applications; immediate family is defined as spouse, partner, sibling, parent, or offspring. The definition of the Applicant does not include the agent for the application.
 - 2.4. *Applications considered to be significant applications by the Council either as applicant or landowner. This category will not normally include minor developments which accord with planning policy and to which no objection has been made.*
 - 2.5. *Applications that have been approved to be referred to the Committee by a Councillor in accordance with the Committees' Referral procedure.*
However, any request must be received within 15 working days of the issue of the electronic notification of the application, and meet the material planning consideration(s) criteria which warrant the application going before

committee (except for a request to review a Schedule 17 application, where a 7-day time frame will apply);

2.6. Applications advertised as a departure which the Head of Planning is minded approving.

2.7. Any other matters referred up to it at the discretion of the Head of Planning, including major development of less than the thresholds set out in paragraph 1.1 above which have wider strategic implications.

- 3. To exercise a consultation and advisory role, commenting upon the content of proposed planning policy, any document which forms part of or linked to the Local Plan and upon the effectiveness of existing policies employed in development control decisions.*
- 4. Applications for householder development, listed building consents to alter/extend and conservation area consents will normally be dealt with under delegated powers.*
- 5. Applications for advertisements, tree work, prior approvals, Certificates of Lawfulness and notifications will normally be dealt with under delegated powers.*
- 6. Where the application is to vary or remove a condition that was imposed by the Planning Committee it will not be delegated.*
- 7. There will be a presumption that a Referral request by a local ward Member will be agreed where applications are for the renewal (or extension of time) of extant, unimplemented permissions.*
- 8. To adopt working protocols and procedures: e.g. public speaking rights, Referral procedure and others.*

This page is intentionally left blank

COUNCIL MEETING – 13TH DECEMBER 2023**REVIEW OF THE COMMITTEE SYSTEM AND MEDIUM-TERM FINANCIAL STRATEGY SAVING****RECOMMENDATION**

That

1. Council note its agreed MTFS saving of £135,000 to reduce the costs of democracy;
2. the Finance Sub-Committee be retained as a Sub-Committee of the Corporate Policy Committee;
3. the three Place service committees be retained;
4. the functions of the Scrutiny Committee be transferred to the Audit and Governance Committee;
5. a further annual review of the committee system be undertaken and a report on its findings be presented to the first scheduled meeting held after the Council AGM in 2024; and
6. the Monitoring Officer be authorised to make such consequential changes to the Council's Constitution as he deems necessary to give effect to the decision(s) of Council.

Extract from the Minutes of the Corporate Policy Committee meeting on 30th November 2023

53 **REVIEW OF THE COMMITTEE SYSTEM AND MEDIUM-TERM FINANCIAL STRATEGY SAVING**

The Committee considered a report on proposed changes to the committee system to achieve financial savings of £135,000 identified in the MTFS.

A previously deferred proposal to reduce the number of planning committees from three to two was due to be considered by Council on 13th December 2023.

The Committee was asked to consider a number of additional proposals:

- Reducing the number of Place service committees from three to two.
- Merging the functions of the Corporate Policy Committee and Finance Sub-Committee to create a Corporate Policy and Resources Committee.

- Incorporating the functions of the Scrutiny Committee into the relevant service committees.

Officers advised that the Council would need to remove two main committees from the committee structure to achieve the required savings. Reducing the number of meetings instead would not achieve the savings, and reducing the frequency of planning committee meetings would be problematic.

In general, there was no support among members for a reduction in the number of Place service committees.

There was also wide agreement that the Finance Sub-Committee should be retained, particularly in the present financial climate, given its pivotal role in overseeing the Council's budget.

With regard to the functions of the Scrutiny Committee, members felt that these might be better placed with the Audit and Governance Committee rather than a service committee. Officers saw no issue with this in principle but advised that future meetings of the Audit and Governance Committee would need to be structured in such a way as to enable scrutiny functions and audit-related functions to be dealt with at separate times during the meeting. It was also recognised that different skill-sets were required for audit and scrutiny functions.

In addition to the options identified in the report, members asked that consideration be given to incorporating the functions of the Licensing Committee into the Environment and Communities Committee or the Audit and Governance Committee. Officers advised that a distinction was usually drawn between regulatory committees and service committees. However, they undertook to consider the feasibility of the proposal.

Members also suggested that in future, visiting members, non-core officers and members of the public wishing to speak at committee meetings could be encouraged to attend meetings remotely rather than in person. Officers undertook to consider the implications of the suggestion.

Officers undertook to provide members with a briefing paper on the various options identified and suggestions made during the debate, in time for the Council meeting on 13th December.

RESOLVED

That the Committee recommends to Council that

1. Council note its agreed MTFS saving of £135,000 to reduce the costs of democracy;
2. the Finance Sub-Committee be retained as a Sub-Committee of the Corporate Policy Committee;

3. the three Place service committees be retained;
4. the functions of the Scrutiny Committee be transferred to the Audit and Governance Committee;
5. a further annual review of the committee system be undertaken and a report on its findings be presented to the first scheduled meeting held after the Council AGM in 2024; and
6. the Monitoring Officer be authorised to make such consequential changes to the Council's Constitution as he deems necessary to give effect to the decision(s) of Council.

This page is intentionally left blank

Corporate Policy Committee

30 November 2023

Review of the Committee System and Medium-Term Financial Strategy Saving

Report of: David Brown – Director of Governance and Compliance

Report Reference No: CP/57/23-24

Ward(s) Affected: All

Purpose of Report

- 1 This report updates the committee on the progress of delivering the Medium-Term Financial Strategy (MTFS) saving to reduce the cost of democracy, and proposes a recommendation for Council to consider as improvements to the future functionality of the Committee System, taking into account the MTFS saving agreed by Full Council in February 2023.
- 2 Without agreeing the recommendations within this report and the alternative proposals outlined, the MTFS budget saving will not be met.

Executive Summary

- 3 On the [22 February 2023](#), Full Council approved the MTFS for Cheshire East Council for the four years 2023/24 to 2026/27. The MTFS included the approved proposal to reduce the costs of democracy which provided a £135,000 saving. During the MTFS 2023 budget consultation and engagement process, this budget saving proposal received a high level of support from residents.
- 4 The MTFS proposal contained the following detail:
- 5 MTFS Saving Proposal 57: Reduce the Costs of Democracy: Review committee workloads against original design principles. Consider a freeze on member allowances. Reduce the use of external venues,

travel expenses and printing. Review the number of Committees through merging functions.

- 6 The budget papers at Appendix C page 71 item 57 states

“Post Consultation – This proposal has been clarified to confirm the merger of the Public Rights of Way Committee within the responsibilities of the Environment and Communities Committee, and the merger of the Strategic Planning Committee within the responsibilities of the North and South Planning Committees.”

- 7 Following the conclusion of the January 2023 MTFS budget consultation and engagement process, this proposal focussed upon the proposed merger of the Public Rights of Way Sub Committee functions into the functions of the Highways and Transport Committee and the merger of the Strategic Planning Committee within the responsibilities of the North and South Planning Committees.

- 8 At its meeting held on 19 July 2023, Council considered the recommendations of the Corporate Policy Committee to amend the terms of reference of the committees to reflect the Council decision of February 2023 and deferred consideration of the recommendation in relation to Planning Committees. Full Council resolved to:

“1. Approve the amendments to the Constitution as attached at Appendix 1 to the report to the Corporate Policy Committee.

2. Agree that the Public Rights of Way Sub-Committee functions be incorporated into the functions of the Highways and Transport Committee as shown in Appendix 2.

3. Agree to defer consideration of the realignment of the Planning Committees from 3 to 2 to the December meeting of Council to allow further consultation to take place, including with the Planning Committee Chairs, to fully understand the risks.

4. Delegate to the Monitoring Officer, the power to make such consequential changes to the Council’s Constitution as he deems necessary to give effect to the wishes of Council.

5. Note the savings in relation to venues for meetings and printing and postage of agendas.”

- 9 The amended terms of reference were not approved for the proposed changes to the Planning Committees and therefore the current committee structure remains in place unless changes to it are made when Full Council considers the deferred report on 13 December 2023.

- 10 The decision not to approve the revised terms of reference, means this saving cannot be achieved and represents an additional unplanned expenditure for the Council.
- 11 Since the approval of the MTFs in February 2023, further consideration has been given to the potential merger of Committee functions as set out within the report recommendations.

RECOMMENDATIONS

That Council be recommended to:

1. Note Council's agreed MTFs saving of £135,000 to reduce the costs of democracy and, in the light of this, and taking into account the Council's financial position:
2. Agree that the Finance Sub-Committee functions be incorporated into the functions of the Corporate Policy Committee, as shown in Appendix 1 and that the Corporate Policy Committee be renamed to become the Corporate Policy and Resources Committee.
3. Approve the undertaking of a further annual review and a report on its findings to be presented to the first scheduled meeting held after the Council AGM in 2024.
4. Delegate to the Monitoring Officer, the power to make such consequential changes to the Council's Constitution as he deems necessary to give effect to the decision/s of Council.

Background

- 12 On [22 February 2023](#), Council agreed the MTFs saving proposal to reduce the costs of democracy which committed to achieving a saving of £135,000 through a review of the committee structure and committee workloads to identify opportunities to merge functions, reducing the total number of committees.
- 13 The recommendation to accept the revised terms of reference which would have allowed the constitutional changes in relation to Planning Committees was not agreed by Full Council on [19 July 2023](#) and therefore the agreed MTFs saving has not been made to date. Full Council resolved to defer the decision to allow further consultation to take place. The delay to progressing the proposed MTFs budget saving to reduce the costs of democracy will require Full Council to

identify alternative proposals to rebalance the budget, complying with the budgetary framework.

14 Options:

1. Reducing the number of Place Service Committees from three to two, by incorporating the functions of the Economy and Growth Committee into the functions of the Highways and Transport Committee and the Environment and Communities Committee.
2. Aligning the functions of the Corporate Policy Committee and Finance Sub Committee to create a Corporate Policy and Resources Committee.
3. Incorporating the functions of the Scrutiny Committee within the relevant Service Committees.
4. Looking to a different service area to remove a post, however this may have a detrimental impact on meeting the business needs of the council.

15 Finance Sub Committee

- 16 The financial implications section of this report details the Special Responsibility Allowances which apply to the Chairs and Vice Chairs of the Finance Sub Committee, together with other meeting-related costs.
- 17 The Finance Sub Committee makes recommendations to the Corporate Policy Committee on the development of the MTFS, and the setting and monitoring of budgets in line with the Corporate Plan and Policy Framework. It also has its own exclusive responsibilities. The interplay between the Finance Sub Committee and the Corporate Policy Committee has been more evident in 2022/23, particularly in relation to managing the in-year budget and developing the MTFS. There is an opportunity to streamline knowledge and decision-making into a single Corporate Policy and Resources Committee, with the current Finance Sub Committee Working Groups being retained, which would naturally fall within the responsibilities of that Committee.
- 18 Appendix 1 shows how the responsibilities of the Finance Sub Committee could be incorporated within those of the Corporate Policy Committee, should Members choose to pursue this course of action. The Corporate Policy Committee would become the Corporate Policy and Resources Committee.

Consultation and Engagement

- 19 The proposal to reduce the costs of democracy was consulted upon in January 2023 as part of the Council's MTFS budget engagement. The

MTFS consultation received a total of 2,267 engagements with 665 survey responses made in relation to the proposal to reduce the costs of democracy. The proposal received strong net support (82%) during the consultation. Consultation responses highlighted that residents were supportive of this proposal as it was felt to have a lesser impact on local communities.

Reasons for Recommendations

- 20 To ensure that the Committee System remains fit for purpose, meeting the requirements of Cheshire East Council, partners, and residents.
- 21 To partially meet the saving identified in the MTFS.
- 22 It is best practice to regularly review the Council's Constitution.

Other Options Considered

Option	Impact	Risk
Identify a reduction of an alternative substantive committee	Will achieve the 2023 saving in the next financial year.	Negative impact on the MTFS saving.
Do nothing	<p>The required MTFS Saving will not be met</p> <p>The Constitution is a living document, which needs to be kept under review to ensure that it is fit for purpose and that it meets the needs of the Council. Doing nothing is not appropriate, as this would not result in the Council learning from experience and improving.</p>	<p>Negative impact on the MTFS</p> <p>That the Council will not implement changes to its decision-making structure in response to what it has learned from the experience of the last two years. Failure to meet Corporate Plan Priorities.</p>

Implications and Comments

Monitoring Officer/Legal

- 23 The proposed amendments to the Constitution are part of the continuing development of the Committee System, as well as required to meet the MTFs proposals as agreed by Council in February 2023. Although predominately to ensure consistency with a committee style of governance, changes require approval of Full Council such as those specifically relating to the amendments to terms of reference.
- 24 The Constitution contains details of how the Council works, how and by whom decisions are made as well as being the functioning rule book used by all officers and Members in driving forward the business of the Council. Like any set of rules, it needs to remain current and consistent with the intent of Council and practicable in the delivery of the Council's objectives.
- 25 The core elements of the Constitution are set through various legislative regimes and the current Constitution appears to meet the substantive legal requirements. In the areas in which the Council has a discretion, the Constitution must also remain broadly reasonable and consistent with the objectives of the Council.
- 26 Failure to keep the Constitution under review and adapt to the changing needs of the organisation will build in levels of risk into the decision-making process. Those risks may manifest themselves as delay, poor quality decisions or ultimately a challenge to the decision itself.

Section 151 Officer/Finance

- 27 The Finance Sub Committee has 8 Members and meets on a bi-monthly basis. The Chair receives a Special Responsibility Allowance (SRA) of £12,485, and the Vice Chair receives an SRA of £6,242 (subject to the established rule of no more than one SRA being paid to any Member). There are also meeting-related costs associated with travel, subsistence, and officer time.
- 28 The reduction in the number of committees would have direct impact on the budget in relation to Member allowances, Member and officer time and travel etc. The removal of the Finance Sub Committee plus the removal of an additional substantive committee would enable a vacant post within the Democratic Services Team to be removed from the structure, which would save approximately £52,500. This could not be achieved from the removal of Finance Sub-Committee alone.

- 29 The proposals give effect to the saving highlighted in the MTFS and the associated High Level Business Cases. If Members do not agree the proposals contained in this report, consideration would need to be given to additional changes to the MTFS to ensure that its proposals balance.

Policy

- 30 The recommended changes to the Constitution will, if agreed by Council, result in constitutional change.

An open and enabling organisation

Ensure that there is transparency in all aspects of council decision making.

Equality, Diversity and Inclusion

- 31 An Equality Impact Assessment was completed for the original decision to change governance. The accessibility and intelligibility of the Constitution has remained at the forefront of the drafting process. Accessibility and transparency are core design principles and additional learning has been incorporated through the changes to and the review of remote meetings.

Human Resources

- 32 There are direct implications for human resources. Staff (and Members) have requested additional training. Training requests include process training on how decisions are made, and practical issues such as additional training on report writing given the change in audience from Cabinet to committee. Members have sought better understanding of how to obtain best results from officers who present reports, consistency in style of recommendations, to process and procedural issues.

Risk Management

- 33 The risks of changing systems of governance were set out in paragraph 1.6 onwards of the November 2020 [report](#). The Council has continued to effectively manage the strategic risks related to the wider pandemic, changes in legislation on meetings, resource constraints and the fixed time frame set by the November decision. At present these risks appear to have been successfully mitigated.
- 34 The review of the operational effectiveness of the Committee System and supporting Constitution is an essential component of ensuring the

efficacy of corporate decision making which is a key element of continuing risk mitigation.

Rural Communities

- 35 There are direct implications for rural communities, specifically in relation to the proposed retention and bolstering of the responsibilities of the two area planning committees. These committees would, essentially, retain their local focus, but would have enhanced powers, thereby enabling them to exercise those powers with local needs in mind.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

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

Public Health

- 37 There are no direct public health implications.

Climate Change

- 38 There are no direct implications for climate change, although the Council would continue to pursue its climate change response by promoting paperless options to its approach to decision-making. Fewer committees would contribute to this.

Access to Information	
Contact Officer:	Brian Reed, Head of Democratic Services and Governance Brian.reed@cheshireeast.gov.uk
Appendices:	Appendix 1 - Proposed changes to the Constitution.
Background Papers:	Previous Full Council reports (as hyperlinked throughout this report)

Corporate Policy and Resources Committee - Incorporating the Terms of Reference of the Finance Sub-Committee.

Membership: 13 Members

Functions

1 The Corporate Policy and Resources Committee will provide strategic direction to the operation of the Council by developing and recommending the Corporate Plan to full Council and making decisions on policies and practice where such decisions are not reserved to full Council.

2 The Committee's responsibilities include:

2.1 formulation, co-ordination and implementation of the Corporate Plan and

2.2 corporate policies and strategies, ~~alongside development of the medium term financial plan (budget), and setting and monitoring the Capital and Revenue Budgets in accordance with the Corporate Plan and Policy Framework which is the responsibility of the Finance Sub-Committee.~~ In the discharge of those responsibilities the Committee shall determine such matters to the extent that they are not reserved to full Council.

2.3 determination of finance issues, including but not limited to Treasury Management, Insurance, Procurement, debt write off, settlement payments and virements in line with the constitution;

2.4 establishment of a Procurement Forward Plan;

2.5 oversight of the Investment Strategy;

2.6 grant awards for sums in excess of £50,000;

2.7 property transactions including buying selling and appropriation of land and property (including compulsory purchase where required);

2.8 management of the Council's involvement in ASDVs and overseeing the production of an Annual Report on performance; and

2.9 making decisions as Shareholder or owner, reviewing and approving Business plans, including risk registers and commissioning services.

3.0 Oversight, scrutiny and budgetary review of the following functions: Land and Property; Central Budgets; Pensions; Grants; Council Tax; Business Rates; Reserves; and Other Funding

3.1 Human Resources, Organisational Development and Health and Safety matters affecting the Council; including adopting HR policies and practices and assurance in relation to staffing related matters.

3.2 making recommendations to full Council in relation to the annual Pay Policy Statement and any amendments to such statement.

3.3 making recommendations to full Council in relation to decisions affecting the remuneration of any new post where the remuneration is or is proposed to be or would become £100,000 p.a. or more.

3.4 making decisions in relation to proposed severance packages with a value of £95,000 or more as appropriate (excluding contractual and holiday pay), subject to the need to obtain a approval from full Council and central Government if required.

3.5 exercising the functions relating to local government pensions, so far as they relate to Regulations made under sections 7, 12, or 24 of the Superannuation Act 1972 or subsequent equivalent legal provisions.

3.6 determining key cross-cutting policies and key plans that impact on more than one service committee.

3.7 determining policy matters not otherwise allocated to any other Committee.

3.8 determining any matter of dispute or difference between any Committees.

3.9 a co-ordinating role across all other committees and exercising a corporate view of outcomes, performance, budget monitoring and risk management.

3.10 determining any matter that has a major impact on a number of Council services or the Council as a whole.

3.11 oversight and monitoring of the Councillors' Allowances budget and keeping under review the scheme for the payment of allowances to Councillors through the appointment of an Independent Remuneration Panel (IRP) to advise full Council on the adoption and any proposed amendments to such scheme.

3.12 considering amendments to the Council's Constitution and the recommendation of any changes to full Council for approval except where specifically delegated to the Monitoring Officer.

3.13 considering recommendations and an Annual Report of the Council's involvement in ASDVs.

3.14 appointing representatives to serve on outside bodies and organisations (including education bodies and establishments) and reviewing the process for considering appointments to outside organisations.

3.15 appointing Lay Members (who shall not be Councillors) to serve on the Independent Admissions and Exclusion Appeals Panel as required under the relevant legislation; and

3.16 approving the payment of a reasonable and proper allowances and expenses for the work undertaken by the Council's Independent Persons.

3.17 Oversight, scrutiny, reviewing outcomes, performance, budget monitoring and risk management of the Directorates of Finance & Customer Services; Governance & Compliance Services and Transformation including the following functions: Legal, Governance and Compliance; Audit and Risk; Transactional Services;

Transformation; Business Change; B4B/ERP; Human Resources, ICT; together with Strategic Partnerships and shared services.

3.18 The Corporate Policy and Resources Committee shall be entitled to exercise: any function of the full Council not otherwise allocated; as well as the functions of all other Committees and Sub-Committees, particularly where plans, strategies or activities straddle a number of Committees.

This page is intentionally left blank

COUNCIL MEETING – 13TH DECEMBER 2023**CHESHIRE EAST COUNCIL ELECTORAL REVIEW****RECOMMENDATION**

That

1. the council size submission attached as an appendix to the report be approved for submission to the Local Government Boundary Commission for England; and
2. authority be delegated to the Electoral Review Sub-Committee to make any final changes to the council size submission and related documentation which may be required following Council approval, prior to submission to the Boundary Commission.

Extract from the Minutes of the Corporate Policy Committee meeting on 30th November 2023

54 **CHESHIRE EAST COUNCIL ELECTORAL REVIEW**

The Committee considered the recommendations of the Electoral Review Sub-Committee in relation to the future council size of Cheshire East Council.

This was in response to a review being conducted by the Local Government Boundary Commission for England of the electoral arrangements of Cheshire East Council. As part of that review, the Council was being consulted and invited to make a submission on council size to the Commission. The Sub-Committee had prepared the Council's submission which was appended to the report. The Committee was being asked to recommend the submission to full Council for approval.

This was the first stage of the review, which would go on to consider future warding arrangements. The Electoral Review Sub-Committee would, over the next few weeks, prepare a draft submission on warding arrangements which would be recommended to the Corporate Policy Committee in February for recommendation to full Council.

RESOLVED (unanimously)

That the Committee recommends to Council

1. that the council size submission attached as an appendix to the report be approved for submission to the Local Government Boundary Commission for England; and

2. that authority be delegated to the Electoral Review Sub-Committee to make any final changes to the council size submission and related documentation which may be required following Council approval, prior to submission to the Boundary Commission.

CORPORATE POLICY COMMITTEE – 30TH NOVEMBER 2023

CHESHIRE EAST ELECTORAL REVIEW

RECOMMENDATION

That the Corporate Policy Committee

- 1. approve the attached council size submission for recommendation to full Council; and**
- 2. delegate authority to the Electoral Review Sub-Committee to make any further changes to the council size submission and related documentation prior to submission to the Boundary Commission.**

Extract from the Minutes of the Electoral Review Sub-Committee meeting on 30th October 2023

11. CHESHIRE EAST ELECTORAL REVIEW

The Sub-Committee considered the draft council size submission for recommendation to the Corporate Policy. It also considered the final version of the electorate forecasting methodology report.

