

Cabinet Agenda

Date: Tuesday, 18th October, 2016
Time: 2.00 pm
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

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.

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

1. **Apologies for Absence**

2. **Declarations of Interest**

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

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

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the body in question. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

4. **Questions to Cabinet Members**

Please contact Paul Mountford on 01270 686472
E-Mail: paul.mountford@cheshireeast.gov.uk with any apologies or requests for further information or to give notice of a question to be asked by a member of the public

A period of 20 minutes is allocated for questions to be put to Cabinet Members by members of the Council. Notice of questions need not be given in advance of the meeting. Questions must relate to the powers, duties or responsibilities of the Cabinet. Questions put to Cabinet Members must relate to their portfolio responsibilities.

The Leader will determine how Cabinet question time should be allocated where there are a number of Members wishing to ask questions. Where a question relates to a matter which appears on the agenda, the Leader may allow the question to be asked at the beginning of consideration of that item.

5. **Minutes of Previous Meeting** (Pages 5 - 16)

To approve the minutes of the meeting held on 13th September 2016.

6. **Available Walking Routes to School Programme** (Pages 17 - 46)

To give further consideration to this matter in the light of the recommendations of the Children and Families Overview and Scrutiny Committee and the officer response to the recommendations.

7. **Notice of Motion - Tax Compliance and Procurement Procedures** (Pages 47 - 50)

To consider and respond to the motion.

8. **Everybody Sport & Recreation Annual Performance Report 2015- 16** (Pages 51 - 72)

To consider the second Annual Performance Report from “Everybody Sport & Recreation” (ESAR) for the financial year 2015-16 in respect of the delivery of services on behalf of the Council.

9. **Crewe Green Roundabout Improvements - Preferred Option and Procurement** (Pages 73 - 106)

To consider a preferred option for the junction improvement and a procurement route for the delivery of the scheme.

10. **Crewe Markets** (Pages 107 - 112)

To consider a report which sets out an approach for moving forward on setting and implementing the future vision for the market offer in Crewe.

11. **Prevent Duty & Channel Duty Progress Report** (Pages 113 - 130)

To consider a report on the Council’s responsibilities under the Prevent Duty Guidance (2015) and the Channel Duty Guidance (2015).

12. **Children's Residential Home Tender** (Pages 131 - 166)

To consider progress with the tender process to put in place a wholly commissioned service for Children’s Homes in Cheshire East.

13. **LAN Switch Replacement Project** (Pages 167 - 172)

To consider a report which recommends the procurement and installation of replacement Local Area Network equipment that will deliver a PSN compliant infrastructure for the Council.

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 13th September, 2016 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor Rachel Bailey (Chairman)
Councillor D Brown (Vice-Chairman)

Councillors A Arnold, P Bates, J Clowes, J P Findlow and D Stockton

Members in Attendance

Councillors C Andrew, Rhoda Bailey, G Baxendale, S Corcoran, S Edgar, I Faseyi, F Fletcher, D Flude, G Hayes, S Hogben, Nick Mannion, R Menlove, B Roberts, B Walmsley, G Walton, M Warren and G Williams

Officers in Attendance

Mike Suarez, Kath O'Dwyer, Peter Bates, Frank Jordan, Bill Norman, Steph Cordon and Paul Mountford

Apologies

Councillors Liz Durham and Peter Groves

Prior to the consideration of the formal business of the meeting, the Chairman referred to the success of Stage 3 of the Tour of Britain through Cheshire East and expressed the Council's thanks to local communities and town and parish councils throughout the Borough for their enthusiastic support for the event.

The Chairman also referred to the success of the Great Britain teams in the Olympics and Paralympics and in particular paid tribute to several medal winning athletes from Cheshire East, including Bryony Page, Sarah Storey, Megan Giglia, Sophie Thornhill and Andy Small. She also said that the Borough was privileged to have Sir Philip Craven, Chairman of the Paralympic Committee, as one of its residents. She asked that a round of applause for the Borough's successful athletes be placed on record.

The Chairman indicated that today would have been the 100th birthday of the writer Roald Dahl, whose centenary was being celebrated by a year long programme of events at Tatton Park.

Finally, the Chairman welcomed Frank Jordan, the newly-appointed Executive Director of Place, to his first meeting of the Cabinet.

30 DECLARATIONS OF INTEREST

Councillor George Hayes declared non-pecuniary interests in items on the agenda relating to the European Structural and Investment Funds, and Pension Provision in Council-owned companies.

31 PUBLIC SPEAKING TIME/OPEN SESSION

Sue Helliwell, speaking on behalf of the Radway Community Group and the Wood Park Development Plan Group, invited the Leader of the Council and the Portfolio Holder for Communities and Health to visit Wood Park, Alsager to see the Groups' vision for the Park, with a view to seeking the support of the Council. She handed further information to the Portfolio Holder, Councillor Paul Bates. Councillor Bates thanked Sue Helliwell for the invitation which he accepted and undertook to liaise with her further over the matter.

Carol Bulman asked if the Council had any plans for a link road between the ANSA plant at Middlewich and the Eastern Bypass and asked if a link between the plant and Mid-Point 18 could be expedited. The Portfolio Holder for Highways and Infrastructure replied that now that funding had been secured to develop the bypass project further, the Council would be going out to public consultation on the various route options before Christmas. He undertook to send her a copy of the consultation papers.

Jonathan Parry, a Middlewich Town Councillor, commented that Middlewich had been waiting for a bypass for 30 years and that it was time for action rather than more discussions and consultations which he felt would just waste more time and money. The Chairman replied that the Council had taken the leading role with the scheme, following difficulties experienced by the private sector, and had managed to secure the necessary funding to enable the scheme to be taken forward. She emphasised the Council's commitment to the scheme. The Portfolio Holder for Highways and Infrastructure added that once a viable route for the bypass had been defined, recommendations would be brought back to Cabinet by the Spring of next year, following which further funding would be sought from the Government to finance the scheme. He mentioned similar major infrastructure schemes which Cheshire East Council had helped to deliver and would do so again with this project.

Revd. Helen Byrne and Judith Mayer asked if they could defer speaking until Cabinet considered Item 8 relating to Syrian Refugees. The Chairman agreed.

Bob Jackson, a resident of Crewe, referred to an interview given by the Portfolio Holder for Communities and Health on Radio Stoke on 12th September regarding fly tipping in Crewe. Mr Jackson raised a number of specific questions relating to what the Portfolio Holder had said in the interview and asked for a formal written reply to his questions, a copy of which he submitted at the meeting. The Leader asked the Portfolio Holder for Communities and Health to provide a written reply.

At the conclusion of public speaking time, the Chairman thanked the speakers for attending and taking part in the meeting.

32 QUESTIONS TO CABINET MEMBERS

Councillor S Corcoran asked whether, following the successful completion of the Tour of Britain, more attention would be given to cycling provision in planning applications. He asked for a public statement that the Council's planning officers would be asked to respond positively wherever possible to suggestions for improved cycling provision. The Leader responded that a significant piece of work was currently underway to evaluate the legacy of the Tour of Britain and a report would be coming to Cabinet addressing the health and wellbeing and other aspects of the legacy. The Portfolio Holder for Highways and Infrastructure added that it wasn't just about improving cycle provision but also public rights of way and how to achieve a green infrastructure in towns. It would be necessary to put together a coherent strategy to link these things together which would ultimately lead into the planning process. The Portfolio Holder for Housing and Planning added that getting the necessary connectivity and infrastructure in place was vital.

