

Corporate Policy Committee

Agenda

Date:	Thursday, 27th November, 2025
Time:	9.00 am
Venue:	Committee Suite 1, 2 and 3, Delamere House, Delamere Street, Crewe, CW1 2JZ

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

Please Note: This meeting will be live streamed. This meeting will be broadcast live and a recording may be made available afterwards. The live stream will include both audio and video. Members of the public attending and/or speaking at the meeting should be aware that their image and voice may be captured and made publicly available. If you have any concerns or require further information, please contact Democratic Services in advance of the meeting.

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

1. Apologies for Absence

To note any apologies for absence from Members.

2. Declarations of Interest

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

3. Minutes of Previous Meeting (Pages 5 - 10)

To approve as a correct record the minutes of the previous meeting held on 30 October 2025.

For requests for further information

Contact: Nikki Burn

E-Mail: CheshireEastDemocraticServices@cheshireeast.gov.uk

4. **Public Speaking/Open Session**

In accordance with paragraph 2.24 of the Committee Procedure Rules and Appendix on Public Speaking, set out in the [Constitution](#), a total period of 15 minutes is allocated for members of the public to put questions to the Committee on any matter relating to this agenda. Each member of the public will be allowed up to two minutes to speak; the Chair will have discretion to vary this 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.

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.

5. **People Strategy** (Pages 11 - 46)

To consider the new strategy.

6. **The Council's Decision-Making Arrangements** (Pages 47 - 98)

To consider a report on the Council's decision-making arrangements.

7. **Appointment of a New Member to the Independent School Admission Appeals Panel and Independent Review Panel for Exclusion Reviews** (Pages 99 - 104)

To appoint an Independent Member.

8. **Strategic Risk Update** (Pages 105 - 152)

To receive an update on strategic risk activity.

9. **Regulation of Investigatory Powers Act 2000 (RIPA) Policy and Procedure and Online Investigations Policy** (Pages 153 - 194)

To consider the revised policy.

10. **The Future Model for ICT: Retained Shared Service and Gemini Phase 2** (Pages 195 - 202)

To consider the report on the progress of Phases 1 and 2 of the ICT Shared Services Programme (Gemini).

11. **Corporate Complaints Policy** (Pages 203 - 224)

To consider the report on the Council's updated Corporate Complaints Policy.

12. **Second Financial Review of 2025/26** (Pages 225 - 244)

To consider the Second Financial Review.

13. **Medium Term Financial Strategy Consultation 2026/27 - 2029/30 and Council Tax Base 2026/27** (Pages 245 - 260)

To consider the report on the MTFS consultation 2026/27 and Council Tax Base 2026/27.

14. **Work Programme** (Pages 261 - 264)

To consider the Work Programme and determine any required amendments.

15. **Minutes of Sub-Committees** (Pages 265 - 274)

To receive the minutes of the Finance Sub-Committee and General Appeals Sub Committee.

16. **Budget Approval and Acceptance of DfT Grant for the Middlewich Eastern Bypass** (Pages 275 - 294)

To consider the report in relation to Middlewich Eastern Bypass.

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

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

The Committee may decide that the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 2 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

PART 2 - MATTERS TO BE CONSIDERED WITHOUT THE PUBLIC AND PRESS PRESENT

18. **Budget Approval and Acceptance of DfT Grant for the Middlewich Eastern Bypass** (Pages 295 - 300)

To consider the confidential appendices.

19. **Demand Responsive Transport (DRT) Modernisation** (Pages 301 - 324)

To consider the report.

Membership: Councillors D Clark, J Clowes, L Crane, T Dean, S Gardiner, M Goldsmith, M Gorman (Vice-Chair), D Jefferay, N Mannion (Chair), C O'Leary, J Rhodes, J Saunders, L Wardlaw and F Wilson

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Corporate Policy Committee**
held on Thursday, 30th October, 2025 in the Committee Suite 1, 2 and 3,
Delamere House, Delamere Street, Crewe, CW1 2JZ

PRESENT

Councillor N Mannion (Chair)
Councillor M Gorman (Vice-Chair)

Councillors S Adams (sub for Cllr O'Leary), D Clark, J Clowes, L Crane,
T Dean, S Gardiner, J Bird (sub for Cllr Jefferay), J Rhodes, J Saunders,
F Wilson and A Moran (sub for Cllr Goldsmith)

OFFICERS IN ATTENDANCE

Rob Polkinghorne, Chief Executive
Karen Wheeler, Assistant Chief Executive
Ashley Hughes, Executive Director of Resources and S151 Officer
Chris Benham, Director of Finance
Peter Skates, Director of Growth and Enterprise
Brian Reed, Head of Democratic Services
Sam Jones, Democratic Services Officer
Nikki Bishop, Democratic Services Officer

37 APOLOGIES FOR ABSENCE

Apologies were received from Councillors M Goldsmith, D Jefferay and C O'Leary. Councillors S Adams, J Bird and A Moran were present as substitutes.

38 DECLARATIONS OF INTEREST

There were no declarations of interest.

39 MINUTES OF PREVIOUS MEETING**RESOLVED:**

That the minutes of the meeting held on 2 October 2025 be approved as a correct record and signed by the Vice Chair.

40 PUBLIC SPEAKING/OPEN SESSION

There were no registered speakers.

**41 MEDIUM TERM FINANCIAL PLANNING CONSULTATION
(CORPORATE POLICY COMMITTEE)**

The committee received an update on the development of the Medium-Term Financial Strategy (MTFS) for 2026–2030. Members noted that the Council continued to face significant financial challenges, with a forecasted budget gap of £18.2m for 2026/27, reduced from £33.3m following recent refinements.

The report outlined key updates to financial assumptions, including revised growth allocations for Adult Social Care and Children's Services, the introduction of a 5% vacancy factor across staffing budgets, above-inflation increases in fees and charges, and the reprofiling of transformation pump-priming budgets funded through capital receipts. Additional service budget adjustments and contingency for inflation were also highlighted. It was clarified that senior managers would apply professional judgement when considering the application of a 5% vacancy factor to ensure that critical frontline services, such as refuse collection and children's social care, were not impacted. Further assurance was provided in relation to Children's Services and Members noted that the Children's Improvement Board (Chaired by the Department of Education) considered regular performance reports particularly in relation to workforce which provided a further level of scrutiny around this process.

The committee considered the draft savings proposals, which totalled £57.8m for 2026/27, with further savings planned through to 2029/30. It was emphasised that successful delivery of the proposals would require robust programme management, clear delivery plans, a strong performance culture, and regular Member oversight through quarterly review sessions. Members were informed that a programme of public consultation and engagement would take place between November 2025 and January 2026.

Members welcomed the commitment to making significant improvements to consultation and engagement noting that this included Members of Parliament, the Youth Council, Adult Services Reference Group, online surveys, residents, businesses and key stakeholders. Members were pleased to learn that to date, over 2000 responses had been received in response to the budget prioritisation survey and urged officers to continue to encourage participation. The committee noted that the budget prioritisation survey remained open until 9am on Monday 3 November 2025

The recommendations were proposed and seconded and debated by the committee. Members were encouraged to submit further proposals during the consultation process. The S151 Officer also confirmed that he would be happy to attend political group meetings to ensure that Members were fully informed throughout the consultation and budget-setting process.

RESOLVED (by majority):

That the Corporate Policy Committee

1. Note the updated budget position for the period 2026/27 to 2029/30 as set out in Table 3 of the report.
2. Approve the list of budget savings proposals ready for consultation launch in November 2025 as contained in Annex 1 of the report.
3. Note and approve the conditions for successful budget delivery as noted in paragraph 8 of the report.

42 COUNCIL TAX SUPPORT SCHEME

The committee considered the report which provided an update on the Council Tax Support (CTS) scheme and the approach for potential future changes. Members noted that no changes were proposed for the 2026/27 financial year due to statutory constraints and the significant modelling and consultation required for any revisions.

The committee noted that CTS schemes could not be amended mid-year and that preparatory work would be undertaken during 2026/27 to model potential changes, including adjustments to banding and income disregards, with a view to informing decisions for the 2027/28 financial year.

The committee was advised that Cheshire East's current scheme offered up to 80% support, placing it above the national average but not among the most generous. Opportunities for reform were outlined and the legal risks associated with any changes were highlighted, particularly the need for robust equality impact assessments and compliance with legal statutory requirements to inform evidence-based decision-making.

RESOLVED (unanimously):

That the Corporate Policy Committee

1. Agree to review the Council's CTS scheme during 2026-27, and direct a further report to enable this to come to the first meeting of the relevant decision making Committee (be that this Committee or Executive Cabinet) in the 2026- 27 Municipal Year.

43 UPDATED DRAFT FEES AND CHARGES POLICY

The committee considered the report which sought approval for a new Fees and Charges Policy to replace the Council's Charging and Trading Strategy from 2017. In presenting the report to the committee a minor

amendment to the original officer recommendation (2) was highlighted and it was clarified that recommendation 2 should read as follows:

1. Recommend the proposed changes (as set out in paragraph 7 of the report) to the Council's Finance and Contract Procedure Rules to the next Full Council meeting.

Members noted that the existing policy was outdated and did not reflect current practice or best practice across other Councils. The proposed policy introduced a consistent corporate approach to setting fees and charges, based on the principle of full cost recovery, annual inflationary uplifts, and benchmarking against other authorities.

It was noted that the new policy aligned with the Council's Medium-Term Financial Strategy and would support financial sustainability by maximising income and reducing reliance on council tax subsidies. It also set out governance arrangements for approving deviations from the policy. Members were advised that the policy would apply to discretionary services and certain statutory services where charges were locally determined, but would not apply to Council Tax, Business Rates, or nationally set fees.

The committee noted that the policy had not been updated for eight years and sought assurance that this would not lead to any legal challenge of past decisions. It was clarified that no decisions had been made that breached the Contract and Finance Procedure Rules set out within the Council's Constitution. The S151 and Head of Democratic Services confirmed that work undertaken on revising the policy and the Finance and Contract Procedure Rules would be done alongside the anticipated change of Council governance arrangements in May 2026 to a Leader/Cabinet model, and that this would ensure that such policies were regularly reviewed and considered by the appropriate decision-making body.

RESOLVED (unanimously):

That the Corporate Policy Committee

1. Approve the new Fees and Charges Policy as at Annex 1.
2. Recommend the proposed changes (as set out in paragraph 7 of the report) to the Council's Finance and Contract Procedure Rules to the next Full Council meeting.

44 IMPROVEMENT AND TRANSFORMATION DELIVERY PLAN 2025-27

The committee considered the report setting out the Improvement and Transformation Delivery Plan for 2025–27. Members noted that the Plan would bring together all significant improvement and transformation activity into a single overarching document, aligning with the Cheshire East Plan

2025–29 and meeting the expectations of the non-statutory Best Value Notice issued by government in May 2025.

Councillor K Edwards addressed the committee as a Visiting Member. Councillor Edwards welcomed The Plan and stated that culture change needed to be driven by the Chief Executive and his senior leadership team. Cllr Edwards queried the ordering of the priorities and asked why the need for culture change to improve public services was not priority one. Cllr Edwards queried the role of Elected Members and their strategic leadership role which he felt had not been referenced within The Plan. In response, the Chief Executive and Assistant Chief Executive stated that the four improvement priorities were not in priority order and that this was stated within The Plan. The Chief Executive would be responsible for all four priorities and additional resource had been created as part of the senior leadership restructure including the appointment of the Director of People and Customer Service with responsibility for staffing matters across the organisation. There were a number of actions within the plan, including good governance and decision-making, which would focus upon supporting Members in their roles and review how policy frameworks could be improved to ensure Members lead this going forward.

Members noted that The Plan focused on four improvement priorities: financial sustainability, good governance and decision-making, leadership and culture change, and improving children's services. It included clear milestones and deliverables for the next 18 months, supported by robust governance and oversight arrangements. The committee suggested that the numbering of the priorities be reviewed to ensure it was clear that the priorities were not ranked in terms of significance or importance.

The committee noted that progress would be monitored through the Improvement and Transformation Delivery Board, with regular updates to the Assurance Panel, Corporate Policy Committee, and MHCLG. The committee were pleased to learn that initial feedback on The Plan from the Assurance Panel had been positive and Assurance Panel members felt that The Plan clearly reflected areas of key focus going forward.

Member engagement and policy development were identified as areas for improvement, and the Plan set out actions to strengthen these alongside embedding a new governance model, implementing a corporate performance framework, and delivering transformation programmes across services. The committee acknowledged the importance of resourcing the Plan effectively and noted that transformation reserves and contingency funding have been earmarked to support delivery.

The committee noted that narrative had been included within The Plan in relation to Devolution and that this would be monitored and updated as roles and responsibilities became clearer in the future.

The committee requested that reference to budget management training be amended to ensure that training was delivered at appropriate level for

specific Member roles within the new Cabinet/Leader form of governance. Officers agreed to amend this.

It was agreed that future updates on the delivery of the plan would be presented to the committee alongside the Strategic Risk Register.

RESOLVED (unanimously):

That the Corporate Policy Committee

1. Agree the Improvement and Transformation Delivery Plan 2025-27 at Appendix 1, subject to the feedback from the Assurance Panel meeting on 30 October 2025 and prioritisation session.
2. Delegate any final amendments to the Plan, and any updates throughout the next 18 months, to the Chief Executive in consultation with the Leader, Deputy Leader and Leader of the Opposition.

45 WORK PROGRAMME

The committee considered the Work Programme. The following was noted:

1. That the November 2025 meeting had a significant number of items scheduled. It was suggested by the Chair that the meeting should start at 9am with a scheduled break for lunch. Scheduling an additional meeting of the committee had been explored however this was not feasible due to existing commitments. It was agreed that officers should review the items scheduled for November and where possible reduce the size of the agenda.

RESOLVED:

That the Work Programme be received and noted.

The meeting commenced at 10.30 am and concluded at 1.05 pm

Councillor N Mannion (Chair)

OPEN

Corporate Policy Committee

27 November 2025

People Strategy

Report of: Karen Grave, Director of People and Customer Experience

Report Reference No: CPC/51/25-26

Ward(s) Affected: All

For Decision

Purpose of Report

- 1 To present the People Strategy 2025-29 for approval and adoption.

Executive Summary

- 2 The Cheshire East Council People Strategy 2025-29 sets out our vision for the workforce and how we will support the performance, wellbeing and development of everyone who works for us.
- 3 Our People Strategy has been co-produced with colleagues from across our organisation and with elected members and reflects their feedback and input. It looks to address what is most important to our people and starts to build the excellent organisation we need to be, now and into the future.
- 4 Our People Strategy and its associated deliverables are presented in one document making it easily accessible and understandable for staff and frames what staff can expect from us at each stage of their career with Cheshire East Council.
- 5 A clear and current people strategy is vital as it aligns the workforce, and our people management practices to the council's strategic vision, the delivery of our commitments to the residents and communities of Cheshire East and our Improvement and Transformation Delivery Plan 2025 - 2027.

RECOMMENDATIONS

The Corporate Policy Committee is recommended to:

1. Approve and adopt the People Strategy 2025-29 (Appendix 1) and note additional Appendices.

Background

- 6 The previous Cheshire East People Plan was produced in 2021 and ran to 2025. It is vital to have a current, clear and well-articulated People Strategy, co-produced with staff, about staff and for staff.
- 7 Our People Strategy looks to align the workforce, and our people management practices to the council's strategic vision and to the delivery of our commitments to the residents and communities of Cheshire East.
- 8 Ensuring that the People Strategy directly supports and enables the delivery of the Cheshire East Plan and our Improvement and Transformation Delivery Plan 2025 – 2027 will create a shared sense of purpose, enhance employee engagement, productivity and performance. And deliver a high performing culture.
- 9 The People Strategy is created around six outcomes for staff and underpinned by four values. It sets out what staff can expect from the council at each stage of their career with us, from joining, working, developing, progressing and leaving.
- 10 The key deliverables in year 1 include:
 - A commitment to staff engagement through in-person quarterly staff events, regular online sessions and ongoing opportunities to feedback and put forward ideas and suggestions.
 - A Staff Survey to seek the views, perceptions and voice of staff, so that effort for improvement and change can be directed to what's most important to our people through co-produced action plans.
 - A Cheshire East leadership development programme, ensuring our leadership cohort is equipped and supported to deliver the change and transformation required and creates the conditions for our people to thrive.
 - A Cheshire East manager development programme, looking to reset the expectations and role of people managers and providing the support and development for them to succeed.
 - A refreshed approach to individual performance reviews, giving managers and colleagues the tools and guidance to have good quality, regular performance and development conversations. Helping them to

improve performance, identify and progress talent and build personal resilience.

- The development of whole career pathways, with options to learn, develop and progress, helping to not only retain people in key roles, but 'grow our own' future leaders and specialists.

11 The strategy and its associated deliverables are underpinned by:

- **A focus on our shared Vision:** being clear that the people strategy and all people focused activity and interventions underpin the delivery of the Cheshire East Plan and the delivery of our Transformation and Improvement Plan.
- **A focus on Outcomes:** ensuring that the strategy and all deliverables are focused on getting the best possible outcomes and look to shift mindsets, behaviours and organisational culture.
- **A focus on shared Values:** ensuring that our new Cheshire East Values set the expectations on how we work and interact with each other to deliver on our vision and outcomes.
- **A focus on experience:** ensuring we use consistency of language which is accessible and understandable for staff and that all activity and interventions look to improve the experience of staff throughout their career journey with us.

Consultation and Engagement

12 A range of engagement and consultation has taken place in relation to the People Strategy and its associated deliverables. The views, comments and feedback of elected members, staff, and their advocates, has helped to shape the outcomes, values and deliverables.

These include:

- Activities at our regular Staff Events, follow up workshops, Manager Share and Support sessions, In the know sessions and more.
- Discussions at the Equality, Diversity and Inclusion Board.
- Meetings with various Staff Networks and our Champion groups.
- Trade Union colleagues.
- Corporate Leadership Team and Elected Members through the appropriate meetings and forums.

13 Our strategy is also based upon internal professional expertise and experience, research and benchmarking.

Reasons for Recommendations

- 14 The People Strategy 2025-29 has been co-produced with staff and elected members and is now ready for approval and adoption.
- 15 Our staff are keen to see the final strategy having been part of its development and how the strategy will support them in their roles.

Other Options Considered

- 16 Do nothing was not considered to be an option given the range of engagement, involvement and co-production which has taken place to develop this strategy to date.
- 17 Not to adopt and publish this strategy would risk damage to staff engagement, morale and motivation and potentially the council's reputation.

Implications and Comments

Monitoring Officer/Legal/Governance

- 18 The strategy aligns with current employment legislation, including the Employment Rights Bill (2025/26), which has passed through all readings in both the House of Commons and House of Lords and is expected to receive Royal Assent during late Autumn. Legal advice will be sought to ensure compliance with all statutory obligations.

Section 151 Officer/Finance

- 19 Adopting the strategy will have no impact on the Council's Medium Term Financial Strategy (MTFS) as it should be met through existing budgets. The strategy will not directly produce budget savings but will support and enable the delivery of the workforce transformation programmes, to which there are savings and productivity benefits attached. This will be done through improved leadership and management, leading to people and budgets being better managed, efficiency and productivity should increase, and sickness reduce. The strategy should enable the council to retain more staff, and attract more talent, helping reduce reliance on agency and interims.

Human Resources

- 20 The People Strategy provides the framework to ensure that all of our people activities are aligned to supporting and delivering the Cheshire East Plan 2025-29 and our Transformation and Improvement Plan.
- 21 It will ensure legal compliance and best practice is embedded into each stage of the employee lifecycle,
- 22 Clear key performance measures will ensure that a culture of continuous improvement and enable focussed action plans to support and direct activity as needed thereby being efficient, effective and timely.

- 23 Clarity of expectations, values and the employee offer through a shared sense of purpose, enhanced employee engagement, productivity and performance will improve overall employee relations and satisfaction.
- 24 The recognised trade unions will be engaged and consulted on the People Strategy as part of this process.

Risk Management

- 25 The People Strategy looks to reduce risks associated with a disengaged workforce, including, low morale, motivation and productivity.
- 26 The strategy will support better attraction, recruitment and retention of permanent employees, reducing the use of agency and interim staff which increase costs for the council.
- 27 The publication and implementation of the people strategy is a recommendation from the Corporate Peer Challenge 2024 which to delay or to not implement at all, would risk reputational damage and increased external scrutiny for the council.

Policy

- 28 The People Strategy 2025-29 is a key enabler of the delivery of the Cheshire East Plan 2025-29 and the Transformation and Improvement Plan 2025-27. It underpins the delivery of the council's vision and commitments through the recruitment, development and retention of a skilled and motivated workforce. It will support the delivery of all council commitments:
- Commitment 1: Unlocking prosperity for all
 - Commitment 2: Improving health and wellbeing
 - Commitment 3: An effective and enabling council

Equality, Diversity and Inclusion

- 29 All equality considerations will be taken into account as part of the implementation of the People Strategy.
- 30 The People Strategy and the Equality, Diversity and Inclusion Strategy complement and support each other and the delivery of our equality objectives.

Other Implications

- 31 The People Strategy supports the overall Cheshire East Plan 2025-29 and the Transformation and Improvement Plan and with therefore have a positive impact for Rural Communities, Children and Young People, Public Health or Climate Change.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Ashley Hughes	S151 Officer	03/10/25	03/10/25
Kevin O'Keefe	Interim Monitoring Officer	09/10/25	19/10/25
<i>Legal and Finance</i>			
Julie Gregory	Legal Manager	06/10/25	08/10/25
Chris Benham	Director of Finance	06/10/25	07/10/25

Access to Information	
Contact Officer:	<p>Karen Grave; Director of People and Customer Experience</p> <p>karen.grave@cheshireeast.gov.uk</p> <p>Gareth Sayers; Head of OD and Culture</p> <p>gareth.sayers@cheshireeast.gov.uk</p>
Appendices:	<p>Appendix 1: The Cheshire East Council People Strategy 2025-29 (includes Appendix 2)</p> <p>Appendix 3 – Values in Practice</p>
Background Papers:	None.

Cheshire East Council

People Strategy 2025 – 2029

Published October 2025

DRIVE | INTEGRITY | RESPECT | COLLABORATION

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Foreward - Chief Executive

The last few years have been a challenging time for many of us who work for Cheshire East Council. Like other Local Authorities we supported our residents through the most significant public health emergency in living memory. And although we live in a beautiful and prosperous region, we are facing significant and urgent financial pressures.



In the face of this unique set of challenges, all of you working for Cheshire East Council have shown amazing commitment and dedication to our residents, particularly those most vulnerable.

In response to our LGA Peer Review in 2024 we created an Assurance Panel to help us improve, and we created a council wide Transformation Programme that will deliver a new, sustainable operating model. We have also developed an Improvement and Transformation Delivery Plan 2025 – 2027.

A key component of delivering our plan commitments and the improvement and transformation we need is a strong People Strategy to support the well-being and development of everyone who works for the Council and enable them to perform to their highest potential. This will give us confidence in moving forward and create a new and positive culture where we can all aspire, thrive and flourish. Our People Strategy has been co-produced with colleagues from across our organisation. It addresses your priorities and starts to build the excellent organisation we need to be, to meet our current challenges and build a sustainable future.

You have said we need to do better in supporting professional and personal development; creating a better working environment in our offices and depots; delivering more modern, flexible and mobile working practices and recruiting and retaining the permanent workforce we need for the future.

We must deliver a stronger performance culture. We will hear the voices and ideas from all of our colleagues and take action in response. We need to be more diverse and inclusive, more closely connected to our neighbourhoods, our ward Councillors, and we will become more responsive to the needs of our different communities.

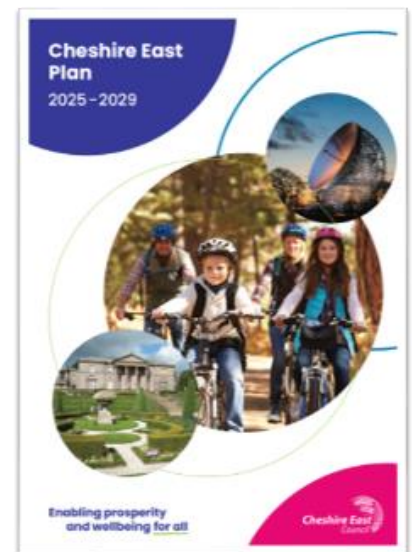
Our People Strategy sets out the key outcomes that will help us to reset, reimagine and reshape our organisation. And create opportunities for us all to play a part in the journey of becoming an employer which we are all proud to work for. We will be the best public servants we can be - serving the people of Cheshire East with commitment, pride and dedication; and meeting the commitments set out in the Cheshire East Plan.

Introduction – A strategy about you, for you

Our People Strategy is about everyone that works at Cheshire East Council, now and in the future. The strategy is written for you, is about you, and has been co-produced with you.

Our people underpin and enable everything we do and are key to the successful delivery of our council vision, *'Enabling prosperity and wellbeing for all in Cheshire East'* and the commitments set out in the **Cheshire East Plan 2025-29**.

The last few years in local government have been challenging and will continue to be challenging as change, transformation and improvement dominate our context. Our workforce is also critical to the success of our **Improvement and Transformation Delivery Plan 2025-27**.



With a clear strategy and cultural vision for our workforce, a set of shared values and a shared sense of purpose, **together we will make Cheshire East Council a great place to work and be an employer others want to work for.**

We have listened, researched and considered what a workforce of the future needs to look like to thrive and flourish; and that is clearly influenced by what our council needs to offer to our residents, partners and other stakeholders. We have considered these factors alongside our current workforce profile to shape the plan for the next four years. Our People Services Offer developed as part of this strategy clearly sets out what you can expect from us at each stage of your employee experience at Cheshire East Council.

Everything we do is about how we improve, transform and secure our future.

Things you can expect from us include a great **induction for new and existing starters**, ongoing learning and **development** opportunities, support for your **health and wellbeing**, a great **recognition and reward** offer and support for you to **progress** or move on.

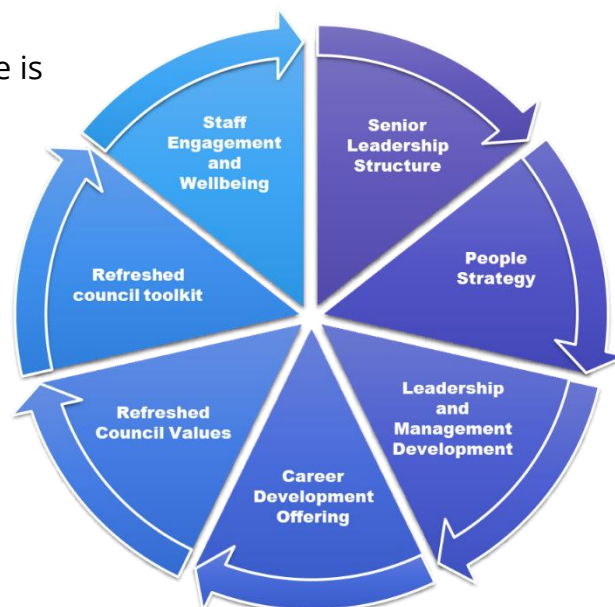
We place great value on engaging with our staff and listening to what you tell us. This is central to the delivery of this plan. We are committed to developing and supporting all of our staff to provide for the future and recruiting and retaining a workforce that reflects the community we serve. **Thank you for all you do.**

Our Context – Challenges and Opportunities

Our LGA Peer Review 2024 told us that there is significant work for us to address the challenges and opportunities we face.

Your voice contributed significantly to that learning and shapes all our workforce activity.

We have identified our main challenges and opportunities from a range of sources: data analysis, internal engagement and external research and benchmarking.



Our Staff Survey in 2023 and our staff events during 2024/25 have established mechanisms for regular feedback but we know there is significant work to do for employees to feel their voices are heard, to have trust in the Council. That will enable you to advocate for the council as a great place to work; and give you confidence in recommending us to other people. We are committed to undertaking further surveys and regular in-person staff events.

The visibility and transparency of senior leaders and cross-team collaboration also needs improvement.

We understand there are several areas in which to improve our work environment, including:

- enabling new ways of working that increase business performance
- creating a high-performing culture
- improving capacity and capability.

The Good Work Survey (CIPD, 2023) found that an increasingly poor work-life balance in the public sector is impacting on mental and physical health, so we aim to further enhance our existing wellbeing offer.

Our Workforce

Understanding the profile of our workforce helps us to plan for the future.

As an employer, we want to ensure our workforce is representative of the communities we serve and that we attract and retain talented employees from a wide range of backgrounds and with diverse skills and experience.

At Cheshire East Council, we employ around 3,500 staff, who are our most important asset in delivering the outcomes we want to achieve for the people of Cheshire East. We also employ just over 2,300 staff in our maintained schools. Total headcount as of 1 October 2025 was 5836.



Our average days lost per FTE to sickness stands at 10.95 days.

Our turnover (rolling 12 months) stands at 15.95%.

We know we have an aging workforce, with the average age standing at over 47 years. Whilst that means we have great depth and breadth of experience, we do need to make sure we are able to support future needs.

How we'll deliver our vision

Our Operating Model

In February 2025, Full Council agreed the new Cheshire East Plan and our vision for the Council ***'Enabling prosperity and wellbeing for all in Cheshire East.'***

Everything we do within our People Strategy must be focused on delivering our broader council vision and the four Improvement Priorities set out in our Improvement and Transformation Delivery Plan.

To complement this, the purpose of our People Strategy is to 'reset, reimagine and reshape a high performing, inclusive, and committed workforce which is proud to work for the Council and serve the people of Cheshire East'.

This strategy defines a series of outcomes, which will ensure we deliver our Cheshire East Plan vision. its three commitments and our four improvement priorities.

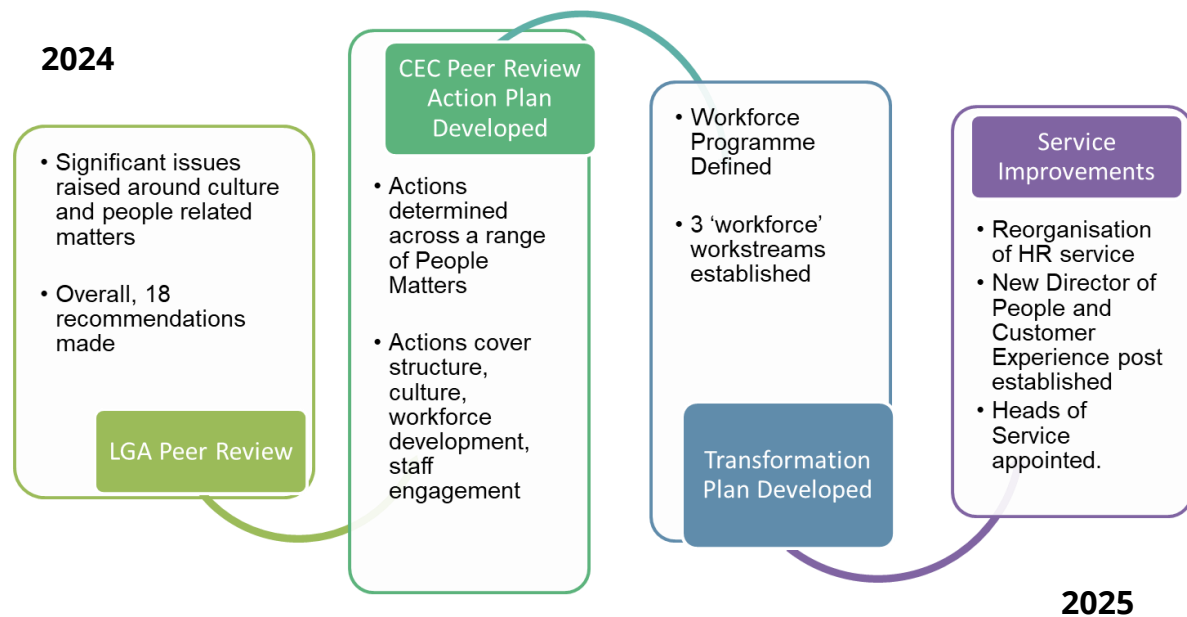
Reset | Reimagine | Reshape



The design principles in our Operating Model have informed the People Strategy and our offering to you at each stage of your career. We are on the journey to deliver our operating model and our improvement priorities. But we have more to do to help us thrive through significant change and build the skills, capacity and capability to help us improve and transform.

Our journey so far

The launch of our People Strategy is not the start of our improvement and transformation journey. Work is already well underway to improve our People Services offering, our approach to employee engagement; and to ensure that we deliver a whole career development offer that is so critical to helping us transform our culture.



Several workforce transformation programmes have commenced and are progressing positively and work to improve People Services is concurrently being implemented. This work is critical to the success of not only the workforce programmes but all improvement and transformation activity, as we look to build a sustainable future.

In relation to improvement and transformation, we know that:

- Some jobs will change, particularly with the introduction and use of new technologies, automation and Artificial Intelligence. Our transformation plan will determine this through service redesign.
- Improved career development opportunities and clear development pathways will be required to support retention and to 'grow our own' talent, but also to support the delivery of change.
- Colleagues will want and need opportunities to actively participate and influence change and support this through our various 'champion' communities, our networks and development opportunities such as our service design mini-academy.

Your Voice

Our approach to employee engagement

You told us that you want to be engaged on our improvement and transformation journey.

To support that we developed a Staff Engagement Approach which sits alongside our commitment to work with our recognised Trades Union colleagues and staff networks.

We have developed a number of objectives and will utilise a range of activities to ensure your voice is heard.



Our employee engagement approach was co-developed with staff through staff conferences, our champions groups and discussions with key stakeholders. Our engagement will be regular and consistent.

Our Engagement Objectives

We engage to:

1. **Listen and hear you.**
2. **Act on your feedback and tell you how it contributes.**
3. **Encourage you to proactively seek out information** and contribute ideas.
4. **Develop a common language for describing the way we will do things.**
5. **Share our ideas openly, we are not afraid of challenge.**
6. **Develop our collective curiosity about how we can improve for each other and our residents.**
7. **Learn together, we don't blame individually.**
8. **Embed our values and behaviours in everything we do** – including engagement.

You can find more information on our approach to staff engagement in our Approach to Staff Engagement document on CEntranet.

Our Cheshire East Values

Working together we have reshaped our values

We have already set out that this strategy defines a series of outcomes that will ensure we deliver our Cheshire East Plan and improvement priorities.

To achieve this, we need to have a clear set of values (and behaviours) which all of us recognise and understand how they underpin the delivery of our strategy and plans.

Our values underpin the culture we create.

Our new Cheshire East Values were co-created with many of you through various engagement events and activities, including the quarterly all staff events and regular engagement sessions such as Manager Share and Support, In the Know and our People and Culture Champion meetings.

Drive illustrated by ...	Integrity which means ...	Respect shown by ...	Collaboration demonstrated by ...
<ul style="list-style-type: none"> • a desire for growth, innovation and high performance • striving for a culture of excellence • developing a sense of purpose and engagement • Working towards our objectives with focus and determination 	<ul style="list-style-type: none"> • acting ethically and transparently • prioritising doing the right thing through your words, actions and beliefs • being accountable for our actions • fostering trust and building strong relationships 	<ul style="list-style-type: none"> • treating everyone with dignity, kindness and empathy • showing genuine care and appreciation for others • acknowledging individuals' unique contributions • fostering a positive and inclusive environment 	<ul style="list-style-type: none"> • promoting a culture of teamwork, shared knowledge and learning from each other • improved problem solving • working together to deliver better outcomes • Developing innovative solutions

Our values will be embedded into everything we do and ensures that work is not just what you do, but **how you do it**. You can find more information about our values and how to build them into your regular performance and development conversations on CEntranet.

Your career journey with us

Our Employee Lifecycle

We want you to have a positive employee experience and our Employee Lifecycle sets out how we will **deliver this..**

The lifecycle provides clarity about what Cheshire East Council offers you to ensure you can consistently deliver the very best for our residents.

Being clear about what is available to you during all stages in your career at Cheshire East will give you the opportunities and confidence you need to help us all maintain a high-performance culture. We know from feedback that this matters to you. You can view more of what's on offer at each stage in Appendix 1 to this strategy, and you can also see how we will measure our success, Appendix 2.



Focusing our offer around each stage of your career with us is an easy and established way of helping you understand how your People Services colleagues can support you. It also makes clear what we expect in terms of your contribution as well. CEntranet will be updated to set out our offer at each stage.

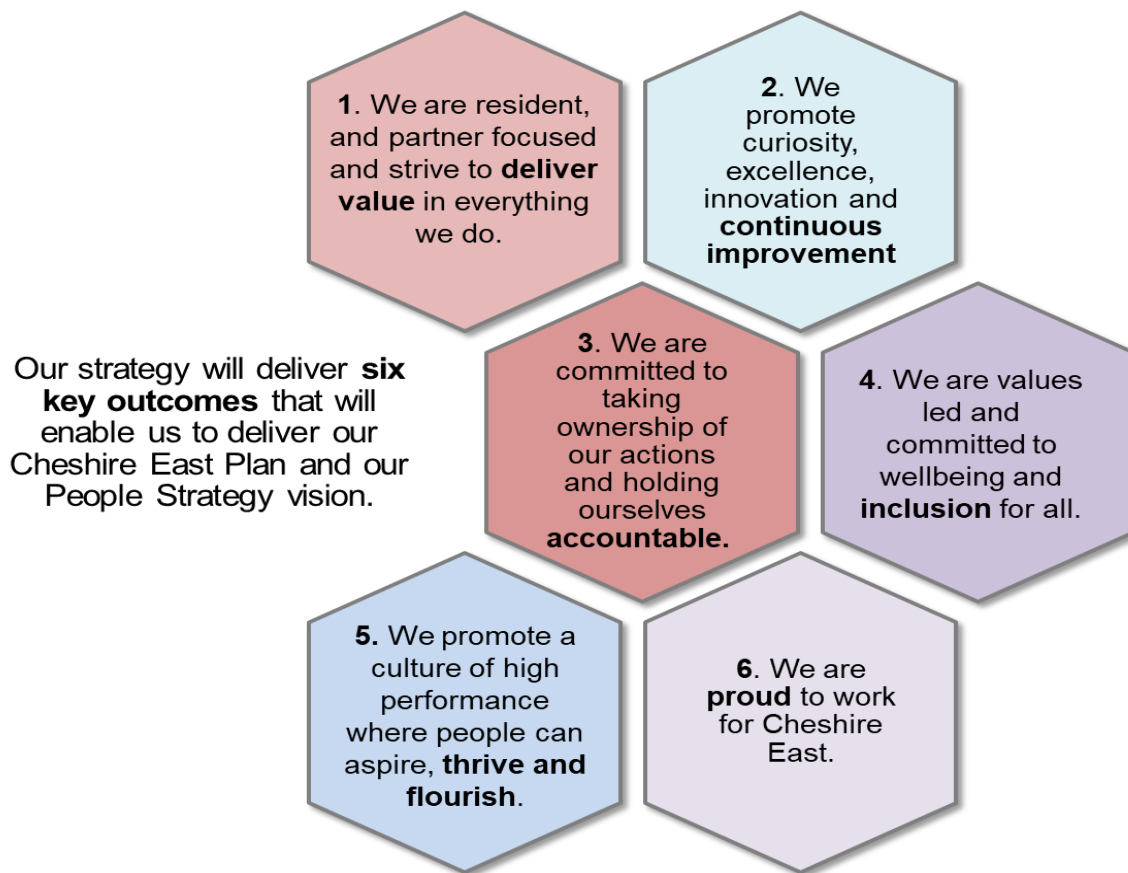
Understanding our lifecycle will also help us be really clear about what we need to measure, and how often, to ensure that we maintain high performance and great services to our residents, partners and businesses. We have developed a set of 'measures' aligned to each stage to ensure of success (see Appendix 2).

We expect to keep these under review as we continue on our journey of improvement and transformation. We will use regular feedback, insight and intelligence to ensure that we are doing the right things at the right time to ensure we continue to deliver the best services.

Our People Strategy Outcomes

Our strategy sets out 6 key outcomes

Along with our values, these outcomes will ensure the strategy delivers for you and provides impact to all of our residents, but particularly those most vulnerable. We know from you that this really matters to you.



Outcome One

We are resident and partner focused and strive to deliver value in everything we do.

Outcome 1 will be enabled by **attracting, recruiting and retaining colleagues** who share our values, are resident and partner focused and strive to deliver best value services.

We will:	What success will look like:
<ul style="list-style-type: none"> ✓ Co-design services with residents through consultations, surveys, and workshops. ✓ Run innovative and inclusive recruitment campaigns to attract the best people. ✓ Deliver meaningful 'Welcome to Cheshire East' induction activities. ✓ Use data and feedback to improve resident experience and share data appropriately to achieve joint outcomes. ✓ Invest in staff development and digital transformation. 	<ul style="list-style-type: none"> ✓ Increase in resident engagement in consultations and community events. ✓ Increase in resident satisfaction scores and reduction in complaints. ✓ Increase in number of joint initiatives with partners and reduction in duplication of services. ✓ Improved performance metrics (e.g., turnaround times, productivity). ✓ Demonstrable impact of innovation projects.

Outcome Two

We promote curiosity, excellence, innovation and continuous improvement.

Outcome 2 is about **working together to consistently improve our services**. It's about the way we work, look to proactively develop and continuously improve.

We will:	What success will look like:
<ul style="list-style-type: none"> ✓ Collaborate, network and learn both within the Council and across partners and a diverse range of stakeholders. ✓ Create real-time insights for directorates and automate processes so that more time can be spent adding value for staff. ✓ Host learning events, knowledge-sharing sessions, and promote cross-team collaboration. ✓ Create safe spaces for trying new approaches without fear of failure. ✓ We are committed to working together to improve services. 	<ul style="list-style-type: none"> ✓ Increased participation in learning and development activities. ✓ Improvement in performance metrics post learning and development. ✓ Improved staff survey results relating to learning, change and innovation. ✓ Increased number of ideas submitted through innovation platforms or suggestion schemes. ✓ Evidence of impact from innovative practices (e.g., cost savings, improved outcomes).

Outcome Three

We are committed to taking ownership of our actions and holding ourselves accountable.

Outcome 3 **underpins our organisational culture** and our ways of working.

It's about being accountable, being unafraid to learn from failure, ensure lessons are learned and applied; and constantly improving through values driven, ethical practice.

We will:	What success will look like:
<ul style="list-style-type: none"> ✓ Promote a culture of high support and high challenge so that our staff can be proud of what they achieve. ✓ Ensure our workforce is empowered to do the best job they can and shape our future. ✓ Create clear role definitions and expectations in service delivery. ✓ Have regular 121 and team reflection sessions to review decisions and outcomes, using data and KPIs to track progress. ✓ Develop an open culture where mistakes are acknowledged and used as learning opportunities, with best practice shared proactively. 	<ul style="list-style-type: none"> ✓ Improved frequency and quality of performance reviews. ✓ Evidence of effective leadership and management demonstrated through improved performance against the Cheshire East Plan. ✓ Clear senior-level accountability for rectifying issues and preventing their recurrence. ✓ Staff view of leadership improves as measured through Staff Survey.

Outcome Four

We are values led and committed to wellbeing and inclusion for all.

Outcome 4 is about creating the conditions for all to **thrive and succeed**.

It's about increasing engagement through protecting wellbeing, building resilience, recognising success and rewarding performance. It's about recognising that all of us have a role to play and having the confidence to celebrate and harness difference.

We will:	What success will look like:
<ul style="list-style-type: none"> ✓ Support our workforce to be healthy, safe and well, through embedding our organisational values. ✓ Ensure our managers and leaders work in partnership and encourage new ideas, suggestions and creativity. ✓ Create a fully inclusive workplace through our EDI strategy; and promote diverse representation in leadership, decision making and a culture where people feel safe to bring their authentic selves to work. ✓ Enable our managers and leaders to take a coaching approach to enable our employees to be at their best. ✓ Recognise and reward our workforce through existing and new initiatives. 	<ul style="list-style-type: none"> ✓ Improved diversity metrics (e.g. gender, ethnicity, disability). ✓ Improved staff survey and specific 'inclusion' survey results, including pulse surveys. ✓ High participation in diversity initiatives. ✓ Reduction in discrimination-related incidents and disparity of outcomes. ✓ Increased engagement, retention and satisfaction, particularly among underrepresented groups.

Outcome Five

We promote a culture of high performance where people can aspire, thrive and flourish.

Outcome 5 is focused on our people **aspiring , thriving and flourishing**.

It's about creating a workplace where people can be at their best, able to change, adapt and succeed.

We will:	What success will look like:
<ul style="list-style-type: none"> ✓ Ensure there is clear objective-setting aligned with strategic priorities and plans. ✓ Reinvigorate our approach to regular performance and development conversations and recorded individual reviews. ✓ Cultivate talent and manage succession through our career pathways and learning opportunities. ✓ Provide access to learning and development programmes and interventions – developing a learning culture. ✓ Through a range of recognition and reward initiatives, ensure our workforce feels valued, appreciated. 	<ul style="list-style-type: none"> ✓ Increase in interest and applications to join Cheshire East Council. ✓ Improvements in time-to-hire. ✓ Increase in employee satisfaction scores. ✓ Increase in internal promotions and progression. ✓ Reduction in sickness absence and turnover. ✓ Better use of our Apprentice Levy.

Outcome Six

We are proud to work for Cheshire East Council.

Outcome 6 is simple, it's about being **proud to work for Cheshire East Council**, whether you stay or leave, return, or recommend us to others.

We will:	What success will look like:
<ul style="list-style-type: none"> ✓ Attract and recruit the best people who are proud to work for the Cheshire East Council. ✓ Ensure our employee offer is competitive and appealing and our policies and practices are innovative, inclusive and easy to follow. ✓ Retain staff through recognising and celebrate the achievements and contribution of all our staff. ✓ Embed the Cheshire East values in everyday behaviours and leadership. ✓ Support, develop and invest in our people so they are willing to return if they leave and they advocate our council to others. 	<ul style="list-style-type: none"> ✓ Attract, recruit and retain talented individuals – reducing turnover rates. ✓ High employee engagement scores, increased productivity and participation. ✓ Employees who would be willing to return in the future and who recommend the council to others – from exit interviews and staff survey. ✓ Values embedded into practice and measured through performance and development conversations. ✓ An employer of choice locally and nationally.

Measuring Success

We have developed a People Measurement Framework which supports the delivery of our strategy and ensures it is having the desired impact.

We have a set of measures aligned to each stage of your career journey with us – our Employee Lifecycle, which can be found on page 11 and is summarised below.

It is crucial that we track, monitor, measure and report on our performance and progress so you know we are delivering on our Cheshire East Plan commitments, and the areas you have told us we need to improve on. We have identified measures that align with our employee lifecycle and you can read these in Appendix 2. We have more work to do on identifying targets and we will do this with staff.

We recognise that whilst some of our measures will be quantifiable, it is the subjective measures that define our culture. We have defined what success looks like in terms of our values in Appendix 3.



Our plan and high-level milestones

We have a lot to do. It is going to take time, but together we know we can deliver our vision. We are clear what we need to do by when and what is realistic and achievable. Our high level milestone plan is supported by more detailed plans which will be shared through our Wider Leadership Community, existing Champion networks, CEntranet and ongoing staff events.



To achieve these key milestones, we will need to:

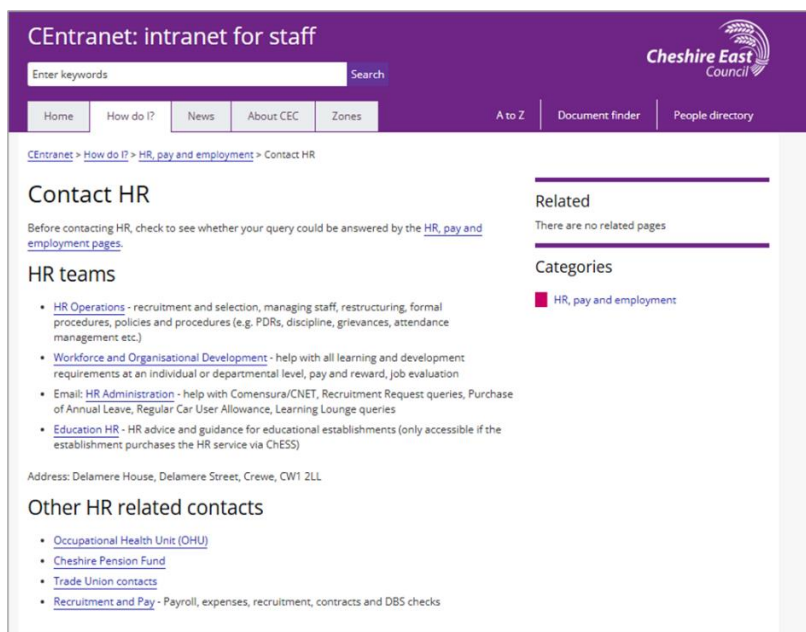
- Reset and reimagine what good looks like for People Services and our workforce more broadly
- Reimagine what we will look like across our services to ensure we are delivering on our statutory obligations as well as what our residents need
- Deliver a broad range leadership and development interventions
- **Manage individual and team performance** at all levels
- Recognise that workforce is a **shared** responsibility across the council
- Regularly engage with you, listen, learn and adapt.

In addition to our People deliverables, you will need to understand our Improvement and Transformation Delivery Plan 2025 – 2027, which you can find on CEntranet.

How to access our services

You'll find details of our People Services offer and a range of support and advice options on CEntranet.

We expect to deliver improvements in policy, process and technology to improve our employee experience. This is an ongoing effort and you will see changes to CEntranet over a period of months.



The majority of your questions can be answered by visiting HR CEntranet where you will find extensive HR policies and information - [HR, pay and employment](#).

For other enquiries or HR support, in the first instance please email: HREnquiries@cheshireeast.gov.uk.

Appendix 1 – Our People Services offering

We have created a People Services offer aligned to each stage of the employee lifecycle, below is a sample of the offer (not exhaustive) which will be reorganised and reshaped on CEntranet for our people to access. The offer includes a range of services that will help you deliver the People Strategy outcomes.

Career Stage	People Services Offer
Joining Cheshire East	<ul style="list-style-type: none"> ○ Employer Brand and Value Proposition ○ Recruitment Policy, Guidance and Support ○ Job Evaluation and Design ○ Pay and Reward ○ Induction and Probation
Working at Cheshire East	<ul style="list-style-type: none"> ○ People Management Handbook ○ Health, Safety and Wellbeing ○ Employee Assistance Programme and Occupational Health ○ Reorganisation, Restructure, TUPE and Change ○ Flexible Working and Ways of Working
Learning and Developing at Cheshire East	<ul style="list-style-type: none"> ○ Work Experience and Volunteering ○ Apprenticeships and Graduates ○ Learning and Development offer ○ Buddies, Mentoring and Coaching ○ Workforce Planning and Succession Plans ○ Performance Appraisals and Progression
Recognition and Reward at Cheshire East	<ul style="list-style-type: none"> ○ Pay, Grading and Job Evaluation ○ Annual Leave ○ Pension and VIVUP ○ Long Service ○ Made my Day and New Year Honours
Leaving Cheshire East	<ul style="list-style-type: none"> ○ Resignation and Retirement Support ○ Ill Health and Death in Service ○ Voluntary Redundancy and Redundancy ○ Career Breaks and Moves ○ Dismissal ○ Exit Interviews and Support
Organisational Development and Change at Cheshire East	<ul style="list-style-type: none"> ○ Operating Model, Vision, Values and Design ○ People Strategy and Culture ○ Employee Engagement ○ Change Management ○ Continuous Improvement

Appendix 2 – People Measurement Framework

We have created a People Measurement Framework aligned to each stage of the employee lifecycle; below is a sample of the measures and indicators used (not exhaustive) and will ensure the strategy is having the desired impact.

Career Stage	People Measures
Joining Cheshire East	<ul style="list-style-type: none"> ○ Time to Hire ○ Agency Usage ○ Starters/Leavers and Turnover ○ EDI Recruitment Data ○ Induction and Mandatory Training completes ○ Probation and new Starter experience
Working at Cheshire East	<ul style="list-style-type: none"> ○ HR Casework Data ○ Sickness Absence and OH Referrals ○ EAP and Wellbeing Take up ○ Performance Appraisals compliance and quality ○ Progression and movement changes
Learning and Developing at Cheshire East	<ul style="list-style-type: none"> ○ Mandatory Training completion rates ○ Apprenticeship Levy Usage ○ No. Apprentices' completion/ drop out ○ Developmental Training and Coaching ○ Leadership and Management training completions and impact
Recognition and Reward at Cheshire East	<ul style="list-style-type: none"> ○ Number of Made My Day nominations ○ Length of Service figures ○ VIVUP take up and usage ○ Additional Annual Leave purchases ○ Volunteering Days completed
Leaving Cheshire East	<ul style="list-style-type: none"> ○ Leavers and Turnover ○ Retirements and Ill Health Retirements ○ Secondments and TUPE ○ Redundancies and Conversions ○ Exit Process, Reasons and Conversations
Organisational Development and Change at Cheshire East	<ul style="list-style-type: none"> ○ Employee Engagement Score ○ Staff Survey findings and follow up ○ OD interventions delivered and accessed ○ Engagement and participation in Champion Communities, Networks and engagement events/activities ○ Experience of change and change readiness

Appendix 3 – Values in Practice

We have created a suite of slides to help you understand what our values look and feel like in practice.

See attached document.

END

Cheshire East Values

Drive

illustrated by ...

- A desire for growth, innovation and high performance
- Striving for a culture of excellence
- Developing a sense of purpose and engagement
- Working towards our objectives with focus and determination

Integrity

which means ...

- Acting ethically and transparently
- Prioritising doing the right thing through your words, actions and beliefs
- Being accountable for our actions
- Fostering trust and building strong relationships

Respect

shown by ...

- Treating everyone with dignity, kindness and empathy
- Showing genuine care and appreciation for others
- Acknowledging individuals' unique contributions
- Fostering a positive and inclusive environment

Collaboration

demonstrated by ...