At an informal meeting of the Sub-Committee on 22nd September 2023, members had considered and endorsed a report on the electorate forecast methodology and results. The final version of the electorate forecasting methodology main report, and its sister document Appendix 1, were now presented to the Sub-Committee for approval. Further proposed changes to the methodology report had been circulated to members following publication of the agenda. Officers advised that following feedback from the Boundary Commission, the forecast end date in the methodology report had been changed from December 2029 to January 2030; the change had no impact on the accuracy and interpretation of the forecasts.

At the informal meeting on 22nd September, members had also considered and endorsed a first draft of the council size submission. Officers undertook to ensure that each subsequent draft of the submission would show clearly, by the use of tracked changes, any amendments agreed by members to the previous draft.

Members now considered a revised draft council size submission, showing those sections of the submission that had been added, deleted or changed since the Sub-Committee's meeting on 22nd September. The submission included the results of a survey of all members regarding their workload. Further proposed changes to the submission had been circulated to members following publication of the agenda.

Officers advised that the revised submission stated that a reduction from the current council size of 82 was likely to result in unsustainable pressures on Members and that the current size of 82 members continued to reflect sufficient capacity in terms of members to electorate ratio and still provided sufficient room for growth.

Members agreed a number of amendments to the council size submission:

Agenda page:	Amendment
30	Insert: 'This model involves 80 of the 82 members of the Council serving on standing committees.'
32	Replace 'the Council has large committee memberships' with 'the Council has inclusive committee memberships'
37	Delete reference to a vacancy on the Southern Planning Committee.
38	Insert: 'The Borough also has (x) conservation areas and (x) SSSIs which further demonstrates the complexity of decisions taken by planning committees and places additional responsibilities on some ward members.'
43	Replace: The Council encourages residents to take up queries and complaints with officers, as opposed to directly with Members' with 'Residents are encouraged to contact the Council as appropriate.'
46	1 st sentence, replace: 'and its Members are frequently unable to serve and support residents, business and partner organisations effectively' with 'and its Members face frequent pressures on their workload in supporting residents, business and partner organisations'
78	Delete the sentence referring to discussions on a potential devolution agreement.

Members asked whether, once the Council had approved its recommendation on council size and had forwarded its submission to the Boundary Commission, there would be any scope or flexibility to adjust the council size figure if it became apparent during the subsequent review of warding arrangements that a different council size might be appropriate. Officers undertook to seek clarification from the Boundary Commission.

The Corporate Policy Committee would be recommended at its meeting on 30th November 2023 to approve the Council's draft council size submission for recommendation to full Council. A further meeting of the Sub-Committee was scheduled for 16th November which would provide an opportunity to agree any further changes to the submission before it was presented to the Committee.

The Boundary Commission had asked for earlier sight of the draft submission and had agreed that the Council could provide the draft submission by 22nd November, the date

of publication of the agenda for the Corporate Policy Committee. Any feedback from the Commission prior to the Corporate Policy Committee's meeting would be reported to the Committee together with any comments by the Sub-Committee.

It was agreed that the Sub-Committee should seek delegated authority to make any further changes to the council size submission prior to the submission of the documentation to the Boundary Commission by the deadline of 18th December.

RESOLVED

That the Sub-Committee

1. approves the draft council size submission for recommendation to the Corporate Policy Committee on 30th November 2023, subject to the amendments agreed at the meeting, and subject to any further content which may be brought to the Sub-Committee at its meeting on 16th November;
2. approves the final version of the electorate forecasting methodology main report and its sister document, Appendix 1; and
3. agrees to seek delegated authority to make any further changes to the council size submission and related documentation prior to submission to the Boundary Commission.

Note: the council size submission attached to this minute has been updated to incorporate all changes agreed by the Electoral Review Sub-Committee.

This page is intentionally left blank

Electoral Review Sub-Committee

30 October 2023

Cheshire East Electoral Review

Report of: David Brown, Director of Governance and Compliance

Report Reference No: ER/7/23-24

All Cheshire East Council wards are affected

Purpose of Report

1. To invite the Sub-Committee to consider and approve the Council's draft council size submission for recommendation to the Corporate Policy Committee, subject to any further content which may be brought to the Sub-Committee at its meeting on 16th November.
2. To recommend the final version of the electorate forecasting methodology report for approval.
3. In responding to the review, the Council will be fulfilling its Corporate Plan objective, to be "open" by providing strong community leadership and by working transparently with residents, businesses and partners, to deliver the Council's ambitions within the Borough.

Executive Summary

4. The Local Government Boundary Commission for England (the Commission) is an independent body set up by Parliament. Its main role is to carry out electoral reviews of local authorities throughout England. The Commission is undertaking a review of the Council's electoral arrangements. This Council is being asked to respond to the review as a consultee. The Commission will ultimately determine the outcome of the review, and its recommendations will be laid before Parliament for approval.
5. The review is in two stages. The first stage addresses the size of the Council: the number of councillors that Cheshire East Council should have in future. The second stage addresses the warding arrangements: the

number of wards, their boundaries and the number of councillors for each ward.

6. This report deals with the first stage of the review. It presents, for the Sub-Committee's consideration and approval, the Council's draft council size submission.
7. The report also recommends for approval by the Sub-Committee the final version of the electorate forecasting methodology main report and its sister document, Appendix 1.

RECOMMENDATION

The Sub-Committee is recommended:

1. to approve the draft council size submission for recommendation to the Corporate Policy Committee on 30th November 2023, subject to any further content which may be brought to the Sub-Committee at its meeting on 16th November; and
2. to approve the final version of the electorate forecasting methodology main report and its sister document, Appendix 1.

Background

8. The Sub-Committee was appointed by the Corporate Policy Committee at its meeting on 11 July 2023 'to make recommendations to the Corporate Policy Committee in respect of all matters relating to the Cheshire East Council Electoral Review'.
9. The Sub-Committee, at its meeting on 16th August 2023, considered a report on the background to, and proposed work associated with, the Boundary Commission for England's review of Cheshire East Council's electoral arrangements.
10. The Sub-Committee was advised that the Boundary Commission's review would focus on:
 - How many councillors the Council should have.
 - How many Council wards there should be, where their boundaries should be, and what the wards should be called.
 - How many councillors should represent each ward.
11. The Commission would decide how many councillors should be elected to the Council in the future. This decision would be based on information received from the Council (the Council-size submission), and any other

representations made. The Commission's view on Council size would be informed by:

- The governance arrangements of the Council
- The Council's scrutiny functions
- The representational role of Councillors
- Future trends and plans for the Council
- The Borough's geography, community characteristics, demographic pressures and any other relevant constraints, challenges, issues or changes

12. Information would be sought from the Council, including electoral forecasts and other data and documents. A model had therefore been prepared which had generated forecasts of future electorate numbers up to the end of 2029, for various geographical tiers. Officers had also prepared a detailed technical report that explained the forecasting methodology, and were preparing the other data and documents that the Commission required.
13. The Commission had provided some examples of what might be described as "best practice" submissions. The Commission had also identified CIPFA "nearest neighbours" as reference points for the Council's Council-size submission.
14. The Sub-Committee, at its meeting on 16th August 2023, endorsed the methodology adopted for the production of electoral forecasts. It also agreed that the officers should adopt an approach to the production of a draft council size submission, and warding arrangements submission, which is informed by the approaches adopted in best examples of comparator submissions supplied by the Commission to the Council. With regard to council size, officers were asked to adopt a similar approach to that of Central Bedfordshire.
15. The Sub-Committee also asked officers to conduct a survey of all members regarding their workload. The aim would be to use the survey results to provide evidence as part of the Council's submission to the Boundary Commission.
16. At a subsequent informal meeting of the Sub-Committee on 22nd September 2023, members considered and endorsed a report on the electoral forecast methodology and results. The final version of the electorate forecasting methodology main report, and its sister document Appendix 1, are attached for the Sub-Committee's formal approval.

17. At the informal meeting on 22nd September 2023, members also considered and endorsed a first draft of the council size submission. Officers undertook to ensure that each subsequent draft of the submission would show clearly, by the use of tracked changes, any changes agreed by members to the previous draft.
18. A revised draft council size submission is attached to this report for the Sub-Committee's consideration. There are two versions of the submission attached: a clean copy for ease of reference and a tracked change version, showing those sections of the submission that have been added, deleted or changed since the Sub-Committee's informal meeting on 22nd September.
19. The Corporate Policy Committee will be recommended to approve the Council's draft council size submission at its meeting on 30th November 2023. The Sub-Committee has another meeting on 16th November which will provide a further opportunity to agree any further changes to the submission before it is presented to the Committee. The Boundary Commission has asked for earlier sight of the draft submission and has agreed that the Council could provide the draft submission by 22nd November, the date of publication of the agenda for the Corporate Policy Committee. Any feedback from the Commission prior to the Corporate Policy Committee's meeting will be considered by the Sub-Committee, and any further comments by the Sub-Committee on the feedback will be reported to the Committee.
20. The Corporate Policy Committee will also be recommended to authorise the Electoral Review Sub-Committee:
 - a. to make any further changes to the council size submission following the Committee's meeting, arising from any amendments agreed by the Committee and/or any feedback received from the Boundary Commission following the Committee's meeting; and
 - b. to recommend the final council size submission to full Council for approval. Council would be asked to authorise the Sub-Committee to make any final changes to the submission which may arise following approval by Council, prior to submission to the Boundary Commission by its deadline of 18th December.

Consultation and Engagement

21. It is not anticipated that the Council will undertake any consultation work on the review, except internally, with its own Members. The review is being led by the Commission, not the Council, and the Commission has a clearly identified programme of consultation which it is understood will

include the list of stakeholders that the Commission has requested from the Council.

Reasons for Recommendations

22. The recommendation of this report seeks to ensure that the Council responds to the Boundary Commission's review of the Council's electoral arrangements in a timely way in accordance with the timetable laid down by the Commission.
23. In responding to the review, the Council will be fulfilling its Corporate Plan objective of being "open" by providing strong community leadership and by working transparently with residents, businesses and partners, to deliver the Council's ambitions within the Borough.

Other Options Considered

- 24 The Council could choose not to engage with the Commission's review, but this would be an unhelpful approach and would deprive the Council of the important opportunity to make submissions, and to influence its electoral arrangements which will apply from 2027.
- 25 *Impact assessment:*

Option	Impact	Risk
Do nothing (ie do not engage with the review)	The Council would be deprived of the important opportunity to make representations	The review would not secure the benefit of the Council's input as the key respondent. The resulting electoral review order, which will be implemented in 2027 would not be informed by the Council's views.

Implications and Comments

Monitoring Officer/Legal

- 26 The main piece of legislation governing the review is the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). This consolidates and amends provisions previously contained in the Local Government Act 1972, the Local Government Act 1992 and the Local Government and Public Involvement in Health Act 2007.

- 27 Section 56 of the 2009 Act requires that the Commission carry out reviews ‘from time to time’, of every principal local authority in England and make recommendations about electoral arrangements (but not their external boundaries) (Period Electoral Reviews or PERs). In addition, the Commission can at any time review the arrangements for all or any parts of a principal local authority’s area if it appears to the Commission to be desirable.
- 28 Subsections 56(1) and (4) require the Commission to recommend whether a change should be made to the electoral arrangements for that area. Electoral arrangements include the total number of councillors to be elected to the council (known as ‘council size’); the number and boundaries of wards/divisions; the number of councillors to be elected for each ward/division; and the name of any ward/division.
- 29 In making its recommendations, Schedule 2 to the 2009 Act requires the Commission to have regard to—
- (a) the need to secure that the ratio of the number of local government electors to the number of members of the district council to be elected is, as nearly as possible, the same in every electoral area of the council,
 - (b) the need to reflect the identities and interests of local communities and in particular—
 - (i) the desirability of fixing boundaries which are and will remain easily identifiable, and
 - (ii) the desirability of fixing boundaries so as not to break any local ties,
 - (c) the need to secure effective and convenient local government,

Further information on the legal implications of the review can be found in the Commission’s Technical Guidance:

<https://www.lgbce.org.uk/sites/default/files/2023-03/technical-guidance-2021.pdf>

Section 151 Officer/Finance

- 30 There will be no impact on the council’s Medium-Term Financial Strategy. The proposal will be funded from within existing Democratic Services budgets, aided by internal officer resource contributions from various other departments, and it is not anticipated that any external spend will be required in order for the Council to respond to the review.

Policy

- 31 The key policy implication of this report is that, in responding to the review, the Council will be meeting one of its most fundamentally important objectives: providing strong community leadership and by working transparently with residents, businesses and partners, to deliver the Council's ambitions within the Borough. In doing so, the Council will be fulfilling the objective of empowering and caring about people within the Borough. The electoral representation of the Council is of key importance in this regard.

Equality, Diversity and Inclusion

- 32 Given that this report is a response to the Commission's review of the Council's electoral arrangements, and that it simply recommends the means by which the Sub-Committee will make recommendations upon Council size, there would appear to be no equality, diversity and inclusion implications.
- 33 However, in developing its recommendations, the Sub-Committee will be mindful of these important considerations. Undoubtedly, the Commission will be equally mindful of these matters when making its final recommendations on the Council's electoral arrangements.

Human Resources

- 34 There are no direct human resources implications.

Risk Management

- 35 There are no direct risk management implications arising from this report, other than the matters referred to within it. However, the risks associated with any decision of the Council not to engage with the review are set out above.

Rural Communities

- 36 There are no direct implications arising from the recommendations of this report in respect of rural communities, however, there will be such implications as the work in response to the review gets underway. These will be addressed in future reports.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 37 There are no such direct implications.

Public Health

- 38 No direct public health implications arise from the recommendations of this report.

Climate Change

- 39 There are no direct climate change implications, which arise from the recommendations of this report.

Access to Information	
Contact Officer:	Contact Officer: Brian Reed Brian.reed@cheshireeast.gov.uk
Background Papers:	Background Papers: Report to Corporate Policy Committee, 11 July 2023 Local Government Boundary Commission for England website
Appendices	Electorate forecasting methodology main report and Appendix. Draft council size submission (clean copy and tracked change copy)

Cheshire East Council

Council Size Submission: Template

[Cheshire East Council]

Contents

How to Make a Submission.....2

About You2

Reason for Review (Request Reviews Only)3

The Context for your proposal.....3

Local Authority Profile6

Council Size 11

Other Issues.....27

Summary.....27

Appendix 1: Cheshire East main settlements 32

Appendix 2: Rural and urban areas of Cheshire East 33

Appendix 3: Deprivation in Cheshire East..... 34

Appendix 4: Committee names, types, sizes and frequency of meetings 35

Appendix 5: Council sizes and ratios for Cheshire East and similar local authorities 36

Appendix 6: Workload per councillor, by council size 37

Appendix 7: Member Survey results 39

How to Make a Submission

It is recommended that submissions on future governance arrangements and council size follow the guidance provided and use the format below as a template. Submissions should be treated as an opportunity to focus on the future needs of the council and not simply describe the current arrangements. **Submissions should also demonstrate that alternative council sizes have been considered in drawing up the proposal and why you have discounted them.**

The template allows respondents to enter comments directly under each heading. It is not recommended that responses be unduly long; as a guide, it is anticipated that a 15 to 20-page document using this template should suffice. Individual section length may vary depending on the issues to be explained. Where internal documents are referred to URLs should be provided, rather than the document itself. It is also recommended that a table is included that highlights the key paragraphs for the Commission's attention.

'Good' submissions, i.e. those that are considered to be most robust and persuasive, combine the following *key success components* (as set out in the guidance that accompanies this template):

- Clarity on objectives
- A straightforward and evidence-led style
- An understanding of local place and communities
- An understanding of councillors' roles and responsibilities

About You

The respondent should use this space to provide the Commission with a little detail about who is making the submission, whether it is the full Council, Officers on behalf of the Council, a political party or group, a resident group, or an individual.

This submission is made on behalf of Cheshire East Council, following its approval by Full Council on 13 December 2023.

Under the Council's Constitution, Full Council is responsible for "approving the Council's response to any issues or proposals in relation to local government boundaries including Electoral Wards, the conduct of elections and community governance functions".

On 11 July 2023, in order to inform the Council decision, the Council's Corporate Policy Committee appointed an Electoral Review Sub-Committee to make recommendations upon all matters relating to the Boundary Commission's Review. These recommendations were considered by the Corporate Policy Committee, prior to the Committee making recommendations to Council. On 30 November 2023, in order to ensure that the Council could comply with the Boundary Commission's deadlines for depositing the final Council size submission, the Committee delegated authority to the Sub-Committee to finalise the submission, taking into account any comments from the Commission, or any final amendments which the Committee might suggest.

As the Council has a Committee system of decision-making governance, the Sub-Committee and Council committees are required to reflect the Council's overall political proportionalities.

Officers advised the Sub-Committee, Committee and Council throughout the Review process.

Reason for Review (Request Reviews Only)

Not applicable to Cheshire East Council.

The Context for your proposal

Your submission gives you the opportunity to examine how you wish to organise and run the council for the next 15 - 20 years. **The consideration of future governance arrangements and council size should be set in the wider local and national policy context.** The Commission expects you to challenge your current arrangements and determine the most appropriate arrangements going forward. In providing context for your submission below, please demonstrate that you have considered the following issues.

Q: When did your Council last change/reorganise its internal governance arrangements and what impact on effectiveness did that activity have?

The Council was created on 1 April 2009 following local government reorganisation in Cheshire. Initially it had a Leader and Cabinet system of decision-making governance. However, on 19 November 2020, the Council resolved to implement a Committee system model of governance (following consideration of this report: [Public Pack\)Agenda Document for Council, 19/11/2020 14:00 \(cheshireeast.gov.uk\)](#)). This governance change took effect in May 2021. This was a choice made by Council following a change of political control in May 2019 and a subsequent period of 18 months of careful consideration of the proposed change in governance. One of the aims behind the change in decision-making arrangements was to ensure political proportionality in the making of decisions which had previously been the responsibility of the majority Council political group.

The Council's political proportionality arrangements must comply with relevant legislation. The Council's "service committees", which decide those matters which were previously the responsibility of the Council's Cabinet, have a membership comprising members of the Council's three main political groups.

Much work went into the design of the new committee structure and the new committee responsibilities. As set out in the Design Principles which Council adopted:

- The new form of governance (Committee system) will be modern, open, transparent and easy to understand. It will include arrangements that enable people to easily find out about how decisions are made. Committee meetings will be held in public by cross party (politically proportionate) committees.
- The new arrangements are intended to ensure that decisions are made quickly, to meet the needs of the Council and local community.
- The number of committees and meetings will be kept to a minimum, and technology used to provide instant access to information and avoid unnecessary paperwork.
- There will be a process to deal with those rare instances where urgent decisions are needed. This process will be clear and, in most cases, open to the public.

Council decision-making and business planning arrangements are working effectively and are delivering services in line with the Council's policy framework as set out in the Council's Constitution. The key strategic document is the Council's Corporate Plan which covers the period 2021-2025. All Committee decision reports state how the decision supports achievement of the priorities of the Corporate Plan. Resources to support decisions are determined through the Council's budget and Medium-Term Financial Strategy (MTFS). Organisational performance against Corporate Plan priorities is reported to the Corporate Policy Committee on a quarterly basis. Each individual staff member has a personal development review, setting objectives which link into a Service Plan, Directorate Plan and the Corporate Plan. This ensures that everyone can see the "golden thread" of how their work contributes to the overall success of the Council. The Council's Corporate Plan is currently being refreshed and a revised plan is scheduled to be launched by 1 April 2024.

Whilst, following a resolution to do so, the Council could not choose to change its decision-making arrangements for a period of five years, the way in which its Committee system operates could be changed: for example, by making changes to the number of service committees and their functions/ responsibilities, or to the Council's Constitution, so as to improve the Council's Committee system arrangements.

The Council's committee structure has already been reviewed, resulting in the removal of one sub-committee from the structure. A further review of the structure is taking place, taking into account the Council's Medium-Term Financial Strategy and the Design Principles. Full Council has already considered the Council's planning committee structure and a proposal to reduce the number of planning committees from three to two

and a further report will be considered by Council in due course. This demonstrates that the existing arrangements are being assessed against the Design Principles agreed by Council, in order to ensure that they are effective.

It also demonstrates that the Council actively reviews its arrangements in order to ensure that they are generally fit for purpose.

Q: To what extent has transference of strategic and/or service functions impacted on the effectiveness of service delivery and the ability of the Council to focus on its remaining functions?

The management of the Council's involvement in wholly owned companies, which are referred to in the Council's Constitution as 'ASDVs' (Alternative Service Delivery Vehicles), is overseen by the Council's Finance Sub-Committee, the responsibilities of which are set out in paragraph 2.6 of chapter 2, part 4 of the Constitution. A small number of Cheshire East Council services are shared with Cheshire West and Chester Council, for example ICT and transactional services such as payroll. Cheshire East Council must take decisions by a politically proportionate committee, or by an officer with delegated powers from the Council to do so.

These shared service arrangements are delivered in line with the responsibilities of the Shared Services Joint Committee, whose purpose is "to oversee the management of those services which are provided on a Cheshire wide basis on behalf of Cheshire West and Chester Council and Cheshire East Council to ensure effective delivery of such services and to provide strategic direction." The Committee is administered on alternate years by each Council.

Q: Have any governance or capacity issues been raised by any Inspectorate or similar?

The Council received a report following a Joint Targeted Area Inspection in September 2022. Although this did not identify governance or capacity issues for the Council directly, it did find strategic weaknesses in the Local Safeguarding Childrens Partnership, a multi-agency partnership of which the Council is a member. Over the past year the Partnership have been progressing an Improvement Plan to address the challenges identified.

A Public Interest Report on the impact of the council's culture and governance arrangements during 2014-2018 was published in January 2023. The issues identified during this period led to the Council transitioning its governance arrangements from the Leader and Cabinet system to the current Committee system. The Public Interest Report states that "it is clear that the Council has done a great deal to move on from this period in its relatively short lifetime".

Q: What influence will local and national policy trends likely have on the Council as an institution?

Policy trends, and any necessary changes in strategy, are managed in accordance with the Council's constitution and governance arrangements. Current policy challenges include the impact of the cancellation of the HS2 route from Birmingham to Manchester, the dissolution of Local

Enterprise Partnerships, the development of Integrated Health and Social Care systems, and the Levelling up/ devolution agenda. Any influences of these emerging policies are presented through the decision-making processes of the Council.

Q: What impact on the Council's effectiveness will your council size proposal have?