Councillor D Flude indicated that she and Councillor Hogben had asked the Council's highway engineers to undertake a review of the Crewe to Nantwich Road through the Crewe South Ward from the Railway Station to the Manor following a number of serious traffic accidents along this length of road involving cyclists. She would welcome any assistance the Cabinet could give in the matter.

Councillor Flude referred to the fact that councillors' allowances would once again be published on the Council's website, and that the redundancy pay for an officer recently made redundant had also been published. She asked whether in future all redundancy payments would be published and whether all bonus payments received by senior officers during the financial year would also be published. The Chairman replied that the Council endeavoured to be open and transparent. On the specific matters raised by Councillor Flude, the Chairman asked the Portfolio Holder for Corporate Policy and Legal Services, who was also Chairman of the Council's Transparency Panel, to provide a written reply.

Councillor M Warren, on behalf of Councillor A Stott, asked if the Chairman would confirm that the report on available walking routes to school would be considered at the Cabinet meeting on 18th October as there was likely to be a significant presence from Tytherington School. The Chairman confirmed that the matter was on the Forward Plan for the Cabinet meeting on 18th October.

Councillor Warren also referred to a project call 'Beyond a Cyclist' which aimed to produce a film to highlight the dangers of overtaking HGVs on popular cycling routes. He asked for the Council's support for the project. The Chairman replied that this could be taken into consideration as part of the legacy of the Tour of Britain. The Portfolio Holder for Highways and Infrastructure added that he was supportive and would be happy to meet Councillor Warren to discuss the matter further.

33 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting on 12th July 2016 be approved as a correct record subject to the following correction:

Minute 19: Ambition for All - Partnerships Structure and Strategy 2016-2020 be amended by the insertion of a resolution 4 as follows:

“4 agree to the outlined approach to the funding of the Town Partnerships for 2016/17.”

34 2016/17 FIRST QUARTER REVIEW OF PERFORMANCE

Cabinet considered a report on the First Quarter Review of Performance for 2016/17, outlining how the Council was managing its resources to provide value for money for residents.

Annex 1 to the report set out details of how the Council was performing in 2016/17 and was structured into three sections:

Section 1 Summary of Council Performance
Section 2 Financial Stability
Section 3 Workforce Development

The Corporate Overview and Scrutiny Committee had considered the report at its meeting on 8th September 2016. In the absence of the Chairman of the Committee, who was unable to attend the Cabinet meeting, the Deputy Cabinet Member for Finance and Assets reported the Committee's comments and recommendations. (Note: the minute of the Corporate Overview and Scrutiny Committee is appended to the Cabinet minutes for reference purposes.)

RESOLVED

That

1. Cabinet notes the first quarter review of 2016/17 performance, in relation to the following issues:
 - the summary of performance against the Council's 6 Residents First Outcomes (Section 1 of the report);
 - the projected service revenue and capital outturn positions, overall financial stability of the Council, and the impact on the Council's reserves position (Section 2);

- the delivery of the overall capital programme (Section 2, paragraphs 204 to 217 and Appendix 4);
- fully funded supplementary capital estimates and virements up to £250,000 approved in accordance with Finance Procedure Rules (Appendix 5);
- changes to Capital Budgets made in accordance with the Finance Procedure Rules (Appendix 8);
- treasury management investments and performance (Appendix 9);
- management of invoiced debt (Appendix 11);
- use of earmarked reserves (Appendix 12); and
- update on workforce development and staffing (Section 3).

2. Cabinet approves:

- fully funded supplementary capital estimates and virements above £250,000 in accordance with Finance Procedure Rules (Appendix 6); and
- supplementary revenue estimates to be funded by additional specific grant (Appendix 10);

3. Cabinet recommends that Council approve:

- fully funded supplementary capital estimates and virements above £1,000,000 in accordance with Finance Procedure Rules (Appendix 7)

35 EUROPEAN STRUCTURAL AND INVESTMENT FUNDS

Cabinet considered a report recommending that the authority expedite approvals to contract for any successful applications for European funding.

The Skills and Growth Company was currently progressing applications for European funding worth in excess of £12m on behalf of Cheshire East Council to support its technology, science, energy and skills priorities. On 12th August, the Secretary of State for Exiting the European Union had indicated that projects contracted before the Autumn Statement would be assured of funding going forward; those which were not contracted by this time were likely to be subject to a review.

It was considered that any delay in expediting this matter would seriously prejudice the Council's or the public's interests. On this basis, the Chairman of the Corporate Overview and Scrutiny Committee had agreed that the call-in provisions may be waived.

RESOLVED

That the necessary contractual and financial approvals for all of the funding applications detailed in the report be delegated to the Section 151 Officer (Chief Operating Officer), in consultation with the Portfolio Holder for Regeneration, the Portfolio Holder for Finance and Assets, and the Director of Legal Services.

36 NEXT STEPS FOR SYRIAN REFUGEES AND UNACCOMPANIED CHILDREN

Prior to Cabinet's consideration of the report, Revd. Helen Byrne and Judith Mayer were afforded the opportunity to speak on the matter.

Revd. Helen Byrne spoke on behalf of Refugees Welcome, a group of volunteers based in the north of the Borough whose aim was to support the Council in providing a quality welcome for Syrian families from refugee camps. She outlined the work of the group and its achievements to date, and assured the Council of its support in seeking to change the lives of refugee families for the better. Judith Mayer emphasised the group's compassion and commitment to helping Syrian refugees and further outlined the achievements of the group over the last 12 months. Cabinet responded to the two speakers with applause.

Cabinet then considered a progress report on work that had taken place since the March Cabinet meeting, together with the proposed next steps for all government refugee programmes.

Cabinet also had regard to an approach by the Government to each local authority through its Local Strategic Migration Partnership asking the authority to register for the National Transfer Scheme, to indicate how many unaccompanied children could be placed for the remainder of the financial year, and to indicate whether the authority was able to accept children and their families under the Vulnerable Children's Resettlement Scheme.

RESOLVED

That Cabinet

1. thanks and shows its continued appreciation to the faith communities and partners for their work in preparing to welcome Syrian refugees;
2. delegates authority to the Head of Communities to work with Cheshire West and Chester (CWaC), and Warrington Borough Council to plan

for collective delivery of the SVPR programme, which would coordinate the approach for supporting a maximum of 3-8 families across Cheshire during 2016/17, with Cheshire East welcoming 3-5 families;

3. delegates to the Head of Communities the authority to work both sub-regionally and with the Home Office to consider further this Council's involvement in the ASD programme, accounting for the experience and learning from the delivery of SVPR and UASC programmes;
4. delegates to the Executive Director of People the authority to negotiate this Council's additional support for the widening of the UASC programme, accounting for the support it already provides, and to update Cabinet on any financial considerations and implications on the local authority and to take these into consideration in any budget planning decisions;
5. will receive a further update on progress with the SVPR, UASC and ASD programmes from the Head of Communities at the end of this financial year; and
6. respond to Central Government via the Regional Strategic Migration Partnership as follows:
 - The Council is not able to register for the National Transfer Scheme until further consideration is given at both a North West and Cheshire East level on potential impact.
 - A further three unaccompanied children who are currently in Kent could be accommodated in this financial year based on the learning from our previous support and current looking after 6 unaccompanied cared for children and 10 care leavers.
 - Further consideration to signing up to the Vulnerable Children's Resettlement Scheme will be undertaken, learning from the experience gained from participation in the Syrian Vulnerable Persons Resettlement Scheme.