- Promoting a culture of teamwork, shared knowledge and learning from each other
- Improved problem solving
- Working together to deliver better outcomes
- Developing innovative solutions

**Enabling prosperity
and wellbeing for all**

OFFICIAL

Drive in the workplace looks like...

Proactive behaviour

- Employees take the initiative without waiting to be told
- Problems are anticipated and addressed early

Goal orientated focus

- Clear objectives are set, tracked and reviewed
- People stay focused even when challenges arise

Continuous improvement

- Individuals seek feedback and use it to grow
- Teams regularly reflect on performance and look for ways to do better

Resilience and grit

- Remaining positive in the face of setbacks
- Moving forward with learning

High standards

- Work is done with care, pride and attention to detail
- Challenge the ordinary and celebrate the extraordinary

When drive is being illustrated across the organisation, it will feel..

You feel a
sense of
momentum
and purpose

You believe
your efforts can
make a real
impact

You're
surrounded by
people who are
passionate and
committed

You're pushed
to grow and
stretch
capabilities

Integrity in the workplace looks like...

Honest conversations

- People speak truthfully, even when the truth is difficult
- There's transparency in sharing information, goals and challenges

Accountability

- Employees own their actions and outcomes – both successes and mistakes
- Deadlines are respected, and commitments are followed through

Ethical decision making

- Choices are guided by principles, not just convenience or personal gain
- Conflicts of interest are declared and managed appropriately

Consistency between words and actions

- We all “walk the talk”
- Promises are kept, and values are upheld

Confidentiality and discretion

- Sensitive information is protected
- Gossiping and rumours are discouraged

**Enabling prosperity
and wellbeing for all**

When we can see integrity, it should mean you will feel...

Confident that
others will act
with honesty and
fairness

You can admit
mistakes or raise
concerns without
fear of retaliation

You feel good
about the work
you do and the
organisation you
represent

Your personal
ethics are in
harmony with the
organisations
culture

Respect in the workplace looks like...

Active listening

- Colleagues give each other their full attention during conversations
- Interruptions are minimised and comments are welcomed

Inclusive communication

- Everyone is encouraged to share ideas, regardless of their role
- Language is professional, considerate, and free from bias

Recognition and appreciation

- Contributions are acknowledged publicly and privately
- Credit is given where it's due and achievements are celebrated.

Constructive feedback

- Feedback is delivered with empathy and a focus on growth
- Mistakes are treated as learning opportunities, not as a reason for blame

Fairness and equity

- Opportunities for advancement, training and leadership are accessible for all
- Policies are applied consistently, fairly and transparently

When Respect is being shown across the organisation, it will feel..

Psychologically
safe to express
yourself
without fear of
ridicule or
retaliation

Your work and
contribution
are
appreciated
and not taken
for granted

You are given
autonomy, and
your judgement
is respected

You are
encouraged to
contribute and
take the
initiative

Collaboration in the workplace looks like...

Open communication

- Team members share ideas, updates, and feedback freely.
- Meetings are inclusive and everyone has a voice

Shared goals and responsibilities

- Projects are approached with a one team / one council approach
- Tasks are distributed fairly, and everyone contributes to the outcome

Cross functional teamwork

- People from different services and directorates work together seamlessly
- Silos are broken down in favour of knowledge sharing

Constructive conflict resolution

- Disagreements are handled respectfully and productively
- Diverse perspectives are seen as strengths, not obstacles

**Enabling prosperity
and wellbeing for all**

When collaboration is being demonstrated across the organisation, it will feel..



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OPEN

Corporate Policy Committee

27 November 2025

The Council's Decision-Making Arrangements

Report of: Kevin O'Keefe, Interim Director of Law and Governance (Monitoring Officer)

Report Reference No: CPC/49/25-26

All wards are affected

For Decision

Purpose of Report

To secure recommendations to Council to adopt constitutional and other documents which will form the basis of the Council's Leader and Cabinet decision-making arrangements.

Executive Summary

- 1 The Council will move to a Leader and Cabinet form of governance from the date of its Annual General Meeting on 13 May 2026.
- 2 This report appends various constitutional and other documents which the Leader and Cabinet Task and Finish Group (T&F Group) has recommended to the Committee for adoption by Council.

RECOMMENDATIONS

That the Corporate Policy Committee recommend that Full Council:

1. Agree and adopt the following procedure rules and other constitutional documents and provisions, as appended to this report; these to take effect at the Council's Annual General Meeting on 13 May 2026:
 - a. Appendix 1: Recommendations arising from the deliberations of the T&F Group.
 - b. Appendix 2: Overview and Scrutiny Procedure Rules and Arrangements.
 - c. Appendix 3: Budget and Policy Framework Procedure Rules.
 - d. Appendix 4: Executive Arrangements and Cabinet Procedure Rules subject to a recommendation from the Committee upon whether:
 - i. 3 clear working days' notice of public and Member questions should be given before Cabinet meetings, and

- ii. such questions should relate to items on the agenda for the meeting in question.
 - e. Appendix 5: Local Choice Functions.
 - f. Appendix 6: Leader and Cabinet Transitional Provisions.
2. Authorise the Monitoring Officer, in consultation with the Council's political group leaders, to make such general and consequential changes to the Council's Constitution:
 - a. as he deems are necessary to give effect to the wishes of Council; or
 - b. as may become necessary at short notice, as referred to in paragraphs 9-11 of this report, and which may be required to be put in place to ensure the efficient and effective administration of the Council's decision-making arrangements with effect from 13 May 2026; or
 - c. which arise from provisions of legislation.
 3. Note that the remaining Leader and Cabinet documents and arrangements will be presented to the meeting of Council on 25 February 2026.
 4. Agree that the implemented Leader and Cabinet arrangements will be reviewed in or around the autumn of 2026, with a view to introducing changes and improvements, where these are deemed to be necessary or desirable.

Background

- 3 At its meeting on [17 September 2025](#), Council resolved to approve a change in the Council's governance arrangements from a Committee System to a Leader and Cabinet system; this change to take effect at the Council's Annual General Meeting on 13 May 2026. Council appointed the T&F Group to drive-forward the work required to achieve this, and to make recommendations to Council upon required constitutional and other arrangements.
- 4 The aim of the T&F Group is to ensure that a "good and firm foundation" is created for a seamless transition to Leader and Cabinet decision-making at the Council's Annual General Meeting. It is acknowledged that, due to the volume of work to be undertaken, and the short timescale within which this must be done, there will be the need to review the new arrangements after their implementation to secure improvements and changes where these might be desirable or needed.
- 5 The membership of the T&F Group comprises senior members of the Council's three political groups, including Group Leaders/Deputies, and Councillor Rod Fletcher, who represents the non-grouped independent members.
- 6 The initial work of the T&F Group has focussed upon key procedure rules and other core constitutional documents and requirements. Further work will be undertaken upon other matters which must be determined before May 2026, such as the non-executive committee structure.

- 7 As part of its initial work, the T&F Group considered the procedure rules and other arrangements which applied to comparator local authorities. However, members were satisfied that Cheshire East Council's own former Leader and Cabinet-related procedure rules had been "tried and tested" and had served the Council well from April 2009 to May 2021 under different political administrations. The T&F Group also noted that the rules which applied to other Leader and Cabinet authorities largely followed the model format of "Modular Constitutions" issued by the government department, with small local variations, as was the case with the Council's pre-May 2021 documents.
- 8 The Council's pre-May 2021 procedure rules and other constitutional documents (Appendices 2-6 of this report) are therefore recommended by the T&F Group to the Corporate Policy Committee and thereafter to Council, for agreement and adoption, subject to some consequential changes which will be made by the Monitoring Officer under delegated powers. Appendix 1 provides a summary of various matters of clarification and reassurance sought by the T&F Group before its recommendations were made. The remaining appendices comprise the following:

(a) Appendix 2: Overview and Scrutiny Procedure Rules and Arrangements.

These Rules are in relatively standard format and make provision for the responsibilities of the overview and scrutiny committees, as well as the way in which such committee business is conducted. The statutory powers of the committees are explained, as well as their important pre-decision scrutiny role and post-decision "call-in" provisions.

Appendix 1 provides more information upon the work of the T&F Group, and its recommendations, relating to these rules.

It should be noted that the rules will need to be amended and updated to reflect the number of overview and scrutiny committees formally appointed by Council, as well as their responsibilities, which will align with Cabinet Member responsibilities and those of the Council's directorates. Delegations are proposed in the recommendations to this report, to empower the Monitoring Officer to add these amendments and updates to the Constitution.

(b) Appendix 3: Budget and Policy Framework Procedure Rules.

These rules are common to all Leader and Cabinet authorities. They set out important principles and requirements for the adoption of key budget and policy documents, such as the Budget itself, the Development Plan, and the Crime and Disorder Reduction Strategy. The list of Policy Framework documents is stipulated in legislation and will be updated under the Monitoring Officer's delegated powers.

In respect of the Budget, the rules set out the process which must be followed in its development, for example, ensuring that the Council's overview and scrutiny committees are consulted before Council considers adoption of the Budget.

The appended version of the pre-May 2021 rules contains tables of financial limits which applied to certain decisions of committees, officers and members. The Section 151 Officer is undertaking a separate review of financial and contract procedure rules, which are likely to necessitate changes to these tables, or even to remove them altogether. The Monitoring Officer's delegated powers will be used to make these changes, as and when required.

Appendix 1 provides more information upon the work of the T&F Group, and its recommendations, relating to these rules.

(c) Appendix 4: Executive Arrangements and Cabinet Procedure Rules.

These rules are in relatively standard format and make provision for the responsibilities of the Cabinet and its members, as well as the way in which its business is conducted.

It should be noted that the rules will need to be amended and updated to reflect the number of Cabinet members formally appointed, as well as their responsibilities. Delegations are proposed in the recommendations to this report, to empower the Monitoring Officer to add these amendments and updates to the Constitution once the Cabinet appointments are made, and powers allocated.

In law, the formal Cabinet appointments and allocation of powers cannot be made until the Council Annual General Meeting (AGM), but in practice, it is proposed that the T&F Group should undertake work on the preparation of model arrangements well in advance of the AGM, to assist the process and the smooth transition of powers on the day of the AGM.

Appendix 1 provides more information upon the work of the T&F Group, and its recommendations, relating to these rules.

(d) Appendix 5: Local Choice Functions.

Section 13 of the Local Government Act 2000 permits local authorities to make choices upon whether certain functions should be the responsibility of Council, or the executive. The appendix reflects the Council's pre-May 2021 Local Choice Functions arrangements which served the Council well for 12 years under different political administrations.

Appendix 1 provides more information upon the work of the T&F Group, and its recommendations, relating to these functions.

(e) Appendix 6: Leader and Cabinet Transitional Provisions.

These provisions seek to facilitate and ensure a smooth transition from committee system to Leader and Cabinet decision-making. They provide reassurance that decisions made and arrangements which applied under the previous models of decision-making will not be "lost", vulnerable to challenge

or detrimentally affected due to the change in decision-making arrangements on 13 May 2026.

The provisions set out a methodology for the distribution of decisions within the new arrangements, including the transition of service committee responsibilities into the new arrangements.

Whilst every effort has been made to facilitate a seamless transition to the Leader and Cabinet arrangements in May 2026, it is prudent for the Council to put in place general provisions which will remove any future uncertainty in respect of changes which will be implemented, and issues which might subsequently arise after that transition. Such matters might not only arise in respect of decisions made under or in respect of the committee system but could conceivably relate to matters which pre-dated the introduction of the committee system.

The following is a summary of the transitional provisions:

Every decision made under the arrangements which pre-dates the move to Leader and Cabinet arrangements in May 2026 will create a legacy which extends past the introduction of the new arrangements in May 2026. The Council must be certain that previous decisions and any action or activity under the former arrangements will continue under the new arrangements. Therefore, the principles set out in the Appendix are intended to provide such reassurance.

Any matter in progress, or to be progressed, which involved a decision of the Council's former Cabinet, a decision of a service committee, or which was delegated to an officer is resolved using the principles in Appendix 6.

Provision also needs to be made for the continuity of the work of various bodies appointed by the Council, or attended by Council members, after May 2026, until new arrangements are made. This provision will continue until the next appropriate review date eg in respect of the Council's outside organisation appointments, these will be reviewed following the local elections in May 2027.

The following miscellaneous matters are proposed:

Generally

Any matter currently in progress, to be progressed, or which is reliant upon the Council's former decision-making arrangements will continue to be progressed after the Annual General Meeting in May 2026 via the Cabinet collectively, or in consultation with the appropriate Cabinet member. Appendix 6 applies.

The Cabinet and Cabinet members will review the work programmes of the service committees and build items of work into their own emerging work programmes.

Existing outside organisation appointments will continue until the next appropriate review date. Where appropriate, appointments may be reviewed by the Cabinet and appointees may be replaced by Cabinet members.

Approach to the budget

The budget is and will remain the responsibility of Council. As at the date of budget setting in February 2026, primary budgetary responsibility will rest with the Corporate Policy Committee (and Finance Sub-Committee) and the Chief Officers who are responsible for administering the budget. The statutory obligation of the Chief Financial Officer to ensure, and if required to impose, sound financial management is unchanged.

The Cabinet will be constrained by the budgetary framework and the procedure rules which apply to it. Budgets will, wherever practicable, be aligned with the Cabinet and its members to facilitate expenditure reassurance.

The fundamental principle is that Council will be responsible for the adoption of the Budget, following which it will be the responsibility of the Cabinet to implement it. After adoption, Cabinet will make day-to-day decisions within the adopted Budget.

The Budget process after May 2026 will make provision for the Cabinet to lead through the Finance portfolio holder, and the opportunity to shape future proposals which can be considered within the budgetary consultation process.

Ongoing workstreams

The focus of the pre-May 2026 process of preparation for constitutional change is to establish a “good and firm foundation” for decision-making under the Leader and Cabinet system, with effect from the 2026 Annual General Meeting of Council.

The newly implemented arrangements must be allowed to function, then be reviewed, and then must be improved where necessary or desirable. Some design-principle requirements, as agreed by Council on 17 September 2025, will need to be implemented after the change to the Leader and Cabinet arrangements as the focus must be upon establishing the key elements of Leader and Cabinet governance in the first instance.

Delegated Monitoring Officer powers

- 9 The Monitoring Officer is empowered under the Council’s Constitution to make changes to the Constitution which are “not major in nature”. However, this report seeks further delegated powers to be given to the Monitoring Officer to make changes to the Constitution, and to the Council’s decision-making arrangements, to address what might become necessary at short notice in anticipation of or following the change to the Leader and Cabinet model.

- 10 Whilst much preparation will have gone into the proposed decision-making arrangements prior to the Council Annual General Meeting on 13 May 2026, circumstances could and will arise which necessitate further changes to be made to the Constitution or to the Council's associated arrangements, at short notice.
- 11 The recommendations to this report therefore seek the delegation of further powers to the Monitoring Officer to implement such constitutional changes, as and when required.

Consultation and Engagement

- 12 No formal consultation is required by legislation.

Reasons for Recommendations

- 13 The Council is committed to be an effective and enabling council, with effective and responsive governance, compliance and evidence-based decision making. The move to Leader and Cabinet decision-making achieves this. To ensure that this change in governance arrangements can be made, major changes to the Constitution are required.

Other Options Considered

- 14 The option of not preparing for the change in decision-making arrangements is explored in the options appraisal below.

Options appraisal

Option	Impact	Risk
To do nothing	Major impact, as the organisation would be left with no constitutional framework within which to operate the new arrangements.	Major risk leading to decisions being subject to legal challenge.

Implications and Comments

Monitoring Officer/Legal/Governance

- 15 Because of the Council's resolution of 17 September 2025, Leader and Cabinet arrangements must be introduced with effect from the Council's Annual General Meeting in May 2026. The recommendations of this report seek the adoption of key constitutional procedure rules and other documents which will be essential to the proper administration and functioning of the new arrangements.
- 16 It will be essential for the new arrangements to be allowed to operate for an appropriate period, following which there should be a full review of their effectiveness, thereby facilitating further constitutional and operational changes where needed. The key aim is to establish a good and firm foundation for the

implementation of the new arrangements, which will be achieved by the adoption of key constitutional documentation.

Section 151 Officer/Finance

- 17 The decisions requested in this report do not have direct financial implications in and of themselves. The adoption of the Budget and Policy Framework will have indirect implications as they govern future financial decision making.
- 18 The Council must deliver financial efficiencies as part of its Medium-Term Financial Strategy. All options must remain available to elected members. The move to a Cabinet system of governance presents members with an opportunity to assure themselves of value-for-money arrangements around the cost of democracy.
- 19 The Section 151 Officer advises that the move to a Cabinet system of governance cannot cost more than the current Committee system and would, in their professional judgement, expect to see cost efficiencies arising from the reversion to a Cabinet system. There are currently no expected ongoing additional costs or savings associated with the change in governance model reflected in the Medium-Term Financial Strategy.
- 20 Should there be any additional costs or savings arising from a final governance model these must be subject to future reporting, be that standalone or transparently reported in the budget setting reports to both Corporate Policy Committee and Budget Council.
- 21 Any financial changes are revenue in nature and borne by the General Fund. It is therefore important that the final model of governance meets the value-for-money tests of economy, efficiency and effectiveness.

Human Resources

- 22 No direct human resources implications arise from the recommendations of this report.

Risk Management

- 23 The risks associated with failure to secure a Council resolution to agree the recommended constitutional documentation and arrangements are set out in the options appraisal.

Impact on other Committees

- 24 There is no direct impact on other Committees, associated with the recommendations of this report. However, once approved the recommended constitutional provisions will determine the way in which the Council's decision-making arrangement's function.

Policy

- 25 The Council is committed to be an effective and enabling council (Commitment 3), with effective and responsive governance, compliance and evidence-based decision making. The move to Leader and Cabinet decision-making achieves this. To ensure that this change in governance arrangements can be made, major changes to the Constitution are required.

Equality, Diversity and Inclusion

- 26 No direct equality, diversity and inclusion implications arise from the recommendations of this report.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy):</i>			
Ashley Hughes	Executive Director of Resources, Section 151 Officer	06/11/25	10/11/25
Kevin O'Keefe	Interim Director of Law and Governance (Monitoring Officer)	06/11/25	10/11/25
<i>Legal and Finance</i>			
Steve Reading	Finance Manager (Place & Corporate Services)	04/11/25	06/11/25
Hilary Irving	Head of Legal Services	04/11/25	05/11/25
<i>Other Consultees:</i>			
CLT		29/10/25	
Policy Briefing		11/11/25	

Access to Information	
Contact Officer:	<p>Brian Reed</p> <p>Brian.reed@cheshireeast.gov.uk</p>
Appendices:	<p>Appendix 1: Task and Finish Group recommendations.</p> <p>Appendix 2: Overview and Scrutiny Procedure Rules and Arrangements.</p> <p>Appendix 3: Budget and Policy Framework Procedure Rules.</p> <p>Appendix 4: Executive Arrangements and Cabinet Procedure Rules.</p> <p>Appendix 5: Local Choice Functions.</p> <p>Appendix 6: Leader and Cabinet Transitional Provisions.</p>
Background Papers:	<p>Cheshire East Council pre-May 2021 Constitution</p> <p>Leader and Cabinet Task and Finish Group reports</p>

Appendix 1

Issues upon which the T&F Group sought clarification and reassurance, and the T&F Group's recommendations**1. Overview and Scrutiny Procedure Rules and arrangements**

A preference was expressed for a consolidated record of officer delegations to be created and housed in one section of the Constitution.

Recommendation: *this matter be referred for further consideration by the Task and Finish Group or the Constitution Working Group.*

Discussion took place upon the preferred numerical membership of the Overview and Scrutiny Committees.

Recommendation: *that the emerging Overview and Scrutiny Committees should have a membership of 12.*

Discussion took place upon the number of Overview and Scrutiny Committees which the Council should have.

Recommendation: *That there should be four Overview and Scrutiny Committees: Children, Adults, Place (including transportation) and Corporate/ Governance*

It was suggested that non-Overview and Scrutiny Committee members should be allowed to take part in Overview and Scrutiny task and finish group work.

Recommendation: *No further action or decision is required as the recommended draft Rules make provision for this.*

The T&F Group sought reassurance that the proposed “call-in” thresholds were clear and fair.

Recommendation: *the appended Overview and Scrutiny Procedure Rules are appropriate for the purposes of the call-in arrangements.*

“Horizon-scanning” should be an important function of Overview and Scrutiny Committees.

Recommendation: *No further action or decision is required as horizon-scanning is a clearly accepted function of overview and scrutiny committees.*

2. Budget and Policy Framework Procedure Rules

The T&F Group sought clarification upon the process for dealing with urgent decisions outside the budget or policy framework, including the role of the Mayor.

Recommended: *with the protections contained within the Rules, no further action or decision is required. The recommended Rules can proceed in their existing form.*

The T&F Group sought reassurance that list of items which comprise the policy framework aligns with current legislation.

Recommended: *no further action or decision is required as the provisions of legislation will be reflected in the Constitution, under the direction of the Monitoring Officer, and utilising his delegated powers.*

3. Executive Arrangements and Cabinet Procedure Rules

The Task and Finish Group wished to ensure that a standing invitation to attend Cabinet meetings will be offered to Audit and Governance and Overview and Scrutiny committee chairs and vice chairs.

Recommended: *that the Procedure Rules be amended to reflect standing invitations to Cabinet meetings for the Audit and Governance and Overview and Scrutiny Committee Chairs and Vice Chairs.*

The T& F Group considered that public and member speaking time at Cabinet meetings should both have a duration of 15 minutes, with flexibility built-in.

Recommendation: *This will be built-into the Rules and will form part of the recommendations. No clear recommendation was made upon whether 3 clear working days’ notice of member and public questions should be required to be*

given or upon whether such questions should be required to relate to agenda items for the meetings in question.

4. Local Choice Functions

The T&F Group considered whether the proposed local choice functions should be reviewed on an annual basis.

Recommendations: *That the operation of all constitutional provisions relating to the Leader and Cabinet arrangements be reviewed by the Leader and Cabinet Task and Finish Group or Constitution Working Group in the autumn of 2026 with a view to agreement upon the introduction of improvements and changes where appropriate.*

The T&F Group sought reassurance that “high profile” decisions (eg devolution) would be reserved to Council.

Recommendation: *It was accepted that legislation will always determine the formal decision-making route for high-profile decisions these being required to be made either by the executive or Council, as a matter of law.*

Therefore, no further action or decision was required.

Overview and Scrutiny Procedure Rules and arrangements

Overview and Scrutiny Committee arrangements

[NB: the number and responsibilities of the overview and scrutiny committees are subject to confirmation and agreement by Council, but the detail below has been inserted to reflect the recommendations of the Task and Finish Group]

- 1 The Council has established four overview and scrutiny committees:
 - 1.1 *Children*
 - 1.2 *Adults*
 - 1.3 *Place (including transportation)*
 - 1.4 *Corporate/governance.*
- 2 The Council fully supports the role of its overview and scrutiny committees in holding the Cabinet and others to account in discharging their functions and in policy formulation. In addition to the functions set out in Section 9F of the Local Government Act 2000, the Council believes that the important parts of the role are:
 - 2.1 to assist the Council and Cabinet in reviewing its major plans, policies and strategies, which will set the climate in which the Cabinet and other decision-making bodies are required to operate;
 - 2.2 to assist with policy formulation
 - 2.3 to undertake specific reviews of the Council's organisation and service provision so that improvements can be made to service delivery.
- 3 The Council's overview and scrutiny functions include responsibility for reviewing the health service provision within its area, health promotion and the health and well-being of local communities. The XXX Scrutiny Committee will undertake the scrutiny role in relation to health service provision in the Council's area. The Committee discharges the duties imposed on the Council under the relevant health legislation.
- 4 The Agenda for overview and scrutiny committees sets out arrangements for the operation of the overview and scrutiny committees.

Role of the Overview and Scrutiny Committees

- 5 The overview and scrutiny committees:
 - 5.1 will discharge the Council's functions under Section 9F of the Local Government Act 2000 (Overview and Scrutiny Committees)
 - 5.2 will be responsible for the Council's scrutiny function including the preparation, implementation, monitoring and review of an annual work

programme for overview and scrutiny in accordance with the objectives of the Corporate Plan and arrangements for the scrutiny of other public bodies particularly where required to do so by law

- 5.3 may establish such task and finish groups, appointing the chair in accordance with the Council's criteria and with such membership as it sees fit, to undertake scrutiny on a task and finish basis
- 5.4 will, as part of the overall role, ensure the Chief Executive and Corporate Leadership Team discharge their responsibilities effectively and efficiently in relation to the overview and scrutiny function
- 5.5 will scrutinise decisions of or actions taken by the Cabinet, and offer advice or make recommendations on the matter under scrutiny once the committee has considered the issues
- 5.6 may scrutinise matters coming before Cabinet for decision and respond appropriately to the Cabinet on the matter once the committee has considered the issues fully
- 5.7 will review or scrutinise decisions or actions taken in respect of any functions which are not the responsibility of the Cabinet and make reports or recommendations to the Council, or appropriate body of the Council
- 5.8 may refer to the Council or appropriate committee/sub-committee any matter which, following scrutiny, the committee determines should be brought to the attention of the Council or the committee or sub-committee and may, if requested, offer any views or advice to the Cabinet in relation to any matter referred to the committee for consideration
- 5.9 may undertake reviews with a cross-service approach and make reports and recommendations to the Council (or other appropriate Council body) or the Cabinet to assist in the review of policies and strategies
- 5.10 may offer advice and make recommendations to the appropriate body of the Council on the review of policy
- 5.11 in performing its role, the committee may consult and involve the local community and other local public, private and voluntary bodies or organisations
- 5.12 may review the Council's response to its obligations in respect of the overall performance management regime and, where appropriate, advise the Cabinet or appropriate body of the Council of its findings
- 5.13 may advise the Cabinet and Council, as appropriate, of the scrutiny response to the formulation of the Council's Budget and performance management reports

- 5.14 may recommend that a decision made but not yet implemented and taken in respect of a function which is the responsibility of the Cabinet be reconsidered by the Cabinet
- 5.15 may scrutinise decisions after implementation to examine their effect and outcomes
- 5.16 may make reports or recommendations to the appropriate body of the Council in respect of any matters which affect the Council's area or its inhabitants
- 5.17 may review and make recommendations in relation to matters which are not the direct responsibility of the Council but which affect the social, economic or environmental well-being of an area or the Council's area as a whole or under any statutory requirement or Council contract, procedure or practice
- 5.18 may give partner authority notice in writing requiring them to have regard to the report or recommendations of the committee in exercising their functions
- 5.19 may invite expert witnesses, members, officers and partners to answer questions
- 5.20 will ensure, in conjunction with the Constitution Committee *[to be confirmed]*, that the Council has in place appropriate mechanisms to protect organisational integrity, including the development of appropriate policies and guidance
- 5.21 will consider and advise the Cabinet in respect of "call-in" notices under the Council's relevant procedures.

Chairs and Vice-Chairs of Overview and Scrutiny Committees

- 6 Nominees for appointment to these offices shall be notified by the political group leaders or group whips prior to the Annual Council Meeting.

Membership of Overview and Scrutiny Committees

- 7 Overview and scrutiny committees will comprise 12 members.

General Responsibilities of all Overview and Scrutiny Committees

- 8 Any of the committees may be invited to provide advice and recommendations on the development and updating of the policies of the Council and other bodies.
- 9 The committee memberships are appointed on a politically proportionate basis (plus appropriate co-option).

Specific Responsibilities of Overview and Scrutiny Committees

- 10 The following sections set out the specific responsibilities of each overview and scrutiny committee. These have some alignment with the responsibilities of Cabinet members and the Council's directorates. Where there is a change in the responsibilities of the Cabinet Members, the following section of the Constitution shall be changed by the Monitoring Officer using his/her delegated powers to ensure the specific responsibilities of each overview and scrutiny committee reflect this.

[This section will be updated to reflect the formal appointment of the overview and scrutiny committees and their responsibilities]

1. Overview and Scrutiny Procedure Rules

Agenda for Overview and Scrutiny Committees

- 1.1 Any member of an overview and scrutiny committee shall be entitled to require, in writing, that an item be included on the agenda, provided that the item is within the remit of the committee in question; the item will then appear on the agenda for the next meeting, subject to such requirement being made prior to the agenda publication date. The committee will decide how the item should be considered and whether or not it can be included in its work programme.
- 1.2 Similarly, the Leader, Deputy Leader of the Council or a Cabinet Member with specific portfolio responsibilities may give notice in writing requiring an item to appear on an agenda of an overview and scrutiny committee, relating to their area of responsibility. The committee will decide how the item should be considered and whether or not it can be included in its work programme.
- 1.3 Subject the Council Procedure Rules, any other member may give notice in writing to the Monitoring Officer, requesting an item to appear on an agenda of an overview and scrutiny committee. The item may be included after consulting the chair of the committee.
- 1.4 Any member raising an item under the above provisions shall be precluded from raising the matter again for a period of six months from the date it was considered by the committee in question.

Policy Review and Budget Development

- 1.5 The overview and scrutiny committees have a key role in budget and policy development.
- 1.6 The Budget and Policy Framework contains details of the process by which the overview and scrutiny committees may perform that role.
- 1.7 In relation to the development of the Council's approach to other matters not forming part of its Budget and Policy Framework, the overview and scrutiny

committees may make proposals to the Cabinet for development in so far as they relate to matters within their terms of reference.

1.8 Overview and scrutiny committees may hold inquiries in relation to policy review and may appoint specialists to assist them in this process. They may visit sites, conduct public surveys, hold public meetings, commission research and undertake such other things they consider reasonable and necessary to inform their deliberations. They may call witnesses on any matter under consideration and may pay to any specialists and witnesses a reasonable fee and expenses for doing so within budgetary provision.

Reports from the Overview and Scrutiny Committees

- 1.9 The Council or Cabinet (as appropriate) shall consider any report from the committees at their next programmed meeting.

Co-option

- 1.10 There are four statutory co-optees in respect of the Council's Education function as follows:
- 1.10.1 A Church of England Diocese representative
 - 1.10.2 A Roman Catholic Diocese representative
 - 1.10.3 Two parent governor representatives
- 1.11 In respect of education matters only, as defined in the relevant guidance, the statutory co-optees will be voting members of the XXX Scrutiny Committee. They will be only invited to attend other overview and scrutiny committee meetings where relevant matters are under consideration, subject to any exclusions in law or statutory guidance.
- 1.12 At those other bodies to which they have not been appointed, they shall be entitled only to speak on matters relating to such issues. They may speak on other issues only with the consent of the chair.
- 1.13 The overview and scrutiny committees shall be entitled to appoint persons to be non-voting co-optees, taking into account any advice or guidelines issued from time to time by the Council. Such co-options may relate to a prescribed period of office or to specific issues under consideration. Any person co-opted under these arrangements will be entitled to participate fully in the work of the committees subject to any conflicts of interests.

Rights of Scrutiny Members to Documents

- 1.14 In addition to their rights as Councillors, members of overview and scrutiny committees have the additional right of access to documents, and to notice of meetings as set out in the Access to Information Procedure Rules.

- 1.15 Nothing in this paragraph prevents more detailed liaison between the Cabinet and the overview and scrutiny committees, depending on the particular matter under consideration.

Members and Officers Giving Account

- 1.16 The overview and scrutiny committees may scrutinise and review decisions made or actions taken in connection with the discharge of any Council function. As well as reviewing the documentation, in fulfilling its scrutiny role, they may require any member of the Cabinet to attend before them to explain the following matters within their remit:

- 1.16.1 any particular decision or series of decisions;
- 1.16.2 the extent to which the actions taken implement Council policy; and/or
- 1.16.3 their performance.

and it is the duty of those persons to attend if so required.

- 1.17 Where any overview and scrutiny committee wishes to ask an officer to attend to answer questions or discuss issues, this will be subject to agreement with the Chief Executive.
- 1.18 Where it is agreed that an officer should appear to answer questions, their evidence should, as far as possible, be confined to questions of fact and explanation relating to policies and decisions. Officers may explain:
- 1.18.1 what the policies are
 - 1.18.2 the justification and objectives of those policies as the Cabinet sees them
 - 1.18.3 the extent to which those objectives have been met, and
 - 1.18.4 how administrative factors may have affected both the choice of policy measures and the manner of their implementation.
- 1.19 Officers may be asked to explain and justify advice they have given prior to executive decisions being taken. They may also be asked to explain and justify executive decisions they have taken under delegated powers.
- 1.20 Officers should not be expected to discuss politically contentious matters, and any officer input should be consistent with the requirements for political impartiality.
- 1.21 The requirements of the Officer Code of Conduct must be adhered to where an officer is attending a meeting of an overview and scrutiny committee.
- 1.22 Where any member or officer is required to attend an overview and scrutiny committee under this provision, the chair of that committee will inform the Monitoring Officer, who will inform the member or officer in writing, giving at least ten clear working days' notice of the meeting. The notice will state the nature of the item on which he/she is required to attend and whether any papers are required to be produced for the committee. Where the account to be given to the

committee will require the production of a report, then the member or officer concerned will be given reasonable and sufficient notice to allow for its preparation.

- 1.23 Where, in exceptional circumstances, the member or officer is unable to attend on the required date, then the committee shall, in consultation with the member or officer, arrange an alternative date for attendance.

Attendance by Others

- 1.24 The overview and scrutiny committees may invite individuals other than those referred to above to address it, discuss issues of local concern and/or answer questions.

Call-in

- 1.25 When a decision is made by the Cabinet, or a Committee or Sub-Committee of the Cabinet, by an individual Cabinet Member, or when a key decision is made by an officer with delegated authority from the Cabinet, the decision shall be published, by electronic means. All members of the Council will be sent an electronic record of all such decisions within the same timescale.
- 1.26 Subject to paragraphs 1.27 and 1.28 below a decision taken and to which paragraph 1.25 above refers will not come into force, and may not be implemented, until the expiry of 5 clear working days after the decision was made and published.
- 1.27 Where a decision referred to in paragraph 1.25 has been made, any 9 or more Members of the Council may submit a call-in notice, in writing, within the period specified in paragraph 1.26 above, to the Monitoring Officer. Where the notice is valid, the decision cannot be implemented until the procedures in this section have been followed. Where a valid notice is received, the decision shall stand referred to the appropriate overview and scrutiny committee for advice.

The grounds for a valid call-in, in the opinion of the Monitoring Officer, are as follows:

- a) Decision is outside the Budget and Policy Framework
- b) Inadequate consultation relating to the decision
- c) Relevant information not considered
- d) Insufficient consideration of legal or financial advice
- e) Viable alternatives not considered
- f) Justification for the decision open to challenge on the basis of the evidence considered

The Monitoring Officer may discuss the call-in with the lead member signatory, the Cabinet Member and the Mayor with a view to achieving an outcome to resolve the issue without the need for referral to an overview and scrutiny committee or to Council. If an informal call-in meeting is held to consider alternative options which

would resolve the matter without reference onwards, the meeting should include the Group Leader for the largest opposition group, the Leader/Deputy Leader of the Council, the Leader of the group whose member has requested that the decision be called-in, and the member who has made the request.

Where a valid call-in is received, the decision shall stand referred to the next overview and scrutiny committee meeting for review. A representative of the referral signatories shall have the opportunity to address the meeting on the subject of the decision that has been referred. The committee may either:

- a) uphold the original decision with or without modifications, in which case the decision has immediate effect,
- b) make recommendations to the original decision-maker, or
- c) make recommendations to Council.

A decision may only be the subject of a call-in once.

- 1.28 Requests to call-in decisions should be made on a standard form obtained from the Democratic Services Team, and members must give reasons for the request. The form will include guidance to assist Members to establish and set out the grounds for call-in, as above.
- 1.29 The lead member of the call-in group should send an email enclosing the call-in form, to all members of the call-in group, Monitoring Officer, and Democratic Services Team and request that all signatories confirm their consent to the call-in by email to the appropriate Democratic Services officer.
- 1.30 Where a corporate electronic system failure, or planned shutdown, prevents the issuing of or access to Cabinet decisions or the submission of a call-in notice by electronic means in accordance with the Council's call-in provisions, the periods for notification or submission shall be extended by the period of delay, provided that period is in excess of four hours. When, in the opinion of the Monitoring Officer, the period of delay is likely to extend beyond two clear working days, he/she shall agree with the chair of the appropriate overview and scrutiny committee, alternative arrangements to avoid any delay in implementing Cabinet decisions not subject to call-in.
- 1.31 Where a matter is considered and advice is offered by an overview and scrutiny committee, its advice will be submitted to the decision-maker for a decision to be made on the matter. The decision-maker shall consider the advice but shall not be bound to accept it in whole or in part. The decision-maker shall have sole discretion to decide on any further action to be taken in relation to the decision in question, including confirming the original decision, with or without amendment, or deferral pending further consideration, or making a different decision. There are no further rights to enable a member of the Council to submit a call-in notice. The decision may then be implemented.
- 1.32 A submitted call-in notice can only be withdrawn with the written consent of all signatories.

- 1.33 The call-in facility does not apply to the determination of a Notice of Motion.

Call-in and Urgency

- 1.34 The call-in procedure set out above shall not apply where the decision being taken is urgent. A decision will be urgent if any delay, caused by the call-in process, would be likely to seriously prejudice the Council's or the public's interests. The chair of the appropriate overview and scrutiny committee or, in his/her absence, the Mayor must agree that the decision should be treated as urgent, and that the call-in procedure should not apply. In the absence of the chair, the vice chair's consent shall be required. In the absence of both, the Chief Executive or his/her nominee's consent shall be required. Where such agreement is reached, all Members of the Council shall be notified by electronic means.

The Party Whip

- 1.35 It is generally accepted that the Party Whip should be suspended in respect of scrutiny matters. However, when considering any matter in respect of which a member of an overview and scrutiny committee is subject to a formal party whip, the member must declare the existence of the whip, and the nature of it, before the commencement of the committee's deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the Minutes of the meeting.

Procedure at Overview and Scrutiny Committee Meetings

- 1.36 Overview and scrutiny committees shall consider the following business:
- 1.36.1 Record of the last meeting
 - 1.36.2 Consideration of any matter referred to the committee by the Council or by the Cabinet
 - 1.36.3 Consideration of any matter referred to the committee for advice in relation to call-in or a decision
 - 1.36.4 Responses of the Cabinet on reports of the overview and scrutiny committee, and
 - 1.36.5 the business otherwise set out on the agenda for the meeting.
- 1.37 Where an overview and scrutiny committee conducts investigations (e.g. with a view to policy review), it may also ask people to attend to give evidence at its meetings, which are to be conducted in accordance with the following principles:
- 1.37.1 The investigation is to be conducted fairly, and all members of the committee are to be given the opportunity to ask questions of attendees, and to contribute and speak
 - 1.37.2 Those assisting the committee by giving evidence are to be treated with respect and courtesy, and

1.37.3 The investigation is to be conducted so as to maximise the efficiency of the investigation or analysis.

- 1.38 Following any investigation or review, the committee shall prepare a report, for submission to the Cabinet and/or Council as appropriate and shall, unless there are exceptional reasons, make its report and findings public.
- 1.39 There is no facility to allow questions by members of the public at meetings of overview and scrutiny committees. However, a period of 15 minutes will be provided at the beginning of such meetings to allow members of the public to make a statement on any matter that falls within the remit of the committee, subject to individual speakers being restricted to five minutes.

Matters within the remit of more than one overview and scrutiny committee

- 1.40 Where a matter before an overview and scrutiny committee also falls within the remit of one or more other overview and scrutiny committee, the decision as to which body will consider it, including any arrangements for joint working or sharing information, will be resolved by the XXX Committee.

Joint Scrutiny Protocol

- 1.41 The Council has approved a joint scrutiny protocol for Cheshire, Merseyside and Wirral to consider consultations by NHS bodies or service providers in connection with substantial developments or variations in service. Nominations to any joint scrutiny committee established under the protocol will be made by the chair of the XXX Overview and Scrutiny Committee (or any successor body).

Budget and Policy Framework Procedure Rules

The Framework for Executive Decisions

- 1 The Council will be responsible for the adoption of its Budget and Policy Framework. Once the Budget and Policy Framework are in place, it will be the responsibility of the Cabinet to implement them.
- 2 The Cabinet has responsibility for proposing to Council a budget and policies that will form part of the Budget and Policy Framework. It also has responsibility for making day-to-day decisions within that Budget and Policy Framework.
- 3 This part of the Constitution is concerned with the process of developing the Budget and Policy Framework and settling any differences between the Council and the Cabinet on those matters. Call-in and consideration of day-to-day decisions made by the Cabinet are dealt with in the Cabinet Rules of Procedure and the Overview and Scrutiny Procedure Rules.

Process for Developing the Framework and Budget

- 4 The process by which the documents forming part of the Local Plan shall be developed and approved is set out in legislation.
- 5 The process by which all other aspects of the Budget and Policy Framework shall be developed is:
 - 5.1 The Cabinet will draw up initial proposals regarding the adoption of any plan, strategy or Budget forming part of the Budget and Policy Framework. The Cabinet will consult on those initial proposals and publish a timetable in which responses to the consultation are to be received. The relevant overview and scrutiny committees shall be asked to give their views as part of that consultation. The consultation period shall in each instance be determined by Cabinet but will not be less than four weeks
 - 5.2 At the end of the consultation period, the Cabinet will draw up firm proposals having regard to the responses received from the consultation
 - 5.3 Overview and scrutiny committees are responsible for fixing their work programmes and may investigate, research, or report in detail with policy recommendations in response to any such consultations within the period specified
 - 5.4 The Cabinet will submit those firm proposals to the Council together with a report that will set out the comments made by consultees and, in particular the views of the overview and scrutiny committees and the Cabinet's response to those views
 - 5.5 Once Cabinet has approved the firm proposals they will be referred at the earliest opportunity to Council for decision

- 5.6 In reaching a decision, the Council may adopt the Cabinet's proposals, amend them, refer them back to the Cabinet for further consideration, or substitute its own "in principle proposals" in their place
- 5.7 If it accepts the recommendation of the Cabinet without amendment, the Council may make a decision, which has immediate effect. Otherwise, it may only make an in-principle decision
- 5.8 The decision will be published and, if an in-principle decision has been made, a written copy shall be given to the Leader as soon as possible for the Cabinet to consider
- 5.9 An in-principle decision will automatically become effective 5 working days from the day following the date of written notification to the Leader of the Council's decision, unless the Leader informs the Chief Executive in writing within those 5 days that the Leader objects to the decision becoming effective and provides reasons why in writing
- 5.10 Where notification of an objection is received, a meeting of Council will be called to be held within 28 days of the objection being received by the Chief Executive, to reconsider the decision that is the subject of the objection. In reconsidering the decision, the Council must take into account the objection of the Cabinet and reasons for it and any revised proposals submitted by the Cabinet and the Cabinet's reasons for those revised proposals. The Council may either:
- 5.10.1 approve the Cabinet's recommendation, or
 - 5.10.2 approve a different decision which does not accord with the recommendation of the Cabinet
- 5.11 The decision shall then be published and implemented immediately.
- 6 In approving its Budget each year, the Council may specify in addition to such matters dealt within the Finance Procedure Rules, the extent to which the Cabinet can agree virements within the budget and the degree to which in-year changes can be agreed by Cabinet to the Policy Framework. Any other changes to the policy and budgetary framework are reserved to the Council.
- 7 Where a new plan or strategy is required to be produced as part of the Policy Framework, either by Council of its own motion, or following a recommendation to Council by an overview and scrutiny committee, Cabinet shall develop the plan or strategy in accordance with the process set out within paragraph 5.

Decisions Outside the Budget or Policy Framework

- 8 Subject to the provisions of paragraphs 13 and 14 (virement), the Cabinet, or any decision-making arm of the Cabinet, may only take decisions that are in line with the Budget and Policy Framework. If it wishes to make a decision which is contrary to the Policy Framework, or contrary to or not wholly in accordance with the Budget approved by full Council, then that decision may only be taken in accordance with the provisions of paragraphs 10 to 12 below.

- 9 If the Cabinet, or any decision-making arm of the Cabinet, wants to make a decision, advice shall be taken first from the Monitoring Officer and/or the Section 151 Officer as to whether the decision would be contrary to the Policy Framework, or contrary to or not wholly in accordance with the Budget. If the advice of any of those Officers is that the decision would not be in line with the existing Budget and/or Policy Framework, then the decision must be referred to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in paragraphs 10 to 12 (urgent decisions outside the budget or Policy Framework) shall apply.

Urgent Decisions Outside the Budget or Policy Framework

- 10 The Cabinet or an individual member of the Cabinet may take a decision, which is contrary to the Council's Policy Framework or contrary to or not wholly in accordance with the Budget approved by full Council, in exceptional circumstances and if the decision is a matter of urgency. However, the decision may only be taken:
- 10.1 if it is not practical to convene a quorate meeting of the full Council, and
- 10.2 if the chair of a relevant overview and scrutiny committee agrees that the decision is a matter of urgency.
- 11 The reasons why it is not practical to convene a quorate meeting of full Council and the consent of the Chairman of the relevant overview and scrutiny committee to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the chair of the relevant overview and scrutiny committee the consent of the vice chair or, in the absence of both, the Mayor, will be sufficient.
- 12 Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

Virement

- 13 The Council has set virement limits within which decision-makers can exercise discretion in approving or otherwise financial transfers within the Budget. The limits are set out in the table below *[or, in the Finance Procedure Rules]*.
- 14 Where the Cabinet or an individual is discharging executive functions to implement Council policy, then any decision to spend or make savings shall not exceed those budgets allocated to each budget head for which they have responsibility. However, the Cabinet or those individuals shall be entitled to vire across budget heads provided there is compliance with the financial limits in the table below *[or, in the Finance Procedure Rules]* and the Finance Procedure Rules.

Policy Framework – In-year Changes

15 The responsibility for agreeing the Budget and Policy Framework lies with the Council, and decisions of the Cabinet or an individual member of the Cabinet must be in line with it. Changes (including modifications, revisions, variations, withdrawal or revocation) to Policy Framework plans or strategies must ordinarily be approved by the Council. However, the Council may, at the time when the plan or strategy is approved, authorise the Cabinet, or a body or individual exercising Cabinet functions, to make such changes, provided that those changes will:

- 15.1 result in the closure or discontinuing of a service, in whole or in part to meet a budgetary constraint, or
- 15.2 ensure compliance with the law, ministerial direction or Government guidance, or
- 15.3 in relation to the Policy Framework in respect of a policy which would normally be agreed annually by the Council following consultation, determine matters where the existing policy document is silent on the matter under consideration.

Call-in of Decisions Outside the Budget or Policy Framework

16 Where an overview and scrutiny committee is of the opinion that a decision of the Cabinet, or any decision-making arm of the Cabinet, is, or if made would be, contrary to the Policy Framework, or contrary to or not wholly in accordance with the Council's budget, then it shall seek advice from the Monitoring Officer and Section 151 Officer.

17 In respect of functions which are the responsibility of the executive, and where the decision has already been made and implemented, the Monitoring Officer/Section 151 Officer, shall report to the Cabinet on the advice that has been given to the overview and scrutiny committee and shall copy that report to each Member of the Council. The Cabinet must consider the report of the relevant officer and decide what action to take in respect of the report. Where the advice concluded that there was a departure from the Budget or Policy Framework, the Cabinet must report to Council on the action it intends taking.

18 Where there was no such departure, the Cabinet must report to the overview and scrutiny committee on any action to be taken.

19 If the decision has yet to be made or, has been made but not yet implemented, and the advice of the relevant Officer is that the decision is or would be contrary to the Policy Framework or contrary to or not wholly in accordance with the Budget, the overview and scrutiny committee may refer the matter to the Council. In such cases, no further action may be taken in respect of the decision or its implementation until the Council has met and considered the matter. The Council shall meet within 28 days of the request by the overview and scrutiny committee or sub-committee. At the meeting the Council will receive a report of the decision or proposals and the advice of the relevant Officer. If the Cabinet has prepared a report on the matter, this will also be submitted to the Council. The Council may either:

- 19.1 endorse the decision or proposal of the Cabinet, or its decision-making arm, as falling within the existing Budget and Policy Framework of the Council. In this case, no further action is required other than the decision of Council be minuted and circulated to all Councillors; or
- 19.2 amend the Council's Finance Procedure Rules or the policy concerned, to encompass the decision or proposal and agree to the decision with immediate effect. In this case, no further action is required other than the decision of Council being minuted and circulated to all Councillors; or
- 19.3 where the Council accepts that the decision or proposal is contrary to the Policy Framework or contrary to or not wholly in accordance with the Budget and does not amend the existing framework or budget to accommodate it, it may require the Cabinet to reconsider the matter in accordance with the advice of the relevant officer(s).

The Policy Framework

20 The Council's Policy Framework comprises:

[The Corporate Plan](#)

Crime and Disorder Reduction Strategy - delivered through Safer Cheshire East Partnership (SCEP) [Safer Cheshire East Partnership](#)

[Local Transport Plan](#)

[Local Development Plan and Development Plan Framework documents](#)

[Licensing Authority Policy Statement](#)

[Gambling Statement of Principles](#)

[Equality and Diversity Strategy](#)

[Environment Strategy 2020-24](#)

[Annual Pay Policy Statement](#)

[Youth Justice Plan](#)

[Children and Young People Plan](#)

Financial Limits

21 The next section of these Budget and Policy Framework Rules is a table setting out the financial limits contained in various parts of this Constitution. The purpose of this table is to assist readers in identifying relevant financial limits and their location in the Constitution. The table itself is not an operative part of the Constitution – it sets out what the various financial limits are and signposts where they can be found in the document.

[The Section 151 Officer will undertake a review of the Finance Procedure Rules and determine whether the information below should be amended or removed altogether]

Page	Reference	Area	Financial Limit
14	Chapter 2, Part 2	Key Decisions	Equal to or above £1,000,000
36	Chapter 2 Part 4	Limitations of Portfolio Holder Decisions	Below £1,000,000
54	Chapter 2, Part 5	Staffing Committee	To make recommendations to Council in relation to decisions affecting the remuneration of any new post whose remuneration is or is proposed to be or would become £100,000 p.a. or more.
54	Chapter 2, Part 5	Staffing Committee	To make decisions in relation to proposed severance packages with a value of £100,000 or more as appropriate (including any pension strain)
90	Chapter 2, Part 6	Delegations to Chief Executive / Head of Paid Service	To make decisions affecting the remuneration of any existing post whose remuneration is or is proposed to be or would become £100,000 p.a. or more in consultation with the Leader and Chairman of the Staffing Committee
98	Chapter 2 Part 6	Delegations to the Monitoring Officer	To authorise the settlement of actual or potential uninsured claims, borehole claims or Local Government Ombudsman cases across all functions of the Council up to £25,000 (which after settlement shall be reported to Cabinet)

98	Chapter 2, Part 6	Delegations to the Monitoring Officer	To authorise the settlement of actual or potential uninsured claims, borehole claims or Local Government Ombudsman cases across all functions of the Council above £25,000 and below £100,000 in consultation with the Finance and Communication Portfolio Holder and
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Page	Reference	Area	Financial Limit
			the Executive Director (Corporate Services) (which after settlement shall be reported to Cabinet)
98	Chapter 2, Part 6	Delegations to the Monitoring Officer	Claims in respect of actual or potential uninsured claims or Local Government Ombudsman cases in excess of £100,000 require Cabinet approval
137	Chapter 3, Part 1, Appendix 4	Urgent Decisions	For the purposes of this urgency provision, the limit placed on the decision-making powers of individual Portfolio Holders in relation to decisions involving expenditure or savings of £1,000,000 or more would not apply
201	Chapter 3, Part 4, Section 3	Capital Approvals	Individual items estimated to cost £250,000 and above will be treated as separate schemes or provisions
202	Chapter 3, Part 4, Section 3	Capital Approvals	Block provisions may be approved within the Capital Programme for individual schemes costing less than £250,000. A detailed breakdown of the expenditure proposed must be submitted as part of the policy and planning process
214	Chapter 3, Part 4, Section 4	Asset Disposal / write Offs	The S.151 Officer may authorise the write off of losses up to £5,000, or disposals, of obsolete or surplus equipment, materials, vehicles or stores up to a disposal value of

			£5,000
214	Chapter 3, Part 4, Section 4	Asset Disposal / write Offs	Where the sum exceeds £5,000 but is less than or equal to £25,000 this should be done in consultation with the Portfolio Holder for Finance, IT and Communication
214	Chapter 3, Part 4, Section 4	Asset Disposal / write Offs	Where the value exceeds £25,000, approval must be sought from the Portfolio Holder for Finance, IT and Communication
216	Chapter 3, Part 4, Section 4	Salaries and Wages	The Chief Executive or Executive Director (Corporate Services) must approve all requests up to £100,000 including pension strain
216	Chapter 3,	Salaries and	All requests in excess of £100,000

Page	Reference	Area	Financial Limit
	Part 4, Section 4	Wages	including pension strain must be approved by the Staffing Committee
223	Chapter 3, Part 4, Section 5	Ordering and Paying for Work, Goods and Services	Where a requisition for the purchase of goods or services exceeds £10,000 in value, Contract Procedure Rules Part 5 Section 3 applies
236	Chapter 3, Part 4, Annex	Block Provisions	Annual capital allocations made to cover minor schemes with starting values of less than £250,000
244	Chapter 3, Part 4, Annex	Request for Quotation	An invitation to providers to submit quotations for Contracts to provide goods, services or works valued between £25,000 and the relevant EU Threshold

250	Chapter 3, Part 5, Section 2	Electronic Tendering	All tendering above the relevant EU Threshold (and for Contracts which are below the EU thresholds but higher than £25,000 in value) must be undertaken via an electronic tendering method and shall use the e-tendering Portal accessible through the CPU.
251	Chapter 3, Part 5, Section 2	Contracts Register	The Contracts Register shall be controlled by the CPU and the Commissioning Officer must ensure that all Contracts above £5,000 in value are recorded.
253	Chapter 3, Part 5, Section 3	Competition Requirements	Up to £10,000 – 3 quotes are advisable but not mandatory (local firms being preferable where appropriate)
253	Chapter 3, Part 5, Section 3	Competition Requirements	Between £10,000 and £25,000 – A minimum of three quotations shall be sought, together with advice from the CPU or Legal Services on the appropriate form of Contract
253	Chapter 3, Part 5, Section 3	Competition Requirements	Between £25,000 and the applicable EU Threshold – A minimum of three quotations shall be sought via the Etendering Portal, and/or Contracts Finder together with advice from the CPU or Legal Services on the appropriate form of Contract

Page	Reference	Area	Financial Limit
258	Chapter 3, Part 5, Section 5	Opening Bids	Bids above £1,000,000 will be verified by Legal Services

258	Chapter 3, Part 5, Section 5	Opening Bids	Bids from the EU Threshold up to £1,000,000 will be verified by the Procurement Manager or a Category Manager that has not been involved in the tender in question
258	Chapter 3, Part 5, Section 5	Opening Bids	Bids between £25,000 and the EU Threshold will be verified by a Procurement Officer that has not been involved in the procurement process in question
258	Chapter 3, Part 5, Section 5	Opening Bids	Bids between £10,000 and £25,000 will be opened in accordance with any guidance issued by CPU from time to time
263	Chapter 3, Part 5, Section 6	Signed Contracts	Contracts (with a value not exceeding £1,000,000) shall be signed on behalf of the Council by a duly authorised Officer in accordance with the local Scheme of Delegation
263	Chapter 3, Part 5, Section 6	Contract Sealing	A Contract must be executed under seal by Legal Services where it exceeds £1,000,000 in value
284	Chapter 4, Part 1	Gifs and Hospitality	You must within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £100 which you have accepted as a Member from any person or body other than the Authority

286	Chapter 4, Part 1	Personal Interests	For the purposes of this Code, a relevant person is any person or body in whom such persons have a beneficial interest and a class of securities exceeding the nominal value of £25,000 or one hundredth of the total issued share capital of that body
Page	Reference	Area	Financial Limit
290	Chapter 4, Part 1	Dispensations: Securities	The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body
294	Chapter 4, Part 2	Gifts and Hospitality	Small insignificant gifts of a value of less than £5, such as pens, diaries, calendars, mouse mats or mugs, may be accepted
325	Chapter 6	Block Provisions	Annual capital allocations made to cover minor schemes with starts values of less than £250,000
333	Chapter 6	Requests for Quotation	An invitation to providers to submit quotations for Contracts to provide goods, services or works valued between £25,000 and the relevant EU Threshold

EU Thresholds (page 254)

	Supply, Services¹ and Design Contracts	Works Contracts²	Social and Other Specific Services³
Other public sector Contracting authorities	£181,302 (€221,000)	£4,551,413 (€5,548,000)	£615,278 (€750,000)

¹ With the exception of the following services which have different thresholds or are exempt:

- Social and other specific services (subject to the light touch regime) Article 74

- Subsidised services contracts specified under Article 13
- Research and development services under Article 14 (specified CPV codes are exempt).

² With the exception of subsidised works contracts specified under Article 13.

³ As per Article 74. Services are listed in Annex XIV.

Revenue Virements (*page 188*)

Virement Amount	Approval Level
Up to and including £100,000	Head of Service
In excess of £100,000 up to and including £500,000	Corporate Leadership Team (Relevant Executive Director)
In excess of £500,00 up to and including £1,000,000	Corporate Leadership Team (Relevant Executive Director) in consultation with Portfolio Holder for Finance, IT and Communication and relevant Portfolio Holder
Over £1,000,000 (where virement is within budget and policy framework)	Cabinet
Over £1,000,000 (where virement is outside budget and policy framework)	Council

Capital Virements (*page 188*)

Virement Amount	Approval Level
Up to and including £100,000	Head of Service
In excess of £100,000 up to and including £500,000	Corporate Leadership Team (Relevant Executive Director)
In excess of £500,000 up to and including £1,000,000	Corporate Leadership Team (Relevant Executive Director) in consultation with Portfolio Holder for Finance, IT and

	Communication and relevant Portfolio Holder
In excess of £1,000,000 up to and including £5,000,000	Cabinet
Over £5,000,000	Council with recommendation from Cabinet

Supplementary Revenue Estimates (*pages 189-190*)

Fully Funded

Supplementary Estimate Amount	Approval Level
Up to and including £100,000	Corporate Leadership Team (Relevant Executive Director)
In excess of £100,000 up to and including £250,000	Corporate Leadership Team (Relevant Executive Director) in consultation with the Portfolio Holder for Finance, IT and Communication
In excess of £250,000 up to and including £500,000	Portfolio Holders and (Relevant Executive Director) in consultation Portfolio Holder for Finance, IT and Communication
In excess of £500,000 up to and including £1,000,000	Cabinet
Over £1,000,000	Council with recommendation from Cabinet

Funded from Earmarked Reserves or Contingencies

Supplementary Estimate Amount	Approval Level	
	From Earmarked Reserves	From Contingencies
Up to and including £250,000	Section 151 Officer	Section 151 Officer
In excess of £250,000 up to and including £500,000	Section 151 Officer in consultation with the Portfolio Holder for Finance, IT and Communication	Section 151 Officer
In excess of £500,000 up to and including £1,000,000	Cabinet	Section 151 Officer in consultation with the Portfolio Holder for Finance, IT and Communication
Over £1,000,000	Council with recommendation from Cabinet	Cabinet

Supplementary Capital Estimates (pages 191)

Supplementary Estimate Amount	Approval Level
Up to and including £100,000	Corporate Leadership Team
In excess of £100,000 up to and including £250,000	Corporate Leadership Team in consultation with the Portfolio Holder for Finance, IT and Communication
In excess of £250,000 up to and including £500,000	Portfolio Holders and Corporate Leadership Team in consultation Portfolio Holder for Finance, IT and Communication
In excess of £500,000 up to and including £1,000,000	Cabinet

Over £1,000,000	Council with recommendation from Cabinet
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Grants (*page 235*)

Approval level	Amount
Officers	Up to and including £50,000 (where grant is within approved grant policy)
Portfolio Holder	Between £50,000 and £100,000 (where grant is within approved grant policy)
Cabinet	All Grants of £100,000 or more. All grants which do not fall within existing approved grant policy require Cabinet approval.

1. Executive Arrangements and Cabinet Procedure Rules

Appointing the Cabinet and Responsibility for Functions

1.1 At the Annual Meeting of Council, the Leader will present to the Council a report containing the following information about executive functions in relation to the coming year:

1.1.1 the names of the people appointed to the Cabinet

1.1.2 the extent of any authority delegated to Cabinet Members individually, including details of the limitation on their authority

1.1.3 the terms of reference and constitution of such Cabinet committees as are appointed and the names of Cabinet Members appointed to them

1.1.4 the nature and extent of any delegation of executive functions to area committees, any other authority or any joint arrangements, and the names of those Cabinet Members appointed to any joint committee for the coming year

1.1.5 the nature and extent of any delegation to officers with details of any limitation on that delegation, and the title of the officer to whom the delegation is made (where this is not already covered in the Council's Constitution).

1.2 Where the Cabinet, a committee of the Cabinet, or an individual Member of the Cabinet is responsible for an executive function, they may delegate further to a committee of the Cabinet, an area committee, joint arrangements, or an officer.

1.3 Even where executive functions have been delegated, that does not prevent the discharge of delegated functions by the person or body who delegated them.

The Law and Executive Functions

1.4 Those responsible for discharging executive functions will ensure that they are acting within the law and this Constitution.

1.5 The functions in question are set out in this Constitution. This also sets out the body or individual responsible for taking decisions in respect of executive functions.

1.6 The Cabinet, and any individual member or committee thereof, must ensure, and be satisfied, that they have appropriate and adequate legal, financial and other relevant professional advice from officers before taking a decision on any matter before them. Advice from the Council's Monitoring

Officer and Section 151 Officer should always be obtained where there is doubt about vires, procedure or probity.

Conflicts of Interest

1.7 Where the Leader or any Cabinet Member has a conflict of interest, s/he will follow the requirements of the Council's Code of Conduct for Members.

1.8 If all (or a majority) of the members of the Cabinet present have a conflict of interest, then consideration will be given to applying to the Audit and Governance Committee for a dispensation from the provisions of the Code.

1.9 If the discharge of an executive function has been delegated to another body or individual and a conflict of interest arises, then it will fall to the body or individual who delegated the matter to take the decision. Where that body or individual also has a conflict of interest, then the action set out in paragraph 1.8 shall be considered.

Meetings of the Cabinet

1.10 The Cabinet will meet as indicated in the Council's Calendar of Meetings. The Cabinet or the Leader/Deputy may agree to change the date of any programmed meeting, to cancel a meeting, or to arrange additional meetings as he/she sees fit.

1.11 The Cabinet may meet in public or in private, subject to legal requirements and the Access to Information Procedure Rules contained in the Constitution.

1.12 The Leader will preside at meetings of the Cabinet. If the Leader is absent, then the Deputy Leader will preside. Where both the Leader and Deputy Leader are absent, the Cabinet Members present shall appoint one of their number to be the chair of that meeting.

1.13 All members of the Cabinet shall be entitled to attend meetings of the Cabinet unless the Cabinet determine otherwise.

1.14 Attendance by other members of the Council or the public shall be in accordance with the Access to Information Procedure Rules, by invitation, or as set out in paragraphs 1.15 to 1.18 below.

Quorum at Cabinet Meetings

1.14 The quorum at a meeting of the full Cabinet, or a Committee or Sub Committee established by the Cabinet, shall be 50% of its voting membership.

Attending and speaking at Cabinet Meetings

1.15 The Chair and Spokesperson(s) of the Council's overview and scrutiny and Audit and Governance committees shall be entitled, at any formal public meeting of the Cabinet, to speak to any matter on the agenda for that meeting.

1.16 Other members not previously described above may also speak at such meetings with the permission of the Leader or person presiding in his/her absence.

1.17 At every formal public meeting of the Cabinet there shall be a period of 15 minutes for questions to be put to Cabinet Members by members of the Council, and a period of 15 minutes for questions to be put to Cabinet members by members of the public. *[No recommendation was agreed by the T&F Group as to whether 3 clear working days' notice of such questions would be required to be given, nor whether such questions would be required to be upon agenda items only]*

1.18 The following rules shall apply:

1.18.1 Questions must relate to the powers, duties or responsibilities of the Cabinet.

1.18.2 Questions put to Cabinet Members must relate to their portfolio responsibilities.

1.18.3 A maximum period of two minutes will be allowed for each member wishing to ask a question during question time. The Leader or person presiding will have discretion to vary this requirement where he/she considers it appropriate.

1.18.4 Questions will be brief, clear and focussed.

1.18.5 Questions which the Leader deems to be:

- inappropriate, frivolous, derogatory or vexatious;
- related to a Council employment or staffing matter; or
- defamatory

will not be allowed.

1.18.6 Questions will not be allowed which repeat, or which are substantially the same as questions asked at a meeting of Council or Cabinet within the preceding 6 months.

1.18.7 Where any question might be disallowed under the agreed provisions, the Leader, as chair of the Cabinet, will have absolute discretion to determine whether to do so.

1.18.8 Questions will be asked and answered without discussion. In replying, the Cabinet Member responding will use their reasonable endeavours to address the matters raised in the question. The Cabinet Member responding may decline to answer any question or may: reply direct, reply by reference to a publication, or reply by written answer.

1.18.9 Following each answer, the Leader may permit the questioner to ask a concise and focussed supplementary question which relates to the subject matter of the initial question and answer.

1.18.10 Where appropriate, the Leader may allow the question to be asked at the beginning of consideration of that item.

1.18.11 The Cabinet may invite any person to its meetings to discuss matters of mutual interest or concern or to advise. Such persons may only be given access to confidential and/or exempt information on terms to be decided by the Monitoring Officer to ensure that the Council's obligations under the Local Government Acts in respect of Access of Information and Data Protection are observed.

Business at Cabinet Meetings

1.19 The business to be transacted at a meeting of the Cabinet will be set out in an agenda for that meeting, subject to any requirements or exemptions under the Access to Information Procedure Rules.

1.20 The agenda may be supported by additional papers prepared by the officers or by or on behalf of other bodies, subject to requirements about disclosure of confidential or exempt information. Full agendas for meetings of the Cabinet will be made available, electronically, in advance of the respective meeting, to all Members of the Council and in accordance with the Council's current policy.

1.21 The Cabinet is obliged to consider matters referred to it by an overview and scrutiny committee, or by the Full Council, for consideration under the Overview and Scrutiny Procedure Rules.

1.22 The Cabinet will, at each formal meeting, consider confirming the record of decisions taken at its previous meeting as a correct record.

1.23 The Monitoring Officer, or his/her nominated officer, shall be responsible for preparing and distributing the agenda for Cabinet meetings, attending meetings for the purpose of advising the Cabinet on matters within his/her area of responsibility and recording decisions as required under this Constitution.

1.24 In taking decisions, the Cabinet must satisfy itself that it has before it adequate and appropriate advice from the relevant service, and from legal and financial advisers who shall, where appropriate, be present at any meeting where a decision is being taken and that that advice is taken into consideration in determining the matter. Where there is any doubt about vires, procedure or probity then advice must be obtained from the Monitoring Officer and the Section 151 Officer.

1.25 Meetings of the Cabinet will be programmed into the Council Calendar of Meetings. The Cabinet may agree to change the date of any programmed meeting, to cancel a meeting or to arrange additional meetings as it sees fit.

1.26 The order of business at Cabinet meetings is a matter for the Cabinet to determine.

1.27 Any member of the Cabinet may require the Monitoring Officer to place an item on the agenda for a stipulated meeting of the Cabinet.

1.28 Any member of the Council may ask the Leader to place an item on the agenda of a meeting of the Cabinet. The Leader shall have sole discretion as to whether or not to accede to such a request and, if such a request is granted, whether the member in question may be allowed to speak to the item.

2. The Head of the Paid Service, the Monitoring Officer and/or the Section 151 Officer may include an item for consideration on the agenda of a Cabinet meeting. In pursuance of their statutory duties, they may require that a special meeting of the Cabinet be convened.

2.1 Except where it is urgent, business cannot be conducted at formal meetings of the Cabinet unless it is included in the agenda for the meeting. An item of business which is not included on an agenda for a Cabinet meeting may not be considered unless the Leader or person presiding is of the opinion that the matter is urgent and cannot await another meeting, and unless the requirements of the Access to Information Procedure Rules have been complied with. This shall also apply to any committee of the Cabinet or to an individual Portfolio Holder.

2.2 The Cabinet will report to the Council, as required under the Access to Information Procedure Rules, on any matter which is classified as a key decision, and which is dealt with under special urgency procedures.

2.3 Cabinet decisions, including those taken under delegated powers, shall not take effect until they have been recorded in writing, as required under the Council's procedures, and shall not be implemented where the right of call-in applies until any valid call-in process has been concluded. Where the right of call-in applies but is not exercised, a Cabinet decision may be implemented immediately after the expiry of the call-in period.

2.4 A written record of all Cabinet decisions will be kept by the Head of Democratic Services, and this will be made available publicly as soon as practicable after decisions have been taken (excluding the disclosure of confidential and exempt information and in accordance with the Overview and Scrutiny Procedure Rules). In recording decisions of the Cabinet, the Head of Democratic Services will set out the decision, the reasons for the decision and alternative options considered as required under the Access to Information Procedure Rules in the Constitution.

Voting at Cabinet Meetings

2.5 Voting at Cabinet meetings will be by a show of hands, and any Cabinet Member may require, immediately after the vote is taken, that the minutes of the meeting record how (s)he voted or that (s)he abstained. Where there are equal

votes cast and the Leader or person presiding has voted, the Leader or person presiding will have a second or casting vote. Voting for any office or appointment, including any paid appointment, where more than one person is nominated shall be by a vote conducted in accordance with Council Procedure Rules.

Cabinet Committees/Sub-Committees and Task Groups

2.6 The Leader or the Cabinet may appoint such committees or sub committees as are considered necessary and appropriate to assist in the discharge of executive functions. In making such appointments, the name of the committee/sub-committee must be specified, along with its membership (including its chair and, if appropriate, vice-chair) and its powers.

2.7 The Cabinet may also appoint whatever task or advisory groups it deems necessary, comprising some or all of its own membership, any other member or non-member of the Council.

Decision Making by individual Cabinet Members (Portfolio Holders)

2.8 Where the Leader has delegated decision making powers to individual Portfolio Holders they will exercise their powers and duties in accordance with these rules and Constitution.

Notices of Motion

2.9 The proposer of a Notice of Motion, which has been referred to the Cabinet for consideration, may attend the meeting of the Cabinet when his/her motion is under consideration to explain the motion. The proposer of the motion will be advised of the date and time of the meeting when the matter is to be considered, and (s)he will be sent a copy of the relevant papers. This does not affect the right of the proposer or seconder of the motion to attend a Scrutiny body when his/her motion is being considered.

Resolving Disputes

2.10 In the case of any dispute during the proceedings of the Cabinet, the relevant parts of this Constitution will apply and, after considering the relevant provisions, the person presiding at the meeting will rule on the issue in question and his/her ruling will be final.

Reserves/substitute members

2.11 There shall be no reserve or substitute members of the Cabinet.

Urgent Decisions – Executive Matters

2.12 Where any matter is urgent and cannot await the next meeting of the relevant executive body or Portfolio Holder, the matter may be determined in accordance with the Council Procedure Rules.

The Forward Plan and Key Decisions

2.13 The Leader will ensure that the requirements of the Access to Information Procedure Rules are met in relation to the publication of Key Decisions.

2.14 Where the Cabinet as a body is making Key Decisions, that meeting shall be held in public in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The requirements of these Regulations also apply to any body, Portfolio Holder or officer to whom the relevant executive powers have been delegated.

2.15 When the Cabinet or a Portfolio holder exercising an executive function under delegated powers receives a report or background information which (s)he intends to take into consideration when making a Key Decision (and the report or papers are not exempt or confidential) that decision shall not be taken until the report has been made available for inspection by the public for five clear working days following receipt of the report by the decision taker. A copy of such report must be supplied as soon as reasonably practicable to the chair of the relevant overview and scrutiny committee or, in his/her absence, the vice-chair of the committee. The report must also list any background papers.

2.16 Where the inclusion of a matter in the Forward Plan is impracticable (28 clear days' notice being required for key and private decisions) and the matter would be a Key Decision, that decision shall only be made:

2.16.1 where the Monitoring Officer has notified the chair of the relevant overview and scrutiny committee, or in his/her absence the vice-chair of the committee, of the matter about which the decision is to be made;

2.16.2 where the Monitoring Officer has made available for public inspection a copy of the notice given under paragraph 2.16.1 above; and

2.16.3 where a period of five clear working days has elapsed since the Monitoring Officer made available the notice referred to in paragraph 2.18.2 above.

2.17 Where the date by which a Key Decision must be made makes compliance with the requirements under paragraph 2.16 above impracticable, the decision shall only be made where the decision maker has obtained agreement from:

2.17.1 the chair or, in his/her absence, the vice-chair of the relevant overview and scrutiny committee, or

2.17.2 if there is no chair or vice-chair of the relevant overview and scrutiny committee, or if neither is able to act, the Mayor or, in his/her absence, the Deputy Mayor

that the making of the decision is urgent and cannot reasonably be deferred. Such decisions when made are not subject to the provisions relating to call-in.

All members will be sent electronic notification of the agreement reached that compliance with the requirements of paragraph 2.17 above was impractical.

2.18 The Leader shall submit a report to the Full Council containing details of each Key Decision taken during the preceding three months under paragraph 2.17 above and agreed as urgent. The report will include particulars of each such Key Decision and a summary of the matters in respect of which each decision was made.

2.19 Where an executive decision which was not classified as being a Key Decision has been made and the relevant overview and scrutiny committee is of the opinion that the decision should have been so classified, that committee may require the Cabinet to submit a report to the Full Council within such reasonable period as the committee may specify, containing the following details:

- 2.19.1 the decision and the reasons for it
- 2.19.2 the decision maker, and
- 2.19.3 if the Cabinet is of the opinion that the decision was not a Key Decision, the reasons for this view.

Appendix 5

Local Choice Functions

- 1 Certain functions of local authorities are classified as “Local Choice” functions under the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) Regulations 2000, Schedule 2. This means that the Council can decide which of these decisions should be taken by the Full Council and which should be taken by the Cabinet.
- 2 The following table sets out who makes decisions on Local Choice Functions:

Local Choice Functions	Decision Making Body	Delegation of functions (where applicable)
Functions under a local Act (other than one specified or referred to in Reg 2 or Schedule 1 of the Regulations 2000)	Cabinet	Delegated to Chief Officers within their areas of responsibility
To determine appeals ¹ against any decision of the authority	Full Council	Appeals Panel insofar as not delegated to any other Committee or officer
To make arrangements for appeals against exclusion of pupils from maintained schools	Full Council	Appeals Panel
To make arrangements for appeals regarding school admissions ²	Full Council	Appeals Panel
To make arrangements for appeals by governing bodies ³	Full Council	Appeals Panel

¹ Including appeals in relation to access to information by Members under s100F Local Government Act 1972, Part 5 Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012, and the common law “need to know” rules

² s94(1), (1A) and (4) School Standards and Framework Act 1998

³ s95(2) School Standards and Framework Act 1998

Any function relating to contaminated land ⁴	Cabinet	Chief Officers
The control of pollution or the management of air quality ⁵	Cabinet	Chief Officers
To serve an abatement notice in respect of a statutory nuisance ⁶	Cabinet	Chief Officers
To pass a resolution that Schedule 2 of the Noise and Statutory Nuisance Act 1993 should apply in the authority's area ⁷	Full Council	Not delegated
To inspect the authority's area to detect any statutory nuisance ⁸	Full Council	Chief Officers
To investigate any complaint about the existence of a statutory nuisance ⁹	Full Council	Chief Officers
To obtain information about interests in land ¹⁰	Full Council	Chief Officers

To obtain particulars of persons interested in land ¹¹	Full Council	Chief Officers
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⁴ Part IIA Environmental Protection Act 1990 and subordinate legislation

⁵ Pollution Prevention and Control Act 1999; Part IV Environment Act 1995; Part I Environmental Protection Act 1990; Clean Air Act 1993

⁶ s80(l) Environmental Protection Act 1990

⁷ s8 Noise and Statutory Nuisance Act 1993

⁸ s79 Environmental Protection Act 1990

⁹ s79 Environmental Protection Act 1990

¹⁰ s330 Town and Country Planning Act 1990

¹¹ s16 Local Government (Miscellaneous Provisions) Act 1976

To make agreements for the execution of highways works ¹²	Cabinet	Chief Officers
<p>To appoint any individual</p> <p>(a) to any office other than an office in which s/he is employed by the authority</p> <p>(b) to any body other than</p> <p>(i) the authority;</p> <p>(ii) a joint Committee of two or more authorities; or</p> <p>(c) to any Committee or Sub-Committee of such a body</p> <p>and to revoke any such appointment</p>	Cabinet or individual Portfolio Holders in respect of organisations listed in the document accessed through the link in paragraph 11 below and the Full Council in respect of other organisations.	In respect of appointments by Full Council delegated to the Constitution Committee.
To make agreements with other local authorities for the placing of staff at the disposal of those other authorities	Cabinet	Chief Officers
The appointment of review boards under regulations under subsection (4) of section 34 (determination of claims and reviews) of the Social Security Act 1998	Cabinet	Director of Education
Functions under Sections 106, 110, 111 and 113 of the Local Government and Public Health Act 2007 relating to local area agreements	Cabinet	Chief officers, within their areas of responsibility

¹² s278 Highways Act 1980

- 3 Local Choice Functions can be delegated further to other Member bodies and/or officers.

Leader and Cabinet Transitional ProvisionsCommittee System/historical Cabinet arrangements

Any executive matter which involves a decision of a Council service committee, or the arrangements which predated the committee system, will continue to be progressed by the new Cabinet or Cabinet members.

Officer delegations

Where a service committee (or the previous Cabinet) delegated the making of any decision to an officer, that decision will remain with or will be allocated to the appropriate officer.

Service committee chair/vice chair consultation

Where a decision is delegated to an officer but requires consultation with a service committee chair/vice chair, the matter will remain with or will be allocated to the appropriate officer. Consultation will be with the appropriate Cabinet member.

Scrutiny

Matters currently under consideration by the Council's existing scrutiny committee, or as a matter of "internal scrutiny" by a service committee, will become the responsibility of the appropriate overview and scrutiny committee, appointed by the Council under the new Leader and Cabinet arrangements.

Service committee decisions

If any decision of a service committee is subject to the decision-referral process on 13 May 2026 the existing decision-referral arrangements will apply, subject to the following. Every effort will be made to conclude any outstanding decision-referral processes prior to this date. Outstanding matters may be referred to the relevant overview and scrutiny committee in accordance with the adopted Overview and Scrutiny Procedure Rules.

Continuation of committees, sub-committees and other bodies

Of itself, the change in decision-making arrangements on 13 May 2026 will not alter the Council's non-executive decision-making arrangements, except where the Council specifically decides to do so.

Regulatory and other non-executive committees and sub-committees will be retained, and new non-executive committees may be appointed.

These non-executive committees will be appointed at the Council's Annual General Meeting or by Council at a later date, and sub-committees will be appointed by their parent committees.

Bodies such as the Health and Wellbeing Board will continue to exist and function, with terms of reference and functions appropriately adapted to apply to Leader and Cabinet Governance, rather than committee system governance.

Joint Extra-Care Housing Management Board:

Whilst this Board last met in December 2026, it might potentially be required to carry out further work in the future. The Board will comprise three Portfolio Holders nominated by the Leader and Deputy.

Shared Services Joint Committee:

The Joint Committee will continue to undertake the functions currently allocated to it, with the Council's nominees being chosen by the Leader and Deputy. Any work allocated to or being undertaken by the Joint Committee will continue after the move to the Leader and Cabinet system.

Cared for Children and Care Leavers' Committee:

This is a cross-party advisory committee, appointed by the Cabinet

General Appeals Sub-Committee:

Appointment by proposed Constitution Committee (further decision to be made)

Staffing Appeals Sub Committee:

Depending upon further decisions to be made, this may be a sub-committee of the Appointments (or Staffing) Committee

Hearing Sub-Committee:

Is a sub-committee of the Audit and Governance Committee, and will remain as such, with its three members being drawn from that Committee.

Investigation and Disciplinary Committee:

Standalone ad-hoc committee, appointed as and when needed

Appointments to outside bodies:

Where an appointment is made entirely on the basis of service committee membership, the relevant Cabinet member shall continue in that role. Any other outside organisation appointments will continue until the next appropriate review date.

OPEN



Corporate Policy Committee

27 November 2025

Appointment of a New Member to the Independent School Admission Appeals Panel and Independent Review Panel for Exclusion Reviews

Report of: Kevin O'Keefe, Interim Director of Law and Governance (Monitoring Officer)

Report Reference No: CPC/48/25-26

Ward(s) Affected: All

For Decision

Purpose of Report

- 1 This report invites the Committee to consider the appointment of one individual to become a member of the Independent School Admission Appeals Panel and Independent Review Panel for Exclusion Reviews.

Executive Summary

- 2 To consider the appointment of one individual to become a member of the Independent School Admission Appeals Panel and Independent Review Panel for Exclusion Reviews.

RECOMMENDATIONS

That the Corporate Policy Committee

1. Approve the appointment of one individual to become a member of the Independent School Admission Appeals Panel and Independent Review Panel for Exclusion Reviews.

Background

- 3 The Local Authority is constantly reviewing the number of people eligible to sit on these panels and periodically seeks to appoint new members where numbers have declined due to retirement or resignation.
- 4 Local Authority has received an application from a prospective panel member. The applicant was interviewed and evaluated by a lawyer in the Legal Services Adults and Education Team and their appointment would be recommended. The necessary checks have been completed, in accordance with the Safer Recruitment Selection Policy and Procedure.
- 5 The applicant's details are not included in this report. If members require the personal details of the applicant to be disclosed and discussed at the meeting, the Committee will have to resolve to move into Part II as the information is exempt by virtue of paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (information relating to any individual).
- 6 All members of the School Admission Appeals Panel and Independent Review Panel for Exclusion Reviews receive training before sitting on these panels.

Consultation and Engagement

- 7 The Council has received an application from a prospective panel member. The applicant was interviewed and evaluated by a Principal Lawyer in Legal Services and their appointment would be recommended.

Reasons for Recommendations

- 8 Under s94 of the School Standards and Framework Act 1998, responsibility for making arrangements for appeals against the refusal of a school place rests with the admission authority of the school. The Local Authority is the admission authority of a number of schools in Cheshire East. The Local Authority also arranges appeals for other admission authorities under Cheshire East School Services (ChESS). Where the Local Authority is the admission authority, it must ensure that there are sufficient people appointed to sit on the appeals panel as and when required. By appointing additional panel members the Local Authority will meet its statutory duty.
- 9 Under s51A Education Act 2002 and the School Discipline (Pupil Exclusions and Reviews) Regulations 2012 the Local Authority, where it is the arranging authority, is responsible for ensuring that an exclusion review hearing is conducted by a review panel constituted in accordance

with the regulations. By appointing additional panel members the Local Authority will meet its statutory duty.

Other Options Considered

Option	Impact	Risk
To do nothing	Not having the required number of panel members to hold School appeal meetings.	School appeals and exclusions not being heard within statutory timescales or in a timely manner

Implications and Comments

Monitoring Officer/Legal/Governance

- 10 The Local Authority has a legal responsibility to ensure that there is a sufficient pool of trained panel members, both lay members and educational members, to sit on Independent School Admission Appeals Panels and Independent Review Panel for Exclusion Reviews to ensure that these Panels operate lawfully and follow due process.

Section 151 Officer/Finance

- 11 In accordance with the Council's Scheme of Members Allowance, school appeal panelists may claim reasonable travel for attendance at face to face school appeals meetings. They may also be reimbursed for any loss of earnings incurred as a direct result of the performance of their duties when attending appeal meetings or associated training up to a maximum of £50 per four-hour session (or part thereof) on receipt of proof of the loss from their employer.

Human Resources

- 12 There are no direct implications for human resources.

Risk Management

- 13 The Panel decisions are potentially subject to an investigation by the Local Government and Social Care Ombudsman, Education Funding Agency and/or Judicial Review.

Impact on other Committees

- 14 The decision will have no impact on other committees.

Policy

15

Commitment 3: An effective and enabling council

3.2 Effective and responsive governance, compliance and evidence-based decision making

Equality, Diversity and Inclusion

16 There are no direct implications for equality.

Other Implications

17 There are no other implications.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Ashley Hughes	S151 Officer	03/10/25	03/11/25
Kevin O'Keefe	Monitoring Officer	31/10/25	03/11/25
<i>Legal and Finance</i>			
Leah Benson	Senior Lawyer (People)	21/08/25	21/08/25

Access to Information

Contact Officer:	Katie Small, Democratic Services Manager Katie.small@cheshireeast.gov.uk
Appendices:	None

Background Papers:	The background papers relating to this report which are not exempt can be inspected by contacting the Contact Officer above.
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OPEN

Corporate Policy Committee

27 November 2025

Strategic Risk Update

**Report of: Kevin O’Keefe, Interim Director of Law and Governance
(Monitoring Officer)**

Report Reference No: CPC/18/25-26

Ward(s) Affected: All

For Scrutiny

Purpose of Report

- 1 One of the responsibilities of the Corporate Policy Committee is to have a co-ordinating role across all other committees and exercise a corporate view of outcomes, performance, budget monitoring and risk management. Reporting on the Strategic Risk Register supports effective risk management, is central to good governance and supports the efficient delivery of the council’s corporate plan objectives.

Executive Summary

- 2 This report provides the Committee with details of the current Strategic Risk Register following a period of review by Corporate Leadership Team (CLT). The aim of the review being to ensure alignment with the Corporate Delivery and Improvement Plan 2025-27 and the Cheshire East Plan 2025-2029. The content of this report, and the detail in Appendix A reflects the position of the register to the end of Quarter 2 2025-26.
- 3 The main focus of this report are the changes in the register since the last report to the Committee in March 2025. Full details of all strategic risks are included in Appendix A. Risks are broadly described and scored as at their position for the end of Quarter 2, the end of September 2025; although more current information is included in the appendix where available.

RECOMMENDATIONS

The Corporate Policy Committee is recommended to:

1. Note the position of the Council's Strategic Risk Register to the end of Quarter 2 2025/26 in respect of the content, description, scoring and risk management activity outlined.
2. Identify one of the strategic risks for detailed consideration at the next Corporate Policy Committee meeting on 5 February 2026.

Background

- 4 A review of the register, as reported to CPC In March 2025, has been undertaken by members of the CLT, supported by their directors and co-ordinated by the Head of Audit Risk and Assurance. Changes are summarised in Appendix A, along with full details of each risk. Going forwards risk will be reviewed by CLT on at least a quarterly basis.
- 5 Risks included on the register are those which materially threaten the organisation's ability to achieve its strategic goals, in this case the objectives stated in the current Cheshire East Plan. This could be in the form of an individual threat to a specific objective, or the compound effect of a threat across several areas.
- 6 Each strategic risk is owned by a member of CLT. Details captured include the causes and consequences of the risk materialising. Also documented are the existing controls that seek to manage each risk and any planned changes, deemed possible and necessary, to increase that control where required.
- 7 Scoring uses a 4 x 4 risk matrix, considering the impact of the risk should it occur and the likelihood that it could. Each risk is given three scores; this allows for greater nuance than a single score would provide. All scores for each risk are included in the Appendix:
 - Gross score – This assumes no controls are in place. A theoretical starting point that actively only considers the impact of the risk and has a default likelihood score of 4.
 - Net score – The current position which factors in the existing controls and their effectiveness.
 - Target score – The target is the position which can be achieved given the current circumstances. Considering the resources available, statutory obligations, stakeholder engagement and expectations and any other relevant factors.

- 8 Many of the risks captured within the strategic risk register have already materialised to some extent. Their inclusion does not imply failure but reflects the reality that these risks are on-going and require active management. Recording them in the register demonstrates the need for continued action to limit further escalation. Risk management helps to ensure that the authority remains resilient and proactive in addressing its strategic challenges.
- 9 There is a further and significant challenge to the Council in managing the strategic risks given the high level of interdependency between them. Each risk does not exist in a vacuum, independent of each other. Failure to adequately manage one risk is very likely to trigger a cascading effect whereby the position of other risks worsens. This can compound and ultimately, significant impact the ability to deliver core services to residents.
- 10 The following risks stand out as having particular significance in terms of interdependency, being systemic enablers that underpinning performance and delivery across all areas of the Council:
 - SR11 – Financial Sustainability (Previously “Failure to Achieve the Medium-Term Financial Strategy”; financial failure cascades into almost every other risk, specifically affecting Adults’ Services (SR01), Children’s Services (SR03, SR05), workforce capacity (SR13), and capital projects (SR15). Fiscal discipline is a foundational aspect of managing a large and complex organisation.
 - SR06 – Organisation Change; structural or cultural change impacts leadership (SR10), governance (SR09), workforce retention (SR13), and stakeholder confidence (SR07). Poorly managed change, or the inability to change, will amplify potential issues as they are not addressed in a timely manner.
 - SR13 – Recruitment & Retention; workforce shortages affect the Council’s ability to manage risk across the board but particularly in relation to Increased Demand for Adults’ Services (SR01), Children’s Services (SR03, SR05), and delivery of capital projects (SR15).
 - SR12 – Information Security and Cyber Threat; a major cyber incident has a high likelihood of significantly disrupting service delivery across all departments. Additionally damaging stakeholder trust (SR07), being a significant unplanned financial (SR11) and opportunity cost (SR10).

- SR10 – Leadership and Management; senior management capability is a pivotal enabler for the successful delivery of strategic objectives. This risk is highly interdependent because effective leadership underpins organisational change (SR06), governance compliance (SR09), and stakeholder confidence (SR07). Effective leadership and management is critical during a period of transformation and change to minimise uncertainty, drive decision-making and ensure accountability and alignment across service areas.
- 11 Revisions to the register are made on an on-going basis to ensure that the scope and detail of the individual risks, and the overall coverage of the register is reflective of the current threats to the organisation. When items are removed from the Strategic Risk Register, they continue to be considered at operational levels and can be escalated back for inclusion based on the risk owner's judgement and assessment as at that time.

Summary of Changes

- 12 Appendix A provides detail on the current Strategic Risk Register following the in-depth review led by the Corporate Leadership Team. Tables in the detailed appendix show
- (a) Summary of changes to the risks by name
 - (b) Changes in net scores from the March 2025 report to CPC
 - (c) A heat map showing all the net scores on the risk matrix
 - (d) The spread of risks across the directorate areas
 - (e) The strategic risk register arranged by net score, highest to lowest.
 - (f) Detail of the individual risk items; description, ongoing actions, risk scores, planned actions and comments from the risk owner.

Consultation and Engagement

- 13 There is no specific external consultation or engagement directly related to risk management activity. Specific risks will reflect stakeholder views as required.

Reasons for Recommendations

- 14 Risk management is central to facilitating good governance and the achievement of corporate objectives. As a publicly accountable body, the Council must demonstrate effective identification and management

of the risks that threaten the achievement of its corporate objectives and the effectiveness of its operations.

Other Options Considered

- 15 No alternative options considered; this is an assurance update report to support the Committee in meeting its responsibilities under its Terms of Reference.

Implications and Comments

Monitoring Officer/Legal/Governance

- 16 There are no direct legal implications arising from the recommendations of this report. Risks may highlight failures to be legal compliance or related issues and events.

Section 151 Officer/Finance

- 17 There are no direct impacts on the budget or the life of the MTFS from the recommendations of this report. The costs of risk mitigation activity is managed by individual risk owners and will come out of their agreed budgets. The Council failing to achieve its MTFS has been identified as a strategic risk.

Human Resources

- 18 There are no direct implications arising from the recommendations of this update report.

Risk Management

- 19 This report relates provides the Corporate Policy Committee with an update on the Strategic Risk Register.

Impact on other Committees

- 20 The content of this report should be used to support decision making by other service committees, ensuring that decisions taken support the effective management of strategic and operational risk facing the Council.

Policy

- 21 Cheshire East Council adopted a Risk Management Framework approved by Cabinet in June 2020. The framework directs risk management activity as part of wider governance processes. Specific policy implications and the effectiveness of their implementation is considered within the assessment of risks as required.

Commitment 1: Unlocking prosperity for all	Commitment 2: Improving health and wellbeing	Commitment 3: An effective and enabling council
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Equality, Diversity and Inclusion

- 22 There are no direct implications arising from the recommendations of this update report.

Other Implications

- 23 There are no direct implications arising from the recommendations of this update report.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Ashley Hughes	S151 Officer	17/11/25	18/11/25
Kevin O'Keefe	Interim Monitoring Officer	17/11/25	18/11/25
<i>Legal and Finance</i>			
Hilary Irving	Head of Legal Services	17/11/25	18/11/25
Steve Reading	Finance Manager (Place and Corporate	03/10/25	14/10/25

Access to Information	
Contact Officer:	Josie Griffiths Head of Audit Risk and Assurance, Josie.Griffiths@cheshireeast.gov.uk
Appendices:	Appendix A – Strategic Risk Register Update
Background Papers:	n/a

Summary of changes by name

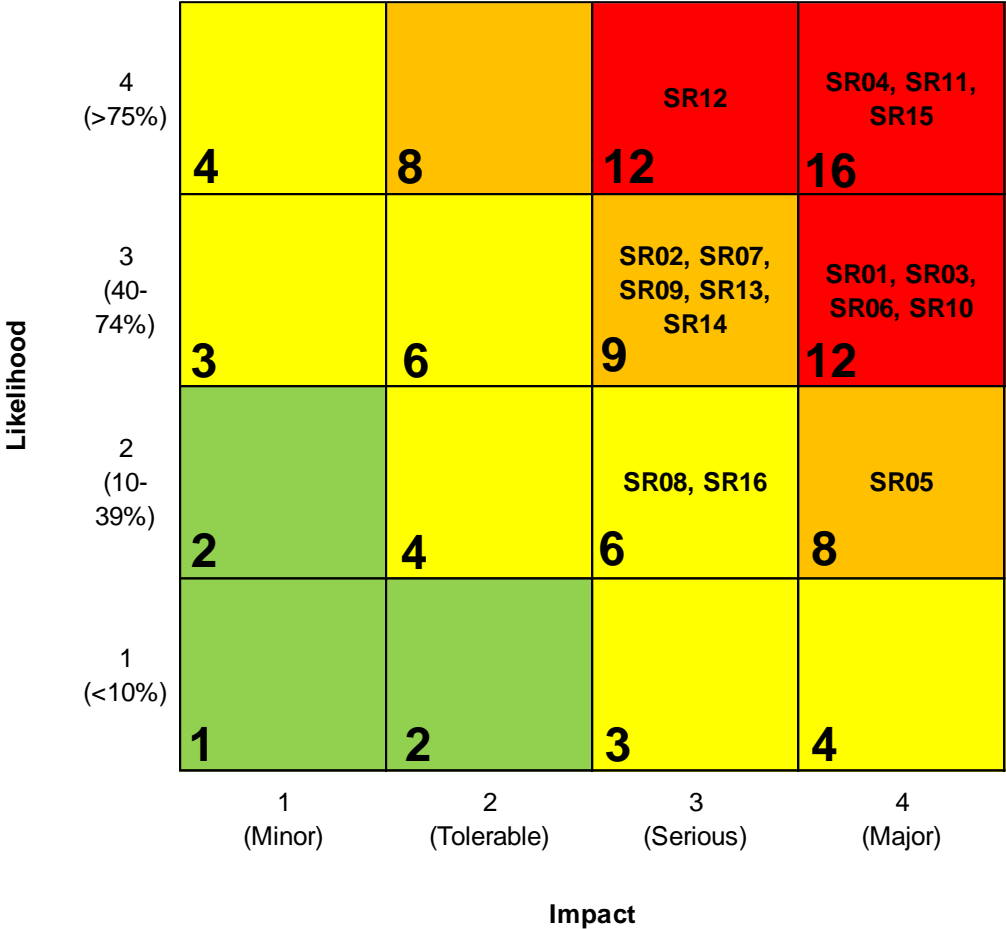
Strategic Risk Register March 2025	Strategic Risk Register September 2025	Comments
Increased Demand for Adult's Services	SR01 Increased Demand for Adult's Services	Review and refresh of risk carried out, but with no material change to risk description
Fragility and failure in the Social Care Market	SR02 Fragility and failure in the Social Care Market	Review and refresh of risk carried out, but with no material change to risk description
Complexity and Demand for Children's Services	SR03 Children's Services Improvement	Combining elements of the three previous risks into one
SEND Inspection		
Delivery of the ILACS improvement plan		
Dedicated School Grant Deficit	SR04 Dedicated School Grant Deficit	Review and refresh of risk carried out, but with no material change to risk description
Failure to Protect Vulnerable Children	SR05 Safeguarding Children	Review and refresh of risk carried out, scope slightly broadened to include the child neglect
Leadership Capacity	SR10 Leadership and Management	Review and refresh of risk carried out, but with no material change to risk description
Ability to Achieve Organisation Change	SR06 Organisation Change	A material change in the scope and ownership of the risk, which has moved from Place to the CE Office
Stakeholder Expectation & Communication	SR07 Stakeholder Expectation & Communication	Review and refresh of risk carried out, but with no material change to risk description
N/A	SR08 Devolution	New inclusion on the Strategic Risk Register
Failure to Adhere to Agreed Governance Processes	SR09 Decision Making and Governance Failure	Review and refresh of risk carried out, but with no material change to risk description
Leadership Capacity	SR10 Leadership and Management	Review and refresh of risk carried out, but with no material change to risk description
Failure to Achieve the MTFS	SR11 Financial Sustainability	Review and refresh of risk carried out, but with no material change to risk description.
Information Security and Cyber Threat	SR12 Information Security and Cyber Threat	Review and refresh of risk carried out, but with no material change to risk description
Recruitment & Retention	SR13 Recruitment & Retention	Review and refresh of risk carried out, but with no material change to risk description

Strategic Risk Register March 2025	Strategic Risk Register September 2025	Comments
CEC Carbon Neutral Status	SR14 Achieving Climate Change Commitments	This reflects a change in our stated goal, rather than a change to the scope of the risk
Capital Projects - Place	SR15 Capital Projects Management and Delivery	Review and refresh of risk carried out, but with no material change to risk description
N/A	SR16 Failure to deliver Leader and Cabinet model of decision making	New inclusion on the Strategic Risk Register

Changes in net scores since the last report

Ref	Risk	Q3 24/25 Net	Q2 25/26 Net	Travel	Target Net Score
SR01	Increased Demand for Adult's Services	12	12	↔	9
SR02	Fragility and failure in the Social Care Market	9	9	↔	9
SR03	Children's Services Improvement	12	12	↔	12
SR04	Dedicated School Grant Deficit	16	16	↔	16
SR05	Safeguarding Children	9	8	↓	8
SR06	Organisation Change	-	12	N/A	8
SR07	Stakeholder Expectation & Communication	12	9	↓	6
SR08	Devolution	-	6	N/A	6
SR09	Failure to Adhere to Agreed Governance Processes	9	9	↔	6
SR10	Leadership and Management	12	12	↔	9
SR11	Financial Sustainability (Previously Failure to Achieve the Medium-Term Financial Strategy (MTFS))	16	16	↔	9
SR12	Information Security and Cyber Threat	12	12	↔	12
SR13	Recruitment & Retention	9	9	↔	9
SR14	Achieving Climate Change Commitments	16	9	↓	6
SR15	Capital Projects Management and Delivery	16	16	↔	12
SR16	Failure to deliver Leader and Cabinet model of Decision Making	-	6	N/A	2

Heat map of net scores



12 - 16	Critical Risks - Only acceptable in the short to medium-term, requires immediate action implementing and close monitoring
8 - 9	Material Risks - Areas of concern, but due to capacity and or uncontrollable external factors, these can be accepted. Expectation is that these must be actively managed with on-going monitoring to ensure they don't escalate
3 - 6	Moderate Risks - Acceptable level of risk only requiring on-going monitoring to ensure they don't develop into something more serious
1 - 2	Negligible Risks - Lowest level of risk, only kept in the register for completeness and to ensure there are no unexpected changes in the profile

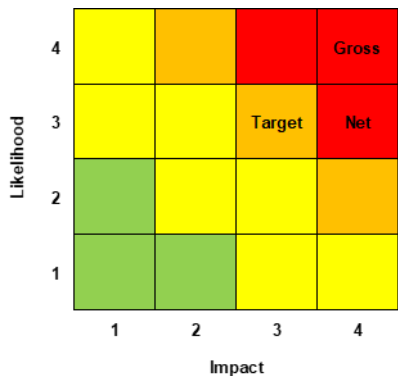
Spread of risks by directorate area

Directorate	Pre Review Number	Number of Risks	Average Net Score	Highest Net Score
Adult	2	2	11	12
Childrens	5	3	12	16
CE Office	6	5	8	12
Place	4	2	13	16
Resources	3	4	12	16
Total	20	16	11	16

Net scores, highest to lowest

Ref	Risk	Q2 Gross	Q2 Net	Q2 Target
SR04	Dedicated School Grant Deficit	16	16	16
SR15	Capital Projects Management and Delivery	16	16	12
SR11	Financial Sustainability (Previously Failure to Achieve the Medium-Term Financial Strategy) (MTFS)	16	16	9
SR12	Information Security and Cyber Threat	16	12	12
SR03	Children's Services Improvement	16	12	12
SR01	Increased Demand for Adult's Services	16	12	9
SR10	Leadership and Management	16	12	9
SR06	Organisation Change	16	12	8
SR02	Fragility and failure in the Social Care Market	16	9	9
SR13	Recruitment & Retention	16	9	9
SR07	Stakeholder Expectations and Communication	12	9	6
SR09	Failure to Adhere to Agreed Governance Processes	16	9	6
SR14	Achieving Climate Change Commitments	12	9	6
SR05	Safeguarding Children	16	8	8
SR08	Devolution	6	6	6
SR16	Failure to deliver Cabinet Model of Decision Making	12	6	2

Full details of all risks – Position to the end of Q2 2025/26

Risk Name: Increased Demand for Adult Services		Risk Owner: Executive Director of Adults, Health, and Integration
Risk Ref: SR01	Date updated: 9 th September 2025	Risk Manager: Director of Adult Social Care Operations
<p>Risk Description: An increase in demand for adult social services that cannot be met within the existing budget.</p> <p>There is currently a historically high demand for services from young adults right through to the elderly. This has been caused by an overall decrease in national adult health and wellbeing and other socio-economic factors. There has been an increase in responsibility and duties being transferred to LA i.e. RCRP.</p> <p>Detailed consequences; a failure in one area of social care, either internal or external to the council, has knock-on effects and increases pressure on other services. This can cause an on-going downwards trend in adult health and wellbeing. In addition, the council may fail in its duty of care and its objective of supporting its most vulnerable individuals. Specific failures that have been seen are a reduction in preventative measure and early intervention, which ultimately increase demand. Increased pressure on practitioners causes stress related issues and reduces the appeal of working in the sector.</p> <p>Detailed causes; due to the additional wellbeing pressures placed on residents, council staff, third-party providers and the NHS, the volume and complexity of demand for adult services has increased materially. As have political factors such as changes in legislation and resettlement agreements. Due to several different socio-economic factors recruitment and retention of staff is difficult resulting in increased use of agency staff. The increase in demand and complexity for services has not been recognised with increased established staffing, resulting in use of Agency Staff to fill the void.</p>		
Interdependencies (risks): Failure of Council Funding, Fragility in the social care market, Failure of the local economy, Organisational capacity and demand		Lead Service Committee: Adults and Health Committee
<p>Key Mitigating Controls (Existing):</p> <ul style="list-style-type: none"> • Delivery of market engagement events, keeping providers / people informed of preventative change resulting from the People Live Well, for Longer Transformation Programme. • Contracts and Quality Monitoring Policy Framework, monitoring the user outcomes that partners are delivering. This helps to inform the managed decommissioning of services, in an effort to reduce service disruption. Maintaining a provider risk register with the Care Quality Commission to ensure market oversight. A standard set of fit for the future contracts, designed to ensure quality outcomes for users and ensure provider's business models remain sustainable as demand changes. 		

- Monthly quality monitoring partnership forum that reports to relevant DMTs and the Safeguarding Board. Attendees include the Police, Safeguarding, Care Quality Commission, ASC operations, Legal, CCG's and ASC lead commissioner.
- People Helping People programme, working collaboratively with partners and local volunteers to channel community-based support, reducing demand on adult social care. The sourcing/brokerage team support the co-ordination of these services, helping vulnerable people to access non-council support where appropriate.
- Direct payment scheme, allowing users identify and manage their own care support.
- The preventative policy framework standardises the approach to prevention across adult social care "front door. When appropriate, directing users to approved community solutions, which can provide non-traditional benefits to those individuals and help maintain their independence.
- Annual financial and resource planning by ASC services, considering expected demand, funding, the local social care market and other socio-economic trends.
- Regular service/team meetings to disseminate information and discuss operational issues.
- Involvement in the North West regional and local programme of work pertaining to health and care staff recruitment, retention, and selection – resulting in a robust career path being developed with key partners and in being clear pertaining to local strategy.
- Collaborative working with other services, such Public Health, where objectives align and communication is required to delivery value for money. Utilisation of Public Health JSNA and wider regional data sets inform future planning. The joint commissioning management monthly working group seeks to ensure ASC is working effectively and efficiently with other Children and Family services.
- Engagement with the Integrated Care Partnership, including health partners.
- Regular ASC reporting to CLT and Adult and Health Committee on performance, expenditure/budget and demand. On-going management of services, based on performance, expenditure/budget and demand management information. Trend analysis used to help predict future demand.
- Engagement with service users, collaboration with Healthwatch and other independent organisations to help drive service improvements and cost savings.
- Business continuity assessments and resiliency preparation, both internally and with key partners.
- Implementing recommendations of independent review. All care plans presented to senior leasers board for authorisation of spend.
- Tighter controls on hospital discharge will impact relationship with ICB colleagues.
- 3 times weekly Quality, Performance and Authorisation Board to review every request for care, since the start of this regime over 2000 cases have been reviewed to ensure that the package of care is effective and efficient.
- Weekly Extended leadership meeting to review budget, spend and activity.
- Inner Circle Transformation Partners working alongside ASC staff to transform services and reduce spend.

Actions (Monitoring):

Target Date for Completion:

Prevent, Reduce, Enable programme pilot (Transformation Board)

September 2025

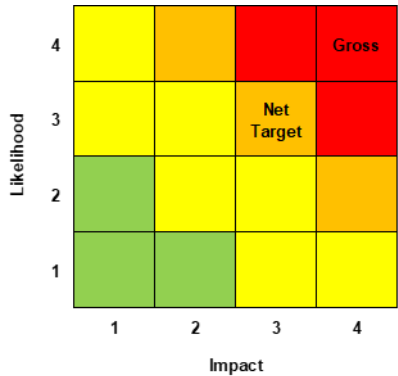
Comments this quarter: The work undertaken with Inner circle Consulting has embedded this risk within the work programmes, 'Prevent, Reduce, Enable' programme is designed to reduce the demand upon Adult Social Care, it will also work to reduce the spend on care costs and care packages. The programme commenced early June with a pilot area in Macclesfield with a three month review in September.

The reduction of agency staff together with recruitment challenges has resulted in waiting lists for assessment building within the social work teams. Equally the challenges and pressure faced by NHS has seen attempts to transfer more responsibilities upon Adult Social Care.

Providers are being consulted and engaged to implement an agreed fair cost of care following the work undertaken with 'Care Cubed' However the market remains under pressure to increase fees and overall costs.

Despite the significant pressures upon the service and the challenges of managing the increasing demand into the service Cheshire East Council Adult Social Care has been rated as Good in all domains during the recent Inspection by Care Quality Commission.

Timescale for managing risk to an acceptable level: The outcomes from the work commissioned with Impower is being actioned via HLBC, we are monitoring all support and care plans and calls for services on a 3x per week basis, Director is monitoring approx 150 cases per week. Demand is constant especially for those who are 90+yrs, and for those with dementia. Cost of individual care packages remains very high with an increasing number £2000 per week.

Risk Name: Fragility and Failure in the Social Care Market		Risk Owner: Executive Director of Adults, Health and Integration
Risk Ref: SR02	Date updated: 25 th September 2025	Risk Manager: Director of Adult and Children's Commissioning
<p>Risk Description: A failure of the local social care market. Increases in the volume and complexity in demand and financial pressures have caused weaknesses in the national social care market which have yet to be resolved.</p> <p>Detailed consequences; the council is unable to deliver a robust adult social care package without the use of third-party providers, without these outsourced services the overall social adult care package would fail and the council would not be able to achieve its objective of people living well and for longer. If the Council is unable to increase fees for providers it will impact on the sustainability of some care providers and result in some packages of care being handed back to the Council or notices served on care home resident's placements. This could lead to a need to increase the use of care providers who have not been through a formal tendering process which in some cases could result in higher costs and/or poorer quality. While due diligence is undertaken for these providers, some providers do not fully co-operate with this process. It will also bring challenges in managing budgets in 2024/25.</p> <p>Detailed causes: the major risk going forward is the financial impacts on providers resulting from the 9.8% uplift in National Living Wage from April 2024 and high rates of inflation. The current financial position of the Local Authority precludes it from uplifting care fees for all care contracts in 2024/25.</p>		 <p>The Risk Matrix is a 4x4 grid. The vertical axis is 'Likelihood' (1 to 4) and the horizontal axis is 'Impact' (1 to 4). The cells are color-coded: Green for Low (1-2 Likelihood, 1-2 Impact), Yellow for Medium (1-4 Likelihood, 3-4 Impact), Orange for High (3-4 Likelihood, 1-2 Impact), and Red for Very High (4 Likelihood, 4 Impact). The 'Gross' risk is at (4,4) in Red. The 'Net Target' risk is at (3,3) in Yellow.</p>
Interdependencies (risks): Financial Sustainability, Business Continuity, Failure of the Local Economy		Lead Service Committee: Adults and Health Committee
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> • Strategic Planning & Financial Oversight: <ul style="list-style-type: none"> ○ Annual fee increases considered through MTFS planning. ○ Market Sustainability and Capacity Plans submitted to DHSC. ○ Regular reporting to DLT, CLT, and Adult & Health Committee on performance and budget. ○ Introduction of Guide Price for care home placements • Contracts & Quality Assurance <ul style="list-style-type: none"> ○ Standardised contracts focused on quality outcomes and provider sustainability. ○ Contracts and Quality Monitoring Framework tracks service user outcomes. ○ Embedded risk management tool links to CQC oversight for early escalation of provider issues. ○ Quality Performance Authorisation Board meets weekly to ensure best value for money. • Market Oversight & Engagement <ul style="list-style-type: none"> ○ Due diligence strengthened for non-tendered providers. ○ Ongoing market engagement events aligned with the Care at Home recommission. ○ Work underway to update the Market Position Statement ○ Development of an Accommodation Strategy to promote independence and reduce reliance on residential care. 		

- Workforce Development
 - Participation in regional programmes for recruitment and retention.
 - Workforce strategy in development with Skills for Care.
 - Support for international recruitment where local supply is insufficient.
 - Career pathways being developed with partners.
- Service Innovation & Technology
 - Investment in new health and care technologies.
 - Use of Care Cubed tool to benchmark actual care costs.
- Operational Delivery & Resilience:
 - Transfer of Care Hubs established in hospitals to support discharge pathways.
 - Business continuity and resilience planning with partners.
 - Performance and demand trend analysis informs service management.
- Community & Preventative Support:
 - Prevent, reduce, enable transformation work to promote independence, investing preventative services and support wellbeing, building on strengths to enabling residents to live longer, independent and healthier lives.
 - Engagement with voluntary, community, and faith sectors to enhance support.
 - British Red Cross supported for crisis response.
 - "Hidden Carers" initiative launched to identify and support informal carers.
- User Engagement & Co-Production:
 - Collaboration with Healthwatch and independent bodies to improve services.
 - Co-production of new care models with Care at Home providers
 - Re-established 'People Panel' to engage with residents on the Care at Home (CAH) and care home (AWC) recommissions to ensure their voice and lived experiences are captured.

Actions (Monitoring):	Target Date for Completion:
Care at Home provider modelling with a view to reduce the number of framework providers (SRO and Work Programme in place with CAH & ECH oversight group)	September 2026
Working with care homes to bring all in borough homes onto the framework (SRO and Work Programme in place)	April 2026

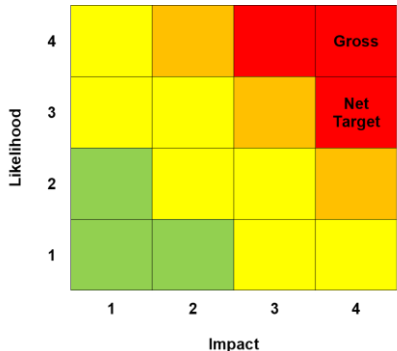
Comments this quarter: Care Homes (AWC) Currently, no care homes in the borough are rated as Inadequate by the Care Quality Commission (CQC). Priestly Fields and Riseley House have moved to a "Requires Improvement" rating. The Quality Assurance Team continues to monitor Priestly Fields closely, providing enhanced oversight to ensure progress against the agreed action plan. The associated risk rating for this area remains low.

International recruitment (IR) out of 97 care homes in Cheshire East, 48 hold a sponsorship licence, and 38 of these are on the framework. On average, 31% of the workforce in these homes consists of international staff, with no home exceeding 76%. Notably, some licensed homes currently do not employ any international staff, and 49 homes do not hold a licence at all. Business Continuity Plans have been requested from all IR providers to ensure preparedness. The risk rating for IR within care homes is also considered low.

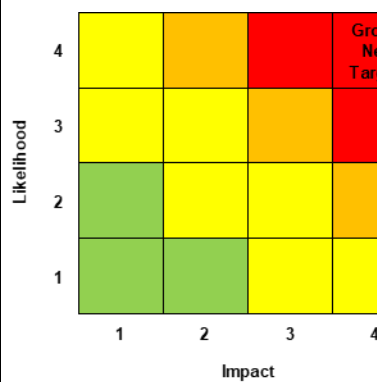
Care at Home (CAH) 3 providers are currently under restricted admissions, which presents a moderate risk. There are 23 individuals awaiting care at home, equating to 366.75 hours of care. Operational teams continue to RAG-rate individuals and circulate the waiting list weekly to maintain oversight. Despite the waiting list, the risk rating for this aspect remains low. International recruitment in CAH, 22 out of 34 framework providers hold IR sponsorship licences. 7 providers have over 70% of their workforce made up of international staff.

These 7 providers deliver 7,614.5 hours of care weekly to 472 individuals, representing 34% of total commissioned care. High-risk areas include Crewe, Congleton, Macclesfield, Nantwich, Alsager, and Sandbach, where 4,773 hours are delivered to 281 people. Due to the concentration of IR dependency in these areas, the risk rating is high. All providers with IR have been asked to submit Business Continuity Plans covering staffing, recruitment, and retention. Providers have been RAG-rated based on their IR dependency and the volume of care they deliver. Engagement is ongoing with non-framework and complex care providers to complete a comprehensive market overview.

Timescale for managing risk to an acceptable level: N/A (Net score is equal to target). To a certain extent the risk is outside the Council's control as there is a reduced pool of people who wish to work in Social Care.

Risk Name: Complexity and Demand for Children's Services		Risk Owner: Executive Director of Children's Services
Risk Ref: SR03	Date updated: 29 th January 2025	Risk Manager: Children's Services Directorate Leadership Team
<p>Risk Description: Cheshire East children's services received an Ofsted grading of 'inadequate' following an inspection in March 2024. An improvement plan is in place which addresses the findings from the Ofsted inspection but a churn in leadership and the children's workforce has hampered progress.</p> <p>Demand for children's services remains high in all areas but particularly in children's placements and supported accommodation which has driven a significant budget pressure.</p> <p>The service received growth through the MTFS to help address the pressures but the challenge to deliver to budget and achieve the required savings remains present. Significant action is still required to deliver savings to live within the budget as all indications are that demand, complexity and cost will continue to increase.</p>		
Interdependencies (risks): Financial Sustainability, Organisation Change		Lead Service Committee: Children and Families Committee
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> Growth to address budget pressures within placement and staffing in MTFS – up to £10m 26/27. MTFS proposes a substantial multi-year investment of £20m into Children's Services improvement. This will be held in Corporate Contingency. Investment into Children's Services from the Council's transformation reserves in 2025/26 to provide additional wraparound resources into Children's Services under the direct supervision of the Executive Director of Children's Services and their leadership team. These resources have been drawn from Finance, HR, Legal and Programme Management. Right Child Right Home transformation plan has 4 workstreams covering sufficiency, edge of care, recurrent care and 16-25 accommodation - these are all designed to reduce demand and increase local placement options for children which deliver good value for money We are implementing the Families First reforms which will drive demand down for specialist services and offer a community based, preventative service at the earliest opportunity Establishing a children's commissioning unit within Children's Directorate – designed to better manage the placements market and broker care placements more effectively. A sharp focus on strategic commissioning and quality assurance across the Directorate will drive better contract management and value for money. We are closely monitoring the demand to services and the reasons that are driving demand so that we can be responsive and mitigate any risks to service delivery. Workforce strategy covering recruitment, retention, career pathways and learning and development 		
Actions (Monitoring):		Target Date for Completion:
Deliver a base build of children's services to ensure we have the right services to meet children's needs (Children's social care senior leadership team)		April 2026

Review and strengthen how we support children at child in need to prevent their needs from escalating through implementation of Families First reforms (Children's social care senior leadership team)	April 2026
Review entries to care to understand how we can strengthen our approach (Children's social care senior leadership team)	December 2025
Improvement governance arrangements supporting progress and impact including impact and improvement board and Ofsted monitoring visits	March 2027
Develop and launch a new early help strategy across the partnership (Children's Safeguarding Partnership)	June 2025
Implement edge of care service	August 2026
New workforce strategy for children's services published and actioned – including recruitment of permanent SW and managers	March 2026
Comments this quarter: Post the CLT review this risk combines a number of individual risks that were on the register in Q3 2024/25. They all had the same net score as this one now, being 12 or a critical risk. They were, Delivery of the ILACS improvement plan, Complexity and Demand for Children's Services and SEND Inspection.	
Timescale for managing risk to an acceptable level: April 2026	

Risk Name: Dedicated School Grant Deficit		Risk Owner: Executive Director of Children's Services
Risk Ref: SR04	Date updated: 25 th September 2025	Risk Manager: Children's Services Directorate Leadership Team
<p>Risk Description: That the deficit held in the dedicated schools grant (DSG) continues to rise and/or is not recoverable.</p> <p>The overall DSG deficit figure reported within the accounts at 31 March 2025 is £112.1 million.</p> <p>This is made up of high needs deficit of £113.7 million plus an underspend of early years DSG of £1.6 million. Without significant changes to funding and the SEND Code of Practice the DSG reserve deficit is not recoverable.</p> <p>Significant action is required to deliver savings to live within the budget as all indications are that demand, complexity and cost will continue to increase. Interest payments relating to funding the borrowing costs to cover the deficit is anticipated to be £5.8 million for financial year 2025/26.</p>		
Interdependencies (risks): Financial Sustainability, Children's Services Improvement, Safeguarding Children		Lead Service Committee: Children and Families Committee
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> Additional growth has been agreed in the MTFs budget for 2024/25, including £0.5m to support transformation for SEND, and £0.9m for school transport, reflecting increased demand and increasing costs of fuel and contracts. The DSG management plan is in place to monitor the impact of demand to SEND services on financial pressures and monitor the delivery and impact of mitigations that have been put in place. A revised DSG management plan for 2024/25 to 2030/31 was approved by the Children and Families Committee on 29 April 2024. The committee also received an update on the Safety Valve submission. The Children and Families Committee is receiving monthly updates on the DSG management plan. The DSG management plan forecast is updated each year to reflect the outturn position at the end of each financial year. The council has updated the SEN sufficiency statement for 2023/24 to 2025/26, and the SEND strategy, which were received and agreed by the Children and Families Committee in September 2023. The SEN sufficiency statement sets out the additional provision needed over the next three years. The SEND strategy has been refreshed to include priority actions relating to the mitigations with the revisited DSG management plan 2024-2031. There is significant capital investment in local SEND provision to meets children's needs more locally but also reduce dependency on high-cost independent school placements. As part of the Safety Valve programme we were invited to submit a Capital bid. The bid was successful and we have been awarded £16m to create more specialist provision. The capital grant will allow us to create the following <ul style="list-style-type: none"> 3 x special school satellite sites providing in total 140 additional places 1 x 14 place new SEN unit Generic funding to support the refurbishment/adaption of space within mainstream settings which could support the current demand by way of resource provisions and/or SEN units. 		

- We are embedding a graduated approach and inclusion across all schools and settings and strengthening SEN support.
- We participated in the DfE's delivering better value (DBV) programme to support the council to achieve a more sustainable financial position in relation to SEND. This identified two priority areas of cultural change that will make the biggest difference on managing demand – inclusive practice and transition. Cheshire East has been awarded £1 million to support the delivery of this transformational change. These areas have been incorporated within our SEND Strategy.
- A fundamental review and realignment exercise for children's services will be carried out to future-proof services to deliver differently for less as part of our integrated children's services 4-year strategy.
- We have a range of support available to families through early help and prevention services, including council, partner, voluntary, community, faith sector and commissioned services. These services support families and help prevent needs from escalating and requiring higher level intervention.
- The Cheshire East Special Educational Needs and Disability (SEND) and Alternative Provision (AP) Strategy and Development Plan – "One Plan" (approved by Children and Families Committee June 2025) has been coproduced with key stakeholders, and they will continue to be involved in helping us deliver our priorities and in evaluating what difference we are making.
- The One Plan clearly pulls together and outlines in a single document all of the improvement work to be carried out by the SEND Partnership between 2025 – 2028 (including mitigations for this period from our 7-year DSG management plan).

Actions (Monitoring):	Target Date for Completion:
Review capacity of SEND Team to reduce caseloads, which will enable attendance at EHCP annual review meetings. (Approval will come via the MTFs)	March 2026
Implement actions and mitigations within the SEND and AP Improvement Strategy 2025 to 2028 – "The One Plan" (Reviewed quarterly)	March 2028

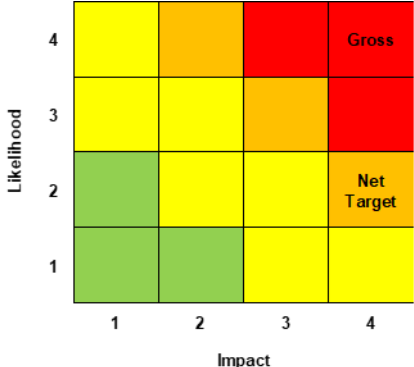
Comments this quarter: Latest forecast position shows plan is on track and no significant variances.

The DfE white paper re the SEND and Inclusion agenda is expected to be published in the Autumn term. The council will consider, understand and plan further actions. The overall DSG deficit figure reported within the accounts at 31 March 2025 is £112.1 million. This is made up of high needs deficit of £113.7 million plus an underspend of early years DSG of £1.6 million.

Reprofiled September 2025 (based on outturn 31.03.25)	2024- 25	2025- 26	202 6-27	2027 -28	2028 -29	2029 -30	2030 -31	2031 -32
	£m	£m	£m	£m	£m	£m	£m	£m
Unmitigated cumulative deficit	112.1*	160.8	227.6	318.0	435.7	583.5	766.4	990.3
Mitigated cumulative deficit	112.1*	146.0	171.4	190.8	203.7	208.7	205.4	197.6
Impact of mitigations	-	(14.8)	(56.2)	(127.2)	(232.0)	(374.8)	(561)	(792.7)

The deficit is held in a negative reserve which is allowable until March 2028. This has been extended from March 2026.

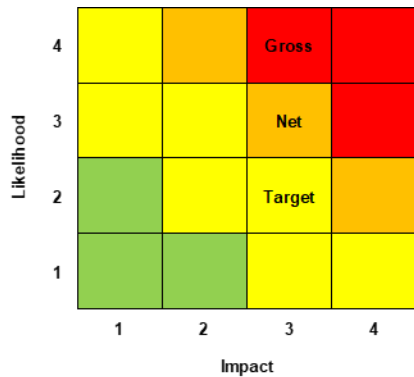
Timescale for managing risk to an acceptable level: Fundamental changes to the system are required. The anticipated DfE white paper may address this.

Risk Name: Safeguarding Children		Risk Owner: Executive Director of Children's Services
Risk Ref: SR05	Date updated: 12 th November 2025	Risk Manager: Cheshire East Safeguarding Children's Partnership Board (CESCP)
Risk Description: The risk, that as a part of the local safeguarding children's partnership, Cheshire East Council's children's services are unable to fulfil their responsibilities relating to the protection of vulnerable children at risk of exploitation, child neglect and sexual abuse. To do this Cheshire East seeks to be an effective and collaborative partner in the partnership. Ofsted are responsible for conducting inspections into the quality of children's social care provided by Cheshire East and as the local authority responsible Cheshire East is continually looking to meet those expectations in an ever-changing and challenging environment.		
Interdependencies (risks): Increased Demand for Adult Services, Financial Sustainability		Lead Service Committee: Children and Families Committee
Key Mitigating Controls: <ul style="list-style-type: none"> The Cheshire East Safeguarding Children's Partnership (CESCP) board has oversight of the Multi Agency Safeguarding Arrangements. The Statutory Partners are; Health, Local Authority and Police. The Statutory Partners form the CESCP. Working Together 2023 outlines the responsibility of the Statutory Partners to involve other agencies. A Pan Cheshire Strategic Alliance group is in place which consists of the Chief Executive of the council, Chief Constable and Chief Nurse, which scrutinises partnership progress against the improvement plan. They are named in the MASA as LSP's. The partnership commissions an independent scrutineer who regularly reports on the effectiveness of joint working. Ofsted regularly inspect the Local Authority and the partnership arrangements. The partnership ensures awareness within all agencies by proving regular training focused on exploitation. The training facilitates communication, increased knowledge and understanding and working together. CE has a contextual safeguarding strategic board to ensure that practice guidance, training and a local strategy is up-to-date. This all ensures there is a clear partnership approach to supporting children and young people at risk of exploitation. The strategy also needs to be in line with the Pan Cheshire All Age Exploitation Strategy. A partnership scorecard and performance data around exploitation, child neglect and sexual abuse to the CESCP board. There is a shared understanding of the children and young people who are at risk of exploitation across the partnership. There are regular multi agency audit of practice are completed for children at risk of exploitation to evaluate the impact of changes on quality of practice. Children and Families Committee have oversight through the annual report and any inspection reports. The Contextual Safeguarding Strategic group reports to the Multi Agency Quality Assurance Group which then reports directly to the CESCP board. 		

<ul style="list-style-type: none"> CE has a Child Neglect Strategy and training is delivered on this by the partnership. 	
Actions (Monitoring):	Target Date for Completion
Independent scrutiny report on contextual safeguarding (CESCP Board)	Q4 2025-26
Review the Contextual Safeguarding Strategy post the independent scrutiny report (Contextual Safeguarding Strategic Group and CESCP Board)	Q4 2025-26
<p>Comments this quarter: Net impact was previously rated lower than the gross impact, on review this has been corrected and they are both now rated as 4, the highest impact possible. The overall risk remains material, not critical, CE and the partnership will continue to strive for improvement and to maintain the likelihood as low as possible. The target score has been brought in line with the net score to reflect the on-going difficulty in protecting all children, all of the time.</p> <p>The Child Neglect Strategy has been approved by CESCP board, a multi-agency child neglect tool has been developed and is being delivered across the partnership. An independent scrutiny report on contextual safeguarding has been commissioned and work has begun. There continues to be development of the scorecard to ensure there is sufficient oversight of performance data, specifically in relation to the partnership's priorities. Once it is fully implemented, the impact of the Families First programme should help support with this risk going forwards but it is not expected to change the net or target ratings.</p>	
Timescale for managing risk to an acceptable level: N/A	

Risk Name: Organisation Change		Risk Owner: Interim Assistant Chief Executive
Risk Ref: SR06	Date updated: 3 rd October 2025	Risk Manager: Interim Head of Transformation and Improvement
<p>Risk Description: There is a risk that the council fails to deliver the significant organisational change and improvement required to address the feedback from external assessments and expectations set out in the non-statutory Best Value notice. There is a risk that the council does not allocate sufficient resource and have the capability to deliver a sustainable budget, transformation and improvement activities alongside maintaining business as usual service delivery. Without delivering transformation and improvement activities the Executive Director Resources/S151 Officer will be more likely to need to issue a section 114 notice and the council may fail to achieve statutory compliance across its services and meet its Best Value Duty.</p> <p>Organisational change capacity is needed to support the council in delivering transformation to achieve change that will support achievement of savings and the MTFS as well as service improvements. If a section 114 notice was issued, organisational change capacity would also be essential to deliver necessary actions arising from possible statutory intervention by Government. Priorities for improvement include financial sustainability but also governance and decision-making, leadership and culture change, and within Children’s Services specifically.</p> <p>Potential impacts: The council needs to improve its financial sustainability and reliance on Exceptional Financial Support in the medium-term to avoid the S151 Officer issuing a section 114. It should be noted that, if a section 114 notice is issued, and Government intervene by appointing commissioners, the council bears their costs.</p> <p>Drivers of likelihood: There are multiple factors in the likelihood of this risk being realised. Competing priorities for resource, between the delivery of BAU services and transformation and improvement. The financial position of the council makes it more challenging to fund and resource transformation and improvement activities. A lack of clear decision making on priorities and good governance and oversight of delivery of transformation and improvement delivery. Failure to recruit and retain staff with transformation and improvement skills. A lack of engagement of staff more generally in designing and delivering transformation and improvement activities.</p>		
Interdependencies (risks): Recruitment and Retention, Financial Sustainability, Leadership and Management		Lead Service Committee: Corporate Policy Committee
Key Mitigating Controls:		

<p>A Cheshire East Plan has been developed which provides a clear vision and commitments for Cheshire East Council. A single overarching improvement and transformation delivery plan has been developed to bring together the transformation plan, the Children’s Improvement Plan, the Corporate Peer Challenge Action Plan as well as the response to the Best Value Notice and the CIPFA assurance review alongside key deliverables for the Cheshire East Plan. This is focused on the action the council must take in the immediate short-term to June 2027.</p> <ul style="list-style-type: none"> Transformation and Improvement (T&I) Board has oversight of delivery transformation and improvement plans and associated savings aligned to the MTFS Progress is reported at least monthly to the Transformation and Improvement Board with regular reports to the Assurance Panel, Corporate Policy Committee, and MHCLG. Transformation Partners and interim staff are being utilised to supplement internal capacity Benefits tracking is being built into programmes for monthly review by T&I Board Staff engagement events are being held regularly as well as Member briefings. 	
Actions (Monitoring):	Target Date for Completion:
Review of all business cases for the transformation. programmes and projects (The business cases will be received at the Transformation and Improvement Board on 8th October 2025)	October 2025
Communicate any changes to the transformation programmes and projects (Proposed communications regarding any changes to the transformation programmes and projects will be reviewed by Transformation and Improvement Board on 22nd October 2025)	October 2025
<p>Comments this quarter: Bringing together all our plans into a single overarching plan provides oversight of all significant improvement and transformation activity. It will help us prioritise and resource effectively as well as measure and report on progress and provide assurance to meet different external requirements. Further work is underway to finalise a resource plan and prioritise the deliverables within the Plan. This will be completed in Q3.</p>	
<p>Timescale for managing risk to an acceptable level: May 2026 will be 12 months since the Best Value Notice was issued and we will need to demonstrate progress with improvement priorities and a positive direction of travel. June 2027 – successful progress in delivering the Transformation and Improvement Plan</p>	

Risk Name: Stakeholder Expectations and Communication		Risk Owner: Assistant Chief Executive
Risk Ref: SR07	Date updated: 4 th November 2025	Risk Manager: Head of Engagement & Communications
<p>Risk Description: The risk that the council does not understand the expectations of its stakeholders and that its communication and engagement with those stakeholders does not result in their understanding of the council's actions, nor appropriate involvement and influence. The council has an obligation to provide as high a level of service to its residents as its funding will allow. This requires not only considering both the short and long-term but also the expectations of all of its stakeholders.</p> <p>Potential impacts: A lack of understanding and poor communication and/or failure to effectively engage with stakeholders will cause damage to the council's reputation, if this is severe enough it may result in poor performance, increased complaints, regulatory inspection, challenge from central government, low morale, increased staff turnover and make the borough a less desirable place to live and work in. Consultation fatigue will result in a poor experience, reduced engagement and a lack of clarity over the changes being proposed. It may also impact on the organisation's attractiveness as a supplier, partner and employer, which could, indirectly or directly, result in unplanned costs and financial impacts.</p> <p>Potential drivers: To a certain degree the council cannot fully control the views that its stakeholders form. At times it will have to make decisions that are unpopular, this can be due to the context of these decisions not being effectively communicated, understood or just being disregarded by stakeholders. Management of this risk should be considered on the basis of the objective regard for and interest in the council its policies and its services (measured via surveys, media coverage, customer relations activity, etc.) and an assessment of the quality of its engagement (both listening and telling).</p>		
Interdependencies: Increased Demand for Adult's Services, Complexity and Demand for Children's Services, Financial Sustainability		Lead Service Committee: Corporate Policy Committee
<p>Key Mitigating Controls:</p> <p>Communication & Media</p> <ul style="list-style-type: none"> Ensure that information about the Council, its services and how to access them is easily available in a range of formats for a wide range of audiences Communications strategies for key projects, issues, decisions and service changes developed agreed and reviewed with senior stakeholders and decision makers (internal and external communication) Positive proactive communication across multiple channels to celebrate the council's successes and achievements. Comms programme is planned and reviewed over the short-term (daily) and the long-term (monthly / annually), including review of committee forward plans, council service plans, consultation and engagement programmes. 		

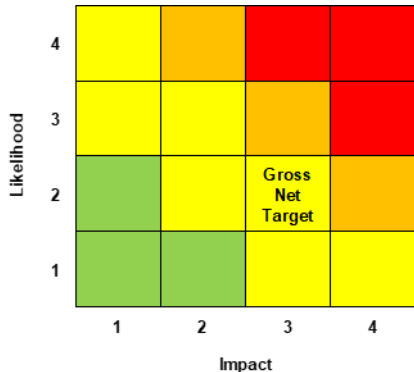
- Communications handling requirement for each service committee/full council meeting agreed with lead officer(s)
- Continue to develop proactive direct comms to be issued via e-mail / SMS – we currently have 60,678 subscribers for ‘push’ notifications across a range of topics
- Regular internal communications to members and officers
- Monitoring and reporting of organisational reputation and sentiment, (social and traditional media). This includes weekly analysis report for senior managers.
- Monitor public sector press (e.g. MJ and LGC) and maintain and develop relationships with these media outlets to maximise opportunities for positive coverage.
- Communications and media function advised at an early stage of all future demand and emerging issues to enable effective planning
- Media training programme for key spokespersons
- Use performance management reports for council services and programmes to identify reputational opportunities and risks at an early stage.
- Providing a 24/7 emergency communications on call function
- Media relations protocol and approvals process – including protocol(s) for partnership communications where required.
- Review communications business continuity, priorities and emergency / crisis comms protocols and plans
- Regular meetings with comms leads from public sector partner organisations to collaborate, share plans and intelligence
- Flexible use of social media and digital communication platforms

Consultation

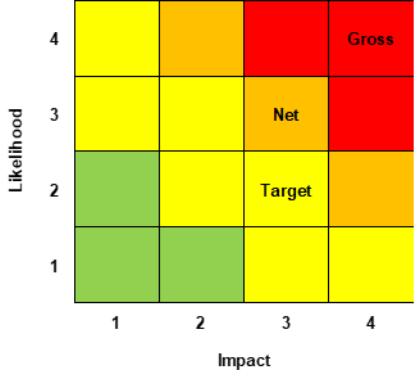
- Endeavor to undertaken consultation when proposals are still at a formative stage.
- Design consultation which clearly sets out the reasons for any proposal or change to enable stakeholders to undertake informed consideration and response to the options.
- Consultation and engagement activity will be used as evidence when making decisions through informative consultation summary reports and adequate time will be given between the end of a consultation and a decision is made, to allow for consideration of and where required, a response to, the output of a consultation or engagement.
- Equality Impact Assessments (EIA) are completed, appropriate for the purpose of use and that they are approved by Head of Service before any consultation can begin.
- Make it clear how consultation and engagement activity, EIA and other intelligence has been conscientiously taken into account when finalising the decision.
- Use the equality impact assessment toolkit, guidance, and template to provide clarity around what the equality impact assessment is and how it should be used.
- Equality champions to be supported by annual impact assessment training
- Resident surveys findings to be used to assess levels of resident satisfaction with the Council

Actions (Monitoring):	Target Date for Completion
Review communications and engagement strategy in the context of Corporate Peer Challenge Action plan, new Cheshire East plan, and wider transformation and improvement work (Progress reports to CPC every six months – once a revised communications and engagement strategy has been approved and adopted)	Q3 2025/25 26 (aligned to new Cheshire East delivery and improvement plan)

Introduce community assemblies to contribute to the budget setting engagement and consultation activity (Feedback from the community assemblies will be reported to CPC and Full Council as part of the evidence base and resident insight to inform budget setting decision-making)	Q3 2025/25 26
<p>Comments this quarter:</p> <p>As part of the CLT strategic review, it was recognised that this risk is not critical, meaning it is not considered as being on a similar level to Failure to Achieve the MTFs, the DSG Deficit and other risks. As such the likelihood has been reduced from a 4 to 3, which is supported by the existing, strong controls, bringing the risk into the material classification with a target of bringing it down to the moderate level. As noted, future actions will be identified to support the Cheshire East Delivery and Improvement Plan although no specific changes can be listed at this time.</p> <p>Key developments impacting on stakeholder perception of the organisation include:</p> <ul style="list-style-type: none"> • Devolution • Council finances, provisional finance settlement and Exceptional Financial Support • Non-statutory Best Value notice • Implementation of parking review • Highways maintenance and transport funding • CQC inspection of adult social care – rated ‘good’ • Crewe town centre regeneration • Office refurbishment • SEND Strategy • UKREiF • Children’s services improvement • Domestic abuse strategy <p>Key consultations included:</p> <ul style="list-style-type: none"> • EDI strategy • Domestic Abuse strategy • Pharmaceutical needs assessment 	
Timescale for managing risk to an acceptable level: Q3 2025/26	

Risk Name: Devolution		Risk Owners: Executive Director of Place Director of Law and Governance (Monitoring Officer)
Risk Ref: SR08	Date updated: 2 nd October 2025	Risk Manager: Director of Growth and Enterprise
<p>Risk Description: The Council made a decision on the 17 September to approve and support the creation of a Cheshire & Warrington Combined authority with Mayoral elections for a Mayoral Combined Authority (MCA) in May 2027. This introduces a variety of risks for the Council, which are outlined in detail below.</p> <ol style="list-style-type: none"> 1. Insufficient capacity within CEC's staffing, including senior leadership to be able to participate actively in the set up and governance of the new MCA, without causing delays on CEC internal priorities and service delivery. 2. Negative impact upon the Council's budget caused by uncertainty around funding arrangements, and financial resourcing for the MCA. 3. Confusion for stakeholders in respect of the roles and responsibilities of the Council and the MCA, which may result in a loss of public confidence and cause reputational risk for the Council. 4. Risk that tension or misalignment between the elected Mayor and the Council's political leadership results impacts negatively on decision making and undermines the opportunities and benefits to be achieved through greater regional collaboration. 		
Interdependencies (risks): Stakeholder Expectation & Communication, Leadership and Management, Organisation Change		Lead Service Committee: Corporate Policy Committee
<p>Key Mitigating Controls:</p> <ol style="list-style-type: none"> 1. Appropriate time management and prioritisation of Council staff time in the process to ensure that Council roles and responsibilities are sustained and not compromised. 2. Financial protections put place in the legal set up of the Combined Authority, to reduce any latent impact on local authorities relating to the financial performance of the Combined Authority. 3. An engagement plan will be produced, as well as a clear Communications plan to ensure both staff, members, and residents are clear on the roles and responsibilities of each authority 4. There is no internal control that CEC officer cohort can put in place for political incompatibility or friction; it can only respond in the most effective way possible to political decisions as they occur 		
Actions (Monitoring):		Target Date for Completion:
N/A		N/A
<p>Comments this quarter:</p> <p>This is a new risk added to the strategic register after CLT's review. Although an overarching inclusion on the Strategic Risk Register, the various elements have been articulated separately, with the potential impacts upon CEC have been identified and existing controls noted.</p> <p>Gross, net and target scores have been considered for the overarching strategic impact, and rated by Director of Growth and Enterprise and the Executive Director of Place as moderate (Impact 3 x Likelihood 2 = 6 out of 16).</p> <p>The consent of Council to the making of the Cheshire and Warrington Combined Authority Order, approval of the Terms of Reference for the Cheshire and Warrington Combined Authority Shadow Board, and the</p>		

agreement to hold inaugural mayoral elections in May 2027 provide a clear direction of travel and timescales for delivery.
Timescale for managing risk to an acceptable level: N/A

Risk Name: Failure to Adhere to Agreed Governance Processes		Risk Owner: Director of Law and Governance
Risk Ref: SR09	Date updated: October 2025	Risk Manager: Director of Law and Governance
<p>Risk Description: The council is a complex public sector organisation with a broad range of objectives, some of which it is legally obligated to deliver, its goals for the borough are identified within its Corporate Plan. Formal reporting and decision-making within the council is, to a degree, prescribed by local authority regulation. The decision-making process at all levels, must comply with regulatory requirements while also delivering those stated goals.</p> <p>Detailed consequences: Robust governance requires clear aims and policy objectives to be identified and delivered. Governance processes should facilitate the lawful delivery of those stated goals. It should also prevent the misapplication of resources, e.g. the support of other objectives to detriment of those stated goals. Ultimately this can result in a reduction of living standards, physical health and mental wellbeing of residents. Failure to provide a reasonable level of service to residents at an appropriate cost, or to follow legal decision-making protocols, can result in increased regulatory scrutiny and reputational damage. Possible outcomes of which may be, public censure, financial penalties or direct central government intervention.</p> <p>Detailed causes: The volume and complexity of the council's services and objectives, coupled with finite resources and differing stakeholder views, make 'good' decision-making a challenge. 'Good' decision-making being characterised as the consistent delivery of the Corporate Plan objectives year after year. Examples of governance failures are:</p> <ul style="list-style-type: none"> • Variations in interpretation and non-compliance with agreed process and internal controls. • Deviation from core objectives as result of prioritising presenting issues. • Failure to allocate limited resources in line with the requirements of agreed objectives. • Inadequate internal controls across the organisation or vertically with a directorate. 		
Interdependencies (risks): Financial Sustainability, Stakeholder Expectation & Communication, Leadership Capacity, Organisation Change, Failure to deliver Leader and Cabinet model of Decision Making		Lead Service Committee: Corporate Policy Committee
<p>Key Mitigating Controls:</p> <p>The Council's Constitution covers decision making processes, including finance and contract procedure rules. The Constitution is reviewed and amended on an on-going basis to ensure legal compliance and operational</p>		

continuity. Following the adoption of the Committee system, mechanisms were put in place to capture Member's feedback and are reported to the (Constitution Working Group). The number, nature and terms of references of the Committees are assessed on an on-going basis, with refinements being implemented via full council decision.

The Constitution is a publicly available document; guidance on the use of the decision-making processes is provided by enabling services including Legal, Finance, Democratic Services, and Audit and Risk. Constitutional updates are overseen (recommended and administrated) by the Governance, Compliance and Monitoring Officer in response to regulatory changes and Full Council decisions. Administration of local, regional and national elections and monitoring of behaviour in the period of heightened sensitivity beforehand. During which time, appropriate adjustments are made to the publishing or reporting of controversial issues or anything that seeks to influence voters. Reports to Committees are developed and reviewed by senior officers and enabler sign off, briefings are arranged with Committee Members to address any further knowledge requirements ahead of the relevant meeting. All decisions are formally recorded in meeting minutes and administrated in line with delegated authorities as per the constitution.

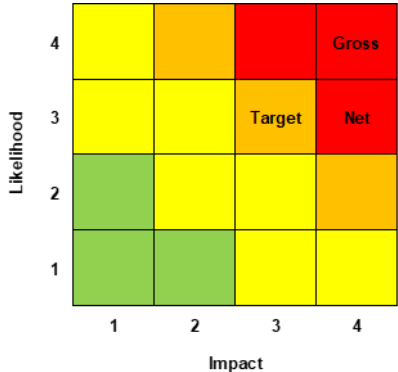
Assurance mechanisms on the organisations' compliance with its decision-making processes are provided through the external audit (Statement of Accounts) and the work of the Internal Audit team. Internal Audit's assurance is achieved through the development and delivery of an annual plan and follow-up monitoring of agreed actions. There are other external inspections, such as Ofsted, which may examine elements of our decision-making processes through their work, although this is not usually the primary focus.

The organisation publishes an Annual Governance Statement identifying significant governance issues which have occurred, any known areas which may cause issues if not managed effectively and updates on issues previously identified.

Actions (Monitoring):	Target Date for Completion
Review CEC's input into Joint Arrangements or Committees to ensure appropriate input for CEC is in place in the governance and decision-making arrangements	Implementation of arrangements for the Shadow Board to be operational in early 2026, with Mayoral Elections taking place in May 2027 across Cheshire and Warrington.
Implementation of actions arising from the Internal Audit assurance review on Officer Decision Records	New process to be implemented by January 2026.

Comments this quarter: An action plan is in place following the completion of Internal Audit assurance work on Officer Delegation Records (ODRs) which reflects the need for a review of process, training and integration with schemes of officer delegation. This will be completed to be cognisant of the further changes which will be necessary as the Council moves to the Leader and Cabinet model of decision making from May 2026.

Timescale for managing risk to an acceptable level: Q1 2026/27

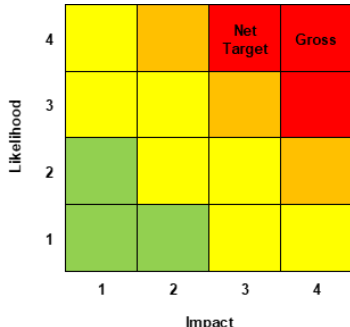
Risk Name: Leadership and Management		Risk Owner: Executive Director Resources, Section 151 Officer
Risk Ref: SR10	Date updated: 15 th September 2025	Risk Manager: Director of People and Customer Experience
<p>Risk Description: The Senior Leadership Recruitment exercise is almost complete and there is increased stability across the leadership cohort compared to end of 2024/early 2025.</p> <p>However there are still a number of vacancies and temporary acting up arrangements in place across CEC's leadership team. These limit its capacity and prevents the team from operating as effectively as possible. Without the right capacity across the leadership team, the organisation is unable to flex and be respond to its challenges.</p> <p>Potential impacts: The impact may be a failure to achieve priorities, which is ever more critical in light of current financial challenges as well as the Council's requirement to deliver a large-scale transformation and improvement. It could also be the case that priorities are delivered at higher cost than could otherwise be achieved. Without maintaining value for money throughout the organisation, overall amount of effectiveness is reduced.</p> <p>Drivers of likelihood: Reputational risk from Section 114 notice and impact on recruitment and retention. Failure to recruit and retain individuals for senior management positions. Failure to complete DMA exercise and implement a revised structure, Failure implement management development for the leadership team. Failure to communicate and motivate the wider workforce.</p>		
Interdependencies (risks): All other strategic and operational risks.		Lead Service Committee: Corporate Policy Committee
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> • People strategy • My Conversation processes (PDR/objectives) • Cheshire Leaders Programme • Cheshire Managers Programme (to be developed) • Council Constitution and decision-making structure, including HR Schemes of Delegation • Corporate Plan and Annual Service Business Plans. • Leadership team recruitment processes, including skills and experience requirements. • CLT coaching provision 		
Actions (Monitoring):		Target Date for Completion:
Leadership development programme for CLT and WLC		April 2026
Permanent arrangements for key posts (recruitment exercise to a number of key posts such as Monitoring Officer and Assistant Chief Executive)		February 2026

<p>Comments this quarter: Positive progress made in terms of recruitment and retention to senior leadership cohort, offering increased stability and mitigating likelihood of risk impact.</p> <p>All Executive Directors of CLT are permanent. The Assistant Chief Executive and Director of Law and Governance Posts are filled by Interim colleagues. . The permanent Director of Quality, Partnerships and Commissioning (Children and Families) took up post in late September 2025 with recruitment to the permanent Director of Public Health, Monitoring Officer and Assistant Chief Executive commencing in late 2025.</p> <p>Cheshire Leaders programme commenced in October 2025 – all members of WLC will attend. The programme has ILM accreditation via Solace who are supporting with delivery. The Cheshire Manager programme is being developed from October 2025. This will support retention, cohesion and collaboration across the leadership and management cohorts.</p> <p>Updated HR schemes of delegation developed for WLC to ensure that people responsibilities are understood across the core range of people processes across CEC.</p> <p>Refreshed performance objectives in line with our new Corporate Values (co-developed with staff) being implemented during rest of 2025/26. The PDR approach will be updated/revamped to improve compliance levels and quality of performance management conversations. All managers will be given a set of common, corporate objectives at My Planning stage in April 2026.</p>
<p>Timescale for managing risk to an acceptable level: March 2026</p>

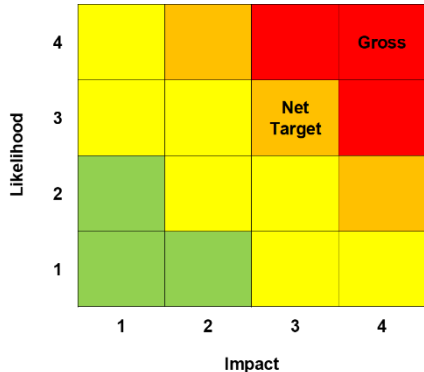
Risk Name: Financial Sustainability (formerly known as Failure to Achieve the Medium-Term Financial Strategy (MTFS))		Risk Owner: Executive Director of Resources (S151 Officer)
Risk Ref: SR11	Date updated: 29 th September 2025	Risk Manager: Director of Finance (Deputy S151 Officer)
<p>Risk Description: The delivery of the MTFS demonstrates that the Council has the discipline to deliver its services within the financial envelope as agreed by Council. Over a period of time, the MTFS will also demonstrate that the Council has a financially sustainable plan that supports the medium-term service delivery aspirations of the organisation.</p> <p>In the short-term, this means the successful delivery of the in-year budget and in the medium-term, this means the delivery of a multi-year, financially improving and sustainable position.</p> <p>Potential impacts are:</p> <ul style="list-style-type: none"> • An unplanned reduction in the level of reserves; • A negative reputational impact; • A reduction in the scope of provision of services due to the issue of a Section 114 Notice that could reduce both revenue and capital expenditure; • A possible repayment of specific grant funding if poor financial management is evidenced; • An inability to provide investment and financial support to service development and service improvements. <p>The key drivers for a failure to deliver the MTFS are:</p> <ul style="list-style-type: none"> • A lack of effective budgetary control and a supportive finance function; • A lack of implementation of recurrent cost savings and efficiencies due to a lack of operational management capacity and capability; • A lack of medium-term transformation due to resistance to change or a lack of transformational capacity and capability; • Unforeseen changes within the local system affecting partner organisations; • Unforeseen changes within the national and international environments impacting upon financial plans i.e. international events impacting negatively upon inflation rates. <p>The successful delivery of the MTFS partially relies on the operational delivery of the Council's Improvement and Transformation Delivery Plan. This requires a positive outcome for the delivery of the transformation programme and the associated organisational change programme, alongside the implementation of the recommendations within the external reviews of the organisation e.g. CIPFA and LGA Peer review. The current national financial override for the treatment of the Dedicated Schools Grant (DSG) means the Council recognises financial deficits associated with this service, but does not have to provide for them from General Fund</p>		

resources until 2028/29. The in-year and cumulative impact of this deficit would have a material impact upon the Council's financial position.	
Interdependencies (risks): all	Lead Service Committee: Corporate Policy Committee
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> • An approved budget and MTFS has been set by Council in advance of the current financial year and describes how the Council will deliver its operational plans. • Financial planning arrangements include preparation by the Finance Team, in liaison with senior operational managers. These plans are based on the best available information and include prudent assumptions based on professional judgement and external advice, where appropriate. • Risk-based approach to the use of reserves, identifying appropriate reserve levels and ensuring that reserves are not depleted without first identifying a strategy to restore them to risk-assessed levels during the MTFS period. • Budget monitoring, comparing actual performance against approved budget, is undertaken throughout the financial year and presented to service committees in the form of forward-looking forecast outturn reports. • Month end closure report confirms latest position against the three times per year financial review position. • Where a residual deficit is forecast in a financial year, a number of actions will be explored including:- <ul style="list-style-type: none"> ○ Use of any service or non-specific underspend to offset pressures elsewhere within the budget ○ Accessing external funding, ensuring compliance with any funding conditions ○ Use of reserves ○ Use of general balances ○ Potential access to Emergency Financial Support • Treasury Management Strategy to manage the Council's cash flows, including an investment strategy focused on the security of principal sums and a borrowing strategy to manage interest payable and other charges • A Capital Strategy that prioritises capital investment programmes, identifies the financial impact of investment in schemes and limits the amount of unsupported borrowing to be drawn. • Outturn reporting and audit of statements supports in-year monitoring and future year planning • Use of a standard report format and report clearance process which ensures provision of relevant information on financial performance, risks and mitigations. • Clear and effective communication of changes or updates to Finance and Contract Procedure Rules with the Constitution • Sources of specialist advice and guidance • Reporting of status and action plan on Finance Leadership Improvement Plan • Engagement with government departments related to financial models and consultation • Transformation Board monitors all transformation schemes and programmes in terms of savings plans and progress of the overall programme. 	
Actions (Monitoring):	Target Date for Completion:
Financial system developments including the implementation of the FP&A tool within Unit 4 (FP&A rolled out to all budget holders)	Pilot areas by December 2025
Completion of the Financial Leadership Improvement Plan (All actions completed and implemented)	Full roll out by March 2026

Implementation of Budget Holder Training and tailored Training Programmes for members and officers with regards finance specific items (All identified individuals trained in advance of the approved budget)	December 2025
Preparation and approval of the 2026/27 annual budget and updated MTFS (Formal budget papers to Council and Committees)	February 2026
Directly or via professional or political networks, liaise with Government departments on the severity of the many financial issues (Reporting to CLT, and to Members in the MTFS update)	February 2026
Comments this quarter: No change to the risk ratings although the risk has been materially refreshed and actions updated. Two internal audit reports have been completed to draft stage with both reports identifying limited assurances. Management responses are outstanding but will be completed by the end of September.	
Timescale for managing risk to an acceptable level: March 2026	

Risk Name: Information Security and Cyber Threat		Risk Owner: Executive Director of Resources, Section 151 Officer
Risk Ref: SR12	Date Updated: 20 th August 2025	Risk Manager: ICT Programme Managers
Risk Description: (Cause) There is a risk that as the Council continues to move towards using new technology systems to reduce costs and fulfil communication, accessibility, and transaction requirements, (threat) it becomes increasingly vulnerable to a security breach, and, or loss of information, either maliciously or inadvertently from within the Council or from external attacks by cyber-criminals. (Impact) This could result in many negative impacts, such as loss of information, distress to individuals, legal, financial, and reputational damage to the Council, in addition to the possible penetration and crippling of the Council's IT systems preventing it from delivering its Corporate Outcomes.		
Interdependencies: This risk has interdependencies with corporate risk Business Continuity and Stakeholder Expectations and Communication. It also has links to the Financial Resilience risk, as funds for maintenance and replacement will be stretched, placing additional strain on assets and resilience of information security controls.		Lead Service Committee: Corporate Policy Committee
Key Mitigating Controls: <ul style="list-style-type: none"> The Director of Digital is an advocate of and reports on Information Risk to the Corporate Leadership Team and the Audit and Governance Committee and makes the Annual Statement of Internal Control of Information Risk. The Council has a number of Information and Data Security policies which are published on the Centranet and help to protect from the Council from inappropriate and unauthorised access and communicates what to do in the case of an incident. Policies; Information Security Policy Overview, ICT Access Policy, ICT Communications and Operations Policy, ICT Computer, Telephone and Desk Use Policy, ICT Email and Messaging Policy, ICT Flexible and Mobile Device Policy, ICT Incident management Policy, ICT Infrastructure Policy, ICT Internet Policy, ICT Legal Responsibilities for Data Policy, ICT Personnel Standards for Information Security, ICT Protection Policy, ICT Removable Media Policy and ICT Software Policy. Policies review and guidance materials updated to strengthen advice to staff on how to manage various information types Progress on Information Risk and Information Security is monitored through the Information Security Steering Committee (ISSC), Strategic Information Governance Group (SIGG) and the IG Collaboration Group. The Council has an Incident Reporting process which has been communicated to staff, all incidents are scored and assessed by SIGG to ensure that the breaches are minimised, and future breaches are reduced. The Council complies with the Public Services Network PSN Code of Connection, NHS Data Security and Protection Toolkit, DWP's MOU and NHS Digital controls, work continues with the consolidation and enhancement of elements of the security estate to meet the ever-developing threat profiles. This includes third party IT hardware and software tests undertaken by accredited security vendors, these validate that the network and hardware are secure and robust, if any vulnerabilities are found then a mitigation plan is drawn up and actioned. The Council has an Information Asset Register which is reviewed on an annual basis and has been published on the open data portal. There is also an Information Assurance Data Management (IADM) programme of activity to increase awareness and maturity of information assurance and governance across the Council. The programme is tasked with guiding the organisation to manage its information in a compliant and efficient way. Data Classification has been rolled out to the organisation; this allows the categorisation of information so that appropriate controls can be employed to protect the information. 		

<ul style="list-style-type: none"> The Council provides security and compliance e-learning modules (which are mandatory for all employees) on the Learning Lounge. The Cyber Security module was produced by the NCSC which is the UK government's authority on cybersecurity. There are also several best practice guides on the Council's Lighthouse on the best ways to use technology and to protect information. These modules and best practice guides are updated regularly to reflect changes in working practices and as a response to additional threats. In addition, proactive testing is carried out across the council to gauge the level of compliance and understanding of cyber best practice, this testing is followed up with additional support and training for those that need it. This process will raise the maturity and level of understanding to ensure that the Council has an adequate level of cyber readiness across its workforce. Controls are in place to restrict access to the data centres and network equipment and risk assessments of existing systems and networks are on-going. The Council's ICT Services have a strategic direction to move to a "Cloud First" principle, whilst this enables an evergreen environment which is always up to date, additional controls are needed to prevent compromise or inappropriate use and access. This includes contract compliance and monitoring to ensure ongoing protection of information. To support the strategic direction and architecture principles all technical solutions are reviewed at the Technical Design Authority to ensure correct alignment. In addition, the Council is moving to Zero Trust architecture, this is a direct result of increased threats posed to the working infrastructure. This shift is in line with the latest thinking and guidelines issued by the NCSC. In support of this a high-level business case for Infrastructure Investment of which Security & Compliance is an element was submitted and subsequently approved. This additional funding will be used to develop the necessary tools to start the implementation. 	
Actions (Monitoring):	Target Date for Completion:
Identity Management (Information Security Steering Committee (ISSC), Information Assurance and Data Management (IADM))	March 2026 (Multiyear project)
Application Management (Information Security Steering Committee (ISSC))	March 2026 (Multiyear project)
Data Security (Information Security Steering Committee (ISSC))	March 2026 (Multiyear project)
Data Quality (Information Assurance and Data Management (IADM))	March 2026 (Multiyear project)
Information Management (Information Assurance and Data Management (IADM))	March 2026 (Multiyear project)
<p>Comments this quarter: No change to the risk rating currently.</p> <p>The risk to operational continuity, data integrity, and reputational trust is significant, particularly considering recent NCSC advisories highlighting:</p> <ul style="list-style-type: none"> Targeted campaigns against logistics, technology, and public service sectors Use of legitimate tools to evade detection Increased targeting of high-profile individuals and third-party suppliers <p>Identity Management/Data Quality – work continues to move from a tactical solution of account closure and protection to an automated strategic solution. Call handling and identification of employees and help desk staff has been enhanced considering the recent attacks across various sectors.</p> <p>Data Security – work continues to ensure that the Council's security and operations are appropriately resourced to provide the level of cover needed.</p>	
Timescale for managing risk to an acceptable level: N/A	

Risk Name: Recruitment and Retention		Risk Owner: Executive Director of Resources, Section 151 Officer
Risk Ref: SR13	Date updated: 3 rd October 2025	Risk Manager: Director of People and Customer Experience
<p>Risk Description: Recruitment and retention of skilled and motivated staff is required to allow the organisation to deliver its Corporate Plan, LGA Corporate Peer Challenge Action Plan, Children's Improvement Plan and its transformation programme. Achievement of the plan and programme requires operational changes which allow the council to adapt and improve.</p> <p>Impact of the risk occurring: High staff turnover and, or skills shortages, insufficient capacity within services. Failure to achieve annual budget and deliver the council's transformation and improvement programme and a detrimental impact upon the physical, emotional, and mental wellbeing of staff.</p> <p>Drivers of failure: National and local demographics alongside external factors led to increasing and changing demands on services. Increases to the cost of living also present risks to the resilience and wellbeing of our workforce and therefore the capacity to respond to demand. Outcome of Ofsted inspections as well as current financial challenges. WorkplaCE programme and the DMA review also impact.</p>		
Interdependencies (risks): Business Continuity, Increased demand for Adults Services, Complexity and Demand for Children's Services		Lead Service Committee: Corporate Policy Committee
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> • Workforce planning is in place via the Council's Workforce Strategy 2021-2025. A new People Strategy for 2025-2028 is at November Corporate Policy Committee for approval. Arising from this strategy will be a new approach to workforce planning through a new Employee Experience through a revised lifecycle. • Service Workforce Plans are also undertaken on an annual basis as part of the wider business planning process to review and support workforce planning on a service-by-service level • Benchmarking exercises and workforce metrics are used to identify potential issues and service workforce plans developed as above to mitigate. Work on the refinement of a workforce assessment for the Council has been completed, and a monthly workforce dashboard is available to identify potential issues. The workforce assessment is then updated twice a year, to ensure services have regular focused workforce data available. • Focused apprenticeship levy funding, specific succession planning and talent management initiatives are used to support high priority areas. This is supported by the introduction of a manager and director dashboard on Learning Lounge that will help the identification of training and skills gaps. • Recruitment and retention programme has delivered attendance at a programme of local and regional recruitment fairs, an end-to-end review of the recruitment process, improved recruitment advertising, an employee offer brochure, a review, and the planned implementation of additional employee benefits, a social work academy in Children's Services and the development of additional career pathways. The introduction of employee profile videos on social media and on Cheshire East Council's website to enhance the Council's profile have also been introduced. Further work will be undertaken to streamline the recruitment process to ensure improved efficiency and a better user experience. • Review of the provision of agency staff, including an audit of spending, to reduce reliance and transition to a more stable permanent workforce base with reduced costs has also been undertaken. The Council has implemented the provisions of the Government proposal on capping the pay rates for agency social 		

<p>workers and has also engaged with the proposals for capping agency pay rates for Children's Social Workers as part of the Greater Manchester Pledge.</p> <ul style="list-style-type: none"> • Analysis of exit interview and questionnaire data with the relevant Executive Director to support the retention of staff. • Wellbeing and engagement support, including delivery of EAP services, the introduction of 'In the Know' sessions for all staff, a revitalised recognition scheme, monthly organisation wide wellbeing updates for all staff, and the promotion of the government funded initiative Able Futures. • Senior manager support in the redesign and restructure of services to meet MTFs targets, including MARS to minimise the impact on the workforce. A workforce planning toolkit is now in place to support services in identifying skills gaps and identify actions to address any identified gaps. 	
Actions (Monitoring):	Target Date for Completion:
Recruitment to senior management structure	February 2026
Introduction of a range of additional employee benefits, enhancing the existing offer (Monthly review by HRMT/Ongoing briefing to CLT on progress and implementation).	On-going
Use Pulse Survey and Exit Interview data results to gauge employee satisfaction (Reviewed by HRMT and shared with DMTs).	On-going
Completion of a transformation skills audit (Reviewed by HRMT monthly)	On-going
<p>Comments this quarter: No change to the risk this quarter. Senior Management recruitment is almost complete. All Executive Directors are permanent as well as six director posts across the directorates. The Assistant Chief Executive, Director of Law and Governance and Director of Public Health are filled by interim colleagues. The permanent recruitment process for Assistance Chief Executive and Director of Public Health will commence in late 2025.</p> <p>Continued recruitment process improvement is underway through collaborative working on optimisation programme of Transactional Shared Service and Unit 4.</p> <p>Confirmed attendance on the LGA Recruitment Reset Programme for September 2025 and the LGA Retention Reset Programme in February 2026 to inform the further development and embedding of recruitment and retention as part of the overall People Strategy. The on-boarding of first cohort of the overseas children's social workers commenced employment in May 2025.</p>	
Timescale for managing risk to an acceptable level: N/A	

Risk Name: Achieving Climate Change Commitments		Risk Owner: Executive Director of Place
Risk Ref: SR14	Date updated: 5 th September 2025	Risk Manager: Head of Environmental Services
<p>Risk Description: Failure to achieve Carbon Neutral status for the Council by the 2030 milestone target due to requirement to seek viable and affordable solutions and other external market forces outside the Councils control. Carbon budgets and grant provisions are contained within the MTFS revenue and Capital programs subject to the scrutiny of the spend review and capital boards</p> <p>Likelihood: The Council will need to continue to decarbonise its buildings heat sources and seek grant match funding if available following the end of the public sector decarbonisation grant scheme. Significant carbon emissions arise from the Councils vehicle fleet and hence capital money set aside in the MTFS for fleet transition to EV will need to continue to be spent this and future years to achieve transition by 2030 as vehicles leased or bought now will be in use in 2030. The natural offset tree planting funded by trees for climate grants will need to be completed this year and next to offset emissions that cannot be reduced by 2030.</p> <p>Impact: Will result in non-delivery of a key commitment of our Cheshire East Plan, unlocking prosperity for all though the outcome of Carbon neutral council with minimum offset by 2030, influencing carbon reduction and green energy production across the borough by 2045 . It will also contribute to climate change temperature rise and severe weather events which could have an impact on public health and safety. It could also have financial implications with increased need for adaptation of key infrastructure for severe weather events across the borough.</p>		
Interdependencies (risks): Financial Sustainability, Capital Project Management and Delivery		Lead Service Committee: Environment and Communities
<p>Key Mitigating Controls:</p> <ul style="list-style-type: none"> Carbon Neutral Program established with Programme Board and E&C committee members Advisory Group reviewing progress and risks monthly Annual update on progress reported to relevant committee Climate change is a key consideration as part of our statutory planning duties as an authority and within the development of local planning policy An Action Plan refresh is required to align with the newly adopted 2030 Carbon Neutral Target 		
Actions (Monitoring):		Target Date for Completion:
An Action Plan refresh is required to align with the newly adopted 2030 Carbon Neutral Target (Stand up of internal resource will be actioned and reviewed on a monthly basis however a further request for external support may be required to achieve)		April 2026
Comments this quarter: The council reset its target form 2027 – 2030 with minimum of offset. The risk mitigations as the council pivots from an insetting approach to a zero carbon approach are appropriate and are being actively pursued. Both fleet and building decarbonisation are capital intensive programmes and to succeed will require timely Capital board and spend review approvals.		
Timescale for managing risk to an acceptable level: 1st April 2027 subject to approvals from spend review and capital board to progress key projects		

Risk Name: Capital Project Management and Delivery		Risk Owner: Executive Director of Place
Risk Ref: SR15	Date updated: 9 th September 2025	Risk Manager: Head of Infrastructure
<p>Risk Description: Failure to deliver major capital projects. (taking Middlewich Eastern Bypass as an example)</p> <p>Impact: The council delivers a broad range of capital projects in support of the aims and objectives of its Cheshire East Plan and to support the delivery of the Local Plan. The Middlewich Eastern Bypass (MEB) scheme is a strategic growth enabler for the Borough and vital to unlock economic growth in and around Middlewich as published in the current Local Plan Strategy. The delay to the DfT decision on the Middlewich Eastern Bypass FBC and to the Council's Capital Programme Review has brought uncertainty to overall programme delivery and overall outturn costs of the Scheme. Delays cause increased costs and affect affordability. Continued delay, or ultimately cancellation of the MEB would have significant financial and reputational implications for the Council and could also impact its ability to open up allocated employment land. The delivery uncertainty could lead to cancellation of a major economic regeneration enabling project that has gained significant support from key stakeholders and the local community. In addition, the cancellation or non-delivery of the scheme and would mean that the substantial costs (c£25m) expended to date by CEC would need to be charged to revenue budgets in the year following cancellation or a decision not to proceed. These revenue costs are not budgeted into the MTFs and would significantly worsen the Council's current financial situation.</p> <p>Likelihood: Medium to High- there have already been significant delays to the DfT decision and the Council's own capital programme review. The delay to date means that the construction of the scheme would not be able to commence in Spring 2025 and, subject to a positive decision from DfT, will now be pushed back to early 2026 due to the seasonality of some of the work. This will incur additional costs to the project and officers are looking at options for how this can be absorbed within existing Highways and Transport budgets, including de-scoping of the project where possible. The delay in a DfT decision will further heighten the risk of significant unbudgeted financial risk to CEC.</p> <p>Whilst this provides a detailed and specific account for the MEB project, many of the risks associated with project delays, capital programme review, treatment of expenditure to date are likely to be reflected, to varying degrees, across all capital schemes.</p>		
Interdependencies (risks): Financial Sustainability		Lead Service Committee: Economy and Growth, Environment and Communities, Highways and Transport

Key Mitigating Controls:

- Appropriate and proportionate governance has been established to oversee the MEB.
- Internal governance is in place to monitor the impacts of delay and increased costs at a project level. These processes have been independently assessed as appropriate for a project of this size.
- At a strategic level, internal decisions were taken to support the resubmission of the Full Business case to the department for Transport in September.
- The overall Capital Strategy and overall Capital Programme is presented annually as part of the Medium-Term Financial Strategy to show the MEB project alongside the rest of the capital programme.
- DfT has now approved the FBC and the contractor has already been commissioned to provide an updated cost estimate (due Nov 2025) ahead of critical Council decisions to amend the budget/MTFS in December and final H&T committee decisions in January 2026 to enter into construction contract.
- Financing options to address funding gap (due to delays) are being looked at and will be presented to Capital Programme Board in September to agree a preferred route for Full Council decisions.
- A capital programme review has been underway for some time of all schemes included in the MTFS underway to consider affordability. The outcome is awaited. Conclusion of this work could provide the necessary prudential borrowing headroom to ensure critical major schemes, such as MEB, can progress.

Actions (Monitoring):

Target Date for Completion:

Updating costs estimates and funding advanced works where possible to maintain the programme and current cost estimates so that construction can start asap after funding decision (MEB monthly project board)

November 2025

Plan for a delayed start on MEB by identifying funding from within existing budgets to cover additional inflation cost increases. Paper to be taken to Highways and Transport Committee to present a range of options (MEB monthly project board and escalated to DMT where necessary)

June 2025

Capital Programme Board decision to agree MTFS approach and MEB & A500 to be standing items on Capital Programme Board agenda (c. every 2 months via Capital Programme Board)

September 2025

Comments this quarter: Positive FBC and funding decision for MEB secured in July 2025. Indicative Estimate is c. £10m of cost increase due to inflation and contingency. Contractor commissioned to update cost estimates and more accurate figure will be known in November 2025.

MTFS currently does not include any budget beyond FBC costs. Full Council decision req. (Dec 2025) to accept DfT grant and adjust MTFS.

Financing options to address funding gap will be presented to Capital Programme Board for a decision on preferred approach on 15 September 2025.

DfT has also launched a review of 42 schemes at OBC or pre-OBC stage in the MRN/LLMF programme, this includes the A500 scheme. Proforma to be drafted by 12th September and risk assessment and options for the scheme to be presented to Capital Programme Board on 15 September 2025.

Timescale for managing risk to an acceptable level: Major capital projects by their nature are high risk. The controls are designed to proactively manage risks and mitigate their impact if a risk is realised. It is not realistic to expect the risk to be managed any lower.

Risk Name: Failure to Deliver Cabinet Model of Decision Making		Risk Owner: Director of Law and Governance (Monitoring Officer)
Risk Ref: SR16	Date updated: Q2 2025/26	Risk Manager: Head of Democratic Services
Risk Description: <p>Failure to transition from a Committee system to a Leader and Cabinet model by May 2026 could disrupt governance, delay critical decisions, increase costs, attract external scrutiny, and damage stakeholder confidence.</p> <p>Causes:</p> <ul style="list-style-type: none"> Insufficient planning or resourcing for the transition Lack of consensus or political support for the change Delays in updating constitutional and governance frameworks Limited organisational capacity to manage change alongside other priorities Missed planning or scheduling milestones Inadequacy of member and officer training and development Insufficient input from senior officers <p>Consequences:</p> <ul style="list-style-type: none"> Organisational ignorance of the new arrangements with consequential obstacles to securing decisions Delays to critical decisions impacting transformation objectives and increasing costs Escalation of project costs due to scope changes or delays Reputational damage and loss of stakeholder confidence inefficiencies in decision-making and delivery Unnecessary delays in implementation of decisions due to unnecessary use of “call-in” powers Potential intervention or increased scrutiny from central government or regulators Missed opportunities for improved strategic alignment and responsiveness 		<p>The risk matrix shows a risk level of 'Gross' (red) based on the likelihood and impact of the failure to deliver the Cabinet model of decision making.</p>
Interdependencies (risks): Organisational Change		Lead Service Committee: Corporate Policy Committee
Key Mitigating Controls: <ul style="list-style-type: none"> Design principles set out in the report to 17 September 2025 Council were approved, setting clear and stated objectives for the Leader and Cabinet model of governance. Key documentation and procedural tasks to be prepared have been shared with Council on 17 September 2025 report. Member task and finish group has been established, with powers to make recommendations to the Council's Corporate Policy Committee as required to deliver the change of governance. Dedicated resource in place to manage the delivery of the governance changes. This includes sufficient expertise and resource capacity to deliver the required changes to the Council's governance arrangements within the timescales set out in the Council report 17 September 2025. 		
Actions (Monitoring):		Target Date for Completion:
Robust member and officer training and development programme and awareness sessions		Ongoing through to May 2026
Option and budget available for external legal or other advice/intervention		Ongoing through to May 2026

Dedicated legal resource from Head of Legal Service	April 2026
Comments this quarter: Following Council’s approval to move to the Leader and Cabinet model of governance on 17 September 2025, the Member Task and Finish group has been established and met. A report on the recommendations of the task and finish group will be made to the Corporate Policy Committee on 27 November 2025	
Timescale for managing risk to an acceptable level: May 2026	

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OPEN

Corporate Policy Committee

27 November 2025

Regulation of Investigatory Powers Act 2000 (RIPA) Policy and Procedure and Online Investigations Policy

**Report of: Kevin O’Keefe, Interim Director of Law & Governance
(Monitoring Officer)**

Report Reference No: CPC/45/25-26

Ward(s) Affected: All Wards

For Decision

Purpose of Report

- 1 The Corporate Policy Committee’s remit includes the receipt of reports regarding corporate policies and staffing related matters.
- 2 The purpose of this report is to seek endorsement from Committee for the updated RIPA Policy and Procedure and Online Investigations Policy as recommended by the Audit and Governance Committee on 29 September 2025.

Executive Summary

- 3 The Council makes limited but lawful use of its covert surveillance powers under RIPA and access to communications data under the Investigatory Powers Act 2016 (IPA) to support its enforcement functions. The Council must have appropriate policies and procedures in place that provide guidance for investigating officers who are considering surveillance or investigative techniques which may require a RIPA authorisation.
- 4 In line with the bi-annual review, the RIPA Policy and Procedure and Online Investigations Policy have both been reviewed and updated. Details are in paragraph 8, but key changes include:
 - (a) Guidance on the use of drones.

- (b) Clarification of the roles of Senior Responsible Officer and the RIPA Co-ordinator.
- (c) Management oversight of the use of social media during investigations.
- (d) Minor grammatical and wording adjustments throughout.

RECOMMENDATIONS

The Corporate Policy Committee is recommended to:

1. Endorse the updated RIPA Policy and Procedure and Online Investigations Policy.

Background

- 5 The Council can use directed surveillance and obtain communications data to support its enforcement functions, e.g. trading standards, planning enforcement, licensing enforcement, environmental protection and community enforcement. RIPA and IPA provide a regulatory framework to enable public authorities to obtain private information using certain covert investigatory techniques. However, use by local authorities is limited to enforcement activity subject to the 'serious offence' test, attracting a custodial sentence of six months or more, except in the case of test purchases for the sale of underage goods. It is essential that covert surveillance is only used when it is necessary and proportionate to do so and when all other avenues of investigation have been explored. Applications must be properly authorised and recorded with tests of necessity and proportionality satisfied, and any potential for collateral intrusion considered and minimised.
- 6 Once authorised, all applications need the approval of a Justice of the Peace/Magistrate, as required by the Protection of Freedoms Act 2012. The Director of Law and Governance (Monitoring Officer) assumes the role of Senior Responsible Officer for RIPA and is responsible for the integrity of the process to ensure that the Council complies with the legislation.
- 7 The RIPA Policy and Procedure provides guidance to investigating officers considering covert surveillance under RIPA and access to communications data under the IPA. The Online Investigations Policy provides guidance to officers regarding the use of information available online, particularly on social network and social media platforms, to

ensure the activity does not cross the boundary of surveillance when an authorised RIPA application may be required.

- 8 As part of the regular review of the policies, changes have been made to improve both documents. Most of the amendments are minor grammatical changes to wording. The only substantial amendments are the inclusion of guidance on the use of drones at paragraph 5.3 of the RIPA Policy and Procedure, and the clarification of the roles of Senior Responsible Officer at paragraph 5.11 and the role of RIPA Co-ordinator at paragraph 5.12. The addition of management oversight of the use of social media has been included in the Online Investigations Policy at paragraph 6.4.
- 9 The updated RIPA Policy and Procedure is at Appendix 1, and the updated Online Investigations Policy is at Appendix 2.
- 10 Once approved, the updated policies will be published on CEntranet and will be brought to officers' attention via relevant communications. Training is being arranged for Authorising Officers and Investigating Officers where the changes to the policies will be highlighted. It is also intended to hold manager share and support sessions to raise awareness of the policies.

Consultation and Engagement

- 11 It has not been necessary to consult on the contents of this report.

Reasons for Recommendations

- 12 In accordance with paragraph 4.47 of the [Covert Surveillance and Property Interference Code of Practice 2024](#), elected members are required to ensure RIPA powers are being used consistently with the local authority's policy and that it remains fit for purpose.
- 13 The Audit and Governance Committee noted the amendments to the RIPA Policy and Procedure and Online Investigations Policy, and recommended endorsement of the updated policies by Corporate Policy Committee in line with its responsibilities for corporate policies and staffing related matters.

Other Options Considered

- 14 This report is for endorsement of updated policies and procedures, and no other options are considered necessary.

Implications and Comments

Monitoring Officer/Legal/Governance

- 15 The Council's use of its powers under Part II of RIPA in respect of directed surveillance is subject to annual reporting by the Monitoring Officer to provide assurance to Audit and Governance Committee. Inspection by the Investigatory Powers Commissioners Office is carried out every three years to ensure the lawful use of the Council's powers and that effective policies and procedures are in place.

Section 151 Officer/Finance

- 16 There are no financial implications arising directly from this report.

Human Resources

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

Risk Management

- 18 The Director of Law and Governance (Monitoring Officer) provides assurance that the Council has arrangements in place to ensure lawful use of RIPA powers and manages the risks of non-compliance. The Director of Law and Governance (Monitoring Officer), in their role as Senior Responsible Officer for RIPA, has regular oversight of RIPA applications and signs off the central register of authorisations on a quarterly basis.

Impact on other Committees

- 19 The recommendation to endorse the updated policy documents has been made by Audit and Governance Committee who received a report on the use of RIPA and updated policies on 29 September 2025. No other Committees are impacted by this report.

Policy

- 20 A recent RIPA inspection did not make any suggestions for amendment to the RIPA Policy & Procedure or the Online Investigations Policy; however, the regular review identified areas for improvement. This supports Commitment 3 in the Corporate Plan – an effective and enabling council.

Equality, Diversity and Inclusion

- 21 There are no equality, diversity and inclusion implications arising directly from this report.

Other Implications

- 22 There are no other implications arising from this report.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Ashley Hughes	S151 Officer	21/10/25	11/11/25
Kevin O'Keefe	Interim Monitoring Officer	21/10/25	22/10/25
<i>Legal and Finance</i>			
Julie Gregory	Acting Head of Legal Services	10/10/25	14/10/25
Chris Benham	Director of Finance	10/10/25	15/10/25
<i>Other Consultees:</i>			
Josie Griffiths	Head of Audit Risk and Assurance	21/10/25	23/10/25

Access to Information

Contact Officer:	<p>Julie Gibbs Information Rights Manager (DPO)</p> <p>Rick Hughes Trading Standards and Community Protection Manager</p> <p>julie.gibbs@cheshireeast.gov.uk rick.hughes@cheshireeast.gov.uk</p>
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Appendices:	Appendix 1 – Updated RIPA Policy and Procedure Appendix 2 – Updated Online Investigations Policy
Background Papers:	Regulation of Investigatory Powers Act 2000 Investigatory Powers Act 2016 Covert Surveillance and Property Interference Code of Practice 2024 Audit and Governance Committee, 29/09/2025



SURVEILLANCE UNDER THE REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) AND THE INVESTIGATORY POWERS ACT 2016 (IPA)

POLICY AND PROCEDURES

JUNE 2025

Version Control			
To be reviewed every two years			
Date	Version No	Reason for Change	By whom
September 2010	V1	Review following inspection by OSC in May 2010	Compliance & Customer Relations Officer
October 2012	V2	Regular review	Compliance & Customer Relations Officer
December 2014	V3	Review following inspection by OSC in May 2013 – inclusion of use of SNS	Senior Compliance & Customer Relations Officer
December 2015	V4	Regular review	Senior Compliance & Customer Relations Officer
May 2017	V5	Review following inspection by OSC in May 2016 – further detail on use of SNS and internet	Senior Compliance & Customer Relations Officer
February 2020	V6	Review following inspection and recommendations by IPCO October 2019	Senior Compliance & Customer Relations Officer
March 2023	V7	Review following inspection by IPCO November 2022	Information Rights Manager (DPO) Trading Standards & Community Protection Manager
June 2025	V8	Regular review, grammatical changes, addition of use of drones and clarification of roles	Information Rights Manager (DPO) Trading Standards & Community Protection Manager

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1.0 INTRODUCTION

The Regulation of Investigatory Powers Act 2000 (RIPA) and the Investigatory Powers Act 2016 (IPA) provide a regulatory framework which enables public authorities to obtain information using certain covert investigatory techniques. RIPA includes frameworks around the use of directed surveillance and the use of covert human intelligence sources (CHIS).

The Investigatory Powers Act 2016 (IPA) provides the framework in which communications data can be accessed and obtained.

This policy draws on the guidance contained in the [Covert Surveillance and Property Interference Code of Practice \(updated February 2024\)](#) (CSPI Code) and summarises how Cheshire East Council can use these frameworks and how applications can be lawfully made. It also provides directions regarding the storage, use and retention of information and data obtained from the use of such actions.

The Protection of Freedoms Act 2012 requires that applications to use directed surveillance and covert human intelligence sources (CHIS) must have prior judicial approval and that the use of these techniques is limited to the investigation of offences which attract a minimal custodial sentence of 6 months.

The Investigatory Powers Act (2016) (IPA) outlines how enforcement agencies can access and obtain communications data, as well as specifying the types of data which can be obtained. Dependent on the type of data being requested, such a request is limited to the investigation of offences which attract a minimal custodial sentence of 6 months (entity data) or 12 months (event data).

The Investigatory Powers Commissioners Office (IPCO) has responsibility for oversight of all investigatory powers since the implementation of IPA 2016.

2.0 BACKGROUND

An individual has rights, freedoms and expectations which are guaranteed by the European Convention on Human Rights and the Human Rights Act 1998. Using the powers under RIPA and IPA can conflict with and cause the suspension of an individual's human rights. Therefore, when investigating wrongdoing, it is important that certain conditions are met in each case so that evidence is obtained lawfully, to support any enforcement action as deemed necessary in line with the [Council's Enforcement Policy](#).

By following the authorisation procedures set out by RIPA and IPA, officers of the Council are ensuring that they can demonstrate that the surveillance is

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necessary for a purpose permitted by the Human Rights Act 1998 and that it is a proportionate measure to take. Compliance with RIPA and IPA will significantly reduce the likelihood of any surveillance carried out by the Council being unlawful, and therefore subject to legal challenge.

Cheshire East Council will occasionally need to use covert surveillance/CHIS/access communications data to carry out its enforcement functions effectively. Examples of such enforcement activities are planning enforcement, licensing enforcement, trading standards, environmental health and community protection investigations. Powers under RIPA/IPA can be used where it is demonstrated that viable alternatives to obtaining evidence to mount a prosecution have been considered but are not appropriate and that any collateral intrusion has been considered.

3.0 USE OF COVERT SURVEILLANCE IN LOCAL AUTHORITIES

Local authorities are not authorised to carry out any form of intrusive surveillance. Intrusive surveillance is defined in Section 26 (3) of RIPA as:

- covert surveillance, which is carried out in relation to anything taking place on any residential premises or in any private vehicle, and involves the presence of an individual on the premises or in the vehicle, or is
- carried out by means of a surveillance device (e.g. a listening or tracking device in a person's home or in his/her private vehicle).

Local authorities are restricted to use of the three techniques mentioned above, i.e.

- using 'directed' surveillance
- deploying a Covert Human Intelligence Source (CHIS)
- acquiring communications data.

The Council is required to obtain the authorisation of a trained Director listed in Schedule 1 of this policy before using directed surveillance. The use of a CHIS can only be authorised by the Chief Executive. Before acquiring communications data, the Council is required to have a 'made aware' officer within the application process. This is usually at Service Manager level (the 'made aware' officer does not have to be independent) as well as the Information Rights Team.

When using directed surveillance or deploying a CHIS, approval must also be granted by a JP/Magistrate. The independent authorisation for local authorities when accessing communications data is provided by the Office for Communications Data Authorisations (ODCA), which has delegated powers from the Judiciary Commissioner.

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3.1 Directed Surveillance

Directed surveillance is essentially covert surveillance in places open to the public. It is defined as:

- covert
- likely to obtain private information
- carried out in a publicly accessible place (including the internet)
- pre-planned against a specific individual or group
- conducted otherwise than as an immediate response to events
- carried out in a manner that is calculated to ensure that the person(s) who is/are subject to surveillance are unaware that it is or may be taking place

It includes surveillance by person or device to:

- observe someone's movements
- eavesdrop on conversations
- photograph or film people or events
- track vehicles

The Protection of Freedoms Act 2012 introduced a crime threshold, whereby local authorities are only able to use this power when investigating offences which attract a custodial sentence of six months or more, or offences relating to the sale of alcohol or tobacco products to minors.

3.2 Covert Human Intelligence Source (CHIS)

A covert human intelligence source can be either an undercover officer or a member of the public acting as an informant. The CHIS is someone who:

- establishes and maintains a relationship for a covert purpose
- covertly uses the relationship to obtain information or to provide access to information from another person
- covertly discloses the information derived from the relationship to the Council

Where the CHIS is under 18, special risk assessments need to be carried out for each case.

Before authorisation, a trained handler (day to day responsibility for dealing with the source) and controller (general oversight of the use made of the source) must be identified.

3.3 Obtaining Communications Data

The Council is limited to accessing only entity and event data (see 7.2) i.e. the 'who', 'when' and 'where' of a communication – not the actual content.

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Local Authorities must liaise with the National Anti Fraud Network (NAFN) to acquire Communications Data, as supported by the Investigatory Powers Commissioner's Office (IPCO).

- 3.4** The relevant regimes under which to make an application are as follows:
- a) Directed surveillance – RIPA
 - b) Use of a Covert Human Intelligence Source (CHIS) - RIPA
 - c) Obtaining communications data - IPA
- 3.5** If it is anticipated that there is a likelihood of obtaining confidential information as part of a covert action, e.g. legally privileged or medical information, then this must be disclosed during the application process and only authorised by the Chief Executive or, in his or her absence, an Executive Director.

4.0 APPLYING THE RIPA/IPA PRINCIPLES AND CONCEPTS

4.1 The tests of necessity and proportionality

Use of covert techniques should only be authorised if the Authorising Officer/ODCA is satisfied that the action is both **NECESSARY** and **PROPORTIONATE**. The Human Rights Act 1998 defines a measure or action as proportionate if it:

- impairs as little as possible the rights and freedoms of the individual concerned and of innocent third parties, and
- is carefully designed to meet the objectives in question, is not arbitrary, unfair or based on irrational considerations.

4.2 Collateral intrusion

The Authorising Officer/OCDA must also consider the risk of intrusion into the privacy of persons other than those who are directly the subject of the investigation or operation. This is termed “collateral intrusion”. Officers carrying out the covert action should inform the Authorising Officer/ODCA if the investigation or operation unexpectedly interferes with the privacy of individuals who are not covered by the authorisation. Consideration should be given to whether the authorisation should be amended and re-authorised or whether a new authorisation is required.

5.0 PROCEDURES FOR IMPLEMENTING COVERT ACTIVITY

5.1 General

All covert activity must be properly authorised and recorded, the tests of necessity and proportionality must be satisfied and the potential for collateral intrusion must be considered and minimised. The table below outlines the requirements for each activity:

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Covert technique	Legislation and regime	Crime threshold	Approval
Directed surveillance	RIPA 2000	6 MONTHS (with exemptions)	Authorising Officer (Local Authority) and then Judicial
Covert Human Intelligence Source	RIPA 2000	6 MONTHS	Authorising Officer (Local Authority) and then Judicial
Obtaining Communications Data	IPA 2016	6 MONTHS – ENTITY DATA 12 MONTHS – EVENTS DATA (extra definition includes 'if it involves violence, results in substantial financial gain or by a large number of persons in pursuit of a common purpose')	'Made Aware' (Local Authority) Office for Communications Data Authorisations (ODCA) - NO more Designated Officer (Local Authority) and then Judicial

Any officer intending to undertake covert surveillance or use a covert human intelligence source must only do so if other means of obtaining information have been considered but are not viable.

Embarking upon covert surveillance or using a covert human intelligence source without authorisation or conducting covert surveillance outside the scope of the authorisation, will mean not only that the “protective umbrella” of RIPA is unavailable, but it may result in disciplinary action being taken against the officer/officers involved. It may also result in the criminal investigation being compromised, as the evidence will be considered to have been obtained unlawfully. Unlawful acquisition (wilful or reckless) of communications data is a criminal offence.

Directed surveillance may only be carried out on residential premises if a member of the public has requested help or made a complaint to the Council, and if written permission to conduct the surveillance has been obtained from the resident from whose premises the surveillance will be carried out.

All relevant Council contracts issued to contractors/subcontractors must include a term that this policy and associated procedures are to be observed when operating on behalf of the Council.

5.2 Closed Circuit Television (CCTV)

CCTV systems are not normally within the scope of RIPA due to being overt. However, if they are used for a specific operation or investigation, or if automatic facial recognition by means of CCTV is used, RIPA authorisation for the use of directed surveillance by CCTV must be initially obtained by the investigating officer depending on who is leading the investigation.

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Any covert activity utilising the CCTV system must comply with the Procedure Manual for the Operation of Cheshire East Council CCTV System.

5.3 Use of Drones or Unmanned Aerial Vehicles (UAVs)

The use of drones has the potential to capture private information. Collateral intrusion is also highly likely when using a drone. Therefore, careful consideration should be given as to whether a RIPA authorisation is required to operate a drone. A drone can be a very useful tool to use in an investigation, for example fly tipping, building development, highways etc. However, if there is the potential to gather personal information of the subject of the investigation and/or the landowner and/or any individual on the land, all those individuals will need to be expressly notified of the use of the drone, or a RIPA authorisation will be needed. Data protection or legal advice should also be sought if the drone is likely to be flown over a residential area or highly populated area, where the potential for collateral intrusion is high.

5.4 Social Networking Sites (SNS) and other Internet sites

The fact that a digital investigation is easy to conduct does not reduce the need for authorisation when necessary and consideration must be given to whether authorisation under RIPA should be obtained.

Different social network sites (SNS) work in different ways and could be considered “open source” if privacy settings are not applied. It is the responsibility of the individual account holder to apply privacy settings to protect against unsolicited access to their private information. There is a reasonable expectation of privacy if access controls are applied. Unprotected data may be deemed published and no longer under the control of the author.

Many officers would never envisage carrying out directed surveillance under RIPA; but they may use SNS for several other reasons, such as HR monitoring the activity of employees; or Children’s Services monitoring the SNS of parents; or chat rooms where they suspect children may be engaged in inappropriate activities. A single view is acceptable (best practice to document the viewing) - but repeat viewing may be considered monitoring and is therefore directed surveillance, which may meet the criteria for authorisation as directed surveillance, or even a CHIS. Staff should make a record of any use of SNS or the internet which may assist in their enquiries and document the reasons for the search and the outcome. Officers should always consider other ways of obtaining the information required and document why those options have been discounted in favour of SNS.

If it is necessary and proportionate for the Council to covertly breach access controls, an authorisation for directed surveillance will be required. Consideration may need to be given to authorisation of a CHIS if the Council wishes to establish a relationship with an individual through a SNS or website, i.e. if the activity is more than mere reading of the site’s content.

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An officer of the Council must not set up a false identity for covert purposes without authorisation.

An [Online Investigations Policy](#) has been developed to provide guidance to Cheshire East Council staff. Further guidance on this can be obtained from the Information Rights Team or the internal RIPA trainer, the Trading Standards and Community Protection Manager.

5.5 Officers able to make authorisations

Applications under RIPA and the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 No 521 can only be authorised by one of the trained Directors named in Schedule 1.

Under the IPA 2016 approval for access to and obtaining of communications data is granted only by the Office for Communications Data Authorisations (OCDA).

The Director of Law and Governance (Monitoring Officer) is not an Authorising Officer. This post assumes the role of RIPA Senior Responsible Officer to ensure that the Council complies with the requirements of RIPA and IPA legislation.

Authorising Officers should not authorise applications for investigations or operations in which they have had or are likely to have any direct involvement. When such authorisation is required, this should be sought from an alternative Authorising Officer, as appropriate.

5.6 The role of the Investigating Officer

It is the responsibility of the Investigating Officer to present the facts of the application, i.e.

- the crime to be investigated and the offence/sentence it attracts
- the reasons why it is proposed to conduct the investigation covertly
- what covert tactics are requested and why
- on whom the covert surveillance will be focused and who else may be affected by it
- how it is intended to conduct the surveillance
- the 'who, what, when, why and how'
- to state the grounds upon which the application can be authorised
 - a) in the interests of national security
 - b) for the purpose of preventing or detecting crime or of preventing disorder
 - c) in the interests of the economic well-being of the UK
 - d) in the interests of public safety
 - e) for the purpose of protecting public health
 - f) for the purpose of assessing or collecting any tax, duty, levy or other imposition
 - g) contribution or charge payable to a government department; or

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- h) for any other purpose prescribed by an order made by the Secretary of State

5.7 The role of the Authorising Officer (CHIS and directed surveillance)

It is the role of the Authorising Officer to:

- demonstrate to their satisfaction that use of covert surveillance is necessary for the crime being investigated by setting out in their own words why they are satisfied this is so
- demonstrate how they have reached the conclusion that the activity is proportionate to what it seeks to achieve and the reasons why the methods are not disproportionate
- ensure the application states explicitly what is being authorised and against which subjects, property or location. It is their responsibility to ensure those who conduct the surveillance are clear on what has been authorised.

Guidance covering circumstances in which it would be appropriate to authorise the use or conduct of a CHIS can be found in the [CHIS Code of Practice \(2022\)](#).

5.8 The role of JPs/Magistrate (CHIS and directed surveillance)

The Protection of Freedoms Act 2012 amended the 2000 Act to make CHIS and directed surveillance authorisations by local authorities in England and Wales subject to judicial approval. These changes mean that local authorities need to obtain an order approving the grant or renewal of a CHIS/directed surveillance authorisation from a Justice of the Peace before it can take effect. If the Justice of the Peace is satisfied that the statutory tests have been met and that the use of the technique is necessary and proportionate, they will issue an order approving the grant or renewal for the use of the CHIS/directed surveillance as described in the application. The amendment means that local authorities are no longer able to orally authorise the use of CHIS/directed surveillance.

5.9 The role of the Office for Communications Data Authorisations (OCDA)

The OCDA considers requests for communications data from law enforcement and public authorities. OCDA carries out the important function of safeguarding an individual's right to privacy under the Human Rights Act 1998. It makes independent decisions on whether to grant or refuse communications data requests, ensuring that all requests are lawful, necessary and proportionate.

5.10 Outcomes

The order which the Justice of the Peace/OCDA will complete, reflecting their decision, will identify one of the three following potential outcomes:

- Approval granted.

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- Approval refused - the Council may not use the covert technique but may re-apply if significant new information comes to light or if technical errors in the initial application have been addressed.
- Refuse and Quash – the Council may not use the covert technique. This decision might be used where the JP/OCDA is of the opinion the application is fundamentally flawed.

5.11 The role of the Senior Responsible Officer (SRO)

The Director of Law and Governance (Monitoring Officer) is appointed as RIPA SRO and is responsible for the integrity of the process as follows:

- ensuring compliance with all relevant legislation and with the Codes of Practice
- oversight of authorisations and conducting a quarterly review of applications, authorisations, refusals, reviews, renewals and cancellations
- reporting of errors to IPCO and the identification of causes or errors and implementation of processes to minimise repetition of errors
- engagement with IPCO and inspectors who support the Commissioner when they conduct their inspections
- overseeing the implementation of any post-inspection action plans
- ensuring authorising officers are of an appropriate standard, addressing any recommendations and concerns in the inspection reports prepared by IPCO.

5.12 The role of RIPA Co-ordinator

The role of RIPA Co-ordinator is assumed by the Information Rights Manager (DPO) and is responsible for maintaining policies and procedures, arranging training and keeping a central record of all applications. The RIPA Co-ordinator is also responsible for arranging applications for approval of authorisations by a JP/Magistrate.

5.13 The role of Elected Members

It is a legal requirement for Elected Members to undertake a formal scrutiny role in relation to RIPA/IPA and review the Council's use of it on an annual basis. However, they should not be involved in making decisions on specific authorisations.

The Senior Responsible Officer will ensure that an Annual Report regarding the Council's use of RIPA/IPA is submitted to the Council's Audit & Governance Committee.

6.0 PROCEDURES FOR GAINING APPROVAL (CHIS and Directed Surveillance)

6.1 General

At a departmental level, the application for authorisation must be in writing (electronically typed) and on the appropriate form, which must be completed

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in full. Officers should ensure that they use the current form available directly from the Home Office website.

Before applications are authorised, they must be forwarded to the Information Rights Team to be checked and recorded in the Central Record of Authorisations. A unique reference number will be allocated at this stage. Officers requesting authorisation for directed surveillance and CHIS should complete a risk assessment, which should be submitted with the authorisation request.

Applicants should make arrangements to meet with the relevant Authorising Officer to brief them on the investigation and leave the application with them to authorise in their own words. The application should then be returned to the Information Rights Team for quality checking before arrangements are made to seek Magistrate's approval.

Once granted by the JP/Magistrate, the documents are returned to the Information Rights Team to retain and update the Central Record.

6.2 Document Retention

All relevant documentation, including a copy of the authorisation, a record of the period over which surveillance has taken place, any risk assessment, notebooks, surveillance logs and other ancillary documentation should be retained at departmental level for a period of six years from the date of cancellation of the surveillance, at which point they should be securely destroyed. A regular review of documentation will be carried out at the time of the annual report to Audit & Governance Committee to ensure timely destruction of relevant documentation.

6.3 Duration of Authorisations

Authorisation of directed surveillance will cease to have effect (unless renewed) either on specific cancellation (within the period of three months) or at the end of a period of three months (directed surveillance) or twelve months ("CHIS"), beginning with the day on which the authorisation was granted by the Justice of Peace/Magistrate.

Authorisation of communications data will cease to have effect when the requested authorised data is provided by the service provider.

6.4 Reviews

Regular monthly reviews of authorisations should be undertaken by the Authorising Officer to assess the need for surveillance to continue. All reviews should be completed using the appropriate form. It is important to note that reviews cannot broaden the scope of the original authorisation but can reduce it for minor changes.

6.5 Renewals

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If, at any time before an authorisation would cease to have effect, the Authorising Officer considers it necessary for the authorisation to continue for the purpose for which it was given, they may renew it in writing. All applications for the Renewal of an Authorisation for Directed Surveillance should be on the appropriate form, which must be completed in full.

6.6 Cancellations and handling of surveillance material

It is a statutory requirement that authorisations are cancelled as soon as they are no longer required. The Authorising Officer (or Investigating Officer in the first place) who granted (or last renewed) the authorisation must cancel it, if they are satisfied that the activity no longer meets the criteria for which it was authorised, or that it has fulfilled its objective.

If the Authorising Officer is no longer available, this duty will fall to the person who has taken over the role of the Authorising Officer. On cancellation of an authorisation, the Authorising Officer must be satisfied that the product of any surveillance is properly retained and stored or destroyed. If the surveillance product is of no evidential or intelligence value, it should be destroyed without delay, in accordance with Data Protection requirements. If the surveillance product is of potential evidential or intelligence value, it should be retained on the relevant case file, in accordance with established disclosure requirements, commensurate with any subsequent review.

When cancelling an authorisation, the Authorising Officer should:

- record date and times that surveillance took place and date the order to cease activity was made
- record reason for cancellation
- ensure surveillance equipment is removed and returned
- provide direction for management of product
- record value of surveillance, i.e. whether objectives of activity were met

6.7 Cessation of activity

As soon as the decision is taken that the authorised activity should be discontinued, the instruction must be given to those involved to stop all surveillance of the subject, or to cease using the covert human intelligence source. Documentation detailing the date and time when any cancellation instruction was given by the Authorising Officer should be retained for a period of six years, at which point it should be securely destroyed.

6.8 Central Record of Authorisations

The Information Rights Team is responsible for ensuring that a Central Record of Authorisations is maintained. This must be updated whenever an authorisation is granted, reviewed, renewed or cancelled. These records should be securely retained for a period of six years from the ending of the authorisation, at which point they must be securely destroyed. The Monitoring Officer, as SRO, should review and sign this Record on a quarterly basis.

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With regard to directed surveillance, the Central Record of Authorisations will contain a copy of the authorisation, together with the following information:

- the type of authorisation
- the date the authorisation was given
- the name of the Authorising Officer
- the departmental reference number of the investigation or operation
- the title of the investigation or operation, including a brief description and names of subjects, if known
- date of approval from Magistrates Court, name of Magistrate and outcome
- in the case of a self authorisation by the Authorising Officer, a statement in writing that he/she expressly authorised the action (only in exceptional circumstances)
- if the authorisation is renewed, the date of renewal and who authorised it, including the name and grade of the Authorising Officer
- whether the investigation or operation is likely to result in obtaining confidential information
- the date of cancellation of the authorisation
- where collateral intrusion may be an issue, a copy of the Privacy Impact Assessment

With regard to a CHIS, the Central Record of Authorisations must contain the following additional information:

- a copy of the authorisation, together with any supplementary documentation and notification of the approval given by the Authorising Officer
- a copy of any renewal of an authorisation, together with the supporting documentation submitted when the renewal was requested
- the reason why the person renewing an authorisation considered it necessary to do so
- the risk assessment made in relation to the source ("CHIS")
- a record of the results of any reviews of the authorisation
- the reasons, if any, for not renewing an authorisation
- the reasons for cancelling an authorisation - cancellations are to be completed on the appropriate form
- the date and time when any instruction was given by the Authorising Officer to cease using a "CHIS"
- where collateral intrusion may be an issue, a copy of the Privacy Impact Assessment

With regard to applications for Communications Data, a separate Central Record of Authorisations will be maintained which will contain:

- a copy of the authorisation together with the following information:
- applicant's name and job title

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- the operation name, including a brief description of the nature of the operation and names of subject(s) if known

6.9 Additional requirements for authorisation of covert human intelligence sources only

6.9.1 Covert human intelligence sources may only be authorised if the following additional arrangements are in place:

- An employee of the Council has day to day responsibility for dealing with the source and, for the source's security and welfare, there is a Senior Officer who has general oversight of the use made of the source.
- An officer who is responsible for maintaining a record of the use made of the source; these records will contain any matters specified by the Secretary of State – The Regulation of Investigatory Powers (Source Records) Regulations 2000 (SI 2000/2725) set out these matters.
- Records disclosing the identity of the source and the information provided by them will not be made available to others except on a need to know basis.

6.9.2 Vulnerable individuals (i.e. a person who is in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care or protect themselves against significant harm or exploitation) may be authorised to act as a CHIS only in the most exceptional circumstances.

6.9.3 Authorisations for juvenile sources (under 18) should only be granted if the provisions contained in The Regulation of Investigatory Powers (Juveniles) Order 2000 (SI 2000/2793) are satisfied. Any authorisation should be granted by the Chief Executive or (in their absence) an Executive Director. The duration of an authorisation for the use or conduct of juvenile sources is four months.

6.9.4 If a juvenile source (under 18) is to be used, the Authorising Officer is responsible for obtaining the written consent of the parent or guardian or the person caring for the juvenile, unless to do so would compromise the juvenile's welfare or safety. The Authorising Officer is also responsible for ensuring that an appropriate adult is present at any meeting. An appropriate adult is a parent or guardian, a person who has assumed responsibility for the wellbeing of the CHIS or, in their absence, a person who is responsible for the wellbeing of the CHIS and who is over 18, who is neither a member of, nor employed by, the Council.

6.9.5 On no occasion should the use or conduct of a source under 16 years of age be authorised to give information against their parent or any person who has parental responsibility for them. The processing of information obtained as a result of surveillance should be restricted to specified employees. Only relevant senior managers should have access to the information collected to

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enable appropriate action to be taken. They must respect the confidentiality of all information and only disclose the information to other appropriate senior managers where further action is required.

- 6.9.6 When a CHIS is used, a “Handler” (who can be an Officer of the Council), and who must have received appropriate training, should be designated as having the day to day responsibility for dealing with the CHIS. This responsibility should also extend to the security, safety and welfare of the CHIS. In addition, a “Controller” should be designated to have the general oversight of the use made of the CHIS. These requirements also apply in cases in which the CHIS is an officer of the Council. The officer requesting authorisation for the use of a CHIS must also complete a risk assessment and submit it to the Authorising Officer, together with the authorisation request.

6.10 Test purchases of sales to juveniles

When a young person (under 16 or under 18) carries out test purchases at a series of premises for age restricted products, it may be necessary to obtain an authorisation for ‘directed’ surveillance dependent on the product and relevant legislation; it is not necessary to prepare authorisations for each premises to be visited, providing each is identified at the outset but, in all cases, it is necessary to prepare a risk assessment in relation to the young person and to have an adult on hand to observe the test purchase.

- 6.11 The [CHIS Code of Practice 2022](#) (paras 2.20 to 2.27) provides details of human source activity falling outside CHIS definition. For example, a source may be a public volunteer or someone who discloses information out of professional or statutory duty, or who has been tasked to obtain information other than by way of a covert relationship. Details of these circumstances is provided below.

Public volunteers

In many cases involving human sources, the source will not have established or maintained a relationship for a covert purpose. Many sources provide information that they have observed or acquired other than through a relationship. This means that the source is not a CHIS for the purposes of RIPA and no authorisation is required.

Example 1: *A member of the public volunteers a piece of information to a member of a public authority regarding something they have witnessed in their neighbourhood. The member of the public is not a CHIS. They are not passing information obtained as a result of a relationship which has been established or maintained for a covert purpose.*

Example 2: *A caller to a confidential hotline (such as Crimestoppers, the HMRC Fraud Hotline, the Anti-Terrorist Hotline, or the Security Service public telephone number) reveals that they know of criminal or terrorist activity. Even if the caller is involved in the activities on which they are reporting, the caller*

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would not be considered a CHIS as the information is not being disclosed on the basis of a relationship which was established or maintained for that covert purpose. However, should the caller be asked to maintain their relationship with those involved and to continue to supply information (or it is otherwise envisaged that they will do so), an authorisation for the use or conduct of a CHIS may be appropriate.

Professional or statutory duty

Certain individuals will be required to provide information to public authorities or designated bodies out of professional or statutory duty. For example, employees within organisations regulated by the money laundering provisions of the Proceeds of Crime Act 2002 are required to report suspicious transactions. Similarly, financial officials, accountants or company administrators may have a duty to provide information that they have obtained by virtue of their position to the Serious Fraud Office.

Any such professional or statutory disclosures should not usually result in these individuals meeting the definition of a CHIS, as the business or professional relationships from which the information derives will not have been established or maintained for the covert purpose of obtaining or disclosing such information.

Tasking not involving relationships

Tasking a person to obtain information covertly may result in a CHIS authorisation being appropriate. However, this will not be true in all circumstances. For example, where the tasking given to a person does not require that person to establish or maintain a relationship for the purpose of obtaining, providing access to or disclosing the information sought or where the information is already within the personal knowledge of the individual, that person will not be a CHIS.

Example: *A member of the public is asked by a member of a public authority to maintain a record of all vehicles arriving and leaving a specific location or to record the details of visitors to a neighbouring house. A relationship has not been established or maintained in order to gather the information and a CHIS authorisation is therefore not available. Other authorisations under the 2000 Act, for example, a directed surveillance authorisation, may need to be considered where the activity is likely to result in the public authority obtaining information relating to a person's private or family life.*

Identifying when a human source becomes a CHIS

Individuals or members of organisations (e.g. travel agents, housing associations and taxi companies) who, because of their work or role have access to personal information, may voluntarily provide information to public authorities on a repeated basis and need to be managed appropriately. Public authorities must keep such human sources under constant review to ensure that they are managed with an appropriate level of sensitivity and

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confidentiality, and to establish whether, at any given stage, they should be authorised as a CHIS.

Determining the status of an individual or organisation is a matter of judgement by the public authority. Public authorities should avoid inducing individuals to engage in the conduct of a CHIS, either expressly or implicitly, without obtaining a CHIS authorisation or considering whether it would be appropriate to do so.

Example: *Mr Y volunteers information to a member of a public authority about a work colleague out of civic duty. Mr Y is not a CHIS at this stage as he has not established or maintained (or been asked to establish or maintain) a relationship with his colleague for the covert purpose of obtaining and disclosing information. However, Mr Y is subsequently contacted by the public authority and is asked if he would ascertain certain specific information about his colleague. At this point, it is likely that Mr Y's relationship with his colleague is being maintained and used for the covert purpose of providing that information. A CHIS authorisation would therefore be appropriate.*

It is possible that a person may become engaged in the conduct of a CHIS without a public authority inducing, asking or assisting the person to engage in that conduct. However, a CHIS authorisation should be considered, for example, where a public authority is aware that an individual is independently maintaining a relationship (i.e. "self-tasking") in order to obtain evidence of criminal activity, and the public authority intends to make use of that material for its own investigative purposes.

7.0 AUTHORISATION FOR ACCESS TO COMMUNICATIONS DATA

- 7.1 Local authorities are only able to access the who, what, where and when of communications data – not the content. The legislation requires that a Home Office accredited person, a Single Point of Contact (SPOC), facilitates the acquisition of the communications data requested. It is necessary for all local authorities to use the services of the National Anti-Fraud Network (NAFN) as SPOC to obtain communications data. This is compulsory and is supported by the Investigatory Powers Commissioner's Office (IPCO).
- 7.2 The Office for Communications Data Authorisations (OCDA) was established to perform functions set out in the Investigatory Powers Act (IPA) 2016. The IPA builds on, and supersedes parts of, the Regulation of Investigatory Powers Act (RIPA) 2000.

The IPA has introduced a 'made aware' officer/rank within Local Authorities at service manager level. For Cheshire East Council, this is the Trading Standards & Community Protection Manager and the Information Rights Manager (DPO).

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There are also offences for officers who obtain data unlawfully. The types of data which can be applied for now include entity and events data.

ENTITY DATA	EVENTS DATA
Subscriber detail Who is using device This data is about entities or links between them and describes or identifies the entity.	Calls or communications between devices (but not the content), known previously as traffic and service use. Numbers, texts Location data (known as cell site data)

8.0 APPLICATION PROCESS FOR ACCESS TO COMMUNICATIONS DATA

- Applicant completes online form on NAFN secure site (must be a registered user with NAFN).
- The application is sent electronically and the 'made aware' officer is notified. This is not an approval stage, just a review and confirmation the Local Authority is aware. The 'made aware' officer does not have to be independent.
- Once made aware, the application goes through to the NAFN SPOC with the possible outcomes being:
 - a) Rework requested
 - b) Reject - whole new application required
 - c) Authorise
- If authorised, the application is sent electronically to OCDA for review. It follows the same process as above. If it is rejected, seven days are allowed for it to be re-submitted.
- If it is approved, it is returned to the NAFN SPOC.
- The NAFN SPOC obtains data and information from service provider e.g. EE, O2, Vodafone.

8.1 When making an application, the following should be considered:

- Each application must stand alone.
- Acronyms and abbreviations must be avoided.
- The crime/purpose, legislation, offence and penalties must be clearly stated.
- Dates must be specific (e.g. intelligence).
- The objective of the application and how the data will be used must be clearly stated.
- Standard terms, e.g. suspect, witness, victim must be used.
- It is imperative to be specific about how attribution has been attempted, e.g. has the applicant called the number?

8.2 What Communications Data can Local Authorities request?

Telephony

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- Attribution – subscriber details (name and address of subscriber).
- If 'pay as you go' – top up history, customer notes.
- Call data.
- Location data – start location and end location of a call. Triangulation from mobile cell sites that can be mapped via longitude and latitude. Also, with a cell mast location number it is possible to map its coverage via the provider.
- Mobile data event record – shows when data has been used (e.g. logging onto an app) but not the content.
- IMEI/SIM/IMSI – SIM linked to device, shows device capability and numbers linked including network usage.

Internet

- IP addresses – internet protocol address (IPV4 and IPV6) address for a device connecting to the internet – both static and dynamic. Static is usually home internet or often business - dynamic may be shared.
- Social Media and Apps – basic subscriber details, log on history – not the content.
- Email – registration details, log on history, email headers
- Websites – registrant details, preservation of pages, linked services
- Gaming platforms – account details classed as communications data.
- Skype and similar (e.g. Google Talk) – user name and IP address

Others

- Postal/Couriers are covered if there is more than one collection. The Council can obtain sorting, conveyance, distribution and delivery details.

9.0 INSPECTIONS

The oversight for all investigatory powers is now consolidated under one commissioner – the Investigatory Powers Commissioners Office (ICPO). ICPO will carry out direct inspections with the Council for the use of directed surveillance and CHIS. In respect of communications data, the inspection will be made of NAFN, with a potential to request further information from the Council.

10.0 TRAINING

Regular training sessions for Authorising Officers, 'Made Aware' and Investigating Officers will be arranged internally. No officer who has not attended a training session will be permitted to instigate or authorise any application for the use of RIPA/IPA powers.

11.0 NON-RIPA

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- 11.1 Investigations relating to legislation breaches which do not meet the six month custodial sentence crime threshold to consider a fully authorised RIPA can be considered under an internal 'Non-RIPA' application. This is seen as best practice by the Investigatory Powers Commissioners Office.

This procedure could be used, for example, for anti-social behaviour, statutory noise nuisance or family court proceedings.

A non-RIPA application form covers the same areas and considerations as a full RIPA to ensure necessity and proportionality, as well as privacy risks. Non-RIPA applications can be signed by the relevant Service Manager or Head of Service. This process should only be used in circumstances where all other means of obtaining the information have been considered and exhausted but are not viable.

The activity must meet the same requirements as a full RIPA, i.e. it is

- In an open public place (or part of)
- Covert – carried out in a manner that is calculated to ensure that the person(s) who is/are the subject to surveillance are unaware that it is or may be taking place
- Likely to obtain private information about a person
- Pre-planned
- Conducted otherwise than as an **immediate response** to events where it would not be practical to seek authorisation

11.2 Procedure for undertaking non-RIPA

Investigating officers must carry out a risk assessment using the CEC non-RIPA Risk Assessment Form, to demonstrate they have considered the individual's human rights and document the likelihood of obtaining private information.

A CEC non-RIPA application must be completed with clear details about the offence being investigated, the purpose of the surveillance and the desired information to be obtained. The form should also detail the necessity and proportionality of the operation as well as the potential for any collateral intrusion. The form must be signed by the investigating officer and authorised by the relevant Service Manager or Head of Service. A copy of the signed application and accompanying risk assessment should be sent to the Information Rights Team for retaining with the Central Record of Authorisations.

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Schedule 1

Regulation of Investigatory Powers Act 2000

Authorising Officers

I, Rob Polkinghorne, Chief Executive of Cheshire East Council, hereby appoint the following officers as authorising officers for the purposes of the Regulation of Investigatory Powers Act 2000, and Regulation of Investigative Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010:

Place Directorate

Peter Skates, Director of Growth & Enterprise

Resources Directorate

Adult's Directorate

Jill Broomhall, Director of Adult Social Care Operations

Children's Directorate

Additional Authorising Officers in the process of being trained.

Signed: **Rob Polkinghorne, Chief Executive**

Dated:

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Online Investigations Policy

**(Use of online material for
enquiries/investigations)**

July 2025

Version Control			
To be reviewed every two years			
<u>Date</u>	Version No	Reason for Change	By whom
September 2019	V1	New policy following inspection by OSC in May 2016	Trading Standards & Community Protection Manager Acting Audit Manager
March 2023	V2	Review to align with guidance contained in the Covert Surveillance and Property Interference Code of Practice (2018) following inspection by IPCO in November 2022	Information Rights Manager (DPO) Trading Standards & Community Protection Manager
July 2025	V3	Regular review – inclusion of management oversight at 6.4 and minor grammatical and wording amendments	Information Rights Manager (DPO) Trading Standards & Community Protection Manager

1 Introduction

- 1.1 The increase in the use of the internet by residents and businesses in Cheshire East is evident. The advent of social media sites has also created the ability for individuals, businesses and organisations to easily communicate between each other, serving as a useful tool to keep in touch and interact on what can be a real time basis.
- 1.2 People or groups can instantaneously share information, coordinate events and provide updates that are of interest to their friends, family, or customer base.
- 1.3 Social media sites can also serve as a platform for individuals or groups to express their opinions and social, political and religious beliefs to give just a few common examples.
- 1.4 It is also possible to share photographs or videos with others and indeed where privacy settings allow, to share the posts of other people not necessarily connected with the original person.
- 1.5 A wealth of data is available via the internet to members of the public as well as officers of the Council. Online research and investigation have therefore become an extremely useful tool for officers and investigators to prevent, detect and investigate:
 - suspected criminal activity
 - harm to residents and businesses and ensuring safeguarding measures are in place
 - internal investigations (non-criminal investigations)
- 1.6 It also presents challenges as the use of such methods can still interfere with a person's right to respect for their private and family life which is enshrined in Article 8 of the Human Rights Act and the European Convention on Human Rights. The same basic principles, statutory provisions and codes of practice apply to investigative action, and material gathered online, as offline.
- 1.7 Public Authorities must ensure that any interference with this right is:
 - necessary for a specific and legitimate objective – such as preventing or detecting crime
 - proportionate to the objective in question, and
 - in accordance with the law.
- 1.8 Whenever you are using the internet to gather intelligence or evidence you must consider whether you are likely to interfere with a person's private and

family life and, if so, whether you should seek authorisation under the Regulation of Investigatory Powers Act (RIPA) prior to undertaking such activity.

- 1.9 It is also essential to consider the effect of any collateral intrusion on the private and family life of other people not directly connected with the subject of the research or investigation.
- 1.10 As such, it is vital that judgement is exercised on a case by case basis prior to commencing any online research or investigations.
- 1.11 This policy therefore sets out a clear framework for the use of online material, social media and other similar sites during enquiries or investigations.
- 1.12 A separate social media policy and guidance is available for employees and elected members in relation to personal and corporate social media accounts.

2 Legal Framework

- 2.1 Online research and investigation techniques may be affected by any or all of the following legislation:

- Human Rights Act 1998 (HRA)
- European Convention on Human Rights (ECHR)
- Regulation of Investigatory Powers Act 2000 (RIPA)
- Investigatory Powers Act 2016 (IPA)
- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018 (DPA)
- Protection of Freedoms Act 2012

Human Rights Act / European Convention on Human Rights

- 2.2 The right most likely to be engaged by staff undertaking online research and investigation is Article 8 which states:

8.1 Everyone has the right to respect for his private and family life, his home and his correspondence.

8.2 There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others.

- 2.3 Ensuring that RIPA authorisations are sought, where necessary, and that the

material obtained is retained and processed in accordance with the provisions of the Data Protection Act should provide the lawful authority required by Article 8.2 for any perceived interference with Article 8.1.

Regulation of Investigatory Powers Act 2000 (RIPA)

- 2.4 Under 26(2) of RIPA, surveillance is “directed” if it is covert but is not intrusive and is undertaken:
- for the purposes of a specific investigation or a specific operation
 - is likely to result in the obtaining of private information about a person
 - is otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under RIPA to be sought for the carrying out of the surveillance.
- 2.5 Whether or not there is a likelihood of obtaining private information will be a determining factor when considering if an authorisation as directed surveillance will be appropriate.
- 2.6 Private information is information relating to a person’s private or family life. It can include any aspect of a person’s relationships with others, including professional or business relationships.
- 2.7 A person may have a reduced expectation of privacy when in a public place but covert surveillance of their activities in public may still result in the obtaining of private information.
- 2.8 This principle applies equally to the online world, including social media sites, where access controls set by the owner of the information may be a determining factor in considering whether information posted on the internet is publicly available or whether, by applying the access controls, the owner has removed the information from a wholly public space to a more private space where the information could be considered as private.
- 2.9 Unrestricted open source information is unlikely to fall within the definition of private information.

Protection of Freedoms Act 2012

- 2.10 With effect from 1st November 2012 formal applications to use covert techniques must have prior judicial approval. In addition, restrictions limiting the use of formal approved surveillance to the investigation which attract a custodial sentence of 6 months or more have been introduced for applications for all surveillance techniques.

UK General Data Protection Regulation (UK GDPR) & Data Protection Act 2018 (DPA)

- 2.11 The UK GDPR guiding principles are that personal data must be processed fairly, lawfully and transparently; must not be processed in a manner that is not compatible with the purpose for which it was obtained; must be relevant and adequate but not excessive; be accurate and kept up to date; must not be kept longer than is required; and be processed with integrity and confidentiality.
- 2.12 Much of the information obtained by online research and investigations will meet the definition of personal data. Case law has established that the processing of personal data is capable of interfering with a person's Article 8 right to respect for their private and family life, irrespective of whether the information was obtained under a RIPA authorisation or not.
- 2.13 Where processing is conducted by an officer with a statutory function with a law enforcement purpose, they shall do so within the provisions of Part 3 of the DPA 2018 (Law Enforcement Processing)

3 Open Source Information

- 3.1 Most of the information available on the internet is available to any person with internet access. Such information is widely known as open source information.
- 3.2 Viewing open source information does not amount to obtaining private information because that information is publicly available. This is therefore unlikely to require authorisation under RIPA whether it is done on a one off basis or by repeated viewing.
- 3.3 Recording, storing and using open source information in order to build up a profile of a person or group of people must be both necessary and proportionate and, to ensure that any resultant interference with a person's Article 8 right to respect for their private and family life is lawful, it must be retained and processed in accordance with the principles of the UK GDPR.
- 3.4 In relation to open source material, the following definitions are provided to assist those involved in online research and investigation:
- Open source research – the collection, evaluation and analysis of materials from sources available to the public, whether on payment or otherwise, to use as intelligence or evidence in investigations.
 - Open source information – publicly available information, i.e. any member of the public could lawfully obtain the information by request or

observation.

- Unrestricted sites which can be located via search engines such as Google. No membership, user profile, registration, login process required to view the data, e.g. Wikipedia.
- The unrestricted, open, public facing sections of partitioned sites which make certain material available to all, but which have other sections or functionality which are only accessible to those who have registered as members and hold a valid login, e.g. social media and social networking sites (SNS's) like Facebook or Twitter; and online trading sites ('OTS's) such as eBay.

3.5 Whilst it is unlikely that the viewing of such information on a repeated basis will amount to surveillance, each site should be assessed on a case by case basis.

3.6 It may not, for example, be proportionate to view a Facebook or Twitter profile of a particular individual on numerous repeated occasions within a short space of time. Persistent study of an individual's online presence could be considered covert surveillance, and a RIPA authorisation may need to be considered. Viewings must only be undertaken once with any further proposed viewing considered as targeted surveillance and an authorisation under RIPA may be required.

3.7 This 'first dip' allows the officer to establish basic facts and ascertain whether the information contained within the page is 'open source' or whether security settings have been applied. Officers must be aware that, depending on the nature of the online source, there may be a reduced expectation of privacy where information about an individual is made openly available in the public domain, but in some circumstances privacy implications still apply. This is because the intention when making it available was not for it to be used for covert investigative activity. This is regardless of whether a user has activated privacy settings. See Annex One for further details from the Covert Surveillance and Property Interference Code of Practice (2024) relevant to online covert activity.

3.8 Whenever a social media page is accessed, this should be recorded in a log and the page mirrored. Where mirroring is not possible, screen shots should be taken and retained as evidence and the continuity and storage of such evidence must be recorded.

3.9 Investigative techniques must be within the rules:

- Provenance must be clear and demonstrable
- Continuity must be intact
- Is there any reason a Court may conclude that techniques used, or

material gathered, jeopardises the defendant's right to a fair trial.

4 Restricted Access Information

- 4.1 Access to some of the information on the internet is restricted by the owner, for example a common form of restriction is in social networks where a profile owner may use the privacy settings to restrict the access to online "friends".
- 4.2 Privacy settings are covered fully in Section 5 below.
- 4.3 Viewing restricted access information covertly will generally constitute covert surveillance and, as the information is not publicly available, it is likely that private information will be obtained.
- 4.4 Under these circumstances an appropriate authorisation under RIPA should be sought prior to undertaking any such surveillance.
- 4.5 It should be noted that the use of a false persona in an attempt to bypass privacy controls and gain access to restricted information, i.e. by sending a false "friend" request, is expressly forbidden unless this has been approved via a RIPA CHIS application.
- 4.6 Whenever investigations are undertaken it must be remembered that any online research or investigation leaves a trace or "footprint" which can be tracked back to the council.
- 4.7 Recording, storing and using restricted access information must be dealt with in accordance with the principles outlined above in section 3.3.

5 Privacy Settings

- 5.1 Most social media sites will have a variety of privacy settings that users can apply to restrict information and protect their accounts from others accessing such information.
- 5.2 Using Facebook as an example, depending on what privacy setting a user chooses, different people can access the account and see some or all of the content.

Public Setting

- 5.3 All Facebook users can see the account and all of its content, including the user's "friends", their timeline and photographs. Non-Facebook users can see photographs and posts published on the account, but not who has "liked" a post or the marital status and geographic location of the user.

"Friends" Setting

- 5.4 Only those who the user has accepted as Facebook "friends" are able to see

the entire content of the user's page.

Custom Setting

- 5.5 The user can create lists of specific contacts and Facebook users and designate them as the audience for, or block them from view of, any posts.
- 5.6 Of the three options outlined above the only resource normally available to investigators is the public profile, although as indicated in Section 6 below there may be limited occasions where the "friend" profile may become available.

6 Utilisation of Social Media Information

Surveillance using an officer's private account

- 6.1 If an officer views a user's profile with whom they are not "friends" and where the content is not protected by any privacy settings, then information on this profile can be treated as being in the public domain. Visiting/viewing this profile will accordingly be overt and no authorisation under RIPA will be required.
- 6.2 If the officer frequently or regularly visits/views the same individual's profile this must be considered as targeted surveillance and an authorisation under RIPA will be required. If the user posts publicly, they may have a reduced expectation of privacy depending on the nature of the online platform. Officers must still consider the privacy implications for using such content as outlined in section 3.7 above.
- 6.3 Officers may not, under any circumstances, send a "friend" request or attempt to contact the user unless that user is already a "friend" and they have a relationship in a personal capacity. Befriending for the purpose of official investigations will require a RIPA authorisation for CHIS.
- 6.4 It is the responsibility of each service manager to monitor the use of social media by officers for any investigation or enforcement purpose as part of the service's internal case review or monitoring process.

7 Conclusion

- 7.1 The use of social media as an investigation tool is constantly evolving and it is not therefore intended that this policy will cover all eventualities.
- 7.2 Whilst it is unlikely that any formal RIPA authorisation will be necessary this aspect must be considered by Investigators in accordance with the RIPA Policy and great care must be taken to ensure that there is no interference with a person's right to respect for their private and family life.

- 7.3 Best practice is to apply the tests of RIPA (proportionality, necessity, reducing collateral intrusion and demonstrating that you have still considered their Human Rights when applying the circumstances) even if formal authorisation is not required, and record the outcome and decision in accordance with the 'Non RIPA' procedure as detailed within the RIPA Policy.
- 7.4 Where there is any doubt regarding the use of this policy, advice should be sought from the Information Rights Team.

Annex One

The following is an extract from the Covert Surveillance and Property Interference Code of Practice (2024) relevant to online covert activity. The full code of practice should be read in relation to any consideration of surveillance activity. It is available on the Home Office website at - [Covert surveillance and property interference code of practice \(accessible\) - GOV.UK](#)

Online covert activity

- 3.10 The growth of the internet, and the extent of the information that is now available online, presents new opportunities for public authorities to view or gather information which may assist them in preventing or detecting crime or carrying out other statutory functions, as well as in understanding and engaging with the public they serve. It is important that public authorities are able to make full and lawful use of this information for their statutory purposes. Much of it can be accessed without the need for RIPA authorisation; use of the internet prior to an investigation should not normally engage privacy considerations. But if the study of an individual's online presence becomes persistent, or where material obtained from any check is to be extracted and recorded and may engage privacy considerations, RIPA authorisations may need to be considered. The following guidance is intended to assist public authorities in identifying when such authorisations may be appropriate.
- 3.11 The internet may be used for intelligence gathering and/or as a surveillance tool. Where online monitoring or investigation is conducted covertly for the purpose of a specific investigation or operation and is likely to result in the obtaining of private information about a person or group, an authorisation for directed surveillance should be considered, as set out elsewhere in this code. Where a person acting on behalf of a public authority is intending to engage with others online without disclosing his or her identity, a CHIS authorisation may be needed (paragraphs 4.10 to 4.16 of the Covert Human Intelligence Sources code of practice provide detail on where a CHIS authorisation may be available for online activity).
- 3.12 In deciding whether online surveillance should be regarded as covert, consideration should be given to the likelihood of the subject(s) knowing that the surveillance is or may be taking place. Use of the internet itself may be considered as adopting a surveillance technique calculated to ensure that the subject is unaware of it, even if no further steps are taken to conceal the activity. Conversely, where a public authority has taken reasonable steps to inform the public or particular individuals that the surveillance is or may be taking place, the activity may be regarded as overt and a directed surveillance authorisation will not normally be available.
- 3.13 As set out in paragraph 3.14 below, depending on the nature of the online platform, there may be a reduced expectation of privacy where information relating to a person or group of people is made openly available within the public domain, however in some circumstances privacy implications still apply. This is because the intention when making such information available was not for it to be used for a covert purpose such as investigative activity. This is regardless of whether a user of a website or social media platform has sought to protect such information by restricting its access by activating privacy settings.
- 3.14 Where information about an individual is placed on a publicly accessible database, for example the telephone directory or Companies House, which is commonly used and known to be accessible to all, they are unlikely to have any reasonable expectation of privacy over the monitoring by public authorities of that information. Individuals who post information on social media networks and other websites whose purpose is to communicate messages to a wide audience are also less likely to hold a reasonable

expectation of privacy in relation to that information.

- 3.15 Whether a public authority interferes with a person's private life includes a consideration of the nature of the public authority's activity in relation to that information. Simple reconnaissance of such sites (i.e. preliminary examination with a view to establishing whether the site or its contents are of interest) is unlikely to interfere with a person's reasonably held expectation of privacy and therefore is not likely to require a directed surveillance authorisation. But where a public authority is systematically collecting and recording information about a particular person or group, a directed surveillance authorisation should be considered. These considerations apply regardless of when the information was shared online. See also paragraph 3.6 of the Code.

Example 1: *A police officer undertakes a simple internet search on a name, address or telephone number to find out whether a subject of interest has an online presence. This is unlikely to need an authorisation. However, if having found an individual's social media profile or identity, it is decided to monitor it or extract information from it for retention in a record because it is relevant to an investigation or operation, authorisation should then be considered.*

Example 2: *A customs officer makes an initial examination of an individual's online profile to establish whether they are of relevance to an investigation. This is unlikely to need an authorisation. However, if during that visit it is intended to extract and record information to establish a profile including information such as identity, pattern of life, habits, intentions or associations, it may be advisable to have in place an authorisation even for that single visit. (As set out in the following paragraph, the purpose of the visit may be relevant as to whether an authorisation should be sought.)*

Example 3: *A public authority undertakes general monitoring of the internet in circumstances where it is not part of a specific, ongoing investigation or 20 operation to identify themes, trends, possible indicators of criminality or other factors that may influence operational strategies or deployments. This activity does not require RIPA authorisation. However, when this activity leads to the discovery of previously unknown subjects of interest, once it is decided to monitor those individuals as part of an ongoing operation or investigation, authorisation should be considered.*

- 3.16 In order to determine whether a directed surveillance authorisation should be sought for accessing information on a website as part of a covert investigation or operation, it is necessary to look at the intended purpose and scope of the online activity it is proposed to undertake. Factors that should be considered in establishing whether a directed surveillance authorisation is required include:

- Whether the investigation or research is directed towards an individual or organisation.
- Whether it is likely to result in obtaining private information about a person or group of people (taking account of the guidance at paragraph 3.6 of the Code);
- Whether it is likely to involve visiting internet sites to build up an intelligence picture or profile.
- Whether the information obtained will be recorded and retained.
- Whether the information is likely to provide an observer with a pattern of lifestyle.
- Whether the information is being combined with other sources of information or intelligence, which amounts to information relating to a person's private life.

- Whether the investigation or research is part of an ongoing piece of work involving repeated viewing of the subject(s).
- Whether it is likely to involve identifying and recording information about third parties, such as friends and family members of the subject of interest, or information posted by third parties, that may include private information and therefore constitute collateral intrusion into the privacy of these third parties.

3.17 Internet searches carried out by a third party on behalf of a public authority, or with the use of a search tool, may still require a directed surveillance authorisation (see paragraph 4.32 of the Code).

Example: *Researchers within a public authority using automated monitoring tools to search for common terminology used online for illegal purposes will not normally require a directed surveillance authorisation. Similarly, general analysis of data by public authorities either directly or through a third party for predictive purposes (e.g. identifying crime hotspots or analysing trends) is not usually directed surveillance. In such cases, the focus on individuals or groups is likely to be sufficiently cursory that it would not meet the definition of surveillance. But officers should be aware of the possibility that the broad thematic research may evolve, and that authorisation may be appropriate at the point where it begins to focus on specific individuals or groups. If specific names or other identifiers of an individual or group are applied to the search or analysis, an authorisation should be considered.*

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Corporate Policy Committee

27 November 2025

The Future Model for ICT: Retained Shared Service and Gemini Phase 2

Report of: Ashley Hughes – Executive Director Resources

Report Reference No: CPC/47/25-26

Ward(s) Affected: All

For Decision

Purpose of Report

- 1 This report provides an update on the progress of Phases 1 and 2 of the ICT Shared Services Programme (Gemini) and sets out recommendations for accelerating the separation of the retained shared hosting, security operations, and network services (the Retained Shared Service).
- 2 The aim is to move away from the shared service model by March 2026, enabling both councils to operate independent ICT services.

Executive Summary

- 3 Gemini Phase 1 successfully transitioned most ICT functions to separate operating models for Cheshire East and Cheshire West and Chester Councils, delivering significant financial and technical benefits.
- 4 Phase 2 focuses on decommissioning the shared data centre (Kelly House), migrating to cloud-hosted infrastructure, improving security, and implementing separate networks.
- 5 The report recommends completing Gemini Phase 2 by March 2026, ahead of the original schedule of March 2027, to maximize efficiencies and financial savings, with the ultimate separation of the Retained Shared Service by the end of March 2026. This will be subject to consultation, and the programme coming to a controlled end by July 2026.

RECOMMENDATIONS

The Corporate Policy Committee is recommended to:

1. Approve a move away from the Retained Shared Service model by March 2026 via the delivery of Gemini Phase 2.
2. Approve the ultimate disaggregation of the Retained Shared Service for ICT, subject to consultation with Trade Unions and staff.

Background

- 6 Cheshire West and Chester and Cheshire East Councils previously operated a shared ICT service.
- 7 In February 2023, both councils agreed to separate most ICT functions, retaining only hosting, security, and networks as shared services.
- 8 The Gemini Programme was launched to manage this transition, with Phase 1 focusing on technical migration and staff transition, and Phase 2 addressing the future of shared infrastructure and services.

9 **Gemini Programme Overview**

10 **Phase 1 (May 2023 – Oct 2025)**

- 11 Purpose: Transform shared ICT service between Cheshire East and Cheshire West & Chester Councils into a hybrid model.

12 **Key Achievements:**

- (a) Simplified ICT architecture and defined future technical frameworks.
- (b) Built and migrated Cheshire West to a new Microsoft 365 tenant (3,000+ users); Cheshire East retained its existing tenant with modern design principles to reduce cost.
- (c) Workforce transition plan agreed with HR and unions; completion due Oct 2025.
- (d) Strong governance, planning, and cost control led to over-delivery of benefits.

13 **Phase 2 (Aug 2024 – Accelerated to Mar 2026)**

- 14 Objective: Modernise ICT infrastructure and separate retained shared services.

15 **Key Initiatives:**

- (a) Migrated virtual machines to private cloud (AVS); Kelly House datacentre decommissioning underway.
- (b) Enhanced security posture via **Security Operations Centre** and **Zero Trust** projects (completion by Oct 2025).
- (c) Implementing **SD-WAN** to replace MPLS; new Virgin Media contract awarded, avoiding 40% cost increase.
- (d) Enables separation of hosting, network, and security teams into respective council ICT services.
- (e) Accelerated timeline: Programme could conclude by July 2026, with full separation by March 2026.

Consultation and Engagement

- 16 The Gemini Programme has involved consultation with Trade Unions, staff, and partners throughout both phases.
- 17 Positive feedback was received from Trade Unions regarding the HR approach in Phase 1.
- 18 The MPLS Wide Area Network contract includes service provision for partners such as Cheshire Police, Fire and Rescue Services. The new technology services will support strategic engagement with partners.

Reasons for Recommendations

- 19 Advances in technology and council objectives make the shared data centre and network model obsolete.
- 20 Cloud migration and new network contracts provide more efficient, flexible, and cost-effective ICT services.
- 21 Financial benefits: Cost avoidance of previous years overspends of approximately £1.47m for Cheshire East by end of 2025/26.

Other Options Considered

- 22 When evaluating the future of the Retained Shared Service for ICT, two main options were considered:
 - 1. Complete Gemini Phase 2 in 2027.
 - Maintains business continuity with minimal immediate change.
 - Prolongs reliance on legacy technology and contractors, increasing costs and delaying efficiencies.

- Extends uncertainty for staff and risks contract misalignment.
2. Complete Gemini Phase 2 in 2026 (Recommended).
- Accelerates cost savings and transition to modern technologies.
 - Aligns staff with council services and enables earlier operational benefits.
 - Requires careful management of change and staff support due to the faster timeline.

Summary Table

Option	Impact	Risk
Complete Gemini Phase 2 in 2027	Ensures business continuity with minimal change.	Extends legacy technology delivery, increases reliance on contractors and costs.
Complete Gemini Phase 2 in 2026 (Recommended)	Reduces costs, aligns staff with council services, completes migration to modern technologies.	Delivers additional change at pace following Phase 1.

3. Rationale for Recommendation:

Completing Gemini Phase 2 in 2026 is recommended because it offers accelerated financial and operational benefits, supports modern technology goals, and helps the council deliver efficient, flexible ICT services. Any risks from the faster timeline can be managed with strong planning and staff support.

Implications and Comments

Monitoring Officer/Legal/Governance

- 23 Legal Services will prepare contractual and legal documentation for disaggregation.
- 24 The process will comply with the Shared Services Administrative Agreement and TUPE regulations as necessary.

Section 151 Officer/Finance

- 25 Kelly House running costs: approximately £475k/year, split between councils.

- 26 Significant joint contract savings would be achievable once ICT vacate the site, contracts are ended, and the site is either mothballed or sublet. Holding costs are expected to reduce to no more than £200k once vacated and could be reduced below this level should it be possible to dispose of the Council's interests before the current lease expires in 2033.
- 27 These savings will offset costs of new SD WAN and Security Operations contracts.
- 28 Phase 2 separation will be managed within current budgetary resource.

Human Resources

- 29 Staff transition will follow the HR approach from Phase 1, with consultation and support provided.
- 30 Liabilities relating to workforce disaggregation will be shared between councils.

Risk Management

- 31 Risks include contractor exit, contract alignment, joint financial liability and staff uncertainty.
- 32 Mitigation: Continuous review, detailed contract and financial management, and HR support.

Impact on other Committees

- 33 The recommendations may impact committees overseeing ICT, finance, and strategic partnerships.

Policy

- 34 Supports Borough Plan missions and priorities, enabling modern, flexible service delivery and collaboration with partners.

Unlocking prosperity for all	Improving health and wellbeing	An effective and enabling council
By modernising ICT infrastructure and moving to cloud-hosted services, the council can deliver more efficient and cost-effective services, freeing up resources to invest in community priorities and supporting economic	Enhanced digital services and secure, resilient infrastructure enable better access to council services for all residents, including vulnerable groups, supporting improved health and wellbeing outcomes.	Accelerating Gemini Phase 2 delivers financial savings, operational efficiencies, and modern technology, enabling the council to be more responsive, flexible, and collaborative in delivering

growth across the borough.		services and working with partners.
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Equality, Diversity and Inclusion

- 35 Cloud migration enables equal access to services for all residents.
- 36 New contracts include social value clauses to improve access in deprived areas.

Other Implications

- 37 Climate change: Cloud data centres are more energy efficient, reducing the council's climate impact.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Ashley Hughes	S151 Officer	07/11/25	10/11/25
Kevin O'Keefe	Interim Monitoring Officer	07/11/25	10/11/25
<i>Legal and Finance</i>			
Adrian Leslie	Principal Lawyer	28/10/25	07/11/25
Alison Pease	Principal Accountant (Lead Business Partner)	28/10/25	30/10/25
David Worrall	HR Business Partner (Children's,	28/10/25	07/11/25

	Adult, Place and Corporate)		
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Access to Information	
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Contact Officer:	Gareth Pawlett Director of Digital Services Email: Gareth.pawlett@cheshireeast.gov.uk
Appendices:	None.
Background Papers:	Programme Gemini Update Agenda Supplement for Shared Services Joint Committee, 27/06/2025

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Corporate Policy Committee

27 November 2025

Corporate Complaints Policy

Report of: Karen Grave, Director of People and Customer Experience

Report Reference No: CPC/56/25-26

Ward(s) Affected: All

For Decision

Purpose of Report

- 1 To update the Council's Corporate Complaints Policy. The previous Corporate Complaints Policy dates from 2018. The revised policy has been created in line with the Local Government and Social Care Ombudsman's (LGSCO) Complaint Handling Code which comes into effect in April 2026. The LGSCO have introduced this code to promote best practice and standardised processes and timescales across local authorities when dealing with complaints.
- 2 The revised Corporate Complaints Policy still reflects the 2-Stage process; however, our intention remains to resolve complaints at Stage 1 where possible. The notable changes to the policy include extended timeframes for acknowledging complaints from 3 working days to 5 working days. The complaint investigation Service Level Agreement (SLA) will now commence from the date of acknowledgment as opposed to the date the complaint is received as currently. This will give the Customer Feedback Team more time to acknowledge the complaint and ensure that Council services are able to utilise the full 10 working day SLA to investigate and respond to the complaint providing better investigations and responses for our complainants. This reflects the LGSCO's Complaint Handling Code.

Executive Summary

- 3 The Council has a two-stage complaints procedure. Most complaints are resolved at Stage 1 where a complaint is investigated and responded to by a manager from the service being complained about. A written response should be issued unless the matter has been resolved and the customer has been contacted directly by the service via telephone or email.
- 4 If the customer remains unhappy following the Stage 1 response and outcome, they can request that the complaint is considered at Stage 2. At this stage a review of the complaint is carried out by a manager who has not previously been involved with the complaint. The exception is for complaints which are classed as policy complaints which only have a one stage response.
- 5 It should be noted that Adults and Childrens Statutory Social Care Complaints are not dealt with under the Council's Corporate Complaints Policy but under their respective Statutory Complaints Representation procedures. Adults Statutory Social Care Complaints have a one stage response only whereas the Children's Statutory Complaints procedure consists of a 3 Stage complaints procedure.
- 6 All complainants who remain dissatisfied after completing the Council's complaints procedure are referred to the Local Government and Social are Ombudsman.

RECOMMENDATIONS

The Corporate policy Committee is recommended to:

1. Approve the new Corporate Complaints Policy
2. Note the LGSCO's Complaint Handling Code
3. Agree that we standardise our acknowledgement and response times for Formal Correspondence in line with complaints and the LGSCO's code.

Background

- 7 The Council has a Corporate Complaints Policy covering all complaints about Council services other than Adults & Health and Children's Social Care statutory complaints, which each have separate statutory complaints process.
- 8 The Policy provides for members of the public to contact the Council in several different ways. Most complaints are received either by email, via

the Customer Contact Centre or are self-logged via the Council's website.

- 9 The Local Government Act 1974 established the Local Government and Social Care Ombudsman (LGSCO). It empowers the Ombudsman to investigate complaints against councils and adult social care providers and to provide advice and guidance on good administrative practice. Once a complainant has exhausted the Council's Complaints procedure, their next recourse, should they remain dissatisfied with the Council's response, is to contact the Ombudsman.
- 10 The Ombudsman will assess the merits of each case escalated to them and seek clarification from the Council as necessary before making the decision to investigate a complaint. Once the Ombudsman decides to investigate, they will try to ascertain if maladministration/Fault has occurred and whether there has been any resulting injustice to the complainant because of the maladministration/Fault.
- 11 In instances where maladministration/Fault with Injustice is found, the Ombudsman will usually make non-legally binding recommendations which they consider to be appropriate and reasonable. Although not legally binding, refusal to accept the Ombudsman's recommendation(s) will trigger a Public Report. A Public Report is a detailed account of the complaint, outlining the failures by the Council in the investigation.
- 12 All complaints are a useful indicator of performance and provide the Council with an opportunity to review the quality of service provided and to make improvements.
- 13 It is noted that the LGSCO has launched a new Complaints Handling Code. The Ombudsman believes that a single code that applies to all councils in England will make it easier for customers to know what to expect in terms of how their complaint is going to be dealt with; and that it will improve complaints handling and standards, resulting in better services. The code will officially go live on the 1st of April 2026; however, once approved the revised Corporate Complaints Policy will be in line with the code in advance of it going live in April 2026.
- 14 The current response timeframe for an item of Formal Correspondence is 8 working days. Formal Correspondence from members of the public includes correspondence to the Leader, Deputy Leader, Chief Executive, Executive Directors and Directors as well as MP correspondence. It is challenging for services to make a response in this timeframe. We would therefore wish to bring the timeframes for Formal Correspondence into line with the proposed timeframes for Stage 1 complaints – 5 working days for an acknowledgement and 10 working days for a response from the date of acknowledgement.

Consultation and Engagement

- 15 The Complaints Policy has been revised to bring it up to date and to follow the LGSCO's Complaint Handling Code. The Policy has been agreed by Corporate Leadership Team.

Reasons for Recommendations

- 16 To ensure that the Committee is assured of the Council's commitment to provide an effective complaints policy and procedure which is in line with the LGSCO's Complaint Handling Code.

Option	Impact	Risk
Do nothing	Poor customer experience would not be addressed, lessons would not be learned, and service improvements would not be made	Likely increase in complaints to Local Government Ombudsman with the potential for financial penalties and poor reputational impact

Implications and Comments

Monitoring Officer/Legal/Governance

- 17 Whilst there are no legal implications flowing directly from the revised Complaints Policy, there are legal, reputational and resource implications in complaints that are taken through the corporate process and in addressing complaints which reach LGO and Public Report.

Section 151 Officer/Finance

- 18 If Fault causing Injustice is found by the Ombudsman, the Council can be asked to pay compensation to a complainant, the level of which is determined on a case by-case basis. The cost of such compensation is paid for by the service at fault.
- 19 The Complaints Policy does provide the option for a monetary compensation payment at either Stage 1 or Stage 2 of the complaints procedure (Section 7.0 Remedies). While the majority of complaints are responded to without any offer of monetary compensation, in some cases – where a quantifiable loss has occurred or where a customer has spent an undue amount of time pursuing their complaint – a monetary compensation payment may be appropriate. Again, the cost of such compensation is paid for by the service at fault.

Human Resources

- 20 Resource implications arise from the high numbers of complaints. These relate to the increased demand upon officers in researching the background to complaints and responding appropriately. Where complaints relate to specific staff members, for example because of behaviour or attitude, these are escalated to the appropriate manager. Details of any actions that may be taken against staff found at fault are not disclosed due to the need to maintain confidentiality.

Risk Management

- 21 There are reputational risks for the Council if complaints are responded to poorly or responded to late. The Ombudsman can also consider issuing a Public Report if one or more of the following criteria are met:-

Recurrent faults (for example, the organisation keeps making similar mistakes).

Significant fault, injustice or remedy (by scale or the number of people affected).

Non-compliance with an Ombudsman's recommendation (it has not agreed or has not carried out our recommendations).

A high volume of complaints about one subject.

A significant topical issue.

Systemic problems and/or wider lessons (for example, problems with how the organisation does things that if not put right are likely to affect others, and this is an opportunity for others to learn).

Impact on other Committees

- 22 Complaints impact all services therefore all service committees will be affected and should be aware of the Complaints Policy.

Policy

- 23 If a high volume of complaints were received about a specific policy, a review of the relevant policy could be triggered and referred to the relevant service committee.

Commitment 1: Unlocking prosperity for all	Commitment 2: Improving health and wellbeing	Commitment 3: An effective and enabling council
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Equality, Diversity and Inclusion

- 24 When responding to complaints, the Council must ensure that people are treated fairly and that we comply with the Equality Act 2010, making reasonable adjustments where necessary. This may include providing responses in large font, using coloured paper, or communicating by specific means such as email only.

Other Implications

- 25 No other implications.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Ashley Hughes	S151 Officer	03/11/25	10/11/25
Kevin O'Keefe	Interim Monitoring Officer	03/11/25	04/11/25
<i>Legal and Finance</i>			
Chris Benham	Director of Finance	03/11/25	10/11/25
Hilary Irving	Interim Head of Legal	03/11/25	05/11/25

Access to Information

Contact Officer:	Lee Washbrook, Head of Customer Experience Lee.Washbrook@cheshireeast.gov.uk
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Appendices:	Appendix 1 - Corporate Complaints Policy
Background Papers:	N/A

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CORPORATE COMPLIMENTS, SUGGESTIONS AND COMPLAINTS - POLICY AND PROCEDURES

May 2025

1.0 Introduction

This document details Cheshire East Council's policy on dealing with compliments, suggestions and complaints received from our customers.

The Council is committed to providing consistently high-quality services, but we acknowledge that sometimes things do go wrong. We welcome feedback from our customers and we recognise that compliments, suggestions and complaints are a valuable source of information to help us:

- improve the standard of services we deliver
- put things right when they have gone wrong
- learn from our mistakes and make sure they do not happen again.

The aim of this policy is to provide a fair, consistent and structured process for members of staff to follow when customers are providing feedback. We will ensure staff understand their responsibilities under this policy, so they can deal with feedback effectively, and lessons learned from complaint investigations will be used to inform service improvements.

The Local Government and Social Care Ombudsman ('the Ombudsman') defines a complaint as follows:

'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual or group of individuals.'

They also define a service request as follows:

"a request that the organisation provides or improves a service, fixes a problem or reconsiders a decision".

In most cases the Council should be able to put things right through normal service delivery processes. However, when this does not happen or is not possible, a complaint may be made. A customer does not need to use the word 'complaint' for it to be treated as such.

All complaints about Council services, other than those excluded under Section 8, will be recorded as complaints and administered under this policy.

This policy has been revised taking into account the guidance in the Complaint Handling Code launched in February 2024 by the Ombudsman.

2.0 How to complain

A customer can make a complaint in a number of ways;

- Visit our website - www.cheshireeast.gov.uk/customerfeedback
- Call us on 0300 123 5038
- Email us at letusknow@cheshireeast.gov.uk
- Write to us at: Customer Feedback Team, Customer Services, Floor 1, Macclesfield Town Hall, c/o Delamere House, Delamere Street, Crewe, CW1 2LL

3.0 What a customer can expect

Customers can expect all compliments, suggestions and complaints to be dealt with promptly, efficiently and with courtesy, and can expect to receive a consistently high quality service when they contact any member of staff. We will:

- treat all compliments, suggestions and complaints seriously and confidentially
- act impartially, objectively and professionally
- maintain a record of all compliments, suggestions and complaints received in accordance with the requirements of the UK GDPR and Data Protection Act 2018
- aim to resolve the problems brought to our attention as soon as possible and, wherever possible, at a local level
- keep the customer informed about the progress of the investigation into their complaint when necessary
- provide a response within the timescales specified in this policy either verbally or in writing
- take appropriate action to resolve the complaint when necessary
- inform the customer of their right of further redress, i.e. progressing to the next stage of the complaints procedure, or contacting the Local Government and Social Care Ombudsman
- record, monitor and evaluate complaints so that we can continually improve and develop Council services, as well as identifying training and development needs for our staff
- monitor and report our performance in complaint handling.

4.0 Accessibility

The Council is committed to equal opportunities and our aim is to make our Corporate Compliments, Suggestions and Complaints policy easy to use and accessible to all customers. It will be publicised and available in a variety of formats on request.

Staff will provide information on the complaints procedure for customers wishing to make a complaint and provide any assistance they may require, for example:

- assist with the completion of a customer feedback form or the taking of a complaint over the telephone
- assist in making the appropriate arrangements for customers who may have specific requirements, e.g. British sign language interpreter, wheelchair access, etc.
- assist in arranging for the services of an interpreter where appropriate
- assist in the provision of an advocate where appropriate or if requested by the customer. The appointment of an advocate will be done in consultation with the relevant manager or Head of Service from the service being complained about. Disability Positive is one organisation based in Northwich that provides a general advocacy service for adults with disabilities and you can contact them via the link below: -

<https://disabilitypositive.org/service/advocacy/>

5.0 Compliments and Suggestions

All staff should remember to record compliments so we can report on the good news received from our customers. The compliment should always be forwarded to the member of staff's line manager. Details of all customer compliments should be recorded on the Customer Feedback database. If a member of staff does not have access to this, details of the compliment should be forwarded to the Complaints Coordinator for their service or directly to the Customer Feedback Team via email.

An acknowledgement letter, thanking the customer for their compliment, should be sent within 5 working days unless the compliment has already been acknowledged. Some compliments may be received anonymously and these can still be recorded on the Customer Feedback database.

Suggestions - a customer may wish to supply information but they may not wish to be involved in any subsequent action which may be taken. It is important that all suggestions are recorded on the Feedback database, so that we can analyse trends and learn as an organisation. When a suggestion is received, the information will be passed to the relevant service to consider and respond to within 10 working days. The customer will be informed of any action to be taken as a result of the suggestion.

Timescales for the acknowledgement of compliments and suggestions are as follows:

- Compliments – acknowledged within 5 working days
- Suggestions – acknowledged and responded to within 10 working days.

6.0 Complaints

The Council's complaints procedure is a two-stage process. When a complaint is received, the Council has discretion over the stage at which the complaint is investigated, although this will usually be Stage 1. However, in some instances it may be necessary for the Council to refer the matter directly to either a Stage 2 review or even to the Ombudsman, particularly when the complainant has already exchanged correspondence with the Council addressing the issues raised and these cannot be further elaborated upon.

There will be occasions when the Investigating Officer at either stage of the process will need more time to investigate the complaint. Should this be the case, the complaint may be placed on hold and/or the deadline for response may be extended. This extension should not exceed *12 weeks and the new deadline must be communicated to the complainant.

*The Ombudsman expects a Council to consider and respond to a complaint within 12 weeks. If a Council has not responded within 12 weeks the Ombudsman has discretion to consider whether to investigate the complaint.

6.1 Stage 1

This is the first opportunity to try to resolve a customer's complaint, and the majority of complaints will be resolved at this stage. The complaint will be investigated by an officer of the department or service which has caused the customer dissatisfaction, allowing the service concerned the opportunity to resolve the issue. It is not appropriate for any staff member named in a complaint to be the Investigating Officer, but they should be informed of the complaint and given an opportunity to comment. If the complaint includes or involves a Head of Service, then the complaint will automatically be escalated to Stage 2.

Any member of staff may receive a customer complaint and should attempt to resolve the issue. If it is not possible to resolve a complaint immediately, the complainant will be informed of the complaints procedure and the timescales involved. Any member of staff receiving a complaint should forward it to the Complaints Coordinator for their service or directly to the Customer Feedback Team. If the service has a Complaints Coordinator, then they will then appoint an Investigating Officer (which could be the Complaints Coordinator themselves). The Customer Feedback Team will forward the details of the complaint to either the Complaints Coordinator or other service contact for complaints in order to arrange an investigation and a response. Should a service receive a complaint and it is not for their service they should return it immediately to the Customer Feedback Team.

The Customer Feedback Team is responsible for issuing an official acknowledgement of the complaint to the customer. This will include a brief summary of the key issues being complained about and should be done within 5 working days. This will state which service the complaint has been passed to and the timescale for providing the complaint response. Should the substance of the complaint be unclear, further information will be requested from the customer in order to ensure the

complaint is properly understood. The complaint will be placed on hold until this additional information/clarification is received.

Timescale

The Investigating Officer will carry out the initial investigation into the complaint, seeking to establish all the facts surrounding the complaint and responding to the customer with their findings **within 10 working days of the complaint being acknowledged**. However, it may be necessary to extend this deadline and the customer will be notified if this is the case.

Extensions may be given for the following reasons: –

- Staff being complained about are absent
- The complaint is complex
- Contact needs to be made with a third party.

Extensions can be given up to an additional 10 working days, thus giving a total response time of 20 working days. After this time, a complaint response will be issued late unless extenuating circumstances necessitate a further extension and the customer is in agreement. The Customer will be notified of any extension.

Quality Assurance

The Customer Feedback Team carry out quality assurance checks of complaint responses before they are issued to the customer. This will include checks for the following: -

- That it is addressed correctly to the customer
- That spelling and grammar is correct
- That the complaint issues have been addressed
- That the outcome of the complaint is indicated
- That the appropriate closing paragraphs have been included.

Should the response deadline be breached, the Investigating Officer will be asked to provide an update and an indication of the expected response date. Depending on severity, it may be necessary to escalate the complaint to Stage 2, although this escalation will be at the discretion of the Complaints Manager.

Following this stage of the procedure, a complainant has a maximum of 20 working days from the date of the final response to appeal against the outcome and request that their complaint be progressed to the next stage. Appeals in excess of this timescale will be considered where there are extenuating circumstances but may be directed to the Local Government and Social Care Ombudsman.

6.2 Stage 2 (Review)

Prior to the complaint being considered at Stage 2, it will be reviewed to assess if it is appropriate for it to proceed to the next stage. For example, where a response to a complaint is purely a legislative issue (and therefore cannot be changed by any Council officer), it would not be appropriate for this to proceed to Stage 2, and the customer will be informed accordingly. General dissatisfaction or disagreement with a decision is unlikely to change a Stage 1 decision. For a complaint to progress to the second stage, credible new information or other matters which call the original

decision into doubt need to be provided. In some instances it may be more appropriate for a further response from the Stage 1 Investigator to be issued rather than escalating the complaint to Stage 2. If an appeal is considered appropriate, the details of the original complaint and appeal are passed to the Stage 2 Investigating Officer. The appeal stage of the process is an independent review carried out by an officer who has not previously been involved in dealing with the complaint.

A complaint should not generally be escalated to Stage 2 if one or more of the following criteria are met:

- The Customer is dissatisfied with an outcome or decision of what they are complaining about e.g. the outcome of a planning application or a school admissions application. A Stage 2 review will not be able to change such a decision.
- The outcomes sought by the Customer are not achievable or realistic e.g. Customer would like a member of staff to be disciplined or dismissed.
- The outcome sought by the Customer is unlikely to change from the response provided at Stage 1 e.g. Customer would like a stretch of road re-surfacing more quickly.

In all cases where an escalation has been requested, the final decision will rest with the Complaints Manager or a Complaints Officer.

Stage 2

The Customer Feedback Team will acknowledge the appeal, inform the complainant of the name of the Stage 2 Investigating Officer who is undertaking the review (if known) and provide the date by which a response can be expected. **The acknowledgement will be issued within 5 working days of the request being received.**

Most services have designated staff who complete Stage 2 reviews for their service. It is the responsibility of the service to appoint a senior officer to complete the Stage 2 investigation. The officer appointed as Investigating Officer at Stage 2 will be a more senior Investigating officer than that appointed at Stage 1. An impartial review will be carried out by the Stage 2 Investigating Officer who will make contact with the customer to agree the details of what they remain unhappy with, review the Stage 1 correspondence, review any appropriate records and speak to relevant staff. They will either support the original investigation findings, provide further clarification or propose a different solution to the customer. The independent officer does not need to be from a different team or service, as specialist knowledge of the service and issues being complained about may be required. However, they should not have had any involvement in the case or issue being complained about or the complaint previously.

Timescale

The timescale for responding to a Stage 2 complaint is **20 working days**, unless further time is needed (see reasons for extensions under 6.1 above), in which case the Stage 2 Investigating Officer will inform the customer of this. Any extension should be no more than 20 working days without good reason and the reason(s) for the extension should be clearly communicated to the customer.

Quality Assurance

The Customer Feedback Team carry out quality assurance checks of complaint responses before they are issued to the customer. This will include checks for the following: -

- That it is addressed correctly to the customer
- That spelling and grammar is correct
- That the complaint issues have been addressed
- That the outcome of the complaint is indicated
- That the appropriate closing paragraphs have been included.

If corrective actions have been recommended, these should be recorded and followed up either by the Complaints Coordinator or by the Customer Feedback Team. If the customer feels that the complaint has not been drawn to a satisfactory conclusion, they may appeal to the Local Government and Social Care Ombudsman (LGSCO) at the address below. The standard closing paragraph referring a customer to the Ombudsman should always be included at the conclusion of a Stage 2 response letter as this is the council's final response. The LGSCO will not normally respond to such an appeal until the Council's own complaints procedure has been exhausted.

Local Government and Social Care Ombudsman
PO Box 4771
Coventry CV4 0EH
Tel: 0300 061 0614

More information about the Local Government and Social Care Ombudsman can be found on their website: www.lgo.org.uk.

Further communication with the customer should be avoided after the Stage 2 response has been issued, unless to verify certain details of the response. If the customer remains unhappy with the Stage 2 response they should be referred to the Ombudsman.

6.3 Policy Complaints

Complaints about a Council policy are classed as 'Policy Complaints'. Following acknowledgement, these are responded to within 10 workdays (or 20 working days if more complex) at Stage 1 as per 6.1 of this policy. There is no Stage 2 process for a policy complaint. If a customer remains unhappy with the Stage 1 response, they will be referred directly to the LGSCO.

6.4 Anonymous Complaints

Anonymous complaints will be considered and recorded when appropriate, but they will not be responded to. However, if a customer wishes to remain anonymous to the service being complained about, the complaint will be responded to, and the name withheld from the service.

6.5 Complaints about services delivered by third parties

A number of Council services are delivered by other bodies on behalf of the Council. However, the Council remains responsible as the commissioning authority for the actions of its partners or contracted service providers when they are carrying out services on behalf of the Council.

In such instances, complaints should be directed to the Council as already detailed in this policy. However, should the matter be about a service delivered by the third party, but not a service provided on behalf of the Council, the customer will be requested to contact the relevant provider directly to invoke their complaints procedure.

In respect of care providers commissioned to provide adult social care services, a customer may wish to complain direct to the care provider in the first instance. However, if they remain unhappy with the response from the care provider they can then refer the complaint to the Council as the commissioning authority, although equally they could refer the complaint direct to the LGSCO if they choose to do so.

6.6 Timescales

The timescales to be followed for complaints are:

Stage 1	The complaint will be acknowledged within 5 working days, with a full response issued within 10 working days of the complaint being acknowledged, unless it is identified that more time will be needed (see Section 6.1) In exceptional cases a timescale beyond 20 working days may be agreed with the customer.
Stage 2	The complaint will be acknowledged within 5 working days of the escalation request being received, with a full response issued within 20 working days of the complaint being acknowledged. In exceptional cases a timescale beyond 20 working days (and up to 40 working days) may be agreed with the customer.

6.7 Roles & responsibilities

Role	Definition
Receiving Officer	The individual member of staff who takes or receives the initial details from the customer.
Complaints Coordinator	This person receives the details of the complaint for their service and is responsible for allocating the complaint to a manager for investigation and a response. They are also responsible for ensuring a full response is provided within the timescale.
Customer Feedback Team	This team is responsible for ensuring that feedback is administered in accordance with this policy. They will ensure that complaints are logged, acknowledged and allocated to the relevant service. They will also consider Stage 2 review requests and provide advice and guidance to staff, and produce reports on complaints.
Stage 1 Investigating Officer	The person appointed by the Complaints Coordinator for the relevant service or by the Customer Feedback Team to investigate and respond to the complaint.
Stage 2 Investigating Officer	This person is appointed by the Complaints Coordinator for the relevant service or by the Customer Feedback Team to review a complaint at Stage 2. This senior officer, who will have had no prior involvement in dealing with the complaint, will review it, carry out a further investigation if necessary, and respond directly to the customer.
Local Government & Social Care Ombudsman	The LGSCO (formerly known as the Local Government Ombudsman or LGO) is an independent service that investigates complaints from the public about Council's in England. It also investigates complaints about registered adult social care providers. It is the last stage of the complaints process for people who remain dissatisfied once they have completed the Council's complaints process. It is a free service.

7.0 Remedies

If something has gone wrong and the customer has suffered as a result, the Council will consider what action needs to be taken to remedy the situation. The aim is to apologise and to try to put things right. However, an apology in itself does not amount to an admission of negligence or a breach of statutory duty (Compensation Act 2006 – Section 2).

Remedies can include:

- An apology
- An acknowledgement that things have gone wrong
- An acknowledgement that the service provided was below what is expected
- An explanation or reason for a service failure or a delay
- Reconsidering or changing a decision
- Changing policies, procedures or practices
- Providing a financial remedy (see below).

In some circumstances it may be appropriate to consider monetary compensation, especially where there has been a quantifiable loss. In such cases, the service should seek approval from the Service Manager before a final decision is reached. Consideration should also be given to the LGO Guidance on Remedies.

<https://www.lgo.org.uk/information-centre/staff-guidance/guidance-on-remedies>

8.0 Exclusions

Some types of complaints, detailed below, are excluded from this policy. Furthermore, the Council reserves the right to reject a complaint if the customer is rude, vexatious/unreasonably persistent, uses profanities, is using a pseudonym or makes racist, sexist or homophobic remarks in their communication. The complaint may also be rejected if the complainant is unable to identify/evidence the alleged injustice.

8.1 Requests for service

Requests for service will not be considered under this policy. However, if a request for service is not dealt with within the appropriate timescales, an unfulfilled request for service can then be logged as a formal complaint.

8.2 Social Media Complaints

When a complaint is received on the Council's Official Social Media account(s), complainants will be requested to make contact by email/online form to ensure that the requisite details are captured in order that an appropriate response can be issued.

8.3 Compliments, suggestions and complaints from employees of Cheshire East Council or 'arms-length' companies.

These will not be covered by this policy, unless the employee is acting as an external user of the service.

8.4 Complaints where the customer or the Council has started legal proceedings or there is a right of redress in law and where it is reasonable to have expected the complainant to have pursued that course of action.

8.5 Complaints about the conduct of Elected Members

Such complaints should be directed in writing to the Monitoring Officer/Director of Legal Services, as follows:

- Via email: monitoringofficercec@cheshireeast.gov.uk
- Via Post: The Monitoring Officer, c/o Delamere House, Delamere Street, Crewe, CW1 2LL

Further information can be found via the following link:

https://www.cheshireeast.gov.uk/council_and_democracy/your_council/councillor_conduct.aspx

8.6 Complaints about Parish or Town Councils

These complaints should be submitted to the Parish or Town Council in question.

8.7 Complaints covered by separate Appeals Processes

For example, appeals to the Planning Inspectorate, Special Educational Needs Tribunal or the Benefits Tribunal.

8.8 Complaints about parking tickets/penalty charge notices

There are certain legal processes which need to be followed in challenging the issue of a penalty notice (PCN). Further information can be found via the following link:

<https://www.cheshireeast.gov.uk/car-parks-and-parking/parking-regulations-enforcement/challenge-pcn.aspx>

8.9 Complaints about Social Care Services

Depending on the nature of the issue being complained about these are dealt with under separate processes. Further information can be found via the following link:

https://www.cheshireeast.gov.uk/council_and_democracy/customer-services/complaints_and_feedback/social_care_compliments_and_complaints.aspx

8.10 Complaints about personnel issues, including recruitment, disciplinary and grievances.

Current employees should use the grievance procedure rather than the complaints procedure.

8.11 Complaints made by staff under the Whistleblowing Policy

8.12 Complaints about individual schools/academies

Each school operates under a system of local management and has its own Complaints Procedure. A copy of the Complaints Procedure should be made available by the school. Complaints are normally directed to the Head Teacher of the school or the Chair of Governors at the school address. Where the school is unable to satisfy the complaint, it should be referred to the Secretary of State for Education or Ofsted.

8.13 A complaint which the customer was aware of for more than 12 months before they contacted or formally complained to the Council.

8.14 Complaints regarding personal injury or motor claims against the Council.

Further information can be found via the following link:

https://www.cheshireeast.gov.uk/highways_and_roads/highways-licences-and-permits/making-a-claim.aspx

8.15 Allegations of criminal behaviour or financial impropriety.

Such allegations are unlikely to be handled under this policy. The matter may need to be directed to the police, treated as a tip off via the Anti-Fraud and Corruption Strategy or handled by another more appropriate process. The customer will be advised of the route to be followed once the information has been considered.

8.16 Complaints already considered by the Local Government and Social Care Ombudsman.

We will not investigate complaints which have previously been considered by the Local Government and Social Care Ombudsman as these will have already been referred to the Council for investigation.

8.17 Freedom of Information

Appeals or complaints relating to Freedom of Information or Environmental Information requests are handled by the Information Rights Team in accordance with the Freedom of Information Act 2000 and Environmental Information Regulations 2004. The Council expects requesters to appeal within 20 working days of the initial response having been issued.

Customers should contact the Information Rights Team by replying to the initial response or by writing to:

informationrequests@cheshireeast.gov.uk

or

Information Rights Team

c/o Delamere House, Delamere Street, Crewe, CW1 2LL

The request will be reviewed by a senior officer who has had no involvement in the response to the initial request. A response will be issued within 20 working days, unless the review is considered to be complex, in which case it may take up to 40 working days from receipt of the appeal. If, following the review, a requester remains dissatisfied with the Council's decisions, they may appeal to the Information Commissioner's Office for them to determine whether or not the request has been dealt with in accordance with the requirements of the Freedom of Information Act and Environmental Information Regulations. Requesters can contact the Information Commissioner's Office at:

<https://ico.org.uk/make-a-complaint>

Tel: 0303 123 1113

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

SK9 5AF

More information about the Information Commissioner's Office can be found on their website:

<https://ico.org.uk>

8.18 Data Protection

All requests to review or complain about the information supplied in relation to a Subject Access Request are exempt from this policy but will be considered by the Information Rights Team. Requesters seeking a review or wishing to complain about their subject access request should submit their concerns in writing to:

informationrequests@cheshireeast.gov.uk

or

Information Rights Team, c/o Delamere House, Delamere Street, Crewe, CW1 2LL

The request will then be reviewed to ensure that the initial response complies with the UK GDPR and Data Protection Act 2018. The Council will consider and respond to the issues raised within one month. If you are not satisfied with the review or outcome of your complaint, you may complain to the Data Protection Officer at dp@cheshireeast.gov.uk or make a complaint to the Information Commissioner's Office as detailed below.

Complaints relating to a Breach of Data Protection Rights are also exempt from this policy. Such complaints should be made in writing to the Data Protection Officer at dp@cheshireeast.gov.uk or to the postal address above. The Council will consider and respond to the issues raised within one month.

If a requestor or complainant is still dissatisfied with the Council's response, they may appeal to the Information Commissioner's Office for them to determine whether or not the matter has been dealt with in accordance with the UK GDPR and Data Protection Act 2018. Requesters or complainants can contact the Information Commissioner's Office at:

<https://ico.org.uk/make-a-complaint>

Tel: 0303 123 1113

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow, Cheshire SK9 5AF

More information about the Information Commissioner's Office can be found on their website:

<https://ico.org.uk>

9.0 Unreasonable and unreasonably persistent complainants

Occasionally, during the course of or following the conclusion of a complaint investigation, a customer may demonstrate unreasonable behaviour with regard to the handling or outcome of the complaint. The Council's policy with regard to such behaviour can be found via the link below:

<https://www.cheshireeast.gov.uk/pdf/council-and-democracy/customer-services/managing-unreasonable-and-unreasonably-persistent-behaviour.pdf>

10.0 Support, monitoring, evaluation and review

This policy is overseen and managed by the Customer Feedback Team, who provide guidance and support to staff on best practice in handling complaints. The team also monitor and report on the Council's performance in complaints handling and resolution and support the individual services in identifying learning and putting action plans into place to reduce repeat complaints.

OPEN

Corporate Policy Committee

27 November 2025

Second Financial Review of 2025/26

**Report of: Ashley Hughes, Executive Director of Resources,
Section 151 Officer**

Report Reference No: CPC/26/25-26

Ward(s) Affected: Not applicable

For Decision or Scrutiny: Both

Purpose of Report

- 1 This report provides the Corporate Policy Committee an update on the current forecast outturn for the financial year 2025/26. This is the second financial review (FR2) and is based on our income, expenditure and known commitments as at the end of August 2025.
- 2 The report is structured into four parts:
 - An Executive Summary of the Council's Financial Position
 - A Summary of Recommendations
 - A Corporate Policy Committee focused narrative
 - An annex for the Committee that summarises the service level financial forecast and the detailed capital programme
- 3 The Executive Summary of the Council's Financial Position provides the Committee with summary details of the Council's forecast outturn for all services. This provides the Committee with contextual information on the financial position of the Council. The Committee is asked to focus their scrutiny on the forecasts and supporting information relating to services within the remit of the Committee whilst understanding the overall financial position of the Council.
- 4 The Summary of Recommendations requests the Committee to note and scrutinise those items that are within scope of the Committee's activities.

- 5 The Committee focused narrative presents the current revenue and expenditure commentary with an update on the 2025/26 approved budgeted change items relating to the Corporate Policy services.
- 6 The annex includes the summary of the service level financial forecast and the individual projects within the Directorate's capital programme.
- 7 As set out in previous Financial Reviews, the requirement to continue to identify further actions to bring the Council back to a position where we are living within our means remains, and it will be important that these actions are closely monitored, and appropriate action taken to manage our resources. This report includes information on the actions that are currently underway.
- 8 The full report to Finance Sub Committee on 3 November 2025 includes additional information on debt, Council Tax and Business Rates collection, Treasury Management and Prudential Indicators. The report can be found here [Finance Sub Committee FR2 Report](#).

Executive Summary – Council Financial Position

- 9 This is the Second Financial Review monitoring report (FR2), showing the forecast outturn position for the 2025/26 financial year.
- 10 The report provides the current forecast outturn position for the revenue budget, capital budget, Dedicated Schools Grant (DSG) and Transformation Programme for the financial year 2025/26.
- 11 The Second Financial Review (FR2) forecast revenue outturn is an **adverse variance of £2.345m** against a net revenue budget of £360.198m which is an improvement of £0.802m compared to the overspend reported at FR1 of £3.147m.
- 12 The current forecast is that services will be £12.904m over budget in the current year, whilst central budgets are forecast to be £10.559m under budget, resulting in the overall outturn overspend of £2.345m overspend.
- 13 This is after the application of planned use of conditional Exceptional Financial Support **£25.261m** as set out in the approved budget in February 2025. Please see Table 1 at the top of page 3 for details:

Table 1 2025/26 FR2	Revised Budget £m	Forecast Outturn £m	Forecast Variance £m	Forecast Variance FR1 £m	Movement from FR1 to FR2 £m
Service Committee					
Adults and Health	167.257	167.334	0.077	(0.295)	0.372
Children and Families	98.420	107.283	8.863	8.998	(0.135)
Corporate Policy	43.708	43.492	(0.216)	0.062	(0.278)
Corporate Policy - Cross Transformation	(13.452)	(3.821)	9.631	9.631	-
Economy Growth	28.756	25.996	(2.760)	(2.285)	(0.475)
Environment and Communities	43.618	40.921	(2.697)	(2.545)	(0.152)
Highways and Transport	17.151	17.159	0.008	0.114	(0.106)
Total Service Budgets	385.458	398.364	12.906	13.680	(0.774)
Finance Sub:					
Central Budgets	55.000	44.439	(10.561)	(10.533)	(0.028)
Funding	(415.197)	(415.197)	-	-	-
Total Finance Sub	(360.197)	(370.758)	(10.561)	(10.533)	(0.028)
Exceptional Financial Support	(25.261)	(25.261)	-	-	-
TOTAL	-	2.345	2.345	3.147	(0.802)

- 14 All Directorates continue to work on mitigation plans to improve the overall forecast overspend position and in doing so, are highlighting any risks associated with mitigations currently reflected in the reported £2.345m overspend. Each Directorate has plans underway to deliver approved budget changes (growth and savings) identified as part of the 2025/26 approved budget per MTFS line.
- 15 The value of additional mitigation plans not yet reflected as delivered at FR2 are estimated at £1.933m, giving a potential improved overall forecast of £0.412m overspend. However, should the current mitigations included in the FR2 forecast not materialise, alongside further risks identified, then the forecast overspend position could increase to £21.191m adverse.
- 16 The opening DSG deficit is £112.149m with an in-year projected movement of £33.829m to forecast a year end deficit of £145.978m.

- 17 The FR2 forecast outturn position against the approved Transformation budget changes for 2025/26 is outlined in Table 2 below:

Table 2 - Transformation Budget Saving	Original Budget	Forecast Outturn	Forecast Variance	Forecast Variance FR1	Movement from FR1 to FR2
	£m	£m	£m	£m	£m
Access to Services & Corporate Core (Cross cutters including Digital/Workforce/3 rd Party Spend/Fees & Charges)	(13.452)	(3.821)	9.631	9.631	-
Service Delivery – Adults Social Care	(7.000)	(7.000)	-	-	-
Service Delivery – Children’s	(3.788)	(0.868)	2.920	2.420	0.500
Service Delivery – Place	(0.175)	(0.175)	-	-	-
Total	(24.415)	(11.864)	12.551	12.051	0.500

- 18 The movement of £0.500m in the forecast variance is due to delays in the Children and Families Services Birth to Thrive Transformation project, which means that savings will now not be delivered in 2025/26.
- 19 A full update on progress with the transformation programmes was provided as [an appendix to the Finance Review Period 1 report](#) in October. Any updates since that report are set out below. A full update on the progress with the Improvement and Transformation Delivery Plan 2025-27 including transformation programme and projects, will be reported to this Committee in early 2026. Corporate Policy Committee supported the Improvement and Transformation Delivery Plan at its meeting on 30 October 2025.
- Corporate Core: The fees and charges project has been delivered and is now closed with a new Fees and Charges Policy approved by Corporate Policy Committee on 30 October 2025. The Corporate Core programme will be closed as part of the changes under the Improvement and Transformation Delivery Plan where projects have been completed, moved into other programmes or business as usual.
 - Workforce and Culture: The Cheshire East Leaders’ development programme commenced in October and we launched our staff survey on culture and values. Workforce is delivering activity to support our financial position and implemented a Purchase of Annual Leave & HPiL (agency holiday payments reductions) scheme. This has delivered £690,000 of savings this year.
- 20 The capital programme for the current year is forecasting expenditure of £167.700m in year, an underspend of £40.791m against a budget of £208.491m at FR2. This is an increase against the approved MTFS budget of

£173.142m due to increases in Supplementary Capital Estimates (SCEs) of £23.031m as well as some reprofiling of projects.

- 21 The overall forecast revenue overspend of £2.345m remains a significant financial challenge for the Council when considered in addition to the planned use of Exceptional Financial Support (EFS) of £25.261m.
- 22 Reserves at out-turn were £29.413m, being £6.299m of General Fund Reserves and £23.114m of Earmarked Reserves. A planned net use of Earmarked Reserves and the General Fund Reserve is forecast at £2.282m leaving £27.131m total available reserves. The Council's level of reserves is therefore insufficient to cover the current forecast revenue outturn for the year without further action.

RECOMMENDATIONS

The Corporate Policy Committee is recommended to:

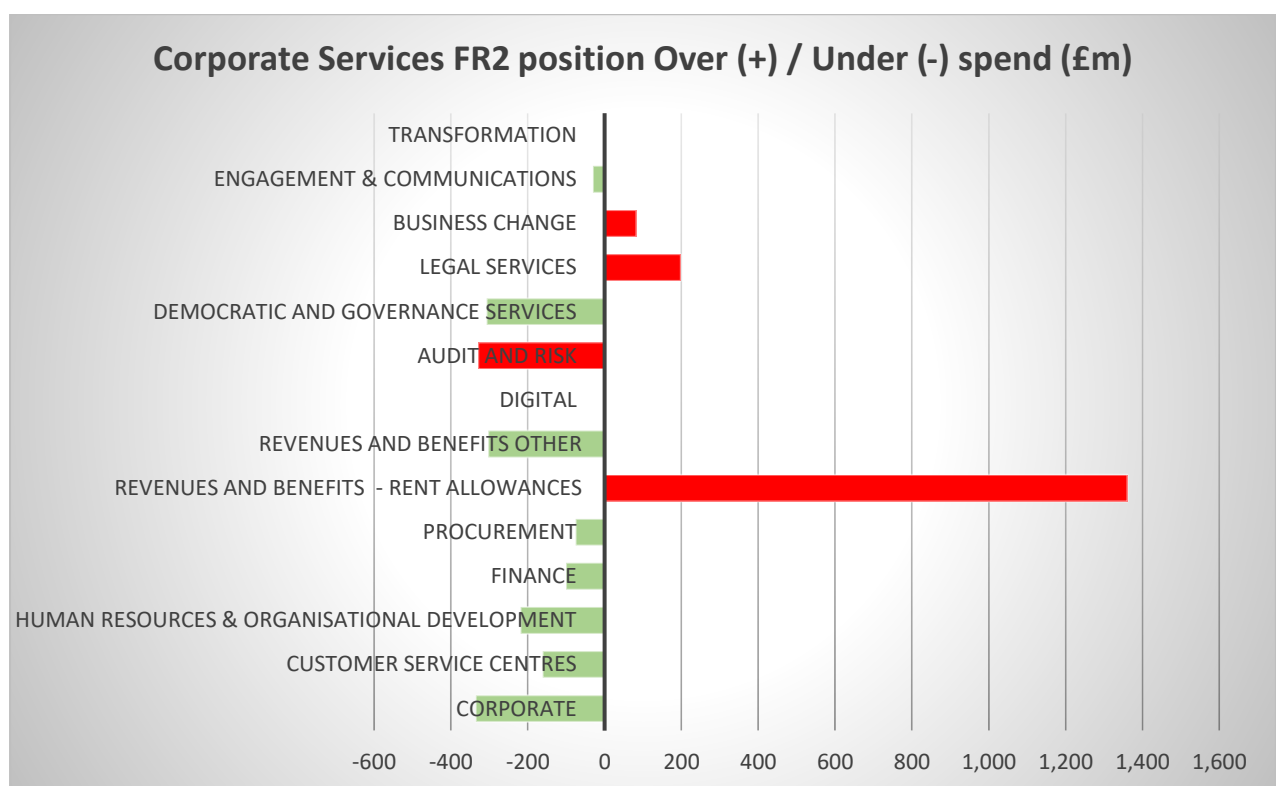
1. Note the overall Council's Financial Position as described within the Executive Summary – Council Financial Position.
2. Scrutinise the latest revenue forecast for the Corporate Policy Directorate, review progress on the delivery of the MTFS approved budget policy change items (Table 3), the RAG ratings and to understand the actions to be taken to address any adverse variances from the approved budget.
3. Note the overall in-year forecast of capital spending for the Corporate Policy Directorate of £13.298m against a revised MTFS budget of £10.125m in Tables 4 and 5.
4. Note the available reserves position in Table 6.

Corporate Policy Committee Focused Narrative

Revenue and Expenditure Commentary including an update on the 2025/26 Approved Budget Change Items

- 23 The Corporate Policy Directorate second financial review for 2025/26 presents a forecast underspend of £0.217m against a budget of £43.708m which is an improvement of £0.279m on the FR1 position.
- 24 The graph below presents the service level position of the Directorate with the summary data available within Section 1 of Annex 1.

Corporate Policy favourable variance of £0.217m



- 25 The key reason for the FR2 favourable variance is vacancy management. The majority of services have forecast an underspend on staffing budgets totalling £1.850m. This is being partially offset by the use of agency staff in some areas.
- 26 These underspends have been offset by the following pressures:
- a forecast £1.361m (£1.257m at FR1) under-recovery on Rent Allowances, and a reduction in Housing Benefit Overpayment recovery rates;

- a forecast under-recovery of income of £0.305m (£0.629m at FR1) within several services particularly within Transformation and Improvement, Legal Services, and Audit and Risk.

Risks

- 27 Digital Services has undergone a considerable change in recent months due to the splitting of the shared service and remodelling of the Cheshire East element. FR2 projections are based on transitioning to new model and at this stage the expectation is that the service will come in on budget. There are significant risks in this position in terms of finalising staffing structures, forecasting contract spend and delivering the expected number of chargeable hours. There is a £0.099m worsening since FR1 due to the number of agency staff contracts that have been extended to complete the change programme.

Update on 2025/26 Approved Budget Change Items

- 28 The following section provides an explanation of the key drivers behind variances to the budget for the Corporate Policy directorate. Table 3 provides detailed commentary on the progress against the approved budget change items that were agreed as part of the approved budget in February 2025.

Table 3 – Detailed List of Approved Budget Change Items

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets	2025/26 MTFS £m	2025/26 Forecast Outturn £m	2025/26 Forecast Outturn Variance £m	Progress 2025/26 (RAG rating and commentary)
Corporate Policy Committee 2025/26 Revised Budget as per Cover report Table 1		43.708	43.491	(0.217)	
Change from 2024/25 budget		1.078	0.861	(0.217)	
34	Enforce prompt debt recovery and increase charges for costs	(0.077)	(0.077)	-	Completed - The award of costs is a matter for the Magistrates at each court hearing. However, only by exception will they vary from the level already agreed by us with the Court Manager. The approach to the Court Manager has been made and the revised level agreed. The action is therefore complete, but the financial benefits will accrue as the Council continues the regular recovery process during the year.
35	Pension costs adjustment	(0.396)	(0.396)	-	Completed
36	Pay Inflation	1.494	2.013	0.519	Red - LGS pay offer for 2025. Full and final offers of 3.20% increase resulting in overspend of c.£1.7m across the Council.
37	Shared Services Review - Move to Hybrid Model for ICT	(0.733)	(0.733)	-	Completed - The Shared Service continues to reduce third party costs and agency spend as per the Business case.

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets	2025/26 MTFS £m	2025/26 Forecast Outturn £m	2025/26 Forecast Outturn Variance £m	Progress 2025/26 (RAG rating and commentary)
38	The achievement of additional Registration Service income, over and above that which is currently identified as required	(0.350)	(0.350)	-	Green - Additional Registration Service income. To be reviewed in year as the season progresses.
39	Recognising the annual receipt of £45k of Police and Crime Panel grant income	(0.045)	(0.045)	-	Green - This reflects a grant payment from the Home Office that is received each year in the Council's budget subject to adequate justification being provided.
40	Remove unspent element of phones budgets in corporate services	(0.060)	(0.060)	-	Completed. The phone budgets were reduced accordingly following approval of this proposal to align budgets with spend levels.
41T	Digital Acceleration Revenue Growth	-	-	-	No proposal in 2025/26
42T	Digital Blueprint Revenue Growth	-	-	-	No proposal in 2025/26
43	Transactional Shared Services stabilisation plan	0.270	0.270	-	Green - To provide TSS with additional capacity in 2025/26 - impact of this item and further review to be determined.
44	Additional cost of External Audit Fees	0.265	0.265	-	Green - Additional cost of External Audit Fees - based on 2024/25 fee level.
45	Reduce Members Allowances budget	(0.100)	(0.100)	-	Green - Reduce Members Allowances budget for previous years pay award that was not taken.
46	Additional Cost of Bank Charges from 2025/26	0.120	0.170	0.050	Red – 2025/26 bank charges are above increased budget available and the latest information available suggests charges could increase further
47	Reverse reduction in leadership and management costs as posts are being retained	0.540	0.540	-	Completed. This reversal was necessary in light of the LGA review of decision making and the need to put an appropriate senior management structure in place in the corporate areas.
48	Reinstatement of a one-off saving of £150,000 from election budgets for 2024/25	0.150	0.150	-	Green - Reinstatement of a one-off saving of £150,000 from election budgets, for the 2024/25 year. Noted that the election costs will exceed the reserve and that difference will form a pressure on outturn. The next material local election is May 2027.
In year	Rent allowances and Housing Benefit Over payment pressure	-	1.361	1.361	Reduction in Overpayment Recovery Rates +£750k (£650k at FR1) due to: • reducing Housing Benefit (HB) caseload due to migration to Universal Credit affecting ability to recover overpayments via ongoing benefit; • PDP (Payment Deduction Program via DWP benefits) HB overpayments are low down in the hierarchy of recovery;

MTFS Ref No	Detailed List of Approved Budget Changes – Service Budgets	2025/26 MTFS £m	2025/26 Forecast Outturn £m	2025/26 Forecast Outturn Variance £m	Progress 2025/26 (RAG rating and commentary)
					<ul style="list-style-type: none"> • PDP deductions from Universal Credit (UC) payments are capped at 15% of the claimant's standard allowance, down from the previous maximum rate of 25% from April 2025 so less amount being able to recover; and • Less disposable income of debtors due to cost of living. <p>Rent Allowances - shortfall in budgeted income versus budgeted expenditure +£611k (£607k at FR1)</p> <p>Shortfall is mainly due to the number of Supported Accommodation claims and increase in the number of new supported accommodation projects in Cheshire East. Housing costs are met from Housing Benefits and claimed back from DWP through the Housing Benefit Subsidy. The rents for supported accommodation are often higher than mainstream rents and not all expenditure is met by subsidy per HB regulations. Rent levels for new schemes and rent increases are reviewed and challenged by Benefits service who also work with the Councils Commissioning team.</p>
In year	Mitigations to balance back to Finance Review position	-	(2.147)	(2.147)	Mitigations to balance back to Finance Review position

Capital Programme

29 **Table 4** below sets out the Corporate Policy capital programme position for 2025/26 as at FR2, showing a forecast of £13.298m against a revised MTFS budget of £10.125m.

Table 4 Capital 2025/26	MTFS £m	Out - turn £m	Actuals FR1 £m	Actuals FR2 £m	Forecast Spend £m	Gov Grants £m	Ext Contributions £m	Rev Contributions £m	Cap Receipt £m	Prud Borrow £m	TOTAL £m
Corporate Policy	12.745	10.125	1.014	2.506	13.298	-	-	-	-	13.298	13.298

30 **Table 5** shows the movement in the 2025/26 Capital budget since the MTFS Budget was approved in February 2025.

Table 5 Capital Movement 2025/26	MTFS Budget 2025-29	SCE Outturn and FR1	Carry Forward & Budget Reduction Outturn and FR1	Virement Outturn and FR1	Re profiled to future FR1	SCE FR2	Virement FR2	Budget Reduction FR2	Re profiled to future FR2	FR2 2025/26
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	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m
Corporate Policy	12.745	-	3.736	-	-	-	-	-	(3.183)	13.298

- 31 Capital carry forwards from 2024/25 amounted to £3.736m including ICT Hybrid Model of £1.690m and IADM (Information Assurance and Data Management) of £0.609m. FR1 and FR2 reviews have resulted in £3.183m being reprofiled into future years, made up mainly of ICT Hybrid Model of £1.090m and Digital Blueprint of £1.280m.
- 32 Due to the above changes, forecast expenditure in 2025/26 has increased by £0.553m.
- 33 Each Committee is being asked to recognise the need for capital restraint particularly if external borrowing is required. This is being monitored and tracked through the work of the Capital Programme Board.

Reserves Position

- 34 Table 6 below shows the Corporate Policy forecast position on reserves by the end of 2025/26.

Table 6 Earmarked Reserves	Balance at 1 April 2025	Drawdown to Support Service Exp	Additional Contributions to Reserves	Balance Forecast at 31 March 2026	Notes
	£m	£m	£m	£m	
Collection Fund Management	(5.120)	6.193	(10.133)	(9.060)	To manage cash flow implications as part of Business Rates Retention Scheme.
Capital Financing Reserves	(2.234)	2.234	(0.208)	(0.208)	To provide for financing of capital schemes, other projects and initiatives. Additional funds for Tatton Park substation and Green Infrastructure.
Insurance Reserve	(0.314)	1.415	(1.183)	(0.082)	To settle insurance claims and manage excess costs.
Elections General	(0.432)	-	-	(0.432)	To provide funds for Election costs every 4 years.
Digital Solutions Architect	(0.074)	0.074	-	-	To help fund the Digital Customer Enablement programme and will be key to realising the cost savings and efficiencies across the Council through a number of digital initiatives.

2025/26 Transformation Reserve 1	(3.500)	3.500	-	-	To support a group of projects across the Council's four Directorates to deliver improved service delivery through efficiency and revenue savings.
2025/26 Transformation Reserve 2	(5.300)	1.061	-	(4.239)	The Transformation Programme 2 reserve has been created to help mitigate one-off costs of the change delivery programme over the next two financial years.
ICT Programme	(0.300)	0.250	-	(0.050)	To support the costs associated with the Gemini project, including potential redundancies.
Total Reserves	(17.274)	14.727	(11.524)	(14.071)	

Consultation and Engagement

- 35 As part of the budget setting process the Pre-Budget engagement process provided an opportunity for interested parties to review and comment on the Council's Budget principles.

Reasons for Recommendations

- 36 The overall process for managing the Council's resources focuses on value for money, good governance and stewardship. The budget and policy framework sets out rules for managing the Council's financial affairs and contains the financial limits that apply in various parts of the Constitution. As part of sound financial management and to comply with the constitution any changes to the budgets agreed by Council in the MTFS require approval in line with the financial limits within the Finance Procedure Rules.
- 37 This report provides strong links between the Council's statutory reporting requirements and the in-year monitoring and management processes for financial and non-financial management of resources.

Other Options Considered

- 38 None. This report is important to ensure Members of the Committee are sighted on the financial pressure the Council is facing and the activity to date to try and mitigate this issue, and are given an opportunity to scrutinise this activity and identify any further actions that could be taken to learn to live within our means. Do nothing. Impact – Members are not updated on the financial position of the Council. Risks – Not abiding by the Constitution to provide regular reports.

Implications and Comments

Monitoring Officer/Legal/Governance

- 39 The Council must set the budget in accordance with the provisions of the Local Government Finance Act 1992 and approval of a balanced budget each year is a statutory responsibility. Sections 25 to 29 of the Local Government Act 2003 impose duties on the Council in relation to how it sets and monitors its budget and require the Council to make prudent allowance for the risk and uncertainties in its budget and regularly monitor its finances during the year. The legislation leaves discretion to the Council about the allowances to be made and action to be taken.
- 40 The provisions of section 25 of the Local Government Act 2003, require that, when the Council is making the calculation of its budget requirement, it must have regard to the report of the chief finance (s.151) officer as to the robustness of the estimates made for the purposes of the calculations and the adequacy of the proposed financial reserves.
- 41 The Council should therefore have robust processes in place so that it can meet statutory requirements and fulfil its fiduciary duty. It must ensure that all available resources are directed towards the delivery of statutory functions, savings and efficiency plans. Local authorities are creatures of statute and are regulated through the legislative regime and whilst they have in more recent times been given a general power of competence, this must operate within that regime. Within the statutory framework there are specific obligations placed upon a local authority to support communities. These duties encompass general and specific duties and there is often significant local discretion in respect of how those services or duties are discharged. These will need to be assessed and advised on as each circumstance is considered.
- 42 The financial position of the Council must therefore be closely monitored, and Members must satisfy themselves that sufficient mechanisms are in place to ensure both that savings are delivered and that new expenditure is contained within the available resources. Accordingly, any proposals put forward must identify the realistic measures and mechanisms to produce those savings or alternative mitigations.
- 43 This report provides an update on progress for 2025/26 for all services.
- 44 It also provides updates and comments regarding the Council's use of Exceptional Financial Support under The Levelling-up and Regeneration Act 2023 which inserted an amended Section 12A as a trigger event within the Local Government Act 2003, in relation to capital finance risk management. The legislation also provides for risk mitigation directions to be given to the Council which limit the ability to undertake certain financial action. The limitations are based on identified risk thresholds.

Section 151 Officer/Finance

- 45 The Council's financial resources are agreed by Council and aligned to the achievement of stated outcomes for local residents and communities. Monitoring and managing performance helps to ensure that resources are used effectively, and that business planning and financial decision making are made in the right context.
- 46 Reserve levels are agreed, by Council, in February each year and are based on a risk assessment that considers the financial challenges facing the Council. If spending associated with in-year delivery of services is not contained within original forecasts for such activity it may be necessary to vire funds from reserves.
- 47 The unplanned use of financial reserves could require the Council to deliver a greater level of future savings to replenish reserve balances and / or revise the level of risks associated with the development of the Reserves Strategy in future.
- 48 As part of the process to produce this report, senior officers review expenditure and income across all services to support the development of mitigation plans that will return the outturn to a balanced position at year-end.
- 49 Forecasts contained within this review provide important information in the process of developing the Medium-Term Financial Strategy. Analysis of variances during the year will identify whether such performance is likely to continue, and this enables more robust estimates to be established.
- 50 The risk associated with the scale of these challenges is that the Council could act illegally, triggering the requirement for a s.114 report from the Chief Financial Officer. Illegal behaviour in this context could materialise from two distinct sources:
 1. Spending decisions could be made that exceed the available resources of the Council. This would unbalance the budget, which is unlawful.
 2. Spending decisions to restrict or hide pressures could be made that avoid an immediate deficit, but in fact are based on unlawful activity.
- 51 The consequences of the Council undermining a budget with illegal activity, or planned illegal activity, is the requirement to issue a s.114 report. Under these circumstances statutory services will continue and existing contracts and commitments must be honoured. But any spending that is not essential or which can be postponed must not take place.
- 52 Further consequences would be highly likely and could include the appointment of Commissioners from the MHCLG, and potential restrictions on the decision-making powers of local leaders.

Human Resources

- 53 This report is a backward look at Council activities at outturn and states the year end position. Any HR 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.

Risk Management

- 54 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 2025/26 financial scenario, budget, and reserves strategy.

Impact on other Committees

- 55 All Committees will receive this financial update report.

Policy

- 56 This report is a backward look at Council activities and predicts the year-end position. It supports the Council's vision of being an effective and enabling Council as set out in the Cheshire East Plan 2025-2029
- 57 The forecast outturn position, ongoing considerations for future years, and the impact on general reserves will be fed into the assumptions underpinning the 2026 to 2030 Medium-Term Financial Strategy.
- 58 The approval of supplementary estimates and virements are governed by the Finance Procedure Rules section of the Constitution.

Equality, Diversity and Inclusion

- 59 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):			
Chris Benham	Director of Finance and Deputy S151 Officer	11/11/2025	12/11/2025
Kevin O'Keefe	Interim Monitoring Officer	11/11/2025	12/11/2025
Legal and Finance			

Hilary Irving	Acting Head of Legal Services	11/11/2025	12/11/2025
Jennie Summers	Acting Head of Legal Services	11/11/2025	12/11/2025

Access to Information	
Contact Officer:	Chris Benham – Director of Finance Chris.benham@cheshireeast.gov.uk
Appendices:	Annex 1 - Detailed Second Financial Review 2025/26
Background Papers:	The following are links to key background documents: MTFS 2025-2029 First Financial Review 2025/26

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Second Financial Review 2025/26

Results to end of August 2025

Corporate Policy Committee

Contents

Section 1: 2025/26 Forecast Outturn 3

Section 2: Capital 4

Section 1: 2025/26 Forecast Outturn

1.1. **Table 1** below shows details of the revenue forecast by each service area within the Directorate:

Committee	Service Area Tier 3	Revised Budget	Forecast Outturn	Variance	FR1 Variance	Movement from FR1
Corporate Policy	Corporate Total	1.302	0.967	(0.335)	(0.335)	-
Corporate Policy	Customer Service Centres Total	2.671	2.511	(0.161)	(0.100)	(0.061)
Corporate Policy	Human Resources & Organisational Development Total	2.838	2.619	(0.219)	(0.240)	0.021
Corporate Policy	Finance Total	5.718	5.618	(0.100)	-	(0.100)
Corporate Policy	Procurement Total	0.583	0.508	(0.075)	(0.030)	(0.045)
Corporate Policy	Revenues and Benefits - Rent Allowances	1.218	2.579	1.361	1.257	0.104
Corporate Policy	Revenues and Benefits Other	2.685	2.382	(0.303)	(0.303)	-
Corporate Policy	Digital Total	12.158	12.158	-	(0.091)	0.091
Corporate Policy	Audit and Risk Total	3.241	2.912	(0.329)	-	(0.329)
Corporate Policy	Democratic and Governance Services Total	4.118	3.811	(0.307)	(0.373)	0.066
Corporate Policy	Legal Services Total	4.117	4.315	0.198	(0.369)	0.567
Corporate Policy	Business Change Total	1.456	1.539	0.083	0.189	(0.106)
Corporate Policy	Engagement & Communications Total	1.072	1.042	(0.030)	0.475	(0.505)
Corporate Policy	Transformation Total	0.529	0.529	-	(0.018)	0.018
Corporate Policy		43.708	43.492	(0.217)	0.062	(0.279)

Section 2: Capital

2.1 Table 2 shows the detailed Capital schemes for Corporate Policy Committee:

Corporate								CAPITAL					
CAPITAL PROGRAMME 2025/26 - 2028/29													
Scheme Description	Forecast Expenditure							Forecast Funding					
	Total Approved Budget	Prior Years	Forecast Budget 2025/26	Forecast Budget 2026/27	Forecast Budget 2027/28	Forecast Budget 2028/29	Total Forecast Budget 2025-29	Grants	External Contributions	Revenue Contributions	Capital Receipts	Prudential Borrowing	Total Funding
	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m
Committed Schemes in progress													
ICT Services													
Digital Opportunities	15.351	3.222	4.605	4.607	2.917	0.000	12.129	0.000	0.000	0.000	0.000	12.129	12.129
Care Act Phase 2	6.314	5.256	1.058	0.000	0.000	0.000	1.058	0.000	0.000	0.000	0.000	1.058	1.058
ICT Device Replacement	3.762	1.136	1.000	0.250	0.200	1.176	2.626	0.000	0.000	0.000	0.000	2.626	2.626
ICT Hybrid Model	3.449	1.758	0.600	1.090	0.000	0.000	1.690	0.000	0.000	0.000	0.000	1.690	1.690
IADM (Information Assurance and Data Management)	19.465	17.456	1.800	0.209	0.000	0.000	2.009	0.000	0.000	0.000	0.000	2.009	2.009
Infrastructure Investment Programme (IIP)	34.429	31.376	2.833	0.220	0.000	0.000	3.053	0.000	0.000	0.000	0.000	3.053	3.053
Vendor Management	1.006	0.767	0.239	0.000	0.000	0.000	0.239	0.000	0.000	0.000	0.000	0.239	0.239
Finance & Customer Services													
Core Financials	13.143	10.259	1.139	0.745	0.800	0.200	2.884	0.000	0.000	0.000	0.000	2.884	2.884
Vendor Management - Phase 2	0.099	0.024	0.025	0.050	0.000	0.000	0.075	0.000	0.000	0.000	0.000	0.075	0.075
Total Committed Schemes	97.018	71.255	13.298	7.172	3.917	1.376	25.763	0.000	0.000	0.000	0.000	25.763	25.763
Total CorporatePolicy Schemes	97.018	71.255	13.298	7.172	3.917	1.376	25.763	0.000	0.000	0.000	0.000	25.763	25.763

OPEN

Corporate Policy Committee

27 November 2025

Medium Term Financial Strategy Consultation 2026/27 - 2029/30 and Council Tax Base 2026/27

**Report of: Ashley Hughes, Executive Director of Resources,
Section 151 Officer**

Report Reference No: CPC/13/25-26

Ward(s) Affected: Not applicable

For Decision or Scrutiny: Both

Purpose of Report

- 1 The Corporate Policy Committee is being asked to provide feedback, as consultees, on the development of the Cheshire East Medium-Term Financial Strategy 2026/27 to 2029/30. Feedback is requested in relation to the responsibilities of the Committee.
- 2 The report sets out the latest budget position for 2026/27 to 2029/30 and the list of budget savings proposals. relevant to the remit of this Committee. that has been included in the public consultation which was launched in November 2025.
- 3 This report also sets out the Council taxbase calculation 2026/27 for recommendation from Corporate Policy Committee to Council in December 2025.

Executive Summary

- 4 The Medium-Term Financial Strategy (MTFS) for Cheshire East Council for the four years 2025/26 to 2028/29 was approved by full Council on 26 February 2025.
- 5 The MTFS is underpinned by a set of assumptions around income, expenditure and core funding that result in a 4-year position. The budget could only be balanced for the 2025/26 financial year by use of

Exceptional Financial Support (EFS) by way of a capitalisation direction. This is not sustainable in the medium to long term and needs to be addressed urgently for the Council to be financially sustainable. The gaps forecast in later years are being addressed as part of the business planning process this year, as well as the Council learning to live within its means by delivering all savings and containing approved growth within 2025/26, otherwise there will be increased pressures in future years and preparing a balanced budget/ MTFS will continue to be challenging.

- 6 The budget gap in the update paper received by Corporate Policy Committee and Finance Sub Committee in September and October, without mitigations, was £33.3m on the General Fund Revenue budget for 2026/27. This is the year, by law, that elected members must set a legal budget by no later than the 11 March 2026.
- 7 Since that budget assumptions report there have been further changes identified that needed to be worked towards, and details were set out in the last report to this committee on 30 October 2025.
- 8 The proposals are those being consulted on, and not necessarily the final budget that this committee will recommend to Budget Council in February 2026. All service committees are receiving their own list of proposals for them to feedback on.
- 9 Finance Sub-Committee received a further [update](#) highlighting risks and issues that have not been taken into account at this point due to uncertainty or inability to quantify those risks. The risks relating to the Corporate Policy Committee remit include:
 - (a) An MTFS can only succeed when a Council's policies and procedures, plans and strategies, and outcomes are focused on the Council's core business. There will be tension between delivering financial sustainability across both capital and revenue budgets and meeting wider objectives which the Council must navigate through the MTFS process.
- 10 A programme of public engagement during November and December is underway to support the 2026/27 budget setting and consultation.
- 11 The Council must ensure the conditions for successful delivery of budget proposals are in place. These were included in the last [Corporate Policy Committee](#) report.
- 12 The current position includes the taxbase as calculated at the beginning of October 2025 in line with the statutory Council Tax Base return made to central government.

- 13 The calculation sets out the estimates of new homes less the expected level of discounts and the level of Council Tax Support (CTS). This results in a band D equivalent taxbase position for each Town and Parish Council.
- 14 The 2026/27 taxbase of 165,549.87 reflects an increase of £4.3m (1.38%) on the 2025/26 budgeted position which is £1.3m higher than the £3.0m (0.9%) forecast increase reported in February 2025. This is due in part to forecasting more new homes (1,950) compared to the 1,800 in the February 2025 estimates.
- 15 No changes are proposed to the Council Tax Support Scheme for 2026/27 other than to increase the income bands and non-dependant deductions in line with CPI. The scheme will be reviewed again during 2026/27 for the 2027/28 taxbase. A separate committee paper was received by this committee on 30 October 2025.

RECOMMENDATIONS

The Corporate Policy Committee is asked to:

1. Note the current budget position for the period 2026/27 to 2029/30 as set out in Table 1.
2. Scrutinise and feedback on the list of Corporate Policy budget savings proposals that are contained in the budget consultation launched in November 2025 as contained in Annex 1.
3. Note the Council Tax Support scheme is agreed for 2026/27 as unchanged other than the increases in line with CPI as agreed in the last consultation.

Corporate Policy Committee recommends to Council that:

4. In accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012, the amount to be calculated by Cheshire East Council as its Council taxbase for the year 2026/27 as 165,549.87 for the whole area (Annex 2).

Background

- 16 The Medium-Term Financial Strategy (MTFS) for Cheshire East Council for the four years 2025/26 to 2028/29 was approved by full Council on 26 February 2025.
- 17 Please see the last paper received on 30 October 2025 as a reminder of how the MTFS has developed since this time including the assumptions making up the current position in Table 1 below.

Table 1: Base Scenario position for 2026/27 to 2029/30	Approved Budget 2025/26 £m	Estimated Net Budget 2026/27 £m	Estimated Net Budget 2027/28 £m	Estimated Net Budget 2028/29 £m	Estimated Net Budget 2029/30 £m
Adults & Health	159.449	162.601	162.435	164.189	166.697
Children & Families	97.290	94.245	92.766	91.194	96.194
Corporate Policy	42.786	44.537	44.536	44.172	44.172
Economy & Growth	28.441	26.235	25.771	25.051	24.801
Environment & Communities	45.701	45.673	45.065	50.228	52.234
Highways and Transport	16.901	18.084	18.175	18.083	17.815
Council Wide Transformation savings	(13.452)	(26.943)	(37.973)	(37.973)	(37.973)
Transformation pump priming	-	10.000	5.000	5.000	-
Total Service Budgets	377.116	374.432	355.775	359.943	363.939
<i>CENTRAL BUDGETS:</i>					
Capital Financing	35.039	34.997	37.637	38.932	38.690
Past Pensions Adjustment from Actuary results	-	-	-	-	-
Flexible use of Capital Receipts	(1.000)	(15.000)	(10.000)	(10.000)	-
Bad Debt Provision (change)	(0.050)	(1.000)	(0.050)	(0.050)	(0.050)
Contingency Budget	15.953	48.538	53.620	65.336	73.330
Pay inflation (moved from service budget to contingency budget from 2026/27 until final pay agreement reached)	-	10.223	18.451	26.815	35.179
Pension adjustment relating to ASDVs only	(0.727)	-	-	-	-
Use of (-) / Top up (+) Reserves	1.304	5.001	15.456	14.479	12.011
Total Central Budgets	50.519	82.759	115.114	135.512	159.160
Additional changes to balance future years		-			
TOTAL: SERVICE + CENTRAL BUDGETS	427.635	457.192	470.889	495.456	523.100
<i>FUNDED BY:</i>					
Council Tax	(307.264)	(327.119)	(346.587)	(367.173)	(388.962)
Business Rate Retention Scheme	(57.122)	(47.084)	(46.767)	(46.919)	(47.048)
Revenue Support Grant	(0.849)	(63.851)	(79.786)	(85.300)	(86.161)
Specific Unring-fenced Grants + DAMPING	(37.140)	(0.929)	2.251	3.936	(0.929)
TOTAL: FUNDED BY	(402.375)	(438.983)	(470.889)	(495.456)	(523.100)
Exceptional Financial Support - Capitalisation Direction	(25.261)				
Funding Position (+shortfall)	-	18.209	-	-	-

Next Steps in budget development

- 18 There has been further work carried out to challenge this updated position. Business case submissions for future planned savings were presented to Corporate Leadership Team on 13 October. Further changes that could be made to the above position have been included in the latest figures and a list of savings proposals is included at Annex 1 relevant to this Committee. For a full list of proposed budget savings please see the last [Corporate Policy Committee](#) paper.
- 19 The Council will continue to review its MTFS and budget reductions programme going forward as set out in the last paper. The assumptions included within this report will be refreshed through November and December to take account of available information on Government funding decisions as well as the macro-economic environment.

- 20 This position includes the list of savings proposals as contained in Annex 1 and summary Table 2 has been provided below.

TABLE 2 - DRAFT BUDGET SAVINGS PROPOSALS 2026/27 TO 2029/30	2026/27 £m	2027/28 £m	2028/29 £m	2029/30 £m
	(57.781)	(14.562)	(8.158)	7.086
Children and Families	(3.826)	(0.725)	(0.725)	-
Adults and Health	(11.769)	(5.984)	(4.537)	(2.961)
Corporate Policy	(5.988)	(1.423)	(1.517)	-
Corporate Policy - Council Wide Transformation	(13.491)	(11.030)	-	-
Economy and Growth	(2.885)	(0.543)	(0.597)	(0.250)
Environment and Communities	(4.615)	(0.653)	(0.544)	0.580
Highways and Transport	(0.257)	(0.154)	(0.238)	(0.283)
Finance Sub Committee - Central Budgets	(14.950)	5.950	-	10.000

Council Taxbase 2026/27

- 21 Cheshire East Council is required to approve its taxbase before 31 January 2026 so that the information can be provided to the Cheshire Police and Crime Commissioner and Cheshire Fire Authority for their budget processes. It also enables each Town and Parish Council to set their respective budgets. Details for each parish area are set out in **Annex 2**.
- 22 The taxbase for the area is the estimated number of chargeable dwellings expressed as a number of band D equivalents, adjusted for an estimated number of discounts, exemptions and appeals plus an allowance for non-collection. A reduction of 1% is included in the taxbase calculation to allow for anticipated levels of non-collection.
- 23 Processes to collect Council Tax locally continue to be effective despite the challenges of the impact on residents of the cost of living. However, strong collection is continuing and the forecast level of non-collection at Cheshire East has been maintained at 1% for 2026/27.

Premium Charges

- 24 Since April 2013, Councils in England have had the power to apply an Empty Homes Premium Charge to properties that are left unoccupied and substantially unfurnished for long periods.

- 25 Following an amendment to Section 11B of the 1992 Local Government Finance Act through the Levelling-up and Regeneration Act 2023, the empty home premium could be applied to properties which have been empty for one or more years from 1 April 2024. The empty home premium charge increases in value based on the number of years the property remains empty.
- 26 In addition to amending the empty home premium, the Levelling-up and Regeneration Act 2023 also introduced new powers for councils to charge premiums on second homes under Sections 11C and 11D of the 1992 Local Government Finance Act.
- 27 From 1 April 2025, a new Second Home Premium Charge of an additional 100% Council Tax charge is being applied to properties that are unoccupied and furnished. The second home premium charge will be applied to properties from the first day they are classified as a second home and will be levied at an additional 100% of the annual Council Tax charge. The current regulations do not allow it to increase in value in proportion with the empty home premium charge.
- 28 The Government have recognised that there are certain circumstances where it would be inappropriate to apply a premium charge. More information is contained on the website [here](#).
- 29 Below is a summary of the current charges being levied. There are no changes planned for 2026/27.

Time empty/unfurnished	Premium charge	What is actually paid
0 to 1 year	N/A	100%
1 to 5 years	100%	200%
5 to 10 years	200%	300%
10 years or more	300%	400%

Time furnished but not used as anyone's sole or main residence	Premium charge	What is actually paid
From day 1	100%	200%

Council Tax Support

- 30 The taxbase also reflects assumptions around Council Tax Support payments. The Cheshire East CTS scheme was introduced in 2013/14 and subsequently amended following consultations in 2016/17, 2020/21 and was amended again for 2022/23 to make the scheme more supportive in the light of funding being provided by central government (£3.3m) to be able to assist the pandemic recovery.

- 31 The funding for this Local Council Tax Support grant was received in 2020/21 and was transferred to the Collection Fund Earmarked reserve. The funding has been used over the last four years to support the revenue budget to compensate for suppressed Council Tax levels as a result of higher Council Tax Support payments. This funding has now been used in full and no further funding has been made available.
- 32 There is a reduction in budget of c.£0.5m for 2026/27 within the overall CTS budget. Whilst there has been a slight increase in awards to pensioners following uptake campaigns related to winter fuel payments, overall expenditure has reduced as a result of Government policy to migrate working-age claimants from Housing Benefit to Universal Credit.
- 33 No changes are proposed to the Council Tax Support scheme for 2026/27 other than to increase the income bands and non-dependant deductions in line with CPI. The scheme will be reviewed again during 2026/27.

Risks

- 34 The taxbase and subsequent collection of Council Tax is subject to overall risks from a variety of sources, such as inaccuracies within:
- Numbers of new homes forecast;
 - Levels of discounts and premium charges estimated;
 - Under collection rate.
- 35 Risks particularly associated with Council Tax Support levels include:
- Challenges over the medium-term economic position, especially in the light of increased inflation and economic slowdown;
 - The risk of a major employer leaving the area;
 - The risk of delay in the significant development projects delaying employment opportunities;
 - The prospect of a greater number of residents becoming of pensionable age and potentially becoming eligible for CTS;
 - The risk of increased non-collection due to the increasing demand on non-protected residents.
- 36 Risks are managed throughout the year and regular monitoring and reporting takes place to ensure that preceptors are made aware of any shortfalls in the Collection fund.

Consultation and Engagement

- 37 The annual business planning process involves engagement with local people and organisations. Local authorities have a duty to consult on their budget with certain stakeholder groups and in Cheshire East we include

the Schools Forum as well as business rate payers (with whom the Council has a statutory duty to consult with). 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.

38 All committees will receive reports during the November cycle of meetings for them to scrutinise proposals relating to the remit of the committee. There will be a further opportunity during the January 2026 committee meeting cycle to comment further as feedback is received.

39 The calculation of the taxbase is not subject to consultation.

Reasons for Recommendations

40 In accordance with the Constitution Committees play an important role in planning, monitoring and reporting on the Council's finances. Each Committee has specific financial responsibilities.

41 The Council's annual budget must be balanced. The proposals within it must be robust and the strategy should be supported by adequate reserves. The assessment of these criteria is supported by each Committee having the opportunity to help develop the financial proposals before they are approved by Full Council.

42 In accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012 Cheshire East Council is required to agree its taxbase before 31 January 2026.

Other Options Considered

43 The Council has a legal duty to set a balanced annual budget, including legally setting the Council tax base, taking regard of the report from the Chief Financial Officer. As such options cannot be considered that would breach this duty. Any feedback from the consultation process and individual committee feedback must still recognise the requirement for Council to fulfil this duty.

Option	Impact	Risk
Do nothing	Not an option as the council must legally set a balanced budget for the coming financial year	The Council would be acting unlawfully if budgets are not aligned to available resources and council tax levels

		need to be set in accordance with the Local Government Finance Act 1992 (as amended); The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.
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Implications and Comments

Monitoring Officer/Legal/Governance

- 44 The Council must set the budget in accordance with the provisions of the Local Government Finance Act 1992 and approval of a balanced budget each year is a statutory responsibility. Sections 25 to 29 of the Local Government Act 2003 impose duties on the Council in relation to how it sets and monitors its budget and require the Council to make prudent allowance for the risk and uncertainties in its budget and regularly monitor its finances during the year. The legislation leaves discretion to the Council about the allowances to be made and action to be taken.
- 45 The provisions of section 25 of the Local Government Act 2003, require that, when the Council is making the calculation of its budget requirement, it must have regard to the report of the chief finance (s.151) officer as to the robustness of the estimates made for the purposes of the calculations and the adequacy of the proposed financial reserves.
- 46 The Council should therefore have robust processes in place so that it can meet statutory requirements and fulfil its fiduciary duty. It must ensure that all available resources are directed towards the delivery of statutory functions, savings and efficiency plans. Local authorities are creatures of statute and are regulated through the legislative regime and whilst they have in more recent times been given a general power of competence, this must operate within that regime. Within the statutory framework there are specific obligations placed upon a local authority to support communities. These duties encompass general and specific duties and there is often significant local discretion in respect of how those services or duties are discharged. These will need to be assessed and advised on as each circumstance is considered.
- 47 The financial position of the Council must therefore be closely monitored, and Members must satisfy themselves that sufficient mechanisms are in

place to ensure both that savings are delivered and that new expenditure is contained within the available resources. Accordingly, any proposals put forward must identify the realistic measures and mechanisms to produce those savings or alternative mitigations.

- 48 This report provides an update on progress towards the setting of the 2026/27 budget.
- 49 It also provides updates and comments regarding the Council's use of Exceptional Financial Support under The Levelling-up and Regeneration Act 2023 which inserted an amended Section 12A as a trigger event within the Local Government Act 2003, in relation to capital finance risk management. The legislation also provides for risk mitigation directions to be given to the Council which limit the ability to undertake certain financial action. The limitations are based on identified risk thresholds.
- 50 In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended and Chapter 4 of the Council's Constitution, the calculation of the Council taxbase is a matter for full Council following a recommendation by Corporate Policy Committee.

Section 151 Officer/Finance

- 51 Please see all sections of this report.
- 52 The calculation of the taxbase provides an estimate that contributes to the calculation of overall funding for Cheshire East Council in each financial year. The taxbase calculation as set out in this report will be used to calculate the Council Tax budgeted income for 2026/27 and will be included in the Medium-Term Financial Strategy 2026-30.

Human Resources

- 53 Any HR implications that arise from activities funded by the budgets that the budget report deals with will be dealt with in the individual reports to Members or Officer Decision Records to which they relate.

Risk Management

- 54 Financial risks are assessed and reported on a regular basis, and remedial action taken if required. Risks associated with the achievement of the 2025/26 budget and the level of general reserves were factored into the 2025/26 financial scenario, budget, and reserves strategy.
- 55 Estimates contained within the Council taxbase calculation, such as the loss on collection and caseload for Council Tax Support, will be monitored throughout the year. Any significant variation will be reflected in a surplus

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

Impact on other Committees

- 56 All committees will work towards bringing forward budget change proposals to assist with the medium term financial strategy.

Policy

- 57 The Cheshire East Plan sets the policy context for the MTFS and the two documents are aligned. Any policy implications that arise from activities funded by the budgets that this report deals with will be dealt with in the individual reports to Members or Officer Decision Records to which they relate. This contributes to Commitment 3: An effective and enabling Council.

Equality, Diversity and Inclusion

- 58 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):			
Ashley Hughes	S151 Officer	3/11/2025	10/11/2025
Kevin O'Keefe	Interim Monitoring Officer	3/11/2025	4/11/2025
Legal and Finance			
Chris Benham	Director of Finance	3/11/2025	11/11/2025
Hilary Irving	Interim Head of Legal Services	3/11/2025	10/11/2025

Access to Information	
Contact Officer:	Chris Benham – Director of Finance Chris.benham@cheshireeast.gov.uk
Appendices:	Annex 1 – Proposals Budget Savings for Consultation Annex 2 – Council Taxbase 2026/27
Background Papers:	The following are links to key background documents: MTFS 2025-2029 Financial Review 1 2025/26 Corporate Policy Committee 30 October 2025 Finance Sub Committee MTFS update 3 November 2025

Prev MTFS Ref	ANNEX 1 - DRAFT BUDGET SAVINGS PROPOSALS 2026/27 TO 2029/30		2026/27 £m	2027/28 £m	2028/29 £m	2029/30 £m
	Corporate Policy		(5.988)	(1.423)	(1.517)	-
3, 14, 35, 58, 78, 96	Pension costs adjustment* * This has already been allocated to service committees and is shown against the relevant budget lines in the main report Table 3	This item relates to pension contributions funded by the Council. This results from a successful financial strategy to secure stability in the funding of future pension liabilities. The effect is a reduction in overheads in pay cost budgets following a change in the employer's contribution rate estimated by the Cheshire Pension Fund from the April 2026 triannual valuation results.	(4.521)	(1.423)	(1.517)	-
NEW	5% vacancy factor - all Res & CEX	To contribute to the Council's overall savings target through a managed reduction in staffing costs, achieved by holding a proportion of vacant posts unfilled for a defined period. This is being applied across all staffing areas at 5% of pay budgets. This approach assumes that a portion of staffing budgets will remain unspent due to natural turnover and strategic vacancy management	(1.467)	-	-	-
	Corporate Policy - Council Wide Transformation		(13.491)	(11.030)	-	-
49T	Digital Customer Enablement Invest to Save	The Digital Enablement Framework is a key enabler for the delivery of the Customer Experience Strategy, putting customer considerations at the centre of service delivery. It also provides transformational capabilities for continuous improvement providing efficiencies and improvement opportunities within the end-to-end service delivery processes. These savings will be validated and allocated to individual service areas with the agreement of CLT/Transformation Board.	(0.616)	(0.700)	-	-
50T	Digital Acceleration Invest to Save	Acceleration will maximise the use of emerging Digital technologies to transform ways of working across the entire range of council services. The benefits realised will be council-wide and enabled through the adoption of AI solutions by service operations across the Council including Adults, Health and Integration, Children's Services, Place, Resources (inc Customer Services) directorates, and Chief Executive's Office. These savings will be validated and allocated to individual service areas with the agreement of CLT/Transformation Board.	(6.250)	(5.250)	-	-
51T	Digital Blueprint - Invest to Save	The Digital Blueprint initiative will provide financial and quality improvements across Cheshire East services. Benefits realised will be council-wide and enabled through developing priority propositions across several dimensions including: <ul style="list-style-type: none"> Improved quality of service outcomes, Cheshire East operations and customer experience, and Improved efficiency in service delivery, reducing friction and transactional costs These savings will be validated and allocated to individual service areas with the agreement of CLT/Transformation Board.	(4.645)	(4.500)	-	-
55T	Fees and Charges	As part of the Transformation Programme, a review of service fees and charges will compare our existing prices with those of other councils across the country, to identify opportunities to maximise income and fully recover costs of delivery. As specific areas of additional income are identified, the related service income budget will be increased, following the agreement of CLT/Transformation Board.	(0.040)	(0.040)	-	-
56T	Third Party Spend	As part of the Transformation Programme, a review of spend with suppliers will realise savings and drive increased value for money. As specific areas of saving are identified, the related service income budget will be increased, following the agreement of CLT/Transformation Board.	(0.690)	(0.540)	-	-
NEW	F&C increase	The Council's new Fees and Charges policy will be implemented in full from 1 April 2026. The policy proposes that future annual increases in fees and charges will subsequently take effect from each January. Therefore, additional savings will be realised in 2026-27 from fees increases in January 2027. As these increases are agreed, the related service income budget will be increased, following the agreement of CLT/Transformation Board.	(1.250)	-	-	-

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ANNEX 2

COUNCIL TAX - TAXBASE 2026/27

CHESHIRE EAST	BAND D EQUIVALENTS	TAX BASE 99.00%
Acton	145.01	143.56
Adlington	653.83	647.29
Agden	95.43	94.47
Alderley Edge	2,810.31	2,782.21
Alpraham	259.33	256.74
Alsager	5,880.34	5,821.53
Arclid	198.59	196.61
Ashley	186.76	184.89
Aston by Budworth	201.49	199.48
Aston-juxta-Mondrum	91.80	90.88
Audlem	1,080.40	1,069.60
Austerson	47.89	47.41
Baddiley	96.36	95.40
Baddington	63.23	62.60
Barthomley	104.28	103.24
Basford	90.92	90.01
Batherton	30.56	30.25
Betchton	313.38	310.24
Bickerton	138.20	136.81
Blakenhall	73.70	72.96
Bollington	3,285.93	3,253.07
Bosley	225.83	223.58
Bradwall	95.83	94.88
Brereton	883.61	874.77
Bridgemere	73.78	73.04
Brindley	70.67	69.96
Broomhall	90.08	89.18
Buerton	260.34	257.74
Bulkeley	154.69	153.14
Bunbury	733.58	726.24
Burland	336.02	332.66
Calveley	147.97	146.49
Checkley-cum-Wrinehill	49.19	48.70
Chelford	840.28	831.88
Cholmondeley	105.08	104.03
Cholmondeston	86.51	85.64
Chorley	284.29	281.45
Chorley (Crewe)	67.29	66.61
Chorlton	685.23	678.38
Church Lawton	895.52	886.56
Church Minshull	219.95	217.75
Congleton	11,580.65	11,464.84
Coole Pilate	38.40	38.02
Crnage	689.44	682.55
Crewe	15,258.81	15,106.23
Crewe Green	127.26	125.99
Disley	2,107.33	2,086.25
Dodcott-cum-Wilkesley	216.71	214.54
Doddington	21.17	20.96
Eaton	191.81	189.89
Edleston	37.08	36.71
Egerton	36.65	36.29
Faddiley	85.66	84.80
Gawsworth	852.74	844.21
Goostrey	1,104.27	1,093.23
Great Warford	464.86	460.21
Handforth	2,769.95	2,742.25
Hankelow	189.81	187.91
Haslington	2,856.62	2,828.05
Hassall	114.20	113.06
Hatherton	190.61	188.70
Haughton	103.60	102.57
Henbury	380.63	376.83
Enhull	21.54	21.32
High Legh	915.44	906.29
Higher Hurdfield	335.19	331.83
Holmes Chapel	2,970.35	2,940.65
Hough	360.01	356.41
Hulme Walfield & Somerford Booths	653.24	646.71
Hunsterson	80.98	80.17
Hurleston	39.93	39.53

COUNCIL TAX - TAXBASE 2026/27

CHESHIRE EAST	BAND D EQUIVALENTS	TAX BASE 99.00%
Kettleshulme	175.75	174.00
Knutsford	6,374.76	6,311.01
Lea	21.79	21.57
Leighton	2,147.52	2,126.05
Little Bollington	132.66	131.33
Little Warford	41.56	41.15
Lower Peover	78.81	78.02
Lower Withington	322.14	318.92
Lyme Handley	73.39	72.66
Macclesfield	20,072.10	19,871.34
Macclesfield Forest/Wildboarclough	132.85	131.52
Marbury-cum-Quoisley	144.06	142.62
Marton	127.79	126.51
Mere	477.93	473.15
Middlewich	5,223.26	5,171.03
Millington	113.50	112.37
Minshull Vernon	141.16	139.75
Mobberley	1,542.44	1,527.02
Moston	193.25	191.32
Mottram St Andrew	436.77	432.41
Nantwich	6,815.92	6,747.76
Nether Alderley	694.88	687.93
Newbold Astbury-cum-Moreton	367.84	364.16
Newhall	486.88	482.01
Norbury	113.69	112.55
North Rode	137.31	135.94
Odd Rode	2,059.79	2,039.19
Ollerton with Marthall	372.70	368.97
Over Alderley	303.74	300.70
Peckforton	81.47	80.66
Peover Superior	430.69	426.38
Pickmere	404.41	400.37
Plumley with Toft and Bexton	429.36	425.07
Poole	85.43	84.58
Pott Shrigley	165.03	163.38
Poynton with Worth	6,454.63	6,390.09
Prestbury	2,299.98	2,276.98
Rainow	631.41	625.09
Ridley	87.85	86.97
Rope	814.81	806.66
Rostherne	85.67	84.81
Sandbach	9,135.85	9,044.49
Shavington-cum-Gresty	2,686.39	2,659.53
Siddington	184.15	182.31
Smallwood	333.14	329.81
Snelson	84.56	83.71
Somerford	1,110.07	1,098.97
Sound	118.39	117.21
Spurstow	208.79	206.70
Stapeley	1,756.88	1,739.31
Stoke	129.06	127.77
Styal	399.21	395.22
Sutton	1,392.40	1,378.48
Swettenham	189.66	187.76
Tabley	269.56	266.86
Tatton	14.45	14.31
Twemlow	123.45	122.22
Walgerton	69.46	68.77
Wardle	82.12	81.29
Warmingham	124.35	123.11
Weston	1,056.17	1,045.61
Wettenhall	119.75	118.55
Willaston	1,618.35	1,602.16
Wilmslow	12,486.51	12,361.65
Wincle	95.77	94.81
Wirswall	45.25	44.80
Wistaston	3,396.46	3,362.50
Woolstanwood	242.92	240.49
Worleston	118.40	117.22
Wrenbury	541.48	536.07
Wybunbury	843.69	835.25
	167,222.09	165,549.87

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Corporate Policy Committee Work Programme 2025-26

Report Reference	Corporate Policy Committee	Title	Purpose of Report	Lead Officer	Consultation	Equality Impact Assessment	Part of Budget and Policy Framework	Exempt Item	Decision or Scrutiny
February 2026									
CPC/19/25-26	12/02/26	Medium term Financial Strategy 2026/27 - 2029/30 (Corporate Policy Committee)	To recommend the Medium-Term Financial Strategy for 2026 to 2030 to Council for approval. The report will incorporate the Council's priorities, budget, Policy Proposals and Capital Programme. The report will also include the Capital, Treasury Management, Investment and Reserves Strategy	Executive Director of Resources and S151 Officer	No	No	Yes	No	Decision / Scrutiny
CPC/27/25-26	12/02/26	Third Financial Review of 2025/26	To note and comment on the Third Financial Review and Performance position of 2025/26, including progress on policy proposals and material variances from the MTFS and (if necessary) approve Supplementary Estimates and Virements	Executive Director of Resources and S151 Officer	No	No	Yes	No	Scrutiny

Corporate Policy Committee Work Programme 2025-26

CPC/28/25-26	12/02/26	Medium Term Financial Strategy Consultation 2026/27 - 2029/30 Provisional Settlement Update	All Committees are being asked to provide feedback in relation to their financial responsibilities as identified in the Constitution and linked to the budgets approved by the Finance Sub Committee in 2025. Responses to the consultation would be reported to the Corporate Policy Committee in making recommendations to Council on changes to the current financial strategy. Finance Sub Committee will also receive an update on the Local Government Financial Provisional Settlement	Executive Director of Resources and S151 Officer	Yes	No	Yes	No	Scrutiny / Decision
CPC/08/25-25	12/02/26	Calendar of Meetings 2026-27	To consider the proposed calendar of meetings for the 2026-27 municipal year.	Director of Law and Governance (Monitoring Officer)	No	No	No	No	Decision
March 2026									
CPC/29/25-26	19/03/26	Service Budgets 2026/2027	The purpose of the report is to set out the allocation of budgets for 2026/27, for all Committees, following Council's approval of the Medium-Term Financial Strategy in February 2024, as determined by Finance Sub	Executive Director of Resources and S151 Officer	No	No	Yes	No	Scrutiny
CPC/21/25-26	19/03/26	Q3 Strategic Risk Update	This report provides an update on the activity of the council's strategic risk register for Q3.	Director of Law and Governance (Monitoring Officer)	No	No	No	Yes in part	Scrutiny
CPC/59/25-26	19/03/25	Corporate Improvement and Delivery Plan including Q3 progress	An overarching Corporate Improvement Plan which	Assistant Chief Executive	No	No	No	No	Scrutiny

**Corporate Policy Committee
Work Programme 2025-26**

			supersedes the Corporate Peer Challenge Action Plan.						
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Task and Finish Groups

Group	Membership	Established	Purpose
Leader and Cabinet Task and Finish Group	Cllrs N Mannion (sub), M Gorman, M Warren, S Gardiner, R Fletcher, F Wilson, O’Leary, Wardlaw, Rhodes, Clark, Simon (sub)	September 2025	To drive forward change in the Council’s governance arrangements to a Leader/Cabinet model.

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Finance Sub-Committee**
held on Wednesday, 10th September, 2025 in the The Capesthorne Room -
Town Hall, Macclesfield, SK10 1EA

PRESENT

Councillor D Clark (Chair)
Councillor G Marshall (Vice-Chair)

Councillors D Brown, B Drake, S Gardiner, T Dean and R Vernon

OFFICERS IN ATTENDANCE

Ashley Hughes, Executive Director of Resources and S151 Officer
Chris Benham, Director of Finance
Tracy Baldwin, Strategic Finance Manager
Lianne Halliday, Head of Procurement
Julie Gregory, Acting Head of Legal Services
Nikki Bishop, Democratic Services Officer

15 APOLOGIES FOR ABSENCE

Apologies were received from Councillor C O'Leary. Councillor T Dean was present as substitute.

The Chair welcomed Chris Benham, Director of Finance, to his first Finance Sub Committee meeting.

16 DECLARATIONS OF INTEREST

There were no declarations of interest.

17 MINUTES OF PREVIOUS MEETING**RESOLVED:**

That the minutes of the meeting held on 2 June 2025 be agreed as a correct record and signed by the Chair.

18 PUBLIC SPEAKING/OPEN SESSION

There were no registered speakers.

19 FIRST FINANCIAL REVIEW OF 2025/26

The committee considered the report which set out the First Financial Review 2025-26 position based on income, expenditure and known commitments as at the end of June 2025. The First Financial Review 2025-26 (FR1) reported a forecasted revenue outturn position as an adverse variance of £3.1m (after the application of planned use of Exceptional Financial Support £25.3m).

It was noted that the value of additional mitigation plans to improve the overall forecast, which had not been reflected as delivered at FR1, were estimated at £2.8m, giving an improved overall forecast of £0.3m overspend. However, the committee noted that should the mitigations not materialise, alongside further risks identified within the report, the forecasted overspend position could increase to £18.7m adverse.

The committee agreed that the overall forecasted revenue overspend of £3.1m remained a significant financial challenge for the Council when considered in addition to the planned use of EFS of £25.3m. It was noted that the Council's reserves (£26.1m) were insufficient to cover the forecasted revenue outturn for 2025-26 without further action. The committee queried the level of confidence in mitigations materialising before the end of the financial year to ensure a balanced budget could be set in February 2026. It was clarified that work had begun on the Second Financial Review 2025-26 and early indications suggested a stable position. Management controls were in place to ensure mitigation plans remained on track. This included monthly monitoring meetings with senior managers and finance partners and regular briefings within Directorate Management Team meetings and with the Corporate Leadership Team. The committee was assured that should the S151 become significantly concerned with progress and direction of travel, Members would be consulted at the earliest opportunity.

The committee noted that there was ongoing recruitment to fill a number of key vacancies across the Council. Use of consultants had been utilised on an interim basis, particularly within the Change Management Office, to deliver the transformation needed, at pace. Work was underway to add additional, permanent, resource to key services including Children's and Families in order to support the Council's improvement journey to 'Good'.

The committee took the opportunity to thank the S151 Officer and his finance team for their continued hard work and efforts. It was agreed that the FR1 position highlighted significant financial challenges for the Council and Members agreed that they would need to make difficult decisions in the future to set a balanced budget and manage risks.

RESOLVED (unanimously):

That the Finance Sub Committee

1. Note the factors leading to a forecast adverse Net Revenue financial pressure of £3.1m against a revised budget of £440.5m (0.7%).
2. Note the contents of Annex 1, Section 2 and review progress on the delivery of the MTFS approved budget policy change items, the RAG ratings and latest forecasts, and to understand the actions to be taken to address any adverse variances from the approved budget.
3. Note the in-year forecast capital spending of £205.5m against an increased capital budget of £208.5m. This was adjusted at outturn following an approved MTFS budget of £173m.
4. Recommend to Council to approve the Supplementary Revenue Estimate Request for Allocation of Additional Grant Funding over £1,000,000 as per Annex 1, Section 3, Table 1.
5. Note that the Adults and Health, Children and Families and Environment and Communities committees will be asked to approve the Supplementary Revenue Estimate Requests for Allocation of Additional Grant Funding over £500,000 and up to £1,000,000 as per Annex 1, Section 3, Table 2.
6. Note the Capital Virements above £500,000 up to and including £5,000,000 as per Annex 1, Section 4, Table 4 to be approved in accordance with the Council's Constitution.
7. Recommend to Council to approve the Supplementary Capital Estimate Request for Allocation of Additional Grant Funding over £1,000,000 as per Annex 1, Section 4, Table 5.
8. Note the available reserves position as per Annex 1, Section 5.

20 ENTERPRISE CHESHIRE AND WARRINGTON - FIRST FINANCIAL REVIEW 2025-26

The committee considered the report which set out the First Financial Review of Enterprise Cheshire and Warrington (ECW) for 2025-26. A surplus of £0.1m was reported for FR1.

Enterprise Cheshire and Warrington was largely funded by various government initiatives such as the Growth Hub and Skills Boot Camp. Marketing Cheshire was more commercial in nature.

The committee noted that the combined financial position across Enterprise Cheshire and Warrington had resulted in a forecasted surplus position of just under £0.1m based on Quarter 1 data. Within this, Marketing Cheshire had reported a forecasted surplus of £16,741 compared to a budgeted deficit position of £33,259.

The committee highlighted the Devolution report that would be considered by all Members at the next Full Council meeting and queried how the outcome of the Council meeting could impact Enterprise Cheshire and Warrington – it was queried if Enterprise Cheshire and Warrington would continue to operation if devolution was not supported by Full Council. Equally, it was queried what would happen to the funds held by Enterprise Cheshire and Warrington if Full Council resolved to support devolution. Officers committed to providing a written response.

RESOLVED:

- 1 That the Finance Sub Committee
- 2 Note the information provided in the in-year financial review for Enterprise Cheshire and Warrington

21 COMPANIES DRAFT FINANCIAL STATEMENTS 2024/25

The committee considered the report which provided an overview of the Council's Wholly Owned Companies (WOCs) pre-audited Financial Statements for 2024-25 and a summary of the outturn position for the companies for the financial year 2024-25. It was noted that this report had recently been presented to the Council's Audit and Governance Committee in July 2025. The final audited Financial Statements would be presented to the Audit and Governance Committee in December 2025.

The committee noted that the WOCs reserves had decreased during 2024-25 leaving retained reserves at £0.848m. The WOC net core contract spending during 2024-25 was £43.611m which was slightly lower than in previous years, this reflected Orbitas services moving back in-house in February 2025.

It was clarified that once WOC services had been returned in-house, the reserves of that company would also be returned to the Council through a dividend payment which had already been taken into account within the Medium-Term Financial Strategy.

RESOLVED:

That the Finance Sub Committee

1. Note the summarised position of the WOC Financial Statements for year ended 31 March 2025 based on the information provided at this meeting and included in this report at Appendix 1.
2. Note the dates in relation to the approval process for the Financial Statements.

3. Note the overall financial performance of the WOC's in the 2024/25 financial year, as contained within the Appendix 1, as follows:

- a. ASDV Reserves increased by £0.334m, retained reserves are £0.848m.
- b. b. Wholly Owned Companies Net Core Contract Spending was £43.611m.

22 MEDIUM TERM FINANCIAL PLANNING ASSUMPTIONS - UPDATE (FINANCE SUB COMMITTEE)

The committee considered the report which updated on the development of the Medium-Term Financial Strategy (MTFS) 2026-2030 which had been further informed by Members of the Sub Committee Working Group which met in August 2025.

It was reported that whilst MHCLG had given a decision in principle to the Council in relation to Exceptional Financial Support for 2025-26, final confirmation was awaited. The conditions of use remained the same as previously agreed with MHCLG around capitalisation to deliver revenue budget transformation improvement. The costs of borrowing would be taken over a 20-year period. Members raised concerns in relation to the costs of borrowing however noted that without the application of EFS the S151 officer would not be able to provide a Section 25 Statement at the end of the year.

The committee noted that there had been further refinement to some of the budget assumptions and resulting values since the MTFS was approved in February 2025, as set out within the report. The committee queried the capital programme review to reduce the borrowing costs associated with the current MTFS planned programme by a third. It was agreed that informal conversations would commence next week at the officer Capital Board Review and members of the Sub Committee Working Group would be consulted prior to formal proposals being put to the committee at a public meeting.

The committee queried why the contingency budget had increased so significantly for 2026-27 compared to 2025-26. It was clarified that the 2026-27 contingency line included additionality for one off funding for transformation (£15m) and further transformation for Children's Services (£10m) along with other risks. Officers confirmed that there was a detailed breakdown of this which would be circulated to the committee.

An amendment was proposed by Councillor Gardiner, seconded and subsequently carried by a majority, in relation to recommendation 2, as set out below.

Amendment 1 - Recommendation 2

Work with officers and members to bring forward further budget change proposals to assist with presenting a balanced budget for 2026/27 (making use of Exceptional Financial Support) to the Corporate Policy Committee for consultation in November 2025.

A second amendment, which was accepted as a friendly amendment, was put forward in relation to recommendation 3, as set out below.

Amendment 2 – Recommendation 3

Recommend to Corporate Policy Committee to delegate to the S151 Officer the permission to continue dialogue with MHCLG on the continued use of Exceptional Financial Support over the life of this MTFS (2029-30).

RESOLVED (unanimously):

That the Finance Sub Committee

1. Note the updated budget assumptions for the period 2026/27 to 2029/30 including sensitivity analysis.
2. Work with officers and members to bring forward further budget change proposals to assist with presenting a balanced budget for 2026/27 (making use of Exceptional Financial Support) to the Corporate Policy Committee for consultation in November 2025.
3. Recommend to Corporate Policy Committee to delegate to the S151 Officer the permission to continue dialogue with MHCLG on the continued use of Exceptional Financial Support over the life of this MTFS (2029-30).

23 WORK PROGRAMME

It was highlighted that the 12 January 2026 meeting had now been moved to 30 January 2026.

RESOLVED:

That the Work Programme be received and noted.

24 PROCUREMENT PIPELINE

The committee considered the report which provided an overview of the pipeline of procurement activity, the contracts awarded during the financial year, and an update on the number of cases where and reasons why procurement activity had required the use of waivers.

The meeting adjourned for a 5 minute break at 11.40 am.

The committee noted the contract awarded to the 'Changing Lives Provider' for the provision of Christmas food hampers. It was clarified that

this related to food hampers provided for children and young people who were in receipt of free school meals during 2024. The funding for this provision came from the Holiday Activity Fund Grant from central government.

RESOLVED (unanimously):

That the Finance Sub Committee

1. Approve the 14 pipeline projects in Appendix 1 column G as business as usual.
2. Note the reason for 12 waivers approved between 1 December 2024 and 31 July (18 in total in 2024/25 and 5 for 2025/26).
3. Note the contracts awarded since April 2025, Appendix 2.
4. Note that this paper be presented to the next meeting of the Audit and Governance Committee on 29 September 2025 for assurance with regards procurement waiver compliance and reporting.

The meeting commenced at 10.30 am and concluded at 11.50 am

Councillor D Clark (Chair)

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Appeals Sub Committee**
held on Tuesday, 16th September, 2025 in the East Committee Room,
Municipal Buildings, Crewe, CW1 2BJ

PRESENT

Councillors S Bennett-Wake (Chair)

Councillors T Dean and B Puddicombe

8 APPOINTMENT OF CHAIR

That Councillor Bennett-Wake be appointed as Chair of the meeting.

9 APOLOGIES FOR ABSENCE

There were no apologies for absence.

10 DECLARATIONS OF INTEREST

In the interest of openness Councillor Bennett-Wake declared that she had friends who worked at the school subject to the appeal but was not known to the appellant.

11 PUBLIC SPEAKING TIME/OPEN SESSION

There were no public speakers.

12 EXCLUSION OF THE PRESS AND PUBLIC

That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)4 of the Local Government Act 1972 as amended on the grounds that it involves the likely discussion of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

13 SCHOOL TRANSPORT APPEALS

Consideration was given to the following school transport appeals.

14 CASE 1 - 10.35AM

The Sub-Committee considered an appeal against a decision of the Council's School Transport Team not to offer travel assistance. The Sub-Committee heard the appeal based on the written and oral evidence of the

Presenting Officer, who detailed the local authority's case, and the written evidence of the appellant. Members of the Sub-Committee asked questions by way of clarification. The Presenting Officer withdrew from the meeting, following which the Sub-Committee reached its decision.

RESOLVED (Unanimously):

That the appeal be upheld.

The meeting commenced at 10.30am and concluded at 11.30am

Councillor S Bennett-Wake



OPEN Report and Appendix 2

NOT FOR PUBLICATION Appendices 1 and 3 - By virtue of paragraph(s) 3 of Part 1 Schedule 1 of the Local Government Act 1972

Corporate Policy Committee

27 November 2025

Budget Approval and acceptance of the remaining DfT Grant for the Middlewich Eastern Bypass

Report of: Phil Cresswell, Executive Director Place

Report Reference No: CPC/58/25-26

Ward(s) Affected: Middlewich, Brereton Rural

For Decision

Purpose of Report

- 1 To recommend to Full Council to approve an increased budget of £107.67m for the Middlewich Eastern Bypass (MEB) Budget for inclusion in the Council's Capital Programme.
- 2 To recommend to Full Council to accept the remainder of the grant of £46.78m (£23.304M) from the Department of Transport (DfT) towards the construction of the scheme
- 3 This report includes two commercially sensitive appendices which provides further details of the Council's commercial position and breakdown of estimated budgets prior to receipt of a formal contractual offer.

Executive Summary

- 4 The Middlewich Eastern Bypass scheme will improve the highway network in Middlewich by relieving congestion and road safety concerns in Middlewich town centre, improving journey times in mid Cheshire and enabling the full development of Strategic Location LPS 44 (Midpoint 18) in the adopted Local Plan Strategy. The Scheme, which is partly in Cheshire West and Chester, will support the economic growth of the Cheshire and Warrington sub-region.

- 5 The Council has spent approximately £27 million on activities such as scheme preparation, ground investigation, environmental works and land assembly to date.
- 6 Following the approval of the Council's Full Business Case, the DfT have awarded the Council £46.78m of funding towards the MEB. The grant funding is payable in yearly payments over a 3-year period.
- 7 The announcement of the grant award was delayed from the expected date in February 2025, meaning that the scheme could not start in 2025 as planned.
- 8 The delayed funding decision has impacted on the construction programme and caused increased cost pressures because of inflation and the need to refresh certain elements of work. The contractors target costs are currently being updated as the scheme will commence in 2026 and not 2025 on which the existing target cost is based. This work also includes assessing opportunities to deliver programme efficiencies and value engineering to help with the budget pressure.
- 9 The delay to the commencement of the scheme has resulted in an increase to the scheme cost estimate to £107.67m (now assuming a 2026 start), an increase of £9.73m. This report recommends that the scheme is allocated funding from other highway capital programme budgets, including from the Local Transport Grant.
- 10 The report also recommends the formal acceptance of the remainder of the DfT grant towards the scheme.
- 11 The report has considered other options to address the estimated cost increases including descoping options and a financial impact assessment of these alternative options. A summary of which is appended to this report in the confidential (Part 2) appendix 1.

RECOMMENDATIONS

The Corporate Policy Committee:

1. Recommend to Full Council; -

- a. To accept the remaining £23.304m grant monies payable over 26/27 and 27/28 from the Department for Transport to be spent on the delivery of the scheme, when received to
 - i. Authorise the Executive Director of Resources and Section 151 Officer to:
 - ◆ accept the DfT Grant allocation of £22.876m in 26/27 and £0.428m in 27/28. towards the MEB.
 - ◆ sign and return the Grant Letter by the DfT

- b. to approve a supplementary capital estimate for remaining grant monies
- c. to approve an increase in the allocated budget for the MEB from £97.94m to £107.67m for inclusion on the Council's Capital Programme. To agree that the increase of £9.73m be obtained from allocations from the 2025/26 Local Transport Fund of £1m and a request to the Shadow Board of the new Combined Authority in the near future for a minimum of £5.54m allocation of the Local Transport Capital Grant as detailed in the report and to authorise a supplementary capital estimate/ virement of the monies to the scheme.
- d. to allocate £1.24m surplus monies contained within the Congleton Link Road major highways scheme towards the project and authorise a supplementary capital estimate / virement of the monies to the scheme.
- e. to allocate any future proceeds from the sale of the land and property acquired in addition to the land acquired under the Compulsory Purchase Order during scheme development to the MEB project.

Background

- 12 On 23rd January 2025 the Highways and Transport Committee were updated on the scheme and the critical dependency of scheme costs on a timely decision from DfT on the grant funding. DfT funding was not confirmed until the 8th July 2025.
- 13 On 6th August the Corporate Policy Committee considered a report to accept the initial payment of the DfT grant funding, due to the committee cycles it was not possible to refer this to full Council; therefore, authorisation was sought to allow the Executive Director of Resources and Section 151 officer to accept the grant. This paper informed the committee that there would be significant inflationary costs arising from the delay in DfT's approval and proposed, subject to future decisions to proceed to use other ring-fenced transport funding, for example Local Transport Grant, Capital receipts and virements from existing committee budgets.
- 14 The late DfT grant decision caused the seasonal construction start window to be missed and a one-year delay to planned construction start. This delay will mean that the construction costs for the scheme have increased from £97.94m to an estimated £107.67m, therefore it will be necessary to fund the difference by other means as the Council will not be able to incur any additional borrowing. This is the Council's best estimate of the scheme costs at this time and is subject to a Contractual cost that will be provided in early December 2025.

- 15 The Table in confidential Appendix 1 is a breakdown of the current scheme estimate, showing the increase due to the delay in the DfT decision.

Additional Funding Recommendation

- 16 Given the Council's current financial position, increasing further the Council's direct contribution through increased borrowing to the scheme is not considered as a supportable recommendation by the Capital Programme Board.
- 17 A number of options have been considered to address the funding gap. These have included de-scoping elements of the scheme, cancelling other schemes from the highways capital programme and reallocating other highways capital budgets.
- 18 The DfT have also been asked to increase the grant contribution, but this request was not successful. However, the Council will continue to explore further opportunities to leverage additional capital grant into this scheme.
- 19 **Table 1** below shows the recommended funding option to accommodate the estimated increased costs.

Source	Amount (£m)
Reallocation of £1.24m of funding from the wider highways and transport capital programme	1.24
Integrated Transport Block 2025/26 contribution	1.00
Local Transport Grant contribution	5.54
Resale of land and property purchased to enable scheme	1.95
Total additional funding	9.73

- 20 The proposal will result in no increased Council borrowing and a projected Capital Financing betterment (due to income profile) against other options.
- 21 Currently the Council is the beneficiary of the both the Integrated Transport Block and the Local Transport Grant, however this situation will change when the new combined authority is formed. Therefore, it will be necessary that the scheme is included in any documentation considered prior to the formation of the new authority. Currently it is unclear as to what will occur during the transition period to the new

shadow authority and the initial period of the new combined authority, with grants that are awarded to partner authorities; hence the recommendation to seek a decision in principle on the use of LTG funding from the Shadow Board of the Combined Authority. The LTG funding is separate to the Mayoral Investment Fund.

Consultation and Engagement

- 22 The scheme has been subject to extensive local consultation at the planning stage and demonstrated high levels of local support, including from the recently elected MP for the Mid-Cheshire constituency.

Reasons for Recommendations

- 23 A detailed assessment of all the options for the scheme (including abandonment) has been undertaken given the increase in estimated costs. The full list of alternative options considered is contained in Appendix 2. A commentary on each scheme option is presented in detail in confidential Appendix 3 of this report, and a detailed financial assessment of those options has been made and discussed with the Section 151 Officer. These assessments have shown that given the expenditure on the scheme to date, the most financially advantageous option for the Council is to continue to construction of the scheme in its current form (Option 3).

Other Options Considered

- 24 The table in Appendix 2 describes each scheme option and outlines the benefits and risks of each option, along with detail around the assumptions made in the assessment of each option. A summary of the financial impacts of each option is contained in confidential Appendix 3.

Implications and Comments

Monitoring Officer/Legal/Governance

- 25 The scheme currently requires additional funding from the Council based upon the estimated scheme costs. Members need to be aware that this is subject to the review of the new contract price due to be provided to the Council in early December. The scheme is viable provided the Council seeks alternative funding options which include the use of monies highlighted in the report.
- 26 The scheme relies upon a Compulsory Purchase Order (CPO) to acquire the land required for the scheme, this will involve the Council making a General Vesting Declaration in the near future and will be subject to a report to the Highways and Transport Committee in January 2026. The current report suggests that surplus land is sold, this is land that has already been acquired before the CPO has been implemented

and not land included within the CPO. During the negotiations to acquire a plot of land, it was necessary to acquire the whole plot since the new road would sever the plot and sterilise the remaining land. As part of the CPO process the Council should not acquire more land than is necessary to deliver the scheme, if once the scheme has been constructed surplus land is identified the Council will be required to comply with the Critchel Down Rules and initially offer the land back to the previous landowner.

- 27 The options considered include the use of alternative grant monies, it should be noted that when the scheme was originally envisaged it was not known that the Council would becoming part of a combined authority. In 2026/2027 the local transport Grant (LTG) will replace the Integrated Transport Block and provide consolidated capital and resource for local transport enhancements and maintenance. The Council have been allocated £47.150m payable over a 4-year period, 2026/27, 2027/28, 2028/29, 2029/30. At the time of writing, the DfT are yet to provide the guidance that accompanies the use of the LTG. However, it will be for the Combined Authority to consider and decide how to allocate and use the funding across all constituent authorities.
- 28 The Council have decided to form a combined authority from 2026, with a Shadow Board being formed in October 2025 and the combined authority formally coming into existence in by the 31st March 2026. It is currently not known what will happen to grant monies awarded to partner authorities, therefore there is a risk that the Council does not receive this grant funding. The recommendations do include the request that the new combined authority ringfences grants so that they can be used for only the inflationary elements of this scheme. Members should be aware that the Council cannot make a decision that will be binding on the new authority.

Section 151 Officer/Finance

- 29 The Middlewich Eastern Bypass is included within the Capital Programme published as part of the 2025-2029 Medium Term Financial Strategy (2025 MTFS) and its current reported approved budget is £96.6m plus a further £1.34m of budget relating to MEB that sits within assets, in total £97.94m. To date the project has spent £27.68m, with over £24m of this being funded by prudential borrowing.
- 30 The £97.94m budget was predicated on the construction works commencing in 2025. However, a DfT funding decision was significantly delayed and the start date has been pushed back to 2026. Estimated costs have inevitably risen and are now currently forecast to be £107.67m, an increase of £9.73m (10%). It is important to note that

these are informed estimates at this point and contractual prices are as yet not final.

- 31 If the funding recommendations in Table 1 are made and the recommendations for virements adopted, then Table 2 below shows the overall funding position for the scheme if a start is made in Spring 2026

Table 2 – Proposed Scheme funding (for a 2026 start)

FUNDING SOURCES	FUNDING CONTRIBUTION
	£m
Department for Transport (DfT) Grants:	48.04
Local Contributions:	
Cheshire East Council (CEC)	24.67
Developers S106 Contributions	26.47
Integrated Transport Block 2025/26 contribution	1.00
Local Transport Grant 2026/27 and 27/28 contribution	5.54
Capital Receipts Resale of land and property purchased to enable scheme	1.95
Funding Available	107.67

- 32 The 2025 MTFS explicitly states that continuing to fund capital programmes with large amounts of borrowing is not affordable and not prudent. The MTFS recognises the need to reduce the current level of debt and the resulting ongoing cost of borrowing which puts a strain on the revenue budget. The MTFS assumes that capital receipts, third party funding and savings generated because of investment will be used to fund the programme wherever possible. Consequently, every opportunity should be taken to identify new and eligible sources of finance to reduce the level of Council contribution in MEB. The sources of funding identified in Table 2 should not be seen as being fixed.
- 33 The Capital Programme Board (CPB), established with the key remit to ensure the annual Capital programme is affordable, financially prudent and sustainable, received an update on the MEB Project on 15 September 2025 and considered the potential funding options

proposed. The CPB supported the scheme but only on the basis that no additional Prudential Borrowing was used in relation to the +£9.73m estimated increased costs and that a suitable proposal is put forward on that basis and to make recommendations to Committee per the Constitution.

- 34 The report requests additional funding be allocated to the scheme in order to fund the additional estimated £9.73m costs due to a delayed start to the scheme and this is shown in Table 1 (Paragraph 14). These would be funded from the following:
- A reallocation of £1.24m surplus budget contained within existing major highways schemes with no net increase in reported Council funding overall. The funds would need to be vired. If, the budget is subsequently required in the original projects then this proposal may increase the overall prudential borrowing ask of the Council and will therefore need to be carefully managed.
 - The service have indicated that a further £1.95m could be generated from land sales of surplus land along the route of the bypass with the caveat that land values fluctuate and therefore the value to be obtained is not a guaranteed amount from resale but an estimate, and if that figure is not achieved then the Council would need to support any shortfall through additional borrowing or alternative funding to support the scheme. In any event the land sales would not take place until the scheme is finished and therefore the Council would need to forward fund this amount in the meantime from borrowing and incur the related borrowing costs.
 - Other transport grants totalling £1m would be reallocated to this scheme in 25/26 through virement. The source of this is a top up to the Integrated Transport Block funding for local transport and maintenance, The Authority received an allocation of £7.75m so the figure represents a modest portion of this. The balance of the proposed funding gap solution (£5.54m) would come in the form of an allocation from Local Transport Grant (LTG). In 2026/2027 the Local Transport Grant will replace the Integrated Transport Block and provide consolidated capital and resource for local transport enhancements and maintenance. The Council were allocated £47.150m payable over a 4-year period, 2026/27-2029/30, and whilst this represents a significant increase on the values included within the approved 2025-29 MTFS, responsibility for allocating and distributing it across the three Authorities will become a function of the Combined Authority. A Shadow Authority overseen by a Shadow Board will operate initially with

the combined authority formally coming into existence by the 1 April 2026. The report recommends that a request is made to the Shadow Board to obtain a decision in principle to ringfence as a minimum £5.54m of the LTG allocation. This could be phased over more than one year.

- 35 The impact of these funding additions and effects of prudential borrowing on the Capital Financing Budget (CFB) over the project life (25 years) have been modelled by Finance against a range of options as set out in Paragraph 19 above. These are set out in confidential Appendix 3 where alternatives have been compared with the current £97.94m baseline MTFS position.
- 36 For Option 3, which is the preferred option in the report, the CFB impact over the project life is forecast at £43.111m which is a marginal £3.252m improvement than the existing MTFS baseline reported project. This option is based on the phased receipt of DfT funding over 3 years. The total CEC borrowing committed to the project totals £24.671m. With all other options, other than scheme cancellation, there is a higher CEC requirement for Prudential Borrowing and overall Capital Financing Cost. However, if the project were to cease, then costs incurred to date (£27.68m plus any additional expenditure to allow closure) could not be capitalised and would need to be written back to revenue. This would put significant additional pressure upon the Council's current revenue financial position, the impact of which should be self-evident. In addition, ceasing the scheme would also leave the council without the benefit of the asset and its potential to unlock the surrounding area for development.
- 37 Further analysis of the options is covered in confidential Appendix 3.

Human Resources

- 38 It shall be necessary to ensure that sufficient resource is allocated in Estates, Highways, Legal and Planning Services to support delivery of the scheme. If additional temporary resources are required these will be met from the project budget.

Risk Management

- 39 The biggest risk is that Full Council does not approve the revised MTFS budget before the January Highways and Transport committee. The January Highways and Transport Committee is the last opportunity to secure the necessary approvals to proceed to meet the CPO expiry deadlines and enable a start on site in Spring 2026. Confidential Appendix 3 sets out the financial impacts of not proceeding as recommended.

- 40 There is a risk that the Council is not permitted to use LTG to cover the inflationary costs of the Scheme, either via DfT guidelines (that are not yet available) or not authorised by the combined authority. However, to ensure delivery of key project milestones the Council has assumed that it will be allowed to use LTG to fund the additional elements of the scheme and will seek an agreement in principle to this effect as soon as possible.
- 41 This paper is required to provide the budget to allow a future decision on the scheme to be made. However, this budget is being set before a Contractual cost for the scheme is known but has been based on officers' best estimates. Further committee decisions will be needed if the overall scheme cost exceeds the estimates in this report.

Impact on other Committees

- 42 The recommendations in this report will allow the Highways and Transport Committee to proceed to award the construction contract for the scheme at their meeting in January 2026 if the overall scheme costs are within the revised budget.

Policy

- 43 The policy implications of the scheme are unchanged from those reported in previous cabinet and committee reports, most recently and comprehensively in the report to Highways and Transport Committee on 21 September 2023.

Equality, Diversity and Inclusion

- 44 The equality, diversity and inclusion implications of the scheme are unchanged from those reported in previous cabinet and committee reports, most recently and comprehensively in the report to Highways and Transport Committee on 21 September 2023.

Other Implications

- 45 All other implications of the scheme are unchanged from those reported in the previous cabinet and committee reports, most recently in the report to Highways and Transport Committee on 21 September 2023

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy):</i>			
Ashley Hughes	S151 Officer	30/09/25	05/11/25
Kevin O'Keefe	Monitoring Officer	30/09/25	05/11/25
<i>Legal and Finance</i>			
Tracy Baldwin	Finance Manager	09/10/25	24/10/25
<i>Other Consultees:</i>			
<i>Directors</i>			
Mandy Withington	Legal Team Leader	09/10/25	23/10/25
Phil Cresswell	Executive Director - Place	05/11/25	10/11/25

Access to Information	
Contact Officer:	Paul Griffiths, Chris Hindle, Angela Johnson paul.griffiths@cheshireeast.gov.uk, chris.hindle@cheshireeast.gov.uk, angela.johnson@cheshireeast.gov.uk
Appendices:	Confidential Appendix 1 – Table to show the impact of the delayed DfT decision on the scheme cost estimate. Appendix 2 – Alternative Options Confidential Appendix 3 – Finance review of alternative options.

	Appendices 1 and 3 are commercially sensitive and are exempt from publication
Background Papers:	

Appendix 2 – Alternative Options

Scheme Option	Description	Impacts	Risks / Issues	Assumptions in assessment
1. Cancel the scheme.	<p>The scheme could be immediately cancelled on the grounds of unaffordability. The land already acquired for the scheme would be sold, the planning permission allowed to lapse, and the compulsory purchase orders not implemented.</p> <p>All work would cease on the scheme and only the costs of returning the land to its original condition and disposal would remain to be funded</p>	This option would give most cost certainty	<p>The MEB is a Local Plan led scheme which will deliver the main strategic employment allocation and housing growth as well as transport benefits. 1,950 new dwellings and 6,500 additional jobs are directly or indirectly linked to the delivery of the scheme. These benefits will be lost.</p> <p>The income from future business rates from employment uses on the released employment land would be lost.</p> <p>The residual Council capital funding spent developing the scheme (c£27.9m) would need to be re-assigned to revenue budgets as there would be no asset eventually resulting from the expenditure. This would make a S114 notice significantly more likely.</p> <p>Cancellation of the scheme at this stage could cause reputational damage to the Council and would also affect the credibility of any future Council funding bids.</p> <p>Congestion and air quality issues in Middlewich would remain.</p> <p>The Council would receive pressure from developers to continue to develop the allocated MidPoint18 Employment site in the absence of the bypass.</p>	<p>That the DfT grant initially received to develop the Outline Business Case (£1.2m) would not need to be repaid.</p> <p>The value of the land already acquired for the scheme that would be re-sold is only an approximate estimate.</p> <p>For the purposes of a comparative assessment between options, it has been assumed that any future S106 developer funding intended to be used in the other options towards the construction of the scheme will be lost.</p>

Scheme Option	Description	Impacts	Risks / Issues	Assumptions in assessment
2. "Mothball" the scheme pending the identification of additional funding.	Development of the scheme would be halted, but acquisition of the remaining land required would continue and planning permission would be implemented. Construction would not proceed until such a time that the additional funding required for the scheme was identified.	<p>The MEB is a Local Plan led scheme which will deliver the main strategic employment allocation and housing growth as well as transport benefits. 1,950 new dwellings and 6,500 additional jobs are directly or indirectly linked to the delivery of the scheme. These long-term benefits to the borough would be retained as the long-term intention remains to deliver the scheme.</p> <p>The income from future business rates from employment uses on the released employment land would be retained.</p> <p>The past and future developer S106 contributions to the scheme could be retained.</p>	<p>The timescales would be uncertain and therefore the long-term borrowing costs until scheme completion is also uncertain.</p> <p>Construction costs will increase due to inflation and other impacts.</p> <p>Some environmental and ecological work would need to be repeated.</p> <p>Contract tender preparation work would need to be repeated when the programme for construction was known.</p> <p>There would be some continuing holding costs for land acquired until scheme construction could commence.</p> <p>It is not likely that DfT will agree to the mothballing option and may withhold the grant.</p>	<p>For evaluation purposes, it has been assumed that funding would be identified, and construction of the scheme would commence in 5 years' time.</p> <p>That the DfT grant for the scheme would remain at £48m and would still be available at a future scheme delivery date.</p> <p>Future inflation rates have been assumed to arrive at construction cost and S106 income estimates.</p>
3. Proceed to build the scheme	The development a new target cost and a new construction programme would proceed immediately following notification from the DfT	The MEB is a Local Plan led scheme which will deliver the main strategic employment allocation and housing growth as well as transport benefits. 1,950 new dwellings and 6,500 additional jobs are	The DfT decision delay has now prevented scheme commencement in 2025, which has resulted in an increased costs estimate and a funding gap of approximately £9.73m	That the DfT grant for the scheme would remain at £46.78m and that a decision will be received from them before September 2025, but the grant will not be received until construction starts (if DfT agree)

Scheme Option	Description	Impacts	Risks / Issues	Assumptions in assessment
		<p>directly or indirectly linked to the delivery of the scheme. These long-term benefits to the borough would be retained.</p> <p>The income from future business rates from employment uses on the released employment land would be retained.</p> <p>The past and future developer S106 contributions to the scheme could be retained.</p>	for the updated estimate (Subject to receipt of tender cost from the Contractor)	<p>That the funding gap is addressed by implementing the recommendations in this report.</p> <p>That the reallocation of funding from other programmes will be accepted by DfT and Active Travel England.</p> <p>Future inflation rates have been assumed to arrive at construction cost and S106 income estimates.</p>
4. Develop all the remaining employment land from a partial scheme from the northern end.	Build the northern end of the bypass as far as Cledford Lane to access the employment land from there, until funding is identified for full scheme delivery.	<p>Partial implementation of the northern section is estimated to result in an overall increase of £16m in construction costs for delivery for the full scheme.</p> <p>The scheme would not be eligible for the £46.78m DfT grant until the full scheme could be assured.</p> <p>The peak nett borrowing position of the Council would be approximately £54m before the assumed receipt of the DfT grant.</p>	<p>This option would be contrary to current planning policy and would require a wholesale change of approach to the scheme; potentially needing a new planning application.</p> <p>The DfT would need to agree this new approach without altering the grant funding (Considered unlikely)</p> <p>It is likely that some of the S106 developer contributions would not be able to be used to contribute to a partial scheme that did not result in a full bypass.</p> <p>A new committee decision would be required to proceed with the scheme on a phased basis.</p>	<p>A partial scheme, with no certainty around if or when the full scheme would be delivered, would no longer be eligible for the £46.78m DfT grant immediately, and the Council would have to fund all of a partial scheme.</p> <p>The scheme would not be eligible for the DfT grant until the full scheme could be built and the DfT would agree to award the full grant based on the current business case.</p> <p>Other costs associated with this option (such as re-doing a planning application or a public inquiry) have not been assessed or included.</p>

Scheme Option	Description	Impacts	Risks / Issues	Assumptions in assessment
		<p>This option could retain the some of the scheme employment benefits in the long term.</p> <p>Some income from future business rates from employment uses on the released employment land would be retained.</p> <p>Some of the past and future developer S106 contributions to the scheme may be able to be retained, although this is not guaranteed.</p>	<p>External legal advice is that using the existing CPOs to build a partial scheme only would not be possible as the benefits of the scheme as presented to the Public Inquiry would not be realised.</p> <p>A partial scheme would lead to increased severance and compensation costs with impacts on the side road orders.</p> <p>Any partial scheme would need to CPO all of the land required for the full scheme to justify a phasing approach with holding costs for the unutilised land.</p>	<p>All costs other than construction related costs remain the same for the purposes of comparison.</p>
5. Develop all the remaining employment land from a partial scheme from the southern end.	Build the southern end of the bypass as far as Cledford Lane to access the employment land from there, until funding is identified for full scheme.	<p>Partial implementation of the southern section is estimated to result in an overall increase of £14m in construction costs for delivery for the full scheme.</p> <p>The scheme would not be eligible for the £46.78m DfT grant until the full scheme could be assured.</p>	<p>This option would be contrary to current planning policy and would require a wholesale change of approach to the scheme.</p> <p>The DfT would need to agree this new approach without altering the grant funding (Unlikely)</p> <p>It is likely that some of the S106 developer contributions would not be able to be used to contribute to a partial scheme that did not result in a full bypass.</p>	<p>A partial scheme, with no certainty around if or when the full scheme would be delivered, would no longer be eligible for the £48m DfT grant immediately, and the council would have to fund all of a partial scheme.</p> <p>The scheme would not be eligible for the DfT grant until the full scheme could be built and the DfT would agree to award the full grant based on the current business case.</p>

Scheme Option	Description	Impacts	Risks / Issues	Assumptions in assessment
		<p>The peak nett borrowing position of the Council would be approximately £73m before the assumed receipt of the DfT grant.</p> <p>This option could retain the some of the scheme employment benefits.</p> <p>Some income from future business rates from employment uses on the released employment land would be retained.</p> <p>Some of the past and future developer S106 contributions to the scheme may be able to be retained, although this is not guaranteed.</p>	<p>A new committee decision would be required to proceed with the scheme on a phased basis.</p> <p>External legal advice is that using the existing CPOs to build a partial scheme only would not be possible as the benefits of the scheme as presented to the Public Inquiry would not be realised.</p> <p>A partial scheme would lead to increased severance and compensation costs with impacts on the side road orders.</p> <p>Any partial scheme would need to CPO all of the land required for the full scheme to justify a phasing approach, with holding costs incurred for the unutilised land.</p>	<p>Other costs associated with this option (such as re-doing a planning application or a public inquiry) have not been assessed or included.</p> <p>All costs other than construction related costs remain the same for the purposes of comparison.</p>
6. As Option 5, but remove the canal Bridge connection to Booth Lane.	To construct a temporary connection to Booth Lane, Build the southern end of the bypass as far as Cledford Lane, as per Option 5, (but without the Canal Bridge connection to Booth Lane) until funding is identified for the northern section. (i.e. a complete removal of canal bridge from scheme) A financial	Would save approximately £13m of initial construction costs, but result in an overall increase of £9m in construction costs for delivery for the full scheme.	<p>Would be subject to a review of the impacts of this, and the agreement of DfT to defer delivery of the bridge (post any grant of funding decision)</p> <p>A new committee decision may be required to proceed with the scheme on a phased basis.</p> <p>If the full scheme were subsequently built in a 2nd phase, the overall scheme cost would</p>	Other costs associated with this option (such as re-doing a planning application or a public inquiry) have not been assessed or included.

Scheme Option	Description	Impacts	Risks / Issues	Assumptions in assessment
	assessment of this option is attached as Confidential Appendix 2		increase by approximately £9m increasing the financial challenge.	
7. Retender the project with a different contractor	Halt the process towards an award of contract through the Scape framework and start a new process towards awarding the construction to a new contractor.	May result in a cheaper construction price, may be a higher price.	<p>This option would introduce major delays with associated extra costs (e.g. CPOs will expire and need re-making with subsequent Public Inquiry re-run)</p> <p>The current cost estimate is arrived at via a national framework in which a full market testing via tendering of at least 85% of the value of the contract has taken place. The current estimated contract cost is approximately £48m. Even if a 10% saving could be achieved from retendering, it is very likely that this would be more than exceeded by the increased costs as a result of the lengthy delay and significant amount of re-working (retendering costs / Public Inquiry / surveys etc)</p>	This would effectively be the same outcomes as Scheme cancellation due to key project milestones being unable to be met; setting the scheme back a minimum of two years, as such the capital financing element of this has not been explored.

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