It will maintain sufficient provision to ensure that:

- Members and Committees have sufficient time and resources to consult residents and other stakeholders adequately and make informed, evidence-based decisions. The Council's recent survey of Members (summarised later in this submission) shows a large proportion (over a third) of Members currently feel they have insufficient capacity to undertake their duties properly.
- Council services are scrutinised through the relevant service committee.
- The scrutiny committee is limited to examining external partnerships of health, crime and disorder and flooding.
- Members have sufficient time to engage with residents, businesses, town/ parish councils and external partner organisations, and to tackle casework, rather than having little or no time spare outside of Committee meetings and preparation for those meetings.
- Members have sufficient time to assess and address the needs of the Borough's most vulnerable residents, such as those in deprived areas of Cheshire East and older people/ children.
- Councillor workloads are manageable enough to attract a diverse array of people (different age groups, social/ ethnic groups, household types, occupations, etc), who can offer a broader range of skills/ experience and be more representative of the local community.
- Rural wards cover a manageable area with communities that councillors can reach within a reasonable travel time and adequately serve.
- Rural ward Members representing large numbers of parishes have adequate time to meet and support their parish councils.

Local Authority Profile

Please provide a short description of the authority and its setting, in particular the local geography, demographics and community characteristics. This should set the scene for the Commission and give it a greater understanding of any current issues. The description should cover all of the following:

- Brief outline of area - are there any notable geographic constraints for example that may affect the review?
- Rural or urban - what are the characteristics of the authority?
- Demographic pressures - such as distinctive age profiles, migrant or transient populations, is there any large growth anticipated?
- Community characteristics – is there presence of “hidden” or otherwise complex deprivation?
- Are there any other constraints, challenges, issues or changes ahead?

Further to providing a description, the Commission will be looking for a submission that demonstrates an understanding of place and communities by putting forth arguments on council size based upon local evidence and insight. For example, how does local geography, demographics and community characteristics impact on councillor casework, workload and community engagement?

Current population and general overview of the Borough¹

Cheshire East is the third largest unitary authority (in population terms) in the North West, with a population of 398,800 at the time of the 2021 Census and 400,500² as of mid-2021. It covers an area of 1,166 square kilometres.

The whole of Cheshire East is parished. Following the Community Governance Review changes that came into effect in April 2023, there are 12 town councils, 90 parish councils and four parish meetings. A number of parishes group themselves together for administrative purposes. In total, there are 120 parishes in the Borough.

The Borough has very good transport links: nearly all its towns are close to the M6 or M56 and all but one have a train station. These transport links, along with the Borough's attractive rural areas and proximity to major cities such as Manchester, contribute to its overall economic strength, with major employers such as Bentley and AstraZeneca located in Cheshire East and many highly-qualified workers choosing to live here.

Cheshire East also contains attractions and institutions that are of national or international importance³:

- Tatton Park is one of England's 20 most popular "paid" visitor attractions, with around 700,000 to 800,000 visitors a year.
- The Jodrell Bank Observatory site, which is part of the world-renowned Jodrell Bank Centre for Astrophysics. The site receives up to 150,000 or more visitors a year.

Lyme Park & Gardens also has large numbers of visitors (over 325,000 in 2022), as do Quarry Bank Mill & Gardens (nearly 250,000) and the Peak District National Park area of the Borough.

The Borough consists of several towns of varying sizes, along with an extensive rural area covering many villages and smaller settlements. As the 2021 Census results show, Crewe (population 75,700)⁴ and the town of Macclesfield (population 53,200) are the largest conurbations. The other main centres of population are the towns of Alsager, Congleton, Knutsford, Middlewich, Nantwich, Poynton, Sandbach and Wilmslow (each

¹ Except where specified otherwise, the population data cited in this section are from 2021 Census tables, Office for National Statistics (ONS), NOMIS.

² Mid-year population estimates for 2021, ONS, December 2022.

³ Visitor number figures taken from the data files (covering 2017-22) released as part of the 2022 Annual Survey of Visits to Visitor Attractions, VisitBritain & VisitEngland, July 2023.

⁴ This "Crewe" definition covers the whole of Crewe Town Council, but also the whole residential population of the parishes of Rope, Willaston, Wistaston and Woolstanwood, most of the residential population in the parish of Leighton, and parts of the parish of Shavington (the Gresty Brook parish ward and the part of the Chatsworth Park housing estate).

with populations between 12,000 and 30,000) and Bollington and Handforth (with populations of 7,000 to 8,000). (For a map showing the geographical areas these settlement figures relate to, see Appendix 1.⁵) However, nearly two fifths of the population (38.9%, based on 2021 Census data) live in rural areas⁶ and these rural areas include some sparsely populated and in some cases relatively isolated settlements, particularly in the areas to the west of Nantwich and to the east of Macclesfield. (For a map showing how these rural areas are defined, see Appendix 2.)

The Peak District National Park covers an extensive area of Cheshire East, including parts of three Borough wards (Gawsworth, Poynton East and Pott Shrigley, and Sutton). Some of the parishes in the Peak Park area are geographically large and include some very isolated hamlets, often at high elevations. Settlements at high altitudes, along with physical barriers, geographical distance and the level (or lack) of local infrastructure, amenities and service provision mean that some of these rural communities have quite different interests and ties than do other parts of the same Borough ward. This can add to the workload faced by Members in this part of the Borough.

Compared to England as a whole, Cheshire East has a relatively old population, with 22.5% of residents aged 65 and above as of mid-2021 (against the England average of 18.5%).⁷ The population is somewhat older still in rural parts of the Borough (where 24.9% are aged 65 and above). This is likely to increase the demands on rural ward Members, given the presence of many elderly residents (whose age and health may restrict their ability to travel) in more remote areas where transport links are limited.

Only 5.6% of the Borough's population classify themselves as non-white, compared to an England average of 19.0%. However, the non-white proportion is significantly higher in the towns of Handforth (13.3%), Wilmslow (11.5%), Crewe (8.6%) and Alderley Edge (7.8%), reflecting the ethnic diversity of these urban areas of the Borough.

Like many other parts of the UK, Cheshire East saw a significant inflow of migrants from Eastern Europe in the early 2000s. Many are still living in the Borough and are very heavily concentrated in Crewe.

⁵ In this submission, the geographical definitions used for each settlement are (except where stated otherwise) those set out in Appendix 6 of the Cheshire East 'LDF Background Report: Determining the Settlement Hierarchy', Cheshire East Council, November 2010. For all towns apart from Crewe, these Settlement Hierarchy definitions correspond very broadly to the areas covered by Cheshire East's town councils.

⁶ The rural-urban classification used here is the 2015 Rural-Urban Classification produced by the Research & Consultation Team, Cheshire East Council.

⁷ Mid-year population estimates for 2021, ONS, December 2022.

Crewe is one of several UK towns where there is a significant East Timorese community.⁸ Local community leaders estimate that as many as 2,000 East Timorese live in Crewe.⁹ 2021 Census statistics (using the number of Portuguese passport-holding residents as a proxy) suggest a lower, but still very large number of East Timorese (around 900) living in the town's six wards (and predominantly in Crewe South).

In some parts of the Borough, particularly areas of deprivation, evidence suggests that electoral registration rates are relatively low and therefore elector numbers significantly understate the volume of work that Members face. An indication of these geographical variations in electoral registration rates can be obtained by calculating, for each Borough ward, the ratio of the electorate to the adult (age 18 and above) resident population. For this purpose, the Borough Council has used 2021 Census population data and the closest matching date for which Electoral Register data were available (December 2020¹⁰). For the Borough as a whole, this ratio is 0.96, but for five wards, including four of Crewe's six wards (all of which contain neighbourhoods that rank among England's most deprived 20%), it is below 0.90¹¹ and is only 0.79 in Crewe Central and Crewe South.¹²

Recent and future population growth

Evidence from the 2011 and 2021 Censuses indicates that, between 2011 and 2021, Cheshire East's population increased by 7.7%, which was above the England average (6.6%). Whilst the population rose in the vast majority of the Borough's main 24 settlements (see the map in Appendix 1 for a list and definition of these settlements), this growth rate varied significantly across the Borough, largely reflecting the geographical distribution of new housing developments. Shavington (up 46.5%), Chelford (25.3%), Sandbach (22.0%), Holmes Chapel (19.0%), Alsager (13.7%), Audlem (11.9%) and Disley (11.3%) all saw population increases of more than 10%. In absolute terms, population growth during 2011-21 was greatest in Sandbach (3,900) and Crewe (3,000). (These figures are based on settlement boundary definitions developed by the Borough Council in 2010 – and shown in Appendix 1 – so some would be much higher still if adjusted to include new housing developments that have expanded the Borough's main urban areas outwards.)

The Office for National Statistics' latest (2018-based) subnational population projections (SNPPs)¹³ provide the most recently published official statistics on projected future population numbers at local authority level. However, these projections were released in early 2020 and the 2021

⁸ 'Backing themselves: East Timorese labour migrants in Oxford', COMPAS, 14th April 2015: <https://www.compas.ox.ac.uk/2015/backing-themselves-east-timorese-labour-migrants-in-oxford/>

⁹ Source: Public Health Team, Cheshire East Council, August 2023.

¹⁰ Census Day 2021 was 21st March 2021.

¹¹ Sources: [1] Electoral Register data, Cheshire East Council. [2] 2021 Census tables, Office for National Statistics (ONS), NOMIS; [3] English Indices of Deprivation 2019, Ministry of Communities and Local Government (now the Department for Levelling Up, Housing and Communities), September 2019.

¹² These ratios should be seen only as indicative of registration rates, given that (a) the population and electoral data relate to dates a few months apart, (b) Census Day 2021 coincided with a COVID-19 lockdown and hence affected some people's Census responses about their place of residence and (c) ONS made minor adjustments to some 2021 Census statistics prior to publication, in order to avoid disclosing personal information about individuals.

¹³ 'Subnational population projections for England: 2018-based', ONS, March 2020.

Census evidence now available indicates that the SNPPs have (so far) been significantly underestimating Cheshire East's population growth since 2018.

For Cheshire East, the 2018-based SNPPs projected that the population would increase from 380,800 (2018) to 387,000 by 2021 and would not exceed 400,000 until 2029. However, ONS' population estimate for mid-2021 (published in December 2022 and factoring in the 2021 Census evidence) puts the mid-2021 population at 400,500. In other words, it appears that, even by mid-2021, the 2018-based SNPPs were under-estimating the Borough's population by around 13,500 (about 3.4%).

Furthermore, the 2018-based SNPPs' projected population growth for 2021-29 equates to an annual average growth rate of 0.44%. It is reasonable to question whether the growth rate over this period will turn out to be that low, given that:

- (a) Population growth in Cheshire East has historically been somewhat higher, averaging 0.78% a year between 2011 and 2021 and 0.52% a year between 2001 and 2011.¹⁴
- (b) Cheshire East's high volumes of housing completions, which began in the later 2010s, have continued up to 2023 and may persist beyond that. During the 10 years from 2011/12 to 2020/21 inclusive, net completions averaged 1,740 per annum and in 2021/22 they reached 2,779.¹⁵ Furthermore, the Borough Council housing database actual housing completions figures and forecasts used for this Review's electorate forecasting work point to around 2,300 net completions between April 2022 and March 2023, with 2,700 more forecast for the period April to December 2023 and an average of around 2,100 a year forecast for the period January 2024 to January 2030.

In contrast, the population forecasts produced in 2015 by Opinion Research Services (ORS) for the Local Plan Strategy, which are based on the level of housing provision proposed (and later adopted) for the 2010-30 Local Plan Strategy, indicated that Cheshire East's population would reach 401,100 by mid-2021 (close to ONS' mid-2021 estimate of 400,500).

Hence the Borough Council believes that ORS' forecasts are currently the most reliable indicator of likely future population change, up to 2030. With this in mind, it should be noted that the ORS forecasts¹⁶ predict that:

- the Borough's population will reach 404,300 in 2022 and 427,100 by 2030;
- whilst the total population will increase by 6.5% between 2021 and 2030, the number of residents aged 65 and above will grow by 23.4%.

¹⁴ ONS mid-year population estimates (December 2022 release).

¹⁵ The historic housing completions figures quoted here relate to 12-month periods running from April to March.

¹⁶ Population and housing forecasts produced by Opinion Research Services (ORS) for the Cheshire East Housing Development Study 2015, ORS, June 2015.

The ORS forecasts for the Local Plan did not produce population forecasts below local authority level. However, the electorate forecasts produced for this Review are heavily informed by the Borough's forecasts of future housing development, which provide a guide as to the scale and geographical distribution of housing and population growth up to 2030. These housing forecasts indicate that the total number of residential properties across the Borough will increase by around 8% between July 2023 and January 2030, but with wide variations between Borough wards, ranging from less than 0.5% in some wards to around 50% in Brereton Rural and Leighton. Members in Borough wards with the highest housing growth rates will face increased workloads, both in the short term (as they are required to deal with issues arising during the construction work on the new housing sites) and in the longer term (because of the larger electorates arising from a much-increased local housing stock).

Deprivation¹⁷

Despite its economic strengths, Cheshire East contains some of England's most deprived neighbourhoods, most of them in Crewe, but with some in other (mainly urban) parts of the Borough (see the map in Appendix 3). Furthermore, some areas of Cheshire East rank among England's worst 1% for specific kinds of deprivation.

The latest (2019) English Indices of Deprivation shows that, of Cheshire East's 234 Lower Layer Super Output Areas (LSOAs), 18 (7.7%) ranked among the 20% most deprived LSOAs in England for overall deprivation.¹⁸ These included 13 (more than quarter) of the 47 LSOAs in Crewe, as well as two LSOAs in Macclesfield and one each in Alsager, Congleton and Wilmslow. Of the 18 LSOAs that are among England's most deprived 20% for overall deprivation, four (three in Crewe and one in Macclesfield) rank among the worst (most deprived) 10% of LSOAs nationally and one of these (in Crewe) ranks among the worst 5% nationally.

There are five LSOAs in the Borough which are within England's most deprived 1% for one of Indices of Deprivation's sub-domains. Four of these – all in rural areas - are in the worst 1% of the Barriers to Housing & Services domain's 'Geographical Barriers' sub-domain (which measures the proximity of key services, such as a GP surgery and a general store/ supermarket). The other one, in Crewe, is in the worst 1% for the Education, Skills & Training Deprivation domain's 'Children and Young People' sub-domain (which measures the educational performance of young people).

Council Size

The Commission believes that councillors have three broad aspects to their role.

These are categorised as: **Strategic Leadership, Accountability (Scrutiny, Regulatory and Partnerships), and Community Leadership.**

Submissions should address each of these in turn and provide supporting evidence. Prompts in the boxes below should help shape responses.

¹⁷ English Indices of Deprivation 2019, Ministry of Communities and Local Government (now the Department for Levelling Up, Housing and Communities), September 2019. The figures cited here are based on the numbers and boundaries of Cheshire East Lower Layer Super Output Areas (LSOAs) in existence at the time the 2019 Indices were produced, rather than to the revised LSOA boundaries that came into being in the wake of the 2021 Census evidence.

¹⁸ In this context, "overall deprivation" means the English Indices of Deprivation's Index of Multiple Deprivation (IMD).

Strategic Leadership

Respondents should provide the Commission with details as to how elected members will provide strategic leadership for the authority. Responses should also indicate how many members will be required for this role and why this is justified. **Responses should demonstrate that alternative council sizes have been explored.**

Topic	
Governance Model	<p><i>Key lines of explanation</i></p> <ul style="list-style-type: none"> ➤ <i>What governance model will your authority operate? e.g. Committee System, Executive or other?</i> ➤ <i>The Cabinet model, for example, usually requires 6 to 10 members. How many members will you require?</i> ➤ <i>If the authority runs a Committee system, we want to understand why the number and size of the committees you propose represents the most appropriate for the authority.</i> ➤ <i>By what process does the council aim to formulate strategic and operational policies? How will members in executive, executive support and/or scrutiny positions be involved? What particular demands will this make of them?</i> ➤ <i>Whichever governance model you currently operate, a simple assertion that you want to keep the current structure does not in itself, provide an explanation of why that structure best meets the needs of the council and your communities.</i>
	<p>Analysis</p> <p>The key strategic document for the Council is the Corporate Plan, which was adopted in 2021: Corporate Plan (cheshireeast.gov.uk). The policy framework for the Council is contained within the Council's Constitution: Cheshire East Council Constitution</p> <p>The Council proposes that its Committee system model of governance be retained, given the evidence (cited earlier in this submission) that this model has proved to be effective. This model enables 80 of the 82 councillors to serve on service committees, which make decisions previously made by the Council's Cabinet.</p> <p>Chapter 2, Part 4 of the Council's Constitution shows the responsibilities of all of the Council's committees, from the service committees of 13 Members, and the Scrutiny Committee of 13 Members, to the regulatory committees, such as the planning and licensing committees, which have 12 and 15 Members respectively. In total, there are 23 committees. 14 of these are "standing committees" (those appointed by Council, not including sub-committees, outside organisations or working groups). Appendix 4 of this submission lists each committee, its number of Members and gives an indication (based on the 12-month period ending mid</p>

		<p>July 2023) of the frequency of its meetings. More detailed information on the Council committees can be seen here: cheshire-east-council-constitution-chapter-2-july-2023-v2.pdf (cheshireeast.gov.uk)</p> <p>A structure chart of the Council's committees can be seen in Chapter 2, Part 1 of the Constitution. From time to time, the standing committees appoint sub-committees to undertake specific work. One example of this is the appointment by the Corporate Policy Committee, of the Electoral Review Sub-Committee, which was specifically appointed to make recommendations to the Committee in respect of the Boundary Commission's review of the Council's electoral arrangements.</p> <p>Upon the introduction of the Committee system of governance, the Council retained many of its standing committees. When the arrangements changed, the Council's Cabinet was replaced by six "service committees" of 13 Members and a Finance Sub-Committee of eight Members.</p> <p>For the committees which were retained under the new governance arrangements, the approach taken was not simply to replicate the previous structure and membership numbers for convenience.</p> <p>The committee structure and number of committees have been found to be robust and effective (taking into account committee workloads and the need for political balance).</p> <p>The Council actively pursues change, where this is felt to be needed. In particular, as noted earlier, the planning committee structure is currently under review, with a proposal to reduce the number of planning committees from three to two.</p> <p>Turning to the six service committees and the Finance Sub-Committee, which replaced the Council's Cabinet under its previous governance arrangements, the Council recognises that it must also keep these under review. This was noted in the report to Full Council on 19 November 2020, in relation to the Design Principles (referred to above).</p> <p>Indeed, the Council has already agreed one change to the original service committee structure and their responsibilities, by removing the Public Rights of Way Sub-Committee, and by empowering the Council's Highways and Transport Committee to take over its functions.</p>
--	--	--

		<p>Officers continue to explore whether the number and size of the service committees should change and, in doing so, are guided by the Design Principles referred to. In the light of the Medium-Term Financial Strategy, agreed by Council in February 2023, officers are exploring whether savings can be made by reducing the number of service and regulatory committees.</p> <p>In short, the Council is (and can demonstrate that it is) prepared to make changes to the Committee structure and membership numbers of committees, where required to ensure that the Council is effective and efficient in making decisions.</p> <p>The member survey evidence possibly suggests a shortage of capacity among Members. It is not clear if this relates to the size and number of Members on each committee or other factors.</p> <ul style="list-style-type: none"> • Although there are, on average, approximately two standing committee places per Councillor, 29 Members sit on only one (and two are on none at all). • As shown in Table 1 below, the number of committee positions (including all types of committees) averages out at 2.6 per Member. However, Members' capacity to undertake committee work depends on their commitments to other meetings and the roles they fill within local partner organisations. As Table 1 also indicates, the number of non-committee positions averages out at around one working group/ board/ panel, one town/ parish councillor position (62 of the Council's 82 Members are town/ parish councillors) and one other outside organisation per Member. Hence there is an overall average (including committee positions) of 5.6 positions per Member, but with some Members holding many more positions than that (one, for example, is appointed to 10 outside organisations). • As noted later in this submission, there are existing difficulties in filling some committee positions, notably the Licensing Act Sub-Committee. <p>As these issues appear to stem, at least in part, from a shortage of capacity, not from the model of governance, the Council believes that they are best addressed through ongoing reviews of and adjustments to the committee structure.</p>
--	--	---

		<p><i>Table 1: Summary of Members’ internal and external positions</i></p> <table><tr><th></th><th>Number of positions</th><th>Number of Members involved</th><th>Average number of positions held per Member**</th><th>Highest number of positions held by any one Member</th></tr><tr><td>Standing committees</td><td>167</td><td>80</td><td>2.0</td><td>5</td></tr><tr><td><i>of which: involved in making 'major' decision-making committees*</i></td><td>86</td><td>64</td><td>1.0</td><td>4</td></tr><tr><td>Other committees (including sub-committees)</td><td>50</td><td>38</td><td>0.6</td><td>2 to 4***</td></tr><tr><td>Working groups/ boards/ panels</td><td>78</td><td>40</td><td>1.0</td><td>5</td></tr><tr><td>Outside organisations (excluding town and parish councils)</td><td>98</td><td>50</td><td>1.2</td><td>10</td></tr><tr><td>Town and parish councils</td><td>70</td><td>62</td><td>0.9</td><td>3</td></tr></table> <p>*Figures for ‘major’ decision-making committees relate to membership of the six service committees and the Finance Sub-Committee (which comprise some but not all of the standing committees). Apart from this, all the categories listed in Table 1 are mutually exclusive.</p> <p>**The averages shown in the fourth column are averaged across all Members, including those not involved in the specified type of meeting/ organisation: that is, they are calculated by dividing each of the figures in the second column by 82.</p> <p>***The figure for the highest number of “other” (non-standing) committee positions depends on the allocation of positions on the General Licensing Sub-Committee and Licensing Act Sub-Committee (whose membership is drawn from the 15-Member Licensing Committee), as one Licensing Committee Member also belongs to two of the “other” committees.</p> <p>It can also be seen from the Council’s decision-making structure that the Council has inclusive committee memberships and, therefore, high levels of engagement in the decision-making process by the Council’s members. The Council believes that this is a feature of Committee system decision-making, in comparison with lower levels of engagement of “backbench” members in the decision-making processes of Leader and Cabinet forms of governance.</p>		Number of positions	Number of Members involved	Average number of positions held per Member**	Highest number of positions held by any one Member	Standing committees	167	80	2.0	5	<i>of which: involved in making 'major' decision-making committees*</i>	86	64	1.0	4	Other committees (including sub-committees)	50	38	0.6	2 to 4***	Working groups/ boards/ panels	78	40	1.0	5	Outside organisations (excluding town and parish councils)	98	50	1.2	10	Town and parish councils	70	62	0.9	3
	Number of positions	Number of Members involved	Average number of positions held per Member**	Highest number of positions held by any one Member																																	
Standing committees	167	80	2.0	5																																	
<i>of which: involved in making 'major' decision-making committees*</i>	86	64	1.0	4																																	
Other committees (including sub-committees)	50	38	0.6	2 to 4***																																	
Working groups/ boards/ panels	78	40	1.0	5																																	
Outside organisations (excluding town and parish councils)	98	50	1.2	10																																	
Town and parish councils	70	62	0.9	3																																	
Portfolios	Key lines of explanation	<ul style="list-style-type: none">➤ <i>How many portfolios will there be?</i>➤ <i>What will the role of a portfolio holder be?</i>➤ <i>Will this be a full-time position?</i>➤ <i>Will decisions be delegated to portfolio holders? Or will the executive/mayor take decisions?</i>																																			

	Analysis	Not applicable to the Council in the strict sense of a portfolio holder under a Leader and Cabinet style of decision-making governance. However, the chairs and vice chairs of the Council's service committees, as well as the lead opposition members, have key roles as a consequence of these positions. The chairs of the service committees are all members of the Council's Corporate Policy Committee, which deals with the overarching policy matters, and has power to determine matters which cross over the responsibilities of one or more of the service committees.
Delegated Responsibilities	Key lines of explanation	<p>➤ <i>What responsibilities will be delegated to officers or committees?</i></p> <p>➤ <i>How many councillors will be involved in taking major decisions?</i></p>
	Analysis	<p>Chapter 2, Part 2 of the Council's Constitution sets out the decision-making arrangements of the Council: cheshire-east-council-constitution-chapter-2-july-2023-v2.pdf (cheshireeast.gov.uk). This Chapter includes the delegations to committees and to officers of the Council and committees' terms of reference.</p> <p>As noted earlier in this submission, the Council keeps its decision-making arrangements under review. The Corporate Policy Committee appointed a Constitution Working Group (CWG) of Councillors to undertake this role, and it meets regularly throughout the year. Since the introduction of the Committee system of governance, the CWG has received reports on revisions to the Constitution, outside bodies and the committee structure. Whilst, upon review by the CWG, it has been decided that no changes should be made to the Council's decision-making arrangements in certain instances, changes have been made in relation to:</p> <ul style="list-style-type: none"> • Notices of motion • Amendments • Closure motions • Public Speaking and questions • Six Month rule in relation to decisions made by service committees • Referral of decisions to Full Council procedure • The removal of the Public Rights of Way Committee – incorporating its remit within the functions of the Highways and Transport Committee. <p>Full details can be found here: Agenda for Council on Wednesday, 19th July, 2023, 11.00 am Cheshire East Council Agenda for Council on Wednesday, 27th April, 2022, 11.00 am Cheshire East Council Agenda for Corporate Policy Committee on Thursday, 15th June, 2023, 10.30 am Cheshire East Council</p>

		<p>The CWG continues to review the effectiveness of the Constitution and the decision-making structure of the Council. A further report will be considered by the Corporate Policy Committee and Full Council in due course.</p> <p>The CWG has a worklist of items for consideration in the future, which includes reviewing the committee structure, schemes of delegation, terms of reference of committees and timing of meetings.</p> <p>This demonstrates that the Council is constantly examining whether or not its decision-making arrangements, including delegation of powers to committees and officers, are fit for purpose. The recent transfer of the Public Rights of Way Committee’s responsibilities to the Highways and Transport Committee, and the ongoing consideration of the planning committee structure, is evidence of this process working effectively.</p> <p>“Major” decisions may be best defined as those undertaken by the Council’s service committees, which make those decisions previously made by the Council’s Cabinet. As shown in Table 1 above, there are 86 Councillor places on these committees.</p> <p>However, the Audit and Governance Committee also has responsibilities in fulfilling its terms of reference, namely: audit, assurance and reporting; review of governance, risk and control arrangements; and promotion of high standards of ethical behaviour. The same is true of the planning committees, which are responsible for determining large scale major development applications, major mineral or waste development applications, and other matters with strategic or significant policy implications.</p> <p>Full Council is also involved in deciding matters of key importance: those which are stipulated by legislation or otherwise, such as the Budget and Policy Framework, statutory officer appointments, and the Local Plan.</p> <p>Turning to the powers of officers, reference is made earlier in this submission to the relevant delegations. Taking all of the above issues and the Committee system Design Principles into consideration, and in the light of the regular examination of the Council’s decision-making arrangements, the Council firmly believes that the responsibilities delegated to committees, the number of members involved in making major decisions and the powers delegated to officers should not change, except where the continuing process of review of the committee structure and responsibilities determines that this should be the case.</p>
--	--	---

Accountability

Give the Commission details as to how the authority and its decision makers and partners will be held to account. The Commission is interested in both the internal and external dimensions of this role. **Responses should demonstrate that alternative council sizes have been explored.**

Topic	
Internal Scrutiny	The scrutiny function of authorities has changed considerably. Some use theme or task-and-finish groups, for example, and others have a committee system. Scrutiny arrangements may also be affected by the officer support available.
Key lines of explanation	<ul style="list-style-type: none"> ➤ How will decision makers be held to account? ➤ How many committees will be required? And what will their functions be? ➤ How many task and finish groups will there be? And what will their functions be? What time commitment will be involved for members? And how often will meetings take place? ➤ How many members will be required to fulfil these positions? ➤ Explain why you have increased, decreased, or not changed the number of scrutiny committees in the authority. ➤ Explain the reasoning behind the number of members per committee in terms of adding value.
Analysis	<p>As the Council operates a Committee system of governance, the Council's service committees are expected to undertake self-scrutiny through performance monitoring etc.</p> <p>However, the Council recognises that the work of its service committees needs to develop, in order fully embrace their internal scrutiny role. Indeed, further training is being planned for the Council's service committee members in this role, which will take place during winter 2023.</p> <p>The Committees are able to establish Task and Finish Groups/ Working Groups as and when required. These can be established for internal scrutiny purposes: for example, to review the</p>

OFFICIAL

OFFICIAL

	<p>effectiveness of policy etc. A maximum of three to four per committee at any one time is recommended. Usually they consist of around three to eight Members.</p> <p>Task and Finish groups are established to focus on a specific issue in detail, the members of the group become experts in the subject matter and report their findings back to the formal Committee. This allows the Committee itself to concentrate on the items of business identified within its work programme. It is the responsibility of the group to determine its own methodology for carrying out its work, developing a scope that outlines objectives and how the work will be undertaken, including frequency of meetings. They are time limited as they have been established to undertake a specific piece of in-depth work, usually between six or 12 months; and for this reason there can be a high frequency of meetings over a short period of time.</p> <p>Since the inception of the Council up until the introduction of the Committee system, the Council had four bespoke scrutiny committees, with a dedicated Scrutiny Team of officers who were specialists in scrutiny work. There is now no longer dedicated officer scrutiny support. The absence of resource for internal scrutiny will place new and challenging demands upon the knowledge, skills and time of service committee Members.</p> <p>The Council now has one externally focussed Scrutiny Committee (13 Members), which is responsible for the Council's statutory scrutiny functions including health, crime and disorder and flooding.</p> <p>In response to the establishment of Integrated Care Systems (ICS), the nine Merseyside and Cheshire local authorities agreed several actions to ensure that joint health scrutiny arrangements in</p>
--	--

		<p>Cheshire and Merseyside are fit to meet the challenge of the new statutory arrangements. A standing joint health scrutiny committee has been established to take on the Authorities' collective statutory responsibility to oversee and scrutinise the operation of the ICS at Cheshire and Merseyside level. The host Authority for this committee is Knowsley BC Browse meetings - Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee - Knowsley Council</p> <p>The overarching role of the Joint Committee is to scrutinise the work of the ICS in the discharge of its statutory responsibilities and functions at Cheshire and Merseyside level in order to support their effective exercise and, where appropriate, to make reports or recommendations to the ICS. It also considers any proposals for changes in health services that not only impact all nine local authority areas but are also considered to be a substantial change by each of the nine.</p>
Statutory Function		This includes planning, licencing and any other regulatory responsibilities. Consider under each of the headings the extent to which decisions will be delegated to officers. How many members will be required to fulfil the statutory requirements of the council?
Planning	<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>What proportion of planning applications will be determined by members?</i> ➤ <i>Has this changed in the last few years? And are further changes anticipated?</i> ➤ <i>Will there be area planning committees? Or a single council-wide committee?</i> ➤ <i>Will executive members serve on the planning committees?</i> ➤ <i>What will be the time commitment to the planning committee for members?</i>
	Analysis	The Strategic Planning Board (SPB), which meets around nine times a year, considers larger, more strategic planning

		<p>applications. The other two planning committees are area planning committees – North and South (each holds 10-12 meetings a year) – which consider the remaining applications that are not covered by the scheme of delegation or are ‘called in’ by a Member for the Committee to determine. There are 12 Members on each of the three committees.</p> <p>As part of the Council’s drive to reduce the costs of democracy and develop more efficient decision-making, the Corporate Policy Committee has recently approved a proposal (subject to a final decision by Full Council in December 2023) to reduce the number of planning committees from three to two.</p> <p>Cheshire East is consistently among the top 10 busiest local authorities in England for planning applications (ranked seventh for 2020-22) and by far the busiest in the North West region.¹⁹ With 17.8 applications per 1,000 population in 2020-22, Cheshire East is similar to comparable authorities such as Dorset or the East Riding of Yorkshire.²⁰</p> <p>2% of applications are determined by the committees. This proportion has remained fairly consistent over the past four years. On average there are between three and six applications for consideration on each area planning committee agenda and two to three on SPB. As the Local Plan has been progressed and larger schemes are being developed out, the number of applications considered by SPB has fallen in recent years.</p> <p>Average time duration for each of the three committees’ meetings is four hours (excluding Members’ reading/ preparation time and</p>
--	--	---

¹⁹ Planning/ Department for Levelling Up, Housing and Communities data.
²⁰ Rates based on data from 'Population and household estimates for England and Wales: Census 2021' (the first release of results from the 2021 Census of Population for England and Wales), Office for National Statistics (ONS), 28th June 2022).

		<p>the occasional site visit). However, meetings can last far longer and this is a particular issue for Cheshire East: during the 12 months to mid July 2023, there were five planning committee meetings in excess of five hours, with one SPB meeting lasting six hours 40 minutes.</p> <p>As parts of the Borough fall within the Peak District National Park, Members' workloads are higher because of the need to understand and adhere to two separate planning regimes. The Borough also has 77 Conservation Areas and 33 Sites of Special Scientific Interest (SSSIs), which further demonstrates the complexity of decisions made by planning committee Members and places additional responsibilities on Members.</p>
Licensing	Key lines of explanation	<ul style="list-style-type: none"> ➤ How many licencing panels will the council have in the average year? ➤ And what will be the time commitment for members? ➤ Will there be standing licencing panels, or will they be ad-hoc? ➤ Will there be core members and regular attendees, or will different members serve on them?
	Analysis	<p>The statutory requirements of the Licensing Act 2003 requires that the Council have a Licensing Committee with 10 to 15 Members. As required by the Constitution, the Council has a Licensing Committee with 15 Members. This is scheduled to meet around five times a year, but in practice tends to meet only twice a year.</p> <p>The majority of business is conducted at the sub-committee level. There are two standing sub-committees:</p> <ol style="list-style-type: none"> 1. The General Licensing Sub-Committee (GLSC), which has five Members. It is scheduled to meet monthly, but due to a lack of business it has met only once in the last 18 months. 2. The Licensing Act Sub-Committee (LASC), which has three Members. It meets on an ad hoc basis and the frequency of

		<p>meetings varies a lot. During the current year, it has so far met only twice but sometimes (like last year) there can be 15-20 or more meetings a year.</p> <p>Most Licensing Committee meetings last less than an hour. The Sub-Committee meetings tend to last half a day.</p> <p>Given the ad hoc nature of LASC meetings and the limited statutory timescale that they can be called within, it can be difficult to populate them with Members. Therefore officers would not advocate reducing the number of Members on the full Committee.</p>
Other Regulatory Bodies	<i>Key lines of explanation</i>	<p>➤ What will they be, and how many members will they require?</p> <p>➤ Explain the number and membership of your Regulatory Committees with respect to greater delegation to officers.</p>
	Analysis	Not applicable: no other such bodies.
External Partnerships		Service delivery has changed for councils over time, and many authorities now have a range of delivery partners to work with and hold to account.
<i>Key lines of explanation</i>		<p>➤ Will council members serve on decision-making partnerships, sub-regional, regional or national bodies? In doing so, are they able to take decisions/make commitments on behalf of the council?</p> <p>➤ How many councillors will be involved in this activity? And what is their expected workload? What proportion of this work is undertaken by portfolio holders?</p> <p>➤ What other external bodies will members be involved in? And what is the anticipated workload?</p>
Analysis		There are at present 54 outside bodies (excluding school governing bodies and local resident associations) which require or expect the Council to appoint representatives. The total number of appointments made to such bodies (excluding school governing

	<p>bodies) is 98: an average of 1.2 per Member (see Table 1 above). The total number of outside body meetings Members are required to attend per year is around 300: Appointments to Outside Organisations - report v3 final.pdf (cheshireeast.gov.uk)</p> <ul style="list-style-type: none">• Some councillors also are School Governors in their Borough wards.• Members are also appointed to the governing bodies of wholly-owned Council companies, which meet frequently: Report Template v5.1 (cheshireeast.gov.uk)• The Police & Crime Panel requires the councillor appointed to attend many meetings and liaise with other public bodies in the local area: report.pdf (cheshireeast.gov.uk)• Councillors are also on the Cheshire Fire & Rescue Authority, which meets frequently: report.pdf (cheshireeast.gov.uk)• Councillors sit on the Fostering and Adoption Panels, which also meet frequently: Report.pdf (cheshireeast.gov.uk) <p>Based on the responses to the Members survey undertaken by Cheshire East in September-October 2023 (to inform this Review), it is estimated that, over a typical three-month period, Members spend an average of 2.4 hours/ week on dealing with work for outside bodies that the Council has appointed them to.</p> <p>As set out in detail earlier in this submission, Cheshire East also shares some services, such as ICT and payroll, with Cheshire West and Chester Council.</p>
--	--

The Commission understands that there is no single approach to community leadership and that members represent, and provide leadership to, their communities in different ways. The Commission wants to know how members are required to provide effective community leadership and what support the council offers them in this role. For example, does the authority have a defined role and performance system for its elected members? And what support networks are available within the council to help members in their duties? The Commission also wants to see a consideration of **how the use of technology and social media by the council as a whole, and by councillors individually, will affect casework, community engagement and local democratic representation. Responses should demonstrate that alternative council sizes have been explored.**

Topic		Description
Community Leadership	Key lines of explanation	<ul style="list-style-type: none"> ➤ <i>In general terms how do councillors carry out their representational role with electors?</i> ➤ <i>Does the council have area committees and what are their powers?</i> ➤ <i>How do councillors seek to engage with their constituents? Do they hold surgeries, send newsletters, hold public meetings or maintain blogs?</i> ➤ <i>Are there any mechanisms in place that help councillors interact with young people, those not on the electoral register, and/or other minority groups and their representative bodies?</i> ➤ <i>Are councillors expected to attend community meetings, such as parish or resident's association meetings? If so, what is their level of involvement and what roles do they play?</i> ➤ <i>Explain your approach to the Area Governance structure. Is your Area Governance a decision-making forum or an advisory board? What is their relationship with locally elected members and Community bodies such as Town and Parish Councils? Looking forward how could they be improved to enhance decision-making?</i>
	Analysis	<p>Areas of the Borough are covered by local Neighbourhood Partnership meetings, which are chaired by councillors.</p> <p>A regular “members bulletin” digital newsletter is issued to Members from the communications and media team, to support Members with their community engagement.</p> <p>The Council have a Youth Council, supported by a participation officer, which Members can attend to discuss subjects with children and young people. The participation officer can also enable engagement with cared-for children, local schools and other community groups.</p> <p>62 Members (76%) are also members of the town and parish councils within Cheshire East. This impacts on the affected Members’ workloads and how much capacity they have to support residents. Whilst their membership of these bodies is legally separate from their role on and membership of Cheshire East Council, many Members</p>

		<p>see the role as a dual one: not only to discharge town and parish council business, but also acting as a conduit through which the voice of town and parish councils can be heard, at Borough Council level, and via which important Cheshire East Council issues can be raised in town and parish council meetings. Therefore, town and parish council membership cannot be divorced from the issue of Cheshire East Members' workloads.</p> <p>Town and parish councils are supported by the Cheshire Association of Local Councils (CHALC). CHALC are commissioned by the Council to facilitate engagement through the Council's Communities Team. A Town and Parish Councils Network has been established to support communication and engagement between Cheshire East Council and local councils.</p> <p>Many councillors are involved in local community and voluntary sector organisations.</p> <p>The Leader of the Council chairs the Cheshire East Leaders Board, which is group of Chief Executives from a range of key organisations across Cheshire East including the NHS, Police, Fire, housing providers, colleges and local businesses.</p>
Casework	<i>Key lines of explanation</i>	<p>➤ <i>How do councillors deal with their casework? Do they pass it on to council officers? Or do they take a more in-depth approach to resolving issues?</i></p> <p>➤ <i>What support do members receive?</i></p> <p>➤ <i>How has technology influenced the way in which councillors work? And interact with their electorate?</i></p> <p>➤ <i>In what ways does the council promote service users' engagement/dispute resolution with service providers and managers rather than through councillors?</i></p>
	Analysis	<p>Since the inception of the Council, Members have largely taken responsibility for their own casework and for the means by which they deal with it. However, some support is provided to Members in dealing with resident queries:</p> <ul style="list-style-type: none"> • The Members' Enquiries Service is a service administered by the Council's Democratic Service, which enables Members to raise "ward-based, service-related" enquiries via a central email address. Officers then provide a unique reference number for each enquiry and send them to the relevant Council service for response. Reminders are issued if responses are overdue. This is clearly a key facility for Members in dealing with casework. • The Members' Secretary is an officer based in Democratic Services whose work is largely based upon support for Members. This facility is used by Members to deal with a range of queries, including casework which doesn't fall within the scope of the Members' Enquiries Service.

		<ul style="list-style-type: none"> The Leader and Deputy Leader of the Council, together with the chairs and vice chairs of the service committees also have personal assistant support. But, whilst these Members have access to the Members' Enquiries Service and Members' Secretary, there will undoubtedly be some casework which finds its way to them via their personal assistant. <p>Residents are encouraged to contact the Council as appropriate. Residents and Members see their direct relationship, lines of communication and accessibility within the community to be of key importance in the democratic process. Hence it is not anticipated that current patterns of resident/ Member engagement will significantly change.</p> <p>Based on the responses to the Members survey undertaken by Cheshire East in September-October 2023 (to inform this Review), it is estimated that, over a typical three-month period, Members spend an average of 7.3 hours/ week on casework/ ward issues, but nearly half (46%) said they spent an average of more than eight hours a week on this type of work.</p>
--	--	---

Other Issues

Respondent may use this space to bring any other issues of relevance to the attention of the Commission.

The Council has no issues to raise here.

Summary

In following this template respondents should have been able to provide the Commission with a robust and well-evidenced case for their proposed council size; one which gives a clear explanation as to the governance arrangements and number of councillors required to represent the authority in the future.

Use this space to summarise the proposals and indicate other options considered. Explain why these alternatives were not appropriate in terms of their ability to deliver effective Strategic Leadership, Accountability (Scrutiny, Regulation and Partnerships), and Community Leadership.

One useful guide to appropriate council size is the average (Borough-wide) electors-per-councillor ratio and how this compares to local authorities that are similar to Cheshire East in terms of population and character, as these are councils that are likely to have a broadly similar workload to Cheshire East. The data table in Appendix 5 shows how Cheshire East's electors-per-councillor ratio (3,800 as of December 2022) compares to those for similar councils. For eleven of the other 16 authorities in this table, the LGBCE has published Electoral Review final

recommendations within the last six years (January 2018 onwards); for three others, a Review is underway and has already reached a stage where the LGBCE has published its provisional view on the appropriate council size. Hence for 14 of these other 16 authorities (all except the East Riding of Yorkshire and North Somerset), the council size and electors-per-councillor ratios take account of recent LGBCE judgements.

As Appendix 5 indicates, the Borough's ratio is broadly in line with those for most of these 'similar' authorities and particularly with those seven councils (indicated by the shaded rows in Appendix 5) that have a population within 20% of Cheshire East's. These seven councils' ratios range from 3,200 to 4,000, or from 3,400 to 4,000 if the LGBCE's proposals from ongoing reviews are taken as the most up-to-date guide to these authorities' appropriate council size. However, it is notable that for the nine authorities (shown in bold in Appendix 5) that are identified by CIPFA as a 'nearest neighbours' of Cheshire East, the ratios cover a much wider range, from 3,200 (Solihull) to 5,000 (Cornwall). Of the 17 authorities listed in Appendix 5, Cornwall is one of two (along with Buckinghamshire) for which the ratio exceeds 4,000.

If, as the electorate forecasts for this Review indicate, the Borough's electorate grows to 337,300 by 2030, that would mean a ratio of 4,100 in 2030 if the current number of seats is left unchanged. Hence, if its size remains at 82 seats and allowing for electorate growth in similar authorities up to 2030, Cheshire East's ratio is likely to remain within the range of ratios for those similar authorities, but is likely to err increasingly towards the high end of that range, exceeded perhaps only by two of the other authorities listed in Appendix 5 (Cornwall and Buckinghamshire).

Another indication as to the appropriate council size is data on Members' overall workloads. The bulk of the evidence on this comes from the Council's recent survey of Members, which was undertaken to provide important data that would inform the Council's response to the Electoral Review. This survey was open from 8th September until 4th October 2023 and 57% (47) of Cheshire East's 82 Members responded.

Key survey findings that highlight workload levels are as follows²¹:

- 38% of the respondents (18 out of 47) had been a Member for a year or less, but 36% (17) had served for six years or more.
- The respondents had, on average, 2.7 committee positions (close to the average of 2.6 for all 82 Members). 63% (29 out of 47) had been appointed by the Council to one or more outside bodies.
- It was estimated from the survey responses that, over a typical three-month period, Members spend an average of 26.6 hours a week on council business. (The commentary further below, on the data table in Appendix 6, breaks down the 26.6 hours/ week into its component parts.)
- As an indication of the ranges reported in workload levels (rather than just averages), it is notable that:
 - Some Members (though only a small minority) said it took six to eight hours to travel from home to some of their committees' locations and some (three) reported spending an average of more than eight hours preparing for certain committees' meetings.

²¹ As indicated by the summary that follows, the sample sizes were below 47 in some cases, due to some questions not being answered by or not being applicable to some Members.

- Nearly half (46%, or 21 respondents out of 46) spent an average of more than eight hours a week dealing with casework/ ward issues.
- Nearly a quarter (24%, or 11 out of 45) spent an average of more than twenty hours a week dealing with their areas of additional responsibility (such as committee chair/ vice-chair, Group Leader or town/ parish councillor).
- 62% (29 out of 47) were town/ parish councillors, which was lower than the proportion for Cheshire East Members as a whole (76%).
- 64% (30 out of 47) said they spent more time on council business than they had expected when they were first elected.
- 70% of Members (33 out of 47) reported that their workload levels had risen by more than a fifth since they were first elected, of whom ten (21% of all the respondents) reported an increase of more than 60%.
- 33% (15 out of 46) felt “very over occupied”.
- 60% (27 out of 45) said workload demands were high at all days and times of the week, rather than being limited to certain parts of the week.
- 70% (32 out of 46) said workload demands had a “significant” or “very significant” impact on their work-life balance and wellbeing.
- 36% (17 out of 47) had insufficient time and capacity to carry out their duties properly.
- In response to an invitation for general comments, a number of respondents expressed a view that Member workloads make it either impossible or very difficult for full-time workers to serve as Members. Some said they could undertake the role only because they were not in a paid job, while some others reported having to switch to part-time employment/ reduced hours and hence reduced pay, to accommodate council business.

These survey results provide compelling evidence both that the Borough Council and its Members face pressures in terms of time and workload in supporting residents, businesses and partner organisations. Bearing in mind the expected growth in housing, population and the number of electors up to 2030, this will exacerbate this situation.

The estimate of average hours worked per week on council business (26.6), which itself excludes some Members’ work²², also demonstrates how a Member’s work (allowing for substantial variations from this high average) often equates to a full-time role in itself. This means serving as a Borough ward councillor is not a practical option for many people in full-time paid employment.

The full results from this survey can be found in Appendix 7.

However, in determining the optimal council size, it is important to consider potential alternative sizes and the workload implications these would have. The data table in Appendix 6 therefore presents key measures of Cheshire East councillors’ workloads, in terms of Committee work and

²² In response to the final question in the survey, which invited general comments, some Members noted that the questionnaire did not ask about time spent in parish council meetings, or in Member training, or on site visits, dealing with emails and phone calls, social media monitoring work (to help keep track of local residents’ key issues) or follow-up work. It is clear, therefore, that at least some respondents did not include these activities in the estimates the time they spent on council business (though others may have allowed for these in their responses). This is an indication that the survey statistics may, if anything, understate Members’ workload levels.

current and future numbers of electors, for various council sizes (from 77 up to 87 seats). This includes workload statistics derived from the Members survey, as well as others derived from the Council's administrative records.

As Appendix 6 shows:

- The Borough's Members currently hold an average of 2.6 positions, in addition to attending Full Council. Members hold, on average, a total of 5.6 positions (2.6 on committees and 3 elsewhere) when working groups/ boards/ panels and outside organisations (including town and parish councils) are factored in. It is estimated that, over a typical three-month period, they spend an average of 26.6 hours/ week on council business, of which 3.8 hours are on preparing for, travelling to/ from and attending committee meetings, 7.3 hours on casework/ ward issues, 13.1 on additional responsibilities (including any town/ parish councillor positions) and 2.4 on work for outside bodies that the Council has appointed them to.
- Currently (as of July 2023), the average number of electors per councillor is 3,800 and this is forecast to increase to 4,100 by 2030 as a result of the expected growth in the number of electors.

Taken together, the evidence from Appendices 5 to 7 provides an indication as to what would be an appropriate increase in the number of councillors. Looking at the evidence from Appendix 5:

- The seven authorities that are closest in size to Cheshire East all have electors-per-councillor ratios in the 3,400 to 4,000 range (allowing for the impact of LGBCE proposals from ongoing reviews) and 3,400 to 3,900 if the East Riding of Yorkshire (not reviewed since 2001) is excluded.
- The nine authorities identified by CIPFA as Cheshire East's nearest neighbours have ratios covering a much wider range - 3,200 to 5,000 - though it should be noted that the two with ratios in excess of 4,000 (Cornwall and Buckinghamshire) both have populations substantially (over a third) greater than Cheshire East's. If the Cornwall figure were adopted, the number of Councillors would be reduced significantly.

It is appreciated that these other authorities' populations and electorates will also grow in number over time and that the LGBCE's review decisions allow for some of those authorities' electors-per-councillor ratios increasing, within a few years, beyond the ranges quoted above. Allowing for this growth over the longer term and factoring in the evidence from the Members survey, a ratio of around 4,100 would allow Cheshire East Members to carry out their duties properly whilst preserving their wellbeing and a reasonable work-life balance. It is a suggested a ratio as high as 5000:1 would not.

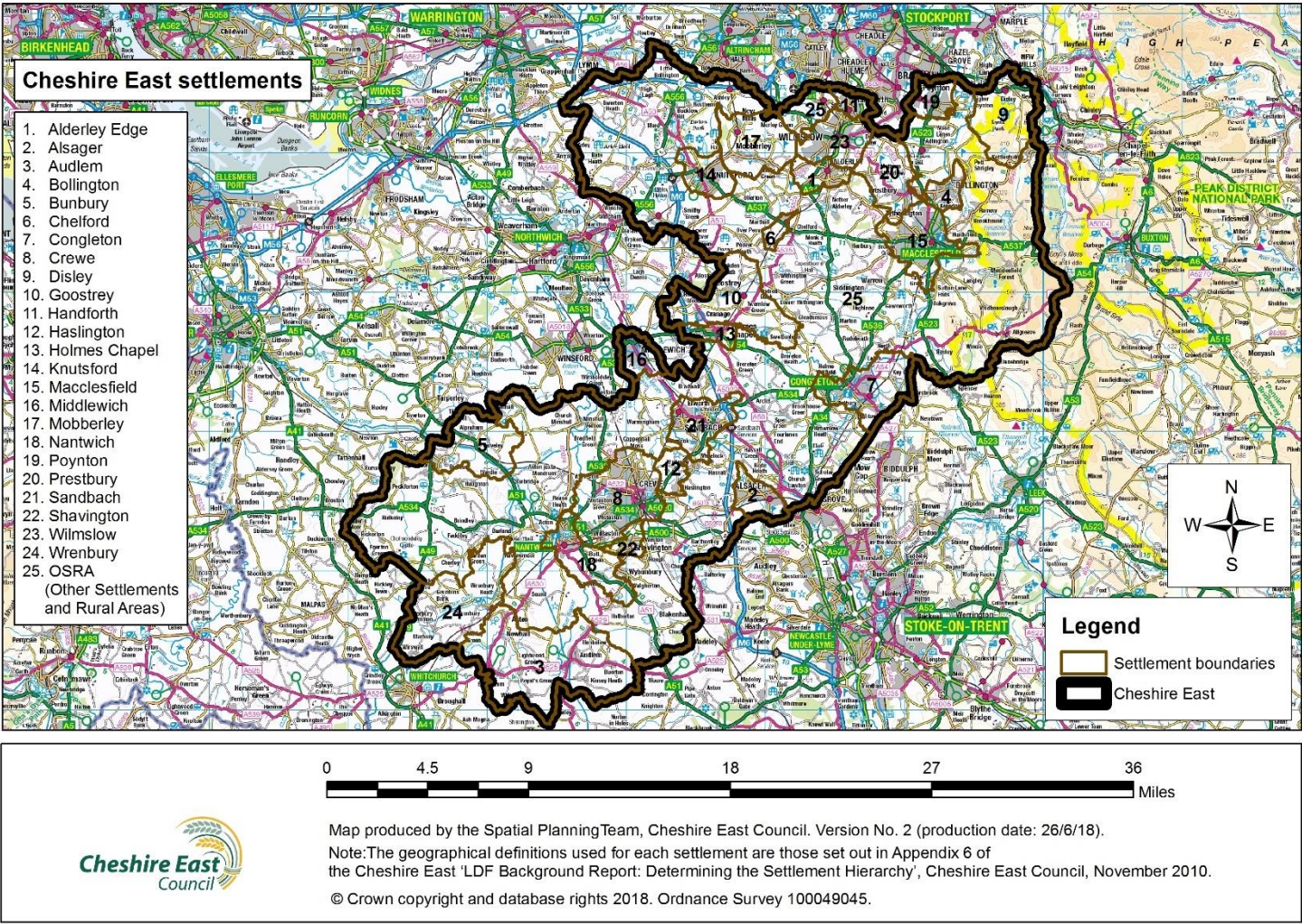
As noted above, the electorate forecasts indicate a ratio of 4,100 by 2030 if the current size (82 Members) is retained. It is considered that this would be sustainable and further reviews and adjustments to the committee structure could enable more efficient decision-making that reduces Members' workloads. However, a reduction from the current council size of 82 is likely to result in unsustainable pressures on Members that structural changes to the Committee system could not resolve.

Therefore the current size of 82 continues to reflect sufficient capacity in terms of members to electorate ratio and still provides sufficient room for growth.

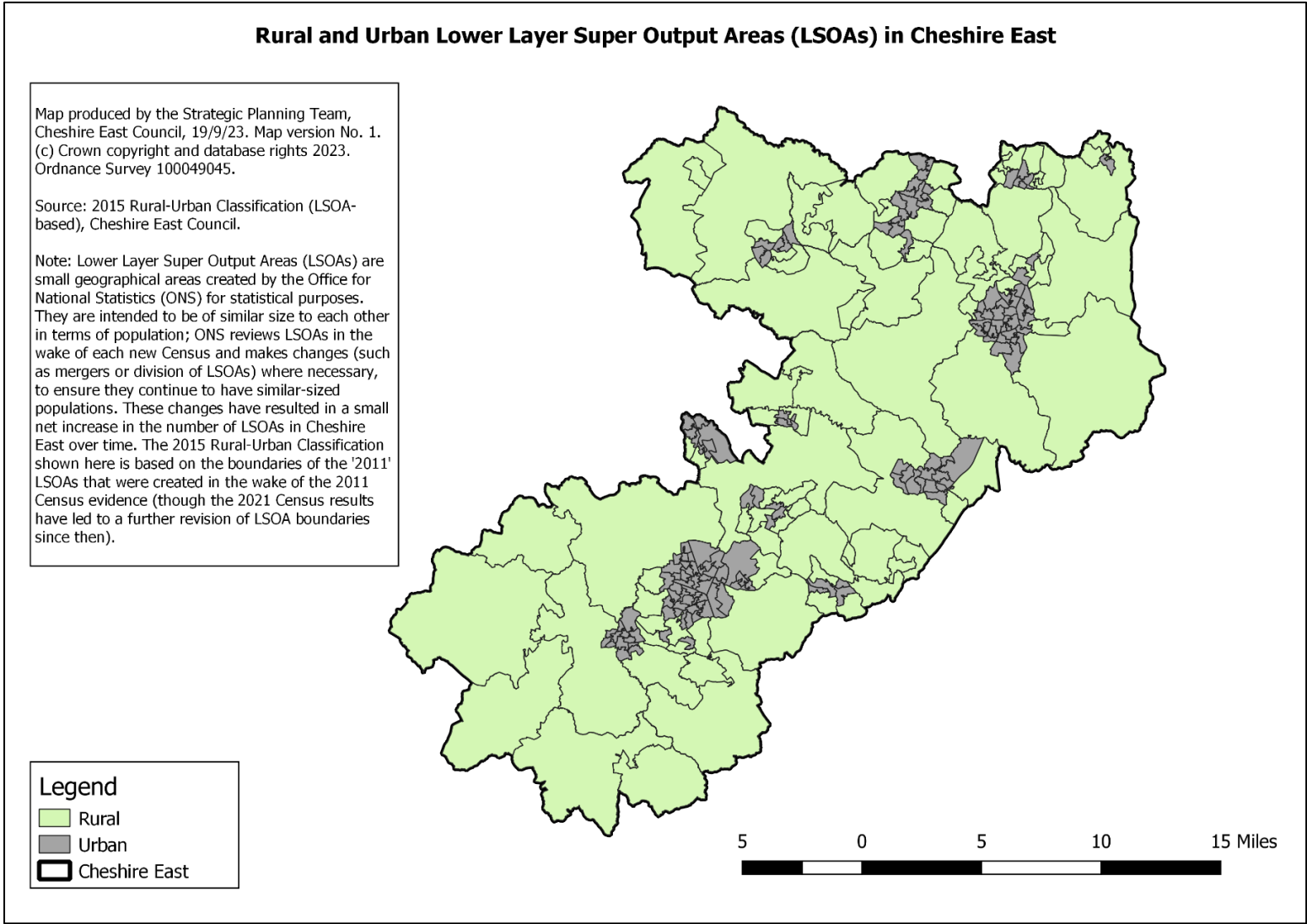
In reaching its decision about the appropriate council size, the Council has taken a long-term view, based upon what it understands of the likely national and local policy context, over the next 15-20 years, particularly in the context of an anticipated increased population and also the local impact of any sub regional devolution agreements.

In summary, having 82 councillors would help to avoid the risks set out above and should ensure a diverse range of Members with complementary skills and backgrounds and who have sufficient time and resources to perform all their duties properly, without neglecting any local communities, vulnerable residents or partnership organisations. It would also help to ensure high quality, accountable service provision and efficient use of the Council's finances.

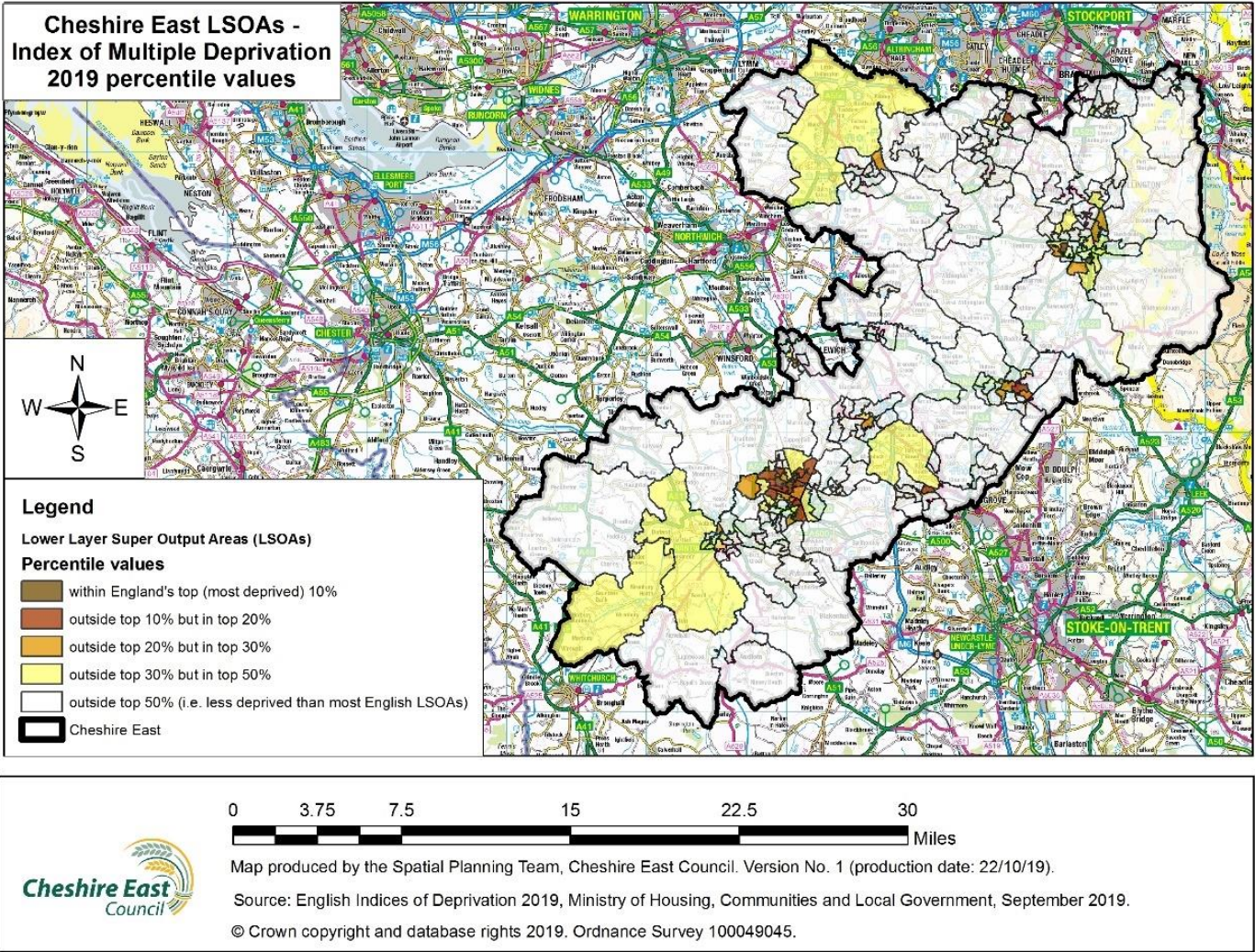
Appendix 1: Cheshire East main settlements



Appendix 2: Rural and urban areas of Cheshire East



Appendix 3: Deprivation in Cheshire East



Appendix 4: Committee names, types, sizes and frequency of meetings

	Committee name	Standing committee	Committee/ meeting category	Number of Members	Number of meetings held in last year
1	Adults and Health Committee	Yes	Service Committees	13	6
2	Children and Families Committee	Yes	Service Committees	13	8
3	Corporate Policy Committee	Yes	Service Committees	13	7
4	Economy and Growth Committee	Yes	Service Committees	13	6
5	Environment and Communities Committee	Yes	Service Committees	13	8
6	Finance Sub-Committee	Yes	Service Committees	8	6
7	Highways and Transport Committee	Yes	Service Committees	13	6
8	Licensing Committee	Yes	Regulatory (Licensing)	15	3
9	Northern Planning Committee	Yes	Regulatory (Planning)	12	12
10	Southern Planning Committee	Yes	Regulatory (Planning)	12	10
11	Strategic Planning Board	Yes	Regulatory (Planning)	12	9
12	Scrutiny Committee	Yes	Scrutiny Committees	13	4
13	Appointments Committee	Yes	Other Committees	8	0
14	Audit and Governance Committee	Yes	Other Committees	9	6
15	Cared For Children and Care Leaver Sub-Committee	No	Other Committees	12	5
16	Health and Wellbeing Board	No	Other Committees	4	5
17	General Appeals Sub-Committee	No	Other Committees	5*	7
18	Electoral Review Sub-Committee	No	Other Committees	10	N/A
19	Shared Services Joint Committee	No	Other Committees	3	4
20	Staffing Appeals Sub-Committee	No	Other Committees	3*	4
21	General Licensing Sub-Committee	No	Regulatory (Licensing)	5**	0
22	Licensing Act Sub-Committee	No	Regulatory (Licensing)	3**	10
23	Local Authority School Governor Nomination Sub-Committee	No	Other Meetings	5	4

*General Appeals Sub-Committee and Staffing Appeals Committee Members chosen from a pool of 10.

**General Licensing Act Sub-Committee and Licensing Act Sub-Committee Members chosen from among the 15 Licensing Committee Members.

Source: Democratic Services team administrative data (provided during July-October 2023). Notes: [1] Figures include reserves and non-voting members. [2] Figures in the last column based on meetings held in the 12-month period ending mid July 2023. [2] Electoral Review Sub-Committee not appointed until July 2023. [3] As noted in the “Licensing” section of this submission, the General Licensing Sub-Committee has met only once in the last 18 months, due to a lack of business.

Appendix 5: Council sizes and ratios for Cheshire East and similar local authorities

(Shaded rows indicate councils with a population that was within 20% of the Cheshire East as of 2021. Bold font indicates those authorities identified by CIPFA modelling (<https://www.cipfa.org/services/cipfastats/nearest-neighbour-model>) as most comparable to Cheshire East.)

Name	Population (from 2021 Census)	Local government electors as of Dec 2022	Current number of councillors	Ratio of electors to councillors	New number of councillors proposed or recommended by LGBCE, if applicable (see Note [3] below)	New ratio, if applicable (see Note [3] below)
Buckinghamshire	553,100	412,800	147	2,800	97	4,300
Central Bedfordshire	294,200	219,900	63	3,500	N/A	N/A
Cheshire East	398,800	310,600	82	3,800	N/A	N/A
Cheshire West and Chester	357,200	262,600	70	3,800	N/A	N/A
Cornwall	570,300	431,200	87	5,000	N/A	N/A
Dorset	379,600	297,500	82	3,600	N/A	N/A
Durham	522,100	390,300	126	3,100	98	4,000
East Riding of Yorkshire	342,200	270,100	67	4,000	N/A	N/A
North Northamptonshire	359,500	264,500	78	3,400	68	3,900
North Somerset	216,700	165,500	50	3,300	N/A	N/A
Northumberland	320,600	251,600	67	3,800	69	3,600
Shropshire	323,600	250,100	74	3,400	74	3,400
Solihull	216,200	160,800	51	3,200	51	3,200
South Gloucestershire	290,400	212,000	61	3,500	N/A	N/A
Stockport	294,800	222,800	63	3,500	N/A	N/A
West Northamptonshire	425,700	298,500	93	3,200	76	3,900
Wiltshire	510,400	382,700	98	3,900	N/A	N/A

Sources: [1] List of comparable local authorities identified by CIPFA, LGBCE email to Cheshire East Council, 21st July 2023. [2] 'Population and household estimates for England and Wales: Census 2021' (the first release of results from the 2021 Census of Population for England and Wales), Office for National Statistics (ONS), 28th June 2022. [3] December 2022 local government elector data: 'Electoral statistics, UK, December 2022' data file from ONS' 'Electoral statistics for the UK' release, 20th April 2023: <https://www.ons.gov.uk/peoplepopulationandcommunity/elections/electoralregistration/datasets/electoralstatisticsforuk> [4] Councillor numbers: LGBCE electoral data spreadsheet file, downloaded on 14th April 2023 from <https://www.lgbce.org.uk/electoral-data>

Notes: [1] These authorities are ones that were either identified by CIPFA as being comparable to Cheshire East, or which met all the following criteria: English unitary authority; a substantial rural area/ rural population; population (as of 2021) at least half that of Cheshire East, but no more than 50% greater than Cheshire East. [2] Ratios based on local government electorate as of December 2022. [3] Entries in the final two columns applicable only where a review is currently underway or changes from a concluded review have yet to take effect. These two columns take account of LGBCE review proposals and decisions published up to 11 October 2023.

Appendix 6: Workload per councillor, by council size

			Average number of hours spent per week (over a typical three-month period) – see 'CALCULATION APPROACH' note below						
Number of councillors	Average number of Committee positions per councillor (i)	Average number of positions held, including outside organisations (i, ii)	Committee work (iii)	Casework/ ward issues	Additional duties (iv)	Work for outside bodies (v)	Total (all council business) (vi)	Electors per councillor, July 2023	Electors per councillor, January 2030
77	2.8	6.0 (5.1)	4.0	7.8	14.0	2.6	28.3	4,087	4,381
78	2.8	5.9 (5.0)	3.9	7.7	13.8	2.5	27.9	4,034	4,325
79	2.7	5.9 (5.0)	3.9	7.6	13.6	2.5	27.6	3,983	4,270
80	2.7	5.8 (4.9)	3.8	7.5	13.5	2.5	27.2	3,934	4,217
81	2.7	5.7 (4.9)	3.8	7.4	13.3	2.4	26.9	3,885	4,165
82	2.6	5.6 (4.8)	3.8	7.3	13.1	2.4	26.6	3,838	4,114
83	2.6	5.6 (4.7)	3.7	7.2	13.0	2.4	26.3	3,791	4,064
84	2.6	5.5 (4.7)	3.7	7.1	12.8	2.4	25.9	3,746	4,016
85	2.6	5.4 (4.6)	3.6	7.0	12.7	2.3	25.6	3,702	3,969
86	2.5	5.4 (4.6)	3.6	6.9	12.5	2.3	25.3	3,659	3,923
87	2.5	5.3 (4.5)	3.5	6.9	12.4	2.3	25.0	3,617	3,877

CALCULATION APPROACH: Apart from Democratic Services team administrative data recording the average length of Committee meetings, the statistics on the average number of hours spent on council business are derived from the Members Survey undertaken in September-October 2023. As the survey questions asked Members to select a time band (e.g. “Up to two hours”, “Two to four hours”, etc), it has been assumed for the purposes of the above calculations that the time spent by Members on each activity will, on average, fall within the middle of the band they selected. For example, it is assumed for the above calculations that Members who spent “Four to six hours” a week on casework/ ward issues worked an average of five hours a week on these issues. In cases where Members picked a time band with no upper limit (e.g. “Over twenty hours”), the assumed average for the responses within that band is based on the overall distribution of times selected by the Members who answered that particular question. In particular:

- For preparation/ reading time for each committee meeting, nine hours was taken as a reasonable average to assume for those who said "More than eight hours". This was because only 2% of the committee meetings that Members reported on in the survey were within this band and so the average time taken in these cases is unlikely to be much more than eight.
- When asked about the average amount of time spent per week on casework/ ward issues, nearly half of respondents (46%) said "More than eight hours". Hence it was assumed that the average time for the respondents in this band would be significantly greater than eight. An average of 10 hours is therefore assumed, though this could potentially be an underestimate.

- Given that nearly a quarter (24%) of Members reported spending "Over twenty hours" on dealing with additional duties, it is assumed that the average time spent by the Members in this band is significantly above 20. Given the lack of information about how far beyond 20 hours these working hours might range, it has been assumed that the averages for Members in this band are evenly distributed between 21 and 25 and therefore average out at 23.

Sources: [1] Committee structure and meetings web pages (<http://moderngov.cheshireeast.gov.uk/ecminutes/mgListCommittees.aspx?bcr=1>). [2] Democratic Services Team, Cheshire East Council, July-September 2023. [3] Electorate forecasts produced by Cheshire East Council for the current electoral review. [4] Members Survey, September-October 2023.

Notes relating to specific data columns: (i) Figures for committee positions exclude Full Council, which meets an average of six times a year. (ii) For each council size, there are two figures given for the average number of positions held. The first figure (outside the brackets) includes all internal committees/ working groups/ boards/ panels and other outside organisations, including town/ parish council positions. However, the figures in brackets exclude town/ parish council positions. (iii) The figures for hours spent on Committee work include reading/ preparation and travel time as well as time spent in the actual meetings. (iv) 'Additional duties' includes the following roles: Committee chair/ vice-chair, Executive Board member, Group Leader, Group Administrator, Mayor, Town/ Parish Councillor. (v) 'Outside bodies' means only those that Members have been appointed to by the Borough Council. (vi) The figures in the 'Total (all council business)' column are the sum of those in the preceding four columns.

Appendix 7: Member Survey results

Overview

This Appendix sets out in detail the results from the Council's recent survey of Members, which was undertaken to inform the Council's response to the Electoral Review. This survey was open from 8th September until 4th October 2023 and 57% (47) of Cheshire East's 82 Members responded.

Assessment of the survey's representativeness

Comparisons of the survey data with the Council's administrative data suggest that those who responded were broadly representative of all 82 Members. For example, the 47 survey respondents had, on average, 2.7 committee positions (excluding Full Council), which closely matched the average shown in the administrative records (2.6). In addition, the proportion of survey respondents who said they had been appointed to outside bodies (63%) was close to the proportion for all 82 Members (with 50 of them, or 61%, being on such bodies). "Twin-hatted" Members (those who are also town or parish councillors) were a little under-represented: as noted earlier in this submission, 76% of all Members are twin-hatted, but only 62% (29) of the survey respondents were. In that respect, the survey responses may understate the average volume of work arising from town/ parish councillor positions. However, the survey respondents' answers (based on their personal estimates or recollections of meeting frequencies) indicated an average of 8.1 meetings per year for the committees they sat on, compared to administrative records showing this average to be 6.2 when all Members are included. Therefore the survey responses may overstate the average volume of work arising from committee positions. Taking all the survey sample's variances from the 82-Member "population" into account, though, there is no reason to think that the total workload levels indicated by the survey data are significantly skewed, either upwards or downwards, by who did or did not respond to the survey.

Other notes

The final survey question ("Do you believe that you currently have sufficient time and capacity to properly undertake your Councillor duties?") was followed by an invitation for Members to add any comments. To avoid potentially identifying individuals, these comments are not listed in full in this submission. However, some key points are cited in the 'Summary' section of the submission and the collective feedback from these open comments will be followed up internally.

Q1. Please provide your name and the name of the ward which you represent in the space below.			
Answer Choice		Response Percent	Response Total
1	Name (First name, Family name)	100.0%	47
2	Ward Name	100.0%	47
<i>answered</i>			47
<i>skipped</i>			0

Q2. How long have you been a ward Councillor?			
Please select one option only			
Answer Choice		Response Percent	Response Total
1	1 year or less	38.3%	18
2	2 - 5 years	25.5%	12
3	6 - 10 years	14.9%	7
4	11 + years	21.3%	10
<i>answered</i>			47
<i>skipped</i>			0

Q3. What were your reasons for seeking election to Cheshire East Council?			
Please tick all that apply			
Answer Choice		Response Percent	Response Total
1	To make a difference	91.5%	43
2	Develop my leadership skills	12.8%	6
3	Have a direct involvement in local decision making	85.1%	40
4	Improve my skills and knowledge	31.9%	15
5	Serve my ward/community	93.6%	44
6	The political "cut and thrust"	14.9%	7
7	Other (please specify):	10.6%	5
		answered	47
		skipped	0

Q4. In addition to your role as a ward Councillor, what other position(s) do you hold within the Council?			
Please tick all that apply			
Answer Choice		Response Percent	Response Total
1	Chair of Committee	27.7%	13
2	Vice Chair of Committee	19.1%	9
3	Executive Board member	6.4%	3
4	Group Leader	6.4%	3
5	Group Administrator	6.4%	3
6	Mayor	6.4%	3
7	Parish/ Town Councillor	61.7%	29
8	None	12.8%	6
9	Other (please specify):	29.8%	14
		<i>answered</i>	47
		<i>skipped</i>	0

Q5. On average, how much time per week do you spend dealing with your areas of additional responsibility?

Please select one option only, and estimate your average weekly workload, over a typical three-month period

Answer Choice		Response Percent	Response Total
1	Up to five hours	8.9%	4
2	Six to ten hours	26.7%	12
3	Eleven to fifteen hours	13.3%	6
4	Sixteen to twenty hours	22.2%	10
5	Over twenty hours	24.4%	11
6	N/A	4.4%	2
		<i>answered</i>	45
		<i>skipped</i>	2

Q6. Have you been appointed by the Council to any outside bodies?

Please select one option only

Answer Choice		Response Percent	Response Total
1	Yes	63.0%	29
2	No	37.0%	17
		<i>answered</i>	46
		<i>skipped</i>	1

OFFICIAL

OFFICIAL

Q7. On average, how much time per week do you spend dealing with work for outside bodies?

Please select one option only, and estimate your average weekly workload, over a typical three-month period

Answer Choice		Response Percent	Response Total
1	Up to five hours	45.5%	20
2	Six to ten hours	13.6%	6
3	Eleven to fifteen hours	2.3%	1
4	Sixteen to twenty hours	0.0%	0
5	Over twenty hours	0.0%	0
6	N/A	38.6%	17
<i>answered</i>			44
<i>skipped</i>			3

Q8. How many Committee(s) are you appointed to?

Please select one option only

Answer Choice		Response Percent	Response Total
1	1	12.8%	6
2	2	21.3%	10
3	3	46.8%	22
4	4	19.1%	9
<i>answered</i>			47
<i>skipped</i>			0

Q9. Thinking about the committees which you have been appointed to, how often do they meet?

If you are appointed to one Committee, please complete the first row, two Committees rows 1 and 2, three Committees 1, 2 and 3 and four Committees 1, 2, 3 and 4.

Answer Choice		Each month	Every other month	Quarterly	Twice a year	Ad hoc	N/A	Response Total
1	Committee 1	25	18	2	0	2	0	47
2	Committee 2	13	19	6	0	3	1	42
3	Committee 3	6	13	8	0	4	2	33
4	Committee 4	3	4	2	0	2	3	14
<i>answered</i>								47
<i>skipped</i>								0

Q10. Thinking about the committees to which you have been appointed to, at what time of the day are the meetings usually held?

If you are appointed to one Committee only, please complete the first row, two Committees rows 1 and 2, three Committees 1, 2 and 3 and four Committees 1, 2, 3 and 4.

Answer Choice		Morning	Afternoon	Evening	N/A	Response Total
1	Committee 1	33	13	0	1	47
2	Committee 2	23	15	0	2	40
3	Committee 3	14	15	1	2	32
4	Committee 4	3	7	0	2	12
<i>answered</i>						47
<i>skipped</i>						0

Q11. Thinking about the committees to which you have been appointed to, at which venue are the meetings usually held?						
If you are appointed to one Committee, please complete the first row, two Committees rows 1 and 2, three Committees 1, 2 and 3 and four Committees 1, 2, 3 and 4.						
Answer Choice		Municipal Buildings, Crewe	Town Hall, Macclesfield	Westfields, Sandbach	N/A	Response Total
1	Committee 1	5	10	31	1	47
2	Committee 2	2	11	27	2	42
3	Committee 3	1	2	25	5	33
4	Committee 4	0	1	8	4	13
					<i>answered</i>	47
					<i>skipped</i>	0

Q12. On average, how much time do you spend travelling from your home to each Committee location?								
If you are appointed to one Committee only please complete the first row, two Committees rows 1 and 2, three Committees 1, 2 and 3 and four Committees 1, 2, 3 and 4.								
Please estimate your average travel time, to each committee that you are appointed to, over a typical three-month period								
Answer Choice		Up to two hours	Two to four hours	Four to six hours	Six to eight hours	More than eight hours	N/A	Response Total
1	Committee 1	39	3	1	3	0	0	46
2	Committee 2	35	3	0	3	0	1	42
3	Committee 3	26	2	0	2	0	3	33
4	Committee 4	10	0	0	1	0	2	13
							<i>answered</i>	46
							<i>skipped</i>	1

Q13. On average, how much time per week do you spend preparing/ reading papers for a meeting?								
If you are appointed to one Committee only, please complete the first row, two Committees rows 1 and 2, three Committees 1, 2 and 3 and four Committees 1, 2, 3 and 4.								
Please estimate your average weekly workload over a typical three-month period								
Answer Choice		Up to two hours	Two to four hours	Four to six hours	Six to eight hours	More than eight hours	N/A	Response Total
1	Committee 1	17	17	7	3	3	0	47
2	Committee 2	15	17	6	2	0	2	42
3	Committee 3	15	10	3	1	0	3	32
4	Committee 4	4	7	0	0	0	2	13
							<i>answered</i>	47
							<i>skipped</i>	0

Q14. On average, how much time per week do you spend dealing with case work/ ward issues?			
Please select one option only and estimate your average weekly workload over a typical three-month period			
Answer Choice		Response Percent	Response Total
1	Up to two hours	6.5%	3
2	Two to four hours	10.9%	5
3	Four to six hours	13.0%	6
4	Six to eight hours	23.9%	11
5	More than eight hours	45.7%	21
		<i>answered</i>	46
		<i>skipped</i>	1

Q15. On average, how much time per week do you spend (if you are able to tell) on dealing with *unregistered voters?			
*"unregistered voters" i.e. those who are eligible to vote, but who choose not to be on the Electoral Register, or inadvertently fail to get themselves on the Register			
Please select one option only and estimate your average weekly workload over a typical three-month period			
Answer Choice		Response Percent	Response Total
1	Up to two hours	17.8%	8
2	Two to four hours	4.4%	2
3	Four to six hours	4.4%	2
4	Six to eight hours	0.0%	0
5	More than eight hours	0.0%	0
6	Don't know	73.3%	33
		<i>answered</i>	45
		<i>skipped</i>	2

Q16. Is the time you spend on council business (work as a Councillor) what you expected when you first became a Councillor?

Please select one option only

Answer Choice		Response Percent	Response Total
1	Yes	36.2%	17
2	No – I spend more time on council business	63.8%	30
3	No – I spend less time on council business	0.0%	0
		<i>answered</i>	47
		<i>skipped</i>	0

Q17. Has the time you spend on council business (work as a Councillor) increased from when you were first elected?

Please select one option only

Answer Choice		Response Percent	Response Total
1	Yes	89.4%	42
2	No	10.6%	5
		<i>answered</i>	47
		<i>skipped</i>	0

Q18. If yes, by how much has your workload increased?

Please select one option only

Answer Choice		Response Percent	Response Total
1	Up to 20%	21.4%	9
2	21 - 40%	33.3%	14
3	41 - 60%	21.4%	9
4	61 - 80%	9.5%	4
5	81 - 100%	14.3%	6
<i>answered</i>			42
<i>skipped</i>			5

Q19. When considering what you believe to be a reasonable expectation of a Councillor, and taking into account work/life balance and other considerations, do you consider that your workload as a Councillor keeps you:

Please select one option only

Answer Choice		Response Percent	Response Total
1	Under occupied	0.0%	0
2	Appropriately occupied	21.7%	10
3	A little over occupied	45.7%	21
4	Very over occupied	32.6%	15
<i>answered</i>			46
<i>skipped</i>			1

Q20. When are workload (working as a Councillor) demands placed on you the most?

Please tick all that apply

Answer Choice		Response Percent	Response Total
1	All days/ times of the week	60.0%	27
2	Monday - Friday daytime	35.6%	16
3	Monday - Friday evening	13.3%	6
4	Saturday – daytime	11.1%	5
5	Saturday – evening	0.0%	0
6	Sunday – daytime	11.1%	5
7	Sunday – evening	4.4%	2
<i>answered</i>			45
<i>skipped</i>			2

Q21. Do your workload demands impact upon your work-life balance and wellbeing?

Please select one option only

Answer Choice		Response Percent	Response Total
1	Yes	76.1%	35
2	No	23.9%	11
<i>answered</i>			46
<i>skipped</i>			1

Q22. If yes, how significant is this impact?

Please select one option only

Answer Choice		Response Percent	Response Total
1	Not at all significant	9.8%	4
2	Significant	73.2%	30
3	Very significant	4.9%	2
4	N/A	12.2%	5
<i>answered</i>			41
<i>skipped</i>			6

Q23. Do you believe that you currently have sufficient time and capacity to properly undertake your Councillor duties?

Please select one option only

Answer Choice		Response Percent	Response Total
1	Yes	63.8%	30
2	No	36.2%	17
If you have any comments, please use the space provided below			33
<i>answered</i>			47
<i>skipped</i>			0

This page is intentionally left blank

COUNCIL MEETING – 13TH DECEMBER 2023**PROPOSED CHANGES TO THE CONSTITUTION****RECOMMENDATION**

That Council approve

- 1. the changes to the Council's Constitution in relation to Officer Delegations and Staffing as set out in paragraph 8 - a) of the report subject to an amendment to the revised paragraph 36 to require that any decisions taken under these delegations are taken in consultation with the chair and vice-chair of the relevant service committee;**
- 2. the changes to the Council's Constitution in relation to Officer Delegations to Executive Directors only and settlement agreements as set out in paragraph 8 - b) of the report;**
- 3. the changes to the Council's Constitution in relation to decision-making with regard to early retirement and severance packages as set out in paragraphs 8 - c) of the report;**
- 4. the changes to the Council's Constitution to allow the inclusion of provisions to allow for electronic signing and sealing of documents as set out in paragraph 8 – d) of the report; and**
- 5. the changes to the Council's Constitution to the provisions regarding approvals of grants schemes as set out in paragraph 8 – e) of the report.**

Extract from the Minutes of the Corporate Policy Committee meeting on 30th November 2023

52 PROPOSED CHANGES TO THE CONSTITUTION

The Committee considered a report on proposed changes to the Constitution, as recommended by the Constitution Working Group, in relation to various administrative, procedural and staffing matters. The changes were set out in paragraph 8 of the report, together with the reasons for them.

With regard to a delegation to Directors to implement changes to staffing structures involving the loss of 10 or more posts not currently vacant, members commented that they would wish to know if any such changes involved redundancies. Officers suggested that the delegations relating to staffing as set out in paragraph 8(a) of the report could be subject to consultation with the chair and vice-chair of the relevant committee in addition to other relevant parties.

With regard to a proposal that a committee may delegate to the relevant Executive Director a financial limit for the allocation of grants, donations and other contributions to outside bodies, members commented that they would wish to see the details of any internal, Council-led grant. Councillor M Warren, Chair of the Constitution Working Group, advised that all grants this year were funded externally but that if a grant was above a certain threshold, it would be reported to the appropriate committee.

RESOLVED (unanimously)

That the Committee recommends to Council

1. the changes to the Council's Constitution in relation to Officer Delegations and Staffing as set out in paragraph 8 - a) of the report subject to an amendment to the revised paragraph 36 to require that any decisions taken under these delegations are taken in consultation with the chair and vice-chair of the relevant service committee;
2. the changes to the Council's Constitution in relation to Officer Delegations to Executive Directors only and settlement agreements as set out in paragraph 8 - b) of the report;
3. the changes to the Council's Constitution in relation to decision-making with regard to early retirement and severance packages as set out in paragraphs 8 - c) of the report;
4. the changes to the Council's Constitution to allow the inclusion of provisions to allow for electronic signing and sealing of documents as set out in paragraph 8 – d) of the report; and
5. the changes to the Council's Constitution to the provisions regarding approvals of grants schemes as set out in paragraph 8 – e) of the report.

OPEN

Corporate Policy Committee

30 November 2023

Proposed Changes to the Constitution

Report of: David Brown Director of Governance and Compliance (Monitoring Officer)

Report Reference No: CP/62/23-24

Ward(s) Affected: All

Purpose of Report

- 1 The purpose of the report is to recommend the proposed changes to the Constitution, as agreed and recommended by the Council's Constitution Working Group (CWG) on 11 September 2023.
- 2 The changes proposed relate to various matters, administrative, procedural and to delegations in relation to staffing matters.
- 3 A detailed set of reports was provided to the CWG and the details within the report set out its recommendations for approval by the Corporate Policy Committee.

Executive Summary

- 4 The Constitution sets out the governance framework for decision-making within the Council. This provides for the consideration and recommendation for approval, of any proposed changes to Full Council.
- 5 On 11 September 2023 the Council's CWG received a series of reports detailing proposed changes to the Council's Constitution and the reasoning for such changes. These related to various matters that are in line with the Council's corporate priorities.
- 6 After careful consideration of each proposal, the CWG agreed with the proposals and that they should be recommended to the Corporate Policy Committee for consideration and in turn recommended to Full Council. These proposals relate to the following matters;
 - (a) Amendments to officer delegations to Directors relating to changes to staffing

- (b) Amendments to Officer Delegations relating to approval of settlement agreements
- (c) Amendments to decision making with regards to early retirement and severance packages
- (d) Inclusion of provisions to allow for electronic signing and sealing of documents
- (e) Amendments to the provisions regarding approvals of grants schemes.

RECOMMENDATIONS

The Corporate Policy Committee is recommended to;

1. Consider the changes to the Council's Constitution in relation to Officer Delegations and Staffing as set out in paragraph 8 - a) of the report and recommend them for approval to Full Council.
2. Consider the changes to the Council's Constitution in relation to Officer Delegations to Executive Directors only and settlement agreements as set out in paragraph 8 - b) of the report and recommend them for approval to Full Council.
3. Consider the changes to the Council's Constitution in relation to decision making with regards to early retirement and severance packages as set out in paragraphs 8 - c) of the report and recommend them for approval to Full Council.
4. Consider the changes to the Council's Constitution to allow the inclusion of provisions to allow for electronic signing and sealing of documents as set out in paragraph 8 – d) of the report and recommend them for approval to Full Council.
5. Consider the changes to the Council's Constitution to the provisions regarding approvals of grants schemes as set out in paragraph 8 – e) of the report and recommend them for approval to Full Council.

Background

- 7 The Constitution sets out the governance framework for decision-making within the Council. This provides for the consideration and recommendation for approval, of any proposed changes to full Council, by Corporate Policy Committee.

- 8 On 11 September 2023 CWG received a suite of reports proposing changes to various parts of the Constitution. The CWG considered these and recommended the following proposed amendments identified as track changes;

- a) Amendments and additions to Officer Delegations relating to Staffing as set out in the Constitution at Chapter 2, Part 5, Paragraph 36, which provide for delegations to all Directors and any appointed deputy, as follows;

36. To implement changes to staffing structures subject to prior consultation with all appropriate parties affected by the decision, including any Trade Unions, except where the restructure:

36.1 Involves the overall loss of ~~more than one post~~ 10 posts or more not currently vacant; or

36.2 Involves re-grading of posts or the grading of new posts with a salary of £100,000 or more; or

36.3 results in the total cost of the change to the staffing structure being £500,000 or more; or

36.4 results in a major change to the service provision received by residents; or

36.5 involves changes to existing National or Local Agreements and policies; or

36.6 cannot be achieved within the delegated powers in respect of budgets

Reasoning - The proposed changes to paragraph 36, provide an appropriate framework for officer delegations for an organisation of the size of Cheshire East Council to allow delegated powers to its senior officers to implement changes to the staffing structure, especially given the safeguards in place. Through the MTFs process, elected members have approved a range of business proposals to advance the alignment of expenditure to the agreed budget. Any consequential need to change staffing structures to enable this to happen and the decisions about how this is achieved in a timely manner, will be supported by the implementation of such changes avoiding unnecessary delays in decision-making process and the period of uncertainty for staff.

- b) Amendments and additions to by way of an addition to Officer Delegations relating to approval of settlement agreements as set out in the Constitution at Chapter 2, Part 5, Paragraph 24 and 35, which

provide for delegations to all Directors and any appointed deputy, as follows;

24 The following delegations shall apply to all Directors (and any nominated deputies) except for paragraph 35 .1 which shall only apply to those officers with roles identified as Executive Directors.

35.1 *To sign settlement agreements for employees/ex-employees, in consultation with the Chair of the Corporate Policy Committee for settlements of under £30,000 (excluding any contractual payment such as pay in lieu of notice, untaken accrued annual leave).*

Reasoning - The recommended changes also give an additional delegation to Executive Directors to give them delegated authority to enter into a settlement agreement for employees/ex-employees, in consultation with the Chair of the Corporate Policy Committee relating to settlements under £30,000 (excluding any contractual payment such as pay in lieu of notice, untaken accrued annual leave). Lower value settlement agreements are often only based on contractual notice being paid in lieu of notice and outstanding contractual leave. The change would ensure that decisions to enter into settlement agreements are made in a timely manner without unnecessary delays. This would be beneficial as these can be sensitive situations with individuals feeling anxious to reach a resolution. A similarly worded amendment is proposed for the Chief Executive/Head of the Paid Service below to clarify the delegated authority relates to settlements of £30,000 and over (see 48.9 below).

- c) Amendments and additions to delegations to the Chief Executive/Head of the Paid Service in decision making with regards to early retirement and severance packages, as set out in the Constitution at Chapter 2, Part 5, Paragraph 48, as follows;

48.8 *To approve, in consultation with the Chair of the Corporate Policy Committee:*

- Voluntary and compulsory redundancies (with or without the early release of pension where the total cost is £95,000 or less)*
- Employee requested – Early retirement (where there is a pension strain cost)*
- Employer requested – Early retirement on grounds of ‘Efficiency of the Service’ retirement*
- Employee requested – Early retirement on compassionate grounds*
- Ill health retirement*
- Buy-out of hours*

- *Flexible retirement*

48.89 To sign settlement agreements for employees/ex-employees, in consultation with the Chair of the Corporate Policy Committee *for settlements of £30,000 and above (excluding any contractual payment such as pay in lieu of notice, untaken accrued annual leave).*

Reasoning - The recommended change to 48 will provide clarity for the approval route for a range of employment decisions including early retirement and severance. Within the Constitution the Corporate Policy Committee is responsible for making decisions in relation to proposed severance packages with a value of £95,000 or more as appropriate (excluding contractual and holiday pay), subject to the need to obtain an approval from full Council and central Government if required. However, it is silent on where approval lies for proposed severance packages with a value of lesser value. The recommendation is that the approval route is in line with the Financial Procedural Rules which set out the mechanism for how severance and early retirement proposals are brought forward from services. This will provide clarity and to ensure that the decision making for proposed severance packages, with or without early retirement, of less than £95,000 is made at an appropriate level within the constitution.

- d) Inclusion of provisions to allow for electronic signing and sealing of documents as set out in Chapter 2 Part 5 paragraph 64;

‘To attest the affixing of the Council’s seal to all documents approved for sealing. Such attestation and/or affixing may include by digital or electronic means in accordance with the provisions of the Electronic Communications Act 2000 or other legislative authority’

Reasoning - The Council’s Constitution delegates authority to witness and attach the Council’s seal to documents, to the Monitoring Officer. This has been delegated to individual lawyers within Legal Services and for many years the affixing of the Council’s seal has been done manually, with documents being printed off and paper seals being attached and embossed with the Council’s seal. The Electronic Communications Act 2000 introduced recognition of electronic seals and signatures as a method of authenticating documents required to be signed and/or sealed and since the Covid pandemic and the increase in hybrid working, the physical signing and sealing of documentation on behalf of the Council has become more onerous for those who have delegated authority. In response, many local authorities have moved to electronic signing and sealing and currently the Council uses electronic signatures within its Atamis system, for contracts, where no seal is required. The proposed changes will avoid any delays in sealing of documents, align with the Council’s Digital Strategy and it’s green agenda by reducing in printing.

- e) Amendments to the provisions regarding approvals of grants schemes as set out in Chapter 3, Part 4, Section 4 Paragraph 6.26 and 6.27;

6.26 The Corporate Policy Committee will on a periodic basis, agree a policy setting down the approach to be taken to the allocation of grants, donations and other contributions to outside bodies. A committee may approve a specific scheme that falls within its terms of reference and delegate to the relevant Executive Director a financial limit for the allocation of grants, donations and other contributions to outside bodies.

6.27 Grants, donations and contributions will be paid by the Council in accordance with the policies determined under paragraph 6.26 above, subject to there being adequate provision in service budgets and the appropriate approvals being sought. Where no other specific scheme has been approved by a committee the following limits will apply.

Approval Level	Amount
Officers	Up to and including £50,000 (where grant is within approved grant policy and fully funded)
Relevant Corporate Leadership Team member in consultation with the Chair of the relevant Committee and Chair of Finance Sub-Committee	Between £50,000 and £100,000 (where grant is within approved grant policy and fully funded)
Committee	All Grants of £100,000 or more. All grants which do not fall within existing approved grant policy require Corporate Policy Committee approval.

Reasoning - The reasons for this proposal is that there has been a lack of clarity as to when grants should be referred for committee approval. This amendment confirms that it is the size of scheme value that is relevant and committee may then delegate allocation etc to the director.

Consultation and Engagement

- 9 As stated the Constitution Working Group was consulted on these proposals on 11 September 2023 and their recommendations are as set out above.

Reasons for Recommendations

- 10 The reasons for each recommendation is set out above against each proposed change.

Other Options Considered

Option	Impact	Risk
1. Do nothing and leave the constitution unchanged.	This is not considered to be a suitable alternative option as there needs to be clarity within the constitution to enable the effective and efficient operation of the organisation with appropriate delegated powers for the size of organisation such as Cheshire East Council. The Constitution is a living document, which needs to be kept under review to ensure that it is fit for purpose and that it meets the needs of the Council.	Failure to achieve the outcomes identified and impacts stated.
2. Adopt only some of the proposed amendments	As for option 1.	As for option 1.

Implications and Comments

Monitoring Officer/Legal

- 11 The legal implications are set out within the report.

Section 151 Officer/Finance

- 12 There are no financial implications arising directly from the report.

Policy

- 13 The recommended changes to the Constitution will, if agreed, result in constitutional change. They will facilitate an open and enabling organisation

and ensure that there is transparency in all aspects of council decision making.

Equality, Diversity and Inclusion

- 14 There are no direct implications arising from this report. Equality, diversity and inclusion issues will be considered as part of any decision regarding the human resource implications set out within the report.

Human Resources

- 15 The human resources implications are set out within the body of the report.

Risk Management

- 16 There are no risks arising from this report.

Rural Communities

- 17 There are no implications arising from this report.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 18 There are no implications arising from this report.

Public Health

- 19 There are no public health implications arising from the report.

Climate Change

- 20 There are no climate change implications arising from this report.

Access to Information	
Contact Officer:	Janet Witkowski Head of Legal Services Janet.Witkowski@cheshireeast.gov.uk
Appendices:	N/a
Background Papers:	N/a

COUNCIL MEETING – 13TH DECEMBER 2023**COUNCIL TAX BASE 2024/25****RECOMMENDATION**

That

1. in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012, the amount to be calculated by Cheshire East Council as its Council tax base for the year 2024/25 is 160,151.52 for the whole area; and
2. the Council Tax Landlord discount previously applied to empty rental properties be removed.

Extract from the Minutes of the Corporate Policy Committee meeting on 30th November 2023

51 **COUNCIL TAX BASE 2024/25**

The Committee considered a report on the Council tax base calculation 2024/25 for recommendation to Council in December 2023.

In response to members' questions and comments, the Director of Finance and Customer Services advised that:

- The remaining unspent Covid support grant received from the Government was not subject to claw-back.
- A property which was uninhabitable until renovation works had been undertaken was exempt from Council tax for a specific period, further details of which were set out on the Council's website.
- A family home would not be treated as a second home for Council tax purposes during the period that the individual concerned was in a care home.

RESOLVED (unanimously)

That the Committee

1. recommends to Council that
 - (a) in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012, the amount to be calculated by Cheshire East Council as its Council tax base for the year 2024/25 is 160,151.52 for the whole area; and
 - (b) the Council Tax Landlord discount previously applied to empty rental properties be removed.

2. notes that the Council Tax Support scheme is agreed for 2024/25 as unchanged other than the increases in line with CPI as agreed in the last consultation.

OPEN

Corporate Policy Committee

30 November 2023

Council Tax Base 2024/25

Report of: Alex Thompson, Director of Finance and Customer Services (s151 Officer)

Report Reference No: CP/33/23-24

Ward(s) Affected: (All Wards);

Purpose of Report

- 1 This report sets out the Council taxbase calculation 2024/25 for recommendation from Corporate Policy Committee to Council in December 2023.

Executive Summary

- 2 The calculation sets out the estimates of new homes less the expected level of discounts and the level of Council Tax Support (CTS). This results in a band D equivalent taxbase position for each Town and Parish Council.
- 3 The taxbase reflects an increase of £2.5m (0.86%) on the 2023/24 budgeted position which is £0.9m lower than the £3.4m (1.1%) forecast increase reported in February 2023. Additional new homes and more properties brought back into use over the last fourteen years, have increased the taxbase by 21.0% since 2010/11.
- 4 No changes are proposed to the Council Tax Support Scheme for 2024/25 other than to increase the income bands and non-dependant deductions in line with CPI. This continues the higher levels of support provided since 2022/23 to allow up to 100% relief for those on the lowest income.

RECOMMENDATIONS

Corporate Policy Committee recommends to Council that:

1. In accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012, the amount to be calculated by Cheshire East Council as its Council taxbase for the year 2024/25 as 160,151.52 for the whole area.
2. The Council Tax Landlord discount previously applied to empty rental properties be removed.

Corporate Policy Committee note that:

3. The Council Tax Support scheme is agreed for 2024/25 as unchanged other than the increases in line with CPI as agreed in the last consultation.

Background

- 5 Cheshire East Council is required to approve its taxbase before 31 January 2024 so that the information can be provided to the Cheshire Police and Crime Commissioner and Cheshire Fire Authority for their budget processes. It also enables each Town and Parish Council to set their respective budgets. Details for each parish area are set out in **Appendix A**.
- 6 The taxbase for the area is the estimated number of chargeable dwellings expressed as a number of band D equivalents, adjusted for an estimated number of discounts, exemptions and appeals plus an allowance for non-collection. A reduction of 1% is included in the taxbase calculation to allow for anticipated levels of non-collection.
- 7 Processes to collect Council Tax locally continue to be effective despite the challenges of the legacy of the covid pandemic and the impact on residents of the cost of living. Changes to Council Tax discounts, specifically the introduction and subsequent amendments to the CTS scheme are being managed and the forecast level of non-collection at Cheshire East has been maintained at 1% for 2024/25.
- 8 Analysis of recent trends in new homes, and homes being brought back into use, suggest an increase of nearly 4,700 homes is likely between the setting of the 2024/25 taxbase in October 2023 and the 31 March 2025. The impact of this growth is affected by when properties may be available for occupation and the appropriate council tax banding and this is factored into the taxbase calculation.

- 9 In common with most Billing Authorities, Cheshire East Council charges a Council Tax premium of 100% on property that has been empty for 2 years or more in order to encourage homes to be brought back into use. The Local Government Finance Act 1992 (amended) enables Councils to charge a premium on empty properties.
- 10 Additional flexibilities were introduced in subsequent Government budgets and Cheshire East now charges the following premiums for empty properties:

Time empty/unfurnished	Premium
2 to 5 years	100%
5 to 10 years	200%
Over 10 years	300%

- 11 The Government's Levelling Up and Regeneration Bill was published in May 2022 and includes further discretionary options for the application of Council Tax premiums on empty properties, reducing the qualifying period from two years to one year, and making premiums available for imposition on second homes. Subject to the Bill receiving Royal Assent the proposed changes will come into effect on 1 April 2024.
- 12 Cheshire East has offered the owners of rental properties a short-term discount to assist the refurbishment and maintenance of property between lets. The discount is discretionary and not offered by a significant number of other Billing Authorities. The total value of awards is approximately £540,000 per annum. It is proposed that this discount be removed as it is unsustainable and inequitable as the discount is not offered across all types of tenure.
- 13 The taxbase also reflects assumptions around CTS payments. The Cheshire East CTS scheme was introduced in 2013/14 and subsequently amended following consultations in 2016/17, 2020/21 and was amended again for 2022/23 to make the scheme more supportive in the light of funding being provided by central government (£3.3m) to be able to assist the pandemic recovery.
- 14 The funding for this Local Council Tax Support grant was received in 2020/21 and was transferred to the Collection Fund Earmarked reserve. The funding is being used over the medium term to support the revenue budget to compensate for suppressed council tax levels as a result of higher Council Tax Support payments.

- 15 No changes are proposed to the Council Tax Support Scheme for 2024/25 other than to increase the income bands and non-dependant deductions in line with CPI. This continues the higher levels of support for those on the lowest income.
- 16 The taxbase and subsequent collection of council tax is subject to overall risks from a variety of sources, such as inaccuracies within:
- Numbers of new homes forecast
 - Levels of discounts and premium charges estimated
 - Under collection rate
- 17 Risks particularly associated with Council Tax Support levels include:
- Challenges over the medium-term economic position, especially in the light of increased inflation and economic slowdown.
 - The risk of a major employer leaving the area.
 - The risk of delay in the significant development projects delaying employment opportunities.
 - The prospect of a greater number of residents becoming of pensionable age and potentially becoming eligible for CTS.
 - The risk of increased non-collection due to the increasing demand on non-protected residents.
 - Recovery following increase in caseload as a result of the COVID-19 pandemic resulting in reductions in earnings and increased redundancies.
- 18 Risks are managed throughout the year and regular monitoring and reporting takes place to ensure that preceptors are made aware of any shortfalls in the Collection fund.

Consultation and Engagement

- 19 The calculation of the taxbase is not subject to consultation.

Reasons for Recommendations

- 20 In accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012 Cheshire East Council is required to agree its taxbase before 31st January 2024.

Other Options Considered

- 21 None.
- 22 Do nothing – Impact/risk would be high. Members would not be performing in accordance with the Local Government Finance Act 1992 (as amended); The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.

Implications and Comments

Monitoring Officer/Legal

- 23 The recommendations are supportable.
- 24 In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended and Chapter 4 of the Council's Constitution, the calculation of the Council taxbase is a matter for full Council following a recommendation by Corporate Policy Committee.

The Council Tax Landlord discount is discretionary, and its imposition or removal is permitted under the relevant legislation subject to the usual public law principle of irrationality. The reasons given for the removal in this Report do not give rise to any finding of irrationality on the part of the Council. *Section 151 Officer/Finance*

- 25 The calculation of the taxbase provides an estimate that contributes to the calculation of overall funding for Cheshire East Council in each financial year. The taxbase calculation as set out in this report will be used to calculate the council tax budgeted income for 2024/25 and will be included in the Medium-Term Financial Strategy 2024-28.

Policy

- 26 There are no direct policy implications arising from this report.
- 27 The report supports the Corporate Plan aim Open and priority to be an open and enabling organisation.

Equality, Diversity and Inclusion

- 28 There are no direct equality, diversity and inclusion implications arising from this report.

Human Resources

- 29 There are no direct human resources implications arising from this report.

Risk Management

- 30 Consideration and recommendation of the taxbase for 2024/25 to Council ensures that the statutory requirement to set the taxbase is met.
- 31 Estimates contained within the Council taxbase calculation, such as the loss on collection and caseload for Council Tax Support, will be monitored throughout the year. Any significant variation will be reflected

in a surplus or deficit being declared in the Collection Fund which is then shared amongst the major precepting authorities.

Rural Communities

32 This report provides details of taxbase implications across the borough.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

33 There are no direct children and young people implications arising from this report.

Public Health

34 There are no direct public health implications arising from this report.

Climate Change

35 There are no direct climate implications arising from this report.

Access to Information	
Contact Officer:	Honor Field, Paul Manning, Paul Goodwin, honor.field@cheshireeast.gov.uk, paul.manning@cheshireeast.gov.uk paul.goodwin@cheshireeast.gov.uk
Appendices:	Appendix A – Taxbase 2024/25
Background Papers:	None

APPENDIX A

COUNCIL TAX - TAXBASE 2024/25

CHESHIRE EAST	BAND D EQUIVALENTS	TAX BASE 99.00%
Acton	143.65	142.22
Adlington	641.92	635.50
Agden	94.91	93.96
Alderley Edge	2,745.57	2,718.11
Alpraham	251.97	249.45
Alsager	5,730.16	5,672.85
Arclid	198.95	196.97
Ashley	175.64	173.88
Aston by Budworth	211.24	209.13
Aston-juxta-Mondrum	91.35	90.43
Audlem	1,045.38	1,034.93
Austerson	49.14	48.65
Baddiley	94.42	93.47
Baddington	59.85	59.25
Barthomley	105.00	103.95
Basford	94.44	93.49
Batherton	32.15	31.83
Betchton	300.65	297.64
Bickerton	132.80	131.48
Blakenhall	72.27	71.54
Bollington	3,206.38	3,174.32
Bosley	221.95	219.73
Bradwall	94.75	93.80
Brereton	860.64	852.04
Bridgemere	69.17	68.48
Brindley	67.17	66.50
Broomhall	90.24	89.34
Buerton	259.51	256.91
Bulkeley	141.24	139.82
Bunbury	734.14	726.80
Burland	337.66	334.28
Calveley	138.28	136.90
Checkley-cum-Wrinehill	48.81	48.32
Chelford	848.14	839.66
Cholmondeley	96.61	95.64
Cholmondeston	83.56	82.72
Chorley	284.64	281.80
Chorley (Crewe)	63.59	62.96
Chorlton	680.74	673.93
Church Lawton	874.27	865.53
Church Minshull	210.17	208.06
Congleton	11,320.23	11,207.02
Coole Pilate	38.38	37.99
Crnage	690.14	683.23
Crewe	14,554.98	14,409.43
Crewe Green	93.56	92.63
Disley	2,088.93	2,068.04
Dodcott-cum-Wilkesley	215.32	213.17
Doddington	19.11	18.92
Eaton	184.19	182.35
Edleston	37.63	37.26
Egerton	35.77	35.42
Faddiley	85.63	84.77
Gawsworth	831.20	822.89
Goostrey	1,099.45	1,088.46
Great Warford	460.84	456.23
Handforth	2,519.88	2,494.68
Hankelow	179.76	177.96
Haslington	2,795.39	2,767.44
Hassall	114.28	113.14
Hatherton	186.47	184.61
Haughton	103.97	102.93
Henbury	426.48	422.22
Enhull	21.05	20.84
High Legh	907.50	898.43
Higher Hurdfield	332.45	329.12
Holmes Chapel	2,922.41	2,893.18
Hough	342.76	339.33
Hulme Walfield & Somerford Booths	327.30	324.03
Hunston	78.93	78.14
Hurleston	36.76	36.39

COUNCIL TAX - TAXBASE 2024/25

CHESHIRE EAST	BAND D EQUIVALENTS	TAX BASE 99.00%
Kettleshulme	171.72	170.00
Knutsford	6,059.79	5,999.20
Lea	22.42	22.20
Leighton	1,998.18	1,978.20
Little Bollington	109.62	108.53
Little Warford	38.43	38.05
Lower Peover	73.20	72.47
Lower Withington	326.04	322.78
Lyme Handley	74.45	73.71
Macclesfield	19,239.12	19,046.67
Macclesfield Forest/Wildboarclough	123.27	122.04
Marbury-cum-Quoisley	140.78	139.37
Marton	123.06	121.83
Mere	461.76	457.14
Middlewich	5,099.99	5,048.99
Millington	89.30	88.41
Minshull Vernon	125.15	123.90
Mobberley	1,492.52	1,477.59
Moston	179.30	177.50
Mottram St Andrew	425.64	421.38
Nantwich	6,611.47	6,545.35
Nether Alderley	669.01	662.32
Newbold Astbury-cum-Moreton	358.81	355.22
Newhall	471.72	467.01
Norbury	107.32	106.25
North Rode	134.70	133.35
Odd Rode	2,020.70	2,000.50
Ollerton with Marthall	348.54	345.06
Over Alderley	291.74	288.82
Peckforton	73.60	72.86
Peover Superior	407.80	403.73
Pickmere	397.32	393.35
Plumley with Toft and Bexton	409.89	405.79
Poole	83.80	82.97
Pott Shrigley	162.51	160.89
Poynton with Worth	6,293.80	6,230.87
Prestbury	2,257.11	2,234.54
Rainow	613.63	607.49
Ridley	88.06	87.18
Rope	815.72	807.56
Rostherne	81.06	80.25
Sandbach	8,981.95	8,892.13
Shavington-cum-Gresty	2,643.04	2,616.61
Siddington	189.46	187.56
Smallwood	331.89	328.58
Snelson	85.17	84.32
Somerford	1,006.94	996.87
Sound	112.14	111.02
Spurstow	196.04	194.08
Stapeley	1,710.16	1,693.05
Stoke	113.75	112.61
Styal	374.20	370.46
Sutton	1,253.80	1,241.26
Swettenham	185.70	183.84
Tabley	242.21	239.79
Tatton	13.26	13.13
Twemlow	131.44	130.13
Walgerton	70.71	70.00
Wardle	81.29	80.48
Warmingham	116.57	115.41
Weston	929.76	920.46
Wettenhall	113.82	112.68
Willaston	1,588.00	1,572.12
Wilmslow	12,242.74	12,120.31
Wincle	95.38	94.43
Wirswall	42.46	42.04
Wistaston	3,403.15	3,369.12
Woolstanwood	240.56	238.15
Worleston	117.23	116.06
Wrenbury	530.72	525.42
Wybunbury	819.76	811.56
	161,769.22	160,151.52

This page is intentionally left blank

OPEN

Council

Wednesday, 13 December 2023

**Supplementary Revenue Estimates
(Second Financial Review 2023/24)**

Report of: Alex Thompson, Director of Finance and Customer Services (s151 Officer)

Report Reference No: C/13/23-24

Ward(s) Affected: All Wards

Purpose of Report

- 1 This report seeks approval from Council for two supplementary revenue estimates as part of the forecast outturn reporting for the financial year 2023/24. These items were noted by the Finance Sub Committee on 2nd November 2023.
- 2 The report supports the Council's vision to be an open Council as set out in the Corporate Plan 2021 to 2025. In particular, the priorities for being an open and enabling organisation, and ensuring that there is transparency in all aspects of Council decision making.

Executive Summary

- 3 Council is being asked to approve increased expenditure related to two fully funded supplementary revenue estimates. The transactions form a part of the Second Financial Review 2023/24 report, as presented to Finance Sub Committee on 2nd November 2023.
- 4 The supplementary revenue estimates are relating to grant-funded expenditure budgets that are in addition to those approved in the MTFS report in February 2023; the first is in relation to the Market Sustainability and Fair Cost of Care Fund - Workforce Element and the second relates to the Shared Prosperity Fund.

RECOMMENDATIONS

The Council is recommended to:

1. Approve the fully funded Supplementary Revenue Estimates over £1,000,000 as detailed in **Appendix 1**.

Background

- 5 The budget and policy framework sets out rules for managing the Council's financial affairs and contains the financial limits that apply in various parts of the Constitution. As part of sound financial management and to comply with the Constitution any changes to the budgets agreed by Council in the MTFS require approval in line with the financial limits within the Finance Procedure Rules.

Consultation and Engagement

- 6 As part of the budget setting process the Pre-Budget Consultation 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.

Reasons for Recommendations

- 7 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 consider, approve or recommend changes in line with the Council's Financial Procedure Rules.
- 8 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.
- 9 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.

Other Options Considered

- 10 Not applicable.

Implications and Comments

Monitoring Officer/Legal

- 11 The requirement for Council to approve the supplementary revenue estimates referred to above is in accordance with the Finance Procedure Rules in the Constitution.

Section 151 Officer/Finance

- 12 The Council's financial resources are agreed by Council and aligned to the achievement of stated outcomes for local residents and communities. Monitoring and managing performance helps to ensure that resources are used effectively, and that business planning and financial decision making are made in the right context.
- 13 The requirement for Council to approve the supplementary revenue estimates referred to above is in accordance with the Finance Procedure Rules.

Policy

- 14 Financial management supports delivery of all Council policies. The 2023/24 outturn position, ongoing considerations for future years, and the impact on general reserves will be fed into the assumptions underpinning the 2024 to 2028 Medium-Term Financial Strategy.

Equality, Diversity and Inclusion

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

Human Resources

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

Risk Management

- 17 Financial risks are assessed and reported on a regular basis, and remedial action taken if required. Risks associated with the achievement of the 2023/24 budget and the level of general reserves

were factored into the 2023/24 financial scenario, budget, and reserves strategy.

Rural Communities

- 18 The report provides details of service provision across the borough.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 19 The report includes expenditure relating to grant funding in respect to services to children and young people.

Public Health

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

Climate Change

- 21 Climate change implications that arise from activities that this report deals with will be covered within separate reports to Members or Officer Decision Records as required.

Access to Information	
Contact Officer:	Alex Thompson Director of Finance and Customer Services (Section 151 Officer) alex.thompson@cheshireeast.gov.uk 01270 685876
Appendices:	Appendix 1 – Supplementary Revenue Estimates
Background Papers:	The following are links to key background documents: Second Financial Review 2023/24, Finance Sub Committee 2nd November 2023 Medium Term Financial Strategy

Appendix 1: Supplementary Revenue Estimates

Committee	Year	Type of Grant	£000	Details
Adults and Health	2023/24	Market Sustainability and Fair Cost of Care Fund - Workforce Element (Specific Purpose)	2,206	This grant is from the Department of Health and Social Care (DHSC). The government is providing a further £570 million of ringfenced funding across financial years 2023 to 2024 and 2024 to 2025 to local authorities to improve and increase adult social care provision, with a particular focus on workforce pay. We expect this additional funding to support more workforce and capacity within the adult social care sector. This will help to ensure that appropriate short-term and intermediate care is available to reduce avoidable admissions and support discharge of patients from hospital when they are medically fit to leave.
Economy and Growth	2023/24	Shared Prosperity Fund (Specific Purpose)	2,412	The UK Shared Prosperity Fund (UKSPF or the Fund) is a component of the UK government's Levelling Up agenda and its support for places across the UK. It provides the Authority with up to £9.48 million of new revenue funding for local investment by March 2025. It seeks to empower local communities to identify their own priorities and targeting funding where it is needed most: building pride in place, supporting high quality skills

Committee	Year	Type of Grant	£000	Details
				training, supporting pay, employment and productivity growth and increasing life chances. The Authority has the flexibility to invest across a range of activities to deliver agreed outcomes. Consequently some of the funding may be awarded to external third parties to deliver on the Authority's behalf.
Total Specific Purpose Allocation for Council Approval			4,618	

Full Council**13 December 2023****HS2 Cancellation and Network North –
Implications for Cheshire East****Report of: Peter Skates, Executive Director of Place****Report Reference No: C/12/23-24****Ward(s) Affected: All Wards****Purpose of Report**

- 1 This report outlines the implications to Cheshire East from the recent cancellation of HS2 Phases 2a and 2b, and the proposals included in the published Network North document, which commits to invest £36bn in alternative transport schemes across the country and recommends that Council withdraws its continued support for HS2.
- 2 The report outlines the steps the Council has taken since the HS2 cancellation and Network North publication. It seeks Council approvals to negotiate with central government to seek an appropriate financial package to compensate for the Council's losses and recover the growth and levelling up benefits that HS2 phases 2a and 2b would have unlocked for the borough.

Executive Summary

- 3 The Council has long been a supporter of HS2. The proposed high speed rail line would have not only provided much needed capacity on the West Coast Main Line but been a catalyst for regeneration, growth and levelling up across the North, including for Crewe and Macclesfield in Cheshire East.

- 4 However, this support was predicated on two conditions:
 - (a) The delivery of a Crewe hub station, capable of serving up to 5-7 HS2 trains per hour, calling at the station, with direct high-speed services to London, Birmingham and Manchester.
 - (b) Securing appropriate mitigation and compensation against the negative impacts of the scheme across the Borough.
- 5 At the Conservative Party Conference on 04 October 2023, the Prime Minister announced that Government was cancelling the HS2 scheme north of Birmingham. This includes the cancellation of both phases 2a and 2b which would have passed through Cheshire East and enabled up to 5-7 HS2 trains per hour calling at Crewe station.
- 6 Cheshire East was set to be beneficiary of HS2 with up to 5/7 HS2 trains per hour proposed to call at Crewe station and an hourly HS2 service to London from Macclesfield. HS2 would have been a catalyst for growth and regeneration in these towns and the wider borough. For Crewe alone, HS2 was set to unlock:
 - (a) 4,400 new homes;
 - (b) 5,000 new jobs; and
 - (c) An additional £750M p.a of additional GVA to the local economy
- 7 The Prime Minister also announced that Government will reinvest every single penny, £36 billion in hundreds of new transport projects in the north and the midlands, across the country. He also announced that every region outside of London will receive the same or more government investment than they would have done under HS2, with quicker results.
- 8 Following the speech, on 04 October 2023, Government published the Network North: Transforming British Transport document, described as “a new, £36 billion plan to improve our country’s transport”.
- 9 The document set out proposals for how the HS2 funding would be instead spent on road, rail and bus projects and initiatives across the Country. This included £19.8 billion pound to be reinvested in projects across the North. Investments that could impact Cheshire East include:
 - (a) a brand new £2.5 billion fund to transform local transport in 14 rural counties, smaller cities and towns in every part of the North outside the big city regions: everywhere from Cumbria to North Yorkshire, Cheshire to Lincolnshire, and Hull to Lancashire.

- (b) over £700 million to fund a new wave of Bus Service Improvement Plans in the North.
 - (c) an additional £3.3 billion to tackle potholes as part of an unprecedented new nationwide road resurfacing scheme.
 - (d) £12 billion investment to deliver Northern Powerhouse Rail between Manchester and Liverpool which is expected to include significant infrastructure in the north of the borough,
- 10 The plan includes no specific mention of investment in Cheshire East or Crewe, or recognition of the direct and devastating impacts for the town and borough caused by the decision to cancel HS2. However, Government has since announced that the Network North published plan was illustrative.
- 11 The Council is seeking a fair and equitable deal to compensate for the losses to the Council and the opportunity cost to the borough of the decision to cancel HS2 phases 2a and 2b and replace these with Network North.

RECOMMENDATIONS

The Council is recommended to:

1. Note the implications of the HS2 cancellation and introduction of Network North for Cheshire East.
2. Continue to support the principles of HS2 as a catalyst for growth across the North.
3. Authorise the Executive Director of Place, in consultation with the HS2 Member Reference Group, to negotiate with central government for an appropriate compensation and alternative investment package for Cheshire East to deliver transport improvements and unlock regeneration across the Borough.
4. Approve the amendments to the remit and membership of the HS2 Member Reference Group proposed in this report.

Background

- 12 Cheshire East was directly impacted by two phases of the planned HS2 scheme.
- (a) Phase 2a was the section between Birmingham and Crewe and enabled direct HS2 trains between Crewe and London and an

hourly HS2 service from Macclesfield to London, via Stoke-on-Trent and Stafford. This section received Royal Assent in February 2021.

- (b) Phase 2b was the section between Crewe and Manchester and included the Crewe Northern Connection, a vital junction connecting HS2 to the West Coast Main Line north of Crewe, enabling up to 5-7 HS2 trains per hour to call at Crewe Station. The hybrid bill for this section was deposited in January 2022 and is currently sitting in Parliament.
- 13 HS2 would have provided a step-change in connectivity at Crewe and a catalyst for growth and regeneration for the towns of Crewe and Macclesfield, the borough and the wider sub-region.
- 14 The Council has invested significant resource, over several years, in planning for the arrival of HS2 and to ensure that the full benefits of this once in a lifetime investment can be unlocked for Crewe, Macclesfield and the wider borough. The Council has incurred over £8M in direct capital costs in planning for HS2 and the Crewe hub.
- 15 In addition, the Council and its communities has spent time and expense in responding to the scheme proposals through consultation responses, engagement with HS2 Ltd and most recently petitioning the Bill. The Council has incurred over £2M in supporting the HS2 proposals and the consultation and hybrid bill processes.
- 16 The cancellation of HS2 north of Birmingham by the Prime Minister on 04 October 2023, and the publication of Network North to replace it, is a major setback to the Council, to Crewe and Macclesfield and to the wider communities and business that were set to benefit from HS2 services to Crewe and Macclesfield.
- 17 HS2 will now only be constructed between London and Birmingham. At the point of writing, it is not known what this means for services at Crewe, Wilmslow or Macclesfield or how Government now proposes to address the capacity constraints on the West Coast Main Line.
- 18 The Network North documents states that Government will be removing the safeguarding for HS2 Phase 2a within weeks and the HS2 Phase 2b safeguarding of the land not required to deliver Northern Powerhouse Rail will be delivered by the Summer of 2024.
- 19 The Council does not support the removal of the safeguarding for Phase 2a and 2b, and the reported 'fire sale' of land, ahead of a commitment to an alternative solution to address the capacity constraints on the West Coast Main Line.

- 20 This would have serious consequences on the ability to deliver these vital and overdue improvements in the future. This will constrain the growth potential across the borough, the North West and the UK for generations to come.
- 21 The published Network North document does not provide an appropriate alternative to HS2 for the borough. It fails to mention Crewe or Cheshire East and provides no tangible investment in the area to provide any compensation for the devastating consequences resulting from the cancellation of HS2 and no viable alternative proposed.
- 22 The only mention of investment for Cheshire East in the Network North document is a share new £2.5 billion fund to transform local transport in 14 rural counties, smaller cities and towns in every part of the North outside the big city regions. There have been no further details of how this fund will be distributed across the 14 areas and over what period and this is unlikely to come close to compensating for the lost economic opportunity of HS2 to the borough.
- 23 A number of media reports since the announcement have stated that Crewe is the biggest loser from the cancellation of HS2 and its replacement with Network North. The plans to remove the safeguarding for Phase 2a and 2b are likely to mean this loss is irrecoverable for many years, if not decades.
- 24 The announcement undermines the Council's well-developed plans, programmes and projects that have been built around HS2 and the HS2 scheme and the Government's prior promises and commitments. These plans were designed to complement HS2 and the Crewe hub to unlock thousands of new homes and new jobs in Crewe alone.
- 25 Without fair compensation and commitment to deliver a package of alternative transport and regeneration projects across the borough, these plans are unlikely to be deliverable and much of the work will therefore be abortive.
- 26 Government has since announced that the Network North document is only illustrative, and it is understood that there is an opportunity to seek to negotiate a fair and equitable deal for Cheshire East.
- 27 The Council has written to Government Ministers to state its deep disappointment of the cancellation of HS2 and to seek to negotiate and secure an appropriate and adequate compensation and investment package for Cheshire East.
- 28 To enable any negotiations with Government to remain agile and responsive, the continuation of the HS2 Member Reference Group which was established to support the HS2 Phase 2b petition

negotiations, would be beneficial to provide officers with an opportunity to seek cross-party political support and feedback throughout the negotiation process with members reporting back to the individual political groups as required.

HS2 Member Reference Group

- 29 The HS2 Member Reference Group was established following the Council's decision to petition against the HS2 Phase 2b hybrid bill in February 2022.
- 30 The HS2 Member Reference Group was comprised the following Members:
- (a) Cllr Sam Corcoran
 - (b) Cllr Craig Browne (Chair)
 - (c) Cllr Kate Hague
 - (d) Cllr Laura Crane
 - (e) Cllr Janet Clowes
 - (f) Cllr Rod Fletcher
- 31 The HS2 Member Reference Group acted as a sounding board in the preparation and progression of the Council's petition and through the negotiations that enabled the Council to eventually withdraw its petition.
- 32 It enabled the petition and negotiations to be undertaken at the required pace and agility that was necessary to seek an appropriate outcome for Cheshire East.
- 33 Any negotiations with Government with regards to HS2 compensation and Network North are likely to need to progress at a similar pace. Therefore

Consultation and Engagement

- 34 Government did not consult or engage with the Council ahead of the decision to cancel HS2 or on the development of Network North. This is despite the Council writing an open letter to the Prime Minister requesting a discussion ahead of any decision made.
- 35 Consequently, there has been no opportunity for the Council to undertake any engagement.
- 36 The timeline any negotiations with Government, should they agree to them, is not known. Consequently, it is proposed to retain the HS2

Member Reference Group to provide an agile, dynamic and timely vehicle to seek political steers, support and endorsements during any negotiations with Government regarding HS2, Network North and any compensation and investment package.

- 37 Moving forward, the HS2 Member Reference Group would provide an agile and effective vehicle to engage with representatives from each political group within the Council to gain political input and steers throughout any negotiations moving forward to enable the Council to react at the pace that will be required.

Reasons for Recommendations

- 38 The cancellation of HS2 north of Birmingham on 04 October 2023, is a devastating blow to Cheshire East and its ambitious regeneration plans for Crewe and Macclesfield.
- 39 HS2 was integral to the Council's Corporate Plan and its green vision to be a thriving and sustainable place. Many of the actions and priorities are built around maximising the opportunities of HS2 for the benefit of Cheshire East residents and businesses.
- 40 The Council has invested significant resources in preparing for HS2, making our key towns HS2 ready and to secure critical mitigations and interventions to minimise the negative impacts the scheme and its construction would have had on the borough.
- 41 The Council does not believe that Government's alternative proposals for transport investment, Network North, are adequate to mitigate and manage the devastating impacts the cancellation of HS2 will have on the north, particularly for Cheshire East.
- 42 There has not been any consultation with local areas by Government on these plans. Therefore, the current Network North proposals don't support the delivery of well-developed plans for areas, such as Crewe.
- 43 Government has since stated that the Network North proposals are illustrative. Therefore, the Council should pursue a better outcome for Cheshire East to recover some of the growth and regeneration opportunities that HS2 would have unlocked. Otherwise, the extensive and valuable work undertaken to date to support HS2 and the Crewe Hub, will be abortive.

Other Options Considered

- 44 There are two options available to the Council in response to Government's announcement to cancel HS2 north of Birmingham and replace it with Network North. These are appraised in Table 1

- (a) Option 1: Do nothing. Here the Council would effectively be accepting the decision.
- (b) Option 2: Pursue a fair and equitable deal for Cheshire East.

Table 1.

Option	Impact	Risk
Do nothing	<p>The growth, regeneration and levelling up opportunities of HS2 for the Borough are not realised.</p> <p>The work undertaken by the Council that has been built around the Crewe hub proposals will be abortive and the Council will be required to expense the capital costs.</p>	<p>The Council may be perceived to be supporting the decision.</p> <p>Crewe and Macclesfield will lose out at the expense of other locations, outside of Cheshire East, who are benefitting from Network North.</p> <p>The viability of wider regeneration plans for Crewe and Macclesfield may be negatively impacted.</p> <p>The costs that the Council may be required to be expensed.</p>
Pursue a fair and equitable deal for Cheshire East.	<p>The Council will remain true to its longstanding position on HS2 as a catalyst for growth and regeneration across the Borough.</p> <p>The Council has the opportunity to secure appropriate</p>	<p>The Council may not be successful in securing a fair and equitable deal for Cheshire East and the do-nothing risks may materialise.</p>

	<p>compensation to reduce / mitigate the impacts of expensing the HS2 capital costs to date.</p> <p>The Council has the opportunity to secure a better outcome for the Borough and mitigate the social, economic and financial impacts of the cancellation of HS2 for the borough, its residents and businesses.</p>	
--	--	--

Implications and Comments

Monitoring Officer/Legal

- 45 There are no direct legal implications of this report. However, the Council's legal team will be engaged throughout the negotiations and specialist external legal advice will be sought where necessary.

Section 151 Officer/Finance

- 46 The Council has spent over £11M in preparing for HS2 and the Crewe Hub. This includes £8.6M in the capital programme, funded by prudential borrowing and £2.6M of direct revenue expenditure.
- 47 Without critical commitments to HS2 and the Crewe Hub, under local government accountancy regulations, the Council will be required to write of this expenditure. This would include expensing the £8.6M of capital costs through the Council's revenue account.
- 48 The abortive costs are material in relation the Councils forecast levels of reserves. The requirement to fund this expenditure from revenue could therefore trigger a s.114 notice as the Council could be placed in a position where there are insufficient funds, and inadequate reserves, to manage in-year expenditure.

- 49 Critical to the negotiations with Government is the need for appropriate and sufficient financial compensation and/or flexibilities to mitigate the direct financial impacts to the Council of the decision to cancel HS2.

Policy

- 50 The Council's Corporate Plan Strategy was developed around Government's plans, commitments and promises of HS2 within Cheshire East.
- 51 HS2 was considered a key opportunity for Cheshire East within its Corporate Plan and as act as a catalyst for sustainable and inclusive growth across the whole borough.
- 52 HS2, and the work undertaken by the Council in response to it, directly supported the following 'A thriving and sustainable place' priorities:
- (a) A transport network that is safe and promotes active travel.
 - (b) Thriving urban and rural economies with opportunities for all.
 - (c) A great place for people to live, work and visit.
 - (d) To reduce the impact on our environment
- 53 The Prime Minister's announcement to cancel HS2 phases 2a and 2b means that Cheshire East will no longer receive HS2 services and therefore there will be no catalyst to support these Corporate Plan priorities.
- 54 With appropriate investment in alternative transport and regeneration interventions within Cheshire East via Network North these Corporate Plan priorities could still be supported and many of the benefits could still be realised. However, the current published plans for Network North fail to provide any investment in the borough.
- 55 The recommendations within this report seek a fair and equitable deal from Government to compensate and mitigate the impact of the decision on the borough.
- 56 If approved, the Council will be seeking to agree a package that support the same priorities in the Corporate Plan that HS2 would have supported.

Equality, Diversity and Inclusion

- 57 The recommendations in this report have no immediate or direct equality, diversity, or inclusion implications.

Human Resources

- 58 The recommendations in this report have no immediate human resources implications.

Risk Management

- 59 The Council may not be successful in securing appropriate compensation to cover the financial costs incurred in preparing for HS2 and the capital costs may need to expense the capital costs spent to date which the Council could not afford to do. However, the other option is for the Council to do nothing and therefore remove the opportunity to seek appropriate compensation or financial flexibilities.

Rural Communities

- 60 The recommendations in this report have no immediate implications to the Borough's rural communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 61 The recommendations in this report have no immediate implications on Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

Public Health

- 62 *The recommendations in this report have no immediate public health implications.*

Climate Change

- 63 The recommendations in this report have no direct or immediate implications for climate change. However, it is hoped that any compensation and alternative investment package the Council is able to secure would overall, help the Council to reduce its carbon footprint and achieve environmental sustainability by supporting journeys via more sustainable modes, reducing energy consumption and promoting healthy lifestyles.

Access to Information	
Contact Officer:	Hayley Kirkham HS2 Programme Director

	Hayley.kirkham@cheshireeast.gov.uk
Appendices:	There are no appendices to this report
Background Papers:	<p>Network North - Network North - GOV.UK (www.gov.uk)</p> <p>High Speed Rail (Crewe – Manchester) Bill Petition, Full Council Report, February 2022 - Report Template v5.1 (cheshireeast.gov.uk)</p>

Notice of Motion : Council 13 December 2023**Cheshire East Council should embrace an urgent Peer Review to investigate its in year overspend of £18.7 million**

Proposer Cllr Rachel Bailey
Seconder Cllr Russell Chadwick

Cheshire East conducted a Corporate Peer Challenge in January 2020. The report, approved by Cabinet in June 2020, clearly evidenced an emerging pattern of budgetary overspend and advised that whilst, 'this reflects challenges which are faced by many organisations, the council should consider their approach towards savings across the organisation, to share ownership and encourage informed approaches to financial risk'.

The benefits of the Local Government Association's Peer support are well known to those councils who embrace it and in view of 'our Council's' recently announced 'in year' overspend of £18.7 million pounds, I propose that this Council immediately engages with the LGA to seek guidance via an urgent Financial Peer Review or Corporate Peer Challenge.

Background/References:

<https://moderngov.cheshireeast.gov.uk/documents/s76797/Corporate%20Peer%20Challenge%20-%20appendix.pdf>

<https://www.local.gov.uk/our-support/council-assurance-and-peer-support/peer-challenges-we-offer/corporate-peer-challenge-4>

<https://www.local.gov.uk/our-support/council-assurance-and-peer-support/peer-challenges-we-offer/finance-peer-challenge-and>

This page is intentionally left blank