37 NEIGHBOURHOOD ACTION AND FLY TIPPING ACTION PLAN FOR CREWE

Cabinet considered a report outlining a proposed twelve month action plan for Crewe which addressed the issues identified by the Overview and Scrutiny Fly Tipping Task and Finish Group. To enable the plan to work, it would be necessary to engage effectively with local residents and businesses. It was therefore proposed that Neighbourhood Action in Crewe be relaunched to bring residents and partners together to develop community-led plans.

RESOLVED

That Cabinet

1. approves the launch of Neighbourhood Action in Crewe and supports ward members to engage in the programme as part of their community leadership role;
2. seeks support for the Neighbourhood Action Plan and commitment from all Council services to work with residents to address their issues; and
3. notes the work undertaken to date and how resources are being used to address issues.

38 SPEED MANAGEMENT STRATEGY

Cabinet considered a report proposing that Cheshire East Council adopt a Speed Management Strategy for addressing all matters relating to speed management on the Council's local highway network. The aim of the strategy was to adopt a consistent, evidence-led approach, supported by key stakeholders including Cheshire Constabulary, to ensure that the Council set local speed limits that were appropriate for individual roads and reflected the needs of local communities.

RESOLVED

That the Speed Management Strategy set out in Appendix 1 to the report be approved.

39 RE-TENDER OF CHESHIRE EAST COUNCIL'S CORPORATE INSURANCE PORTFOLIO

Cabinet considered a report setting out an approach to re-tendering the Council's Corporate Insurance portfolio via a formal OJEU compliant tender process.

RESOLVED

That Cabinet

1. approves the procurement of the Corporate Insurance portfolio via a formal OJEU tendering process; and
2. delegates authority to the Chief Operating Officer, in consultation with the Portfolio Holder for Finance and Assets, to award and enter into contracts with the successful providers, following a fully compliant OJEU procurement exercise for contract periods covering either:

- an initial period of 3 years with the option to extend the contract for a further 2 years (Total 5 years) or
- an initial period of 3 years, with the option to extend the contract for a further 2 years plus a further 2 years after that point (Total 7 years)

40 PENSION PROVISION IN THE COUNCIL'S OWNED AND CONTROLLED COMPANIES

The Chairman advised that whilst the report on this matter was in the public domain, an appendix containing further information was set out in Part 2 of the agenda. In order for the two papers to be considered together, it would be necessary to exclude the public and press from the meeting at this point.

41 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

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 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 3, 4 & 5 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

42 PENSION PROVISION IN THE COUNCIL'S OWNED AND CONTROLLED COMPANIES

Cabinet considered a report on the future pension provision in the Council's owned and controlled companies. Members had regard to the additional information contained in the appendix.

Councillor D Brown asked for it to be placed on record that he was Chairman of CERF.

RESOLVED

That Cabinet

1. notes the future growth ambitions of the CERF Group and recognises that the provision of a suitable alternative stakeholder pension scheme and the closure of access to the Local Government Pension Scheme ("LGPS") to new starters by the CERF Group could facilitate this future growth;
2. authorises the Chief Operating Officer in consultation with the Portfolio Holder for Finance to work collaboratively with the CERF Group to help

them design, identify and procure a suitable and high quality alternative stakeholder pension scheme (“the Alternative Pension Scheme”); and

3. authorises the Portfolio Holder for Finance (in consultation with the Chief Operating Officer) to grant any necessary consents, authorisations or approvals to enable the Alternative Pension Scheme to be implemented.

The meeting commenced at 2.00 pm and concluded at 4.00 pm

Councillor Rachel Bailey (Chairman)

**MINUTE OF THE CORPORATE OVERVIEW AND SCRUTINY
COMMITTEE MEETING ON 8TH SEPTEMBER 2016**

15 QUARTER 1 PERFORMANCE REPORT

The committee considered a report of the Chief Operating Officer relating to the first quarter review of performance 2016/17. The report highlighted financial and non-financial pressures and performance in connection with the outcomes of the Corporate Plan 2016 to 2020.

A potential overspend of £1.5 million was being forecast, which was attributed largely to an increase in caseloads and costs associated with children in care.

Appendix 1 of the report set out details of how the Council was performing. The appendix was divided into 3 sections:

- 33 Section 1- Summary of Council Performance brought together the positive impact that service performance and financial performance had had on six residents first outcomes during the first year:
- 34 Section 2 – Financial Stability provided an update on the Council's overall financial position. It demonstrated how spending in 2016/17 had been funded including service budgets, grants, council tax and business rates, treasury management, centrally held budgets and reserves.
- 35 Section 3 Workforce Development - provided a summary of the key issues relating to the Council's workforce development plan.

Members then questioned at length the Chief Operating Officer, Executive Director of People and Deputy Chief Executive and Director of Place on the contents of the report and sought additional information on the following matters which would be reported back to Members outside of the meeting:

- 34 Details of the amount of grant approved for the 523 home adaptations for older and/or disabled residents to support independent living;
- 35 The annual target for affordable homes having delivered 145 to date;
- 36 Whether the figure of 57 fixed penalty notices issued in the first quarter was higher or lower than previous years?
- 37 The level of funding provided by Town/Parish Councils for CCTV;
- 38 An explanation as to why a town centre manager for Macclesfield would be retained for 2016/17

RESOLVED –

- a. That the report be received;

- b. That Cabinet be informed that this Committee acknowledges the significant financial pressures facing the Council at the moment, the work going on to alleviate those pressures and the challenges ahead to manage the projected budgetary deficits in future years. The committee is pleased to note however, that in spite of the difficult climate, the Council continues to maintain a strong financial position and therefore wishes to place on record its thanks to all involved in achieving this;
- c. That The Committee request that Cabinet formally acknowledge these comments in the minutes of the meeting.

Cheshire East Council

Cabinet

Date of Meeting: 18th October 2016

Report of: Kath O'Dwyer, Deputy Chief Executive & Executive Director - People

Subject/ Title: Available Walking Routes to School Programme

Portfolio Holder: Cllr Liz Durham – Children and Families Portfolio Holder

1.0 Report Summary

1.1 On the 14th June 2016, Cabinet considered a report in relation to a 'review of the available walking routes to school'.

1.2 On that date Cabinet agreed to:-

a) note the reclassification of routes that have been re-assessed as available walking routes to school and agrees that free school transport for those routes be withdrawn from April 2017; and

b) authorise the Executive Director – People to spend £150,000 from the Local Transport Plan budget allocation for 2016/17 to improve further walking routes to school to bring them up to required standard so that free school transport for those improved routes may be subsequently withdrawn.

1.3 This decision was subsequently 'called in' on the basis that:

- a) relevant information was not considered;
- b) viable alternatives have not been considered; and
- c) the decision taken by Cabinet could be open to challenge.

1.4 On the 19th July 2016, the Children and Families Overview and Scrutiny Committee considered the call in of the 14th June 2016 Cabinet decision. The Committee made a range of recommendations to Cabinet, as follows:-

Recommendation 1

- That the walking route from Bollington to Tytherington High via Middlewood Way be declared unavailable on the grounds that there are serious concerns about the personal safety of pupils on considerable stretches of the Middlewood Way which is isolated and hidden from view of the nearby Silk Road. In addition, there are concerns about access to emergency services to the whole of the Middlewood Way and significant road safety concerns relating to the only alternative route in the vicinity,

the Silk Road which would have to be used as an alternative walking route in the event that the Middlewood Way was closed for any reason. The committee therefore is of the opinion that it would not be possible to make the Middlewood Way safe, irrespective of any improvements that may be proposed;

Recommendation 2

- That in respect of the northern section of the Middlewood Way near to Poynton, improvements be made to the lighting and footpath surfacing which are currently uneven in places and prone to flooding thereby creating puddles and significant muddy patches;

Recommendation 3

- That in connection with the walking routes from Willaston to Malbank High and Willaston to Brine Leas School, the Committee believes that as they currently stand, these walking routes are not safe and would therefore ask the Executive Director - Place to:
 - Bring back to this Committee data regarding the collision rates at the roundabout on the A500/A51;
 - Install signage on the A500/A51 to indicate to motorists that they are approaching a pedestrian crossing
 - Request Network Rail to make improvements to the level crossing at Nantwich Road Willaston to install double barriers in the interests of pedestrian safety;
 - Ensure that street lighting is switched back on those sections of London Road that have been part of the Council's experimental scheme;
 - Review the speed limit on London Road with a view to it being reduced;
 - Carry out repairs to the footpath on London Road which has collapsed in places and to create a footpath where currently none exists.

Recommendation 4

- That in respect of the Elton Road Roundabout to Wheelock Primary School, the Executive Director - Place be requested install street lighting to the footway/cycle path which is located behind the hedge on Hind Heath Road;

Recommendation 5

- The Director of Education be requested to provide safety information on any future proposals relating to the availability of walking routes to school;

Recommendation 6

- That whilst the Council's current policy on available walking routes to school complies with national guidance in respect of road safety, the Committee believes that its failure to address issues of personal safety indicates that the policy is detached from modern life and the Committee therefore requests Cabinet to review the policy with a view to including specific reference to the need to take account of personal safety;

Recommendation 7

- That in respect of the five sites involved in this call-in and any future sites, decisions to withdraw free bus travel be undertaken on a phased basis in accordance with paragraph 53 of the Department of Education guidance 2014 so that no child currently in receipt of a bus pass will be disadvantaged by the decision;

Recommendation 8

- That the Committee's disappointment be placed on record regarding the fact that this matter was not brought to it for consultation by Cabinet before a decision was taken.

2.0 Recommendations

2.1 It is recommended that Cabinet:-

- a) Reconsider the original recommendations of the Cabinet decision of 14 June 2016 (appendix 1).
- b) Consider the minutes and recommendations of the Children and Families Overview and Scrutiny Committee meeting of 19 July 2016 (appendix 2).
- c) Consider the officer response to the Committee recommendations and the subsequent recommendations to Cabinet (appendix 3).

3.0 Reasons for the Recommendations

- 3.1 At Cabinet on 14th June 2016, the report on the 'Review of the Available Walking Routes to School' (AWR) was approved. The decision was called in and the issues were considered in depth by the Children and Families Overview and Scrutiny Committee and officers have subsequently produced a report which provides a response to the Scrutiny review. (Appendix 3)
- 3.2 Cheshire East Council has welcomed the debate regarding the re-assessment of the 5 walking routes to school. We have engaged in the conversation and listened to the views of our schools and residents and have taken on board suggestions and comments raised in the on-going communications as demonstrated in the changes of the recommendations in this report. We would like to thank the Overview and Scrutiny committee for their assistance in this process and note that it was good to see so many parents and pupils participate in the OSC meeting.

- 3.3 Cheshire East Council has many difficult choices to make and withdrawing the right to free school transport has been a challenging decision. However, in this case, we find that we are in a position of inequity, where some pupils are receiving free transport because routes were historically classified as unavailable and that classification has changed. This means that there is unfairness in the provision of school transport thus making the Council exposed to criticism from the parents of children using other available routes for whom no free transport is provided.
- 3.4 However, it should also be noted that the road safety guidance is about assessing whether a route is assessed to see if it is walkable not whether it should be walked. A parent is responsible for deciding how their child travels to school whether it is on foot, cycle, car or bus. This is supported by case law which states an available route is one that can be reasonably walked; case law also states that it is reasonable to expect a child to be accompanied on their walking route to school. This provides evidence that it is the parent's responsibly to ensure their child's safety on the journey to and from school.

4.0 Wards affected and Local Ward Members

- 4.1 All wards may be affected by the proposals outlined in this paper.

5.0 Implications of Recommendation

5.1 Policy Implications

These proposals are in line with Cheshire East Council's adopted policy on Available Walking Routes to School which was approved on 15 October 2012.

5.2 Legal Implications

The council is required by both the Education Act 1996 and the Education and Inspections Act 2006 to make suitable travel arrangements for certain students to attend school. Case law has established that local authorities are required to make school travel arrangements where a child, lives under the statutory walking distance to school but does not have a route available that can be walked in reasonable safety.

- 5.2.1 For a route to be available, it must be a route to school, along which a child, accompanied as necessary, can walk with reasonable safety from traffic hazards.
- 5.2.2 Under the terms of the Council's policy, any parent who is dissatisfied with the Council's assessed route on the grounds that it contains unacceptable road safety hazards may make a request for reconsideration on certain specified grounds. The review will be undertaken by an officer of the Places Directorate and will be completed within 20 days wherever possible. Parents who remain dissatisfied can complain to the Local Government Ombudsman or, ultimately, bring a claim for judicial review if they consider that the Council has failed to follow its published Transport Policy or review procedure.

- 5.2.3 Parents who may suffer particular hardship of whatever nature as a result of the withdrawal of free transport also have a right to an appeal before the School Transport Appeals Sub Committee on the grounds that they have exceptional circumstances that merit consideration on an individual basis and justify the Council departing from its published policy.
- 5.2.4 If free transport is not withdrawn from those routes which have been classed as available to walk, the Council may be exposed to criticism from the parents of children using other routes across the borough which are also classed as available but for whom no free transport is provided.
- 5.2.5 If the Council declared the route unsafe for children attending school, it would suggest that we are allowing the general public to use an unsafe route and the logical next step would be to close the route to the public.
- 5.2.6 The Department for Education, Home to School Travel and Transport Guidance (July 2014) places, in part 1 of the guidance, a general duty on local authorities under section 508A of the Education Act 1996 to promote the use of sustainable travel and transport. In promoting the use of sustainable travel and transport an audit of the sustainable travel and transport infrastructure should be undertaken which should consider data relating to personal safety and security.
- 5.2.7 In part 2 of the guidance, Sections 508B and 508C of the Education Act 1996 make provision for local authorities to ensure that suitable arrangements are made, where necessary, to facilitate a child's attendance at school to make transport arrangements for all eligible children. The assessment of available walking are considered in relation to sections 508B and 508C of the Education Act 1996.
- 5.3 Financial implications
There are financial implications of offering a subsidy for transport until pupils conclude their education at their current school which although this would be in the spirit of the DfE good practice guidance, it is a significant challenge during a period of financial difficulties.
- 5.4 Equality Implications
A full equality impact assessment has been completed regarding the Available Walking Routes to school programme and is available to view on the Cheshire East Council Website.
- 5.5 Rural Community Implications
This proposal applies to pupils whose walking route to school is under 3 miles for secondary aged pupils and 2 miles for primary aged pupils. All pupils over this distance, travelling to their local or closest qualifying school would be eligible for transport.

5.6 Public Health Implications

The public health implications will be considered as part of the corporate sustainable mode of travel strategy update which will examine and promote the healthiest way of travelling to school.

6.0 Risk Management

- 6.1 Maintaining existing arrangements will result in inconsistency and inequity in the provision of transport across the borough.

7.0 Access to information / Bibliography

- 7.1 The Cheshire East Council Available Walking Routes to School Policy can be found at:
http://www.cheshireeast.gov.uk/public_transport/school_transport/walking_routes_to_schools.aspx

8.0 Contact Information

- 8.1 Contact details for this report are as follows:
Name: Jacky Forster
Designation: Director of Education and 14-19 Skills
Tel: 01606 271504
Email: jacky.forster@cheshireeast.gov.uk

Cabinet

Tuesday, 14th June, 2016 2.00 pm

Minutes:

Cabinet considered a report on a review of available walking routes to school.

A small number of routes had been assessed as available under the Council's current published policy but free transport was currently provided. There was therefore a need to regularise the position for all families across Cheshire East to ensure that where routes had been assessed as available to walk the Council's policy was implemented consistently. It was also proposed that other routes in the Borough be improved, which would result in further routes being classified as available with the consequence that free school transport for those improved routes would subsequently be withdrawn.

National and local policy specified that parents should be given a minimum of 12 weeks' notice in writing where a route that was previously unavailable became available and home to school transport was to be withdrawn. To ensure that schools and parents had an opportunity to comment on possible changes and to consider their future transport arrangements, it was proposed that information on the proposed changes would be made available to schools and parents in the summer term of 2016 for a period of at least 12 weeks (excluding August) with a proposal that free transport be withdrawn from the start of April 2017.

The report outlined the appeal processes available for anyone who felt dissatisfied with an assessed route or who may suffer hardship as a result of the withdrawal of free transport.

A number of members spoke on this matter and the Chairman thanked them for their contributions to the debate. The Chairman also added the views of Edward Timpson, Crewe and Nantwich MP, in his constituency role.

RESOLVED

That Cabinet

1. notes the reclassification of routes that have been re-assessed as available walking routes to school and agrees that free school transport for those routes be withdrawn from April 2017; and
2. authorises the Executive Director – People to spend £150,000 from the Local Transport Plan budget allocation for 2016/17 to improve further walking routes to school to bring them up to required standard so that free school transport for those improved routes may be subsequently withdrawn.

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CHESHIRE EAST COUNCIL**Minutes of a meeting of the Children and Families Overview and Scrutiny Committee**

held on Tuesday, 19th July, 2016 at The Ballroom, Sandbach Town Hall, High Street, Sandbach, CW11 1AX

PRESENT

Councillor Rhoda Bailey (Chairman)
Councillor S Pochin (Vice-Chairman)

Councillors B Dooley, D Flude, G Merry, A Moran, J Saunders and
S Corcoran(substitute)

Apologies

Councillor L Jeuda and Jill Kelly

12 ALSO PRESENTAlso Present

Councillor Liz Durham – Children and Families Portfolio Holder
Councillor George Hayes – Deputy Cabinet Member
Kath O'Dwyer - Executive Director of People & Deputy Chief Executive
Jacky Forster - Director of Education and 14-19 Skills
Bill Norman - Director of Legal Services and Monitoring Officer
Janet Mills – Transport Policy Officer
Sarah Tunstall - Business & Projects Manager

Visiting Members

Councillor Michael Jones
Councillor Jon Weston
Councillor Amanda Stott
Councillor Mick Warren

13 PUBLIC SPEAKING TIME

Heidi Reed spoke about the Middlewood Way on route to the Tytherington High school. She had sought advice from the Suzy Lamplugh Trust on personal safety which suggested that people who felt isolated and unsafe should seek busy areas near to shops or garages etc. She contended that the Middlewood Way was poorly lit, isolated in many areas with no shops or garages nearby and was therefore unsafe. She raised concerns about how an alarm would be raised in the event of an incident. To highlight potential dangers, she referred to recent reports of a sexual assault against a teenage on a former railway line in Sandbach which was similar in nature to the Middlewood Way. The only alternative available for pupils who did not wish to use the Middlewood Way would be to cross a dual carriageway on the A523 Silk Road. She urged Cabinet to reverse its decision.

Dr Chris Murdoch referred to the personal circumstances of his son who had diabetes and was asthmatic. His concerns related to the difficulties that emergency services would encounter if they needed to gain access to Middlewood Way. He contended that the safety assessment carried out by the Council had ignored Department of Education guidance on safety.

Emanuel Botwe Head teacher at Tytherington High School informed the committee of his fundamental duty as head teacher to ensure the safety of children in his care. He had recently spoken to one 6th former from his school who had refused to use the Middlewood Way to travel to school, and had instead walked along the very busy Silk Road. He contended that the designation of Middlewood Way as an available walking route was not realistic. He stated that on 11 July, many parents had decided to take their children to school by car. This had illustrated potential future congestion difficulties on Badger Road which was adjacent to Tytherington High School, if the decision went ahead.

He questioned the practicality of parents accompanying a child on a daily walking journey covering six miles a day to ensure their safe arrival at school. In support of his assertion, he asked the Council to research a legal case: Regina V Devon County Council ex parte George (1989).

If Middlewood way was to be considered an available route, he asked 3 questions:

Will it make children safe?

Will it increase attendance?

Will it improve life chances of Children in Bollington?

Bollington Town Councillor Ken Edwards referred to a decision taken by Cabinet 3 years ago to reject the designation of Middlewood Way as an available walking route. He contended that the grounds upon which that decision had been taken had not changed in the three years since and should therefore be rejected again as an available walking route. He suggested that Bollington was an attractive place to live with four good primary schools and safe access to secondary schools. He commended the committee for having visited the walking routes but asked Members to imagine the Middlewood way in winter.

Dr Shelly Piasecka was a resident of Williston and referred to legislation relating to available walking routes to school and contended that if a route presented road safety hazards, the Council should declare it unavailable. She referred to the A51 which formed part of the Willaston walking route and informed the Committee that traffic flows were high and in respect of HGVs, 26% higher than the national average. She therefore wished to know how the road safety assessment had been carried out. The route also included a level crossing which had a history of accidents.

Janette Walker Head teacher at Malbank School in Nantwich stated that she aimed as Head teacher to treat every child as if it were her own. She would not allow her own child to walk on the available route to her school because she did not consider it to be safe. She added that many pupils would be carrying books, sports equipment and technology along a route which potentially could take an hour to travel, so they would arrive at school tired and in winter, wet and cold. She concluded that pupils would have to walk along a route with no street lights

in parts and have to negotiate a level crossing. She contended that this presented a safeguarding issue for all children at Malbank school and urged Cabinet to reverse its decision.

Isla Roberts spoke about her concerns regarding the speed at which emergency services would be able to access Middlewood Way in the case of an emergency. In addition, she also raised concerns about the fact that most teenagers carried mobile phones which may make them a target for theft.

Angela Miller, Business Manager at Mallbank School referred to an exercise she had undertaken with students three years ago to trial the available walking route to Mallbank School. She informed the committee that it took an adult fifty seven minutes to complete the full route. She expressed concern about children being distracted on the way which would add to their journey times. Additionally, there was no street lighting in stretches which meant that that it could also be very dark in winter.

Bollington Town Councillor Alan Williamson informed the committee of an incident involving an assault on his son on the Middlewood way some time ago. As a former firefighter he reiterated concerns expressed by other speakers that Middlewood Way provided poor access for emergency services.

Francesca Wharton informed the committee that her husband had recently been killed in a road traffic accident while cycling and had previously been involved in a collision with a vehicle at the roundabout on the Silk Road. She informed the Committee that it would be unthinkable to lose a child because of a road traffic accident at this location.

14 VISITING MEMBERS

Councillor Michael Jones suggested that the recent Cabinet decision was about saving money and suggested that savings could be made elsewhere within the Council's budget. He informed the Committee that he personally had walked one of the routes in January accompanied by parents. He concluded that the route was not safe at that time of year. He suggested that parents would drive to school instead of making use of the available walking route.

Councillor Jon Weston informed the Committee that he had received hundreds of emails about the available route from Bollington which was considered to be unsafe. He suggested that the Council had a moral responsibility to ensure the safety of children and a legal responsibility that could not be ignored. He questioned why a traffic assessment had been carried out at this location when most of the route consisted of a footpath separated from the nearby highway. He also contended that it was impossible to ignore personal safety in relation to availability and that if a route was not safe it should be deemed to be unavailable. Responsible adults considered the route to be unsafe and it had taken him over one hour to walk the route recently. He accepted that this would probably require a policy change.

Councillor Amanda Stott thanked members of the Committee for walking the routes yesterday. However, she felt that some relevant data had not been made available to the Committee, particularly paragraph 20 of the Department of

Education guidance from 2014. She also questioned the wisdom of ignoring guidance from the Suzi Lamplugh trust regarding personal safety.

Councillor Mick Warren, a former police officer in Macclesfield had researched the accessibility of Middlewood Way from the point of view of emergency services. He suggested that if an accident occurred it would be hard to pinpoint the location of the incident exactly because the path extended for about 1 ½ miles with very few features to aid identification. He had also researched crime statistics since 2012 and reported that there had been over 40 incidents. He speculated that if a major incident were to occur on the route, it would probably lead to the route having to be closed, which would force children to use the Silk Road.

15 DECLARATION OF PARTY WHIP

There were no declarations of the existence of a party whip.

16 DECLARATIONS OF INTEREST

Councillor Arthur Moran declared that he was a governor of Brine Leas school.

At this point in the proceedings, The Chairman adjourned the meeting. The meeting resumed at 11.05 am.

17 CALL - IN OF THE 14 JUNE 2016 CABINET DECISION RELATING TO A REVIEW OF AVAILABLE WALKING ROUTES TO SCHOOL

The Chairman informed the committee that she had been handed a petition containing 412 signatures supporting the retention of the free bus service to Malbank and Brine Lees schools.

The Committee considered a report of the Director of Legal Services relating to the following Cabinet decision taken on 14 June 2016:

“That Cabinet

1. notes the reclassification of routes that have been re-assessed as available walking routes to school and agrees that free school transport for those routes be withdrawn from April 2017; and
2. authorises the Executive Director – People to spend £150,000 from the Local Transport Plan budget allocation for 2016/17 to improve further walking routes to school to bring them up to required standard so that free school transport for those improved routes may be subsequently withdrawn.’

In accordance with Scrutiny procedure rule 12, the decision had been called in.

Appended to the report were:

- A copy of the call in notice containing signatures of six members in accordance with scrutiny procedure rule 12.3 and setting out the grounds for call-in;

- A copy of the report of the Executive Director of People & Deputy Chief Executive considered by Cabinet on 14 June 2016;
- A report of the Executive Director of People and Deputy Chief Executive to the issues raised in the Call-in Notice;
- A copy of the Council's Policy on Walking Routes to school;
- A copy of the Route assessments for each of the five locations;
- Two documents containing frequently asked questions.

Councillor Liz Durham, the Children and Families Portfolio Holder outlined the background of the decision taken by Cabinet on 14 June 2016. She reported that the decision related to five routes at:

- Bollington to Tytherington High via Middlewood Way
- Middlewood, Higher Poynton to Poynton High School
- Elton Road Roundabout to Wheelock Primary School
- Willaston to Malbank High
- Willaston to Brine Leas School

She explained that the decision concerned the application of the Council's existing policy which had been approved in 2012, in an equitable and consistent manner across the borough.

Kath O'Dwyer Executive Director of People & Deputy Chief Executive explained that the Council's policy was in line with national policy and guidance. The safety assessments carried out in respect of each route, which were appended to the report, related to road safety only. Although other issues had been raised concerning, for instance, personal safety, the Council was required under the relevant legislation to take account of road safety issues only. However, she did acknowledge that safeguarding was taken seriously by the Council and that other actions that had been identified to improve general safety could also be taken on board by the Council.

Jacky Forster explained that as the decisions related to the application of an existing policy dating back to 2012, it had been decided not to undertake a formal consultation exercise in respect of the five routes. Instead, Cabinet had agreed to extend the minimum twelve weeks' statutory notice of the changes to pupil arrangements, to nine months in order to give parents significant advance notice. She acknowledged that there was scope for additional improvements to be made to the routes over and above that which existed at the moment. She also reiterated that parents would be informed of the appeal process in the event that they considered they had grounds of appeal.

The Council's policy was in line with Road Safety UK guidance on walking routes to school which was endorsed by the Department of Education. She also referred to case law which stated that local authorities should only be concerned with issues of road safety when carrying out safety assessments. Local Authorities were not required by law to take account of personal safety. Available routes could include anything from the highway to footpaths and bridleways etc. Guidance also indicated that a valid safety consideration included the possibility of pupils being accompanied by parents.

The committee then questioned the Portfolio Holder, Executive Director People and Deputy Chief Executive and supporting officers on the documents listed above and in relation to matters connected with the decision.

In response to a question about whether the Council had considered data relating to personal safety and security in the Council's own policy in accordance with the Department of Education document 'Home to School Travel and Transport statutory guidance 2014', Jacky Forster stated that the Department of Education guidance 2014 related to home to school transport in its widest sense and that this wider guidance was reflected in the Local Transport Plan.

In response to a question regarding the feasibility of secondary school pupils being accompanied to school by parents, Kath O'Dwyer stated that the Department of Education guidance was clear – it was the responsibility of parents to get their children to school regardless of age. She also stated that being accompanied could also include groups of pupils walking together. Whether or not children were accompanied was matter for parents to decide.

In response to a question as to whether the Council had in its possession data relating to criminal activity which had taken place on the Middlewood Way and had subsequently rejected, Kath O'Dwyer informed the Committee that there was no requirement for the Council to take account of such data in the assessment on walking routes to schools. And by way of example cited Regina V Essex County Council ex parte Rogers.

In clarification of whether an impact assessment which was referred to in the Cabinet report had been made available prior to the decision being made, the Committee was informed that as the decision related to the application of an existing policy, there had been no need to present an impact assessment to Cabinet.

In clarification of a point raised regarding Capital monies set aside to make improvements to routes Jacky Forster informed the Committee that the figure of £150,000 related to schemes identified in the Local Transport Plan to improve walking routes in phase 2 of the proposal, not to the five before the Committee today.

In connection with a further question about why there had not been any consultation undertaken by Cabinet prior to its decision, Councillor Liz Durham informed the committee the matter had not been referred to this Committee because the decision did not involve a change in policy.

Members of the Committee made the following general points about the manner in which the decision had been taken by Cabinet:

- That it was disappointing that Primary Schools had not been advised of these proposals, especially in light of the fact that many parents of current year 6 pupils would have already made a decision regarding the choice of secondary school, which may have been influenced by the availability of a free bus at the time that they had made their decision;
- The Committee remained to be convinced that all the available relevant Government Guidelines had been considered;
- The Committee felt that the Cabinet did not have enough relevant information to make the decision on 14 June 2016 and therefore the decision was taken prematurely;

- As Members of the Committee had benefitted greatly from undertaking a tour of the routes before the meeting, Members were disappointed to discover that neither the Portfolio Holder nor senior officers within the Children and Families Directorate had done likewise.

The Committee then looked at each route individually and made the following comments:

Elton Road Roundabout to Wheelock Primary School

The Committee raised concerns about a hedge and partly unlit section of highway on Hind Heath Road, which was considered not to be safe. Members questioned the fairness of withdrawing a free bus for pupils travelling from Ettiley Heath and suggested the Council should consider phasing the withdrawal of a free bus in line with paragraph 53 of the Department of Education guidance 2014, which was contended to be applicable to the June 14th Cabinet decision as the original policy approved in 2012 had not been applied across the borough in 2012.

At this point in the proceedings, the meeting adjourned and resumed at 1.24pm.

Bollington to Tytherington High via Middlewood Way

On behalf of Councillor Laura Jeuda, Councillor Sam Corcoran presented a written submission expressing her safety concerns about the Middlewood Way.

The Committee expressed the view that having walked the majority of this route, they considered it to be unsafe on the grounds that the route was isolated and hidden from view from the highway and residential areas for large parts. Anecdotal evidence presented to the committee on the number of police incidents that had been reported in the past 3 years reinforced this view. Although the Committee acknowledged the Council's policy had taken account of road safety matters, the committee contended that these were not relevant to the Middlewood Way on the grounds that it was not a highway. Members also contended that personal safety should be an integral part of the assessment process and that safeguarding of children should be of paramount importance to the Council. There were also specific concerns about lack of street lighting on Grimshaw Lane and that consideration had not been given at this stage to allocating a capital budget to address these necessary improvements at Middlewood Way and at other locations. The committee also wished to receive assurance that ANSA would be able to effectively manage the over grown bushes along various parts of the route.

In summary, the Committee concluded that Middlewood Way should be declared unavailable on the grounds of personal safety.

Middlewood, Higher Poynton to Poynton High School

Members concluded that many of the issues relating Tytherington were also relevant as far as Poynton was concerned. The surface of the stretch of Middlewood way near to Poynton School was poor and during the Committee's site visit which was conducted on a warm July day, there were several puddles and muddy areas.

Willaston to Malbank High and Willaston to Brine Leas School (taken together)

Members expressed serious concerns about the safety of children in the vicinity of the roundabout at the A500 onto the A51. Anecdotally, there had been reports of many collisions involving vehicles at this location but the Committee felt that they would like to see the official figures for this junction. To alleviate some of those concerns the Committee expressed a view that signs should be erected on the highway to warn motorists that there was a pedestrian crossing ahead.

It was also considered essential that any street lights that had been switched off should be turned back on, and the Council should seek assurances from ANSA regarding its hedge cutting programme.

In respect of the level crossing on Newcastle Road, this was considered to be hazardous by local people especially as it currently had single barriers and therefore that Network Rail should be requested to install double barriers at this location before April 2017.

RESOLVED –

- (a) That Cabinet be informed that this Committee recommends that the decision relating to available walking routes to schools taken on the 14 June 2016 should be reviewed along the following lines:
 - (1) That the walking route from Bollington to Tytherington High via Middlewood Way be declared unavailable on the grounds that there are serious concerns about the personal safety of pupils on considerable stretches of the Middlewood Way which is isolated and hidden from view of the nearby Silk Road. In addition, there are concerns about access to emergency services to the whole of the Middlewood Way and significant road safety concerns relating to the only alternative route in the vicinity, the Silk Road which would have to be used as an alternative walking route in the event that the Middlewood Way was closed for any reason. The committee therefore is of the opinion that it would not be possible to make the Middlewood Way safe, irrespective of any improvements that may be proposed;
 - (2) That in respect of the northern section of the Middlewood Way near to Poynton, improvements be made to the lighting and footpath surfacing which are currently uneven in places and prone to flooding thereby creating puddles and significant muddy patches;
 - (3) That in connection with the walking routes from Willaston to Malbank High and Willaston to Brine Leas School, the Committee believes that as they currently stand, these waking routes are not safe and would therefore ask the Executive Director Place to:

- Bring back to this Committee data regarding the collision rates at the roundabout on the A500/A51;
- Install signage on the A500/A51 to indicate to motorists that they are approaching a pedestrian crossing
- Request Network Rail to make improvements to the level crossing at Nantwich Road Willaston to install double barriers in the interests of pedestrian safety;
- Ensure that street lighting is switched back on those sections of London Road that have been part of the Council's experimental scheme;
- Review the speed limit on London Road with a view to it being reduced;
- Carry out repairs to the footpath on London Road which has collapsed in places and to create a footpath where currently none exists.

(4) That in respect of the Elton Road Roundabout to Wheelock Primary School, The Executive Director of Place be requested install street lighting to the footway/cycle path which is located behind the hedge on Hind Heath Road;

- (b) The Director of Education be requested to provide safety information on any future proposals relating to the availability of walking routes to school;
- (c) That whilst the Council's current policy on available walking routes to school complies with national guidance in respect of road safety, the Committee believes that its failure to address issues of personal safety indicates that the policy is detached from modern life and the Committee therefore requests Cabinet to review the policy with a view to including specific reference to the need to take account of personal safety;
- (d) That in respect of the five sites involved in this call-in and any future sites, decisions to withdraw free bus travel be undertaken on a phased basis in accordance with paragraph 53 of the Department of Education guidance 2014 so that no child currently in receipt of a bus pass will be disadvantaged by the decision;
- (e) That the Committee's disappointment be placed on record regarding the fact that this matter was not brought to it for consultation by Cabinet before a decision was taken.

The meeting commenced at 10.00 am and concluded at 2.50 pm

Councillor Rhoda Bailey (Chairman)

Cheshire East Council**Report to Cabinet – 18 October 2016**

Report of: Kath O'Dwyer, Deputy Chief Executive & Executive Director - People

Subject/ Title: Officer response to the recommendation of the Children and Families Overview and Scrutiny Committee in relation to Available Walking Routes to School.

1.0 Report Summary

- 1.1 At Cabinet on 14 June 2016, the proposals in relation to a 'Review of the Available Walking Routes to School' (AWR) was considered. The decision was called in by the Children and Families Overview and Scrutiny Committee and this report provides a response to the Scrutiny review.

2.0 Officer Response

At the Children and Families Overview and Scrutiny Committee meeting on 19 July 2016, a number of recommendations were made relating to the withdrawal of the right to free school transport where a route to school has been assessed as available to walk. Listed are the resolutions and officer's response to these, shown below.

The current number of pupils affected by each route at September 2017 is as follows:

Bollington to Tytherington School	= 155 pupils
Willaston to Brine Leas School	= 9 pupils
Willaston to Malbank School	= 83 pupils
Middlewood to Poynton High School	= 22
Ettiley Heath to Wheelock Primary School	= 50

N.B. Please note, there has been some confusion in the road names used in the scrutiny minutes, as London Road and Newcastle Road meet at approximately 100metres east of the level crossing and * ** notes where there should be amendments.

* London Road

** Newcastle Road

- 2.1 Recommendation 1 - That Cabinet be informed that this Committee recommends that the decision relating to available walking routes to schools taken on the 14 June 2016 should be reviewed along the following lines:

That the walking route from Bollington to Tytherington High via Middlewood Way be declared unavailable on the grounds that there are serious concerns

about the personal safety of pupils on considerable stretches of the Middlewood Way which is isolated and hidden from view of the nearby Silk Road. In addition, there are concerns about access to emergency services to the whole of the Middlewood Way and significant road safety concerns relating to the only alternative route in the vicinity, the Silk Road which would have to be used as an alternative walking route in the event that the Middlewood Way was closed for any reason. The committee therefore is of the opinion that it would not be possible to make the Middlewood Way safe, irrespective of any improvements that may be proposed.

- 2.1.1 Officer Response - It should be noted that the 'Available Walking Routes to School' policy was adopted on 15 October 2012 by Cabinet and that it was resolved that the updated policy would trigger a process of reassessment with potential impacts on the entitlement to transport. The Cabinet meeting did not discuss individual routes. Following this approval, the Middlewood Way was assessed to be an available walking route. However, free transport was not removed for pupils living in Bollington, even though the route was assessed as available.
- 2.1.2 The Middlewood Way is a wide, traffic free, generally well surfaced, accessible route. It is used by over 250,000 people each year. There is a rear entrance to Tytherington School, from the Middlewood Way, which can be accessed by cyclists and pedestrians. This entrance was improved and lighting installed under the Council's 'safer routes to schools' programme, just over 10 years ago. The route between Bollington and the entrance to the school is just less than 3 miles and the first 1.5 miles of the route is currently used by pupils, who live in the Tytherington area. Pupils also regularly use the Middlewood Way between Macclesfield and the School.
- 2.1.3 Due to concerns raised by local members, school and parents about the personal safety issues on the Middlewood Way, the following research has been carried out to assess personal safety issues on the route.
- 2.1.4 Pedestrian and cyclists counts were carried out between 13th September and 19th September (Tuesday to Monday) to record the number of users on the Middlewood Way. Cameras were sited on 3 locations to record the data
 Site 1 Middlewood Way, south of Brocklehurst Way
 Site 2 Middlewood Way, north of Brocklehurst Way
 Site 3 Middlewood Way, Clarke Lane, Bollington

	Average number of users Monday to Friday	Average number of users Saturday to Sunday
Site 1 0800 – 0900	86	21
Site 2 0800 – 0900	47	22
Site 3 0800 – 0900	53	20
Site 1 1500 – 1600	64	66
Site 2 1500 – 1600	28	66
Site 3 1500 - 1600	31	80

- 2.1.5 There are 5 access points for emergency services. Appendix B shows a map of location points. The emergency services do not have a key to the access gate on the Middlewood Way and this is because of the infrequency that the emergency services are requested to access the route.
- 2.1.6 Cheshire Fire & Rescue service has stated that, *“pupils using a footpath away from traffic can only be a good thing. There are many footpaths around the country which don’t have immediate and complete access to emergency services, but the separation from traffic hugely reduces the likelihood of the need for our services. The service has several means of gaining access to locked gates and doors”*.
- 2.1.7 Statistics provided by Cheshire Police indicated that there have been three crime incidents over the last three years for possible drug dealing on this stretch of the Middlewood Way. In addition, there have been 15 recorded incidents over three years which occurred between 8am and 4.30pm of anti-social behaviour which include things such as a report of an aggressive dog, males drinking, motorbikes being driven on this route.
- 2.1.7 Cheshire Police response included the comment that *“There will never be any stretch of road that we can say with complete certainty is “safe” as this is a very subjective matter and of course children especially can place themselves in positions of risk simply because they are children”*
- 2.1.8 If the Council declared the route unsafe for children attending school, it would suggest that we are allowing the general public to use an unsafe route and the logical next step would be to close the route to the public.
- 2.1.9 As such, officers recommend that this section of the Middlewood Way is confirmed as an available walking route. However, it would remain a parental decision as to whether parents wish their child to walk this route.
- 2.2 Recommendation 2 - That in respect of the northern section of the Middlewood Way near to Poynton, improvements be made to the lighting and footpath surfacing which are currently uneven in places and prone to flooding thereby creating puddles and significant muddy patches;
- 2.2.1 Officer Response - The Middlewood Way, north of Poynton, is a popular route as it leads to the Middlewood Railway station which can only be accessed on foot or bike. This section has recently suffered from flood damage due to storms; however, this damage is due to be repaired by the end of this financial year.
- 2.2.2 An estimate for the lighting for this section is £54,325. This figure includes a commuted sum for energy and maintenance. However, this will be explored further as part of a full review of street lighting as part of street lighting policy development.

2.2.3 The Children and Families Overview and Scrutiny Committee stated that they were less concerned about personal safety on this section of the Middlewood Way due to the various access points.

2.3 Recommendation 3 - That in connection with the walking routes from Willaston to Malbank High and Willaston to Brine Leas School, the Committee believes that as they currently stand, these walking routes are not safe and would therefore ask the Executive Director Place to:

2.3.1 Recommendation 3a - Bring back to this Committee data regarding the collision rates at the roundabout on the A500/A51;

Officer Response - Collision data for 5 years up to the 29.02.2016 indicates that there have been no collisions resulting in injuries involving vehicles approaching the crossing. There were 9 vehicular collisions on the Cheerbrook Roundabout (see appendix C).

2.3.2 Recommendation 3b - Install signage on the A500/A51 to indicate to motorists that they are approaching a pedestrian crossing.

Officer Response - There is good visibility of the crossing on the northern approach and also for vehicles travelling around the roundabout. However, visibility is limited for traffic from Newcastle Road. Cycle warning signs are present on the A51 northern approach and also on the approach from Newcastle Road. Signage could be improved at an estimated cost of £3,000. It is recommended this is implemented prior to September 2017.

2.3.3 Recommendation 3c - Request Network Rail to make improvements to the level crossing at Nantwich Road, Willaston to install double barriers in the interests of pedestrian safety;

Officer Response - Network Rail has stated they are happy with the crossing and the addition of a second barrier would not reduce the risk at this location. The crossing passed a safety audit in February 2016.

Two counts of pedestrians using the level crossing were carried out on 13th September 2016 between 8.00am and 9.00am and 14th September between 3.00pm and 4.00pm. The a.m. count showed that 38 pedestrians used the crossing in the hour, 8 of the pedestrians were pupils wearing the Malbank School uniform. The p.m. count showed that 48 pedestrians used the crossing and 15 of them were of school age.

2.3.4 Recommendation 3d - Ensure that street lighting is switched back on those sections of London Road ** that have been part of the Council's experimental scheme;

Officer Response - Under the new LED programme, the lighting on Newcastle Road * has been switched back on.

- 2.3.5 Recommendation 3e - Review the speed limit on London Road with a view to it being reduced;

Officer Response – The speed limit is currently under review and subject to consultation. Any change to reduce to 40mph could be implemented by September 2017.

- 2.3.6 Recommendation 3f - Carry out repairs to the footpath on London Road** which has collapsed in places and to create a footpath where currently none exists.

Officer Response - The section of footpath on Newcastle Road ** is the vehicular access to a farm field; