



Council Summons

Wednesday 16th July 2025

11.00 am

**Council Chamber, SKA Observatory, Jodrell
Bank, Lower Withington, SK11 9FT**

To all Members of the Council

You are hereby invited to attend a meeting of the Cheshire East Council for the transaction of the business specified in the agenda below.

Yours faithfully

Rob Polkinghorne
Chief Executive

Agenda

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 top 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 7 - 18)

To approve as a correct record the minutes of the meeting of Council held on 14 May 2025 and special meeting of Council held on 14 May 2025.

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.

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. Requests to speak and questions should be submitted via the [Register to Speak form](#).

Petitions - To receive any petitions which have met the criteria - [Petitions Scheme Criteria](#), and falls within the remit of the Committee. Petition organisers will be allowed up to three minutes to speak.

6. Leader's and Deputy Leader's Announcements

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

7. **Assurance Panel Progress Update Letter** (Pages 19 - 30)

To consider the progress update letter from the Assurance Panel and the LGA Corporate Peer Challenge revisit report.

8. **Officer Decision re Funding for Phase 3 of the Transformation Programme** (Pages 31 - 40)

To consider the report on the Officer Decision on Funding for Phase 3 of the Transformation Programme.

9. **Recommendation from Corporate Policy Committee: Constitution Officer Schemes of Delegation** (Pages 41 - 252)

To consider the recommendation from the Corporate Policy Committee.

10. **Recommendations from Finance Sub Committee: Final Outturn 2024-25 - Approval of Supplementary Revenue Estimates and Capital Estimates** (Pages 253 - 284)

To consider the recommendations from the Finance Sub Committee.

11. **Recommendation from Adults and Health Committee: Connect To Work Funding - Approval of Supplementary Revenue Estimate** (Pages 285 - 302)

To consider the recommendation from the Adults and Health Committee.

12. **Recommendation from Highways and Transport Committee: Bus Service Improvement Plan - 2025/26 Delivery Programme - Approval of Supplementary Revenue and Capital Estimates** (Pages 303 - 320)

To consider the recommendation from the Highways and Transport Committee.

13. **Recommendation from Audit and Governance Committee: Recruitment of Co-Opted Independent Members** (Pages 321 - 328)

To consider the recommendation from the Audit and Governance Committee.

14. **Notices of Motion** (Pages 329 - 332)

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

15. **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.

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CHESHIRE EAST COUNCIL**Minutes of a meeting of the Council**

held on Wednesday, 14th May, 2025 in the The Tenants' Hall, Tatton Park,
Knutsford WA16 6QN (postcode for Sat Nav WA16 6SG)

MAYOR MAKING**PRESENT**

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

Councillor M Houston in the Chair

1 APOLOGIES FOR ABSENCE

Apologies were received from Councillors R Bailey, J Bratherton, B Drake, M Muldoon, C O'Leary, J Priest and L Smith.

2 DECLARATIONS OF INTEREST

It was noted the Councillors D Edwardes and J Snowball had a personal interest in the appointment of Mayor and of Deputy Mayor, respectively.

3 ELECTION OF MAYOR 2025/26

Council was requested to elect a Mayor for the Borough of Cheshire East for the 2025-26 Municipal Year, who would also act as Chair of the Council for that period.

It was proposed by Councillor R Kain and seconded by Councillor J Wray that Councillor David Edwardes be elected as Mayor for the 2025/26 Municipal Year.

The motion was put to the vote and declared carried.

RESOLVED:

That Councillor David Edwardes be elected Mayor of the Borough of Cheshire East for the 2025-26 Municipal Year and be appointed as Chair of the Council for that period.

The Mayor was invested with the chain of office and then completed the Declaration of Acceptance of Office.

The Mayor thanked the Council for electing him to this office and informed Members that he would not be having a consort and instead would invite ward councillors to accompany him to events in the areas they represent. The Mayor reported that his chosen charities would be Windyway Animal Rescue and Macclesfield Roundtable.

Councillor D Edwardes, as Mayor, took the Chair.

4 APPOINTMENT OF DEPUTY MAYOR 2025/26

Council was requested to appoint a Deputy Mayor of the Borough of Cheshire East for the 2025-26, who would also act as Vice-Chair of the Council for that period.

It was proposed by Councillor R Vernon and seconded by Councillor K Edwards that Councillor Judy Snowball be appointed as Deputy Mayor for the 2025-26 Municipal Year.

The motion was put to the vote and declared carried.

RESOLVED:

That Councillor Judy Snowball be appointed as Deputy Mayor of the Borough of Cheshire East for the 2025-26 Municipal Year and as Vice Chair of the Council for that period.

The Deputy Mayor was invested with the chain of office and then completed their Declaration of Acceptance of Office.

The Deputy Mayor thanked the Council for electing her to this office.

5 VOTE OF THANKS TO RETIRING MAYOR

Councillor A Moran paid tribute to the retiring Mayor, Councillor Marilyn Houston, for their dedicated work undertaken during their term of office.

The Mayor presented Councillor Houston with a Past Mayor's Medal.

Councillor Houston then addressed the Council, as outgoing Mayor.

6 MAYOR'S ANNOUNCEMENTS

The Mayor thanked all those who had attended the Mayor Making Ceremony and stated that the meeting would be adjourned for the Special Meeting of Council to take place and would be reconvened, following lunch.

(The meeting was adjourned at 12.06 pm and reconvened at 1.45 pm)

ANNUAL COUNCIL MEETING

PRESENT

Councillor D Edwardes (Mayor/Chair)

Councillor J Snowball (Deputy Mayor/Vice-Chair)

Councillors S Adams, L Anderson, R Bailey, M Beanland, S Bennett-Wake, J Bird, L Braithwaite, J Bratherton, M Brooks, D Brown, C Browne, L Buchanan, C Bulman, A Burton, R Chadwick, C Chapman, D Clark, J Clowes, A Coiley, N Cook, S Corcoran, L Crane, T Dean, B Drake, S Edgar, K Edwards, M Edwards, H Faddes, R Fletcher, A Gage, S Gardiner, E Gilman, M Goldsmith, M Gorman, K Hague, E Hall, A Harrison, G Hayes, A Heler, C Hilliard, S Holland, M Houston, T Jackson, D Jefferay, R Kain, A Kolker, N Mannion, G Marshall, A Moran, R Moreton, R Morris, H Moss, C O'Leary, J Pearson, J Place, B Posnett, J Pratt, B Puddicombe, P Redstone, J Rhodes, J Saunders, H Seddon, M Sewart, M Simon, L Smetham, G Smith, J Smith, J Smith, R Vernon, L Wardlaw, M Warren, H Whitaker, F Wilson, J Wray and B Wye

7 APOLOGIES FOR ABSENCE

Apologies were received from Councillors P Coan, M Muldoon, J Priest and L Smith.

8 DECLARATIONS OF INTEREST

No declarations of interest were made.

9 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 26 February 2025 be approved as a correct record.

10 ELECTION OF A LEADER OF THE COUNCIL AND DEPUTY LEADER OF THE COUNCIL FOR 2025/26

Leader of the Council

Nominations were invited for the election of the Leader of the Council.

It was proposed by Councillor L Crane and seconded by Councillor M Gorman that Councillor Nick Mannion be elected as the Leader of the Council for the 2025-26 Municipal Year.

The motion was put to the vote and a recorded vote was carried out with the following results:

FOR

Councillors L Anderson, S Bennett-Wake, J Bird, L Braithwaite, J Bratherton, M Brooks, L Buchanan, C Bulman, A Burton, C Chapman, D Clark, A Coiley, N Cook, S Corcoran, L Crane, B Drake, D Edwardes, K Edwards, M Edwards, H Faddes, R Fletcher, E Gilman, M Goldsmith, M Gorman, C Hilliard, M Houston, D Jefferay, N Mannion, G Marshall, A Moran, R Moreton, J Place, B Puddicombe, J Rhodes, H Seddon, G Smith, J Snowball, R Vernon, M Warren, F Wilson and B Wye.

AGAINST

Councillors S Adams, R Bailey, M Beanland, D Brown, R Chadwick, J Clowes, T Dean, S Edgar, A Gage, S Gardiner, K Hague, E Hall, A Harrison, G Hayes, A Heler, S Holland, T Jackson, R Kain, A Kolker, R Morris, H Moss, C O'Leary, J Pearson, B Posnett, J Pratt, P Redstone, J Saunders, M Sewart, M Simon, L Smetham, L Wardlaw, H Whitaker and J Wray.

NOT VOTING

Councillors C Browne, John Smith and Julie Smith.

The motion was declared carried with 41 votes for, 33 votes against and 3 not voting.

RESOLVED:

That Councillor Nick Mannion be elected as Leader of the Council for the 2025-26 Municipal Year.

Deputy Leader of the Council

Nominations were invited for the election of the Deputy Leader of the Council.

It was proposed by Councillor M Warren and seconded by Councillor N Mannion that Councillor Michael Gorman be elected as the Deputy Leader of the Council for the 2025-26 Municipal Year

The motion was put to the vote and a recorded vote was carried out with the following results:

FOR

Councillors L Anderson, S Bennett-Wake, J Bird, L Braithwaite, J Bratherton, M Brooks, C Browne, L Buchanan, C Bulman, A Burton, C Chapman, D Clark, A Coiley, N Cook, S Corcoran, L Crane, B Drake, D Edwardes, K Edwards, M Edwards, H Faddes, R Fletcher, E Gilman, M Goldsmith, M Gorman, C Hilliard, M Houston, D Jefferay, N Mannion, G Marshall, A Moran, R Moreton, J Place, B Puddicombe, J Rhodes, H Seddon, G Smith, John Smith, Julie Smith, J Snowball, R Vernon, M Warren, F Wilson and B Wye.

AGAINST

Councillors S Adams, R Bailey, M Beanland, D Brown, R Chadwick, J Clowes, T Dean, S Edgar, A Gage, S Gardiner, K Hague, E Hall, A Harrison, G Hayes, A Heler, S Holland, T Jackson, R Kain, A Kolker, R Morris, H Moss, C O'Leary, J Pearson, B Posnett, J Pratt, P Redstone, J Saunders, M Sewart, M Simon, L Smetham, L Wardlaw, H Whitaker and J Wray.

The motion was declared carried with 44 votes for and 33 votes against.

RESOLVED:

That Councillor Michael Gorman be elected as Deputy Leader of the Council for the 2025-26 Municipal Year.

The Mayor invited the Leader and Deputy Leader to speak.

The Leader, in summary: -

- 1 congratulated the newly elected Mayor and Deputy Mayor.
- 2 stated that the receipt of Non-Statutory Best Value Notice was unexpected and disappointing as the Council had made steady progress since March 2023 following recommendations from the LGA Peer Review.
- 3 reported that a balanced budget for 2025-26 had been set, supported by exceptional financial assistance and new financial reporting tools would be used to monitor and control spending effectively.
- 4 reported that the Care Quality Commission had rated the Council's adult social care services as 'Good' with a 75% score, which placed the Council amongst the top in England under the new framework.
- 5 stressed the importance of cross-party cooperation to maintain the momentum in cultural and operational transformation within the Council, and reaffirmed commitment to delivering high-quality services and continuing the Council's improvement journey.

The Deputy Leader, in summary: -

- 1 congratulated the newly elected Mayor and Deputy Mayor and thanked the outgoing Mayor for their service.
- 2 committed to working constructively with all council members to develop and deliver effective policies, particularly around the budget.
- 3 referred to the abuse and intimidation faced by councillors, which had been highlighted by the Task and Finish Group, and called for improved training, facilities, and security to support elected officials.
- 4 reported that a Task and Finish Group was looking at the governance system and changes required to address the concerns in the Peer Review.

- 5 reported that the Council would be hosting a round table at the UKREiiF Conference with government ministers and major investors to promote local investment and regeneration in Cheshire East.
- 6 referred to the negative impact of social media and misinformation which often undermines public trust in local government and emphasised the need for balanced reporting that highlights the Council's positive contributions.

11 POLITICAL REPRESENTATION ON THE COUNCIL'S COMMITTEES

Consideration was given to a report relating to the political representation on the Council's committees.

The recommendations were moved and seconded and put to the vote.

RESOLVED:

- 1 that the Committees, as set out in the Appendix to the report, be appointed with the same functions, roles and responsibilities as are currently set out in the Constitution.
- 2 that the political groups and other representation, as set out in the Appendix to the report, and the methods, calculations and conventions used in determining this, as outlined in the report, be adopted and the allocation of places to Committees be approved.

12 APPOINTMENT OF CHAIRS AND VICE CHAIRS OF COMMITTEES OF THE COUNCIL

Consideration was given to the appointment of Chairs and Vice Chairs of the Council's Committees.

The Appendix to the report set out the nominated persons for Chair and Vice Chair for each committee.

The appointments for Chairs and Vice Chairs were moved and seconded and put to the vote.

RESOLVED:

That the offices of Chair and Vice Chair be allocated as detailed in the Appendix to the report.

13 RECOMMENDATION FROM FINANCE SUB COMMITTEE: APPROVAL OF VIREMENT

Consideration was given to the recommendation from the Finance Sub Committee held on 10 March 2025 in relation to the approval of a virement

of up to £8m from the central Contingency budget to the Adults and Health budget to cover inflationary pressures in 2025-26.

RESOLVED:

That Council approve a virement of up to £8m from the central Contingency budget to the Adults and Health budget to cover inflationary pressures in 2025-26.

14 APPOINTMENTS TO CHESHIRE POLICE AND CRIME PANEL AND TO CHESHIRE FIRE AUTHORITY

Consideration was given to a report inviting Council to make appointments to the Cheshire Fire Authority and the Cheshire Police and Crime Panel.

The nominations for the Cheshire Police and Crime Panel and the Cheshire Fire Authority were moved and seconded and put to the vote and declared carried.

RESOLVED: That

- 1 Councillor David Brown, David Jefferay and Judy Snowball be appointed to the Cheshire Police and Crime Panel, with Councillor Russell Chadwick as nominated substitute.
- 2 Councillors Rachel Bailey, Peter Coan, Laura Crane, Rob Moreton, Patrick Redstone, Margaret Simon, Geoff Smith, Rob Vernon and Mick Warren be appointed to the Cheshire Fire Authority.

15 APPROVAL OF ABSENCE FROM COUNCIL MEETINGS

This item was withdrawn from the agenda.

16 SOFTWARE DEFINED WIDE AREA NETWORK (SD WAN) CONNECTIVITY PROCUREMENT

Consideration was given to the report seeking approval in principle for the procurement of a new connectivity network contract which was expected to cost more than £1m.

The recommendations were proposed and seconded. During the debate a 'friendly amendment' was proposed and accepted to add 'in consultation with political group leaders' to Recommendation 2.

RESOLVED: That Council

- 1 approve in principle the procurement of a new connectivity network contract which is expected to cost more than £1m.

- 2 delegate authority to the Director of Digital of Cheshire East Borough Council, in consultation with political group leaders, to award the contract to the successful bidder following the competitive procurement process.

17 REPORTING OF URGENT DECISIONS TAKEN BY THE CHIEF EXECUTIVE

Council received a schedule of urgent decisions taken by the Chief Executive on behalf of the Council, which were reported for information in accordance with the Council procedure rules.

RESOLVED:

That the schedule of urgent decisions be noted.

The meeting commenced at 11.00 am and concluded at 3.12 pm

Councillor D Edwardes (Chair)

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CHESHIRE EAST COUNCIL

Minutes of a Special Meeting of the **Council**
held on Wednesday, 14th May, 2025 in the Tenants' Hall, Tatton Park,
Knutsford WA16 6QN

PRESENT

Councillor D Edwardes (Mayor/Chair)

Councillor J Snowball (Deputy Mayor/Vice Chair)

Councillors S Adams, L Anderson, R Bailey, M Beanland, S Bennett-Wake, J Bird, L Braithwaite, M Brooks, D Brown, C Browne, L Buchanan, C Bulman, A Burton, R Chadwick, D Clark, J Clowes, P Coan, A Coiley, N Cook, S Corcoran, L Crane, T Dean, S Edgar, K Edwards, M Edwards, H Faddes, A Farrall, R Fletcher, A Gage, S Gardiner, E Gilman, M Goldsmith, M Gorman, K Hague, E Hall, A Harrison, G Hayes, A Heler, C Hilliard, S Holland, M Houston, T Jackson, D Jefferay, R Kain, A Kolker, N Mannion, G Marshall, A Moran, R Moreton, R Morris, H Moss, J Pearson, J Place, B Posnett, J Pratt, B Puddicombe, P Redstone, J Rhodes, J Saunders, H Seddon, M Sewart, M Simon, L Smetham, G Smith, J Smith, J Smith, R Vernon, L Wardlaw, M Warren, H Whitaker, F Wilson, J Wray and B Wye

18 APOLOGIES FOR ABSENCE

Apologies were received from Councillors J Bratherton, B Drake, M Muldoon, C O'Leary, J Priest and L Smith.

19 DECLARATIONS OF INTEREST

There were no declarations of interest.

20 APPOINTMENT OF HONORARY ALDERWOMAN

Consideration was given to the appointment of Laura Jeuda MBE as an Honorary Alderwoman.

It was proposed and seconded and upon the agreement of more than two-thirds of the Councillors present it was: -

RESOLVED:

That Laura Jeuda MBE be appointed as Honorary Alderwoman of Cheshire East.

Honorary Alderwoman Laura Jeuda was presented with a commemorative certificate and a shield by the Mayor.

The meeting commenced at 12.06 pm and concluded at 12.18 pm

Councillor D Edwardes (Mayor/Chair)

OPEN

Council

16 July 2025

Assurance Panel Progress Update Letter

Report of: Karen Wheeler, Interim Assistant Chief Executive

Report Reference No: C/8/25-26

Ward(s) Affected: All

For Decision

Purpose of Report

- 1 This report provides Members with a progress update letter from the Assurance Panel on the Council's progress since the LGA Corporate Peer Challenge in March 2024 and establishment of the Panel in August 2024. The report also includes the LGA Corporate Peer Challenge revisit report following an onsite visit in February 2025.

Executive Summary

- 2 In March 2024, the LGA Corporate Peer Challenge took place and the report, published in July 2024, made 18 recommendations focused on financial sustainability, transformation, culture, governance and getting the basics right.
- 3 Recommendation 3 was to *Engage with external challenge, support, and oversight through an externally chaired Assurance Panel*. Full Council approved the setting up of the Assurance Panel in July 2024 and the first meeting took place in August 2024.
- 4 The terms of reference agreed by Council state that written update letters to Full Council will be submitted by the Panel twice a year. The progress update letter can be found at Appendix 1.

LGA Corporate Peer Challenge Revisit

- 5 As part of the LGA's Corporate Peer Challenge process, a one-day revisit took place with a small team of Peers in mid-February 2025. The team met

with Group Leaders, Corporate Leadership Team including the Chief Executive, a small group of staff from across the council and the Chair of Assurance Panel.

- 6 The feedback report at Appendix 2 has informed the progress update letter from the Panel and recognises progress in key areas including improvements to financial reporting, development of the transformation plan and new Cheshire East Plan but a mixed picture of pace of delivery. The report was positive about staff engagement, Member collaboration, self-awareness and the council's commitment to improvement stating - *"...it is clear that there is a significant appetite and energy for reform from senior political and managerial leaders in the organisation, and that this is linked to a wider ambition for improvement."*
- 7 The report also reflects areas for increased focus and a need for the council to prioritise, sequence improvement and measure impact. The areas of focus identified align to the Best Value Notice – delivery of the transformation plan and savings, the governance and decision-making review, and culture change.

Best Value Notice

- 8 While acknowledging the steps the council is already taking, the government is seeking assurance of improvement and has issued a non-statutory [Best Value Notice](#) formalising the oversight they would like to see including through an overarching improvement plan and quarterly progress review. The Best Value Notice is informed by both the LGA Corporate Peer Challenge and CIPFA reviews.
- 9 The government expects the council to continue leading its own improvement and to work with the independent assurance panel, making full use of its expertise and responding to its recommendations. The Best Value Notice said that MHCLG will also look to the Assurance Panel for regular updates on the council's improvement and expects its role to be strengthened and embedded into day-to-day operations.
- 10 The Chief Executive has decided to change the Chair of the Assurance Panel. Gavin Jones CBE will become the new Chair from the next meeting of the Panel on 24 July 2025. Gavin has extensive experience as a Commissioner and improvement board chair. His insight, along with the expertise across the Panel membership, will further support and challenge the council to deliver the necessary improvements.
- 11 The Council thanks Angie Ridgwell for her support as Chair since August 2024 and recognises the invaluable role the Panel has played under her leadership, particularly through the deep dives focussed on financial sustainability and governance and decision-making.

RECOMMENDATION

The Council is recommended to:

1. Note the progress update letter from the Assurance Panel at Appendix 1 and LGA Corporate Peer Challenge revisit report at Appendix 2.

Background

- 12 In March 2024, the LGA Corporate Peer Challenge took place and made 18 recommendations focused on financial sustainability, transformation, culture, governance and getting the basics right, and creation of the Assurance Panel. A detailed action plan was developed in response and progress towards the action plan was reported to Corporate Policy Committee in June 2025.
- 13 The Council's establishment of an independent Assurance Panel in August 2024 has been valuable in providing advice, challenge and support to the officer and political leadership in delivering improvement particularly in relation to the financial position and governance. The Panel has received updates on progress in delivering the Corporate Peer Challenge action plan, Transformation Plan, had deep dives focussed on the themes within the plan particularly financial sustainability and more recently governance and decision making.
- 14 In light of the Best Value Notice, there is now an opportunity for the Council to reset its improvement through the development of new overarching Corporate Improvement Plan which supersedes the Corporate Peer Challenge action plan and provides oversight of all significant improvement plans and activity, and assurance of progress and pace of delivery. Its development will help the council plan, prioritise and resource improvement effectively as well as measure progress and impact. The plan would address all the areas identified for improvement in the Best Value notice and reflect best practice from other councils.

Consultation and Engagement

- 15 The themes from the progress update letter were shared verbally with the council at the Assurance Panel meeting on 5 June 2025.

Reasons for Recommendations

- 16 The terms of reference for the Assurance Panel includes written update letters to Full Council submitted by the Panel twice a year.

Other Options Considered

N/A

Implications and Comments

Monitoring Officer/Legal/Governance

- 17 Participating in sector led improvement through the LGA Corporate Peer Challenge is considered best practice for local authorities.
- 18 The Best Value notice was issued outside the statutory powers held by the Secretary of State under the Local Government Act 1999 to inspect or intervene in local authorities where there is evidence of best value failure and, separately, under section 230 of the Local Government Act 1972 to request information from local authorities. However, a failure to demonstrate continuous improvement may be judged to contribute to best value failure and the Secretary of State may consider using these powers as appropriate.
- 19 Under the Local Government Act 1999, all councils have a general Duty of Best Value to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.”.

Section 151 Officer/Finance

- 20 There are no direct financial implications arising from this report.

Human Resources

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

Risk Management

- 22 The council must further drive its own improvement, ensure effective strategic oversight and comply with the expectations of the non-statutory Best Value Notice. The risk of a lack of progress and delivery at the required pace could result in further measures and an escalation from MHCLG which is identified as a risk and will be added to the Strategic Risk Register.

Impact on other communities

- 23 There are no direct impacts on other communities.

Policy

- 24 The Cheshire East Plan 2025-29 includes a commitment to be an effective and enabling council with an emphasis on being financially sustainable,

aided by council-wide service transformation and improvement. The council understands the improvements it needs to make and has made progress in addressing the challenges with a focus on delivering value for money, continuous improvement and better outcomes for Cheshire East's residents.

Equality, Diversity and Inclusion

25 There are no direct impacts from this report.

Other implications

26 None.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory officer or deputy:</i>			
Rob Polkinghorne	Chief Executive	4 July 2025	4 July 2025
Sal Khan	Director of Finance/Deputy S151	4 July 2025	5 July 2025
Julie Gregory	Acting Head of Legal	4 July 2025	7 July 2025
<i>Other consultees: Executive Directors/Directors</i>			
Ashley Hughes	Executive Director of Resources/s151	4 July 2025	7 July 2025

Access to Information	
Contact Officer:	Karen Wheeler – Interim Assistant Chief Executive karen.wheeler@cheshireeast.gov.uk
Appendices:	Appendix 1 – Progress Update from Assurance Panel Appendix 2 – LGA Corporate Peer Challenge Revisit Report
Background Papers:	Agenda for Council on Wednesday, 17th July, 2024, 11.00 am Cheshire East Council (Corporate Peer Challenge report, Assurance Panel) Agenda for Corporate Policy Committee on Thursday, 12th June, 2025, 10.30 am Cheshire East Council (Corporate Peer Challenge Action Plan and Improvement Update)

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Independent Assurance Panel

First Progress Update on Cheshire East Council, June 2025

Further to the meeting of the Independent Assurance Panel (the Panel) on Thursday 5 June 2025, I set out below a formal update from the Panel which the Council established following the Local Government Association's (LGA) Corporate Peer Challenge (CPC) in March 2024. The Panel was stood up in August 2024 and this is the first formal bi-annual progress report, in line with their Terms of Reference.

This report reflects the views of the independent members of the Panel, which are consistent and aligned. In line with the requirements of the Best Value Notice, a copy of this report will be shared with the Ministry of Housing, Communities and Local Government (MHCLG).

Context and background

The Panel has now met on six occasions. At its meeting in October 2024, it was agreed that the first report to the Council should be aligned to the findings of the LGA's Corporate Peer Challenge Progress Review undertaken in February 2025. The LGA progress report was shared with the Panel on 2 May 2025, and a meeting was convened on 15 May to consider the report. The Best Value Notice issued to the Council on 8 May 2025 was also discussed at the meeting to support alignment and ensure that the Panel's findings and recommendations were shaped by the latest operating context of the Council.

The views of the Panel are echoed and amplified in both the CPC progress review report and the Best Value Notice. Consequently, I do not intend to reiterate those comments in this report and instead append both documents. I do however set out matters of emphasis and risk that the Panel feel it is important to highlight to the Council.

Matters of Emphasis

The Panel recognise and welcome the commitment of the Council to its improvement journey. We collectively acknowledge the scale of improvement required and the active collaboration between the political executive and senior officer leadership to drive through change. It is good that the Council now has a significant proportion of its permanent senior leadership team in place. This is a necessary platform to deliver improvement, including sustainable cultural change, and the Council will want to fill the ongoing vacancies, particularly the acting and interim arrangements regarding the Monitoring Officer, Director of Corporate Improvement roles, as well as the vacant Director of Public Health position.

The Good rating by CQC of your adult social care services is to be commended and provides independent assurance to your residents about those vital front-line services. The successful application for Exceptional Financial Support (EFS) also provides some resources and time to support the Council as it delivers the necessary changes to the organisation.

While recognising the good progress that has been made in some areas, it is accepted by all, including the Council, that improvement is not where the Council would have wished it to be at this juncture. This point is particularly underlined by the issue of the Best Value Notice by MHCLG. The Panel have consistently raised a number of themes of concern, which remain relevant. These matters of emphasis need to be given serious and urgent consideration by the Council. These are:

- Pace
- Plans
- Communications
- Leadership and Governance

Improvement is complex, consequently these matters of emphasis are symbiotic and need to be considered holistically to drive the level of change required.

Pace

Pace remains a significant issue for the Council. While the Council has shown that it can move quickly in some areas, such as appointing a transformation partner, other areas have been slow. For example, the Council could have sought to adapt and amend its processes to accelerate the appointment of its permanent senior management team, which is a fundamental element of the improvement process.

By better sequencing their interventions, the Council could unlock some of the barriers and constraints to their progress. Adapting and amending processes and structures to create pace is also an option that should be adopted, including incremental improvements than maintain momentum towards the Council's strategic aims and ambitions.

Plans

The Council still does not have a single, prioritised and resourced improvement plan setting out how it will address the challenges it faces. While there are individual plans in response to the CPC report, the transformation challenge, the budget and the Children's Services Ofsted inspection, these need to be considered collectively so that the Council can understand the corporate and cumulative impact of the proposed actions.

It is also the case that the savings referenced in the transformation plan, and which are fundamental to the Council's sustainability, remain unclear to the Panel. The Council have, as yet, been unable to articulate what these savings are or when they will be delivered, including any interdependencies with other workstreams.

These are key issues for assurance and the Panel has requested this information on a number of occasions. Had the Council considered its approach to improvement in a strategic and comprehensive way, the prevalence of optimism bias may have been prevented, and key decisions could have been taken particularly around the necessary trade-offs that will need to take place in order to drive improvement at its optimum level.

A single plan would facilitate the sequencing of actions, allocation of resources and unlock pace. It is also an essential element in helping members and staff understand what is required of them and when and how changes will occur. Ultimately the improvement plan should showcase the outcomes that the public can expect to see in terms of better services.

Communications

A single overarching narrative is essential to explain the challenges the Council faces, how they arose, and how they will be addressed. This can then be adapted to different audiences to set out clear expectations and reassure stakeholders.

Without this narrative and the absence of the single plan there will continue to be a lack coherence, and potentially congruence. It will also be an important tool in the Leadership of both elected members and staff throughout the organisation who need to be motivated to make the changes and vested in the Council's future success.

A strategic approach to communications is required to ensure key stakeholders (elected members, officers, partners and residents) are kept informed of updates and progress. This includes the Panel who often learn about developments through the media. It is anticipated that if the Panel are not routinely engaged, then other stakeholders will also be equally uninformed, with the resultant impact on confidence. Furthermore, the Council is ceding the opportunity to share their perspective in an open and transparent way and provide the rationale behind the decisions they are taking.

Leadership and Governance

The scale of the issues faced by the Council and the fragility of its position require strong and sophisticated leadership that is able to permeate through the organisation. Staff and residents need to have confidence in the Council, especially in view of the difficult decisions we all accept the Council will need to make.

The Panel acknowledges the verbal assurances received at our meetings, however the detail on activity and the strength of leadership has not yet been evidenced, with an ongoing optimism bias and continued focus on monitoring actions rather than managing the delivery of outcomes for the public.

The leadership model adopted by the Council needs to be clearly set out and explained to members and staff. It will need to be adapted over time, especially as the capability within the organisation grows and a new culture evolves.

Key Risks

The Panel are also mindful that the Council is carrying a number of risks to its improvement journey that need to be actively managed and mitigated as far as possible. These are set out below:

Financial

The Council's budget needs to be sustainable both now and in the longer term. This will require hard decisions and the sooner these can be taken the quicker sustainability will be achieved. The underpinning actions to deliver the agreed Medium Term Financial Strategy, including co-dependencies with the transformation plan, need to be well understood by the Leadership and must be included in the single improvement plan referenced above.

The Panel note that the financial resilience of the Council is almost entirely reliant on its Transformation Plan. It is not clear to the Panel that this plan has been fully costed and there has been no evidence of progress since EFS was awarded. The Council must ensure this issue is gripped and driven and that the expected returns are delivered within the expected timescales.

Children's Services improvement

Good progress has been made in delivering the response to the Ofsted Inadequate Children's Services inspection outcome. It is important to maintain the positive trajectory with continued strong leadership and stability as the new Director of Children's Services takes up her role.

Decision making

The Council has an opportunity in May next year to fundamentally change its governance structures. This should be undertaken with a clear intention to speed up decision making and reduce bureaucracy, enabling both pace and capacity to be focused on the improvement journey. The Panel are concerned that this is not a view embedded across the organisation as evidenced by the recent proposal to increase rather than streamline the process. There are many successful governance models within both the Committee and Cabinet structures that facilitate open and transparent decision making when underpinned by the right behaviours. Unless this is grasped there is serious risk that any improvements will be limited, and the Council will not be sustainable.

The Government has recently announced its intention to legislate to remove the Committee system as a governance model available to upper tier authorities. The Council will now need to reflect this in its future governance structures.

There remain many options for short term successes by, for example, rationalising some of the existing committees, developing report writing skills and improving the scheme of delegation. The Panel is disappointed that these opportunities have not been grasped and implemented quickly. In the absence of a new Monitoring Officer being appointed, there is an opportunity for the Council to secure interim support with the right skills to drive the changes which are fundamental to the improvement journey.

Leadership and Management

The frailty of the Council's position requires a confident and experienced leadership, both executive and officer, to achieve success. Failure to think strategically, set clear direction and hold people to account will not deliver at the pace required. There is a significant risk that management focuses on the detail and slows rather than drives delivery. The Panel accepts that there are weaknesses across the organisation and the leadership needs to determine which are the capabilities they will prioritise, recognising and promoting those areas that will have the biggest impact.

The Panel is concerned that the importance of leadership and management has not been fully grasped by the Council. Leadership is also responsible for ensuring that the systems underpinning the decision making and service delivery functions of the Council are robust, that there is strong management, and that compliance is monitored, secured and reported across the organisation. Failure to implement an effective system of governance will undermine the culture change the Council needs to ensure its sustainability.

Devolution

The Panel recognises the decision of the council to participate in the Devolution Priority Programme but are concerned that it will remove capacity from the improvement journey. The Council's leadership have assured the Panel that they have considered this and have sufficient capacity to deliver both. They have also provided assurance that MHCLG is supportive of their approach. However, the Panel have not seen any documentation or plans underpinning these views and in the absence of a single plan for the Council's improvement journey including the related capacity requirements, we remain concerned that this is a risk.

Loss of momentum

The Council is at a pivotal point with the new permanent management team starting to take up their posts. There is a significant risk that rather than consolidating and driving forward the current plans, the Council commissions further analysis. The Council has a range of

external and independent reports and at this juncture should know itself well. Any further delay in driving forward the agreed actions and delivering improvements will have serious consequences for the Council.

Conclusion

The Council has faced significant challenges for a number of years. It has acknowledged this and responded openly and positively to understand its issues and address them. It has made progress in some areas and pleasingly has been assessed as delivering a good Adult Social Care service by the Care Quality Commission. In other areas, the Council continues to be slow to respond and at times appears overwhelmed by the challenge.

Angie Ridgwell

Chair, Cheshire East Assurance Panel

27 June 2025

At the May meeting of the Panel, and following the Best Value Notice, the Council leadership agreed a reset, seeking to engage more positively with the Panel and use its depth of experience and knowledge to help drive the improvement forward. This aligns with many of the new permanent leadership team landing and having a long-term vested interest in the Council's success and serving its residents.

This is not an easy situation for the Council and the task ahead cannot be underestimated or compromised by the optimism bias that has been prevalent over the past year. However, with an openness to constructive feedback, doing things differently, taking difficult decisions and the correct structural framework success can be achieved.

All officers and members of the council have a duty to engage with this process. Everyone has a part to play, and it will only be through a collective effort that the Council can succeed.

Angie Ridgwell

Chair, Independent Assurance Panel

25 June 2025

Appendix 1 - LGA's Corporate Peer Challenge Progress Review (attached)

Appendix 2 – MHCLG Best Value Notice (attached)



OPEN

Council

16 July 2025

Report on the Officer Decision re: Funding for Phase 3 of the Transformation Programme

**Report of: Ashley Hughes, Executive Director of Resources,
Section 151 Officer and
Karen Wheeler, Interim Assistant Chief Executive**

Report Reference No: C/7/25-26

All Wards Affected

For Decision

Purpose of Report

- 1 This report sets out the circumstances surrounding the publication of the Officer Decision Record (ODR2) following an officer decision taken on 15th April 2025 and published on 26th June 2025.
- 2 Clarification is provided upon a decision referral request which was then submitted. This report therefore seeks to address all issues raised in respect of the background, process and the decision taken.
- 3 Council is asked to approve a virement of funds to cover the expenditure approved by Full Council on 26th February 2025 as part of the MTFS.

Executive Summary

- 4 On 21 March 2024, the Corporate Policy Committee resolved to empower the Chief Executive to 'take all necessary steps to implement a whole organisation transformation programme as outlined' in the report.
- 5 Full Council, which met on 26 February 2025, approved the MTFS. This included provision for the cost of a transformation programme in the sum of up to £3.5m, to be met from reserves.

- 6 The officer decision and actions referred to in the ODR2 are in line with the MTFs provision relating to the transformation programme, and with the resolution of the Corporate Policy Committee. The funds utilised have been used for their intended and designated purpose.
- 7 On 15 April 2025 an officer decision, documented in the form of the ODR2, was made to progress the transformation programme utilising some of the allocated funds, in line with delegated authority from the Corporate Policy Committee and general delegations. (For more information on officer scheme of delegations using this link: [Cheshire East Council Constitution](#) Chapter 2, Part 5, pp63 & 64 refer)
- 8 The submission of the decision-referral request helpfully identified the need for this report to Council, and for the authority which the recommendations of this report seeks. An administrative error meant that there was a delay in the publication of ODR2 form.
- 9 The Chief Executive acted within his authority in making the Officer Decision. However, there were flaws in the administration of the ODR2. In light of this, and in order to be transparent, the matter is subject to this report to Full Council for a decision, rather than proceeding through the referral process.

RECOMMENDATIONS

The Council is recommended to:

1. Note the contents of this report, and the opportunity provided by the use of the decision-referral process to ensure compliance with the requirements of the Constitution.
2. Approve a virement of up to £3.5m from earmarked reserves; this potentially to include sums of over £1m but which will not exceed the total virement without further decision by Full Council.

Background

- 10 On 21st March 2024 the Corporate Policy Committee received the report “Cheshire East Approach to Transformation”. ([\(Public Pack\)Agenda Document for Corporate Policy Committee, 21/03/2024 10:00](#), see agenda item 6, pages 35 – 46). The report explained:

“The transformation programme will facilitate deeper and broader service redesign, supported where appropriate by the investment in enhanced digital capabilities, which will be required to contribute to the savings required for the next 5 years from 2024/25 to 2028/29 as set out in the MTFS. The primary objectives being:

- (i) Support the Council to address the 4-year funding gap of £100m as outlined in the MTFS.
- (ii) Invest in digital technologies to enable services to adopt technology for various activities and processes, thus enabling the Council to fully leverage technological opportunities to accelerate its processes.
- (iii) Develop an organisational workforce that is flexible ensuring all staff have the necessary skills to work effectively within a transformed Council.”

- 11 The report made a number of recommendations that were approved, including:

“Delegate to the Chief Executive, in consultation with the Chair & Vice Chair, authority to take all necessary steps to implement a whole organisation transformation programme as outlined in sections 11-19, 24-30 of the Approach to Transformation Report approved at Corporate Policy Committee 21st March 2024.”

- 12 At the Full Council meeting on 26th February 2025, the MTFS was approved. This included an allocation from reserves of a sum of up to £3.5m for the transformation programme. ([\(Public Pack\)Agenda Document for Council, 26/02/2025 11:00](#), agenda item 7, pages 23 – 302).

- 13 In March 2025 the ODR2 was drafted which documented an officer decision, as follows:

“The decision is to progress to phase 3 of the partnership with the Council's delivery partner Inner Circle Consulting, this will provide the required capacity and capability to deliver at pace the required actions identified within the phase 3 proposal.”

The Officer Decision was made following consultation with the Leader and Deputy Leader, as the form demonstrates. Please select this link to access the published form: [Decision - Officer Decision Record: Phase 3 Inner Circle Transformation Programme | Cheshire East Council](#)

- 14 It is acknowledged that the ODR2 form and process should have been clearer:

- (a) The ODR2 refers to phase 3 of the transformation programme. The reference to phase 3 related, in fact, to part of phase 2, as described in the report to CPC in March 2024:

In section 14 of the report of March 2024, timescales and phases of the transformation programme are outlined:

- *“Phase 1: 3-6 months*
- *Phase 2: 6-36 months - Whole organisation transformation programme”*

Phase 1 commenced in May 2024 and finished in September 2024, as the transformation plan had been completed and submitted to the Ministry of Housing, Communities and Local Government by the deadline of the end of August 2024. Phase 1 was part-funded by a grant from the Local Government Association (LGA).

Phase 2 then commenced, focussing on mobilisation and implementation of the transformation programme plan. Operationally, Phase 2 has been split down into Phase 2 and Phase 3. The initial part of Phase 2 ended in March 2025 and covered the mobilisation of the transformation programme plan. The next part of Phase 2, that is referred to in the ODR2 as “Phase 3”, covers implementation of the transformation programme plan. The issues raised within the decision referral process have helpfully identified the lack of clarity and potential for confusion which subsequently arose:

- (b) It is acknowledged that there were some procedural errors with the ODR2 form. There was an administrative error in that the ODR2 form was not published in a timely way.
- (c) The decision was then implemented, in good faith, and the partnership with our transformation partners continued with some associated expenditure taking place following the completion of the ODR2 form. This should not have happened until the end of the period allowed for decision referral requests. The expenditure was from the earmarked reserve which had been approved by Council on 26 February 2025 as part of the MTFS in line with the intended purpose.
- (d) At this stage no virement has been authorised. However, from a budgetary perspective, it is acknowledged that a virement approval is required to cover the transfer of budget from earmarked reserves. Whilst the Corporate Policy Committee had authorised *the Chief Executive, in consultation with the Chair & Vice Chair, to take all necessary steps to implement a whole organisation transformation programme as outlined in the Approach to*

Transformation Report given the sum in question, the necessary virements are reserved to Full Council. This report now seeks to secure authority for the virement, by way of a recommendation to Council.

- 15 In the light of the above, to ensure compliance with the Constitution, and to ensure appropriate transparency in this matter, this report is being brought before Council.

Consultation and Engagement

- 16 Following the publication of the ODR2 on 26th June, questions were raised by a number of Members, in respect of which responses were provided.
- 17 Subsequently, a decision-referral request was received, supported by the requisite number of Members. The grounds put forward as the basis of the referral request is: *“The proposed action is outside of the Council’s Policy and Budgetary Framework. Virements from earmarked reserves are subject to financial controls.”*

Reasons for Recommendations

- 18 To ensure compliance with the Constitution, and to ensure appropriate transparency in this matter, this report is being brought before Council.
- 19 Whilst the Chief Executive acted within his authority in making the Officer Decision to continue with our transformation partners, Inner Circle Consulting (see paragraph 13), there were flaws with the administrative handling of the ODR2. Similar issues were previously identified leading to a recent review of the Officer Decision making procedures. An audit report is in the process of being finalised and will be reported to Audit and Governance Committee in due course.
- 20 The Council’s Financial Procedures Rules have not been breached as the ODR2 notes in the finance section that *“Provision has been made within the 2025/26 MTFS for the cost of transformation up to £3.5m through a centrally held earmarked reserve.”* There was no decision to vire the allocated reserves.
- 21 It is important to note that the transformation reserve is to cover the cost of change, which also includes extra capacity internally within the operational services within the council.
- 22 Councillors making the referral request are correct that a virement is required to vire any amount over a £1m. As no virement has been approved it is appropriate to bring forward the request to Full Council to do so.

- 23 This report is being presented to Full Council for a decision in this instance, rather than proceeding through the referral process. We feel this demonstrates a transparent approach.

Other Options Considered

- 24 A decision could have been made to follow the decision referral process. However, the outcome of that approach would have been likely to require a report to Council in any event. This would not have provided a timely solution to the issues helpfully raised. Therefore, in the interests of transparency and to provide certainty, a report to the July meeting of Council was the right course of action.

Implications and Comments

Monitoring Officer/Legal/Governance

- 25 The Deputy Monitoring Officer is content, having received advice from the Section 151 Officer, that this report accurately outlines the chronology of decision-making and constitutional provisions in this matter. She is also content that the recommendations of this report appropriately address outstanding matters.

Section 151 Officer/Finance

- 26 In reviewing the ODR2 signed 15 April 2025, the following was considered:
- 27 Under the Council's Financial Procedure Rules (FPR), the Chief Executive is able to approve contract awards to a value of £1bn. At Full Council in February 2025, a reserve totalling £3.5m was created expressly to fund Transformation in 2025/26 and future years. Corporate Policy Committee delegated the decisions to progress Transformation to the Chief Executive as outlined in this report.
- 28 The ODR2 is silent on viring from reserves. Virements from reserves require approval from the Chief Finance Officer up to £500,000. Sums in excess of £500,000 require political approval in consultation with the Chief Finance Officer (CFO). At Cheshire East, the CFO is the Executive Director of Resources, Section 151 Officer.
- 29 The ODR2 is not signed by the CFO, nor are they noted as having been consulted on a decision
- 30 Following the creation of the earmarked reserve at Full Council in February 2025, a subsequent report to Full Council was needed to vire from reserves an amount to fund 2025/26 expenditure on Transformation. This report seeks that permission.

- 31 The CFO is an author of this report and determined with the Deputy Monitoring Officer it was necessary to place before Full Council at the earliest opportunity.
- 32 As there is a funding source approved by Full Council already in place, there is no adverse impact on the 2025/26 budget nor the Medium-Term Financial Strategy (MTFS). Costs must be constrained within existing resources.
- 33 Neither officers or committees have the authority to overspend the budget set by Full Council.
- 34 A decision not to approve the virement will place the Council's Transformation Programme, and associated savings, at critical risk of non-delivery.
- 35 Financial Sustainability is a key plank of the Transformation Programme. It is referenced as a critical improvement item in both the Corporate Peer Challenge and the Best Value Notice.
- 36 It is the advice of the CFO that Council approves the reserves virement and allows the rapid progression of improvement and transformation to continue.
- 37 To disregard this advice places the Council at risk of the budget no longer balancing by law and therefore requiring the Section 151 Officer to issue a Section 114 notice.

Human Resources

- 38 The use of reserves is to secure resources to support the implementation the transformation programme.

Risk Management

- 39 This report, and its recommendations appropriately address procedural issues which have arisen during the delivery of the transformation programme. The recommendations of this report manage this risk by ensuring that, as required by the Council's Constitution, a virement is agreed by Full Council.
- 40 Issues in relation to Officer Decisions are the subject of an internal audit report which is in the process of being finalised with the responsible senior officers. Implementation of recommended actions arising from this review, as part of wider measures to improve report writing will further manage the risk of decision-making processes not being completed correctly.

Impact on other Committees

- 41 This report and its recommendations ensure appropriate alignment between the decisions made by the Corporate Policy Committee, the exercise of delegated powers by officers, the Constitution, and the decisions of Council.

Policy

- 42 The transformation programme will help us deliver against the three commitments in the Cheshire East Plan (please click this link to access the Cheshire East Plan: [Our Cheshire East Plan 2025-29](#)). Our three commitments are:

1. *Unlocking prosperity for all*
2. *Improving health and wellbeing*
3. *An effective and enabling council*

- 43 We know that part of our transformation and improvement journey is becoming the sort of council we want to be and working in a way that we can be proud of. We have said “*We act with integrity, professionalism and transparency in everything we do, building trust by delivering services that meet the expectations of our stakeholders.*”
- 44 Bringing this report to the council today is part of working towards the type of organisation we want to be.

Equality, Diversity and Inclusion

- 45 There are no direct equality, diversity and inclusion implications.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Ashley Hughes	S151 Officer	06/07/25	08/07/25
Jennie Summers	Deputy Monitoring Officer	06/07/25	08/07/25

<i>Other Consultees:</i>			
Christopher Allman	Director of Planning and Environment (former Acting Director of Transformation)	08/07/25	08/07/25

Access to Information	
Contact Officer:	Sam Pittam-Smith sam.pittam-smith@cheshireeast.gov.uk
Appendices:	N/A
Background Papers:	N/A

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COUNCIL MEETING – 16 JULY 2025**RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE:
CONSTITUTION OFFICER SCHEMES OF DELEGATION****Recommendations:**

Council is recommended to approve and adopt the new officer Schemes of Delegation, as set out in Appendices A to G to the report, to be incorporated into the Constitution at Chapter 2 Part 5 to replace the existing schemes and the revocation of all former officer schemes of delegation, including local or service specific schemes.

Extract from the minutes of the meeting of the Corporate Policy Committee held on 12 June 2025.

12 CONSTITUTION OFFICER SCHEMES OF DELEGATION

The Committee considered the report on the new officer schemes of delegation.

The revised and expanded officer schemes of delegation were aimed at improving clarity, consistency, and accountability in decision-making across council departments.

Concerns were raised about the lack of uniformity and that some of the schemes were too vague, listing multiple delegates without clarity. In response it was stated that each scheme had been developed by the respective Executive Director and senior management and the variations reflected the unique structure and needs of each service area.

It was noted that the reference in the adults' services section to children's commissioning would be removed as this no longer applied.

It was reported that organisational charts would be included for clarity on reporting lines and responsibilities and that ongoing reviews and updates would take place especially as leadership or structures changes.

Councillors M Goldsmith and J Rhodes left the meeting during the consideration of this item and did not return.

RESOLVED (unanimously): That the Committee

- 1 approve in principle the new draft officer Schemes of Delegation, as set out in Appendices A to G to the report.

- 2 **recommend to Full Council approval and adoption of the new officer Schemes of Delegation, as set out in Appendices A to G to the report, to be incorporated into the Constitution at Chapter 2 Part 5 to replace the existing schemes and the revocation of all former officer schemes of delegation, including local or service specific schemes.**
- 3 Delegate authority to the Governance, Compliance and Monitoring Officer to make any further minor amendments required prior to Full Council, if necessary, in consultation with the Chair and Vice Chair of the Corporate Policy Committee.

OPEN

Corporate Policy Committee**12 June 2025****Constitution Officer Schemes of Delegation**

Report of: Janet Witkowski, Acting Governance Compliance and Monitoring Officer**Report Reference No: CPC/32/25-26****Ward(s) Affected: All****For Decision****Purpose of Report**

- 1 To seek a recommendation to Full Council to approve and adopt the new officer schemes of delegation in the Constitution.
- 2 These have been reviewed and revised with significant more detail provided and have been considered and approved by the Council's Constitution Working Group.

Executive Summary

- 3 The Local Government Association (LGA) Corporate Peer Challenge Report (25-28 March 2024) published in July 2025 (the 'LGA report') made a number of recommendations. Feedback included actions required in relation to corporate governance which included officer decision making.

- 4 The LGA reported that:

*'The Council needs to streamline current decision-making arrangements to avoid siloed working across committees, ensure that Committees are working through effective work programmes, and reduce confusion and lost capacity caused by the current system. This should include consideration of governance structures, **schemes of delegation**, and report approval arrangements ahead of committee meetings.'*

- 5 As a result of this the Council drafted a Corporate Peer Challenge Action Plan. Under the 'Good Governance' section (point 8) one action required was as follows:

'Urgently review the Council's decision making framework'

An action required from this was:

'Through Constitution Working Group (CWG) agree an updated Scheme of Delegation to be incorporated into the constitution.'

RECOMMENDATIONS

The Corporate Policy Committee is recommended to:

1. Approve in principal the new draft officer Schemes of Delegation attached to the report at Appendix A to G.
2. Recommend to Full Council approval and adoption of the new officer Schemes of Delegation attached at Appendix A to G to be incorporated into the Constitution at Chapter 2 Part 5 to replace the existing schemes and the revocation of all former officer schemes of delegation, including local or service specific schemes.
3. To delegate authority to the Governance, Compliance and Monitoring Officer to make any further minor amendments required prior to Full Council, if necessary, in consultation with the Chair and Vice Chair of the Corporate Policy Committee.

Background

- 6 The following are key issues and findings from the LGA report in relation to the officer schemes of delegation:

6.1 Para 1 Executive summary

.....

*'Throughout this review, the Peer Team have heard from senior Political Leaders about the need for improved approaches towards key aspects of governance. This should include ensuring that structures are appropriate but should begin with prioritising 'quick wins' regarding issues of process, report quality, and **levels of decision making**, alongside a wider programme of training and development.'*

- 7 ***‘Recommendation Eight: Urgently review the Council’s decision-making framework: The Council needs to streamline current decision-making arrangements to avoid siloed working across committees, ensure that Committees are working through effective work programmes, and reduce confusion and lost capacity caused by the current system. This should include consideration of governance structures, **schemes of delegation**, and report approval arrangements ahead of committee meetings.’***

- 8 ***‘Recommendation 17: Act on the issues identified through the LGA’s Decision Making and Accountability (DMA) tool: The Council have recently undergone a DMA review of senior structures and responsibilities; the Council should consider how best to incorporate these recommendations into their wider improvement work.’***

Following implementation of the new senior structure, the review of the officer Schemes of Delegation became even more imperative, to ensure they were fit for purpose and reflected accurately new roles and any changes in responsibilities.

- 9 ***‘3.4 The Peer Challenge Scope: The peer team considered the following five themes which form the core components of all Corporate Peer Challenges, which are key to councils’ performance and improvement: –***

Governance and culture: Are there clear and robust governance arrangements?’

- 10 ***‘4.3 Organisational Governance and Culture***

Despite instability and capacity challenges in senior roles, the council has continued to deliver services to the benefit of local residents, often through significant contribution and commitment of officers and frontline staff. It is the view of the Peer Team that the opportunity exists to make substantial changes to corporate capacity, systems, and processes to better support these staff who are acting as the ‘engine room’ of the council.’

Review and revision of the officer Schemes of Delegation introduces a positive framework and system for decision making in terms of functions and responsibilities. It also introduces more capacity for senior management if paths of delegation are clearer and more.

- 11 The general scheme of delegation had a large volume of amendments. Many of them were minor in nature therefore the volume made it more difficult to read clearly with numerous tracked changes. Accordingly, a summary of the main changes to the scheme are set out below:

- 11.1 The table has been removed from the introduction and it has been clarified. The scheme is set out in 4 parts:
- General Principles
 - General delegations to all Directors
 - Specific delegations to members of the Corporate Leadership Team('CLT')
 - Arrangements for statutory and proper officer functions
- 11.2 It explains that the scheme covers not only directors but all members of the CLT.
- 11.3 Paragraph 9 has been added to clarify that *'Any references to the Chief Executive shall also be interpreted as reference to the Head of Paid Service.'*
- 11.4 There is an updated CLT structure which now includes the 2 new members of the team, that is, the Director of People and Customer Experience and the Interim Director of Corporate Improvement.
- 11.5 There are points of clarity at paragraph 14 regarding delegation to less senior officers stating:
- 'Where more than one officer is listed as the responsible officer the most senior officer will be responsible in the order of seniority.'*
- 11.6 Paragraph 15 emphasises *'any officer given powers under this scheme can further delegate those powers to other officers through a Local Scheme of Delegation **which sits under this scheme.**'*
- The words in bold have been added.
- 11.7 Paragraph 25 clarifies:
- 'If there is any dispute or lack of clarity as to which Director has power to make decisions on specific areas of service, the Chief Executive **in consultation with the Governance, Compliance and Monitoring Officer** shall have power to determine where the delegation should be exercised.'*
- 11.8 A section and table on Information Governance at paragraph 37 has been introduced.

- 11.9 The information on staffing issues at paragraph 38 is a lot more detailed than the current provision and has been updated. Furthermore, this has been checked and approved by the Director of People and Customer Services as well as the Head of HR.
- 11.10 At paragraph 52.9 the wording in bold has been added to reflect updated statutory guidance:
- ‘To sign settlement agreements for employees/ex-employees, in consultation with the Chair of the Corporate Policy Committee **and in line with the Statutory guidance on the making and disclosure of Special Severance Payments by local authorities in England (May 2022)** (excluding any contractual payment such as pay in lieu of notice, untaken accrued annual leave).’*
- 11.11 The section on the Assistant Chief Executive at paragraph 53 results from the creation of this new role.
- 11.12 In terms of the specific Schemes of Delegation for members of CLT, job titles of the CLT team have been amended where relevant, along with their key managerial lines of service delivery. This updates the constitution in line with the new senior officer structure and a number of new positions that have been created.
- All lists of specific functions have been provided via a link which forms part of the constitution.
- 11.13 At paragraph 57-‘*Client Commissioning (Alternative Service Delivery Vehicles/ESAR)*’ this has been updated to remove ANSA and Orbitas Bereavement Services Limited as they have been moved back in house earlier this year.
- 11.14 At paragraph 60 it has been clarified that the Director of Digital is now the Senior Responsible Information Officer (‘SIRO’.) This is a new role.
- The Chief Executive previously held the position of SIRO.
- 11.15 At paragraph 61 of the Scheme of Delegation for the Governance Compliance and Monitoring Officer, there is more detail than previously set out in the constitution (as with all the other individual CLT officer Schemes of Delegation.)

The statutory role of the Monitoring Officer has been also been separated out more specifically from the functions relating to Legal Services.

- 11.16 At paragraph 69 under the Arrangements for Statutory and Proper Officer Functions-'*Returning Officer and Electoral Registration Officer*' it has been added in that the roles are both covered by the Chief Executive.

A substitutes column has also been included with named job titles.

Furthermore, the statutory requirement to maintain the Electoral Register has been inserted.

- 11.17 Under '*Statutory Officers*' there have been some minor amendments to the legislative sections.

The order of the statutory officers has also been changed so that after the Chief Executive at the top of the list the Section 151 officer has been listed and then the Monitoring Officer. This reflects the 'golden triangle' of good governance.

There have also been some changes to the responsible officers and substitutes, in consultation with relevant statutory officers.

- 11.18 Minor changes have been made to the Proper Officer legislative requirements and functions to update.

There have also been some changes to the substitute officers to reflect the new senior officer structure.

- 11.19 The Senior Responsible Officer and RIPA Co-Ordinator have also been included at the end of the proper officer functions of the Governance Compliance and Monitoring Officer.

- 11.20 Finally, the Data Protection Officer has been added to the Miscellaneous Proper Officers.

Consultation and Engagement

- 12 Extensive consultation has taken place in drafting these Schemes of Delegation. Every Executive Director and member of the CLT has approved their own scheme. There has also been consultation with Directors and Heads of Service.
- 13 The Data Protection Officer was consulted regarding the new section at paragraph 37 regarding Information Governance.

- 14 In addition to this, relevant specialist officers in Legal Services have been consulted for advice as appropriate. This has included for example the areas of children's and adult's social care, regulatory and various other functions.
- 15 The Governance Compliance and Monitoring Officer has also had oversight at key stages in the development of these documents.
- 16 The progress of the drafting of the Schemes of Delegation has been reported to Constitution Working Group on the following dates with draft documents:

16 July 2024

6 November 2024

27 February 2025

10 May 2025

Feedback from the group was positive and has been incorporated where possible.

- 17 A number of changes were made as a result of the above consultations.

Reasons for Recommendations

- 18 *'3.1 Financially sustainable council, enabled by council-wide service transformation and improvement.'*

A significantly more detailed officer Scheme of Delegation will improve the timeliness and accuracy of decision making. It will provide clarity for officers, Elected Members and members of the public and avoid confusion.

- 19 *'3.2 Effective and responsive governance, compliance and evidence-based decision making.'*

- 20 *'3.5 Contact with the council and access to services is consistent and easy.'*

The new officer Schemes of Delegation promote transparent decision making. The scheme will be published as part of the constitution so service users can see which officers make which decisions.

Other Options Considered

21

Option	Impact	Risk
Do nothing	This would be in conflict with the LGA Peer Challenge report recommendations and the Council's resulting Action Plan.	That no improvements would be made to the Council's decision-making governance Arrangements.

Implications and Comments

Monitoring Officer/Legal/Governance

- 22 A more detailed and updated officer scheme of delegation reduces the margin of error in terms of the right officer making the right decision. This would also reduce the risk of legal challenges.
- 23 A clear officer scheme of delegation is also one of many tools to demonstrate good governance.
- 24 The Local Government Act 2000 requires local authorities to prepare, keep up to date and publicise their constitution.
- 25 It is therefore important that the officer scheme of delegation is reviewed at least annually and whenever there are any changes as set out in the paragraph below. All members of CLT and their respective Directors and Heads of Service are responsible for maintaining their up to date service specific schemes.
- 26 The Governance Compliance and Monitoring Officer has authority to make amendments to the Constitution which are required to reflect decisions of the Council. Also, the Monitoring Officer in consultation with the Chair and Vice-Chair of the Corporate Policy Committee, has authority to make such changes to the Council's Constitution as he/she deems to be necessary and which are in the Council's interests and not major in nature, including, but not limited to, changes amounting to routine revisions, providing appropriate clarity, correcting typographical and other drafting errors(including inconsistencies), reflecting new legislation, officer structures and job titles.
- 27 All other changes to the constitution require the approval of full Council with prior recommendations for approval from Constitution Working Group and then Corporate Policy Committee.

Section 151 Officer/Finance

- 28 There are no direct financial implications arising from the report.

Human Resources

- 29 Officers will be empowered to make decisions more confidently as they will have the documents setting out their clear authority to make decisions. The general delegation now includes an updated set of HR delegations.

Risk Management

- 30 Not making a decision in a timely manner will impact in the Council's ability to respond positively to the LGA Peer Challenge recommendations. This would also cause reputational damage.
- 31 A significantly more detailed and updated SOD would in turn create efficiencies in terms of the speed and accuracy of decision making.
- 32 The operational risk register for Legal contains a risk '*Lack of understanding of governance and compliance including the Constitution.*' Adoption of the Schemes of Delegation is an action which should reduce the net scoring of this on the operational level risk.

Impact on other Committees

- 33 Amendments to the Constitution will have an impact on all service committees and the Finance Sub Committee.
- 34 An updated and detailed officer scheme of delegation should create more clarity in terms of whether decisions are made by committees or officers and is evidence of stronger governance.

Policy

- 35 Commitment 3: An effective and enabling council.

Equality, Diversity and Inclusion

- 36 None.

Other Implications

- 37 None.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Sal Khan	Deputy S151 Officer	02/06/25	02/06/25
Janet Witkowski	Acting Monitoring Officer	02/06/25	02/06/25

Access to Information	
Contact Officer:	Janet Witkowski Acting Governance, Compliance and Monitoring Officer, Janet.witkowski@cheshireeast.gov.uk
Appendices:	<p>Appendix A - Amended General Officer Scheme of Delegation</p> <p>Appendix B Assistant Chief Executive</p> <p>Appendix C - Executive Director Adults Health and Integration</p> <p>Appendix D - Executive Director Children's Services</p> <p>Appendix E - Executive Director Place</p> <p>Appendix F - Executive Director of Resources/s151 Officer</p> <p>Appendix G - Governance Compliance and Monitoring Officer</p>
Background Papers:	<p>LGA Corporate Peer Challenge Report</p> <p>https://www.cheshireeast.gov.uk/pdf/council-and-democracy/your-council/cheshire-east-corporate-peer-challenge-final-issued-report.pdf</p>

	<p>Cheshire Council Corporate Peer Challenge Action Plan (August 2024)</p> <p>https://www.cheshireeast.gov.uk/pdf/council-and-democracy/your-council/corporate-peer-challenge-action-plan-august-2024/cpc-action-plan-aug-2024.pdf</p>
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Chapter 2 – Part 5

Responsibility for Functions – Officer Delegations

Scheme of Delegation

1. This part of the Constitution sets out the ways in which the officers of the Council can make decisions and which decisions they have the power to make to deliver the services they are responsible for. It is called the 'Scheme of Delegation.' The Scheme of Delegation is set out as follows:

2. Introduction

This sets out what this Part of the Constitution (the 'Scheme of Delegation') covers and relevant definitions. This part contains a diagram of the Corporate Leadership Team structure at the Council.

3. The Scheme of Delegation then consists of 4 parts as follows:

3.1. General Principles

This sets out the general principles which apply to all decision making by officers.

3.2. General Delegations to all *Directors*

This sets out the delegations which apply to all officers called '*Directors*' but also includes Statutory Officers and all members of the Corporate Leadership Team.

3.3. Specific Delegations to members of the Corporate Leadership Team

This sets out the delegations which apply to the following officers:

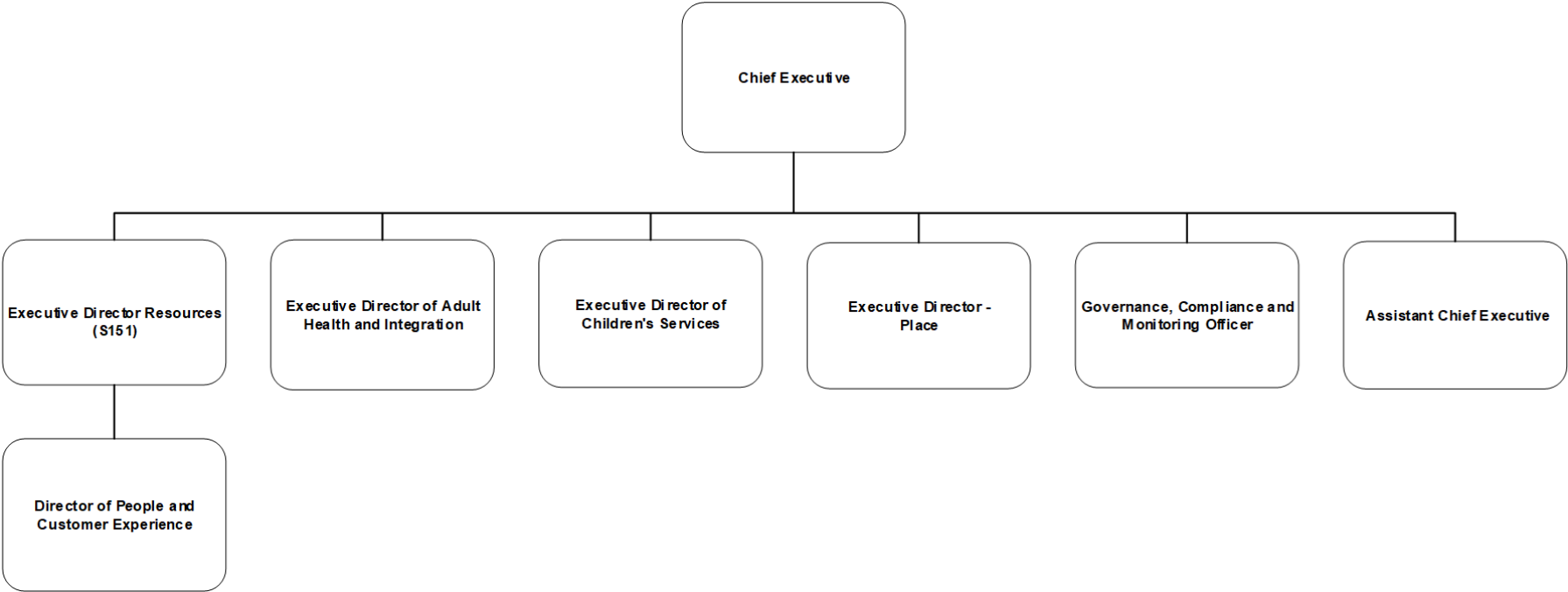
- Chief Executive/Head of Paid Service
- Assistant Chief Executive
- Executive Director of Adults, Health and Integration
- Executive Director of Children's Services
- Executive Director of Place
- Executive Director of Resources and s151 Officer
- Governance, Compliance and Monitoring Officer
- Director of People and Customer Experience (these delegations sit within the Executive Director of Resources and s151 Officer Scheme of Delegation.)

3.4. Arrangements for Statutory and Proper Officer functions

This sets out the legal requirements for statutory and ‘proper officers.’

4. ‘**Officers**’ is the term used to refer to the people employed, retained or appointed by the Council to advise and support **Councillors** and implement their decisions. The term “officers” in this Constitution includes all the people who operate in this capacity including contractors, consultants, agency staff and volunteers.
5. The Council operates a ‘cascade’ principle of delegation to ensure that decisions are taken at the most appropriate level closest to those who will be affected. This means that the vast majority of the Council's decisions and actions will fall into the category of operational day to day decisions taken by its officers.
6. In order to ensure the smooth functioning of the Council and the efficient delivery of services, **full Council** and the Committees and Sub-Committees have delegated to officers all of the powers that they need to perform their roles.
7. Certain officers have specific legal duties to ensure that the Council acts within the law, uses its resources wisely and exercises its powers properly. These officers are known as “Statutory” or “Proper” Officers and some have specific legal titles in addition to their job titles. These roles are explained below.
8. The way the Council structures its services and its officer arrangements changes from time to time to reflect changes in service delivery and best practice. The current arrangements include a **Chief Executive/Head of Paid Service** (as the most senior officer of the Council) supported by other senior roles as the [Corporate Leadership Team](#).
9. Any references to the Chief Executive shall also be interpreted as reference to the Head of Paid Service.
10. The **Head of Paid Service**, the **Chief Finance Officer** and the **Monitoring Officer** are also called "Statutory Officers" (because every Council is required by statute – the law – to have these posts). These are the highest profile statutory officers also referred to as the ‘golden triangle.’ There are also other officers with statutory responsibilities as referred to in table at paragraph 69.
11. There are also a number of formal functions which the Council has to allocate to named officers called "Proper Officers". There is a [Proper Officer Register](#) which sets out these details.
12. See the current [organisational structure](#) of the Council, showing more detail about the roles and responsibilities of the *Directors* and the officers supporting them to deliver all the Council's services.

**CHESHIRE EAST COUNCIL
COPORATE LEADERSHIP TEAM**



General Principles Relating to Officer Delegation

13. This scheme gives the power for the Directors, Statutory Officers and members of the Corporate Leadership Team to take decisions in relation to all the functions in their areas of responsibility except where:
 - 13.1 a matter is prohibited by law from being delegated to an **officer**, and
 - 13.2 a matter has been specifically excluded from delegation by this scheme, by a decision of the **full Council**, a Committee or Sub-Committee.

Directors, Statutory Officers and members of the Corporate Leadership Team may not take decisions unless specifically provided for within the constitution or specifically delegated by a Committee or Sub-Committee.

They may within their scheme of delegation delegate their functions to another less senior officer.

Where more than one officer is listed as the responsible officer the most senior officer will be responsible in the order of seniority.

14. The cascade principle under which this scheme operates means that any officer given powers under this scheme can further delegate those powers to other officers through a Local Scheme of Delegation which sits under this scheme (setting out all the standing delegations given to specific officers in defined areas of the Council's service areas). This is a [full list](#) of the Local Schemes of Delegation and you can look at any of the schemes in detail. Officer decisions must be evidenced in writing using the agreed standard form, dated and signed by the officer exercising the delegated authority.
15. All Local Schemes of Delegation (and any changes to them) must be agreed by the relevant Executive Director, Statutory Officer or member of the Corporate Leadership Team and the Monitoring Officer.
16. Where a function has been delegated to an **officer** (including where sub-delegated through the cascade principle), the person or body making the delegation may at any time take back responsibility for the function and may therefore exercise the function (make the decision) despite the delegation.
17. In some circumstances the **officer** to whom a power has been delegated may consider a matter to be of such importance or sensitivity that their delegated authority should not be exercised. In these circumstances he or she may refer the matter back to the delegator for determination.
18. Any power delegated or cascaded under this Scheme can be exercised by the relevant Director, or Statutory Officer or member of the Corporate Leadership Team and in all cases by the Chief Executive personally,

with the exception of those statutory functions delegated exclusively to the Council's **Chief Finance Officer** or the **Monitoring Officer**.

19. The powers of this Scheme are delegated to the officers referred to by title within this Scheme of Delegation. So the delegations apply to whoever holds that post title at any time – not to the individual person. The powers are automatically transferred to any successor officer, to whom the functions are allocated following any reorganisation of the Council's management arrangements, irrespective of a change in the title/name of the officer post. Nominated Deputies are able to exercise all functions of the person delegating the functions.
20. Delegations relate to all provisions for the time being in force under any applicable legislation and cover functions of the Council and all powers and duties incidental to that legislation.
21. Any delegation must be exercised:
 - 21.1 In compliance with the **Budget and Policy Framework**, all the Council's Procedure Rules, the Pay Policy Statement approved annually and the Officer Code of Conduct
 - 21.2 In accordance with the decision-making requirements set out in the Constitution, including requirements for decision-records and access to information
 - 21.3 Having identified and managed appropriate strategic and operational risks within the officer's area of responsibility
 - 21.4 Within the approved **Budget and Policy Framework** approved by the Council (or separate approval must be sought)
 - 21.5 Following any appropriate legislative, regulatory, consultation, equalities or procedural requirements that may be required.
22. An **officer**, in exercising delegated powers may consult the relevant Committee Chair if he/she considers it appropriate to do so and shall consult other appropriate officers for professional advice including legal, financial and technical officers and shall have regard to any views and advice received.
23. Whenever legislation is amended or replaced by new provisions, then the relevant delegated authority in this scheme applies to those new provisions. Whenever new legislation relevant or related to the functions exercised by the Director is introduced, that officer will have the delegated authority to exercise powers or otherwise take action under that legislation until such time as the **full Council**, a Committee or the **Chief Executive** decides to whom to allocate responsibility for the new legislation.
24. Directors may appoint another officer as their deputy and such deputy shall have all the powers of the Director as set out in this Constitution. A deputy may be appointed in relation to all the areas of service delegated to the Director under this Constitution or in relation to a particular area of

service only. A deputy may be appointed for a specific period of time (for example to cover the absence of a Chief Officer) or without time limitation. The appointment of a deputy shall not prevent the exercise by the Director of any delegation set out in this Constitution and shall not be deemed as creating a new post.

25. If there is any dispute or lack of clarity as to which Director has power to make decisions on specific areas of service, the Chief Executive in consultation with the Governance, Compliance and Monitoring Officer shall have power to determine where the delegation should be exercised.

General Delegations to all Directors

26. The following delegations shall apply to all Directors (and to any appointed deputies) except for paragraph 35.1 which shall only apply to those officers with roles identified as Executive Directors.

Urgent action

27. To act on behalf of the Council in cases of urgency in the discharge of any function of the Council for which his/her Directorate or Service has responsibility, other than those functions which by law can be discharged only by the Council or a specific Committee. A decision will be urgent where any delay would seriously prejudice the legal or financial position of the Council or the interests of the residents of Cheshire East. This delegation is subject to the conditions that any urgent action:

27.1 shall be reported to the appropriate committee;

27.2 shall take account of advice of the **Monitoring Officer** and the **Chief Finance Officer**; and

27.3 shall be exercised in consultation with the chair of the appropriate committee.

Implementation of decisions

28. To take all necessary actions (including the letting of contracts, undertaking statutory processes and incurring expenditure) to implement decisions of Council a Committee or Sub-Committee, or an Officer.

General operational

29. To have overall responsibility for the operational management of the relevant area of service and for bringing forward such strategic plans and policies, and implementing all decisions, including the allocation of resources within approved estimates, as are necessary to exercise the functions for which the service is responsible.

Consultation

30. To undertake and consider the outcome of statutory and non-statutory consultations on service provision.

31. To respond to Government Consultations and consultations from other bodies, in consultation with the relevant Committee Chair.
32. To undertake all steps required to complete Government Statistical Returns.

Finance

33. To manage the finance of their departments to ensure value for money and the development of budget policy options with a detailed assessment of financial implications.
34. To enter into contracts and incur expenditure.
35. To determine a Pricing Strategy that articulates the level of fees or charges payable in respect of any goods or services supplied, work undertaken or the loan or use of plant, equipment or machinery.
36. To submit applications for grant funding that align with the Council **Budget and Policy Framework**, in accordance with the approvals required under the Financial Procedure Rules.

Information Governance

37. All functions must be exercised in accordance with the Council's Constitution, information governance policies and procedures and the council's related policies and procedures. All functions set out in the table below ('IG Functions') section should be in consultation with the Data Protection Officer and, where deemed necessary by the decision maker, the Senior Information Risk Owner and/or the Caldicott Guardian (if request relates to social care or health.)

Table: IG Functions

Type of activity	Specific function or decision-making	Officer responsible for that function
FOI, EIR Requests	a. Respond to requests made under the Freedom of Information Act 2000 (FOI) and the Environmental Information Regulations 2004 (EIR). <i>(Note: See the Miscellaneous Proper Officer scheme of delegation in Chapter 5 Part 2 in relation to determination of exemptions for FOIs.)</i>	Service Director ROSA(Relevant Operational Service Area), Head of Service ROSA, other officer. Support to be provided by the Information Rights Team (IRT). All initial responses to be logged by IRT (some departments may handle initial responses direct).

		Any responses regarding refusals, exemptions etc to be sent by IRT. All internal reviews are conducted by the IRT.
DPA Requests (including subject access requests (SARs) and any other individual rights under the UK GDPR)	b. Respond to requests made under the Data Protection Act (DPA) 2018 and UK General Data Protection Regulation	Service Director ROSA, Head of Service ROSA. Support and advice to be provided by the Information Rights Team (Contact the Information Rights team to ensure the request is logged and identity/authority is verified – informationrequests@cheshireeast.gov.uk)
Other requests for disclosure by third parties.	c. Respond to other requests for disclosure of information made by third parties.	Service Director ROSA, Head of Service ROSA, other officer. Depends on nature of request – some information may be released as business as usual. If request is made under DPA/GDPR, it will be treated as per DPA requests above. As a third party disclosure request, consultation would be with Information Rights Team and/or Caldicott Guardian (if request relates to social care or health.) DPO may also be consulted depending on nature of request and any dispute over right of access.

Staffing

38. The general delegations to officers in relation to Human Resources (HR) functions and decisions are set out in the table below ('HR Functions') in the following link and are part of the constitution. These include delegations not only to Directors but officers that sit under that role as set out below:

Table: HR Functions

Type of activity	Specific function or decision-making	Officer responsible for that function
Human Resources(HR)-Management of Staff		
General note: Functions must be exercised in accordance with the Constitution, the Employee Code of Conduct, the Officer Employment Procedure Rules and the Council's other related approved policies and procedures. Any new role evaluated where the salary will exceed £100,000, in accordance with the current pay policy statement, as well as statutory officers, must be recommended by the Corporate Policy Committee to Full Council.		
	a. To deal with the full range of employment and staff management issues, below Director level including but not limited to terms and conditions, (other than those negotiated nationally and locally) shifts, working hours, leave, training, discipline, dismissal, performance, progression, promotion, grievance, grading, emoluments, allowances and equal opportunities.	Head of Service–relevant to the operational service area (ROSA) – and in line with employment legislation, policy and process. Head of Service HR where advice outside policy and process is needed. Escalated to Director of People and Customer Experience in exceptional circumstances.

	b. Increasing a pay rate of an agency worker above the grade for the role.	Director and through emergency governance approvals process in consultation with the Director of People and Customer Experience.
	c. Authorise Timesheets e.g. contractor / agency worker timesheets (or equivalent claims) (CNET5 timesheet approvers.)	<p>As agreed by Head of Service ROSA or relevant Senior Officer ROSA.</p> <p>Approvers must be at least 1 grade above claimant.</p> <p>(NB Agency and Contractors are not permitted to use Comensura. Please see guidance on Centranet for further, more detailed information.)_</p>
	d. Authorising recruitment of temporary or permanent staff (including terms and conditions other than those negotiated nationally). Agree advertisement and appointments to vacant posts at the same level or lower than the delegated officer.	<p>Director</p> <p>Must be within budget and signed off through the Council's Recruitment Approval process. Must be in line with any exceptional budget directives.</p> <p>Officers to have authority to recruit up to one level below current position.</p> <p>The Manager two tiers above ('grandparent manager') shall be part of the interview panel. With Director's agreement, in exceptional circumstances, interviews can take place without grandparent manager but no decision can be made</p>

		<p>without consultation with the grandparent manager or preferred candidate being called back for a second interview.</p> <p>Ongoing expenditure in relation to approved recruitment forms part of a manager's budgetary and management responsibilities in consultation with the grandparent manager, for example, extension of an agency worker's assignment.</p> <p>Assignments outside IR35 require formal HMRC assessment tools to be completed and the agreement of the HRBP or escalated to Head of HR/Director of People and Customer Experience.</p>
	e. Expenses payments.	As per Unit4 Authorisation Level.
	f. Authorising overtime.	<p>Director.</p> <p>With the exception of Care4CE.</p>
	g. Change to contractual hours, within the budgeted establishment.	Head of Service ROSA (with the exception of Care4CE.)
	h. Authorising an employee's participation in any salary sacrifice scheme.	Head of Service ROSA for purchase of annual leave and cars, all other matters - Human Resources Business Partners HRBP or escalation to Head of HR as needed.
	i. Authorising acting-up payments and honoraria.	Director
	j. Approval of special leave and unpaid leave.	Head of Service ROSA
	k. Approval of extension of sick pay.	Head of HR and relevant Director.

	l. Approval of carry over and buy-out of annual leave.	Director ROSA for up to 5 days, above this Director ROSA.
	m. Approval of unpaid career break applications.	Director ROSA, Head of HR
	n. Approval of applications for other employment separate to council role.	Head of Service ROSA and HR Business Partners(HRBP) Escalation to Head of HR and/or Director of People and Customer Experience if needed.
	o. Service structure. Initiate and undertake an organisational review. To implement changes to staffing structures-see adjacent note. *	Director, Head of Service ROSA can propose upon presentation of a business case within budget. All organisational reviews/ restructures must be agreed at Departmental Leadership Team (DLT) before being initiated and must have had HR Business Partner input. Outcomes of organisational reviews/ restructures must be agreed at DMT before being communicated and implemented. Within the remit of operational responsibility and in accordance with the Organisational Change Policy. Head of HR input on S188 agreements under the Trade Union and Labour Relations (Consolidation) Act 1992 (proposal to dismiss 20 or more employees.) All changes to Jobs or new Job Descriptions must be agreed by HR.

		<p>*Subject to prior consultation with all appropriate parties affected by the decision, including any Trades Union and consultation with the chair and vice-chair of the relevant service committee, except where the restructure:</p> <ul style="list-style-type: none"> - involves the overall loss of 10 posts or more not currently vacant; or - involves re-grading of posts or the grading of new posts with a salary of £100,000 or more; or - results in the total cost of the change to the staffing structure being £500,000 or more; or - results in a major change to the service provision received by residents; or - involves changes to existing National or Local Agreements and policies; or - cannot be achieved within the delegated powers in respect of budgets. <p>If it is not within this criteria, changes would need to be approved by Corporate Policy Committee (CPC) or the relevant service committee.</p>
	p. To make variations in establishment using approved grades and to determine all other matters relating to the employment of staff, within approved budgets and in accordance with the HR policies and procedures of the Council – if being undertaken outside a restructure (item 15).	<p>Director</p> <p>With input from HR colleagues where any additional time bound arrangements are in place (e.g. Transformation Programme)</p>
	q. Approval of changed and new job descriptions.	<p>Director following appropriate evaluation and to ensure that HR colleagues have evaluated new job descriptions.</p>

	<p>r. To approve, in consultation with the Chair of the Corporate Policy Committee:</p> <ul style="list-style-type: none"> • Voluntary and compulsory redundancies in line with Corporate Policy <ul style="list-style-type: none"> • Any special severance payments proposed in line with the Statutory Guidance on Special Severance Payments (May 2022) • 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 	<p>Chief Executive and/or Director of People and Customer Experience</p>
	<p>s. Dismissal</p>	<p>To be in accordance with the Disciplinary policy/Leaving the Council policy.</p> <p>To be agreed with HRBP, Head of HR or Director of People and Customer Experience as necessary.</p>
	<p>t. Issue notices of termination – redundancy & retirement.</p>	<p>Termination and Redundancy Director Retirement Head of Service ROSA, Head of HR.</p>

		To be in accordance with the Disciplinary policy/ Leaving the Council policy and any other relevant policies.
	u. To sign settlement agreements for employees/ex-employees, in consultation with the Chair of the Corporate Policy Committee and in line with Statutory Guidance on Special Severance Payments (May 2022).	Executive Director. Director People and Customer Experience. Director of Resources, S151 Officer Chief Executive if over this amount.
	v. Authorising the appointment of consultants.	Executive Director, Head of HR
	w. Appointing apprentices.	Head of Service ROSA, Head of HR in consultation with Service Director. (Decision will be based on how the roles are being funded and how they sit within the establishment.)
	x. To enter into reciprocal arrangements for the authorisation and appointment of officers to facilitate cross-border co-operation in the discharge of delegated functions with any other council or enforcement authority.	Service Director Head of HR or Director of People and Customer Experience.
	y. To take all necessary action to ensure the health and safety of their staff (and to include staff safeguarding/risk assessment).	Service Director, Head of Service, Team Manager, Senior Officer, Officer and other officer (all ROSA.) Head of HR and Head of Internal Audit to ensure that risk assessments are completed properly, particularly where there are

	serious risks to staff safeguarding.
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Land and assets

39. To manage land, premises, vehicles, plant, equipment, machinery, stock, stores, supplies, materials, furniture appliances and uniforms necessary for the provision of services.
40. To administer the supply of goods and services to other public authorities and bodies under the Local Authorities (Goods and Services) Act 1970 and all other enabling legislation.
41. To make application for planning permission and any other necessary applications for other consents required for the development of land.

Legal authorisation and enforcement

42. To act as 'duly authorised officers' (for the purposes of all relevant legislation) and to enforce/administer the requirements of all relevant regulatory legislation which shall (for the avoidance of doubt) include (but not be limited to) taking the following action (and all actions reasonably necessary, expedient or ancillary in order to facilitate or enable the same):
 - 42.1 Applying for warrants, carrying out investigations, inspections or surveys, entering land and premises, taking samples and seizing property
 - 42.2 issuing (or declining to issue) licenses, certificates or certified copies of documents, approvals, permissions, consents, notices, orders, directions or requisitions for information
43. With the approval of the **Monitoring Officer**, to authorise the institution, defense or participation in civil and criminal proceedings and quasi-proceedings (which for the avoidance of doubt shall include but not be limited to all court hearings, tribunal, inquiry and appeal processes), administer cautions and/or take any other action considered necessary to protect the interests of the Council.
44. To exercise the role of authorising officer and designated person under the Regulation of Investigatory Powers Act 2000. (The **Monitoring Officer** is excluded from this provision as he/she has the formal 'reviewer' role.)

Safeguarding children and vulnerable adults

45. To ensure that arrangements are in place to discharge the responsibilities of the Council within their functional responsibilities in respect of the need to safeguard and promote the welfare of children and of vulnerable adults.

Delegations to the Chief Executive/Head of Paid Service

46. The **Chief Executive** is the most senior officer in the Council. It is his/her role to support the Councillors and to provide **leadership** for the Council.
47. The **Chief Executive** is empowered to operate all the services of the Council and except where powers, duties and functions are delegated to a Councillor decision-making body, to exercise all powers, duties and functions of the Council, including those delegated to other **officers** with the exception of those statutory functions delegated exclusively to the Council's **Chief Finance Officer** or the **Monitoring Officer**.
48. Every Council has to, by law, appoint one of its officers as the Head of Paid Service. The Chief Executive is also the Council's **Head of Paid Service**. His/her responsibility in this role is to make proposals to the Council about the manner in which the discharge of the Council's functions is co-ordinated and the numbers, grades and organisation of staff required and the proper management of those staff.
49. The **Chief Executive** is given delegated power to undertake the following roles and responsibilities and to take the following decisions subject to the terms of this Constitution:
 - 49.1 To be the Council's principal officer representative and to promote its good image and reputation
 - 49.2 To lead and direct the strategic management of the Council
 - 49.3 To appoint other officers as **Proper Officers** for the purposes of any specific Council service area or function
 - 49.4 Unless another officer is appointed as Proper Officer, to act as Proper Officer for the Council for the purposes of all Council service areas and functions
 - 49.5 To maintain an up to date **Proper Officer** Register showing who is appointed to act as the Proper Officer for all Council service areas and functions
 - 48.6 To discharge emergency planning and civil contingency protection functions;
 - 48.7 To take such steps (including the incurring of expenditure where necessary) as may be required in the event of any national or local emergency requiring immediate action by the Council.
 - 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
- 48.9 To sign settlement agreements for employees/ex-employees, in consultation with the Chair of the Corporate Policy Committee and in line with the Statutory guidance on the making and disclosure of Special Severance Payments by local authorities in England (May 2022) for settlements of £30,000 and above (excluding any contractual payment such as pay in lieu of notice, untaken accrued annual leave).
- 48.10 To approve the pay, terms and conditions of service and training of any employee except where approval would be contrary to the provisions of the annual Pay Policy Statement which is reserved to full Council or where an approval falls within the responsibilities of the Corporate Policy Committee or would be contrary to the employment policies of the Council
- 48.11 To make decisions affecting the remuneration of any existing post where the remuneration is (or could become) £100,000 p.a. or more in consultation with the **Leader** as Chair of the Corporate Policy Committee, provided the remuneration for the post remains within the Council approved Pay Policy Statement.
- 48.12 To undertake the communications, marketing and media functions of the Council with regard to policy and strategic direction (operational responsibility rests with the Executive Director of Resources and S151 Officer).

Delegations to the Assistant Chief Executive

50. The Assistant Chief Executive is given delegated power to take any decisions in relation to the following areas of the Council's operations and services, subject to the terms of this Constitution:
- Engagement and Communications
 - Strategy Policy and Performance
 - Transformation
50. The Assistant Chief Executive Scheme of Delegation which is part of this constitution can be viewed on the following link:

Xxxxxx

Delegations to the Executive Director of Adults, Health & Integration

51. The Executive Director of Adults, Health & Integration holds the statutory role for the Council of the Director of Adult Social Services (required by Section 6 of the Local Authority Social Services Act 1970 as amended by the Children Act 2004.)
52. The Executive Director (Adults, Health & Integration) is given delegated power to take any decisions in relation to the following areas of the Council's operations and services, subject to the terms of this Constitution:

Public Health

- Health Improvement
- Health Protection and and Healthcare Public Health
- Health Intelligence and Children and Families
- Wider Determinants of Health

Adult Social Care Operations

- Adult Safeguarding (including Community Safety)
- Mental Health and Learning Disability
- Care4CE
- Improvement, Assurance and Development and Principal Social Worker
- South and East Community Teams and Community Care

Adult and Children Commissioning

- Integrated commissioning
- New Models of Care
- Integrated commissioning - Children's Families and Adults with Complex Needs
- Integrated commissioning (People)
- Integrated Urgent Care

53. The Executive Directors Adults, Health and Integration Officer Scheme of Delegation which is part of this constitution can be viewed on the following link:

XXXXXXX

Delegations to the Executive Director of Children's Services

54. The Executive Director (Children's Services) holds the statutory role for the Council of the Director of Children's Services (required by Section 18 of the Children Act 2004).
55. The Executive Director (Children's Services) is given delegated power to take any decisions in relation to the following areas of the Council's operations and services, subject to the terms of this Constitution:

Family Help and Children's Social Care

- Children in Need and Child Protection
- Provider Services
- Cared for Children and Care Leavers
- Family Help and Prevention

Education Strong Start and Integration

- Send and Inclusion
- Education Participation and Pupil Support
- Inclusion
- Education
- Education Psychology
- Early Years, Family Help & Prevention

Children's Services and Improvement

- Children's Safeguarding and Quality
- Children's development and partnerships
- Principal Social Worker

56. The Executive Director of Children's Scheme of Delegation which is part of this constitution can be viewed on the following link:

XXXXXX

Delegations to the Executive Director of Place

57. The Executive Director (Place) is given delegated power to take any decisions in relation to the following areas of the Council's operations and services, subject to the terms of this Constitution.

Growth and Enterprise

- Housing
- Economic Development
- Rural and Cultural Economy
- Estates

Planning and Environment

- Neighbourhood Services
- Environmental Services
- Regulatory Services
- Planning

Transport and Infrastructure

- Strategic Transport and Parking
- Rail and Transport Integration
- Strategic Infrastructure
- Highways

Client Commissioning (Alternative Service Delivery Vehicles (ASDV) / ESAR)

- Transport Service Solutions
- Everybody Sport and Recreation
- Tatton Park Enterprises Limited

58. The Executive Director of Place Scheme of Delegation which is part of this constitution can be viewed on the following link:
xxxxx

Delegations to the Executive Director of Resources and S151 Officer (also known as the Chief Finance Officer)

59. The Executive Director of Resources and S151 Officer is given delegated power to take any decisions in relation to the following areas of the Council's operations and services, subject to the terms of this Constitution:

People and Customer Experience

- Human Resources (HR)
- Organisational Development and Culture
- Customer Experience

Finance and Deputy s151 Officer

- Procurement
- Revenues and Benefits
- Finance Business Support
- Finance (Adults & Children's Services)
- Finance (Place & Corporate Services)
- Finance (Strategic Finance & Accounting)

Digital (SIRO 'Senior Information Risk Owner')

60. The Executive Director of Resources, Section 151 Scheme of Delegation which is part of this constitution can be viewed on the following link:

xxxxxx

Delegations to the Governance, Compliance and Monitoring Officer (also known as the Monitoring Officer)

61. The Governance Compliance and Monitoring Officer is given delegated power to take any decisions in relation to the following areas of the council's operations and services, subject to the terms of this Constitution.
- Legal Services
 - Audit, Risk and Assurance
 - Democratic Services

62. The Governance Compliance and Monitoring Officer Scheme of Delegation which is part of this constitution can be viewed on the following link:

xxxxxx

Arrangements for Statutory and Proper Officer functions

63. Many legislative provisions require the appointment of a **Statutory Officer** or **Proper Officer** to undertake formal responsibilities on behalf of the Council.
64. The **Chief Executive/Head of Paid Service** shall be the Proper Officer of the Council for the purposes of the Local Government Act 1972, the Local Government Act 2000 and for all other statutory purposes unless:
- 64.1 such designation is given by the Council to any other officer, or
- 64.2 the Chief Executive/Head of Paid Service, exercising the powers given to him/her by this Constitution, appoints another officer of the Council to be the Proper Officer for a specific service area or function.
65. The Scheme of Delegation to Officers and tables below outline the designated Statutory Officer and Proper Officer functions for the Council and those officers (or where necessary, their substitute) shall undertake the specific responsibilities entailed. The roles of Returning Officer and Electoral Registration Officer will be appointed to by full Council and the statutory requirements and related functions/duties are detailed in a separate table below.
66. Statutory provisions and regulations are from time to time amended, replaced or re-enacted. When a statutory provision or regulation is amended, replaced or re-enacted, the appointments in the table below shall be effective in relation to the corresponding new provision.
67. Substitutes are identified to act where the **Proper Officer** is absent or otherwise unable to act.
68. In the event of any officer (and their substitute) identified in the Scheme of Delegation to Officers or in the table below being for any reason absent or unable to act and the officer/substitute has not made any other arrangements for the exercise of the relevant duties, the and Monitoring Officer shall nominate an officer to act in their stead.

RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER

69. The following functions are allocated to the Chief Executive/Head of Paid Service.

STATUTORY REQUIREMENT/PROVISION	FUNCTION/DUTY	SUBSTITUTE
Representation of the People Act 1983 Section 8	Electoral Registration Officer	Head of Democratic Services Electoral Services Manager
Representation of the People Act 1983 Section 9	Maintain Electoral Register	As above
Representation of the People Act 1983 Section 28	Acting Returning Officer (Parliamentary)	As above
Representation of the People Act 1983 Section 35	Returning Officer (Local Elections)	As above
Local Government Act 2000 Local Authorities (Referendums)(Petitions) Regulations 2011 Reg 4 and 5	Verification number (5% of local government electors for validating petitions) and publication of the number	As above
Local Government Act 2000 Local Authorities (Referendums)(Petitions) Regulations 2011 Reg 7	Steps to be taken in relation to post announcement and post direction petitions.	As above
Local Government Act 2000 Local Authorities (Referendums)(Petitions) Regulations 2011 Reg 8	Amalgamation of petitions	As above
Local Government Act 2000 Local Authorities (Referendums)(Petitions) Regulations 2011 Reg 11	Procedure on receipt of a petition	As above
Local Government Act 2000 Local Authorities (Referendums)(Petitions) Regulations 2011 Reg 13	Publicity for valid petitions	As above

Local Authorities (Conduct of Referendums) (England) Regulations 2012	Proper Officer functions in relation to referendums	As above
Representation of the People Act 1983 S67	Receipt of notice of appointment of election agent	As above
Representation of the People Act 1983 S82 and S89	Receipt and retention of election expense declarations and returns	As above
Representation of the People Act 1983 S131	Provision of accommodation for election count	As above

STATUTORY OFFICERS

STATUTORY REQUIREMENT	ALLOCATED TO	SUBSTITUTE
Local Government and Housing Act 1989 Section 4 Head of Paid Service	Chief Executive	Relevant Executive Director
Local Government Act 1972 Section 151 Chief Finance Officer	Executive Director of Resources and S151 Officer (Chief Finance Officer)	Director of Finance and Deputy S151 Officer (Deputy Chief Finance Officer)
Local Government and Housing Act 1989 Section 5 Monitoring Officer	Governance, Compliance and Monitoring Officer	Head of Legal Services (as Deputy Monitoring Officer)
Local Authority Social Services Act 1970 Section 6(as amended) Director of Adult Social Services	Executive Director Adults, Health & Integration	Director Adult Social Care Operations
Children Act 2004 Section 18	Executive Director Children's Services	All Service Directors

Director of Children's Services		
Children Act 1989 Section 22	Executive Director Children's Services (DCS)	All Service Directors
Children Act 1989 23ZZA Virtual School Headteacher	Head of Service Inclusion	Deputy Virtual School Headteacher
National Health Service Act 2006 Section 73A	Director of Public Health	Public Health Consultants
Weights and Measures Act 1985 Section 72 Chief Inspector of Weights and Measures	Trading Standards and Community Protection Manager	Senior Enforcement Officer, Trading Standards
Local Government Act 2000 Section 9FB Scrutiny Officer	Head of Democratic Services	Democratic Services Manager

PROPER OFFICERS

Chief Executive

To act as the Authority's Proper Officer in respect of the following statutory functions:

STATUTORY PROVISION	FUNCTION/DUTY	SUBSTITUTE
Any enactment passed before or during the 1971/72 session of Parliament other than the Local Government Act 1972 or any instrument made before 26 October 1972	Reference to Town Clerk or Clerk to the Council is to be construed as reference to the Proper Officer of the Council	Executive Director of Resources and S151 Officer

Local Government Act 1972 S13(3)	Formation of 'the Parish Trustees' with the chairman of parish meeting when no separate parish council	Head of Democratic Services
Local Government Act 1972 S88(2)	Convening a Council meeting to fill casual vacancy in office of chairman	Head of Democratic Services
Local Government Act 1972 S210(6) and (7)	Exercise of certain residual functions relating to charities	Executive Director of Resources and S151 Officer
Local Government Act 1972 S248	Keeping roll of persons admitted to the freedom of a city or town.	Head of Democratic Services
Local Government Act 1972 S99 & Schedule 12 para 4	Signature of summons to Council meetings and receipt of notices regarding address to which summons to meeting is to be sent	Head of Democratic Services
Local Government Finance Act 1988 S116(1)	Notifying the external auditor of arrangements for a meeting to consider a report of the Chief Finance Officer	Executive Director of Resources and S151 Officer
Local Government and Housing Act 1989 S2	Receipt of list of politically restricted posts.	Executive Director of Resources and S151 Officer
Local Government and Housing Act 1989 S3A	Determine applications for exemption from the list of politically restricted posts	Executive Director of Resources and S151 Officer
Local Government and Housing Act 1989 S15	Duty to allocate seats to political groups.	Head of Democratic Services
Local Government and Housing Act 1989 S16	Duty to give effect to allocation of seats to political groups.	Head of Democratic Services

The Local Authorities (Members' Allowances) (England) Regulations 2003 Regulation 13	Receipt of notice in writing that a Councillor wishes to forego any part of entitlement to an allowance	Head of Democratic Services
Local Government (Committee & Political Groups) Regulations 1990	Receipt of notice of formation and membership of a political group	Head of Democratic Services
Local Elections (Principal Areas) (England and Wales) Rules 2006 Schedules 2 and 3, Rule 50	Receipt from Returning Officer of the names of persons elected to the Council	Governance, Compliance and Monitoring Officer
Terrorism Act 2000 Part 3	Nominated officer to receive disclosures on suspected terrorist property	Executive Director of Adults, Health and Integration

Executive Director of Resources and S151 Officer (Chief Finance Officer)

To act as the Authority's Proper Officer in respect of the following statutory functions:

STATUTORY PROVISION	FUNCTION	SUBSTITUTE
Any enactment passed before or during the 1971/72 session of Parliament other than the Local Government Act 1972 or any instrument made before 26 October 1972	Reference to the Treasurer is to be construed as reference to the Chief Finance Officer of the Council	Director of Finance and Deputy S151 Officer (Deputy Chief Finance Officer)
Local Government Act 1972 – S115(2)	Receipt of monies due from officers	Director of Finance and Deputy S151 Officer (Deputy Chief Finance Officer)
Local Government Act 1972 – S146(1)(a) and (b)	Declarations and certificates relating to securities to enable transfer	Director of Finance and Deputy S151 Officer (Deputy Chief Finance Officer)
Local Government Act 1972 – S228(3)	Making accounts available to inspection by Members of the Authority	Director of Finance and Deputy S151

		Officer (Deputy Chief Finance Officer)
Local Government Finance Act 1988 S114, S114A, S115	Responsibility for Chief Finance Officer Reports	Director of Finance and Deputy S151 Officer (Deputy Chief Finance Officer)
Proceeds of Crime Act 2002 Part 7	Nominated officer to receive disclosures of suspected money laundering	Director of Finance and Deputy S151 Officer (Deputy Chief Finance Officer)

Executive Director of Place

To act as the Authority's Proper Officer in respect of the following statutory functions:

STATUTORY PROVISION	FUNCTION	SUBSTITUTE
Local Land Charges Act 1975 Land Registration Act 2002	Local Registrar within the meaning of the Acts who shall register any matters specified by these Acts affecting land situated within the district	Head of Planning
Rent Act 1977 S63	Appointment of Rent Officers under a scheme	Head of Estates
Rent Act 1977 Sched 15, Part IV, para 7	Certification of provision of suitable alternative accommodation	Head of Estates
Housing Act 2004 3(1) & 3(2) S4	A local housing authority must keep the housing conditions in their area under review with a view to identifying any action that may need to be taken under the provisions of the act.	Head of Housing
Housing Act 1996 as amended by the Homelessness Act 2002 Homelessness (Priority Need for Accommodation) (England) Order 2002	To fulfil the statutory homelessness duties	Head of Housing

and the Homelessness Reduction Act 2017		
Housing Act 1996(Part 6) as amended by the Localism Act 2011	To fulfil the statutory duty to have an Allocations Policy to set out how social housing will be allocated within the Local Authority area	Head of Housing
Housing Grants, Construction and Regeneration Act 1996	To provide facilities for disabled persons in dwellings	Head of Housing
Homelessness Act 2002 Homelessness Reduction Act 2017	Duty to formulate a Homelessness and Rough Sleeping Strategy	Head of Housing
Housing Act 2004	Mandatory Licensing of Houses in Multiple Occupation.	Head of Housing
Home Energy and Conservation Act 1995	Requires all local authorities (LAs) in England to submit reports to the Secretary of State of the Department for Energy Security and Net Zero (DESNZ) demonstrating what energy conservation measures they have adopted to improve the energy performance of residential accommodation within that LA's area.	Head of Housing
Localism Act 2011	Places a duty on all Local Authorities to produce a Tenancy Strategy.	Head of Housing
Food Safety Act 1990 S5	“Authorised Officer” to act in matters arising under the Act	Head of Regulatory Services
Agriculture Act 1970 S67	Appointment of agricultural inspectors and an agricultural analyst (and, if they think fit, one or more deputy agricultural analyst.)	Head of Regulatory Services

Highways Act 1980 S37(5)	Receipt of certificates approving dedication of highways to be maintainable at public expense and making certificates available for inspection	Head of Highways
Highways Act 1980 S38	Power to adopt the highway by agreement	Head of Infrastructure
Highways Act 1980 S205(3) and (5)	Duties in relation to street works in private streets	Head of Strategic Infrastructure
Highways Act 1980 S210(2)	Certification of document giving details of any amendments to estimate of costs and provisional apportionment of costs of street works in private streets	Head of Strategic Infrastructure
Highways Act 1980 S211(1), 212(4), 216(2) and (3)	Making a final apportionment of costs of street works under the private street works code	Head of Strategic Infrastructure
Highways Act 1980 S278	Agreements for the execution of works	Head of Strategic Infrastructure
Highways Act 1980 S295	Issuing of notice to require owners to remove materials from streets in which works are due to take place	Head of Highways
Highways Act 1980 S321	Signature and authentication of notices, consents, approvals, orders, demands, licences, certificates or other documents	Head of Highways
Local Government (Miscellaneous Provisions) Act 1982	Entertainments, licensing control of sex shops	Head of Regulatory Services
Licensing Act 2003 Gambling Act 2005	Licensing and gambling functions	Head of Regulatory Services
Local Government Act 1972 S191(2)	Receipt of applications under section 1 Ordnance Survey Act 1841	Head of Planning

Building Act 1984 S61	Receive notification of, and having free access to, repairs of drains	Head of Planning
Building Act 1984 and Building Regulations	Authentication of Documents and issue of notices	Head of Planning
Building Act 1984	<p>(a) Various purposes with regard to drainage, water supply, sanitary accommodation.</p> <p>(b) Purposes relating to building control other than those comprised in (a) above</p> <p>(c) authorise action in relation to dangerous structures under Section 78</p>	Head of Planning
Planning (Consequential Provisions) Act 1990 Schedule 3, para 3	Receipt of deposit of list of protected buildings – S54(4) Town & Country Planning Act 1971	Head of Planning
Countryside and Rights of Way Act 2000	Access to the Countryside	Head of Rural and Cultural Economy
Food Safety Act 1990 S5	“Authorised Officer” to act in matters arising under the Act	Head of Regulatory Services
Food Safety Act 1990 S27	Appointment of Public Analyst	Head of Regulatory Services
Food Safety Act 1990 S49	Signature of any document authorised or required by or under the Act	Head of Regulatory Services

Environmental Protection Act 1990 S149 - 151	Discharging the functions in this section for dealing with stray dogs	Head of Neighbourhood Services
Public Health Acts 1936 and 1961 Control of Pollution Act 1974 Housing Acts 1957 and 1988 Local Government Act 1989 Local Government (Miscellaneous provisions) Act 1976 Prevention of Damage by Pests Act 1948 Environmental Protection Act 1990	Authentication of Documents and issue of notices	Head of Regulatory Services
Public Health (Control of Disease) Act 1984 S48	Certification that it would be a health risk to retain a body in any place	Head of Regulatory Services
Public Health (Control of Disease) Act 1984 S61	Powers to enter premises for certain purposes under the Act	Head of Regulatory Services
Public Health (Control of Disease) Act 1984 S62	Supplementary provisions in relation to entry of premises	Head of Regulatory Services

Director of Public Health

To act as the Authority's Proper Officer in respect of the following statutory functions:

STATUTORY PROVISION	FUNCTION	SUBSTITUTE
Public Health (Control of Disease) Act 1984 S59	Signature and authentication of notices, orders or other documents	Lead for Health Protection and the Wider Determinants of Health

Health Protection (Notification) Regulations 2010 Regulation 2	Receipt of notice from medical practitioner of suspected disease, infection or contamination in patients	Lead for Health Protection and the Wider Determinants of Health
Health Protection (Notification) Regulations 2010 Regulation 3	Receipt of notice from medical practitioner of suspected disease, infection or contamination in dead persons	Lead for Health Protection and the Wider Determinants of Health
Health Protection (Notification) Regulations 2010 Regulation 6	Duty to disclose (when notification received under regulation 2 or 3) information to Public Health England and others	Lead for Health Protection and the Wider Determinants of Health

Governance, Compliance and Monitoring Officer

To act as the Authority's Proper Officer in respect of the following statutory functions:

STATUTORY PROVISION	FUNCTION	SUBSTITUTE
Local Government Act 1972 S83	Receipt of declaration of acceptance of office by chairman, vice-chairman or Councillor	Head of Democratic Services
Local Government Act 1972 S84(1)	Receipt of notice of member resignation of office	Head of Democratic Services
Local Government Act 1972 S86	Declare any vacancy in member's office	Head of Democratic Services
Local Government Act 1972 S89 Local Elections (Parishes and Communities) (England and Wales) Rules 2006/3305	Receipt of notice of casual vacancy of Councillor (Also for Parish and Community Councils)	Head of Democratic Services
Local Government Act 1972 S100B(2)	Exclusion of whole or part of reports from public inspection	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy

		Monitoring Officer(s)
Local Government Act 1972 S100B(7)(c)	Supply of documents to the press	Governance, Compliance and Monitoring Officer, Head of Legal Deputy Monitoring Officer(s)
Local Government Act 1972 S100C(2)	Written summary of proceedings where minutes would disclose exempt information	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)
Local Government Act 1972 S100D(5)(a)	Identification of background papers	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)
Local Government Act 1972 S100F(2)	Exclusion from production to Members of the Authority documents disclosing exempt information	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)
Local Government Act 1972 S223(1) Also S60 County Courts Act 1984	Authorisation of any member or officer of the Authority to conduct, prosecute, defend or appear in proceedings before a magistrates court. Also County Court for possession of a house belonging to the authority and /or recovery of any rent etc or other sum relating to occupation of such a house.	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)

Local Government Act 1972 S225	Receipt and retention of documents deposited with the Authority	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)
Local Government Act 1972 S229(5)	Certification of photographic copies of documents	Governance, Compliance and Monitoring Officer and their authorised signatories.
Local Government Act 1972 S234 (1) and (2)	Authentication of documents- signature of any notice, order or other document on behalf of the Authority, any document purporting to bear the signature of the proper officer shall be deemed as duly given, made or issued by the Authority.	Governance, Compliance and Monitoring Officer and their authorised signatories.
Local Government Act 1972 S236 (9)	Sending copies of byelaws to parish councils or parish meetings	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)
Local Government Act 1972 S236 (10)	To send copies of byelaws to the County Council	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)
Local Government Act 1972 S238	Certification of copy of byelaws	Governance, Compliance and Monitoring Officer, Head of Legal and Deputy Monitoring Officer(s)

Local Government Act 1972 Schedule 14, para 25(7)	Certification of resolutions	Governance, Compliance and Monitoring Officer and their authorised signatories.
Local Government (Miscellaneous Provisions) Act 1976 S41	Certification of copies of resolutions, orders, reports and minutes and other documents	Governance, Compliance and Monitoring Officer and their authorised signatories.
Freedom of Information Act 2000 – S36(2) & (5)	Decision of whether information is exempt from disclosure to the public arising from the prejudice to the conduct of public affairs	Governance, Compliance and Monitoring Officer/Executive Director Resources and S151 Officer
Localism Act 2011 S29	Establish and maintain a register of member's and co-opted members' interests	Deputy Monitoring Officer
Localism Act 2011 S31	Receipt of notice of members' disclosable pecuniary interests and entering such interests in the Authority's register	Head of Democratic Services
Localism Act 2011 S32	Consideration whether a member's interest is a sensitive interest	Deputy Monitoring Officer
Localism Act 2011 S33	Determination of written requests from members for dispensations where they have a pecuniary interest	Deputy Monitoring Officer
Local Government Act 1974 S30(5)	Notice of Local Commissioner (Ombudsman) reports	Deputy Monitoring Officer
Regulation of Investigatory Powers Act 2000(RIPA)	Senior Responsible Officer for RIPA	Governance Compliance and Monitoring Officer
	RIPA Co-ordinator	Information Rights Manager

Head of Democratic Services

STATUTORY PROVISION	FUNCTION	SUBSTITUTE
Registration Service Act 1953 S9 (1) and (2)	Appointment of interim superintendent registrars and registrars	Civic and Registration Services Manager
Registration Service Act 1953 S13 (2)(h) and (3)(b)	Powers under the local scheme of organisation	Civic and Registration Services Manager
Registration Service Act 1953 S20	Proper Officer to be subject to regulations made by the Registrar General	Civic and Registration Services Manager
Marriage Act 1949 Marriage Act 1994 Civil Partnership Act 2004 The Marriages and Civil Partnerships (Approved Premises) Regulations 2005	Determination of applications for approval of premises, exercise of registration functions	Civic and Registration Services Manager
Local Authorities Cemeteries Order 1977 Article 12	Responsibility for storage and charge of cemetery records	Civic and Registration Services Manager
Local Authorities Cemeteries Order 1977 Schedule 2	Responsibility for the signature of grants and granting of permission for various matters	Civic and Registration Services Manager

Miscellaneous

To act as the Authority's Proper Officer in respect of the following statutory functions:

STATUTORY PROVISION	FUNCTION	PROPER OFFICER	SUBSTITUTE
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Local Government Act 1972 S100D(1)(a)	Compilation of lists of background papers, identification of background papers	In the case of any report the name of the Officer at Corporate Leadership Team level who has responsibility for the subject matter of the report and in the case of the joint report the first named Officer	The relevant Director/ Head of Service/Manager below the Corporate Leadership Team Officer.
Local Government (Miscellaneous Provisions) Act 1976 S16	Service of notices requiring details of any interests in land.	Chief Executive or other Officer at Corporate Leadership Team level	The relevant Director/ Head of Service/Manager below the Corporate Leadership Team Officer.
Regulation of Investigatory Powers Act 2000 S27, 28 and 29	Authorising Officer & Designated person for the use of surveillance and the acquisition and disclosure of communications data	Chief Executive or other Officer at Corporate Leadership Team level	The relevant Director/ Head of Service/Manager below the Corporate Leadership Team Officer.
Freedom of Information Act 2000 S36	Determination of exemptions apart from those relating to s.36 prejudice to conduct of public affairs	All Officers at Corporate Leadership Team level	The relevant Director/ Head of Service/Manager below the Corporate Leadership Team Officer.
Anti-Social Behaviour Act 2003 and Anti-Social Behaviour Crime and Policing Act 2014	Proper Officer functions anti-social behaviour and community protection	Relevant Director	Relevant Head of Service
Data Protection Act 2018	Data Protection Officer (DPO)	Information Rights Manager	Deputy Data Protection Officer

Any	Any other provisions for which arrangements are not made above or in the scheme of delegation to officers (whether made before or after this last was last updated) requiring a proper officer or authorised officer from time to time - either to nominate a proper officer or to exercise the functions.	Chief Executive	Relevant Director
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Assistant Chief Executive

Introduction and Context

The Assistant Chief Executive has overall responsibilities within the Council for the Assistant Chief Executive Directorate functions. The Assistant Chief Executive is able to onward delegate these functions to other officers. This document seeks to capture those onward delegations.

The Assistant Chief Executive is given delegated power to exercise all the Authority's powers, functions and responsibilities and to take any decisions in relation to the following areas of the Council's operations and services, subject to the Constitution:

-Engagement and Communications

-Strategy Policy and Performance

-Transformation

The powers delegated are wide and inclusive and are not listed by reference to each and every statute, function or regulation.

Type of activity	Specific function or decision-making	Officer responsible for that function
Engagement and Communications	To exercise the functions of the engagement and communications team including internal and external facing engagement, consultation and communication activity.	Head of Engagement and Communications
	To provide advice and guidance to Members and senior officers including in cases of urgency and crisis, and/or when an appropriate Member or officer is not available, to act as a spokesperson for the Council.	Head of Engagement and Communications
Public consultations	To design, develop, launch and / or commission public consultation activities with approval of any relevant	Head of Engagement and Communications

	senior officer and committee chair.	
Commissioning third parties	To commission third parties to deliver media relations, social media, email and digital marketing and public engagement, to protect and enhance the Council's reputation and services where appropriate.	Head of Engagement and Communications
Strategy, Policy and Performance	To be responsible for strategy, policy, performance management and business intelligence that supports the Council, Leadership, Members and Senior Officers.	Head of Strategy, Policy and Performance
	To design, develop, launch and / or commission research and customer insight activities.	Head of Strategy, Policy and Performance
	To make decisions relating to the collection, organisation, storage and analytical use of Council held data and the implementation of new technologies to support evidence-based decision making within the Council, adhering to all relevant policies and strategies.	Head of Strategy, Policy and Performance In consultation with the Director of Digital and Data Protection Officer where necessary.
Equality, Diversity and Inclusion	To lead on the Council's statutory responsibilities and strategy for Equality, Diversity and Inclusion.	Head of Strategy, Policy and Performance
Corporate Plan	To be responsible for the development and delivery of the Cheshire East (Corporate) Plan.	Head of Strategy, Policy and Performance
Policy Framework and Performance	To be responsible for the development and updating of the Policy Framework, business plan and overall	Head of Strategy, Policy and Performance

Management Framework	Performance Management Framework to support the delivery and reporting against the Cheshire East Plan.	
Statutory data returns	To collate, prepare and complete statutory data returns on behalf of the Council for children's and adults social care, and education.	Head of Strategy, Policy and Performance In agreement with the
Projects	To deliver effective project management support to the Transformation Plan and significant directorate led projects.	Head of Transformation

Transformation	To deliver the Transformation Plan.	Head of Transformation
	To deliver the Local Government Association Corporate Peer Challenge Action Plan.	Assistant Chief Executive
	To procure and work collaboratively with an external transformation partner, initially focussing on financial recovery.	Head of Transformation
	To deliver a scheme of service redesign.	Head of Transformation
	To deliver a plan for future savings and efficiencies.	Head of Transformation
	To deliver the whole organisation transformation programme and other specific improvement projects.	Head of Transformation
	To lead the development and delivery of a resident engagement strategy to rebuild trust and understanding of the new service offering that Cheshire East will provide.	Assistant Chief Executive
	To develop and implement a range of performance indicators to evidence delivery of the transformation plan and improvement.	Head of Transformation
	To drive the Brighter Futures change programme and delivery of business change.	Head of Transformation

Scheme of Delegation-Executive Director of Adults, Health and Integration

Introduction and context

The Executive Director has overall responsibilities within the Council for Adults, Health and Integration functions. The Executive Director is able to onward delegate these functions to other officers. This document seeks to capture those onward delegations.

The Executive Director (Adults, Health & Integration) is given delegated power to exercise all the Authority's powers, functions and responsibilities and to take any decisions in relation to the following areas of the Council's operations and services, subject to the terms of the Constitution and their statutory functions:

-Public Health:

Health Improvement, Health Protection and Healthcare Public Health, Health Intelligence and Children and Families, Wider Determinants of Health

-Adult Social Care Operations:

Adult Safeguarding (including Community Safety), Mental Health and Learning Disability, Care4CE, Improvement, Assurance and Development and Principal Social Worker, South and East Community Teams and Community Care

-Commissioning:

Integrated Commissioning, New Models of Care, Integrated Commissioning - Adults with Complex Needs, Integrated Commissioning (People), Integrated Urgent Care.

The powers delegated are wide and inclusive and are not listed by reference to each and every statute, function or regulation.

Type of activity	Specific function or decision-making	Officer responsible for that function
Public Health		
	The power to act on behalf of the Director of Public Health in their absence, in relation to any matter within their Statutory remit.	Public Health Consultants for their areas of responsibility, in consultation with the Executive Director, Adults, Health and Integration.
Section 75 NHS Act 2006	s75- Entering into extending and varying prescribed arrangements with the NHS in relation to the exercise of:	Executive Director- Adults, Health and Integration within

	<p>(a) prescribed functions of the NHS bodies and</p> <p>(b) prescribed health related functions of the local authorities,</p> <p>If the arrangements are likely to lead to an improvement in the way in which those functions are exercised.</p>	agreed delegation from committee.
s7A National Health Service Act 2006	Responsibility for the functions under s7A National Health Service Act 2006 – arrangements to undertake Secretary of State's public health functions.	Director of Public Health
Secretary of State Regulations, s6C of the National Health Service 2006 Act and dental public health powers.	To exercise such other public health functions as the Secretary of State specifies in regulations, including services prescribed under section 6C of the 2006 Act and under dental public health powers under s 111 of the 2006 Act, as amended.	Director of Public Health
Health Protection and Emergency Planning	<p>Provide information and advice to promote health protection arrangements against threats like infectious diseases, environmental hazards and extreme weather events.</p> <p>To plan for and respond to, emergencies that present a risk to public health, in consultation with the council's emergency planning officer/team where appropriate.</p>	Director of Public Health
Violent or sexual offenders etc.	To undertake the local authority's role in co-operating with the police, the probation service and the prison service to assess the risks posed by violent or sexual offenders, relevant terrorist offenders (or persons who may be at risk of involvement in terrorism-related activity) or other persons who, by reason of offences committed by them, are considered by the responsible authority to be persons who may cause serious harm to the public pursuant to section 325 Criminal Justice Act 2003.	Director of Public Health

	To exercise such other public health functions as the Secretary of State specifies in regulations, including services prescribed under section 6C of the 2006 Act and under dental public health powers under s 111 of the 2006 Act, as amended.	Director of Public Health
Prison health	Responsibility for the functions under section 249 National Health Service Act 2006. Joint working in respect of prison health.	Director of Public Health
Licensing	To be responsible for the local authority's public health response as a responsible authority under the Licensing Act 2003, including making representations about licensing applications under sections 5(3), 13(4), 69(4) and 172B(4) of the Licensing Act, as amended by Schedule 5 of the Health and Social Care 2012.	Director of Public Health
Integrated Care Boards (ICB)	To provide public health advice to relevant integrated care board(s).	Director of Public Health
Joint Strategic Needs Assessment	To advise upon and contribute towards, produce and update as necessary the Joint Strategic Needs Assessment in consultation with NHS partners.	Director of Public Health
Health and Wellbeing Strategy	To lead on and co-ordinate the development, production, publication and updating of the Cheshire East Joint Health and Wellbeing Strategy in consultation with NHS partners, for approval by the Health and Wellbeing Board.	Director of Public Health in consultation with the Executive Director, Adults, Health and Integration.
Health and Wellbeing Board	To have a place on the local health and wellbeing board (s194(2)(d) of the Health and Social Care Act 2012).	Director of Public Health
Annual Report	To produce the Director of Public Health's annual report on the health of the people in Cheshire East pursuant to section 73B (5) National Health Service Act 2006, for	Director of Public Health

	approval by the Health and Wellbeing Board.	
Commissioning advice	To provide public health advice to NHS commissioners to help secure: <ul style="list-style-type: none"> • Commissioning strategies that meet the needs of vulnerable groups • The development of evidence-based care pathways and service specifications • Evidence-based prioritisation policies • Health needs audits and health equity audits and health impact assessments. 	Director of Public Health
National child measurement programme	Responsibility for the exercise by the authority of its functions under Schedule 1 National Health Service Act 2006 including medical inspection of school pupils and ensuring delivery of the National Child Measurement Programme-weighing and measuring children.	Director of Public Health
NHS health checks	To secure the delivery of NHS Health Check assessments.	Director of Public Health
Sexual health services	To ensure appropriate access to sexual health services.	Director of Public Health
Clinical governance	To ensure appropriate clinical governance arrangements are in place in respect of any clinical services commissioned, including sexual health and drug and alcohol services.	Director of Public Health
Reduction of health inequalities	To maintain a particular focus on ensuring disadvantaged groups receive the attention they need, with the aim of reducing health inequalities.	Director of Public Health
Provision of Healthy Start vitamins	To be responsible for providing Healthy Start vitamins at any maternity or child health clinic commissioned by the council, in accordance with the Healthy Start and	Director of Public Health

	Welfare Food Regulations 2005 as amended.	
Health visitor reviews and healthy child programme	To ensure the delivery of universal Health Visitor Reviews within the healthy child programme.	Director of Public Health
Grants	To manage ring-fenced public health grants and be accountable for how this funding is spent.	Director of Public Health
All other public health functions	Responsibility for the exercise of all other Local Authority's public health functions specified in the National Health Service Act 2006 and any other relevant legislation.	Director of Public Health
Adult Social Care Operations		
Statutory role-DASS	To act as the Council's statutory Director of Adult Social Services (DASS) under the law and the Council's Constitution.	Executive Director-Adults, Health and Integration
	To act as DASS in the unplanned absence of the Executive Director of Adults, Health and Integration.	Director of Adult Social Care Operations
	To deputise for the Executive Director of Adults, Health and Integration when required at local and national levels.	Director of Adult Social Care Operations
	<ul style="list-style-type: none"> i. Accountability for assessing local needs and ensuring availability and delivery of a full range of adult social services 	<p>Service Director ROSA ('relevant operational service area')</p> <p>In the Service Directors absence, the functions are delegated to a nominated Head of Service in consultation with the Executive</p>

		Director. Nominated Head of Service to be determined by the Director of Adult Social Care & Operations or by the Executive Director.
	<ul style="list-style-type: none"> ii. Professional leadership, including workforce planning iii. Leading the implementation of standards iv. Managing cultural change v. Promoting local access and ownership and driving partnership working vi. Delivering an integrated whole systems approach to supporting communities vii. Promoting social inclusion and wellbeing 	Service Director ROSA. As appropriate to the service area, for individuals, for services and for local populations
	To exercise the authority's functions within the meaning of the Local Authorities Social Services Act 1970 as amended from time to time, the Care Act 2014, Health and Care Act 2022 and any social care legislation, insofar as it relates to adults.	Executive Director-Adults, Health and Integration
	To discharge any functions exercisable by the authority under Section 75 of the National Health Service Act 2006 on behalf of an NHS body, so far as those functions relate to adults.	Executive Director-Adults, Health and Integration
	To discharge the Council's functions regarding the assessment of need for, and provision of, community care services in accordance with the Care Act 2014 and any Regulations thereunder.	DASS with day-to-day activities undertaken by social workers overseen by the Director of Adult Social Care & Operations.
Care Act 2014	s2 Preventing needs for care and support	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer and other officer (all ROSA.)

	s3 Promoting Integration of care and support with health services, etc.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer and other officer (all ROSA.)
	s5 Promoting diversity and quality in provision of services	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer and other officer (all ROSA.)
	s6 Co-operating generally with relevant partners and appropriate persons in the exercise of their respective functions relating to (a) adults with needs for care and support and (b) carers.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer and other officer (all ROSA.)
	s13 Eligibility criteria applied to an adult who has needs for care and support or a carer who has needs for support.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer and other officer (all ROSA.)
	s14 Charging for meeting care and support needs	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer and other officer (all ROSA.)
	s47 Protecting property of adults being cared for away from home	Director of Adult Social Care & Operations, Head of Service, Team Manager (all ROSA.)
Care Act 2014 General	s1 Promoting wellbeing when carrying out care and support functions in respect of an individual.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer (all ROSA.)

	s4 Providing information and advice relating to care and support for adults and support for carers.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer (all ROSA.)
	s7 Co-operating in specific cases	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, other officer (all ROSA.)
	s8 Meeting (a) adults needs for care and support and (b) carers needs for support	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, other officer (all ROSA.)
	ss9-12 Assessing (a) adults needs for care and support and (b) carers needs for support	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, other officer (all ROSA.)
	s17 Assessment of financial resources.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, other officer (all ROSA.)
	ss18-23 Duties and powers to meet (a) adults needs for care and support and (b) carers needs for support.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, other officer (all ROSA.)

	ss24-30 Steps following needs or carers assessments including care and support planning and personal budget	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, other officer (all ROSA.)
	ss31-33 Direct payments	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, other officer (all ROSA.)
	Duty of councils to provide temporary protection for property of persons admitted to hospitals, etc. To approve expenditure incurred under s47 Care Act 2014 in the protection of movable property of persons and to recover such expenditure where applicable.	Executive Director – Adults, Health and Integration-delegated to Finance and Business Support.
	ss37-38 Continuity of care and support when an adult moves.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer, other officer (all ROSA.)
	ss39-41 Establishing ordinary residence and financial adjustments between local authorities.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer, other officer (all ROSA.)
	ss42-47 Safeguarding adults at risk of abuse or neglect and discharge the functions of the council in relation to Domestic abuse. To be accountable for discharging the functions of the Council in relation to the Multi Agency Risk Assessment Conference (MARAC) and Multi agency Public Protection Arrangements (MAPPA).	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer, other officer (all ROSA.)

	To exercise the functions of the Council in respect of domestic homicide reviews established and conducted under Section 9 of the Domestic Violence, Crime and Victims Act 2004 in partnership with the Safer Cheshire East Partnership (SCEP). Chaired by the Director of Adult Social Care Operations.	
	ss58-66 Transition for children to adult care and support.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer, other officer (all ROSA.) In conjunction with children's services.
	ss67-68 Independent advocacy support.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer, other officer (all ROSA.)
	ss69 - 70 Debt recovery and transfer of assets to avoid charges.	Director of Adult Social Care & Operations, Head of Service, Team Manager (all ROSA.)
Care Act 2014 Miscellaneous	s74 Discharge of hospital patients with care and support needs.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer, other officer (all ROSA.)
	s75 After-care under the Mental Health Act 1983.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer, other officer (all ROSA.)
	s76 Prisoners and persons in approved premises etc.	Director of Adult Social Care & Operations, Head of Service, Team

		Manager, Senior Officer (all ROSA).
	s77 Registers of sight-impaired adults, disabled adults, etc.	Director of Adult Social Care & Operations, Head of Service, Team Manager (all ROSA.)
	s79 Delegation of local authority functions- delegation of local authority decision making (e.g.s75)	Committee
	s79 Delegation of local authority functions – local care and support responsibilities.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer, other officer (all ROSA.)
	ss48-49 Provider Failure	Executive Director Adults, Health and Integration and Director of Commissioning only.
Mental Health	To make provision and act in accordance with legislation relating to mental health.	Director of Adult Social Care & Operations as delegated below.
Mental Capacity Act 2005	ss2-3 – People who lack capacity and inability to make decisions-assessment of mental capacity.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer (all ROSA.) Individual must be suitably qualified in line with current legislation.
	s4 – Best Interests	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior

		Officer, Officer (all ROSA.) Individual must be suitably qualified in line with current legislation.
	s4A – Restriction on Deprivation of Liberty. Authorise Deprivation of Liberty(DOLS) applications	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer (all ROSA.) Individual must be suitably qualified in line with current legislation
	ss5-8 Acts in connection with care or treatment	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer (all ROSA.) Individual must be suitably qualified in line with current legislation.
	ss15 - 16 – Applying to the Court of Protection for a declaration or an appointment of Deputy	Director of Adult Social Care & Operations, Head of Service, Team Manager (all ROSA.) In consultation with the Governance, Compliance and Monitoring Officer.
	s21A – Applications to the Court of Protection relating to a Standard or Urgent Authorisation	Director of Adult Social Care & Operations, Head of Service, Team Manager (all ROSA.) In consultation with the Governance, Compliance and Monitoring Officer.
	To discharge the Supervisory Body (SB) function of the Council for the Deprivation of liberty safeguards (DOLS) in hospitals and care homes ,pursuant to Schedule A1 of the	Director of Adult Social Care & Operations, Head of Service, Team Manager (all ROSA.)

	Mental Capacity Act 2005 and the Deprivation of liberty Code of Practice	Individual must be suitably qualified in line with current legislation.
	s 35 – Appointing an Independent Mental Capacity Advocate	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer (all ROSA.) Individual must be suitably qualified in line with current legislation.
Mental Health Act 1983(as amended by the Mental health Act 2007)	Parts II, III and VI – Welfare of the mentally disordered	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer (all ROSA.) Individual must be suitably qualified in line with current legislation
	Part II, ss7 – 10 guardianship of persons suffering from mental disorder. To accept a guardianship application and to make an order for discharge of patients subject to guardianship.	Statutory power remains with DASS but delegated to Director of Adult Social Care & Operations
	Part II, Making an application under s29 to appoint an acting nearest relative including s30 the discharge and variations of orders under s29	Approved Mental Health Professional only.
	Part II, s29 exercise of functions of acting nearest relative of person suffering from mental disorder	Statutory power rests with DASS but delegated to Director of Adult Social Care & Operations,
	ss66 and 69 – Exercise of functions of nearest relative in relation to applications and references to the First-tier Tribunal.	Statutory power rests with DASS but delegated to Director of Adult Social Care & Operations,

Part VIII Miscellaneous Functions of the Local Authority	s114 - Appointment of Approved Mental Health Professionals	Director of Adult Social Care Operations only.
	s115 – Entry and inspection	Approved Mental Health Professional only.
	s116 – Delegated duties of Nearest Relative (section 29)	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer (all ROSA.) In accordance with Council Mental Health Act 1983, Section 116 Policy
	s117 – After-care of detained patients. To provide social care to support people experiencing mental health problems. To provide after-care services and support along with the NHS, to relevant people moving out of hospitals Also to discharge wider Care Act responsibilities for all those affected by mental distress.	Director of Adult Social Care & Operations, Head of Service, Team Manager, Senior Officer, Officer (all ROSA.)
Mental Health Act 2007	s18 The employment of Approved Mental Health Professionals (AMHPs) under the MHA to e.g. make applications for the detention of individuals in hospital, ensuring the MHA and its Code of Practice are followed.	Executive Director- Adults Health and integration discharged through the AMHP partnership.
Complaints	To exercise the Council's functions regarding the procedures for dealing with complaints and representations relating to personal social services for adults, including complaints to the Local Government and Social Care Ombudsman.	Executive Director – Adults, Health and Integration with sign-off delegated to Director of Adult Social Care Operations or Director of Strategic Commissioning and Integration as appropriate in

		accordance with policy and procedure.
Property Charges and deferred payments	To approve property charges and deferred payments.	Executive Director- Adults, Health and Integration
Commissioning and personalisation	To exercise the Council's functions and powers in relation to commissioning responsibilities as set out in the Care Act.	Director of Strategic Commissioning and Integration-see Adults Commissioning below.
Authorisations to enforce legislation and statutory regulations	Sign off of statutory notices	DASS
Public Health (Control of Disease) Act 1984	Public Health (Control of Disease) Act 1984 (c22) Section 46 (2) and (5) – Burial or cremation of person dying in accommodation provided under Part I of the Care Act 2014 and recovery of expenses from his estate.	Director of Adult Social Care Operations, Head of Service, Team Manager (all ROSA.)
Care Packages	Arrange Care Packages	DASS and Director of Adult Social Care Operations
	Arrange Care Packages, weekly Value above £1,500	DASS and Director of Adult Social Care Operations
	Arrange Care Packages, weekly Value between £750 and £1,500	Head of Service and Director of Adult Social Care Operations
	Arrange Care Packages, weekly Value between £200 and £750	Head of Service and team managers

	Arrange Care Packages, weekly Value up to £200	Team Manager
	Decommission Individual care package	Case manager
Deputyships no court order in place for appointeeships	Approval of paperwork for Court of Protection Orders	Team Manager in consultation with the Governance, Compliance and Monitoring Officer. <i>(NB. Finance and deputyship activities sit under Adult Social Care Operations, as work is with individuals in receipt of care and support, however, the team is line-managed by the Director of Strategic Commissioning and Integration.)</i>
Day to day managements of Deputyships clients	Signatory for paperwork on: <ul style="list-style-type: none"> • Applying for access to bank accounts • Applying for access to stocks • Writing and confirming changes in detail. • Applying for access to private pensions • Applying to the Department for Work and Pensions for welfare benefits. 	Financial Protection Officer (Deputy)
	Annual Reports to the Office of the Public Guardian	Finance and business support

Authorise management of a Deputyship property.	<p>Approval of paperwork for selling of property</p> <p>Approval to rent a property and to engage a property management company.</p>	Executive Director of Adults, Health and Integration
	Approval of paperwork for house clearances.	Director of Adult Social Care Operations
	<p>Approval of paperwork to secure solicitors on behalf of deputyships.</p> <p>In terms of relinquishments approval to secure solicitors is a joint decision between Team Manager/ Governance, Compliance and Monitoring Officer and the Financial Protection Officer (Deputy).</p> <p>If another reason this would be a joint decision between the Financial Protection Officer (Deputy) Team Manager and Governance, Compliance and Monitoring Officer</p>	Heads of Service instructing Finance and business support
Petty Cash	Approval of release of petty cash to Deputyship/ appointee ship.	Team Manager
Use and/or disposal of assets	Decision on the use of assets e.g. whether equity release is appropriate or the selling of assets such as vehicles, land, stocks, and shares.	Executive Director – Adults, Health and Integration -discharged by Finance and business support.

Appointeeship	Signatory for paperwork on: <ul style="list-style-type: none"> • Application to the Department for Work and Pensions. • Writing and confirming changes in detail • Applying for Welfare benefits 	Executive Director Adults, Health and Integration
Appointeeship	Authorisation of a transaction.	Executive Director Adults, Health and Integration
Death of a client	Approval to pay in advance funeral expenses of a Financial protection clients for the estate to be invoiced once probate agreed.	Director of Adult Social Care Operations
Domiciliary care in supported living schemes	Provision of CQC regulated services (domiciliary care) in supported living schemes.	Director of Adult Social Care Operations via Care4CE (CQC registered managers)
Counter Terrorism and Security Act 2015 (as amended) S36	To discharge the functions conferred on, or exercisable by, the Council under the Counter Terrorism and Security Act 2015 (as amended), including those relating to the CHANNEL Panel.	Executive Director Adults, Health and Integration Chair of PREVENT Board-Director of Adult Social Care Operations Council representative on CONTEST Board-Director of Adult Social Care Operations
Unauthorised Traveller Encampments	To authorise the recovery of land from an unauthorised encampment.	Director of Adult Social Care Operations (in the absence of the said Director-Executive

		Director-Adults, Health and Integration) in consultation with the Governance Compliance and Monitoring Officer.
Adults Commissioning		
	To act as DASS during planned absences of the Executive Director of Adults, Health and Integration when designated to do so by the Executive Director of Adults, Health and Integration.	Director of Strategic Commissioning and Integration
	To deputise for the Executive Director of Adults, Health and Integration when required at local and national levels.	Director of Strategic Commissioning and Integration
	To lead on strategic planning, policy analysis and performance.	Director of Strategic Commissioning and Integration
	To have key responsibility for delivering the Transformation Plan for Social Care, ensuring delivery of a wider range of modern, flexible services.	Director of Strategic Commissioning and Integration
	To lead effective strategic joint commissioning for Health and Social Care services across the whole cycle, including needs and strengths-based analysis, evidence-based and outcomes-focused planning, relationship development, market shaping and development, quality assurance and improvement, brokerage and accountability.	Director of Strategic Commissioning and Integration
	To provide professional advice on all aspects of commissioning for adult social care and wellbeing, in the delivery of high-quality commissioning outcomes for adults of Cheshire East.	Director of Strategic Commissioning and Integration

	To develop and implement Integrated Commissioning Strategies for adults bringing together commissioning outcomes in Adults and Public Health. Maximising Health and Social Care partnership working across all services and ensuring effective governance arrangements.	Director of Strategic Commissioning and Integration
	To ensure robust financial strategy and management in relation to commissioning arrangements.	Director of Strategic Commissioning and Integration
	To ensure the Commissioning function promotes collaboration and co-production which drives a person-centred approach to commissioning, proactively seeking and using feedback and views from service users, families and community agencies including public, private, third party, independent, voluntary and community sectors, promoting participation in service redesign.	Director of Strategic Commissioning and Integration
	To ensure effective contract management.	Director of Strategic Commissioning and Integration
	To shape Cheshire's better outcomes framework.	Director of Strategic Commissioning and Integration
	To establish and develop strong formal partnerships with other key organisations and partners, particularly in the NHS and implement joint commissioning formally across the council and the Integrated Care Board.	Director of Strategic Commissioning and Integration
	To develop a range of customer-focused services that are responsive and flexible with regard to customers needs delivering real outcomes for people that drives early help, prevention, unplanned care and planned longer term care.	Director of Strategic Commissioning and Integration

	To lead effective relationships with the Care Quality Commission.	Director of Strategic Commissioning and Integration
Mental Health Act 2007	s30 Commissioning independent mental health advocates to help people express their views and to represent their interests.	Director of Strategic Commissioning and Integration
Grants	To commission grants to the 3 rd sector.	Director of Strategic Commissioning and Integration

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Scheme of Delegation Executive Director Children's Services

Introduction and Context

The Executive Director has overall responsibilities within the Council for Children's Services functions. The Executive Director is able to onward delegate these functions to other officers. This document seeks to capture those onward delegations. The Executive Director Children's Services is given delegated power to exercise all the Authority's powers, functions and responsibilities and to take any decisions in relation to the following areas of the Council's operations and services, subject to the Constitution and statutory functions:

Family Help and Children's Social Care - Children in Need and Child Protection, Provider Services, Cared for Children and Care Leavers, Family Help and Prevention.

Education Strong Start and Integration - SEND and Inclusion, Education Participation and Pupil Support, Inclusion, Education, Educational Psychology, Early Years Family Help and Prevention.

Quality, Partnerships and Commissioning- Children's Safeguarding and Quality, Children's Development and Partnerships, Principal Social Worker.

The powers delegated are wide and inclusive and are not listed by reference to each and every statute, function or regulation.

Type of activity	Specific function or decision-making	Officer responsible for that function
Family Help and Children's Social Care		
	To deliver services within the remit of the Children Act 1989, the Children Act 2004, Children and Social Work Act 2017 and other relevant legislation.	Director of Family Help and Children's Social Care

	To act as the Council's Director of Children's Services (DCS) under the law and the Council's Constitution.	Executive Director-Children's Services
	To deputise as the Council's Director of Children's Services (DCS) under the law and the Council's Constitution.	Relevant Service Director
	To work together with the Lead Member for Children's Services to provide strong, strategic local leadership and development of an increasingly autonomous and diverse education and children's services sector.	Executive Director-Children's Services
	To deliver the authority's functions within the meaning of the Local Authorities Social Services Act 1970, insofar as they relate to children, and the local authority's functions for children and young people leaving care.	Head of Cared for Children and Care Leavers
	To deliver the authority's functions as set in Working Together to Safeguard Children 2024	Heads of Service and Head of Safeguarding and Quality
United Nations Convention on the Rights of the Child (UNCRC)	To have regard to the General Principles of the (UNCRC) and ensure that children and young people are involved in the development and delivery of local services.	Heads of Service
Partnership Arrangements	Inter-agency co-operation – the building and leading of arrangements for inter-agency co-operation as set out in the Children Act 2004.	Heads of Service and Head of Safeguarding and Quality
Notification to The National Safeguarding Panel	Notification to the National Safeguarding Panel of serious harm to a child/ Serious Case Review.	Head of Service Children's Safeguarding and Quality and

		Director of Family Help & Children's Social Care
Section 17 Payments	Recommendations to make Section 17 payments including children in care.	
	Up to £250 on any one family within the financial year	Team Manager
	Up to £2,000 on any one family per financial year	Service Manager
	Up to £5,000 on any one family per financial year	Head of Service Children in Need & Child Protection
	Over £5,000 on any one family within the financial year	Director of Family Help & Children's Social Care
Decision to Accommodate	Decision to accommodate a child (Section 20)	Head of Service
	Decision to discharge a child on a planned basis	Head of Service
Care Proceedings	Decision to instigate Legal Proceedings not otherwise specifically mentioned in this schedule.	Head of Service in consultation with Governance Compliance and Monitoring Officer for advice.
	Chairing of Pre-Proceedings Meeting	Team Manager
	Decision to apply for an Interim Care Order, Interim Supervision Order.	Head of Service following consultation with Governance Compliance and Monitoring Officer for advice.
	Endorsing the Care Plan for the final hearing.	Head of Service Children in Need & Child Protection and Senior Managers.

	Decision to apply for an Emergency Protection Order, s44 Children Act 1989. Written legal advice should be obtained and the Director of Family Help and Children's Social Care consulted before decision making takes place.	Head of Service
	Decision to apply for a Child Assessment Order, s43 Children Act 1989. Written legal advice should be obtained and the Director of Family Help & Children's Social Care consulted before decision making takes place.	Agency Decision Maker (ADM) or Head of Service
	Decision to apply for discharge or variation of a Care Order or Supervision Order (including extension of a Supervision Order).	Head of Service
Contact with Parents	Decision to refuse parental contact with a child subject to a Care Order for up to seven days in an emergency when it is necessary to do so in order to safeguard or promote the child's welfare. s34 (6) Children Act 1989. The Head of Service must set a date to review the decision and seek legal advice as to whether to return to Court for an order under s34 (4) of the Children Act 1989.	Head of Service in consultation with Governance Compliance and Monitoring Officer.
	Agree contact for Looked After Child with parents, family and friends. s34(1) and Schedule 2 para 15 (1) Children Act 1989 must be considered.	Team Manager in consultation with Head of Service
	Decision to apply for an Order authorising the Authority to refuse contact s34 (4) Children Act 1989.	Head of Service
Medical Consent and Treatment	Medical consent for a child subject of Care Order: Routine medical treatment.	Team Manager

	Authorise testing for blood born virus including HIV.	Head of Service
	Emergency medical treatment which may or may not involve general anaesthetic.	Director of Family Help and Children's Social Care where general anaesthetic is required. For other treatment Head of Service
	Planned medical treatment involving surgery and general anaesthetic Parental involvement should always be considered and only excluded if not in the child's best interests.	Director of Family Help and Children's Social Care.
Decision to withhold Whereabouts of a Child in Care	Schedule 2 para15(4) Children Act 1989 A Local Authority is not required to inform any person of the whereabouts of a child if: a. The child is in the care of the Authority; and b. The Authority has reasonable cause to believe that informing the person would prejudice the child's welfare. Does not apply to s20 accommodated children.	Head of Service
Death of a Looked After Child	Notification to Ofsted following the death of a child looked after/ serious harm to a child in a Children's Home/ Foster Care. Schedule 2 para 20 Children Act 1989. Notification to Secretary of State and all with Parental Responsibility.	Director of Family Help & Children's Social Care

	Funeral arrangements following the death of a child looked after. Arrangements made in consultation with the parent and may be made with the parent if they so wish and if it is deemed appropriate.	Head of Service
NEET's	The effective support of Children and Young Adults including young people who are not in education, employment or training (NEET's.)	Head of Cared for Children and Care Leavers
Placement of a Child with Parents	Decision to place a child who is the subject of a Care Order or Interim Care Order with parents or persons with Parental Responsibility.	Director of Family Help & Children's Social Care
Placement of a Child with Family and Friends	Temporary approval of Family and Friends under Reg 24 (Connected Foster Carers).	Head of Service: Children's Provision (Agency Decision Maker 'ADM')
Holidays Aboard and Passports	Permission to go abroad (for a child subject of a Care Order, s33 (8) Children Act 1989.	Head of Service
	Authorisation of an application for a passport for a Looked After Child. s33(3) Children Act 1989 in respect of a child in care and s22(3) Children Act 1989 in respect of a child provided with accommodation under s20.	Head of Service
Application for a Child to Live Outside England and Wales	Decision to apply for leave of the Court for a child in care to live outside of England or Wales .	Director of Family Help & Children's Social Care
Placement of a child outside the area of the responsible Local Authority	Decision to Place a child outside the boundary of Cheshire East.	Director of Family Help & Children's Social Care Delegated to Head of Service – Children's Provision

Change of Name of a Looked After Child	Permission for child subject to a Care Order to be known by a new surname (only possible with agreement of everyone with Parental Responsibility of the leave of the Court.	Director of Family Help & Children's Social Care
Marriage of a Looked After Child	Permission for a child subject of a Care Order to marry	Director of Family Help & Children's Social Care
Joining the Armed Forces	Permission for a child subject to a Care Order to join the Armed Forces.	Director of Family Help & Children's Social Care following discussions with all who hold Parental Responsibility.
Overnight Stays	Decision for a child looked after to have an overnight stay.	Foster Carer or Residential Support Worker in consultation with a Team Manager
Recovery Order	Decision to apply for a Recovery Order for a child who is in care, the subject of an EPO or in Police protection. s50 Children Act 1989.	Head of Service
s57 Domestic Abuse Act 2021	To discharge duty to assess or arrange the assessment of, the need for accommodation-based support for victims of domestic abuse and their children within the local authority's area . To prepare, publish and implement a strategy for delivering support.	Head of Service for Family Help and Prevention
Informing 3rd Party about a Person Considered to be a Risk to Children	Decision to inform a third party of the identity and concerns about a person who is considered a risk to children. s33(3) Children Act 1989 and s22 (3) Children Act 1989 for Child in Care, s17 Children Act 1989 for children in need and s47 Children Act 1989 for children at risk. In consultation with the police.	Head of Service

	Reasons for sharing information must be clearly recorded.	
S47 Enquiries and Child Protection Conferences	Decision to initiate S.47 enquires	Team Manager
	Decision to take no further action following S.47 enquiries	Team Manager
	Decision to convene a Child Protection Conference following S.47 enquiries.	Team Manager in consultation with the Safeguarding Unit
	Decision to terminate a Child Protection Plan	Chair of Child Protection Conference and partner agencies
Secure Accommodation	Authority to apply for a Secure Accommodation Order	Director of Family Help & Children's Social Care
	Authority to decide on a placement in Secure Accommodation without an Order for up to 72 hours.	DCS
	Review of placement in Secure Accommodation	Head of Service Children's Safeguarding and Quality
Deprivation of Liberty	Authority to apply for a Deprivation of Liberty Order	Director of Family Help and Children's Social Care

Adoption	Adoption Agency Decision Maker – decisions that a child should be placed for Adoption/ Prospective Adopters should be approved / a child should be matched with Adopters. Adoption & Children Act 2002 Guidance Adoption Agencies Regulation 27.2 no member of the Adoption Panel can take part in the agency decision.	Director of Family Help & Children's Social Care/ Adoption ADM
	Responsibility for Adoption Panel Appointments	Head of Adoption Counts – Regional Adoption Agency (except appointment of Councillor representative is function of Full Council.)
	Appointment of Adoption Panel Chair	Adoption Counts (Regional Adoption Agency)
	Appointment of Adoption Panel Advisor	Adoption Counts (Regional Adoption Agency)
	Designated Manager for Adoption and Fostering to liaise with Local Authority designated Officer (LADO.)	Head of Service Children's Provision and Head of Cared for Children and Care Leavers
	Senior Manager(s) with whom Adoption Agency Decision Maker will discuss cases where s/he is minded not to accept the Adoption Panel's recommendation.	Director of Family Help and Children's Social Care (ADM) and Head of Service Cared for Children and Care Leavers. (ADM)
	Any financial packages over the statutory agreed amount	Director of Family Help & Children's Social Care
Fostering	Fostering Panel Decision Maker Regulation 24 Fostering Service Regulations 2002 - establishment of fostering panel	Head of Service Children's Provision (Fostering ADM)

	Responsibility for making recommendations about approval of Foster Carers and any terms of approval. Regulation 28 Fostering Service Regulations 2002.	Independent Chair of the Fostering Panel and the Reviewing Officer for Foster Carers.
	Authorisation to increase the limit of children placed in a Fostering Placement on an emergency/temp basis - up to 3 months .	Head of Service Children's Provision
	Decision to authorise increasing the limit of children placed in a Fostering Placement on a planned basis after all checks undertaken and the Fostering Panel has recommended an increase.	Head of Service Children's Provision
	Authorise publicity for family finding for the Adoption and Long-Term Fostering of children.	Fostering Service Manager
Private Fostering	S17 Children Act 1989 Approved by the Local Authority as a part of a Child In Need Plan following a Social Work Assessment of Needs and Strengths. Authorise a Private Fostering Placement.	Service Manager (CIN/CP)
Special Guardianship and Child Arrangements Orders	Decision on suitability of a carer to be a Special Guardian	Agency Decision Maker Children in Care and Care Leavers
	Decision of an individual's Special Guardianship Support Services, including financial support and legal fees. Special Guardianship Regulations 2005 and Special Guardianship (Amendment) Regulations 2016. Decision made following recommendation from Permanency Panel.	Head of Cared for Children and Care Leavers

	Decisions on a child's maintenance and accommodation costs as a result of a Child Arrangements Order. Schedule 1, paragraph 15 Children Act 1989. Decision made following recommendation from Permanency Panel.	Head of Service in consultation Director of Family Help and Children's Social Care
	To lead an integrated and aligned commissioning service for children in partnership with key agencies, driving a preventative approach with strong integration of care and health service.	Director for Quality, Partnerships and Commissioning
	To lead on arrangements for statutory inspection, external challenge and scrutiny.	Director for Quality, Partnerships and Commissioning
	To manage, support and coordinate the activities of the Council's Children's Improvement Board.	Director for Quality, Partnerships and Commissioning
	To lead on development and implementation of Children and Families policies, procedures, practices and guidance.	Director for Quality, Partnerships and Commissioning
	To lead on children's services cross directorate transformational ambitions and activities.	Director for Quality, Partnerships and Commissioning
	To work with the council's procurement team to establish robust and sustainable arrangements for the tendering and performance management of suppliers and contracts to ensure	Director for Quality, Partnerships and Commissioning

	providers are challenged to deliver year on year improvements to quality and outcomes.	
	To champion the interests of parents, families, vulnerable children and young people across all related services to increase opportunities for the voice and views of parents, carers, children and young people to inform and shape services and support.	Director for Quality, Partnerships and Commissioning
Education, Strong Start and Integration		
	To exercise the Council's functions in its capacity as a Local Education Authority in relation to education including in respect of the management of education services and securing the provision of quality education in schools.	Director of Education Strong Start & Integration
School exclusion	To exercise the Council's functions in respect of pupils excluded from schools and to give directions to head teachers as to reinstatement of pupils.	Head of Service -Education Participation and Pupil Support with some delegated responsibility to Education Access Support Officer.
Admissions and appeals	To exercise the Council's function in relation to admissions and any appeals arising from them.	Team manager – Admissions and Transport
School attendance, children missing education, home education and	To exercise the Councils function in relation to: 1. School attendance, including legal action to enforce attendance 2. Children Missing Education	Head of Service - Head of Education Participation and Pupil Support with some delegated responsibility to Team manager –

entertainment licensing etc	3. Elective Home Education 4. Child employment and entertainment licensing.	Attendance and children out of school team, in consultation with Governance Compliance and Monitoring Officer.
School governors	To agree the decision for the nomination of individual Local Authority school governors to schools.	Director of Education, Strong Start & Integration
	<p>To make arrangements for the nomination of school governors.</p> <p>The local authority's duties in respect of governance include the general duty under section 13a of the Education Act 1996: A local education authority shall ensure that their functions relating to the provision of education to which this section applies are (so far as they are capable of being so exercised) exercised by the authority with a view to promoting high standards and fulfilment of potential.</p> <p>The statutory duties in respect of governing bodies include:</p> <ol style="list-style-type: none"> 1. Checking and making the instruments of government 2. Nomination of LA governors 3. Arrangements for the election of staff governors 4. Arrangements for the election of parent governors in some categories of maintained schools 5. Arrangements for parent governors to be represented on education scrutiny boards 6. Establishment of a temporary governing body w a school leaves a federation 7. Establishment of a temporary governing body when a federation dissolves 8. Making significant changes (prescribed alterations) to maintained schools 	<p>Director of Education, Strong Start & Integration</p> <p>(Some aspects delegated to Senior School Governance Officers)</p> <p>NB Where a local authority are the appropriate authority in relation to a school, they may delegate to the head teacher of the school any of their functions under Schedule 2 paragraph 2 of The School Governance (Constitution)(England) Regulations 2012.)</p>

	<p>9. Schools causing concern - consider issuing a warning notice</p> <p>10. Schools causing concern – appointment of members to an interim executive board</p> <p>11. Schools causing concern – a duty to facilitate academy conversion where the RD has identified an academy trust to run a maintained school</p> <p>12. Schools causing concern - issue a Teachers' pay and conditions warning notice</p> <p>13. Providing information, training and guidance to governors free of charge</p> <p>14. To provide advice to governing bodies in relation to staff pay</p> <p>15. Ensuring that governing bodies carry out their safeguarding duties effectively</p> <p>16. Monitor the governing body's compliance with the requirements of their financial scheme</p> <p>17. Database of governing board contact information</p>	
Complaints	To manage School Complaints – responding to safeguarding concerns in schools referred by Ofsted and the Department of Education.	<p>Director of Education, Strong Start & Integration</p> <p>Delegated to Safeguarding and Partnerships Team, to manage and respond in accordance with policy and procedure.</p>
Academisation	To discharge the Council's statutory duty to facilitate the academisation of schools by overseeing the transfer of any land and assets/ liabilities of the Council to the new academy.	Director of Education, Strong Start & Integration

		Delegated to Education Project Manager, in consultation with Governance Compliance and Monitoring Officer.
SACRE	To discharge the Council's responsibilities regarding SACRE (Standing Advisory Council on Religious Education.)	Director of Education, Strong Start & Integration Delegated to LA SACRE Officer (Education Project Manager)
Early Years and Childcare	To discharge the council's general duty under Section 1 of the Children Act 2004 to improve the well-being of children under five and reduce inequalities. This places a duty on local authorities to improve the outcomes of all children under 5 and close the gaps between groups with the poorest outcomes and the rest. To ensure early years' services are accessible to all families in accordance with Section 1 Childcare Act 2006.	Director of Education, Strong Start & Integration Delegated to Head of Service – Early Years, Family Help and Prevention.
	To satisfy the Secretary of State's requirements for prescribed individual child information for children receiving early years provision.	Director of Education, Strong Start & Integration Delegated to Head of Service – Early Years, Family Help and Prevention.

	To discharge the council's duty to secure prescribed early years provision free of charge. To ensure that all children under school age, as described in regulations or in guidance from the Secretary of State, can access early years provision Childcare Act 2006 Section 7, as amended by Section 1 Education Act 2011.	Director of Education, Strong Start & Integration Delegated to Head of Service – Early Years, Family Help and Prevention.
	To discharge the council's duty to secure sufficient childcare for working parents (or parents in education/training). To require local authorities to ensure there is childcare available to enable parents to take up or remain in work or to undertake education or training to assist them in obtaining work so far as reasonably practicable under Section 6 Childcare Act 2006.	Director of Education, Strong Start & Integration Delegated to Head of Service – Early Years, Family Help and Prevention.
	To discharge the council's duty to assess childcare provision. To ensure local authorities undertake an assessment of childcare provision in their area to enable them to meet their duty to secure sufficient childcare for working parents. Analysis should be reasonably practicable.	Director of Education, Strong Start & Integration Delegated to Head of Service – Early Years, Family Help and Prevention. .
	To discharge the council's duty to provide information, advice and training to childcare providers and prospective providers. To ensure that local authorities give local childcare providers and would-be providers in their area the necessary support to help deliver sustainable affordable and high quality childcare that meets the	Director of Education, Strong Start & Integration Delegated to Head of Service – Early Years, Family Help and Prevention.

	needs of the community under section 13 Childcare Act 2006.	.
Special Educational Needs and Disability	To assess the need for and undertake Education Health Care Needs Assessments of children in accordance with the requirements of the Children and Families Act 2014, to determine the special educational needs and provision which should be made for them. Further to re-assess a child's special educational needs and provision where necessary and to maintain and review Education, Health and Care Plans ('EHCP') in accordance with relevant regulations and Code of Practice concerning these.	Director of Education, Strong Start & Integration Delegated to Head of Service – SEND and Inclusion and SEND Transformation Lead.
	<p>To ensure arrangements are in place to represent the Local Authority at Appeals to the First-Tier Tribunal, Upper Tribunal and Judicial Reviews in relation to matters regarding Special Educational Needs, in consultation with Governance Compliance and Monitoring Officer.</p> <p>Authorisation of school placements/other institutions/funding for children and young people with an EHCP such as:-</p> <p>Maintained/Academy/Free school/post-16 institution (Mainstream & Special)/non-maintained special school/s.41 Approved institutions (independent special school and special post-16 institutions.)</p>	<p>Director of Education, Strong Start & Integration</p> <p>Delegated to SEND Managers</p> <p>Delegated to Head of Service SEND and Inclusion</p>

	<p>Independent settings/Interim packages of support including Education Other than at School (EOTAS) and Residential Placements.</p> <p>Tripartie /Dual funded placements</p>	Director of Education, Strong Start & Integration
	To name, following consultation, an educational placement/other institution within an EHCP which it considers would be appropriate for a child/Young Person in the event no request is made to the Local Authority before the end of the period specified in a notice under section 38(2)(b) of the Children and Families Act 2014 (Sections 40 and 43 of the Children and Families Act 2014.)	Delegated to Head of Service-Children's Development and Partnerships
School Organisation and Capital Team	To submit SCAP Return, Identification of preferred school expansion, Instigate statutory consultation.	Director of Education, Strong Start & Integration
School Transport	To make travel arrangements to facilitate the attendance at school of Cheshire East's eligible children.	Delegated to Head of Service-Children's Development and Partnerships
SEND Transport	To conduct Stage 1 & home to school transport appeal submissions examined and decided upon. Stage 2 appeals prepared for decision by the appeals sub-committee.	Delegated to Head of Service-Children's Development and Partnerships
Virtual School	To ensure arrangements are in place for the local authority to discharge their statutory duty under 22(3A) of the Children Act 1989 to promote the educational achievement of looked-after children. That includes those children placed out of authority.	Director of Education, Strong Start & Integration

	<p>Ensure arrangements are in place to fulfil their statutory duty under 23ZZA of the Children Act 1989 (added by section 4 of the Children and Social Work Act 2017) to promote the educational achievement of previously looked-after children.</p>	Delegated to Virtual School Headteacher
	<p>To have arrangements in place to ensure timely provision of a suitable education placement for looked-after children.</p>	Delegated to Virtual School Headteacher
	<p>To ensure arrangements are in place for oversight and management of any extended duties that fall within the virtual school headteacher role and responsibilities including any related grants.</p>	Delegated to Virtual School Headteacher
	<p>To have oversight and responsibility for managing pupil premium plus funding for the children they look after and for allocating it to schools and alternative provision (AP) settings.</p>	Delegated to Virtual School Headteacher

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Place Directorate

Introduction and Context

The Executive Director has overall responsibilities within the Council for Place Directorate functions. The Executive Director is able to onward delegate these functions to other officers. This document seeks to capture those onward delegations.

The Executive Director (Place) is given delegated power to exercise all the Authority's powers, functions and responsibilities and to take any decisions in relation to the following areas of the Council's operations and services, subject to the Constitution:

-Growth and Enterprise - Housing, Economic Development, Rural and Cultural Economy, Estates.

-Planning and Environment - Neighbourhood Services, Environmental Services, Regulatory Services, Planning.

-Infrastructure and Highways - Strategic Transport and Parking, Rail and Transport Integration, Strategic Infrastructure, Highways.

The powers delegated are wide and inclusive and are not listed by reference to each and every statute, function or regulation.

Type of Activity	Specific Function or Decision Making	Officer Responsible for that Function
Growth and Enterprise		
<u>Housing</u>	<p>This service area delivers:</p> <ul style="list-style-type: none"> – Housing Strategy and Affordable Housing Development – Housing Standards and Adaptations – Housing Options and Homelessness 	
Strategic Housing	<p>To ensure the effective operation of Strategic Housing within the Place Directorate.</p> <p>All areas in relation to the Strategic Housing area of the Council's operations.</p>	Service Director, Head of Housing
Housing Strategy and Affordable Housing Development	To undertake all functions including those under legislation in response to addressing housing need within the borough including the following functions:	Service Director, Head of Housing, Senior Affordable Housing Officer

Housing Strategies and Policies	To develop, formulate and adopt statutory and non-statutory Housing strategies and policies.	Service Director, Head of Housing, Housing Options and Homelessness Manager, Housing Standards and Adaptations Manager
Enabling Functions	To liaise with Registered Housing Providers, Developers, Homes England, Town and Parish Councils etc to bring forward affordable housing to meet specific needs.	Service Director, Head of Housing, Senior Affordable Housing Officer, Affordable Housing Officers
Local Authority Housing Statistics Data Return	To collate the required information and submit to Government in line with their guidance.	Service Director, Head of Housing, Senior Affordable Housing Officer, Housing Policy officer

Affordable Housing Schemes	To administer affordable housing schemes pursuant to: <ul style="list-style-type: none"> – Town and Country Planning Act 1990 (as amended) 	Service Director, Head of Housing, Senior Affordable Housing Officer, Affordable Housing Officers
Self-Build Register	To administer the Self-Build Register pursuant to: <ul style="list-style-type: none"> – Self-Build and Custom Housebuilding Act 2015 	Service Director, Head of Housing, Senior Affordable Housing Officer, Affordable Housing Officers
Section 106 payments in lieu of affordable housing	To develop and review policies to allocate Section 106 contributions in lieu of affordable housing.	Service Director, Head of Housing, Senior Affordable Housing Officer, Affordable Housing Officers

Affordable Housing	To develop initiatives to address shortfalls in affordable housing supply.	Service Director, Head of Housing, Senior Affordable Housing Officer, Affordable Housing Officers
Transit site	To manage Cheshire East's Gypsy and Traveller Transit site.	Service Director, Head of Housing, Cheshire and Warrington Traveller Team

Housing Standards and Adaptations	To undertake all functions including those under legislation in response to assessing and reviewing housing conditions and enforcing housing standards including inspection and the power to enter premises and carry out work.	Service Director, Head of Housing, Housing Standards and Adaptations Manager
Entering Premises	<p>To enter premises to carry out official duties pursuant to relevant legislation including but not limited to:</p> <ul style="list-style-type: none"> – Housing Act 2004 – Environmental Protection Act 1990 – Local Government (Miscellaneous Provisions) Act 1982 – Housing Act 1985 – Town and Country Planning Act 1990 	Service Director, Head of Housing, Housing Standards and Adaptations Manager/ Team Leader/Officer, Assistant Housing Standards Officer
Production of Documents	<p>To require the production of documents and/or information pursuant to relevant legislation including but not limited to:</p> <ul style="list-style-type: none"> – Housing Act 2004 – Housing and Planning Act 2016 – Town and Country Planning Act 1990 	As above

Hazard Awareness Notice	To issue a Hazard Awareness Notice in relation to Category 1 and Category 2 Hazards pursuant to the Housing Act 2004.	As above
Remedial Notice: Smoke and Carbon Monoxide	To issue a Remedial Notice pursuant to: <ul style="list-style-type: none"> – Smoke and Carbon Monoxide Alarm (England) Regulations 2015. 	As above
Compliance Notice: Energy Efficiency	To serve a Compliance Notice pursuant to: <ul style="list-style-type: none"> – Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015. 	As above
Serve, confirm, and withdraw a remedial notice: Electrical Safety - Private Rental	To serve, confirm and withdraw a remedial notice pursuant to: <ul style="list-style-type: none"> – Electrical Safety Standards in the Private Rental Sector (England) Regulations 2020. 	As above

Serve, reduce, and withdraw a Notice of Intent: Lettings/Property Management	<p>To serve, reduce and withdraw a Notice of Intent pursuant to:</p> <ul style="list-style-type: none"> – Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014. 	As above
Information about a person's interest in land/premises	<p>To require information about a person's interest in land or premises pursuant to:</p> <ul style="list-style-type: none"> – Housing Act 2004 – Electrical Safety Standards in the Private Rental Sector (England) Regulations 2020 – Town and Country Planning Act 1990 	As above
Cleanse/repair drains	<p>To cleanse or repair drains etc pursuant to:</p> <ul style="list-style-type: none"> – Public Health Act 1961. 	As above
Cleanse filthy/verminous premises	<p>To cleanse filthy and verminous premises pursuant to:</p> <ul style="list-style-type: none"> – Public Health Act 1936 	As above

Abatement of overcrowded premises	To serve a notice requiring the abatement of overcrowding of premises pursuant to the Housing Act 1985.	As above
Enforcement: Category 1 or Category 2 hazard	To take appropriate enforcement action in relation to a Category 1 or 2 hazard pursuant to: – Housing Act 2004	As above
Enforcement: Category 1 or Category 2 hazard	To take appropriate enforcement action in relation to a Category 1 or 2 hazard pursuant to: – Housing Act 2004	As above
Refuse or revoke a licence for HMO	To grant, refuse or revoke a licence for a House of Multiple Occupation (HMO) pursuant to: – Housing Act 2004	Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader

Temporary Exemption Notice: HMO licence	To serve a temporary exemption notice for the purpose of exempting the requirement for a HMO licence pursuant to: <ul style="list-style-type: none"> – Housing Act 2004 	Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader
Financial Penalties	To issue and recover a Financial Penalty pursuant to: <ul style="list-style-type: none"> – Housing and Planning Act 2016 – Smoke and Carbon Monoxide Alarm (England) Regulations 2015 – Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 – Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 – Electrical Safety Standards in the Private Rental Sector (England) Regulations 2020 	Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader
Rent repayment order	To apply for a Rent Repayment Order pursuant to: <ul style="list-style-type: none"> – Housing and Planning Act 2016 	Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader

Banning Order	<p>To apply for a Banning Order pursuant to:</p> <ul style="list-style-type: none"> – Housing and Planning Act 2016 	<p>Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader</p>
Abatement Notice: EPA and Building Act 1984	<p>To serve an Abatement Notice pursuant to:</p> <ul style="list-style-type: none"> – Environmental Protection Act 1990 (EPA) – Building Act 1984. 	<p>Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader</p>
Notice to secure a dangerous building	<p>To serve a notice for the purpose of securing a building against unauthorised entry or for the purpose of preventing it becoming a danger to public health pursuant to:</p> <ul style="list-style-type: none"> – Local Government (Miscellaneous Provisions) Act 1982. 	<p>Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader</p>
Proper maintenance of land detrimental to visual amenity	<p>To require proper maintenance of land pursuant to:</p> <ul style="list-style-type: none"> – Section 215 Town and Country Planning Act 1990 (TCPA). 	<p>Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader</p>

Make/remove entry in Rogue Landlord Database	To make or remove an entry in the Rogue Landlord Database pursuant to: Housing and Planning Act 2016.	Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader
Enact a Publication Penalty	To enact a Publication Penalty pursuant to: Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.	Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader

Home Repairs and Adaptions	To administer the Home Repairs and Adaptions under the Council's Financial Assistance Policy.	<p>Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader</p> <p>Housing Standards and Adaptations Officer Other Officers: Senior Technical Officer Senior Case Worker Sustainable Warmth Officer Assistant Technical Officer</p>
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ECO Flexible Eligibility Statement of Intent	To administer the ECO Flexible Eligibility Statement of Intent.	Service Director, Head of Housing, Housing Standards and Adaptations Manager Other Officers: Sustainable Warmth Officer
Housing Options and Homelessness	To undertake all functions including those under legislation in response to the administration of the social housing waiting list, preventing and relieving homelessness and providing emergency temporary accommodation.	Service Director, Head of Housing, Housing Options and Homelessness Manager
The allocation of Social Housing	To administer the social housing waiting list in accordance with the approved Cheshire East Common Allocations Policy pursuant to: <ul style="list-style-type: none"> – Housing Act 1996 (Part VI) – Localism Act 2011 	Service Director, Head of Housing, Housing Options and Homelessness Manager, Homechoice and Prevention Team Leader, All officers of the Housing Options service

<p>The Prevention and Relief of Homelessness</p>	<p>To undertake all associated duties in relation to the prevention and relief of homelessness pursuant to:</p> <ul style="list-style-type: none"> – Housing Act 1996 (Part VII) – Homelessness Act 2002 – Homelessness Reduction Act 2017 – Localism Act 2011 – Homelessness Code of Guidance for Local Authorities 	<p>Service Director, Head of Housing, Housing Options and Homelessness Manager, Homeless Relief Team Leader, Homechoice and Prevention Team Leader, All officers of the Housing Options service</p>
<p>Homelessness and Rough Sleeper Strategy</p>	<p>To undertake a Homelessness Review to inform the development and formulation of a Homelessness Strategy in pursuant to:</p> <ul style="list-style-type: none"> – Homelessness Act 2002 – Homelessness Reduction Act 2017 	<p>Service Director, Head of Housing, Housing Options and Homelessness Manager, Housing Options Policy Lead, Housing Options Policy Officer</p>

To provide emergency accommodation	<p>To provide temporary accommodation to people who are homeless and in priority need, pursuant to:</p> <ul style="list-style-type: none"> – Homelessness Act 2002 – Homelessness Reduction Act 2017 	<p>Service Director, Head of Housing, Housing Options and Homelessness Manager, Homelessness Relief Team Leader, Housing Support Team Leader, All officers of the Housing Options service</p>
Housing Related Support Contracts	<p>To commission the provision of both accommodation-based housing support and floating support, undertake contract monitoring and address any issues of poor performance.</p> <p>Administration of the Single Point of Access.</p>	<p>Service Director, Head of Housing, Housing Options and Homelessness Manager, Accommodation supply team lead</p>

Duty to Refer	<p>To provide a mechanism for and a response to all agencies required to undertake the duty to refer households who are homeless or at risk of homelessness, pursuant to:</p> <ul style="list-style-type: none"> – Homelessness Act 2002 – Homelessness Reduction Act 2017 	Service Director, Head of Housing, Housing Options and Homelessness Manager, Homelessness relief team leader
Illegal Eviction	<p>To exercise the Council's powers under the protection from Eviction Act 1977(strengthened by the Housing Act 1988.)</p> <p>This includes prosecution of landlords.</p>	Service Director, Head of Housing, Housing Options and Homelessness Manager, Homechoice and prevention team leader

Type of Activity	Specific Function or Decision Making	Officer Responsible for that Function
<u>Economic Development</u>		
Development and Regeneration	To manage and deliver development and regeneration.	Service Director, Head of Service, Team Leader/Manager.
	To deliver development projects including delivery of major housing and employment and regeneration sites.	Service Director, Head of Service, Team Leader/Manager.
	To deliver strategies to enhance major towns and promote economic development and investment to enable business growth	Head of Service, Team Leader/Manager.
	To develop and deliver a strategy which maximises the financial returns the council makes from its assets whilst supporting the strategic objectives of the Council.	Service Director, Head of Service, Team Leader/Manager.

	To develop and deliver effective strategies and plans that support the regeneration, growth and development of the whole Borough.	Service Director, Head of Service, Team Leader/Manager.
	To manage delivery of the Council's Economic Growth Strategy, through innovation and major economic growth initiatives, business engagement; and creating investment and business growth opportunities.	Service Director, Head of Service, Team Leader/Manager.
	To bid for and manage capital and revenue regeneration programmes and external funding in accordance with the funders rules and regulations, and the financial regulations of the council to achieve to support the delivery effective strategies plans and projects.	Service Director, Head of Service, Team Leader/Manager.
	To commission and contract manage all professional services required to enable the successful delivery of the major programmes allocated to the service in compliance with the council's rules and procedures.	Head of Service, Team Leader/Manager.

	To support the promotion of Technology and Energy strategies across Cheshire East and the wider sub region.	Head of Service, Team Leader/Manager.
	To provide appropriate, timely and impartial advice to senior officers and members of the council in relation to the delivery of projects and programmes allocated to the service.	Head of Service, Team Leader/Manager.
Business and Growth, Inward Investment and Skills	To manage and deliver business growth, inward investment.	Service Director, Head of Service, Team Leader/Manager.
Major Projects – Priority Sectors	To manage and deliver major projects and to support third party projects that benefit the economic growth of the borough and the Councils economic growth strategy, including Handforth Garden Village and South Macclesfield Development Area.	Service Director, Head of Service, Team Leader/Manager, Principal Officer, Senior Officer in consultation with Heads of Service and other service leads.

Connecting Cheshire	<p>To manage and deliver the Connecting Cheshire Programme, for Cheshire, Warrington and Halton or any successor geography. To support the strategies, funding opportunities and delivery programmes to provide digital connectivity solutions to premises that are outside of mainstream and national contracts.</p>	<p>Service Director, Head of Service, Team Leader/Manager.</p>
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Type of Activity	Specific Function or Decision Making	Officer Responsible for that Function
<u>Rural & Cultural Economy</u>	<p>To ensure the effective operation of:</p> <ul style="list-style-type: none"> – Tatton Park – Green Infrastructure (including Public Rights of Way (PROW) and the Countryside Management Service) – Cultural Economy and Visitor Economy. 	
Visitor and Commercial Operations	To manage and deliver visitor and commercial Operations.	Service Director, Head of Service, Team Leader/Manager, Tatton Park Visitor and Commercial Operations Manager.
Business Support Functions at Tatton Park	To manage and deliver business support functions at Tatton Park.	Service Director, Head of Service, Team Leader/Manager, Tatton Park Business Support Manager.

Business Development at Tatton Park	To manage and deliver business development at Tatton Park.	Service Director, Head of Service, Team Leader/Manager, Tatton Park Business Development Manager.
Catering facility at Tatton Park	To manage and deliver catering facilities at Tatton Park.	Service Director, Head of Service, Team Leader/Manager, Tatton Park Visitor and Commercial Operations Manager, Tatton Park Enterprises Ltd
Countryside Management and Public Rights of Way	To manage the countryside Ranger Service, and Public Rights of Way, including determination of non-contentious Public Path Order and Definitive Map Modification Order applications.	Service Director, Head of Service, Team Leader/Manager, Green Infrastructure Manager, Public Rights of Way Manager.

Arts Programme, Museums, Theatres etc	<p>To manage the:</p> <ul style="list-style-type: none"> – Arts Programme – Youth Theatre – Silk Heritage Museum Trust – Lyceum Theatre – County Archives Service – Cultural Framework – Commissioning and – Cultural Events Strategy 	Service Director, Head of Service, Team Leader/Manager, Cultural Economy Manager
CEC Visitor Economy & wider CEC Events Strategy	To manage and deliver Cheshire East Council's Economy & wider CEC Events Strategy.	Service Director, Head of Service, Team Leader/Manager, Visitor Economy Development Manager

Type of Activity	Specific Function or Decision Making	Officer Responsible for that Function
<u>Estates</u>	<p>To ensure the effective operation of services within Estates namely:</p> <ul style="list-style-type: none"> – Facilities Management – Property Management – Capital Property Projects – Acquisitions and Disposals – Property related activities on third party owned land and Farms. 	
Facilities Management	<p>To include facilities management of all Cheshire East owned property, or third-party own property as contracted to do so (including procurement, tendering and contract management).</p>	<p>Service Director, Head of Service, Team Leader/Manager</p>

Property Services	<p>To include estate management of all Cheshire East owned land and property (including procurement, tendering and contract management) and all property transactions, including all property related activities and transactions on third party owned land, and all acquisitions and disposals of land and property.</p> <p>All such activity to be undertaken in accordance with the council's financial rules, policies, procedures and member decision making rules in the constitution.</p>	Service Director, Head of Service, Team Leader/Manager
	<p>To include considering, negotiating and settling any CPO related transactions and Part 1 Land Compensation Act 1973 claims that the Council receives in relation to highway/public works schemes.</p>	Service Director, Head of Service, Team Leader/Manager
Property Projects	<p>To include management of construction related capital projects, (including procurement, tendering and contract management) on Cheshire East owned land and property specified via a Work Package Instruction or Authority to Let.</p> <p>All such activity to be undertaken in accordance with the council's financial rules, policies and procedures.</p>	Service Director, Head of Service, Team Leader/Manager

<p>County Land Agent functions</p>	<p>To include management of Cheshire East owned farms land and property including acquisitions and disposals, new lettings, review of rents, service of contractual and statutory notices, grant of Landlord consents, negotiation and settlement of contractual claims and proceedings, granting and amending wayleaves/easements and rights associated with properties within the farms portfolio.</p> <p>All such activity to be undertaken in accordance with the council's financial rules, policies, procedures and member decision making rules in the constitution.</p>	<p>Service Director, Head of Service, Team Leader/Manager, County Land Agent</p>
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Type of Activity	Specific Function or Decision Making	Officer Responsible for that Function
<u>Planning and Environment</u>		
<u>Neighbourhood Services</u>	<p>This Directorate delivers the following services:</p> <ul style="list-style-type: none"> – Libraries – Leisure Services – Antisocial Behaviour – Community Enforcement. 	Director of Planning and Environment
Libraries	To deliver the council's library service.	Library Services Team
Leisure Services	To have responsibility for leisure services including management of leisure centres and delivery of a range of health and wellbeing programmes.	Everybody Health and Leisure Trust
Antisocial Behaviour	To exercise community safety responsibilities and authorisation of action in connection with the Authority's duties under Section 17 of the Crime and Disorder Act 1998 and their service specific enforcement policy.	Anti-Social Behaviour (ASB) Team working with partnership agencies (e.g. police.)

Antisocial Behaviour (cont.)	To exercise all relevant powers and take enforcement action where appropriate under the Anti-Social Behaviour Crime and Policing Act 2014 i.e. Injunctions, Criminal Behaviour Orders, Closure Notices and Orders, Public Spaces Protection Orders and Community Protection Notices.	Anti-Social Behaviour (ASB) Team working with partnership agencies (e.g. police) in conjunction with the Governance Compliance and Monitoring Officer.
	To resolve to prosecute persons found in breach of a Cheshire East Council issued Notice, Order or Court Order relating to anti-social behaviour (ASB) matters.	ASB and Community Enforcement Manager In consultation with the Governance Compliance and Monitoring Officer.
Community Enforcement Team	To undertake investigations in relation to a number of environmental and ASB matters as listed in main below and in line with their service specific enforcement policy.	Community Enforcement Team
Removal and enforcement of abandoned vehicles Refuse Disposal (Amenity) Act 1978 as amended by section 10 Clean Neighbourhoods and Environment Act 2005.	To exercise the council's duty to investigate and where applicable, remove abandoned vehicles from land in the open air (including private land) and roads (including private roads.) This also includes serving relevant notices, disposing of the said vehicles if necessary, claiming fixed costs and where applicable issuing fixed penalty notices/referring for prosecution	Community Enforcement Team

<p>Exposing vehicles for sale on a road.</p> <p>Clean Neighbourhoods & Environment Act 2005</p>	<p>To exercise the council's duty to investigate 2 or more vehicles for sale on the highway by the same vendor/person at any one time. Taking relevant enforcement action where applicable which could include the issuing of a fixed penalty notice or referring for prosecution where applicable.</p>	<p>Community Enforcement Team</p>
<p>Repairing vehicles on a road</p> <p>Clean Neighbourhoods & Environment Act 2005</p>	<p>To exercise the council's duty to investigate restricted work to vehicles on the highway that are not part of an emergency repair. Taking relevant enforcement action where applicable which could include the issuing of a fixed penalty notice or referring for prosecution where applicable.</p>	<p>Community Enforcement Team</p>
<p>Littering, Fly tipping and other waste offences. (Environmental Protection Act 1990 and Clean Neighbourhoods & Environment Act 2005.)</p>	<p>To exercise the council's powers to deal with littering and waste issues including public or private fly tipping ('illegal deposit of any waste onto land that has no licence to accept waste') in line with its service specific enforcement policy.</p>	<p>Community Enforcement Team</p>
<p>Dog fouling and Dog control</p> <p>Anti-Social Behaviour Crime and Policing Act 2014</p>	<p>To exercise the council's powers to deal with dog fouling and dog control under its relevant Public Spaces Protection Order (PSPO) including issuing fixed penalty notices.</p>	<p>Community Enforcement Team</p>

Powers under the ASB Crime and Policing Act 2014	To exercise the council's powers to deal with any of the above matters either within the Community Enforcement Team or working alongside the ASB Team to deal with Environmental/ASB matters by means of: Civil injunction, Criminal Behaviour Order, Community Protection Notice, Closure notice or any other relevant power or amendment within this legislation where applicable and in line with its services specific enforcement policy.	Community Enforcement Team
Stray dogs Environmental Protection Act 1990	To exercise the council's powers in relation to the seizure and kennelling of stray dogs.	ASB and Community Enforcement Manager (via external contract.)

Type of Activity	Specific Function or Decision Making	Officer Responsible for that Function
<u>Environmental Services</u>	<p>This Directorate delivers the following services:</p> <ul style="list-style-type: none"> - Waste Policy Strategy and Contracts - Greenspace Development - Bereavement Services - Energy and Carbon Strategy - Business process and Customer care - Waste Collection - Greenspace Management - Fleet Management - Markets 	<p>Head of Environmental Services</p> <p>Head of Environmental Services Operations</p>

Waste Management	To manage the disposal of municipal waste and, if requested, of commercial and industrial waste (under the Environmental Protection Act 1990 'EPA').	Head of Environmental Services
	To manage the collection of municipal waste and, if requested, of commercial and industrial waste (under the Environmental Protection Act 1990 'EPA').	Head of Environmental Services Operations
	To charge for collection of certain items of household waste, subject to the Controlled Waste (England and Wales) Regulations 2012.	Head of Environmental Services
	To require waste to be collected in receptacles of a specified kind and number.	Head of Environmental
	To comply with the Waste Framework Directive 2008 which sets the basic concepts and definitions related to waste management, such as definitions of waste and recycling and a legally-binding five step waste hierarchy.	Head of Environmental

Waste Management (cont.)	<p>To undertake assessments to ascertain whether separate collections are required where they are technically, environmentally and economically practicable (TEEP) and appropriate to meet the necessary quality standards for the relevant recycling sectors.</p> <p>This determines the Council's route and justifies comingled collection if chosen.</p>	Head of Environmental Services
	<p>To manage Civic Amenity Household Waste Recycling Centres in accordance with statutory responsibilities for disposal authorities Environmental Protection Act 1990.</p>	Head of Environmental Services
	<p>To manage and remain compliant with the Council's fleet licence and maintain the Council fleet.</p>	Head of Environmental Services Operations

Waste Management (cont.)	To hold and maintain the Councils Environmental Waste permits ensuring sufficient technically competent management cover to undertake waste operations.	Head of Environmental Services Operations
Fly tipping	To assess and remove fly tipping and discharge all other Council responsibilities related to this in accordance with government guidance etc (operational only-enforcement dealt with by Neighbourhoods - please see above.)	Head of Environmental Services Operations
Fly posting	To remove fly posting from public buildings and street furniture.	Head of Environmental Services Operations
Street cleansing	Sweeping roads, pavements and public land.	Head of Environmental Services Operations
Greenspace Management	To manage development of the Council's Parks, Playing fields, Cemeteries and open spaces.	Head of Environmental Services

Greenspace Management (cont.)	To maintain the Council's parks and open spaces.	Head of Environmental Services Operations
Bereavement Services	To deliver bereavement services.	Head of Environmental Services
Energy and Carbon Strategy	To deliver the Council's Energy and Carbon Strategy, pledging to make the entire Borough carbon neutral by 2045.	Head of Environmental Services through Carbon Manager
Markets	To manage the Council's Markets.	Head of Environmental Services Operations
Emergency Planning	To be the Council's lead on the Emergency Planning Team which is a service shared with Cheshire West and Chester.	Director of Planning and Environment

Type of Activity	Specific Function or Decision Making	Officer Responsible for that Function
<u>Regulatory Services</u>	<p>This section of the Place Directorate delivers the following services:</p> <ul style="list-style-type: none"> – Environmental Protection – Commercial Services – Animal Health and Welfare – Trading Standards – CCTV – Licensing 	<p>Director of Planning and Environment</p>

Environmental Protection	<p>To exercise the Council's functions in respect of environmental protection matters.</p> <p>Delivering the following services:</p> <ul style="list-style-type: none"> – Air Quality – Contaminated Land – Pest Control – Prevention of Damage by Pests – Environmental Health – Public Health – Scrap Metal Dealer Licensing – Public Funerals – Statutory Nuisance – Environmental Permitting – Private Water Supplies 	<p>Head of Regulatory Services with further delegation to Environmental Protection Team Leader (EPTL.)</p>
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<p>Air Quality</p> <p>(Note: The Local Air Quality Management Framework underpinned by the Environment Act 1995 prescribes air quality standards and objectives through the Air Quality (England) Regulations 2000 (as amended in 2002).</p>	<p>To have regard to the Government's Air Quality Strategy Framework for Local Authority delivery when exercising public functions that could affect air quality.</p> <p>To assess local air quality against relevant air quality standards and objectives, identify any exceedance and implement actions in accordance with the Local Air Quality Management regime.</p>	<p>EPTL</p>
<p>Contaminated Land</p>	<p>To inspect land in the Council's area and identify any areas that could be defined as statutory 'contaminated land'.</p> <p>To ensure when land is contaminated, that it is remediated to reduce or remove risks to people and the environment.</p>	<p>EPTL</p>
<p>Filthy and verminous premises</p>	<p>To take action to cleanse filthy (prejudicial to health) and verminous (infested by rats, mice and insects including insect eggs) premises under section 83 Public Health Act 1936.</p>	<p>EPTL</p>

Prevention of damage by pests	To discharge the Council's duty to take such steps as may be necessary to secure as far as practicable that the district is kept free from rats and mice and to exercise other powers under the Prevention of Damage by Pests Act 1949.	EPTL
Environmental Health	To exercise the Council's functions in respect of environmental health matters.	Head of Regulatory Services
	To appoint and designate officers as inspectors, or authorised officers in respect of the appropriate legislation.	Director of Planning and Environment
	To exercise the power to issue and sign notices and orders in respect of environmental health matters and to take all other necessary steps to discharge the Council's enforcement powers in this area.	Head of Regulatory Services with delegation to suitably qualified officers.
Scrap Metal Dealer Licensing (Scrap Metal Dealers Act 2013)	To licence scrap metal dealers and collectors and enforce the licensing regime, alongside relevant enforcement partners.	Head of Regulatory Services (Officers issue licences, Licensing Committee deals with removals, refusals, and appeals.)

Public Funerals	<p>To authorise the granting of exclusive rights of burial, exhumations and pauper's burials.</p> <p>To authorise Public Health funerals under the Public Health (Control of Diseases) Act 1984.</p>	EPTL
<p>Statutory Nuisance</p> <p>(Section 79 Environmental Protection Act 1990 'EPA').</p>	<p>To discharge the Council's statutory duties under the EPA and investigate complaints about issues that could be a 'statutory nuisance' e.g. noise from premises, odours from business premises.</p> <p>To serve abatement notices and take enforcement action-carrying out work in default and charging the relevant person etc.</p>	EPTL
<p>Environmental Permitting</p> <p>(Environmental Permitting (England and Wales) Regulations 2016)</p>	<p>To exercise the Council's regulatory responsibility for the environmental permitting regime including granting and revoking licences, enforcement and maintaining a public list of such permits.</p>	EPTL

Private Water Supplies	<p>To ensure that private water supplies are subject to a risk assessment and to assess the quality of water by means of a sampling regime.</p> <p>To exercise powers under relevant regulations to require that a supply is improved.</p> <p>To discharge the council's duty to use enforcement powers (including the Council carrying out works at cost to relevant person) if a person fails to carry out improvement works in accordance with the council's action plan.</p>	EPTL
Commercial Services	<p>Delivering the following services:</p> <ul style="list-style-type: none"> – Food Safety – Health and Safety – Environmental Health – Public Health – Caravan Site Licensing 	Head of Regulatory Services with further delegation to Commercial Services Team Leader (CSTL.)
Food Safety (Hygiene)	<p>To educate, advise, guide, send warning letters, issue formal cautions, improvement and emergency prohibition notices or prosecutions in relation to safe food handling to seek to avoid food-related illness and dangers.</p> <p>This includes responsibility for food hygiene and the delivery of official controls.</p>	<p>Head of Regulatory Services with delegation to suitably qualified officers.</p> <p>Working with the Food Standards Agency.</p>

<p>Health and Safety (external)</p> <p>(Health and Safety at Work Act 1974 etc. - covers occupational health and safety.)</p> <p>(Responsibilities are set through the Enforcing Authority Regulations 1998)</p>	<p>To ensure compliance with legislation and enforcing as necessary via prosecution, identifying and mitigating risks to ensure safe working practices and environments, advising businesses and promoting a culture of safety at work (including health and well-being) and good practice.</p>	<p>Head of Regulatory Services with delegation to suitably qualified officers.</p> <p>Working with Health and Safety Executive (HSE.)</p>
<p>Communicable Disease</p>	<p>To deal with notifiable incidents of communicable disease including food poisoning.</p>	<p>CTSL</p> <p>UK Health Security Agency</p>
<p>Caravan Site Licensing</p>	<p>To discharge statutory duties which include assessing fit and proper person applications, publishing/maintaining a public register of said persons and fees policy, issuing licences (with conditions if necessary) inspecting caravan and motor home sites and investigating complaints.</p>	<p>CSTL</p>

Animal Health and Welfare	<p>To discharge the Council's statutory responsibilities under the Animal Health and Welfare Framework covering:</p> <ul style="list-style-type: none"> – Farmed animals – Animal Welfare Licensing – Feed hygiene <p>This includes identifying high risk businesses and activities on an annual basis, sharing intelligence, ensuring staff are suitably trained and qualified, completing statutory data returns in a timely manner and having an up-to-date animal disease contingency plan.</p>	Head of Regulatory Services with further delegation to Animal Health and Welfare Team Leader (AHWTL.)
	To appoint and designate officers as inspectors, or authorised officers in respect of the appropriate legislation.	Director of Planning and Environment
	To respond to complaints about animal welfare on farms.	AHWTL

Trading Standards	<p>To exercise the council's functions with regard to trading standards.</p> <p>Delivering the following services:</p> <ul style="list-style-type: none"> – Advising and enforcing laws that govern how we buy, sell, rent and hire goods and services – Food Standards (composition and labelling, food fraud) – Consumer and product safety – Intellectual Property – Fair Trading, Weights and Measures 	Head of Regulatory Services with further delegation to Trading Standards and Community Protection Manager (TSCPM.)
	To appoint and designate officers as inspectors, sampling officers or authorised officers in respect of the appropriate legislation.	Director of Planning and Environment
	To educate, advise, guide, send warning letters, issue formal cautions, improvement notices or prosecutions in relation to safe food standards.	Head of Regulatory Services with delegation to suitably qualified officers.

Trading Standards (cont.)	<p>To grant, amend, refuse, suspend and transfer licenses or certificates.</p> <p>To include the issue of General Safety Certificates for admitting spectators to any regulated sports grounds or stands on behalf Cheshire East Council as certifying authority, as required under the Safety of Sports Ground Act 1975 (as amended by the Fire Safety and Safety of Places of Sport Act 1987).</p> <p>To appoint and designate officers as authorised officers to monitor compliance with the conditions of a General Safety Certificate.</p>	Head of Regulatory Services
	To register persons or premises, pursuant to legislation made in relation to the above areas.	TSCPM
	To apply for warrants, to seize and detain goods and documents and carry out test purchases of goods and services relating to trading standards.	Head of Regulatory Services with delegation to suitably qualified officers.

Trading Standards (cont.)	To be the officer to take particular actions in their own name and to charge people at police stations. (This applies in rare cases where a defendant has been arrested and is considered a potential flight risk. Custody Sergeant will then agree to charge that defendant as opposed to bailing them.)	Head of Regulatory Services with delegation to suitably qualified officers.
	To personally or, where legislation requires it, through the Trading Standards Manager, authorise suitably qualified members of staff in the Trading Standards Service to carry out enforcement functions as authorised officers under trading standards, consumer and related legislation.	Director of Planning and Environment
	To utilise powers provided by the Proceeds of Crime Act 2002 (POCA).	Accredited Financial Investigator (NB Officers must be accredited by the National Crime Agency as Financial Investigators.)

CCTV	To exercise and oversee the Council's powers and duties relating to CCTV and adhere to Regulation of Investigatory Powers Act 2000 (RIPA) and any other relevant legislation and guidance.	Head of Regulatory Services with further delegation to Trading Standards and Community Protection Manager.
Licensing	<p>To carry out all licensing functions other than any specifically delegated to other Directors.</p> <p>Delivering the following services:</p> <ul style="list-style-type: none"> – Alcohol, Entertainment, and Late-Night Refreshment – Hackney Carriage and Private Hire – Gambling – Street Trading – Sex Establishments – Charitable Collections 	Head of Regulatory Services with further delegation to Licensing Team Leader (LTL.)
	To determine and issue licences and permits to individuals, businesses and other organisations, on the proviso that contested matters must be submitted to the Licensing Committee or Sub-committee in accordance with provisions in the constitution and any formally approved policies including Statement of Licensing Policy, Statement of Gambling Principles etc	LTL

Licensing (cont.)	To investigate complaints in relation to licensing matters including non-compliance with licensing conditions and to take appropriate enforcement action (which could include immediate suspension of a licence).	LTL
Prosecution	To prosecute or institute other relevant legal action for enforcement of legislation exercisable by Regulatory Services.	Head of Regulatory Services in consultation with the Governance Compliance and Monitoring Officer.
Planning Services		
<p><i>(The following delegations do not include the final determination of matters reserved to Strategic Planning Board or Planning Committee and the Nominated Officer should not take the final, substantive decision regarding any matter for which they have acted as case officer. The powers delegated are wide and inclusive and are not listed by reference to each and every statute, function or regulation and include all those Council functions set out in the Local Authorities (Functions & Responsibilities)(England) Regulations 2000 in respect of the following types of activities listed at A – N below and subject to compliance with the Constitution, any relevant provisions of the Financial Regulations and any legal requirements.)</i></p>		
Type of Activity	Specific Function or Decision Making	Nominated Officer Responsible for that Function
	This service area delivers: -Development Management Services -Building Control -Planning Systems -Strategic Planning	

A. GENERAL		
	To exercise any function that has not been specifically delegated below in relation to the Council's role as a local planning authority.	Director of Planning and Environment
	To authorise rights of entry provided for under sections 196A-196C, 324, 214(b) and (c) of the Town and Country Planning Act 1990 ('1990 Act') sections 88-88C Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended).	Head of Planning
B. ENFORCEMENT	Enforcement powers include but are not limited to:	
1.	To issue, serve and withdraw-Discontinuance Notices (s102 of the 1990 Act), Enforcement Stop Notices (s183(1) 1990 Act), Temporary Stop Notices (s171E 1990 Act) and s44AA Planning (Listed Buildings and Conservation Areas) Act 1990).	Head of Planning, Planning & Enforcement Manager
2.	To issue, serve and withdraw Planning Contravention Notices (s171C 1990 Act), Enforcement Warning Notices (s172ZA 1990 Act) and Notices under s330 1990 Act and s16 of the Local Government (Miscellaneous Provisions) Act 1976.	Head of Planning, Planning & Enforcement Manager, Planning Enforcement Team Leader, Principal Planning Officer (Enforcement)
3.	To issue, serve and withdraw Breach of Condition Notices (s187A 1990 Act), Enforcement Notices (s172 1990 Act) and Listed Building Enforcement	Head of Planning, Planning & Enforcement Manager, Planning Enforcement Team Leader

	Notices (s38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)).	
4.	To issue and serve Notices requiring the proper maintenance of land adversely affecting the amenity of the area (s215 1990 Act).	Head of Planning, Planning & Enforcement Manager, Planning Enforcement Team Leader
5.	To authorise prosecution proceedings for all offences under the 1990 Act, Planning (Listed Buildings and Conservation Areas Act 1990 and s16 of the Local Government (Miscellaneous Provisions) Act 1976 in consultation with the Compliance Governance and Monitoring Officer.	Head of Planning, Planning & Enforcement Manager
6.	To determine not to take any form of enforcement action where it is considered NOT to be expedient to do so having regard to the development plan and any other material planning considerations.	Head of Planning, Planning & Enforcement Manager, Planning Enforcement Team Leader, Principal Planning Enforcement Officer
7.	To determine to take enforcement action in relation to breaches of s106 of the 1990 Act obligations, and to decide NOT to take action to enforce obligations. To initiate formal legal action to secure compliance with obligations in consultation with the Compliance Governance and Monitoring Officer.	Head of Planning
8.	To make applications for and enforce injunction(s) (s187B 1990 Act), (Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and taking direct action, in	Director of Planning and Environment, Head of Planning, Planning & Enforcement Manager

	consultation with the Compliance Governance and Monitoring Officer.	
9.	To take appropriate action (whether prosecution, injunction proceedings or other enforcement action) under Part 8 Chapter 3 of the 1990 Act in respect of the unauthorised display of an advertisement in consultation with the Compliance Governance and Monitoring Officer, and/or require discontinuance of an advertisement display under regulation 8 the Town and Country Planning (Control of Advertisements) Regulations 2007.	Head of Planning, Planning & Enforcement Manager
10.	To serve a Building Preservation Notice, and related powers (sections 3(1) and 4(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).	Head of Planning, Planning & Enforcement Manager
11.	To take action in response to listed building purchase notices served on the Council (section 33 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.)	Head of Planning, Planning & Enforcement Manager
C. LISTED BUILDINGS and CONSERVATION AREAS		
1.	To determine and make decisions in connection with applications and all forms of consent, notices and other notifications submitted under the Planning (Listed Buildings and Conservation Areas) Act 1990.	Head of Planning, Planning & Enforcement Manager, Team Leader, Principal Planning Officer

2.	To exercise duties relating to applications for listed building consent (s13(1), s14 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and regulations 3 to 6 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 and the Arrangements for Handling Heritage Applications Direction 2021.	Head of Planning, Planning & Enforcement Manager, Team Leader, Principal Planning Officers
3.	To determine applications for variation of a condition imposed on a grant of Listed Building Consent (s19 Planning (Listed Buildings and Conservation Areas) Act 1990).	Head of Planning, Planning & Enforcement Manager, Team Leader, Principal Planning Officers
4.	To revoke or modify a listed building consent or conservation area consent (s23 Planning (Listed Buildings and Conservation Areas) Act 1990).	Head of Planning, Planning & Enforcement Manager, Team Leader
5.	To acquire a listed building in need of repair and to serve a repairs notice- s47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).	Director Planning & Environment, Head of Planning
6.	To submit applications to the Secretary of State for Scheduled Monument Consent to carry out minor works of repair and minor alterations to Council owned buildings (Ancient Monuments and Archaeological Areas Act 1979.)	Head of Planning, Planning & Enforcement Manager
7.	To issue and serve Urgent Works and Repair Notices in respect of Listed Buildings in cases of	Head of Planning, Planning & Enforcement Manager, Strategic

	urgency. Power to execute urgent works - s54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).	and Environmental Planning Manager
D. PLANNING APPLICATIONS, PRIOR APPROVALS, OTHER RELATED APPLICATIONS, ADVERTISEMENTS, SUBMISSIONS AND MISCELLANEOUS	To determine, and to make decisions in connection with the determination of, all forms of planning and other applications, and all forms of consent and other notifications and make recommendations to the Strategic Planning Board or relevant Planning Committee for the determination of applications submitted under the Town and Country Planning Act 1990 Act (as amended) and related legislation including not limited to the following:	
1.	To determine applications for planning permission pursuant to sections 70(1)(a) and (b) and 72 of the 1990 Act, except for the minerals, aggregates, cement and waste applications described at section 1 of Schedule 1 of the 1990 Act, including conditions as appropriate.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
2.	To determine applications to develop land without compliance with conditions previously attached, pursuant to s 73 of the 1990 Act.	Head of Service, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
3.	To determine applications for planning permission for development already carried out pursuant to s73A of the 1990 Act, including conditions as appropriate.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers

4.	To decline to determine application for planning permission pursuant to s70A of the 1990 Act.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
5.	To exercise duties relating to the requirements for and making of determinations of planning applications (sections 69, and 92 of the 1990 Act and the Town and Country Planning (General Development Procedure) Order 2015 and directions made thereunder.)	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
6.	To determine applications for planning permission made by a local authority, alone or jointly with another person (s316 of the 1990 Act and the Town and Country Planning General Regulations 1992).	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
7.	To make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights pursuant to the Town and Country Planning (General Permitted Development) (England) Order 2015).	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
8.	To determine all matters concerning certificates of lawfulness of existing use or certificates of lawfulness of proposed use or development (s191 and s192 of the 1990 Act)	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
9.	To determine applications for the discharge of details required by a condition imposed on the grant of Planning Permission.	All Planning Officers (<u>only exception when an officer is the case officer</u>)

10.	To revoke/modify planning permission pursuant to s97 1990 Act.	Head of Planning, Planning & Enforcement Manager, Team Leaders
11.	To serve a completion notice pursuant to s94(2) 1990 Act.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
12.	To determine applications for non-material amendments (s96A 1990 Act) to proposals which have been previously approved under the provisions of the 1990 Act.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
13.	To exercise all functions of the Council in respect of applications for development consent for Nationally Significant Infrastructure Projects made to the Examining Authority under the provisions of the Planning Act 2008.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers (Significant NSIPs within the Borough will be referred to Committee)
14.	To determine applications for Certificates of Appropriate Alternative Development under s17 Land Compensation Act 1961.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
15.	To make and confirm and withdraw Article 4 directions restricting or removing permitted development rights - Town and Country Planning	Head of Planning, Planning & Enforcement Manager.

	(General Permitted Development) (England) Order 2015.	
16.	To make changes to planning conditions approved at the Strategic Board or Planning Committee in light of changing circumstances between the meeting and issue of decision (provided in line with the principles of Board or Committee's decision).	Head of Planning, Planning and Enforcement Manager in consultation with relevant Chair of committee
17.	To take action in response to purchase notices served on the Council (s137 of the 1990 Act.), blight notices served on the Council (s150 of the 1990 Act.)	Head of Planning, Planning & Enforcement Manager,
18.	To respond to consultations from neighbouring local planning authorities on planning applications and consultations on proposed changes to relevant legislation or national guidance.	Head of Planning, Planning & Enforcement Manager, Strategic and Environmental Planning Manager, Team Leaders
19.	<p>To deal with all types of appeal and their format – present and defend the Council's case in any appeal made against planning decisions including appeals against non-determination and enforcement appeals.</p> <p>To set out the position of the Local Planning Authority in respect of an appeal against non-determination of a planning application (that would fall within the scheme of delegation) as it would have determined the application if it had been able</p>	<p>Head of Planning, Planning and Enforcement Manager, Team Leaders to liaise with relevant Chair of Committee as appropriate.</p> <p>Individual case officers will defend appeals subject to discussion with above.</p> <p>Discussion with the Compliance Governance and Monitoring</p>

	<p>to (in consultation with the Compliance Governance and Monitoring Officer)</p> <p>In appeals in which the advice of the Compliance Governance and Monitoring Officer is that that the specific reasons for refusal are unreasonable and/or likely to undermine or weaken the Council's case; in consultation with the Chair of the Strategic Planning Board or Planning Committee agree to amend/remove reasons for refusal relating to appeals where the application has been decided by the Strategic Board or Planning Committee or by officers under the scheme of delegation.</p>	Officer where appropriate on defending reasons for refusal and liaison with relevant Chair of Committee as appropriate.
E. HAZARDOUS SUBSTANCES		
1.	To deal with all aspect of Hazardous Substances consent including the power to determine applications, revocation for hazardous substances consent, and related powers (s 9(1),10 and 14 of the Planning (Hazardous Substances) Act 1990.	Head of Planning, Planning and Enforcement Manager, Team Leaders, Principal Planning Officers
2.	To serve hazardous substances contravention notices under s24 of the Planning (Hazardous Substances) Act 1990.	Head of Planning, Planning and Enforcement Manager, Enforcement Team Leader
F. ENVIRONMENTAL STATEMENTS (EIA)		

1.	To decide on the need for Environmental Impact Assessment (EIA) and the extent of an Environmental Statement, including the provision of a screening opinion and scoping opinion in connection with any planning application and to agree any necessary subsequent updates to such environmental information.	Head of Planning, Planning and Enforcement Manager, Team Leaders, Principal Planning Officers
G . JUDICIAL REVIEWS		
1.	To institute and defend Judicial Reviews and Statutory challenges in consultation with the Compliance Governance and Monitoring Officer.	Head of Planning, Planning & Enforcement Manager
H . TREES AND WOODLANDS		
1.	To exercise powers relating to the preservation of trees (Sections 197 to 214D of the 1990 Act and the Town and Country Planning (Tree Preservation) (England) Regulations 2012) including applications for and confirmation of Tree Protection Orders, variation or modification to existing orders and to make such tree preservation orders under s198 1990 Act as appear necessary.	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader, Principal Arboriculture Officer, Principal Arboriculture Officer (Tree Risk) Subject to the decision regarding confirmation of a Tree Preservation Order shall be referred up to the Head of Planning if any objections have

		been received (with ability to refer to Committee where appropriate.)
2.	To revoke Tree Preservation Orders except where objections are received (Town and Country Planning (Tree Preservation) (England) Regulations 2012) and Schedule 1 paragraph 13 1990 Act.	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader
3.	To resolve not to confirm Tree Preservation Order.	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader
4.	To determine applications for works to trees covered by Tree Preservation Orders and decide upon notifications made of proposed works to trees in conservation areas.	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader, Principal Arboricultural Officers
5.	To issue tree replacement notices and take legal action and/or action in default for any failure to comply.	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader, Principal Arboricultural Officers, Planning Enforcement Team Leader in consultation with the Compliance Governance and Monitoring Officer.
6.	To investigate and take legal action in respect of any action or contravention of a Tree Preservation	Head of Planning, Strategic and Environmental Planning

	Order or unlawful works to trees in a conservation area.	Manager, Arboriculture & Ecology Team Leader, Principal Arboricultural Officers, Planning Enforcement Team Leader in consultation with the Compliance Governance and Monitoring Officer.
7.	To authorise an application and apply for an injunction to restrain an actual or apprehended offence to trees under sections 210 or 211 of the 1990 Act in consultation with the Compliance Governance and Monitoring Officer.	Head of Planning, Planning & Enforcement Manager, Strategic and Environmental Planning Manager
8.	To take all actions to ensure dangerous trees are made safe and to reclaim costs pursuant to sections 23 and 24 of the Local Government (Miscellaneous Provisions) Act 1976.	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader, Principal Arboricultural Officer (Tree Risk)
9.	To exercise powers relating to the protection of important hedgerows (The Hedgerows Regulations 1997).	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader, Principal Arboriculture Officer, Principal Arboriculture Officer (Tree Risk)
10.	To exercise powers relating to complaints about high hedges (Part 8 of the Anti-Social Behaviour Act 2003) and all rights of entry provided for under section 74 of the Anti-Social Behaviour Act 2003.	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader, Principal

		Arboriculture Officer, Principal Arboriculture Officer (Tree Risk)
11.	To obtain information about interests in land and take legal action for failure to comply pursuant to s 330 1990 Act and S16 of the Local Government (Miscellaneous Provisions) Act 1967).	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader, Principal Arboriculture Officer, Principal Arboriculture Officer (Tree Risk) in consultation with the Compliance Governance and Monitoring Officer.
I. Planning Performance Agreements		
1.	To negotiate, enter into and implement Planning Performance Agreements (PPAs).	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
J. Planning Agreements		
1.	To enter into, modify, discharge or enforce planning or legal agreements securing controls over development (e.g. s106 1990 Act, Biodiversity Net Gain) or accept a unilateral undertaking in connection with a planning permission and also for planning appeals. In the event that a s106 Agreement has been entered into, thereafter to monitor and secure compliance with the planning obligation contained therein.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers (Including Principal Obligations Officer) in consultation with the Compliance Governance and Monitoring Officer.

2.	To refuse applications following a resolution to grant permission at the Strategic Board or Planning Committee if the required legal agreements are not completed by the applicant within the timeframe set out in the officer's report and provide information report to the relevant Strategic Planning Board or Planning Committee.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
3.	To make changes to s106 planning obligations approved at the Strategic Board or Planning Committee in light of changing circumstances between the meeting and issue of decision (provided in line with the principles of board or committee's decision). Any such change will be reported back to members at the next relevant Strategic Board or Planning Committee for member's information.	Head of Planning, Planning and Enforcement Manager, Team Leaders to liaise with relevant Chair of Committee as appropriate.
K. COMMUNITY INFRASTRUCTURE LEVY (CIL)		
1.	<p>In accordance with the Community Infrastructure Levy Regulations 2010 (as amended) or any relevant regulations that replace them and the requirements of the government Planning Practice Guidance relevant to the Community Infrastructure Levy (CIL):</p> <p>a. to oversee and implement the operation, enforcement and review of CIL charging schedule and all associated documents</p>	Head of Planning, Planning and Enforcement Manager, Planning Enforcement Team Leader, Principal Obligations Officer

	<p>b. to liaise with Legal Services the Compliance Governance and Monitoring Officer in respect of CIL debt recovery</p> <p>c. to prepare all required statements of evidence for the CIL Charging Authority in respect of CIL appeals</p> <p>d. to exercise rights of entry provided for under Regulation 109 of the Community Infrastructure Levy Regulations 2010 (as amended)</p> <p>e. to produce and publish reports on CIL receipts as required by the Government.</p>	
L . NEIGHBOURHOOD PLANNING		
1.	To receive, consider, publicise and determine (approve/reject) area designation requests from qualifying bodies for proposed neighbourhood development plans and neighbourhood development orders (including community right to build orders) and Neighbourhood Forum designation requests and publicise decisions made,	Head of Planning
2.	To carry out screening and if appropriate a strategic environmental assessment and habitats regulations assessment of neighbourhood development plans and neighbourhood development orders (including community right to build orders) and provide a statement of reasons for determination.	Head of Planning

3.	To receive and consider, including making comments on, final draft neighbourhood development plans and neighbourhood development orders (including community right to build orders), and to inform and invite representations from people who live, work or carry on business in the area to which the plan or order relates by appropriate advertising.	Head of Planning
4.	To select and appoint a suitably qualified and experienced person to conduct the independent examination of a neighbourhood development plan or neighbourhood development order (including a community right to build order) in agreement with the Parish or Town Council.	Head of Planning
5.	To implement referendum and 'make' the Neighbourhood Plan.	Head of Planning (in consultation with Chair of Committee)
M. BUILDING CONTROL		
1.	To determine applications for building control approval with full plans, with/without a requirement under the Building Regulations 2010 (as amended), subject to any other section of the regulations or other Act that expressly requires or authorises the rejection of such plan in certain cases.	Director, Head of Planning, Building Control Manager, Area Team Leader
2.	To exercise the power under section 8(1) of the Building Act 1984 to dispense with or relax any	Director, Head of Planning, Building Control Manager

	requirement contained within the Building Regulations 2010 (as amended.)	
3.	To issue completion certificates under Regulation 17 of the Building Regulations 2010 where satisfied, after taking all reasonable steps, that the relevant provisions have been complied with in relation to the building.	Director, Head of Planning, Building Control Manager, Area Team Leader
4.	To enter premises under section 95 of the Building Act 1984, authorising an officer or agent of the council to enter land under the aforementioned.	Director, Head of Planning, Building Control Manager, Area Team Leader, Principal Building Inspector, Building Inspector, Building control technician.
5.	To exercise local authority powers in relation to partly completed work under regulation 22 of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024.	Director, Head of Planning, Building Control Manager
6.	To receive, accept or reject, on prescribed grounds and where appropriate, various notices under Part 2 of the Building Act 1984 and the Building (Registered Building Control Approvers etc.) (England) Regulations 2024 in connection with the supervision of plans and work by registered building control approvers.	Director, Head of Planning, Building Control Manager
7.	To take appropriate enforcement action in cases where the provisions of the building regulations and other related legislation have not been complied with, including instituting proceedings in the	Director, Head of Planning, Building Control Manager

	magistrate's court under sections 35 and 36 of the Building Act 1984.	
8.	To serve notices under sections 35, 35B, 35C and 36 of the Building Act 1984, compliance notices and stop notices and the removal or alteration of offending work.	Director, Head of Planning, Building Control Manager
9.	To deal with applications and enforcement in relation to unauthorised works under regulation 18 of the Building Regulations 1984 (as amended).	Director, Head of Planning, Building Control Manager
10.	To deal with dangerous structures by acting under Section 77 of the Building Act 1984 to secure removal of the dangerous conditions in buildings or structures through an application to magistrate's court for an order to remove such danger.	Director, Head of Planning, Building Control Manager
11.	To take emergency action under section 78 of the Building Act 1984 in such cases where immediate action is necessary to remove danger.	Director, Head of Planning, Building Control Manager
12.	To serve notices under Section 81 of the Building Act 1984 relating to intended demolition of buildings or structures.	Director, Head of Planning, Building Control Manager
13.	To authorise and serve any notice or requirement under Section 59 of the Building Act 1984(Drainage of a building) and the subsequent enforcement of such notice together with recovery of expenses reasonably incurred by the council.	Director, Head of Planning, Building Control Manager

N. STREET NAMING AND NUMBERING		
1.	To determine street naming requests.	Head of Planning (in consultation with Chair of Committee)

<u>Transport and Infrastructure</u>		
<u>Strategic Transport and Parking</u>	To ensure the effective operation of services within Strategic Transport and Parking within Place, namely Parking Services and Strategic Transport and Local Transport Plan.	Director of Transport and Infrastructure (Director)
Parking Services	To be responsible for on-street and off-street car parking operations and enforcement including strategy and policy (subject to approval by the relevant committee), issuing permits and blue badges, maintenance and charges, including Penalty Charge Notices.	Director, Head of Strategic Transport and Parking, Parking Services Manager
	To manage undertaking parking reviews and consultations including managing procedures for making and/or varying Traffic Regulation Orders and/or the Cheshire East Off-Street Consolidated Parking Order.	Head of Strategic Transport and Parking, Parking Services Manager

Strategic Transport and Local Transport Plan	To draft prepare and manage the Council's Local Transport Plan as required by statute, setting out its vision for future transport and travel infrastructure.	Director Head of Strategic Transport and Parking, Policy & Strategy Manager.
	To develop design and deliver sustainable multi-model transport strategies, policies, solutions and schemes as stated in the Local Transport Plan and in accordance with relevant national guidelines and standards.	Head of Strategic Transport & Parking, Policy & Strategy Manager
	To determine local non-statutory concessions policy and administer both statutory (English National Concessionary Travel Scheme 'ENCTS') and non-statutory travel concessions (via Traffic Concession Authorities).	Head of Strategic Transport & Parking, Contracts and Performance Manager
	To identify and commission socially-necessary bus services, including demand-responsive transport services (DRT), in accordance with legislation and Council policies.	Head of Strategic Transport & Parking, Contracts and Performance Manager
	To commission, maintain, coordinate and manage local passenger transport facilities, in the role of the Passenger Transport Authority, including bus stations, shelters and timetable displays.	Head of Strategic Transport & Parking, Contracts and Performance Manager

Strategic Transport and Local Transport Plan (cont.)	<p>To represent the Council on The Cheshire East Bus Partnership-a statutory 'Enhanced Partnership' between Cheshire East Council (as the Local Transport Authority) and local bus operators to work together to improve local bus services as described in the Bus Service Improvement Plan.</p>	<p>Director Head of Strategic Transport</p>
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<p><u>Rail and Transport Integration</u></p>	<p>To lead the council's role in working with relevant partners to establish the Crewe 360 Hub as a substantial development opportunity in the region, leveraging public and private sector investment to kick-start wider regeneration and development. The Crewe 360 Hub programme will:</p> <ul style="list-style-type: none"> • Establish a major growth opportunity in the UK • Secure recognition of the regional and national significance of Crewe Interchange, the Station, and its wider environs • Leverage public and private sector investment to drive regeneration and development • Set an ambitious and positive trajectory for the future prosperity of the future city and its communities 	<p>Head of Rail and Transport Integration</p>
<p><u>Strategic Infrastructure</u></p>	<p>To ensure the effective operation of services within` Infrastructure within Place, namely:</p> <ul style="list-style-type: none"> – Infrastructure Delivery – Major Projects – Highways Development Management. 	<p>Director</p>

Infrastructure Delivery	To manage and deliver all Capital Projects.	Director, Head of Strategic Infrastructure, Team Leader/ Manager, Principal Officer subject to the levels specified in the Financial Schemes of Delegation.
Highways Development Management	To manage Highways Development.	Director, Head of Strategic Infrastructure, Team Leader / Manager, Principal Officer subject to the levels specified in the Financial Schemes of Delegation.
Highways Development Management (cont.)	To approve the adoption of land as a Highway Maintainable at Public Expense.	Head of Strategic Infrastructure
Execution of work on highways	To manage and discharge the Council's legal responsibilities in relation to execution of work on highways. This includes completion of agreements for the execution of works on a highway maintainable at public expense under section 278 of the Highways Act 1980, in consultation with the Governance Compliance and Monitoring Officer.	Director, Head of Strategic Infrastructure.

	To discharge duties in relation to street works in private streets under section 205(3) and (5) of the Highways Act 1980.	Director, Head of Strategic Infrastructure.
	To certify documents giving details of any amendments to estimate of costs and provisional apportionment of costs of street works in private streets under section 210(2) of the Highways Act 1980.	Director, Head of Strategic Infrastructure.
	To make a final apportionment of costs of street works under the private street works code under sections 211(1), s212(4), s216(2) and (3) of the Highways Act 1980.	Director, Head of Strategic Infrastructure

<u>Highways</u>	<p>To ensure the effective operation of services within Highways within Place, namely:</p> <ul style="list-style-type: none"> – Contract Operations Management – Contract Asset Management – Flood Risk Management. 	Director
	To approve contractual payments under the Highway Services Contract.	Director, Head of Highways.

Contract management actions relating to the Highway Service Contract, to include:		Subject to the financial levels specified in the Financial Schemes of delegation, the contract procedure rules and recording details of assurance checks undertaken and detail of non-compliance identified.
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Contract management actions relating to the Highway Service Contract, to include: (cont.)	To undertake the following contract management actions under the Highway Services Contract: <ul style="list-style-type: none"> – Issue Service Manager Instructions. – Approve Task Orders. – Issue and agree response to Early Warning Notices. 	Director, Head of Highways, Contract Managers.
	To approve initiation of formal contractual dispute proceedings.	Director, Head of Highways, in consultation with the Governance Compliance and Monitoring Officer. Once informal steps exhausted, if applicable.
Asset management actions to include:	To receive certificates approving dedication of highways to be maintainable at public expense and making certificates available for inspection under s37(5) of the Highways Act 1980.	Director, Head of Highways.
	To approve programmes (and revisions) of highway maintenance and safety capital works within the allocated budget.	Director, Head of Highways, Contract Managers.

Asset management actions to include: (cont.)	To maintain and to keep an accurate list of streets which are maintainable highways at public expense under s36(6) of the Highways Act 1980	Director, Head of Highways. Contract Managers.
	To approve acceptance of maintenance and liability (revenue) implications resulting from change to highway infrastructure.	Director, Head of Highways, Contract Managers. In line with the approved business case.
	To approve changes to winter maintenance routes or the provision of grit bins.	Director, Head of Highways, Contract Managers. In line with the Winter and Adverse Weather Policy.
	To approve and sign notices under Highways Act 1980	Director, Head of Highways, Contract Managers.

Asset management actions to include: (cont.)	To approve statutory action taken by the council as Lead Local Flood Authority under the Flood and Water Management Act 2010, and the Land Drainage Act 1991 including section 19 flooding investigations and taking necessary enforcement action with serving of notices.	Head of Highways
	To provide technical advice for insured and uninsured claims relating to highways to manage pre-proceedings and in-trial, the council's interests in the conduct of claims.	Head of Highways, Contract Managers
Performance and customer experience actions, to include:	To approve contract annual performance framework.	Director, Head of Highways, Contract Managers.
	To approve the annual contractual performance payments in accordance with the contract.	Director, Head of Highways subject to the levels specified in the Financial Schemes of Delegation and Contract Procedure Rules.
Network management actions, to include:	To sign and approve Temporary Traffic Regulation Orders.	Director, Head of Highways, Contract Managers in consultation with the

		Governance Compliance and Monitoring Officer.
Network management actions, to include: (cont.)	To take action to manage the performance of statutory undertakers to discharge statutory obligations under the New Roads and Street Works Act 1991 and Traffic Management Act 2004.	Director, Head of Highways, Contract Managers.
	Approval of formal action to enforce the provisions of the Highways Act 1980, New Roads and Street Works Act 1991 or Traffic Management Act 2004.	Director, Head of Highways.
	To progress any applications in relation to stopping up of the highway maintainable at public expense including s116 and s117	Director, Head of Highways, Contract Managers.
	To approve road closures under section14 of the Road Traffic Regulation Act 1984 or the Town and Police Clauses Act 1847.	Director, Head of Highways, Contract Managers in consultation with the Governance Compliance and Monitoring Officer.

Network management actions, to include: (cont.)	<p>To approve the siting of statutory undertakers' apparatus in the highway to discharge statutory obligations under the New Roads and Street Works Act 1991. Approve the issue of specified licences under the Highways Act 1980:</p> <p>Section 115E: Production of income, providing information or advertising.</p> <p>Section 139: Placement of skips.</p> <p>Section 142: Planting trees or shrubs.</p> <p>Section 169: Scaffolding.</p> <p>Section 171: Deposit of building materials and making of excavations in streets.</p> <p>Section 172: Hoardings.</p> <p>Section 177: Oversailing.</p> <p>Section 184: Light vehicle crossover.</p>	<p>Director, Head of Highways, Contract Managers, other officer.</p>
	<p>To approve charges for street works permits the issue of specified licences under New Roads and lane rental Street Works Act 1991:</p> <p>Section 50: Siting of statutory undertakers' apparatus.</p>	<p>Director, Head of Highways, Contract Managers, other officer.</p>

Network management actions, to include: (cont.)	<p>To approve charges for and issue:</p> <p>Any of the following specified licences above issued under the Highways Act and 1980 or New Roads and Street Works Act: 1991.</p> <p>[Details] Street works permits or lane rental under the Traffic Management Act 2004.</p>	Director, Head of Highways
	To approve enforcement for breach of the conditions of any of the specified licences above issued under the Highways Act 1980 or New Roads and Street Works Act 1991.	Director, Head of Highways, Contract Managers.
	To issue a notice to require owners to remove materials from streets in which works are due to take place under section 295 of the Highways Act 1980.	Director, Head of Highways
	To sign and authenticate notices, consents, approvals, orders, demands, licences, certificates, or other documents under section 321 of the Highways Act 1980.	Director, Head of Highways

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Scheme of Delegation-Executive Director Resources/Section 151 Officer

Introduction and context

The Executive Director of Resources/s151 Officer has overall responsibilities within the Council for Resources and s151 Officer functions. The Executive Director of Resources/s151 Officer is able to onward delegate these functions to other officers except for statutory s151 functions. This document seeks to capture those onward delegations.

The Executive Director of Resources/s151 Officer is given delegated power to exercise all the Authority's powers, functions and responsibilities and to take any decisions in relation to the following areas of the Council's operations and services, subject to the terms of the Constitution:

- People and Customer Experience - HR, Organisational Development and Culture, Customer Experience

- Finance - Procurement, Revenues and Benefits, Finance Business Support, Finance (Adults & Children's Services), Finance (Place & Corporate Services), Finance (Strategic Finance & Accounting)

- Digital

The powers delegated are wide and inclusive and are not listed by reference to each and every statute, function or regulation.

Type of activity	Specific function or decision-making	Officer responsible for that function
People and Customer Experience		
	To act as the lead officer on the Council's approach to developing and maintaining a workforce/people strategy which will deliver the Council's strategic objectives and corporate plan.	Director of People and Customer Experience
	To lead, develop, implement and oversee a comprehensive suite of strategic, advisory and operational workforce and customer related services across the Council; aligned with the Council's strategic objectives and corporate plan, focused on delivering	As above

	business as usual and other transformation/devolution activity.	
	To act as lead advisor to Members and senior leadership/ management on strategy, statutory and regulatory practices relating to People and Customer Experience functions; and provide assurance as to the quality of and compliance with services delivered.	As above
	To provide comprehensive support and advice to Members, senior management colleagues and employees via timely and accessible data, management information reporting etc; ensuring that insight and intelligence is tailored to the needs of key stakeholders and is in compliance with the Council's GDPR and other confidentiality requirements.	As above
	To assure the Council's statutory responsibilities for Equality, Diversity and Inclusion for the workforce are being met and proactively promote the importance of inclusion in the workplace as a critical component of delivering the Council's plan.	As above
	To be responsible for the maintenance/accuracy of the service establishment in UNIT4 and accountable for budgets associated.	Head of Human Resources (HR), Head of Organisational Development and Culture, Head of Customer Experience
	Provide assurance that workforce related policies and guidance notes are compliant with national and other legislative requirements.	Director of People and Customer Experience
	Provide final sign off from a People function on any compliance, statutory obligations documents and ensure distribution to the Governance, Compliance and Monitoring Officer colleagues for final sign off in relation to Settlement Agreements.	Director of People and Customer Experience
Human Resources	Service areas include: -Corporate and schools HR operations	Head of HR

	<ul style="list-style-type: none"> -Insourced service areas (e.g. ANSA, Orbitas) -HR Business Partnering -HR Policy and employee relations. 	
	To lead the HR Operations and Policy team providing professional expertise and direction for the Council and Schools customers through effective strategic business partnering to support delivery of the Council's key priorities and services.	As above
	To lead the implementation of relevant operational and advisory workforce solutions to support business as usual needs and any other transformation/devolution related work.	As above
	To develop a policies and procedures framework for Council and Schools (and any other external) customers that underpin our people policies.	As above
	To provide professional expertise and oversight into all employment related HR cases.	As above
	To monitor, review and develop CHESS school's consultancy, OHU buy back services in consultation with customers/stakeholders.	As above
	To review the Transactional service centre contract with Cheshire West and develop proposals future working arrangements. To be lead representative for the Transactional Service Centre and Unit 4 with regard to the HR functions.	As above
	To contribute to the overall implementation of the Council's workforce strategy, with a view on continuous performance improvement.	As above
	To develop, implement, monitor and refines plans across People and Customer Services functions which support implementation of the Council's Corporate Plan priorities.	As above
	To act as the lead employee relations advisor with Trade Unions in relation to all HR Advisory and Operations matters.	As above

	To be the pension employer lead for the Cheshire Pension Fund in collaboration with Finance in relation to strategic direction and ensuring that employer statutory and scheme obligations such as pension auto enrolment and pensions discretions are adhered to.	As above
	To deputise for the Director of People as required.	As above.
Organisational development and Improvement	To develop and implement policies, provision, procedures and guidance and any other deliverables in support of the Council's workforce strategy.	Head of Organisational development and Improvement
	To lead on the design, implementation and reporting on talent management and workforce retention offerings.	As above
	To lead on the design, implementation and reporting on organisational development, workforce planning and development, skills and talent development, employee value proposition (what Cheshire East offers it's employees), compliance and employee engagement and culture offerings.	As above
	To support the Director of People and Customer Experience in designing and role modelling change, including professional advice to the Chief Executive, Corporate Leadership Team and colleagues on any new initiative or better ways of achieving the Council's strategic goals.	As above
	To lead on the development, implementation and monitoring of the Council's wellbeing strategy.	As above
	To manage the contracts for Occupational Health, Comensura (agency), Employee Assistance Programme and Salary Sacrifice.	As above
	To oversee the delivery of the Council's job evaluation schemes.	As above
	To be responsible for workforce culture and people pay and reward.	As above
	To lead on the Council's apprenticeship strategy and levy, working with maintained schools, directorates and Council owned companies.	As above

	To lead on the provision of the Council's Learner Management and PDR systems.	As above
	To oversee the commissioning of learning and development.	As above
	To deputise for the Director of People as required.	As above
Customer Experience	<p>To develop, implement and monitor a high-quality Customer Experience service. Service areas include:</p> <ul style="list-style-type: none"> • Customer Experience Strategy and transformation. • Customer Contact Centre (Operational Team): and • Customer Service Improvement Team: • Executive Correspondence; and • Complaints and Ombudsman liaison 	Head of Customer Experience
	To lead on the design, development, implementation and monitoring of the Council's strategic approach to customer experience.	As above
	To oversee the development, implementation and monitoring of a comprehensive suite of Customer Experience policies, procedures and processes, standards and other offerings to underpin the delivery of the Council's customer experience strategy.	As above
	To develop a comprehensive approach to data, insight and intelligence so that key stakeholders can access and interpret customer services data and insight and that regular reporting is provided to key stakeholders.	As above
	To act as the senior customer for the Councils Digital Transformation Programme.	As above
	To provide advice to Customer Experience departments including but not limited to the Contact Centre.	As above
	To proactively liaise with Council departments to ensure they are full briefed on our customer experience strategy and are able to leverage the services of the Customer Experience function effectively and to create a Council wide consistent approach.	As above
	To be accountable for the achievement of all key metric and KPI's with the Cluster.	As above

	To deputise for the Director of People and Customer Experience in attending relevant Customer Experience meetings with Corporate Leadership Team and relevant committees as needed.	As above
Finance		
Section 151 Officer	To undertake the statutory role of section 151 Officer.	Executive Director of Resources/s151 officer
Deputy (including Deputy s 151 officer)	To deputise locally and nationally for the Executive Director of Resources (s 151 Officer.)	Director of Finance (Deputy s151)
Financial Adviser to the Council etc	To be financial adviser to the Council, Committees and Officers.	Executive Director of Resources/s151 Officer
	<p>To be the Authority's 'responsible financial officer.'</p> <p>To be responsible for the proper administration of the Council's financial affairs as specified in, and undertake the duties required by, section 151 of the Local Government Act 1972, the Local Government and Housing Act 1989, the Local Government Act 2003 and all other relevant legislation.</p> <p>'Proper Administration' is not defined but shall also include responsibilities for compliance with the statutory requirements for accounting and internal audit.</p>	Executive Director of Resources/s151 Officer
Section 114 Local Government Finance Act 1988	To report to all elected members of the local authority, in consultation with the Monitoring Officer, any unlawful expenditure incurred or to be incurred or an unbalanced budget pursuant to Section 114 of the Local Government Finance Act 1988.	Executive Director of Resources/s151 Officer

	To advise the Council whether particular decisions are likely to be contrary to the policy framework (jointly with the Monitoring Officer)-Local Government Act 2000.	Executive Director of Resources/s151 Officer (in conjunction with Monitoring Officer)
Finance Procedure Rules	To carry out the functions and responsibilities which are detailed in the Finance Procedure Rules.	Executive Director of Resources/s 151 Officer
Treasury Management	To secure effective treasury management, including drafting the treasury management strategy (which includes the Council's borrowing requirement), management of cashflows and taking all action necessary in relation to all debts, payment of accounts, borrowing, loans (including guarantees and indemnities), grants, advances, investments, financing and banking generally, with pursuit of optimum performance.	Executive Director of Resources/s 151 Officer
	To set and arrange the Council's affairs to remain within prudential limits for borrowing and capital investment, ensuring the Council maintains its commitments in balance with available resources, pursuant to The Local Government Act 2003.	Executive Director of Resources/s151 Officer
	To ensure that legal requirements are complied with in discharging the s151's responsibilities for capital finance.	Executive Director of Resources/s151 Officer
Debts	To take all action necessary to facilitate debt recovery and enforcement action including instituting prosecutions, making applications to courts and tribunals and authorising officers to appear on behalf of the Council.	Executive Director of Resources/s151 Officer

Pension	To take all necessary action in respect of the Council's role in relation to the administration and operation of the Cheshire Pension Fund. (The overall fund is administered by Cheshire West under the Cheshire West and Chester Council (CWaC) pension fund.)	Executive Director of Resources/s151 Officer
Council Tax, Business Rates, Council Tax Support, Non Domestic Rates, General Rates and Housing Benefit.	To exercise the functions of a billing and collecting authority for Council Tax and make recommendations to the Council on Council Tax requirements, on the Council tax base and Business Rates and to administer and manage generally all matters relating to Council Tax Support, Non Domestic Rates, General Rates and Housing Benefit, including the awarding of discounts, relief and exemptions and the levying, collection, recovery and disbursement of all sums due to the Council in respect of the same in accordance with all governing Regulations.	Head of Revenues and Benefits
Finance/Contract Rules	To ensure the Financial and Contract Procedure Rules are complied with.	Director of Finance (Deputy S151 Officer)
	To lead and develop the provision of robust and legally sound procurement and contract management processes and procedures in support of the Council's commissioning activities.	Director of Finance (Deputy S151 Officer)
Tenders	To set up a system for the issue and receipt of electronic tenders and quotations.	Director of Finance (Deputy S151 Officer) Head of Procurement
UNIT4	To be responsible for the development of the finance suite of information within UNIT4 and accountable for budgets associated.	Director of Finance (Deputy s 151)
	To ensure financial management arrangements are in line with broad policy objectives by providing advice on	Director of Finance

	implementing effective financial management arrangements within changing service delivery arrangements.	(Deputy S151 Officer)
Systems of internal financial control	To advise on effective systems of internal control which provide assurance of effective and efficient operations, internal financial controls and compliance with laws and regulations.	Director of Finance (Deputy S151 Officer)
	To ensure effective arrangements are in place which encompass budgetary systems, accounting procedures, information systems, segregation of duties, authorisation processes, physical safeguards and management reviews.	Director of Finance (Deputy S151 Officer)
Financial strategies	To draft financial strategies for approval by full council including the: -Medium-Term Financial Strategy -Capital Strategy -Reserves Strategy -Investment Strategy	Executive Director of Resources/s151 Officer
Financial risk management	To advise on financial risk management and profiling, including safeguarding assets and risk avoidance by assisting the Council to develop appropriate governance, risk strategy and procedures.	Executive Director of Resources/s151 Officer
Accounts	To prepare statutory and other accounts and grant claims ensuring compliance with the law, appropriate regulations and approved accounting standards.	Executive Director of Resources/s151 Officer
External Audit	To be responsible for managing the relationship with the External Audit function.	Executive Director of Resources/s151 Officer

Digital (SIRO)

	To exercise all powers and duties in relation to the delivery of ICT for the Council.	Director of Digital
	To provide strategic leadership and accountability for all aspects of Digital, ICT, Data Services and Transformation.	As above
	To align digital strategies with emerging technologies such as cloud computing, artificial intelligence (AI), data analytics and automation.	As above
	To oversee the ICT infrastructure cloud services and application landscape across the council together with respective council owned companies.	As above
	To promote digital professional development and skills enhancement across teams.	As above
	To lead, as Senior Information Risk Owner (SIRO), the organisation's information risk management policy and advocate for robust information security. This includes making the annual statement of internal control for information risk.	As above
	To lead the development and delivery of a comprehensive digital transformation and business change programme, covering service redesign, infrastructure optimisation and organisational reconfiguration.	As above.
	To lead the development of digital, information, communication and technology policies and strategies, advising the Council and Organisational Management Team on all digital, information management and technology-related issues.	As above
	To lead the development of Digital and ICT systems and strategies, advising on technical developments, maximising the benefits of emerging technology.	As above
	To lead and direct the Council's Digital Business Change Service, developing a robust framework for project and programme management to deliver high-profile and high-risk projects.	Director of Digital in consultation with Assistant Chief Executive, Head of

		Transformation and Corporate Project Management Office.
	To lead and support the implementation of e-governance across the Council.	Director of Digital
	To lead the Council's business planning for investment in Digital and ICT in each Directorate.	As above
	To lead the development of products and services that can attract external funding.	As above
	To establish, monitor and develop an Information Assurance policy to protect the Council's information assets and ensure data security.	As above
	To perform the role of SIRO, overseeing the management of information risks and incidents, including: <ul style="list-style-type: none"> • Process for information risk assessment • Review and agreement of information risk-mitigating actions. • Resolution of information assurance issues 	As above

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Scheme of delegation- Governance Compliance and Monitoring Officer

Introduction and Context

The Governance Compliance and Monitoring Officer has overall responsibilities within the Council for Governance and Compliance and undertakes the Monitoring Officer functions.

The Monitoring Officer (MO) is required to carry out the statutory functions of their post personally, with the exception that:

- The Monitoring Officer, rather than the Council, will nominate at least one Officer as Deputy Monitoring Officer, with the power to act as Monitoring Officer where the Monitoring Officer **is unable to act as a result of absence or illness or conflict of interest**; and

- In respect of the obligations relating to alleged breaches of the Members' Code of Conduct, the Monitoring Officer may arrange for any person to perform all or any of their functions, for example by delegating internally or by instructing an external and independent individual to conduct a particular investigation.

Whilst the statutory functions are personal to the Monitoring Officer, they may arrange for any Officer to assist them in the discharge of any non-statutory functions.

Subject to the above the Governance Compliance and Monitoring Officer is able to onward delegate these functions to other officers. This document seeks to capture those onward delegations.

The Governance Compliance and Monitoring Officer is given delegated power to exercise all the Authority's powers, functions and responsibilities and to take any decisions in relation to the following areas of the Council's operations and services, subject to the Constitution:

Legal Services

Audit Risk and Assurance

- Internal Audit

- Risk and Business Continuity
- Insurance
- Health and Safety
- Information Rights

Democratic Services

- Registration and Civic Services
- Electoral Services
- Democratic Services

The powers delegated are wide and inclusive and are not listed by reference to each and every statute, function or regulation.

Monitoring Officer

The Monitoring Officer is appointed in accordance with Section 5 of the Local Government and Housing Act 1989 and is responsible for supporting and advising the Council in relation to:

- the lawfulness and fairness of the decision making of the Council
- the Council's compliance with its legal responsibilities and requirements
- matters relating to the conduct of Councillors (including Parish Councillors).

The Monitoring Officer shall have the following delegated powers and responsibilities:

Monitoring Officer	To act as the Council's Monitoring Officer under the law and the Council's Constitution.	Governance, Compliance and Monitoring Officer
Appointment of Deputy Monitoring Officer (DMO)	To act as the Council's Deputy Monitoring Officer(s) under the law and the Council's Constitution, where the Monitoring Officer is unable to act on a matter in their	Head of Legal Services

	statutory capacity under section 5 of the Local Government and Housing Act 1989.	
	To act where the Monitoring Officer is unable to act on a matter in relation to Member conduct.	Deputy Monitoring Officers for this purpose are: Head of Legal Services Legal Team Manager (Place Team) Legal Team Manager (People Team)
Investigatory and Disciplinary Committee	The discipline of the Statutory Officers.	Governance, Compliance and Monitoring Officer only (the DMO can only act where the Monitoring Officer is unable to act as a result of absence or illness or conflict of interest.)
Section 5 report of illegality or maladministration	The Monitoring Officer shall, where necessary, and in consultation with the Head of Paid Service and the Chief Finance Officer, investigate and report any proposal, decision or omission considered to be unlawful or that amounts to maladministration to the Council as appropriate in accordance with Section 5 and 5A of the Local Government and Housing Act 1989 as amended by paragraph 24 of Schedule 5 Local Government Act 2009.	Governance, Compliance and Monitoring Officer only (the DMO can only act where the Monitoring Officer is unable to act as a result of absence or illness or conflict of interest.)
Register of Members' Interests (including town and parish.)	To maintain the Register of Member's Interests in accordance with section 81(1) Local Government Act 2000 and section 29 Localism Act 2011, including	Governance, Compliance and Monitoring Officer

	dealing with sensitive interests under section 32 Localism Act 2011.	
Register of Gifts and Hospitality-Members	To maintain the Register of Member's Gifts and Hospitality (s29 Localism Act 2011.)	Governance, Compliance and Monitoring Officer
Councillor Allowances	To determine whether a particular claim for payment under the Councillors Allowances Scheme is appropriate.	Governance, Compliance and Monitoring Officer Head of Democratic Services
Members' code of conduct complaints	To administer, assess and investigate complaints of allegations of breach of the Members' Code of Conduct, in accordance with the Localism Act 2011.	Governance, Compliance and Monitoring Officer Deputy Monitoring Officers for this purpose are: Head of Legal Services Legal Team Manager (Place Team) Legal Team Manager (People Team)
Resources	To report to the Council on resources which they consider they require for the discharge of their functions.	Governance, Compliance and Monitoring Officer
Principal Legal Adviser	To act as Principal Legal Advisor to the Council.	Governance, Compliance and Monitoring Officer
Governance	To promote and co-ordinate the effective Governance of the Council.	Governance, Compliance and Monitoring Officer

		Deputy Monitoring Officers for this purpose are: Head of Legal Services Legal Team Manager (Place Team) Legal Team Manager (People Team)
Scrutiny	To encourage effective scrutiny of the Council.	Governance, Compliance and Monitoring Officer (NB. Head of Democratic Services is the statutory Scrutiny Officer-Local Government Act 2000 Section 9FB.)
Probity	To consult regularly with the Chief Executive / Head of Paid Service, the Chief Financial Officer and Auditors to identify areas where the probity of the Council can be improved or better protected and to take appropriate action.	Governance, Compliance and Monitoring Officer
Whistleblowing	To receive disclosures of whistleblowing in accordance with the Council's whistleblowing policy.	Governance, Compliance and Monitoring Officer (the Chief Executive and Internal Audit can also receive such disclosures.)
Audit and Governance Committee	To support the Audit and Governance Committee in the delivery of the responsibilities as set out in this constitution.	Governance, Compliance and Monitoring Officer

Ethical advice to members	To provide advice to Members on conduct and ethics matters generally.	Governance, Compliance and Monitoring Officer
Member training	To provide an effective, robust and ongoing programme of elected member training and development.	Governance, Compliance and Monitoring Officer Head of Democratic Services
Monitor and uphold the Constitution	To regularly review the constitution for effectiveness and accuracy and report to council on any changes and updates required.	Governance, Compliance and Monitoring Officer
	In consultation with the Chair and Vice-Chair of the Corporate Policy Committee, to make such changes to the Council's Constitution as the MO deems to be necessary and which are in the Council's interests and not major in nature, including, but not limited to, changes: -amounting to routine revisions -to provide appropriate clarity -to correct typographical and other drafting error -to reflect new legislation -to correct inconsistencies in drafting -to reflect new officer structures and job titles, properly approved through Council processes.	Governance, Compliance and Monitoring Officer
Advice-Budget & Policy Framework	Provide advice to ensure that decisions are taken on proper authority, by due process, and in accordance with the Budget and Policy Framework.	Governance Compliance and Monitoring Officer

<p>Dispensations-s33 Localism Act 2011</p>	<p>To determine applications for dispensations under Section 33 of the Localism Act 2011, in consultation with the Chair of the Audit and Governance Committee, as follows:</p> <ul style="list-style-type: none"> -if it is considered that without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business. -if it is considered that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business. -if it is considered that granting the dispensation is in the interests of persons living in the authority's area; or -if it is considered that it is otherwise appropriate to grant a dispensation. 	<p>Governance Compliance and Monitoring Officer</p>
<p>Legal Services</p>		
<p>Deputising for Governance Compliance and Monitoring Officer</p>	<p>In the absence of the Governance, Compliance and Monitoring Officer to exercise all functions and powers of the same-as set out in the scheme of delegation.</p>	<p>Head of Legal Services</p>

Deputising for Head of Legal	In the absence of the Head of Legal Services, to exercise all functions and powers of the same.	Legal Team Manager (Place Team) Legal Team Manager (People Team)
Council, Committees etc	To provide legal and governance advice, support and attend Council, committees and all decision making bodies (including advising on officer and member decisions) as required.	Governance Compliance and Monitoring Officer
Legal proceedings, notices/agreements/orders etc	To prosecute, defend, make application, serve any notice or appear on behalf of the Council in any Court, Tribunal or hearing on any criminal, civil or other matter (including appeals).	Governance Compliance and Monitoring Officer
	To take all action including the completion of agreements, the service of notices, giving of directions, obtaining or issuing orders, authorising the execution of powers of entry, and the institution and defence of legal proceedings necessary or desirable to protect and advance the interests of or discharge the roles, functions and responsibilities of the Authority.	Governance Compliance and Monitoring Officer
Byelaws etc	To institute legal proceedings for any offences under any local Byelaws or Orders in force within the Council's area.	Governance Compliance and Monitoring Officer
Objections	To lodge objections to any proposal affecting the authority, the authority's area or the inhabitants of the authority's area.	Governance Compliance and Monitoring Officer

Crest	To determine applications for the display of the crest or logo of the Council.	Governance Compliance and Monitoring Officer
Counsel/external lawyers	To instruct counsel, solicitors or other experts for legal proceedings, public inquiries, or other matters involving the authority.	Governance Compliance and Monitoring Officer
Statutory Notices	To authorise serving of Statutory Notices, to authorise completion and confirmation of Orders.	Governance Compliance and Monitoring Officer
	To authenticate and serve statutory notices and to place public notices and advertisements, as may be necessary or expedient for the discharge of functions.	Governance Compliance and Monitoring Officer
Indemnities	To agree indemnities where they are required to enable the Council to exercise any of its functions provided that where the giving of an indemnity could have considerable financial implications the Director of Finance and Customer Services shall be required to give approval.	Governance Compliance and Monitoring Officer
Contracts, agreements, conveyance etc	To prepare and execute any contract, agreement, conveyance or other document necessary to give effect to a decision of the Council, a Committee, Sub-Committee or officer acting under delegated functions.	Governance Compliance and Monitoring Officer and their authorised signatories.

Settlements of uninsured claims (including Local Government and Social Care Ombudsman)	To authorise the settlement of actual or potential uninsured claims, borehole claims or Local Government and Social Care Ombudsman cases across all functions of the Council up to £100,000. Settlements above £100,000 and below £500,000 shall be determined by the Monitoring Officer in consultation with the Chair of the Finance Sub-Committee and the Executive Director (Corporate Services), which after settlement shall be reported to the relevant Committee.	Governance and Compliance and Monitoring Officer
Insurance and postponing legal charges	To take all action necessary to ensure the safeguarding of assets by maintaining and administering appropriate insurance and approving requests to postpone legal charges.	Governance and Compliance and Monitoring Officer
Authorisation to act in proceedings	To authorise appropriately qualified employees or persons acting on behalf of the Council to appear in, and conduct legal proceedings in, any Court or Tribunal on behalf of the Authority.	Governance Compliance and Monitoring Officer
Authentication of documents, byelaws and copy minutes etc.	Certification and authentication of documents, byelaws and copy minutes and signing of other relevant formal notices.	Governance Compliance and Monitoring Officer and their authorised signatories.
Cautions	To authorise appropriate Officers to administer formal cautions in respect of criminal offences.	Governance Compliance and Monitoring Officer
Proving Debts	To prove debts owed to the Authority in bankruptcy and liquidation proceedings.	Governance Compliance and Monitoring Officer

Land Compensation Act 1973	To make discretionary payments under Land Compensation Act 1973 on the recommendation of the District Valuer and approve all claims for compensation under Part 1 of the Land Compensation Act 1973.	Governance Compliance and Monitoring Officer
	Service of counter notice when served with a blight notice and/or authorisation of payment of the relevant compensation.	Governance Compliance and Monitoring Officer
Regulation of Investigatory Powers Act 2000 (RIPA)	<p>In accordance with the Council's approved policy, to monitor the integrity of the operation of the Regulation of Investigatory Powers Act 2000 by:</p> <ul style="list-style-type: none"> -Ensuring compliance with all relevant legislation and with the Codes of Practice. -Engagement with the Inspectors from the Investigative Powers Commissioners Office when they conduct their inspections, and, where necessary, oversight of the implementation of post-inspection action plans approved by the relevant oversight Commissioner. - Monitoring authorisations and conducting a quarterly review of applications, authorisations and refusals, and reviewing renewals and cancellations. 	Governance Compliance and Monitoring Officer

Highways-temporary closure orders	To make Orders for the Temporary Closure of Highways and Regulation of Traffic.	Governance Compliance and Monitoring Officer in consultation with the Director of Transport and Infrastructure, Head of Highways and Contract Managers.
Highways claims	To authorise the defence, settlement or other actions, as advised and instructed, on highways claims.	Governance Compliance and Monitoring Officer
Sealing	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.	Governance Compliance and Monitoring Officer and their authorised signatories.

Audit Risk and Assurance

Role within Scheme	Specific Function or Decision Making	Officer responsible
Internal Audit	To be responsible for the Internal Audit function, delivering the service in line with the required professional standards.	Head of Audit, Risk and Assurance Internal Audit Manager
	To provide the objective and evidence-based annual internal audit opinion as the Council's Chief Audit Executive.	Head of Audit, Risk and Assurance Internal Audit Manager

Annual Governance Statement	Lead the production and development of the Council's Annual Governance Statement.	Head of Audit, Risk and Assurance Internal Audit Manager
Business Continuity	To be responsible for providing arrangements for business continuity planning and delivery to protect services against failure and safeguard the delivery of key services.	Head of Audit, Risk and Assurance Risk and Business Continuity Officer
Prevention of Fraud and Corruption	To develop and maintain the effectiveness of the Council's Counter Fraud and Corruption Strategy and associated procedures, ensuring fraud and corruption risks are routinely considered as part of the Council's risk management arrangements, in accordance with the council's Financial Procedure Rules and relevant policy.	Governance, Compliance and Monitoring Officer Head of Audit, Risk and Assurance
Risk Management	To prepare and advise Council on an appropriate risk management policy statement and strategy, including risk appetite/tolerance levels, promoting it throughout the Council and reviewing the effectiveness of risk management including appropriate levels of insurance, in accordance with all risk and insurance related financial procedure rules.	Governance, Compliance and Monitoring Officer

	To co-ordinate the Council's Strategic Risk Register and provide the mechanisms for operational risks to be recorded, reviewed and reported against to support the Council to achieve it's objectives.	Head of Audit, Risk and Assurance
Insurance	To maintain and administer the Council's insurances, as set out in detail in FPR 4.5, including levels of self insurance, to support the effective risk management of the Council.	Governance Compliance and Monitoring Officer Head of Audit, Risk and Assurance
	To authorise officers to make arrangements for the administration of insurance claims in conjunction with the Council's insurers and appointed legal representatives.	Head of Audit, Risk and Assurance Corporate Insurance Manager
	To authorise the settlement or repudiation of insurance claims and associated costs within the procurement approval limits set out in the financial procedure rules and financial scheme of delegation acting on advice from the Council's solicitors, insurers, and claims handlers.	Governance Compliance and Monitoring Officer
	To authorise claim related documents (e.g. Statements of Disclosure, Statements of truth, Defence Statements etc) for the management of insurance claims activity, settling claims from third parties, either direct or via the Council's appointed external claims handlers and/ or the Council's litigated insurance claims solicitors.	Head of Service for the area of the business in consultation with Head of Audit, Risk and Assurance, Corporate Insurance Manager and Governance Compliance and Monitoring Officer.

Health and Safety	To be responsible for discharging the Council's Health and Safety functions, powers and duties in relation to the workforce and the work of the Council.	Head of Audit, Risk and Assurance Corporate Health and Safety Manager
Information Rights	<p>To advise on the Council's data protection obligations and manage the Council's compliance with The Data Protection Act 2018 and The General Data Protection Regulations (GDPR) including administering the Council's responsibilities under Data Protection and Freedom of Information legislation and related legislation.</p> <p>To provide advice regarding Data Protection Impact Assessments (DPIAs) and act as a contact point for data subjects and the Information Commissioner's Office (ICO).</p>	Information Rights Manager (Data Protection Officer) Deputy Data Protection Officer in the absence of the DPO
Democratic Services		
Advice on decision making, business support, member enquiries and training	<p>To provide support to Members of the Council with:</p> <ul style="list-style-type: none"> - administration of and advice upon the Council's decision making process - business support to this service - administration of the member enquiry service (MES) - member training and development 	Democratic Services Manager

Notice of Meetings/summons	To issue summons to Council meetings, Committees and Sub-Committees to all members and give notice of said meetings.	Head of Democratic Services (NB Chief Executive signs the summons.)
Access to Information Procedure Rules	To administer responses to requests from Members under the Access to Information Procedure Rules.	Head of Democratic Services (in consultation with the Governance Compliance and Monitoring Officer. Decision whether information is exempt lies solely with MO.)
Governance services, scrutiny and school appeals	To exercise the functions of governance services, scrutiny and school appeals.	Head of Democratic Services
Registration Service	To be the Proper Officer to exercise the council's functions under the Registration Service Act 1953 (and any other associated/relevant legislation) regarding the registration of births, deaths and marriages (as well as civil ceremonies.)	Head of Democratic Services (Further details provided in the Proper Officer scheme of delegation.)
Forced Marriage (Civil Protection) Act 2007	To exercise the functions of the Council pursuant to the Forced Marriage (Civil Protection) Act 2007.	Head of Democratic Services Registration and Civic Services Manager.
	To provide the functions, facilities and arrangements for providing citizenship ceremonies and the registrar to conduct them, under Section 3 and Schedule 1 of the Nationality, Immigration and Asylum Act 2002.	Head of Democratic Services Registration and Civic Services Manager

	To manage custody of historic records.	Registration and Civic Services Manager
Civic Office	To provide business management support to the Mayor of Cheshire East and the Cheshire Lieutenancy.	Registration Services and Civic Manager
Executive support team	To provide business management support to the Leader, Deputy Leader, Service Committee Chairs, Chief Executive and Executive Directors.	Registration and Civic Services Manager
Coronial Services	To discharge the Council's duties under the Coroners and Justice Act 2009 and any other relevant legislation. NB Management of this function is led by Warrington Borough Council as part of the coronial area.	Governance Compliance and Monitoring Officer delegated to the Head of Democratic Services.
Elections	To support the Returning Officer and Electoral Registration Officer in the exercise of election and electoral registration functions. Administration of all elections and referenda in Cheshire East.	Head of Democratic Services Electoral Services Manager

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COUNCIL MEETING – 16 JULY 2025**RECOMMENDATIONS FROM FINANCE SUB COMMITTEE: FINAL OUTTURN 2024/25 - APPROVAL OF SUPPLEMENTARY REVENUE ESTIMATES AND CAPITAL ESTIMATES****Recommendations:**

Council is recommended to

- 1. approve the Supplementary Revenue Estimate Request for Allocation of Additional Grant Funding over £1,000,000 as per Annex 1, Section 3, Table 1.**
- 2. approve the Supplementary Capital Estimates over £1,000,000 in accordance with Budget and Policy Framework Rules as detailed in Annex 1, Section 4, Table 5.**

Extract from the minutes of the meeting of the Finance Sub Committee held on 2 June 2025.

5 FINAL OUTTURN 2024-25

The committee considered the report which provided an overview of the council's final outturn for the financial year 2024-25. The committee noted that, prior to the application of Exceptional Financial Support (EFS) and a proposed £7.8m transfer to reserves, the 2024-25 service outturn position was an adverse variance of £9.8m, reflecting an underlying improvement since Financial Review Quarter 3 (FR3) of £18.3m.

The committee agreed that whilst improvement on the FR3 position was positive, the overspend of £9.8m remained a significant financial challenge for the council. It was noted that significant cost pressures in both Adults and Children's services remained a key issue.

The committee queried the RAG ratings used in Annex 1 – Section 2 and how these had been applied. It was confirmed that:

- Red Rating: Low Confidence – there were significant issues and would likely to require additional decisions to bridge the gap.
- Amber Rating: Medium Confidence – savings proposals were at risk but could be recovered / mitigated within scope of original decision.
- Green Rating: High confidence that the saving proposal was on track with no concerns on the current forecast.

- Completed Rating: Saving proposal had been delivered and no further action was required.

It was noted that the council proposed to increase its general reserves position at outturn through borrowing £17.6m through EFS. Reassurance was sought on the interest rates being paid on EFS. It was confirmed that reserves would be increased through £5.3m Earmarked 'Change Reserves' to respond to the steps that would be necessary to support the delivery of the transformation change programme and improvement activity required through 2025-26 and 2026-27. £2.5m increase in the General Fund Reserves had been identified to increase financial resilience into 2025-26 and future years. However, the reserves were still not at an adequate level and the issue of financial sustainability remained a key risk. This had also been highlighted as a key risk by the External Auditors.

It was clarified that, if the above additions to Reserves of £7.8m were made at out-turn, the annual revenue budget saving against the Capital Financing Budget would be £250K p.a.

- The calculation of the interest on EFS Borrowing £17.6m was calculated at the PWLB Annuity Rate 4.86%.
- The average interest rate on investments in 2024/25 was 5.10% (Annex 1, Section 6, para 6.31)

It was confirmed that the questions and detailed responses submitted by Councillor O'Leary would be circulated to the committee.

The committee noted the capital financing budget and anticipated interest costs on borrowing. The committee queried if the repayments were fixed or variable as having variable payments would make a significant difference to the cost to the council. Officers committed to providing a written response.

RESOLVED (unanimously):

3. Note the overall financial performance of the Council in the 2024/25 financial year, as contained within the report, as follows: a) A Net Revenue Overspend of £17.6m against a revised budget of £365.8m (4.8% variance) funded by conditional Exceptional Financial Support (Capitalisation Direction) via borrowing. b) General Reserves closing balance of £6.3m. c) Capital Spending of £88.4m against an approved programme of £215.8m (59% variance).
4. Note the contents of Annex 1.
5. **Recommend to Council to approve the Supplementary Revenue Estimate (SRE) Request for Allocation of Additional Grant Funding over £1,000,000 as per Annex 1, Section 3, Table 1.**

6. Approve the Adults and Health Committee Supplementary Revenue Estimates (SRE) Request for Allocation of Additional Grant Funding (Specific Purpose) over £500,000 up to £1,000,000 as per Annex 1, Section 3, Table 2.
7. Approve the Children and Families Committee Supplementary Revenue Estimates (SRE) Request for Allocation of Additional Grant Funding (Specific Purpose) over £500,000 up to £1,000,000 as per Annex 1, Section 3, Table 2.
8. Approve the Supplementary Capital Estimates (SCE) and Capital Virements between £500,000 and £1,000,000 in accordance with Financial Procedure Rules for the following Committee's as detailed in Annex 1, Section 5, Table 4 • Children & Families • Highways & Transport • Economy & Growth • Environment & Communities
9. **Recommend to Council to approve the Supplementary Capital Estimates (SCE) over £1,000,000 in accordance with Budget and Policy Framework Rules as detailed in Annex 1, Section 4, Table 5.**
10. Approve the new Reserves in the Reserves Section (Annex 1, Section 5, Table 1) which includes proposed movements to reserves.

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OPEN

Finance Sub Committee

2 June 2024

Final Outturn 2024/25

Report of: Executive Director of Resources and S151 Officer

Report Reference No: FSC/26/25-26

Ward(s) Affected: Not applicable

For Decision or Scrutiny: Both

Purpose of Report

- 1 This report provides members with an overview of the Cheshire East Council final outturn for the financial year 2024/25. Members are being asked to consider the financial performance of the Council. The report also proposes treatment of year end balances that reflects risks identified in the Medium-Term Financial Strategy which was approved by Council on 26 February 2025.
- 2 To highlight financial performance across all Departments, and within Central Budgets shows how the Council is achieving its financial strategies and managing financial control and accountability.
- 3 Reporting the financial outturn at this stage, and in this format supports the Council's vision to be an effective and enabling Council as set out in the Cheshire East Plan 2025 to 2029.

Executive Summary

- 4 This report outlines how the Council managed its resources through sound financial planning, monitoring, and reporting to achieve outcomes and value for money.

- 5 The Outturn is reported as part of the Statutory Accounts and is therefore subject to audit. The audited Accounts will be presented to the Audit and Governance Committee on 4 December 2025.
- 6 The Council set its 2024/25 annual budget in February 2024. The budget was balanced, as required by statute, with planned use of reserves of £22m, plus £30m of savings to achieve in year, and included important assumptions about spending in the year. The budget is part of the Medium-Term Financial Strategy (MTFS) 2024 to 2028.
- 7 The Third Financial Review (FR3) forecast revenue outturn was an adverse variance of £18.3m (prior to the application of any Exceptional Financial Support), an improvement of £1.8m from FR2.
- 8 Prior to the application of Exceptional Financial Support and a proposed £7.4m transfer to reserves (see para 68 below), the 2024/25 service outturn position is an adverse variance of £9.8m, reflecting an underlying improvement since FR3 of £8.5m, as detailed below in Table 1 (Total Service Expenditure plus Central Budgets).

Table 1 Outturn 2024/25	Revised Budget (NET)	Outturn	Variance	Forecast Variance FR3	Movement from FR3 to Outturn
	£m	£m	£m	£m	£m
Service Committee					
Adults and Health	137.1	154.7	17.6	20.0	(2.4)
Children and Families	92.6	96.1	3.5	5.4	(1.9)
Corporate Policy	44.2	41.9	(2.2)	2.5	(4.7)
Economy and Growth	27.9	22.7	(5.3)	(3.8)	(1.5)
Environment and Communities	47.8	46.3	(1.5)	(0.6)	(0.9)
Highways and Transport	16.2	14.4	(1.8)	(0.5)	(1.3)
TOTAL SERVICE EXPENDITURE	365.8	376.0	10.2	22.9	(12.7)
Finance Sub:					
Central Budgets	25.0	32.4	7.4	(4.6)	12.0
Funding	(390.8)	(390.8)	(0.0)	-	(0.0)
TOTAL FINANCE SUB	(0.0)	17.6	17.6	18.3	(0.7)
Exceptional Financial Support	-	(17.6)	(17.6)	(17.6)	-
GRAND TOTAL	(0.0)	(0.0)	(0.0)	0.7	(0.7)

- 9 Whilst an improvement on the Third Financial Review position of £8.5m, the service overspend of £9.8m remains a significant financial challenge for the Council. Cost pressures in Adults and Children's services remain a key issue. Details of in year pressures, ongoing impacts into 2025/26 and improvements against FR3 by Committee are reported in paragraphs 30 to 63 below.
- 10 The out-turn position, net of proposed transfers to useable reserves of £7.6m, is an overspend of £17.6m. This includes the setting up of a reserve to set aside sufficient one-off resources to be able to respond to the steps that will be necessary to support the delivery of our transformation, change and improvement activity especially in light of the recent publication of the non-statutory Best Value notice. This will be able to pump prime activities to ensure that change is made at pace to support our longer-term financial sustainability. Any use of this reserve will need to be recommended by the Chief Executive and Executive Director of Resources and any virements will then need to follow the usual approval processes.
- 11 As reported at FR3, in order to address the risk to services from the Council's budgetary pressures, there was an urgent report to Council on the 11 December 2024 on Exceptional Financial Support (EFS). The report sought the authority for the Chief Executive to request that the in-principle EFS of up to £17.6m by way of a capitalisation direction for 2023/24 and 2024/25 be able to be applied only in 2024/25, from the Secretary of State for Housing, Communities and Local Government in order to address the Council's budgetary pressures during the financial year 2024/25. The costs of accepting the EFS support will impact over the medium term and these have been built into the 2025/26-2028/29 MTFS approved in February 2025.
- 12 As indicated in Table 2 below and recognising the request in the urgent report to Council on 11 December 2024, it is proposed that the full £17.6m conditional EFS is utilised for 2024/25 to cover the following:
 - Overall Council overspend in 2024/25 - **£9.8m**
 - Creation of a further earmarked reserve to cover the one off costs of change and improvement activity in 2025/26 and 2026/27 - **£5.3m**
 - Transfer to General Fund Reserves - **£2.5m** to increase financial resilience into 2025/26 and future years.
- 13 The reserves position, after agreed movements budgeted for in the MTFS and new additional requests noted below, are £29.6m, being £6.3m General Fund and £23.3m Earmarked.

Table 2: Exceptional Financial Support and Reserves - Outturn	£m
2024/25 overspend – outturn (including Service EMRs)	10.2
Improvement on central budgets - Surplus levy grant	(0.4)
Tfr to Cost of Change and Improvement Reserve	5.3
Tfr to General Fund	2.5
2024/25 Revised Out-turn	17.6
Exceptional Financial Support	(17.6)
Outturn 2024/25	-
Reserves	
General Fund	6.3
Earmarked Reserve	23.3
Total Reserves at 31 March 2025 – Outturn Final	29.6

- 14 The outturn expenditure level for capital spending for 2024/25 was £88.4m against the original MTFS budget set in February 2024 of £215.8m (FR3 £144.7m). The underspend of £56.3m (Out-turn compared to FR3) will be slipped into 2025/26 and future years. This level of slippage at 39% is a higher variance than 2023/24 (18%)

- 15 **Table 3** sets out the capital programme profiling changes from FR3:

Table 3	2024/25 Outturn £000	2025/26 Estimate £000	2026/27 Estimate £000	2027/28 Estimate £000	2024-28 Total £000
Capital Programme FR3	144,670	157,134	104,400	243,852	650,056
Funded by:					
Capital Programme Outturn	88,322	208,490	100,570	252,694	650,076
Funded by:					
Movement from FR3	-56,348	+51,356	-3,830	+8,842	+20

- 16 **Table 4** sets out the capital programme summary at the Outturn position by Committee:

Table 4	2024/25 Outturn £000	2025/26 Estimate £000	2026/27 Estimate £000	2027/28 Estimate £000	2024-28 Total £000
Adults and Health	280	468	0	0	748
Children and Families	9,722	56,131	21,604	20,749	108,206
Corporate Policy	5,465	10,125	1,173	0	16,763
Economy and Growth	25,723	56,534	32,905	81,762	196,924
Environment and Communities	5,915	18,606	2,184	15,301	42,006
Highways and Transport	41,217	66,626	42,704	134,882	285,429
TOTAL EXPENDITURE	88,322	208,490	100,570	252,694	650,076
Funding:					
Grants and Other Contributions	53,793	149,212	88,370	187,853	479,228
Capital Receipts and Reserves	901	2,500	1324	33,381	38,106
Borrowing	33,628	56,778	10,876	31,460	132,742
TOTAL FUNDING	88,322	208,490	100,570	252,694	650,076

- 17 During 2024/25 a capital review was carried out with a view to reducing and re-profiling the amount of capital spend funded by borrowing which has led to significant slippage. Continued scrutiny of the capital programme will be required to minimise and delay spend funded from borrowing to reduce the ongoing revenue in future years. The authority should aim to repay more historical borrowing than any new borrowing incurred in year to ensure that the total capital financing requirement begins to decrease and the long term position becomes more sustainable.
- 18 Capital receipts in year amounted to £2.2m against a forecast of £2m, of this £1.2 will be used to fund transformational costs with the remaining £1m supporting the capital financing budget as planned.
- 19 During 2024/25, we undertook a Balance Sheet review through our Treasury Advisors, Arlingclose Ltd. As part of that review, they considered the revenue impact of the current Minimum Revenue Provision (MRP) and Capital Financing Requirement (CFR) policy currently in place and we asked them to assess our alignment with current Chartered Institute of Public Finance and Accountancy (CIPFA) guidance. Changes to the Accounting Policy for MRP were set out in the 2025/26 – 2028/29 MTFS - in summary the out-turn impact for 2024/25 is an improvement of £3.1m against the Capital Financing Budget.
- 20 The annex and appendix attached to this report set out details of the Council's financial performance:
- 21 Annex 1: Outturn 2024/25 – Sets out detailed information for each of the following areas as at 31 March 2025 (per Committee area):
 - **Section 1** 2024/25 Financial Outturn position
 - **Section 2** 2024/25 Approved Budget Change Items
 - **Section 3** Revenue Grants for approval and Grant Register
 - **Section 4** Capital
 - **Section 5** Reserves
 - **Section 6** Treasury Management
 - **Section 7** Investment Strategy

RECOMMENDATIONS

The Finance Sub Committee is recommended to:

1. Consider the overall financial performance of the Council in the 2024/25 financial year, as contained within the report, as follows:
 - a) A Net Revenue Overspend of £17.6m against a revised budget of £365.8m (4.8% variance) funded by conditional Exceptional Financial Support (Capitalisation Direction) via borrowing.
 - b) General Reserves closing balance of £6.3m.

- c) Capital Spending of £88.4m against an approved programme of £215.8m (59% variance).
2. Consider the contents of Annex 1.
 3. Recommend to Council to approve the Supplementary Revenue Estimate (SRE) Request for Allocation of Additional Grant Funding over £1,000,000 as per **Annex 1, Section 3, Table 1**.
 4. Approve the Adults and Health Committee Supplementary Revenue Estimates (SRE) Request for Allocation of Additional Grant Funding (Specific Purpose) over £500,000 up to £1,000,000 as per **Annex 1, Section 3, Table 2**.
 5. Approve the Children and Families Committee Supplementary Revenue Estimates (SRE) Request for Allocation of Additional Grant Funding (Specific Purpose) over £500,000 up to £1,000,000 as per **Annex 1, Section 3, Table 2**.
 6. Approve the Supplementary Capital Estimates (SCE) and Capital Virements between £500,000 and £1,000,000 in accordance with Financial Procedure Rules for the following Committee's as detailed in **Annex 1, Section 5, Table 4**
 - Children & Families
 - Highways & Transport
 - Economy & Growth
 - Environment & Communities
 7. Recommend to Council to approve the Supplementary Capital Estimates (SCE) over £1,000,000 in accordance with Budget and Policy Framework Rules as detailed in **Annex 1, Section 4, Table 5**.
 8. Approve the new Reserves in the Reserves Section (**Annex 1, Section 5, Table 1**) which includes proposed movements to reserves.

Background

- 22 This single view of the financial picture of the Council provides the overall financial context.
- 23 The financial outturn for Cheshire East Council is an overspend of £17.6m. This is net of appropriate allocations to useable reserves. Further detail is provided in **Table 1** and **Annex 1**.
- 24 On 1 April 2024 total Council reserves were £37.8m. The closing balance on 31 March 2025 is £29.6m, this represents an improvement vs forecast of

£12.4m. This is partly due to lower drawdowns for services than previously forecast, plus the creation of new reserves as mentioned in paragraph 12 above.

- 25 Capital - The original budget set in February 2024 was £215.8m. During 2024/25 a review was carried out the aim of reducing and reprofiling the amount of capital spend funded by borrowing. At FR3 the forecast spend had reduced to £144.7m. Actual spend for 2024/25 outturn was £88.4m.
- 26 Capital receipts in year amounted to £2.2m against a forecast of £2m, of this £1.2m will be used to fund transformational costs with the remaining £1m supporting the capital financing budget as planned.
- 27 Capital Financing Budget – The impact of funding EFS via Capitalisation Directive/Borrowing over the term of the MTFS are shown in the table below (extract from MTFS Report Feb 2025).

Table 5: Capital Financing Budget - elements	2025/26 £m	2026/27 £m	2027/28 £m	2028/29 £m
Interest Payable – DSG Deficit	5.6	6.4	7.4	7.4
Interest Payable – EFS*	1.0	1.7	1.6	1.6
Interest Payable – Capital Borrowing	13.5	12.8	13.3	13.3
Interest receivable	(2.3)	(2.1)	(2.1)	(2.1)
Total Net Interest	17.8	18.8	20.2	20.2
MRP – EFS*	0.5	1.3	2.1	2.2
MRP – Capital Borrowing	16.7	18.7	19.6	20.8
Total MRP	17.2	20.0	21.7	23.0
Total CFB requirement	35.0	38.8	41.9	43.2

*EFS MRP/Interest above relates to both 2024/25 £17.6m and 2025/26 £25.3m

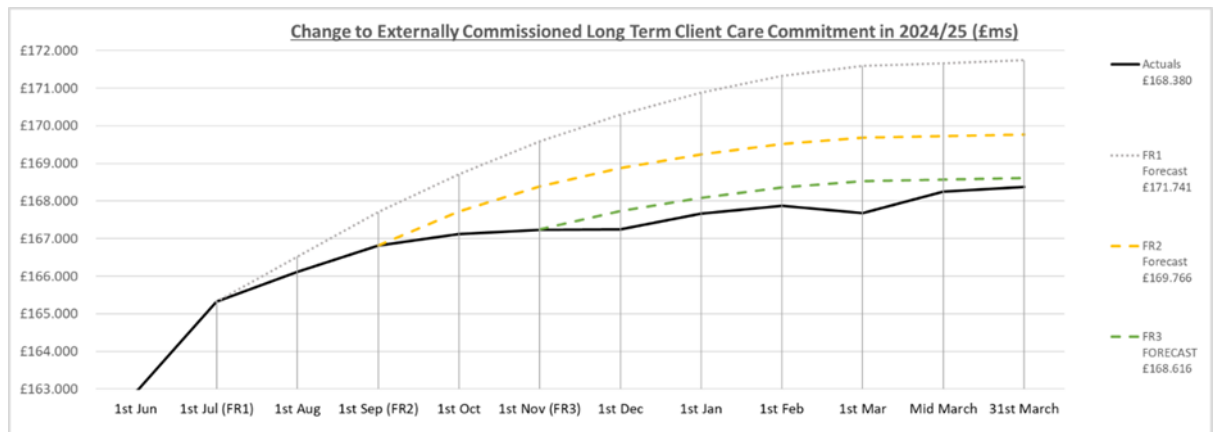
- 28 During 2024/25, we undertook a Balance Sheet review through our Treasury Advisors, Arlingclose Ltd. As part of that review, they considered the revenue impact of the current Minimum Revenue Provision (MRP) and Capital Financing Requirement (CFR) policy currently in place. We asked them to assess our alignment with current Chartered Institute of Public Finance and Accountancy (CIPFA) guidance. Changes to the Accounting Policy for MRP were set out in the 2025/26 – 2028/29 MTFS against the Capital Financing Budget (Refer to Appendix A, Annex 5, Section 3 of the MTFS – [Approved Feb 2025](#)).
- 29 Changes to the Accounting Policy needed to be made in 2024/25 due to new regulations coming in from 1 April 2025 and therefore have the benefit of reducing the 2024/25 charge to revenue with a betterment to the overall outturn position plus ongoing impacts from 2025/26 onwards have been reflected through the MTFS. In summary the out-turn impact for 2024/25 being is a net improvement of £3.411m.
- 30 There are a number of key issues that have caused the revenue overspend, including:

- Continued demand and complexity of care beyond levels previously identified in Adult's services;
 - Increasing demands of Children's Social care, in terms of complexity and the number of cases;
 - Increased borrowing costs associated with the unfunded Dedicated Schools Grant (DSG) deficit;
 - Non delivery of some previously agreed savings and/or income targets;
 - The financial impact of investment in transformation and improvement activity over the medium term;
 - Under-recovery of rent allowances;
- 31 In order to mitigate the cost pressure facing the Council, various tasks to urgently review spend and identify additional savings have been undertaken in year through actions led by the Strategic Finance Management Board, which included:
- regular line by line reviews of budgets have been undertaken throughout the year to identify any additional funding or potential areas of underspend.
 - The cessation of any non-essential spend
 - Management of vacancies, particularly agency usage
 - Review of Section 106 legacy budgets
 - Identification of any other areas of discretionary spend including grants awarded, where spend can be reduced or stopped.
 - Review Debt management / overall level of bad debt provision

Specific commentary on the forecast outturn position by Committee

Adults and Health adverse variance of £17.6m

- 32 Throughout 2024/25 the Adults, Health and Integration Directorate has been forecasting an overspend of up to £20m driven by increases in costs of individual placements for people who draw on care and support. This forecast position included mitigations which have been delivered through the year. The final outturn position is an overspend of £17.6m.
- 33 This position represents an improvement on the position that was reported at the Third Financial Review (TFR) of £2.4m. This further improvement results from a number of factors. First, the final outturn for external care costs was slightly lower than the TFR projection as demonstrated in the chart below. As shown in the graph the level of activity between December and March grew at a slower rate than in previous months and was anticipated at the end of quarter 3. At that time there was concern that activity would increase as a result of winter pressures and so a cautious approach was adopted in forecasting the outturn.



- 34 Secondly, smaller favourable variances in other areas have allowed more external care costs than previously anticipated to be funded using eligible external grants. The terms and conditions of these grants allow these costs to be funded if they have been defrayed before the end of the financial year. Finally, income levels continue to exceed earlier expectations for two reasons, income is driven activity and directly related to care costs and the new adoption of a new charging policy adopted in 2024/25.
- 35 This final position provides a secure foundation to build on in 2025/26 and beyond through the Medium-Term Financial Strategy (MTFS) as new transformation projects (e.g. Prevent Reduce, Enable) are brought forward to improve outcomes for service users alongside containing the financial outlay for the Council in responding to ongoing high levels of demand. Although a small amount of the improvement between TFR and the Year End position is of a temporary nature, the outturn position provides greater confidence that the growth for care costs and income which are in the MTFS reflect the adjustment levels needed to re-size the service budget in 2025/26.

Public Health

- 36 There are various factors which have impacted the final position for the Public Health (PH) ringfenced grant reserve movement. Some of this links to additional grant received for PH outcomes, as well as work by the service to manage vacancies and reduce contract costs where possible. The service will continue to work with the wider council services when planning future years' expenditure. This will ensure the best possible VFM is achieved for CEC residents, whilst also ensuring that services funded from the grant continue to meet the statutory ringfenced criteria for PH outcomes. It is important to note that the reserve needs to be sufficient to ensure that when current contracts are re-commissioned they remain affordable, as there is no guarantee that the PH grant allocation will increase to cover cost increases.

Children and Families adverse variance of £3.5m

- 37 At the end of the last financial year the outturn for Children and Families was an overspend of £8.2m. The Medium-Term Financial Strategy included growth to address the pressures that were emerging throughout 2023/24.

The costs of children's social care are a concern for many local authorities and not unique to Cheshire East.

- 38 The provisional outturn position for 2024/25 reflects a £3.5m in-year pressure. This is an improvement of £1.9m since the third financial review mainly due to: £0.7m drawdown from reserves to offset the costs relating to flexible capital receipts; £0.2m improved position on catering; £0.2m increase on transport; there was an increase £1.2m in Social Care Cost relating to support accommodation costs but other costs reduced by a similar amount across other placements; use of grants to reduce commissioning cost of children's contracts £0.2m; and reduced staffing cost due to vacancy management and use of grants in Education, Strong Start and Integration (£1.0m).
- 39 The key pressure areas for the directorate include:
- Children's social care placements (£3.4m adverse variance) where the complexity of children in care has continued to increase and the number of children in care has increased from 528 at April 2024 to 550 at March 2025 (compared to a decrease from 586 at April 2023 to 541 at March 2024). Placement costs are increasing by significantly more than inflation and in-year growth is more than projected in the budget, particularly relating to supported accommodation costs.
 - The use and cost of agency staff in children's social care to cover vacancies, sick absence, and maternity leave. The number of staff is greater than the planned establishment to ensure we are able to meet our statutory needs. A review of the staffing structure and establishment gap has been factored into the MTFS for 2025/26.
 - Home to school transport costs (£0.5m adverse variance) – where a mix of increasing numbers of pupils with an education, health and care plan (EHCP), and increasing contract costs / direct payment costs.
 - Schools Catering (£0.2m adverse variance) – where the costs of the service are above the current charged income level and base budget.
- 40 These in-year pressures were considered as part of the MTFS for 2025/26. These include:
- Reviewing costs of placements as more detailed reviews are underway focusing on the expected length that some placements may need to be in place for;
 - Staffing establishment reviews now scheduled on a 6 weekly basis including a review of agency staff and alternative working;

- Reunification children to be identified with targeted work in place for individual cases;
- Tracking of similar spend across teams to be held in the same place as residential and supported accommodation spend to increase overall grip and understanding;
- Work on Edge of Care Service proposals to identify early intervention that may reduce admissions and costs.

41 Dedicated School Grant (DSG)

For details on DSG please see paragraph 66 below

Corporate Policy favourable variance of £2.2m

- 42 The Corporate Services Directorate has a net budget of £42.0m for 2024/25 and the final level of spending is £41.9m. Expenditure includes £3.8m on transformation that was not part of the original budget.
- 43 A number of adjustments have been processed to make an overall reduction to the level of expenditure. They are:
- Contributing to an Insurance Reserve (£0.3m).
 - Contributing to an Elections Reserve (£0.3m).
 - Creation of an ICT Reserve to assist with change in 2025/26 (£0.3m).
 - Funding transformation spend from existing earmarked reserves (£3.1m).
- 44 As a result, the final outturn is an underspend of £2.2m. The main reasons for the underspend are as follows:
- Vacancy management ~ most services have contributed to a total underspend of £2.3m on staffing budgets from vacant posts, some of which are now filled. This has enabled the service to manage a £0.54m pressure from an MTFS savings target that could not be delivered.
 - ICT underspend ~ ICT has delivered a £1.7m underspend. This is mainly due to the expenditure on contracts being lower than expected and a full review of pre-payments.
 - Members allowances ~ the budget has underspent by £0.3m.
 - Expenditure control ~ tighter control on non-pay spending across the Directorate has achieved savings in most services totalling £0.3m.

- Additional income ~ Registrations Service (£0.5m), Procurement (£0.1m), and Finance (£0.1m) along with additional grant, and court costs income in the Benefits Service (£0.2m).

45 However, these underspends have been offset by the following:

- Rent Allowances ~ under-recovery of £1.5m.
- Transactional Service Centre ~ overspend of £0.3m mainly due to the additional costs of the stabilisation programme which has been put in place to improve the performance of the service and recognises the need to change the way in which Unit4 is used.
- Unavoidable costs ~ External Audit costs, and Bank Charges in Finance of £0.4m.
- Income shortfalls ~ in Project Management Office, Internal Audit, and Legal Services totalling £0.5m.

46 At Third Finance Review (FR3), Corporate Services was forecast to overspend by £2.5m meaning the outturn has improved by £4.7m. The main reasons for such a major change are as follows:

- Transformation ~ forecast costs of £3.7m were included in the FR3 figures. At outturn £3.1m of these costs have been shown as funded from reserve reducing the outturn figure by a corresponding amount.
- ICT shift of £1.1m from contract spend review.
- Establishment Reset ~ after the production of FR3 figures, staffing budgets were re-aligned following an establishment review, and the impact of backdated pay award became much clearer meaning more accurate staffing forecasts were possible increasing the underspend at outturn by £0.5m.

Place Directorate total favourable variance of £8.6m.

47 Overall, the Place Directorate is reporting an underspend of 8.6m at outturn against a £92.2m budget. This represents a £3.7m improvement from FR3.

48 The key issues relate to holding vacancies with staffing - expenditure running 16% below budget totalling £5.9m, reduced utility costs of £2.3m and other net changes such as increased income of £0.6m. Previously reported pressures from planning income and waste etc have been managed.

Environment and Communities favourable variance of £1.5m

- 49 Environment and Neighbourhood Services is reporting an underspend of £1.5m against a net budget of £47.8m. This is a £1.9m improvement from FR3. The key reasons for the underspend are £1.6m underspend in the Planning Service comprising underspends in Development Management of £0.5m and Building Control of £0.4m, both mainly due to vacancies. Strategic Planning is £0.7m underspent due to £0.3m vacancies plus £0.3m delayed Local Plan costs. The overall improvement is £0.9m since FR3 due to Improved Planning application income £0.3m, vacancy management £0.4m and additional income/funding £0.1m.
- 50 Environmental Commissioning for ANSA has seen a £0.3m underspend from an increase on the surplus of the core contract, this is an improvement on FR3 of £0.3m. Environmental Commissioning Orbitas is also £0.3m underspent, this is from additional income, which is a £0.1m improvement on income since FR3. Carbon neutral is £0.1m underspent due to recharging staff time to capital schemes, Regulatory Services is a £0.4m underspend, this is £0.3m due to vacancies and £0.1m income, a £0.2m improvement from FR3. Libraries is £0.1m underspent mainly from vacancies and there has been a £0.9m overspend on Leisure Commissioning. This is due to non-delivery of MTFs savings and represents a £0.5m worsening since FR3, due to delayed closure of sites and historic MTFs items. Other services: £0.4m overspend mainly in relation to the HSE fine.

Economy and Growth favourable variance of £5.3m

- 51 The Growth and Enterprise Directorate and Place Directorate are reporting an underspend of £5.3m against a budget of £28.2m. This is £1.5m improvement from FR3.
- 52 The key reasons for the underspend are as follows:
- 53 Facilities Management is underspent by £1.8m, a £0.1m improvement from FR3 due to vacancies. There have been savings against gas and electricity compared to higher budgeted costs of £2.3m and an underspend on Business rates of £0.3m due to revaluations and appeals. Vacancy management, savings in supplies and additional income have contributed to the underspend by £0.7m. This has been offset by pressures against maintenance budgets of £0.6m; partial achievement of the office estate rationalisation savings target £0.3m, Disrepair claims which is a £0.3m pressure and Water and cleaning costs, a pressure of £0.2m.
- 54 Economic Development is £0.8m underspent, this is as a result of reduced cost of supplies £0.3m, increased income £0.3m and vacancy management £0.2m, this is a £0.2m improvement from FR3. The Housing outturn is £0.7m underspent, due to vacancies and some grant funding, this is a £0.1m improvement from FR3.

- 55 Tatton, Green infrastructure, Cultural Economy and Visitor Economy is £1m underspent, this is a £0.8m improvement from FR3 due to holding vacancies and increasing income.
- 56 The Assets service is underspent by £0.7m, £0.3m is due to vacancies, £0.3m from better income and £0.1m due to a reduction in maintenance spend. The £0.5m improvement from FR3 is mainly from additional income. Farms is underspent by £0.2 due to lower maintenance spend.

Highways and Transport favourable variance of £1.8m

- 57 Transport & Infrastructure is reporting an underspend of £1.8m against a net budget of £16.2m. This is an improvement of £1.3m since FR3.
- 58 The key reasons for the underspend are:
- Car Parking: £0.3m overspend, £0.4m vacancies are offset by reduced car park income £0.7m. This represents a £0.6m worsening since FR3 from reduced income.
 - Strategic Transport is a £1.2m underspend, largely due to vacancies, which represent a £1.1m improvement from FR3, there has also been a delay in new bus contracts taking effect.
 - An underspend of £0.8m across Ansa Transport commissioning, Infrastructure, Highways and Rail Transport Integration due to vacancies.

Finance Sub – Central items

- 59 Finance Sub Committee are reporting a variance of £7.4m, key variances relate to:
- Financing and Investment £1.1m net pressure reflecting £3.0m increased cost of interest payments on borrowing offset by £1.8m increased interest receipts from investments.
 - (£0.2m) additional Flexible Capital Receipts above £1m budgeted.
 - Reserves – transfers to / from of £10.6m (net) reflects the following:
 - +£1m reduction in available Capital Financing Reserve at outturn compared to forecast balance reflected in the February 2024 MTFS.
 - (£3.8)m use of the General Fund reserve forecast to fund transformation activities in services in year.
 - +£3.5m Transfer to Reserve as reflected in the 2025/26 MTFS (Forecast Reserves) to fund Transformation delivery in 2025/26.
 - +£5.3m Transfer to Reserve – as noted in paragraph 69 below
 - +£2.1m Transfer to General Fund – as noted in paragraph 69 below

➤ +£2.5m new Earmarked Reserves

- As reported in the MTFS 2025/26 approved in February 2025, following a balance sheet review by our Treasury Advisors, Arlingclose Ltd, the Minimum Revenue Provision (MRP) policy has been revised and amended with effect from 1 April 2024, bringing it in closer alignment with CIPFA Guidance. The effect of this change has reduced the MRP charge to Revenue in 2024/25 by £3.4m, the ongoing improvement has been reflected in the MTFS/Budget for 2025/26.
- There is a further £1.88m positive variance as a result of in year balance sheet reviews against S106 balances/schemes and bad debt. The S106 Review identifying a one off contribution in year where work has been completed in prior years but has not been reflected in transferring money from S106 into the general fund, a reduction of £0.8m (£0.5m at FR3); £1.08m reduction in the bad debt provision following a review in year of the approach to Adult Social Care debts, further reviews are ongoing for Sundry Debts, the effects of which will be reflected in 2025/26 in year reporting.

Finance Sub – Exceptional Financial Support

- 60 Use of (£17.6m) Exceptional Financial Support – as reported at FR3, the Council proposed to utilise the full £17.6m conditional EFS in 2024/25 to cover the in year adverse overspend in order to protect and minimise the use of reserves. The costs of accepting the EFS support will impact over the medium term. The financing of the use of EFS has been reflected in the MTFS/Budget for 2025/26 (see also para 27).

Companies

- 61 The Council's wholly owned companies' core contract expenditure was £43.7m in 2024/25, relating to services provided at cost for the Council. This position includes £1.1m of additional costs in year, relating to pay award pressures, Household waste recycling closure costs; offset by £1.2m in savings(including a £0.7m rebate on the Core contract), due to a reduction in inflation compared to budget and reduced tonnages against waste contracts, improvement in the recycling income, improvements against fuel spend, income, staffing vacancies, and other mitigations and efficiencies.
- 62 The net decrease in core contract costs is reflected in the Council's outturn position, mainly against Environment & Communities Committee services, with a net reduction against Highways & Transport Committee functions. The companies rebated £0.7m management fee back to the Council, related to core contract underspend, reflected in the Council's outturn position. In addition, in line with 2024/25 agreed policy proposals £1m of company reserves were returned to the Council as planned plus a further £0.5m agreed in year to assist with the Council's in year position. Both amounts have been reflected in the out-turn position.

- 63 Ansa and Orbitas realised £0.334m in profits (after tax) from commercial activities.

Delivery of the 2024/25 approved budget change items

- 64 Table 6 presents a summary of the final progress on the delivery of the 2024/25 approved budget change items. For items rated as Amber these are for items where there are risks and/or mitigating actions in place. For items rated as red these are for items where services are reporting an adverse variance and there has been an in year non delivery/achievement. New mitigation items have also been included that have come forward since the approval of the MTFS to help the in-year position where identified.
- 65 The green and blue columns show that these budget change items are either delivered or even exceed in some cases. The table below summarises the final progress for the year by Committee.

Table 6: Summary of the final progress on the delivery of the 2024/25 approved budget change items

Committee	Approved Change Budget £m	Outturn £m	Completed £m	Green £m	Amber £m	Red £m	Mitigations £m
Adults & Health	+1.136	+18.707	-2.723	-10.955	-	+33.521	-1.136
Children & Families	+9.909	+13.375	+0.533	-1.001	+0.205	+15.431	-1.793
Corporate Policy	+0.489	-1.759	+0.193	-0.482	-	+1.581	-3.051
Economy & Growth	+3.316	-1.943	-0.061	+1.988	-0.836	+0.940	-3.974
Environment & Communities	-0.052	-1.587	+0.875	-2.012	-0.051	+2.397	-2.796
Finance Sub	-19.667	-12.277	-6.592	-22.583	+10.517	-	+6.381
Highways & Transport	+4.869	+3.084	+2.638	+0.707	+0.820	+0.351	-1.432
TOTAL	0	+17.600	-5.137	-34.338	-10.655	+54.221	-7.801

- 66 A complete list of all approved budget change items, with final progress noted against each item, can be found in **Annex 1, Section 2**.

Revenue Grants for Approval

- 67 Approvals for Supplementary Revenue Estimates for allocation of additional grant funding are detailed in **Annex 1, Section 3**.

Reserves Position

- 68 On 1 April 2024, Earmarked Reserves totalled £32.278m and the General Fund Reserve Balance totalled £5.580m. Of the total earmarked reserves, £13.7m has been transferred to the General Fund and £7m has been utilised to support the revenue budget for 2024/25. The General Fund reserves have been partially used to fund Transformation Costs of £3.8m and a contribution has been made to the revenue budget spend in year of £11.7m.
- 69 Table 7 shows the forecast level of Earmarked and General reserves at the end of 2024/25. This includes the creation of two new reserves :
- an earmarked reserve to cover the one off costs of Transformation in 2025/26 and 2026/27 of **£5.3m** to help mitigate anticipated one off cost impacts of change.
 - a Transfer to General Fund Reserves - **£2.5m** to increase financial resilience into 2025/26 and future years.
- 70 At outturn, some £2m of Earmarked reserves planned to be spent in 2024/25 have not been fully spent in year and therefore an additional slipped number of Earmarked reserves are being taken forward into 2024/25. There is planned spend in place for these earmarked reserves 2025/26.
- 71 New Earmarked reserve requests of £2.520m have been approved to fund some specific one-off items in 2025/26.
- 72 The Council outturn position is reporting £23.322m of earmarked reserves at the end of the financial year (MTFS Feb 2025 forecast £11.5m), of this £3.2m is considered ring-fenced, with special conditions limiting its use. The £11.8m change from the February 2025 forecast mainly reflects additional service requests of £2.6m, cost of transformation (£5.3m) and £3.9m lower than forecast planned use of reserves in year.

Table 7: General and Earmarked Reserves

Committee Reserves	Opening Balance 01 April 2024 £000	Transfers to General Fund £000	Drawdowns in year £000	Carry Forwards £000	New Requests Approved £000	Closing Balance Forecast 31 March 2025 £000
Adults and Health	5,226	(2,857)	9	(9)	835	3,204
Children and Families	1,724	0	(1,724)	0	456	456
Corporate Policy & Central	20,772	(9,276)	(3,878)	(50)	9,714	17,282
Economy and Growth	2,777	(1,008)	(866)	173	320	1,396
Environment and Communities	870	(390)	(328)	330	0	482
Highways and Transport	908	(205)	(215)	14	0	502
Earmarked Reserves Total	32,277	(13,736)	(7,002)	458	11,325	23,322
General Fund Reserve	5,580	2,082	(3,966)	139	2,473	6,308
Total Reserves	37,857	(11,654)	(10,968)	597	13,798	29,630

73 A full list of all earmarked reserves can be found in **Annex 1, Section 5**.

Dedicated Schools Grant Reserve

- 74 The key pressure on DSG relates to the high needs block where the SEND service continues to see a significant increase in the number of pupils with an EHCPs, and the associated school placement costs.
- 75 This has placed pressure on the grant used to provide funding for children with SEND in various settings and led to a £31.7m deficit in 2023/24. This adds on to the brought forward deficit of £46.9m to take the DSG Reserve to a £78.6m deficit position at the end of 2023/24. This was an improvement on the budget gap as determined by the Council's DSG Management Plan that was reported to Children and Families Committee in April 2024 and set out the planned expenditure and income on high needs over the medium term. The gap has improved further during 2024/25 with an in-year deficit of £33.5m compared with £41.4m in the management plan. The overall deficit is £112.1m at the end of the year. Please note this includes an underspend on early years of £1.6m that is expected to be recouped in 2025/26.

Table 8 Dedicated Schools Grant

Dedicated Schools Grant Deficit	£m
Deficit Balance Brought forward	78.6
Additional In-year Pressures	33.5
Deficit Balance at 31 March 2025	112.1

Debt

- 76 Sundry debt includes all invoiced income due to the Council except for statutory taxes (Council Tax and Non-Domestic Rates). The balance of outstanding debt at 31 March 2025 was £18.5m. This has increased by £1.6m since FR3 (end of November 2024).
- 77 Annually, the Council raises invoices with a total value of over £95m. Around 40% of the Council's overall sundry debt portfolio relates to charges for Adult Social Care, the remainder being spread across a range of functions including Highways, Property Services, Licensing and Building Control.
- 78 The Revenue Recovery team (using their experience gained in collecting Council Tax and Non-Domestic Rates) engage with services to offer advice and assistance in all aspects of debt management, including facilitating access to debt collection services (currently provided by Bristow & Sutor).
- 79 The total amount of service debt over six months old is £11.9m; split as £10.5m of Adult Social Care debt and £1.4m of Sundry Debt. A provision of £6.1m was made at year ended 31 March 2025 to cover doubtful debt in the event that it needs to be written off. There has been an in year review of the Bad Debt provision which has to date focused on Adult Social Care debt. This has lead to a reduction in the provision of £0.7m in the current year. Further work is planned for a review of debt across other service areas in 2025/26.
- 80 The level of Adult Social Care debt can fluctuate depending on when in the month the snapshot is taken, for example if it is before or after the Direct Debit income is received and allocated. The debt also has different levels of risk depending on the type of debt. For example, around £3.5m is linked to deferred arrangements which is debt that is secured on property or assets, and therefore carries a low risk. There is also around £9.4m of debt which is deemed to be lower risk as its linked to areas such as probate, property sales or deputyship.
- 81 The Highways position for outstanding debt is consistent throughout the year. The debt is generally made up of three elements: the movement of funds from Cheshire West and Chester Council and Warrington Borough Council in relation to the Cheshire Road Safety Group (these are settled quickly); third

party claims for damage to the highway; and permit fees. The third party claims are often paid in instalments.

82 The previous outturn positions are:

- 31 March 2025 Outstanding debt £2.2m, over 6 months old £0.6m.
- 31 March 2024 Outstanding debt £1.6m, over 6 months old £0.7m

83 The Council has robust processes in place to ensure that all outstanding debt is chased up (where commercially viable) and, where necessary, payment plans are put in place with advice from Legal Services.

Table 9 – Debt Summary as at 31 March 2025

DEBT SUMMARY as at 31st March 2025

	Outstanding Debt £000			Over 6 months old £000		
	FR3	Outturn	Increase / (Decrease)	FR3	Outturn	Increase / (Decrease)
Adults and Health Committee						
Adults, Public Health and Communities	14,170	22,614	8,444	9,325	10,556	1,230
Children and Families Committee						
Children's Social Care (Incl. Directorate)	189	500	311	1	1	(0)
Prevention and Early Help	51	157	107	(8)	(8)	1
Schools	17	20	2	3	1	(2)
Highways and Transport Committee			-			
Highways and Infrastructure	1,305	2,160	855	755	626	(129)
Economy and Growth Committee			-			
Growth and Enterprise	621	2,010	1,390	420	375	(45)
Environment and Communities Committee			-			
Environment and Neighbourhood Services	377	522	146	214	243	29
Corporate Policy Committee			-			
Finance and Customer Services	126	367	241	67	86	19
Governance and Compliance	0	46	46	-	0	0
Human Resources	-	94	94	-	-	-
ICT	3	1,573	1,570	2	0	(2)
Total	16,859	30,063	13,205	10,780	11,881	1,101

Council Tax and Business Rates

Council Tax

84 **Table 10** details each precepting authorities share of the budgeted collectable rates income.

Table 10 Share of Council Tax Collectable Rates	Band D Charge	Collectable Rates £m
Cheshire East Council	1,792.59	287.1
Town and Parish Councils	71.57	11.5
Cheshire Police and Crime Commissioner	262.94	42.1
Cheshire Fire Authority	90.09	14.4
Total	2,217.19	355.1

- 85 The collectable rates valuation is based on the assumption that of the total amount billed, at least 99% will be collected. Table 11 demonstrates that, excluding a slight reduction during the Covid-19 pandemic, the target to collect at least 99% of Council Tax within three years continues to be achieved.

Table 11 Council Tax Collection Rates	2020/21 %	2021/22 %	2022/23 %	2023/24 %	2024/25 %
After 1 year	97.4	97.8	98.2	98.0	*97.8
After 2 years	98.6	98.5	98.8	98.6	**
After 3 years	98.9	99.0	99.1	**	**

** Data is not yet available.

- 86 After accounting adjustments, the Council Tax Collection Fund position at outturn was a £0.420m surplus for 2024/25, of which, £0.353m is attributable to Cheshire East Council. This is a £0.347m improvement to the declared surplus of £0.73m from January 2025 and will be held in the Collection Fund Adjustment Account until January 2026, when a revised declaration to take this final position into account can be made.

Non-Domestic Rates (NDR)

- 87 Collectable rates are distributed between Cheshire East Council (49%), Cheshire Fire Authority (1%), and Central Government (50%).
- 88 Non-domestic Rates valuations for 2024/25 were set out in the NNDR1 return to Central Government in January 2024. Any variance to this forecast is included in the following years' NNDR1 return and any gain or loss will be recovered in 2025/26. The total Net Rates Payable into the Collection Fund was forecast at £155.7m.
- 89 **Table 12** demonstrates that the target to collect at least 99% of Non-Domestic Rates within three years continues to be achieved.

Table 12 Non-Domestic Collection Rates	2020/21 %	2021/22 %	2022/23 %	2023/24 %	2024/25 %
After 1 year	92.4	95.6	98.2	97.7	97.9
After 2 years	97.4	98.3	98.8	99.0	**
After 3 years	99.0	99.2	99.4	**	**

** Data is not yet available.

- 90 After accounting adjustments, the Non-Domestic Rates Collection Fund is out-turning a final deficit of £2.288m for 2024/25, of which, £1.121m is attributable to Cheshire East Council. This deficit is £0.238m more than the declared deficit of £2.050m from January 2025 and will be held in the Collection Fund Adjustment Account until January 2026 when a revised declaration to take this final position into account can be made.

Treasury Management Strategy update

- 91 Treasury Management income for 2024/25 is £3.3m which is higher than the budgeted £1.9m. However, borrowing costs are also higher than budgeted at £18.9m compared to budget of £16.1m. The net additional financing costs (borrowing less investment interest) is therefore £1.4m in excess of that budgeted.
- 92 Interest rates have seen substantial rises over the last 3 years which has significantly increased the cost of borrowing. Borrowing costs have begun to fall and the expectation is that they will continue to fall although market uncertainty may impact on the timing of future reductions.
- 93 The cost of short-term borrowing from other local authorities has generally followed Base Rate over the year. However, liquidity in the market from October onwards caused rates to increase disproportionately compared to underlying Base Rates. The Council's application for Exceptional Financial Support also reduced the credit quality of the Council to some lenders which exacerbated the shortage of liquidity available. As a result some PWLB borrowing was undertaken with a mix of 1-2 year maturity loans and 2-3 year Equal Instalments of Principal (EIP) repayment loans. The average rate payable on these loans is 4.84%. This provides some surety of cost at lower rates than we could otherwise have achieved at the time and reduces over-reliance on short term borrowing. The relatively short period of these PWLB loans should provide opportunities to refinance at lower cost if rates fall in line with expectations.
- 94 The cost of short term borrowing in 2024/25 is 5.29% which is an increase from 4.82% in 2023/24. The average rate paid on all borrowing was 5.03%.

Investment Strategy

- 95 There have not been any material changes to the Investment Strategy since that reported at in the MTFS for 2025/26 – 2028/29 in Feb 2025, see link [APPENDIX A MTFS 2025-26 to 2028-29 FINAL](#) . Annex 1, Section 7 to this report includes updates to the Investment Strategy indicators for 2024/25 out-turn where available.

Consultation and Engagement

- 96 The annual business planning process involves engagement with local people and organisations. Local authorities have a statutory duty to consult on their budget with certain stakeholder groups including the Schools Forum and businesses. In addition, the Council chooses to consult with other stakeholder groups. The Council continues to carry out
-

stakeholder analysis to identify the different groups involved in the budget setting process, what information they need from us, the information we currently provide these groups with, and where we can improve our engagement process.

- 97 The Medium-Term Financial Strategy has been developed during 2024 and an online budget engagement survey was published on 19 December 2024.

Reasons for Recommendations

- 98 The recommendations in this report support the 'Reporting' element of the financial cycle.
- 99 The overall process for managing the Council's resources focuses on value for money, good governance, and stewardship. The approach to these responsibilities is captured in the Medium-Term Financial Strategy. Financial changes take place during the year and are authorised in line with the Constitution. This report sets out where further approvals are required.
- 100 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.
- 101 Outturn reporting provides an opportunity to check performance and management of risks against the Medium-Term Financial Strategy. The four-year MTFS is approved by Council, but risks were identified as part of this process which will require access to reserves and exceptional financial support. Members had regard to such risks as the deficit in Dedicated School Grant reserves and potential liabilities associated with the Extra Care Housing PFI (Private Finance Initiative) Scheme when approving the budget.

Other Options Considered

- 102 Outturn reporting could be delayed until post audit, to avoid the risk of provisional figures changing. This is not a recommended option as the audit completion certificate is not expected until February 2026. Delaying the reporting element of the financial cycle minimises the ability to react to issues during in-year monitoring. Provisional reporting has historically been accurate, so it is appropriate to react to the financial information provided in this report.
- 103 General Reserves are used to manage risk, in accordance with the Reserves Strategy. In the Planning cycle for the 2026/27 MTFS members will have to re-consider the robustness of all estimates and the overall adequacy of reserves based on up-to-date information and forecasts, which will include a review of the level of General Reserves.
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Implications and Comments

Monitoring Officer/Legal/Governance

- 104 The Finance Sub-Committee has responsibility for oversight of the Council's budget and treasury management responsibilities and therefore the recommendations fall within its remit. Its approval of the supplementary estimates and virements follows the Budget and Policy Framework Rules and it is recommended that each committee also approves them.²
- 105 The legal implications surrounding the process of setting the 2025 to 2029 Medium-Term Financial Strategy were dealt with in the reports relating to that process. The purpose of this paper is to provide a progress report at the final outturn stage in 2024/25.
- 106 Other implications arising directly from this report relate to the internal processes of approving supplementary revenue estimates, supplementary capital estimates and virements referred to above which are governed by the Finance Procedure Rules.

Section 151 Officer/Finance

- 107 The Council's financial resources are agreed by Council and aligned to the achievement of stated outcomes for residents and communities. Monitoring and managing performance help to ensure that resources are used effectively, and that business planning and financial decision making are made in the right context.
- 108 The Council's Audit & Governance Committee is responsible for reviewing and analysing the Council's audited position at year-end. Final Group Accounts are due for approval by February 2026 following public scrutiny, external auditing, and any associated recommendations to the Committee.
- 109 The forecast outturn for 2024/25, as reported within the MTFS, was used to inform the budget setting process for 2025/26. Analysis of the final outturn helps to inform the Council of potential issues arising for the 2025/26 budget or highlights potential underlying issues that can be managed in future budget setting cycles.
- 110 At this stage further work is underway to identify whether the variations reported at outturn will form a significant risk to the 2025/26 budget.

Human Resources

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

Risk Management

112 Financial risks are assessed and reported on a regular basis, and remedial action taken if required. Risks associated with the achievement of the 2024/25 budget and the level of general reserves were factored into the financial scenario, budget, and reserves strategy.

Impact on other Committees

113 All Committees will receive this Outturn report.

Policy

114 This report is a backward look at Council activities during the final quarter.

115 The final outturn position, ongoing considerations for future years, and the impact on general reserves will be fed into the assumptions underpinning the 2026-30 Medium-Term Financial Strategy.

Equality, Diversity, and Inclusion

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

Consultation

Name of Consultee	Post held	Date sent	Date returned
Statutory Officer (or deputy):			
Adele Taylor	S151 Officer	12/05/2025	14/05/2025
Janet Witkowski	Acting Monitoring Officer	14/05/2025	22/05/2025
Other Consultees:			
Executive Directors/Directors:			
CLT		07/05/2025	

Access to Information	
Contact Officer:	Sal Khan, Interim Director of Finance and Deputy S151 Officer sal.khan@cheshireeast.gov.uk
Appendices:	Annex 1 - Outturn 2024-25.pdf Annex 2 - Grants Register.pdf Annex 3 - Capital Programme.pdf
Background Papers:	Medium Term Financial Strategy 2024-28 First Financial Review 2024/25 Second Financial Review 2024/25 Third Financial Review 2024/25

Annex 1, Section 3, Table 1

Table 1 – Council Decision

3.5. Supplementary Revenue Estimate Requests for Allocation of Additional Grant Funding (Specific Purpose) over £1,000,000

Committee	Type of Grant	£000	Details
Children & Families: Schools	Core Schools Budget Grant (CSBG)	2,502	This grant is from the Education and Skills Funding Agency and is to support schools with their overall costs in the 2024 to 2025 financial year, in particular following confirmation of the 2024 teacher pay award.
Corporate Policy	Housing Benefit Subsidy	2,231	This grant is from the Department for Work and Pensions. Payment of claims administration within Housing Benefits.

Table 2 – Committee Decision

3.6. Supplementary Revenue Estimate Requests for Allocation of Additional Grant Funding (Specific Purpose) over £500,000 up to £1,000,000

Committee	Type of Grant	£000	Details
Adults & Health	Homes for Ukraine Scheme	755	This grant is from the Department for Levelling Up, Housing and Communities (DLUHC) to provide support to families to rebuild their lives and fully integrate into communities.
Children and Families	Staying Close (Specific Purpose 2025/26)	602	This grant is to support the Staying Close programme, to improve outcomes for young people leaving care who do not have that continued support as they transition into independence.

3.7. **Annex 2** contains the full Grants Register for 2024/25 comparing the MTFS budgeted levels to the final outturn for every grant received.

Table 4: Requests for Supplementary Capital Estimates (SCEs)

Committee / Capital Scheme	Amount Requested £	Reason and Funding Source
Service Committee are asked to approve the Supplementary Capital Estimates above £500,000 up to and including £1,000,000		
Education and 14-19 Skills		
School Condition Allocation	552,916	A provisional amount of £2,000,000 was included within the MTFS for 2025-26. The allocation has now been confirmed as £2,552,916
Highways & Transport		
Mill Street Corridor - Station Link Project	(687,364)	Additional grant funding of £493,800 has been added to the Capital Programme alongside reallocations on various schemes to reflect in year spend. This grant was required to be spent by 31st March 2025.
Park Lane – Ayreshire Way, Congleton Walking and Cycling	107,410	
Growth and Enterprise		
Visitor Economy - Rural Shared Prosperity Fund	49,980	
UK Shared Prosperity Fund - Core	354,077	
Mill Street Corridor	450,000	
Macc on Foot (MOF)	65,975	
Macclesfield Indoor Market Refurbishment (MIMR)	85,500	
Royal Arcade Ph2 Meanwhile Uses	40,280	
Environment and Communities		
Crewe Towns Fund - Cumberland Arena	80,000	
Total Supplementary Capital Estimates Requested	1,098,773	
Total Capital Virements requested	-	
Total SCEs and Virements	1,098,773	

Table 5: Requests for Supplementary Capital Estimates (SCEs) For Finance Sub Committee Recommendation or Approval

Committee	Amount Requested £	Reason and Funding Source
Finance Sub Committee are asked to recommend to Council the approval of the Supplementary Capital SCEs over £1,000,000		
Education and 14-19 Skills		
High Needs Capital Grant	3,955,823	A provisional amount of £2,000,000 was included within the MTFS for High Needs Capital Grant. The 2025-26 allocation has now been
Highways & Transport		
Local Transport Grant	7,754,000	Additional Department for Transport Grant allocated for 2025-26
Housing Strategy		
Warm Homes Local Grant (DESNZ)	7,792,725	Department of Energy Security and Net Zero grant funding, supplementary estimates approved by urgent decision.
Total Supplementary Capital Estimates Requested	19,502,548	
Total Supplementary Capital Estimates and Virements	19,502,548	

COUNCIL MEETING – 16 JULY 2025**RECOMMENDATION FROM ADULTS AND HEALTH COMMITTEE:
CONNECT TO WORK FUND – APPROVAL OF SUPPLEMENTARY
REVENUE ESTIMATE****Recommendation:**

Council is recommended to approve a Supplementary Revenue Estimate of the value of £2,090,769, as referenced in paragraph 35 of the report, over the 2025-2030 financial years.

Extract from the minutes of the meeting of the Adults and Health Committee held on 23 June 2025.

6 CONNECT TO WORK FUNDING

The Committee considered a report which sought approval from the Adults and Health Committee for the Connect to Work delivery proposals, and for a recommendation to be made to Full Council for approval to receive and spend the grant.

The Committee were updated that the Connect to Work programme would be delivered by three neighbouring local authorities (Cheshire East Council, Cheshire West and Chester Council (CWAC) and Warrington Borough Council) who already had strong working relationships and collaborate on skills, employment and growth.

It was noted that the governance arrangements for the programme were not expected to be complete until August 2025.

The Committee were updated that CWAC were the lead for programme, and this had been decided by the Department for Work and Pensions (DWP), and they have lead accountable status. It was noted that the full allocation of the programme, across the three local authorities was in region of £14.3 million over five years. It was noted that CWAC would receive a higher proportion of funding due to the current resourcing levels within their Supported Employment Team, and therefore higher target for job starts, however Cheshire East Council would deliver the same quality of service and would be working closely with colleagues in the Children and Families directorate to ensure beneficial delivery.

Members were updated that officers would be looking to target those individuals in harder to reach rural areas, and this would form part of the action plan. It was noted that several methods would be used to ensure that as many people as

possible could be reached with this programme and Members stated the importance of helping those with disabilities to get back into work.

It was noted that CWAC would be responsible for the commissioned element of the programme, and there would be some associated project management and outsourced fees and elements, however benchmarking had taken place in relation to the expected figures. It was noted that the £500,000 received from the UK Shared Prosperity Fund would not need to be paid back, and that the DWP had set the yearly allocations, with the peak being towards the middle of the programme.

Members requested details of the successes the Cheshire East Supported Employment Team had had over recent years, and details of the 55 sustainments in paragraph 7 of the report. Officers committed to provide a written response.

Members requested details of the levels of referrals Cheshire East was taking, and how the investment made by Cheshire East Council differs from that of CWAC and Warrington Borough Council. Officers committed to provide a written response to this.

Councillor Gardiner proposed an amendment to add a fourth recommendation to the report:

“Request officers to bring a further paper to the Adults and Health Committee which sets out performance monitoring and management information to enable the committee to make further decisions on governance.”

This amendment was seconded by Councillor Moss and accepted by the committee as a friendly amendment.

RESOLVED (Unanimously):

That the Adults and Health Committee:

1. Agree that the funding be accepted and approve the proposed spend to use this additional funding as set out in para 20-23.
2. Approve the proposed “Connect to Work Action Plan” as set out in Appendix 1.
3. **Recommend to Council the approval of a Supplementary Revenue Estimate of the value of £2,090,769 referenced in para 35 over the 2025-2030 financial years.**

4. Request officers to bring a further paper to the Adults and Health Committee which sets out performance monitoring and management information to enable the committee to make further decisions on governance.

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OPEN**Adults and Health Committee****23 June 2025****Connect to Work Funding**

Report of: Helen Charlesworth-May, Executive Director of Adults Health and Integration

Report Reference No: AH/41/2025-26

Ward(s) Affected: All Wards

For Decision**Purpose of Report**

- 1 The Council stands to benefit from a new significant DWP fund called Connect to Work. Starting in October 25, this will invest around £3.9m worth of provision in total to Cheshire East. Of this, £2,090,769 will be allocated directly to the Council for delivering services over the next five years to boost employment support for economically inactive people and disadvantaged groups.
- 2 A significant boost via external funding into this service area, supports the benefits of early intervention as laid out in the Transformation and Corporate Plan:
<https://centranet.cheshireeast.gov.uk/news/2024/october/transformingcheshireeast-a-plan-on-a-page.aspx>

The purpose of this report is to seek Adult Health and Integration Committee's approval for the delivery proposals and for a recommendation to be made to Full Council for approval to receive and spend the grant. (See Paragraphs 20-23 for delivery proposals).

Executive Summary

- 3 This report will provide key information and proposals as follows:
 - Background information about the DWPs new Connect to Work fund
 - Summary proposals for how the Department can make best use of this fund

- Strategic considerations (eg links to Get Britain Working and Council transformation objectives)
- Governance issues (Cheshire West & Chester Council are the lead accountable body)
- Recommendations for the necessary authorisation routes culminating in the need for a report to Full Council in July
- How the Shared Prosperity Fund extension year will act as a bridge to the Connect to Work programme starting in October 25

RECOMMENDATIONS

The Adults Health and Integration Committee is recommended to:

1. Agree that the funding be accepted and approve the proposed spend to use this additional funding as set out in paragraphs 20-22.
2. Approve the proposed “Connect to Work Action Plan” as set out in Appendix 1
3. Recommend to Council the approval of a Supplementary Revenue Estimate (SRE) of the value of £2,090,769 referenced in para 35 over the 2025-2030 financial years

Background

- 4 The Department for Work & Pensions has provided all the required detail about Connect to Work (CtoW), including how much money we will receive, the target number of starts and the expected outcomes. Work is underway with Cheshire West and Chester, and Warrington Borough Councils to develop all the delivery, governance, performance, finance and partnership arrangements. A sub-regional working group has been set up to plan all delivery. An additional working group is tasked to prepare for the skills and learning elements of an anticipated devolution arrangement. The Connect to Work programme is considered to be of significant importance in its connection to the anticipated devolution agenda.
- 5 Existing staff on the Council's Supported Employment team will be aligned to the CtoW outcome objectives. As a result, CtoW will not only be able to fund some of the existing supported employment team, but will fund a significantly expanded provision. This will generate further job outcomes for customers and increased adult social care deflections and cost savings for the Council.
- 6 CtoW is expected to start at the beginning of October 2025. The recommended strategic approach is to use the UK Shared Prosperity Fund extension year, to act as a bridge to cover the April 25 – September 25 period. The recommended use of £566k UKSPF for this purpose was approved by the Corporate Policy Committee and at Full Council in February as part of the MTFS report. This incorporates the financial support of the internal team and an extension of the commissioned Inspiring Futures programme delivered by

FedCap. This provision exceeded all its targets for the first two years funded by SPF.

7

889	Cheshire East residents were referred to the programme for support
211	Starts on Programme
120	First Job starts
32	Subsequent Job Starts (Participants moving from a voluntary role to a paid role, or supported to find an alternative opportunity)
55	Sustainments (Participants in work for 13 weeks or more)

- 8 One of the Government's five missions is to kickstart economic growth with good jobs and improved productivity in every part of the country. The ambition is for a more inclusive economy which enables people to get into work and to get on at work, ensuring employment opportunities for all. In the UK, there are 1.9 million people who would like to work but are not participating in the labour market – often due to health issues and/or disability. There are currently 104,000 economically inactive people in Cheshire East, West and Warrington, 47,000 of whom reside in Cheshire East.
- 9 The new UK Get Britain Working Strategy will bring fundamental reform that transforms our relationship with local areas and ensures that we have a strong foundation to work in partnership and to support people into good, sustainable work. CtoW will be a key component of this.
- 10 CtoW will support those, primarily, currently outside the workforce and facing greater labour market disadvantages, to get back into work and to stay in work. This in turn, supports the Government's ambition for a more inclusive economy.
- 11 The relevant CtoW allocation is for the sub-region of Cheshire East, Cheshire West & Chester and Warrington which has a total value of £14.3m over 5 years.

Starts and Eligibility

- 12 The expectation is that the subregion will take on 1,300 starts a year, (at peak level). The focus will be on people who are economically inactive. All targets relate to employment outcomes.
- 13 There have already been a number of productive conversations with Cheshire West & Chester Council (who are the lead accountable body) and Warrington Borough Council. Initial DWP allocations show the splits (at peak) as follows:

- Cheshire East Council – 400 starts per year
- Cheshire West & Chester Council – 700 starts per year
- Warrington Borough Council – 200 starts per year

This allocation is a good fit for Cheshire East with regards to known demand and experience of supporting this cohort.

- 14 This will yield around £3.9m a year activity into Cheshire East with £2,090,769 being delivered directly by Cheshire East Council. The overall duration will be 5 years.

Strategic Fit

- 15 The use of UKSPF money as a bridge from April 25 to September 25 will allow key developmental work in preparation for CtoW in October 25. This will include working proactively with front line teams to establish effective referral pathways and supply chains. It will also allow for service development eg key actions to help develop some aspects of day services, Shared Lives and Mental Health Reablement provision. As this provision will have significant early-intervention benefits and cost savings (as people's social care supports reduce via increased independence via work), it also provides significant contributions to the Council's transformation agenda.
- 16 In collaboration with Cheshire West & Chester Council and Warrington Borough Council, there will be a need, this year, to draft a local Get Britain Working Plan. CtoW and UKSPF will be key ingredients to this plan. A delegated authority may be needed to prepare and agree a local Get Britain Working Plan with Cheshire West and Chester and Warrington Councils. Get Britain Working Plans require no additional investment from Councils. The purpose of the plans is to create a more integrated approach of existing assets.

Governance Performance and Quality

- 17 As Cheshire West and Chester Council has the lead accountable body status, the DWP money will be received directly by them. Early discussions are underway to design all the required agreements, legal and financial frameworks, targets, reporting and claims systems. It is expected that an overall strategic governance lead will be allocated to Enterprise Cheshire & Warrington. The decision to allocate lead authority status to Cheshire West & Chester Council was taken at the national level by DWP.
- 18 A DWP necessary pre-requisite for delivery will be clear evidence that all provision will follow the two crucial quality frameworks:
- *SEQF (Supported Employment Quality Framework)
 - *IPSQF (Individual Placement & Support Quality Framework)

This approach is an extremely good fit for the preferred delivery model in Cheshire East. This is because these models of delivery used by the Council's Supported Employment team and Supported Internship development, has shown exemplary outcomes and quality.

* IPS stands for Individual Placement and Support. This is a well-established approach aimed at supporting people with severe and enduring mental ill health into work. SE stands for Supported Employment. This is the well-established approach to supporting people with learning disabilities and/autism into work.

- 19 A target and outcomes-based culture is already embedded into the existing Supported Employment team. This will be a necessary approach to the target model of CtoW delivery.

Proposal for Delivery and Staffing Structure

- 20 Cheshire East Council will receive around £3.9m of investment with £2,090,769 being delivered directly by Cheshire East Council. This will be used exclusively on operational services to support people who are economically inactive into work.
- 21 The internal provision will focus on customers with more complex needs. The focus will be people already known to adult social care. As these people are supported into work it becomes a great quality of life outcome for them and at the same time reduces the care plans and creates savings. The commissioned-out provision will still be for economically inactive people but will not focus exclusively on people with existing ASC Support Plans.
- 22 The commissioned provision of CtoW will build on the excellent results already achieved via the UKSPF. It is expected that any commissioned elements will not commence until year two. This is because the current DWP required profile of spend is smaller in year 1, peaks in year 2/3 and then starts to tail off in year 4/5. During the peak years a commissioned element will be added. The commissioned element will be sub-regional in nature and arranged by Cheshire West and Cheshire so whilst the total investment to Cheshire East will be £3.9m, the direct expenditure will be £2,090,769. Therefore, the Supplementary Revenue Estimate figure will be £2,090,769.

Consultation and Engagement

- 23 Cheshire West and Chester Council has the CtoW lead authority status for the sub-region. This was a DWP decision taken at the national level. Growth Directors and Enterprise Cheshire & Warrington are keen to see CtoW funding maximised for this area due to its strong links to economic growth. Planning at officer level to prepare all the necessary legal, financial, claims, reporting and governance structures is underway. There will also be a need to fully integrate any CtoW planning with discussions around a Get Britain Working Plan and the skills/employment devolution agenda. The Cheshire & Warrington Into Work Board has received numerous reports and data briefings over the past year with a particular focus on economic inactivity.

CtoW funding has been especially welcomed, due to its focus on this target group. From April to October (when CtoW is due to start), Shared Prosperity extension year funding will be used to pave the way for CtoW. This will include full engagement and consultation with all front-line social care and SEND teams, voluntary sector provision, Health and JobCentre Plus. The Shared Prosperity funded provision also has a commissioned-out element. This is FedCap's Inspiring Futures programme. This is a continuation of their two-year SPF funded service which exceeded all targets.

- 24 UNISON were briefed about CtoW on the 1.5.25.

Reasons for Recommendations

- 25 Approval of the recommendation relates to the Cheshire East Plan 2025 – 29, to unlocking prosperity for all, creating opportunities for all communities across the borough and working with our world leading industries and local businesses.
- 26 The proposed Connect to Work Action Plan outlines the steps required working with Cheshire West and Chester and Warrington to commence delivery of this service.
- 27 Recommending to Council the approval of the Supplementary Revenue Estimate (SRE) of the value of £2,090,769 referenced in para 35 over the next 5 financial years (25/26-29/30) will ensure that we are able to receive the funding in line with the Council's constitution.
- 28 This report is cross cutting over three service committees (Adults and Health, Economy and Growth and Children and Families), the rational for Adults and Health being the decision maker is due to the funding will be overseen by that Directorate.

Other Options Considered

- 29 The only other option is to not receive external funding and not support economically inactive residents into work

30

Option	Impact	Risk
Do nothing	Loss of £3.9m investment in Cheshire East	Reputational and economic

Implications and Comments

Monitoring Officer/Legal

- 31 The proposals within the report fall within the remit of the committee and it is appropriate for full Council to approve the supplementary estimate due to the funding level.

- 32 It is noted that Cheshire West and Chester (“CWaC”) are acting as lead authority, this Council’s legal will advise upon any formal agreement or memorandum outlining CWaC’s proposals as to how to operate the scheme, the obligations of this Council as regards the administration of claims and other aspects of the arrangement. The terms set by the DWP on awarding funding to CWaC are likely to provide for an element of “pass through” requiring the Council to be bound by terms which should reduce the possibility of clawback. Legal Services will review the terms provided by CWaC and advise accordingly.
- 33 It is also recommended that the Cheshire and Warrington Joint Committee are updated on the decision of the committee in due course.

Section 151 Officer/Finance

- 34 The Cheshire and Warrington “Connect to Work” grant has been announced as £14.3m, over 5 years. This table estimates the allocation per local authority by the proportion of targeted new employment “starts” (at their peak):

	Total Grant for 5 Years	£	14,300,000
Local Authority	Peak Starts to Allocate Funds	Estimated Total Grant Receipt (over 5 years)	
CE	400	£	3,960,000
Warrington	200	£	1,980,000
CWAC	700	£	6,930,000
CWAC (Project Management 10%)	-	£	1,430,000
Total	1,300	£	14,300,000

The project management costs are an estimate at this stage.

- 35 This next table shows the provisional profile of the grant over the next 5 financial years. This includes the total invested in our area, the amounts that will be direct cash and expected starts on programme.

Year	2025/26	2026/27	2027/28	2028/29	2029/30	Total
Full Grant	£800,000	£2,500,000	£4,800,000	£4,500,000	£1,700,000	£14,300,000
Estimated CE allocation with commissioned out investment	£221,538	£692,308	£1,329,231	£1,246,154	£470,769	£3,960,000
Estimated CE allocation without the commissioned out element	£221,538	£450,000	£560,000	£450,000	£409,231	£2,090,769

(ie direct cash)						
Expected starts on programme for CE	48	300	400	300	152	1200

- 36 The profile of the grant is still to be finalised with the DWP. The region has requested a more even distribution of funds over the 5 years period.

Please note, if the above profile remains, then year 1 is unlikely to have a commissioned element. This is worth pointing out as the commissioned element is likely to be arranged at the sub-regional level by Cheshire West & Chester. This will still add service value to our area, but not direct cash. So for year 1 (as there is no commissioned element) the £221,538 will be the total income and is therefore the Supplementary Revenue Estimate figure. For years 2-5 there will be a commissioned element and so the direct cash input to the Council will be lower. The expectation is that the commissioned element will be about 50% of total annual values. For the full 5 years the expected total Supplementary Revenue Estimate will be £2,090,769.

- 37 In 2025/26 there are two additional grade 7 work placement officers funded on 6-month fixed term contracts. These are initially being funded by UKSPF grant. The current provisional profile of the CtoW grant is sufficient to afford the extension of these posts to the end of 2025/26. If the funding profile is revised and the value of CtoW grant received during 2025/26 increases, CE may consider employing additional staff on fixed term contracts from October 2025. However, such decisions will be subject to further agreement from Adults Health and Integration and only considered once the value of CtoW funds for CE is confirmed.
- 38 To date the grant has been announced as “up-to” £14.3m. The funds will be received based on evidence of expenditure incurred on achieving the targeted number of starts. If targets are not achieved, its possible that the DWP could withdraw future commitments for funding, reducing the £14.3m.
- 39 As the sums of money are over £1m, acceptance of the grant requires a Full Council decision to approve the estimated supplementary revenue to the MTFS

Policy

- 40 All the recommendations outlined in this paper are closely aligned with the Council’s Corporate Priority: “A council which empowers and cares about people” and in particular these objectives:
- 41 Reduce the reliance on long term care by improving services closer to home and providing more extra care facilities, including dementia services.

42 Increase opportunities for all young adults with additional needs.

43

Commitment 1: Unlocking prosperity for all: Supporting Economically Inactive People into employment	Commitment 2: Improving health and wellbeing The majority of the beneficiaries will be people with disabilities including mental ill health. Employment is known to have a very positive effect on improving health and wellbeing	Commitment 3: An effective and enabling council CtoW will fully integrate with a Get Britain Working local plan and the benefits of devolution. This will be a good news story for the people of Cheshire and showcase the enabling abilities of the Council
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Equality, Diversity and Inclusion

44 All the recommendations set out in this paper are exclusively focused on people who are economically inactive and from disadvantaged groups. This means that there is a built-in focus on people from protected characteristic groups. This will be positively-reflected in an Equality Impact Assessment

Human Resources

45 There will be an increase in staffing levels but all fully-funded externally. Initially an additional 2 Work Placement Officers (under 12 months fixed term contracts to begin with) will be recruited June/July time 2025. These will be fully funded by the Shared Prosperity Fund. This will aid a gearing up of staffing resources in time for the Connect to Work start in October.

Risk Management

46 The lead authority for this project will be Cheshire West & Chester. Due consideration will need to be given therefore, to ensuring all financial and reputational risks are minimised by rigorous attention to all legal, financial, performance and governance agreements.

Impact on other Committees

47 As per Ch 2 Part 2 para 3 of the Councils constitution: Where a matter covers more than one Committee's Terms of Reference the Committee that would be responsible and have greatest impact on the budget would be Adults and Health Committee. This report also cuts across the following Committees:

- 48 Economy and Growth - Determination of policies and making of decisions in relation to economic development, regeneration, skills and growth.
- 49 Children and Families - Oversight, scrutiny, reviewing outcomes, performance, budget monitoring and risk management of the Directorates of Prevention and Support, Education and 14-19 Skills.
- 50 As per constitution the report on the matter has been circulated to the non-majority committee members ('the minority committee') for comments, which will be provided by way of a verbal update to the majority committee, when the matter is presented. The Chair or any other member of the minority committee may attend that meeting to speak on the item and the Chair of the majority committee will exercise their discretion in favour of allowing them to do so, subject to time constraints and the effective conduct of the meeting.

Rural Communities

- 51 All sectors of the economy stand to benefit from this project including the rural economy

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

- 52 A strong and beneficial aspect of Supported Employment, is the ability to work with young people with special educational needs and support them into work as a positive alternative to care destinations. This early intervention approach has been proven to be effective in Cheshire East via the roll out and development of the highly successful Supported Internship programme.

Public Health

- 53 It is extensively evidenced that employment reduces the risk of needing mental health services.

Climate Change

- 54 More people in work means that there are less people at home during the day. In many cases, people will start jobs in premises that will not require any additional heating/energy when they start. However, they will not be using energy at home and so overall there is an energy saving. It is true that some people will start a job and work from home. This however, has a net-nil effect as they would already have been at home for the most part if they were unemployed.

55 Consultation

Name of Consultee	Post Held	Date Sent	Date returned
<i>Statutory Officer (or deputy):</i>			
Adele Taylor	S151 Officer	21/05/25	21/05/25
Janet Witkowski	Acting Monitoring Officer	21/05/25	21/05/25
<i>Legal & Finance</i>			
David Hallworth	Finance Business Partner	12/05/25	12/05/25
Adrian Leslie	Lawyer Contracts & Procurement Team	30.4.25	30.4.25
TBC	HR		
<i>Other Consultees: Executive Directors/Directors</i>			
Helen Charlesworth- May	Executive Director of Adults Health and Integration	10.6.25	10.6.25
Brian Reed	Head of Democratic Services - Democratic and Governance Services	2.6.25	2.6.25

Access to Information	
Contact Officer:	Colin Jacklin colinjacklin@cheshireeast.gov.uk
Appendices:	Appendix 1: Project Action Plan
Background Papers:	

Appendix 1 - Action Plan**Connect to Work Action Plan****Background**

The expectation is that the Connect to Work programme will be operational by October 25.

This will be across Cheshire East, Cheshire West and Warrington.

Cheshire West and Chester has the lead authority status and they will hold the primary contract with the Department of Work and pensions. All necessary agreements would therefore need to be drawn up between ourselves and Cheshire West for claims and outcome reporting.

Full details of all staffing structures, delivery mechanisms, costs, quality assurance and referral supply chains et have already been drawn up.

Actions With Timeframes		
Action	Details	Timeframe
Working with legal and finance to agree with Cheshire West all necessary finance reporting and claims agreements and processes	Initial conversations with Cheshire West have already progressed well riyal requirements. The next stage is to engage legal and finance in drawing up the relevant documents	MOUs and agreements to be agreed by mid-August
Referrals	Develop all necessary referral supply chains to ensure an adequate intake in time for programme start.	The two project managers are already (12.5.25) engaged in these activities (currently funded by a shared prosperity fund)
Recruit additional work placement officers for the internal team in time for programme start	Another 2 FTE WPOs to be recruited in time for programme start. DWP stipulate a maximum size caseload. The total WPO count by October for the internal team will be 8. This figure is the correct match for the expected starts and outcome requirements	Recruitment to begin (beginning of June) as there will be competition for these roles

Agree with Cheshire West a specification for the commissioned out element of this programme which will be sub regional in nature	Our own Procurement will be invited to add their expertise (but Cheshire West will lead to the overall procurements for the sub region.	Agree specification by the end of June
To agree with Cheshire West a suitable promotion and marketing campaign	To involve our own comms team.	Marketing plan to be agreed by the end of July
To agree with Cheshire West an overall reporting and governance structure	Need for overall subregional Governance and strategic over sight	By early August

COUNCIL MEETING – 16 JULY 2025**RECOMMENDATION FROM HIGHWAYS AND TRANSPORT COMMITTEE:
BUS SERVICE IMPROVEMENT PLAN - 2025/26 DELIVERY PROGRAMME -
APPROVAL OF SUPPLEMENTARY REVENUE AND CAPITAL ESTIMATES****Recommendation:**

Full Council is recommended to approve the associated, fully funded Supplementary Revenue and Capital Estimates for the value of revenue funding £2,879,963 and capital funding £2,122,646.

Extract from the minutes of the meeting of the Highways and Transport Committee held on 19 June 2025.

6 BUS SERVICE IMPROVEMENT PLAN - 2025/26 DELIVERY PROGRAMME

The Committee considered a report on the Cheshire East Bus Service Improvement Plan (BSIP) Delivery Plan 2025/26. The plan was submitted to the Department for Transport (DfT) as a draft document on 31 March 2025, in line with DfT requirements. Any amendments required by Committee would be incorporated and a final version submitted to DfT by the end of June 2025.

Cheshire East Council had been allocated £5,444,474 from the DfT as Local Bus Grant 2025/26. A summary of the proposed schemes for delivery using the revenue and/or capital funding was set out at Appendix 2 to the report.

It was noted that most bus routes were now close to the level they were at pre pandemic which was seen as a positive indicator of recovery. The use of available funding, both revenue and capital had supported a range of initiatives aimed at incentivising bus use.

Councillor H Moss addressed the committee as a visiting member and requested an amendment to the proposal for the continuation of the 16-19 Pass scheme in the draft plan. Councillor Moss stated that the incentive would do nothing to assist the younger age group in the community who used public transport to attend school and requested that the lower age restriction be removed from 16 years to include everybody under the age of 19. This would have a positive impact on the environment and every child would be able to benefit from the initiative.

The Committee asked a question in respect of what the logic was for selecting the cohort of 16–19-year-olds over a younger cohort for a £1 flat fare.

In response officers stated that the primary rationale for focusing on the 16 – 19 age group was that this cohort was typically no longer in compulsory education and at this stage in life began to acquire driving licences and access to cars. That made them a key target for interventions aimed at encouraging public transport use. The introduction of the £1 fare for that age group was a trial initiative to assess whether fare incentives could influence travel behaviour before driving became a regular option.

Affordability also remained a significant factor. Extending the £1 fare offer to all under- 16s would require substantial additional funding primarily to compensate transport operators for lost revenue. Officers had conducted an initial estimate of the current position to understand the financial implications of expanding the scheme to younger age groups and that was circa £500k. The reduced fare was likely to increase ridership and generate extra trips which would add to this cost.

In response to a question about whether alternative options could be explored in the absence of current funding – such as negotiating with operators to extend the junior season ticket – officers confirmed that related work was ongoing. They were drawing on insight from the multi-operator ticketing initiative and exploring what types of schemes could be developed for under 16s to enhance accessibility and affordability. Assurance was given that the suggestion regarding junior season tickets would be taken forward for further discussion with the relevant operators.

A question was raised in respect of the cost effectiveness of targeting the 16 – 19-year age group and whether it would be more equitable to consider the cumulative amount paid by young people who began paying full fare from the age of 12 and whether providing equivalent support to that group might be more impactful.

The Chair acknowledged the importance of the issue but noted that any decision on changes to the scheme would need further consideration.

RESOLVED: (Unanimously)

That the Highways & Transport Committee:

1. Approve the Bus Service Improvement Plan (BSIP) Delivery Plan 2025/26 (see Appendix 1) for final submission to the Department for Transport (DfT) by the end of June 2025.
2. **Recommend to Full Council approval of the associated, fully funded Supplementary Revenue and Capital Estimates for the value of revenue funding £2,879,963 and capital funding £2,122,646.**

3. Approve the proposals for spending the Council's allocation of Local Bus Grant funding (value £5,444,474) for the financial year 2025/26 (see Appendix 2) and delegate the authority to spend the funding to the Director of Transport and Infrastructure, in consultation with the Enhanced Partnership Board.
4. Approve the specification (see Appendix 3) for a modernised Demand Responsive Transport (DRT) service as part of the Council's transformation programme and delegate authority to the Director of Transport and Infrastructure to deliver the service in line with the specification.

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OPEN

Highways and Transport Committee

19 June 2025

Bus Service Improvement Plan - Delivery Plan 2025/26

Report of: Tom Moody, Director Transport and Infrastructure

Report Reference No: HTC/11/25-26

Ward(s) Affected: All Wards

Decision

Purpose of Report

- 1 This report presents the Cheshire East Bus Service Improvement Plan (BSIP) Delivery Plan 2025/26 for approval (see Appendix 1). The plan was submitted to the Department for Transport (DfT) as a draft document on 31 March 2025, in line with DfT requirements. Any amendments required by Committee will be incorporated and a final version submitted to DfT by the end of June 2025.
- 2 Cheshire East Council has been allocated £5,444,474 from the DfT as Local Bus Grant 2025/26. A summary of the proposed schemes for delivery using this revenue and/or capital funding is set out at Appendix 2. Committee is recommended to approval this programme of work.

Executive Summary

- 3 The bus network in Cheshire East plays a key role in providing access to jobs and services and connecting people and places. The Cheshire East Plan 2025-29 (adopted in February) sets out a new vision and commitments for the borough. Buses have a vital role in delivering key Council policy priorities for the economy, social cohesion, public health and environmental sustainability, including decarbonisation.
- 4 Our 2024 BSIP includes a vision to: "Transform the bus network within Cheshire East to provide attractive, reliable and convenient connections that enable more residents and visitors to choose bus, make fewer car journeys, to contribute to our carbon reduction challenge and improve the

health of our citizens”. The vision for local buses is aligned with corporate strategic priorities and the emerging new Local Transport Plan (LTP).

- 5 To deliver this vision, a set of principles have been developed which shape our commitment to work in partnership with bus operators to improve the quality of local bus services in Cheshire East. They include:
 - Connectivity: across the network and cross-boundary
 - Accessibility: network coverage, information and infrastructure
 - Integration: across modes of transport, technologies and ticketing
 - Reliability and punctuality
 - Sustainability: quality improvements and network growth
 - Decarbonisation: reducing vehicle emissions
 - Collaboration: with operators’ stakeholders and Bus User Groups.
- 6 As part of the DfT Local Bus Grant award for 2025/26, Cheshire East have been allocated £2,879,963 revenue and £2,122,646 capital. The proposed initiatives to utilise this funding are summarised below.

Revenue Funding (£2,879,963)

- 2025/26 bus service enhancements
- Continuation of Silk Town multi-operator Ticket (Macclesfield)
- Continuation of 16-19 Bus Saver (at £1 flat fare) and Care Leaver Pass
- Improved marketing, communications and promotion
- Support for the modernisation/reconfiguration of flexible transport
- Transport Focus (Passenger Satisfaction Monitoring)
- BSIP programme management.

Capital Funding (£2,122,646)

- Bus priority infrastructure delivery (traffic signal technology)
 - Bus priority scheme development – identifying new locations
 - Bus stop infrastructure – along strategic bus corridors and in towns
 - Macclesfield Bus Station – quality improvements / refurbishment
 - Real Time Passenger Information (RTPI) – bus stations & interchanges.
- 7 The DfT Local Bus Grant (total £5,444,474) also includes £94,000 Capacity & Capability funding to support local authority delivery and £347,865 Bus Service Operator Grant which is a committed recurring annual allocation, therefore not new funding.
 - 8 Appendix 3 provides an update on the proposals to reconfigure and modernise the Council’s demand responsive transport (DRT) services.

This is in accordance with previous Committee approvals. Appendix 3 includes the DRT service specification which is expected to be implemented later this year.

- 9 The proposed schemes and initiatives will deliver a strong package of complementary measures that support the BSIP vision for the bus network in Cheshire East. The aim is to enhance quality to attract new passengers whilst improving the level of service experienced by existing users.
- 10 The grant funding streams have been released after the MTFs was approved on 26 February 2025. Therefore, fully funded Supplementary Revenue and Capital Estimates are required to adjust the budget. As both items are over £1m, Full Council approval is required for these supplementary estimates and Committee is asked to recommend the items to Council.

RECOMMENDATIONS

The Highways and Transport Committee is recommended to:

1. Approve the Bus Service Improvement Plan (BSIP) Delivery Plan 2025/26 (see Appendix 1) for final submission to the Department for Transport (DfT) by the end of June 2025.
2. Recommend to Full Council approval of the associated, fully funded Supplementary Revenue and Capital Estimates for the value of revenue funding £2,879,963 and capital funding £2,122,646.
3. Approve the proposals for spending the Council's allocation of Local Bus Grant funding (value £5,444,474) for the financial year 2025/26 (see Appendix 2) and delegate the authority to spend the funding to the Director of Transport and Infrastructure, in consultation with the Enhanced Partnership Board.
4. Approve the specification (see Appendix 3) for a modernised Demand Responsive Transport (DRT) service as part of the Council's transformation programme and delegate authority to the Director of Transport and Infrastructure to deliver the service in line with the specification.

Background

- 11 The Cheshire East BSIP is aligned with the National Bus Strategy for England and was refreshed in 2024 to incorporate the latest DfT guidance and ensure alignment with corporate strategic priorities. The Bus Enhanced Partnership provides the opportunity to work in partnership with local bus operators and deliver a range of schemes and initiatives in collaboration.

- 12 Our objectives and ambitions for local bus over the next 10+ years are published in the 2024 BSIP. These are split into three phases across our town, inter-urban and rural bus network.
 - Phase 1 – stabilise the network
 - Phase 2 – quality improvements
 - Phase 3 – network growth
- 13 Short, medium and long-term ambitions have been identified within the 2024 BSIP, along with funding priorities. These have been used to continue to develop and inform the initiatives and schemes for delivery as part of the Local Bus Grant funding 2025/26.
- 14 The delivery plan builds on the schemes and initiatives which were launched with previous rounds of BSIP funding in 2023/24 and 2024/25.

Consultation and Engagement

- 15 In developing the 2024 BSIP, there was engagement with local bus operators, user groups, stakeholders, businesses and town and parish councils as part of the Enhanced Partnership (EP) Forums. Formal consultation has been undertaken as part of the formation of the 2021 BSIP and the Bus Service Review in 2024. The following meetings have enabled partners to inform and influence the proposed initiatives and schemes for the Local Bus Grant funding.
 - Enhanced Partnership Forums in May and November 2024
 - Operator Working Groups in September 2024 and January 2025
 - Enhanced Partnership Boards in November 2024 and March 2025
- 16 The Council have an ongoing commitment to the Enhanced Partnership to support the delivery of the BSIP. Stakeholder engagement will continue for the proposed schemes under the Local Bus Grant funding. Formal engagement will continue through the Enhanced Partnership Forums (upcoming forum in June 2025), operator working groups and Enhanced Partnership Boards.

Reasons for Recommendations

- 17 The DfT has confirmed the Cheshire East funding allocation from the Local Bus Grant 2025/26 (totalling £5,444,474), which was subject to submission of a delivery plan and signed Memorandum of Understanding (MoU) by 31 March 2025. This report provides the opportunity for Committee to amend the delivery plan and a final version will be submitted to DfT by the end of June 2025.

- 18 The grant funding will provide the investment to deliver the Bus Service Improvement Plan (BSIP) and the delivery plan lists the schemes and initiatives which will be delivered, including key milestones for each scheme, an assessment of the outcomes and contributions to the BSIP.
- 19 The package of schemes and initiatives will continue the momentum and success of schemes funded by previous rounds of BSIP funding. The funding and proposed schemes will be used to improve bus services (including fare initiatives) and infrastructure.

Other Options Considered

- 20 The alternative option is to decline the opportunity to utilise Local Bus Grant funding and in so doing, propose no schemes and do not approve the 2025/26 delivery plan. DfT would therefore not release the Local Bus Grant funding, as the submission of the Delivery Plan 2025/26 and the related funding MoU is a national condition of the Local Bus Grant funding allocations.

Option	Impact	Risk
Do nothing	Delivery plan is not approved and/or the conditions of the MoU are not agreed. No new package of initiatives developed for 2025/26	DfT would not release the Local Bus Grant funding allocations.

Implications and Comments

Monitoring Officer/Legal

- 21 In developing and implementing the schemes and initiatives for the 2025/26 delivery plan, the Council must have regard to the transport needs of all of the residents in the borough, which may include disabled persons, persons who are elderly or have mobility problems and mothers with young children.
- 22 Development of plans will need to be in accordance with statutory and legal requirements for Community Engagement and Equalities Impact Assessment. The Council should consult with local bus operators, various organisations including the chief of police for the area to seek their views on the planned proposals.
- 23 The Secretary of State may issue secondary legislation and additional guidance in relation to the Local Bus Delivery Grant outcomes that feed

into future Enhanced Partnership plans and schemes, the Council must have regard to the guidance.

- 24 In implementing the package of interventions, the Council must have regard to its adopted Enhanced Partnership and ensure that the proposals meet the aims of the Enhanced Partnership.

Section 151 Officer/Finance

- 25 For 2025/26, the DfT have allocated a total of £5,444,474. Of this total, £2,879,963 is revenue funding and £2,122,646 is capital funding. There is an additional £94,000 Capacity & Capability Grant to support local authority delivery and £347,865 Bus Service Operator Grant (BSOG) which is a committed annual allocation and therefore not new funding.

2025/26	Total	Revenue	Capital	Other
Local Bus Grant – Cheshire East	£5,444,474	£2,879,963	£2,122,646	£441,865*

*Capacity & Capability Grant (£94,000) and Bus Service Operators Grant (£347,865)

- 26 DfT are clear that the Local Bus Grant funding is expected to complement, not replace the Council's supported bus budget. The agreed funds will be issued to the Authority as non-ringfenced grant payments under Section 31 of the Local Government Act. While this grant is non-ringfenced, there is an expectation that this funding is solely used for the purposes outlined.
- 27 The Memorandum of Understanding (MoU) is clear that the funding for 2025/26 is conditional on written confirmation from the Chief Finance Officer/Section 151 Officer and that they consider the funding has been used for the purposes set out in the MoU. It is also required that the Chief Finance Officer believes that it represents value for money (VfM) and that they will continue to monitor this and comply with the DfT's VfM reporting and approval requirements.
- 28 The DfT encourages the use of Bus Grant funding by March 2026. However, it is recognised that this may not always be possible, or to do so in a value for money manner, given the lead times on capital projects and usual lengths of tendered bus service contracts. Where necessary funding can be carried forward into 2026/27 and beyond March 2027 on submission of a Project Adjustment Request (PAR) form.
- 29 The grant funding streams have been released after the MTFS was approved on 26 February 2025. Therefore, fully funded supplementary

estimates are required. As both items are over £1m then Full Council approval is required for the supplementary estimates.

Policy

- 30 The BSIP 2025/26 Delivery Plan supports the delivery of the Cheshire East Plan 2025-29 (adopted in February) which sets out the corporate plan vision and commitments, as well as the emerging Local Transport Plan (LTP).
- 31 These documents recognise the importance of the bus network in supporting key strategic objectives such as reducing carbon emissions, reducing health inequalities, enabling employment and housing growth and improving quality of place.
- 32 The package of schemes identified under the Local Bus Grant funding work towards achieving the BSIP 2024 ambition and align with the LTP. The ambition states that the bus network will improve speed, reliability and quality of public transport, and encourage more residents to choose bus, make fewer car journeys and contribute to carbon reduction.

Commitment 1: Unlocking prosperity for all	Commitment 2: Improving health and wellbeing	Commitment 3: An effective and enabling council
A great place for people to live, work and visit.	Work together with our residents and partners to support people and communities to be strong and resilient.	Ensure that there is transparency in all aspects of council decision making. Support a sustainable financial future for the council, through service development, improvement and transformation.
To reduce the impact on our environment.	Reduce health inequalities across the borough.	Promote and develop the services of the council through regular communication and engagement with all residents.
A transport network that is safe and promotes active travel.		
Thriving urban and rural economies with opportunities for all.		
To be carbon neutral by 2025.		

Equality, Diversity and Inclusion

- 33 The Council has fully evaluated the equality implications of the proposed schemes under the Local Bus Grant funding through an Equality Impact Assessment (EqIA). The EqIA incorporates Transport Focus data and engagement with user groups and stakeholders through the Enhanced

Partnership. The vision to grow bus patronage in Cheshire East will benefit protected equality groups, particularly young people, older people and people with disabilities. An EqlA is included at Appendix 4.

Human Resources

- 34 There are no direct implications for Human Resources.

Risk Management

- 35 As the proposed programme is ambitious, the Council have developed a programme wide governance structure to ensure successful delivery of each package and workstream – see Appendix 5.
- 36 As part of this governance structure and corporate oversight, each proposed scheme has been placed into a workstream (in line with the national BSIP objectives) which include a dedicated workstream Project Manager, supported by an experienced BSIP technical team. Each workstream feeds up into a Revenue or Capital Delivery Board, and further, an overarching Strategic Bus Improvement Board which includes key enabling services such as legal, finance, procurement, research & consultation and communications.
- 37 Detailed programme management dashboards, including a risk register, decision log and stakeholder communications log have been developed for delivery and will continue to be maintained and updated throughout the life of the programme.

Rural Communities

- 38 The Corporate Plan outlines targets to reduce areas of the borough not served by public transport. The Council has already demonstrated a commitment to this through its successful bid to DfT funding as part of the Rural Mobility Fund, subsequent operations of the Go-Too service and continued delivery of the boroughwide FlexiLink service.
- 39 The Corporate Plan also identifies the desire for thriving and active rural communities by 2025. The importance of local buses for rural communities has been reflected in the Delivery Plan 2025/26 through proposed investment in rural communities and demand responsive transport.

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

- 40 The Corporate Plan outlines the significant pressures in Children's Services, particularly placements for looked after children and services for children with special educational needs, including home to school

transport. A significant number of school children across the borough use buses to access educational establishments and this is considered in the Delivery Plan 2025/26 and package of interventions, aimed at young people and care leavers.

Public Health

- 41 There are pockets of deprivation in Cheshire East related to income, health and life chances. Bus services enable a greater proportion of residents to access important services such as health care and leisure (gym, swimming) facilities. The continued delivery of these services therefore helps to address the Corporate Plan target to reduce health inequalities across the borough. The Index of Multiple Deprivation (IMD) is used to prioritise services based on their ability to serve highly deprived areas.
- 42 This will have a positive impact on health and wellbeing of Cheshire East residents through improving access, reducing social exclusion and isolation and providing connections to health care, whilst reducing transport related deprivation.

Climate Change

- 43 Cheshire East Council have committed to be carbon neutral by 2025 and to influence carbon reduction across the borough in order to become a carbon neutral borough by 2045 – the decarbonisation of the transport network is a key component of this programme of work.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Ashley Hughes	S151 Officer	05/06/25	05/06/25
Janet Witkowski	Acting Monitoring Officer	05/06/25	05/06/25
<i>Legal and Finance</i>			
Name	Job title	13/04/25	15/04/25

Andrew Poynton	Senior Lawyer, Place		
Steve Reading	Finance Manager	13/04/25	17/04/25
<i>Other Consultees:</i> <i>Executive Directors/Directors</i>			
Tom Moody	Director of Transport and Infrastructure	23/04/25	25/04/25
DMT		08/05/25	08/05/25
CLT		21/05/25	21/05/25
Chair / Vice Chair		23/05/25	02/06/25
Phil Cresswell	Executive Director, Place	05/06/25	09/06/25

Access to Information	
Contact Officer:	Richard Hibbert Richard.Hibbert@cheshireeast.gov.uk
Appendices:	Appendix 1 Draft Bus Service Improvement Plan Appendix 2 – Indicative 2025/26 Funding Breakdown Appendix 3 DRT Service Specification.pdf Appendix 4 - Equality Impact Assessment Appendix 5 Governance Structure.pdf
Background Papers:	Bus Service Improvement Plan 2024 Enhanced Partnership Plan 2025

	<p>Enhanced Partnership Scheme 2025</p> <p>The background papers and files relating to this report can be inspected by contacting the report writer.</p>
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Appendix 2 – Bus Service Improvement Plan (BSIP) – Indicative Delivery Programme 2025/26

Description	Initiative/Scheme	Funding (2025/26)
Capital Funding		£
Bus Priority Infrastructure	Further investment in bus priority measures, including Imflow technology at signal junctions. Targeting up to three locations.	£520,000
Bus Priority Infrastructure	Development of future proposals for bus priority measures, including feasibility studies and design work at three prioritised locations.	£102,646
Bus Stop Infrastructure on Strategic Bus Routes & Towns	Upgrades to bus stops to gold, silver and bronze standards along strategic corridors and beginning the roll out of Gold stop upgrades in five towns.	£700,000
Bus Interchange	Funding to support the upgrade and improvement of Macclesfield Bus Station.	£50,000
Real Time Passenger Information (RTPI)	Implementation of RTPI at eight locations within the Borough, followed by the prioritisation and implementation of a further three locations.	£750,000
TOTAL		£2,122,646
Revenue Funding		£
2025/26 Bus Service Enhancements	Development of further service enhancements, including improved frequencies and extensions to existing routes, as well as the consideration of new services.	£759,463
Continuation of Silk Town Ticket	Continuation of Silk Town Ticket trial until March 2026.	£70,000
Continuation of 16-19 Pass	Continuation of 16-19 pass until March 2027, consideration of a £1 flat fare, following market changes and feedback since initial implementation.	£850,000

Appendix 2 – Bus Service Improvement Plan (BSIP) – Indicative Delivery Programme 2025/26

Improved marketing, communications and promotion	Marketing and communications budget to support the promotion of BSIP schemes and initiatives.	£150,000
Continued support for reconfiguration of Flexible / Demand Responsive Transport (DRT)	Continuation of single integrated DRT trial service, with extended days and hours of operation (funding for 2026/2027 operations).	£800,000
Transport Focus (Passenger Satisfaction monitoring)	Cheshire East have been supported by national Transport Focus team to monitor the satisfaction of passengers, in line with BSIP targets.	£24,500
BSIP Programme (LTA Delivery)	Additional support for the delivery of the wider BSIP programme within Cheshire East Council.	£226,000
TOTAL		£2,879,963

COUNCIL MEETING – 16 JULY 2025**RECOMMENDATION FROM AUDIT AND GOVERNANCE COMMITTEE:
RECRUITMENT OF CO-OPTED INDEPENDENT MEMBERS:****Recommendation:**

That Full Council agrees that the current co-opted post holder's term of office be extended to October 2027.

Extract from the minutes of a meeting of the Audit and Governance Committee held on 29 May 2025**8 RECRUITMENT OF CO-OPTED INDEPENDENT MEMBERS**

The committee considered a report in relation to the term of office for its co-opted independent members. It was noted that the term of office for one co-opted independent member was due to conclude in April 2026.

The committee considered the proposal to extend the co-opted independent member's term of office to October 2027, to be co terminus with the second co-opted independent members term of office – which would end in October 2027.

It was proposed, seconded and subsequently carried unanimously that the committee support the above recommendation. The committee thanked the co-opted independent members for their work which was extremely valued.

Mr R Jones, co-opted independent member, took the opportunity to thank the committee for their confidence.

RESOLVED (UNANIMOUSLY):

That the Audit and Governance Committee

1. Recommends to Full Council that the current co-opted post holder's term of office be extended to October 2027.

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OPEN

Audit and Governance Committee

29 May 2025

Recruitment of Co-Opted Independent Members

Report of: Janet Witkowski, Acting Governance, Compliance and Monitoring Officer

Report Reference No: AG/09/25-26

Ward(s) Affected: All

For Decision

Purpose of Report

- 1 In line with the Committee's Terms of Reference and following best practice guidance, the Audit and Governance Committee has two co-opted members as part of its membership. Co-opted members have been appointed to the committee for four-year periods, one of which expires in April 2026. The Committee are asked to consider two options; to begin a recruitment process for the appointment which expires, or to extend the period of this appointment to be co terminus with the second appointment, which ends in October 2027.

Executive Summary

- 2 The Audit and Governance Committee carries out an important oversight and assurance role that requires its members to be apolitical and objective. To bolster and support this role, the Committee's membership includes two independent non-elected individuals co-opted to the Committee.
- 3 This report seeks the direction of the Committee with regard to the approach it wishes to take as the term of office approaches its conclusion in April 2026.

RECOMMENDATIONS

The Audit and Governance Committee:

1. Resolves to undertake a further recruitment process including the advertisement, interviewing and recommending to Council of the next appointment of a co-opted member, with a view to their commencement in office in May 2026; or
2. Recommends to Council that the current post holder's term of office be extended to October 2027.

Background

- 4 The inclusion of co-opted independent members as part of local authority audit committees has long been recommended, recognising the valuable knowledge and experience which can be provided through inclusion of these roles, benefitting the Committee's overall effectiveness.
- 5 CIPFA's Position Statement re Audit Committees in Local Authorities and Police 2022 sets out CIPFA's view on the audit committee practice and principles that local government bodies in the UK should adopt. The Position Statement states:

"The audit committees of local authorities should include co-opted independent members in accordance with the appropriate legislation. Where there is no legislative direction to include co-opted independent members, CIPFA recommends that each authority audit committee should include at least two co-opted independent members to provide appropriate technical expertise."
- 6 There is currently no legislative requirement directing local authorities to have co-opted independent members of the audit committee, however, the Position Statement was supported by the then Department for Levelling Up, Housing and Communities and the Home Office.
- 7 The Council's Constitution provides for the members of the Audit and Governance Committee to comprise 9 Councillors and 2 co-opted independent members. Co-opted members to Council committees are not members of the Council itself, therefore other than in limited circumstances (for example, an advisory committee established under s102(4) Local Government Act 1972) they have no voting rights. Co-

opted members would instead be consulted during committee meetings and their views taken into account by voting members of the committee.

- 8 Mr Ron Jones was appointed at the full Council meeting on 27 April 2022 following a recruitment process led by the Committee. Mrs Jennifer Clarkson was appointed at the full Council meeting on 18 October 2023, also following a recruitment process led by the Committee. Both co-opted independent members were appointed for a four-year period.
- 9 As Mr Jones appointment on the committee concludes in April 2026, the members of the committee are asked to consider either beginning the recruitment process again, to ensure no loss of time until the next term of office begins or to recommend to Council the extension of Mr Jones' appointment until October 2027, so that recruitment to both co-opted independent member positions would be undertaken at the same time.
- 10 Should members wish to proceed with recruitment for the co-opted position to begin in April 2026, a further paper outlining the proposed recruitment approach will be brought to July committee.

Consultation and Engagement

- 11 Mr Ron Jones has confirmed that he is willing to extend his appointment period, should the Committee be in agreement.

Reasons for Recommendations

- 12 These recommendations support the completion of the Committee's membership which includes co-opted independent members and ensure the Committee's remit in relation to standards and councillor conduct arrangements are effective.

Other Options Considered

- 13 The Committee could consider not continuing with the co-opted independent members as part of the Committee membership, but for reasons set out elsewhere in this report, their inclusion in the committee membership supports best practice and adds value. This would also require an amendment to the Constitution.

Implications and Comments

Monitoring Officer/Legal/Governance

- 14 The Council's Constitution provides for membership of the Audit and Governance Committee to comprise of 9 councillor and 2 co-opted independent members.

- 15 The recommendations are within the remit of the committee albeit Full Council must approve all non-elected appointments to Committee.

Section 151 Officer/Finance

- 16 There is no proposal to change the current remuneration arrangements for either the co-opted members. Extending the period of appointment for one of the co-opted members will therefore only incur anticipated costs.
- 17 Undertaking one recruitment exercise for the co-opted members as we approach October 2027, rather than two exercises will offer a small resource saving of officer time and support.

Human Resources

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

Risk Management

- 19 An effective Audit and Governance Committee is a critical part of the Council's governance arrangements providing apolitical and objective oversight and assurance. Co-opted members complement the committee membership with specific skills, experience and knowledge.

Impact on other Committees

- 20 There are no direct impacts on other service or scrutiny committees. Full Council will need to agree the recommendations of the Audit and Governance Committee.

Policy

- 21 There are no direct policy implications arising from this report. An effective Audit and Governance Committee, and effective arrangements for the investigation and determination of councillor misconduct support the strategic objective of "An effective and enabling Council".

Commitment 3: An effective and enabling council
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Equality, Diversity and Inclusion

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

Other Implications

- 23 There are no other direct implications arising from this report.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Adele Taylor	S151 Officer	13/05/25	23/05/25
Janet Witkowski	Acting Monitoring Officer	13/05/25	20/05/25

Access to Information	
Contact Officer:	Janet Witkowski, Acting Governance Compliance and Monitoring Officer
Appendices:	n/a
Background Papers:	<p>Appointments Report – 10 March 2022 Audit and Governance Committee</p> <p>Appointments Report – 27 April 2022 Council</p> <p>Recruitment of Co-opted Independent Member – 28 September 2023 Audit and Governance Committee</p>

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COUNCIL – 16 July 2025**NOTICES OF MOTION****Submitted to Council in Accordance with the Council Procedural Rules****1 Housing Target****Proposed by Councillor S Gardiner and Seconded by Councillor S Edgar**

This Council notes:

- 1.1 That there is a national need to provide additional housing to meet the needs of the expanding population.
- 1.2 The changes to the National Planning Policy Framework introduced by the Labour government have significantly increased the housing targets for Cheshire East from 977 dwellings per annum (dpa) to 2461 dpa, an uplift of over 250%.
- 1.3 The scale of the increased housing targets is such that the Council's Land Supply has fallen well below that required to meet the revised 5-year requirement.
- 1.4 This increase should be seen against a backdrop of house-building targets in other areas of the country, which have performed less well than Cheshire Council, are being reduced.

This Council believes:

- 2.1 The scale of the increase in housing targets, without allowing Councils like ours a reasonable time to adjust to the new target, undermines the policies set out in existing Local and Neighbourhood Plans. Notwithstanding the existential threat to Neighbourhood Plans owing to the proposed changes to how they are funded.
- 2.2 The fact that this Council now has a less than 5-year housing land supply enables developers to once again, submit speculative applications, outside of existing settlement boundaries, even within the Green Belt, otherwise than in accordance with existing Local & Neighbourhood plans with an expectation that those applications will be approved, if necessary, on appeal.
- 2.3 As a consequence of the Council no longer having a 5-year land supply, Communities are being deprived of the opportunity to help shape the future of their neighbourhoods.

This Council resolves to:

- 3.1 Ask the Leader and Deputy Leader of the Council to write jointly to the Secretary of State for Housing Communities and Local Government to firstly seek a reduction in the Housing Target and also to request the creation of a reasonable period of grace within which any shortfall in

the Council's land supply may be set aside allowing the full weight of existing Local or Neighbourhood Plans to be applied.

2 National Cadet Forces Day

Proposed by Cllr Anthony Harrison and Seconded by Cllr Nicola Cook

That this Council supports the national campaign to introduce a national 'Cadet Forces Day' on the Tuesday of Armed Forces week and proposes that Cheshire East Councils Leader, Deputy Leader and Leader of the Conservative Group sign a joint letter of support for the campaign to the Armed Forces Minister, Luke Pollard MP.

Background

Cadet Forces around the UK are voluntary youth organisations (aged 12-18 years old) sponsored by the Ministry of Defence to develop leadership, teamwork principles and other valuable life skills within a military environment.

The five main cadet forces include: the Sea Cadets, Volunteer Cadet Corps, Army Cadet Force, RAF Air Cadets (formally the Air Training Corps) and the Combined Cadet Force. All provide a structured and supportive environment for young people to learn, grow, and develop valuable skills, while also fostering a sense of community and citizenship.

In May 2025, Cheshire East Council Armed Forces Member Champion, Cllr Anthony Harrison launched a campaign for the Defence Department and the Armed Forces Minister, Luke Pollard MP to create a national 'Cadet Forces Day' to be celebrated each year on the Tuesday of Armed Forces week.

As many Councillors will be aware, the Monday of Armed Forces week kick starts events with Armed Forces Flags being raised above public buildings across the UK, Wednesday is national 'Reserves Day' with National 'PTSD Awareness Day' falling on the Friday and 'Armed Forces Day' itself being celebrated on the last Saturday in June.

A national 'Cadet Forces Day' would provide a specific day to promote the work and achievements of our cadet units and volunteers. It would assist with recruitment to meet the governments new cadet force targets and allow for a specific day of engagement with cadet units and award their successes.

Whilst the majority of cadets don't go on to serve in one of the three Tri-services later in life, the key skills and core values gained by individuals provide an invaluable contribution to society deserving of celebration. This Notice of Motion will demonstrate the importance and value Cheshire East Council holds for its Cadet Forces and that as a council we continue to be pioneers in recognising the fantastic contributions of all elements of our Armed Forces Community.

Proposed Event Format

A national Cadet Forces day would provide an opportunity for individual cadet units and the cadet engagement teams to present to their fellow school students at morning school assemblies, outlining life as a cadet, the key skills and experiences cadets gain from their service and how to join. It would also provide an opportunity for those already serving to wear their uniforms to school and culminate with unit open evenings, either on the Tuesday evening or at their next parade night within Armed Forces week. Permitting units to open their doors to key community stakeholders to help understand their local cadet units and how they can work well together and for units to showcase the work they do to potential new recruits and the parents of currently serving cadets.

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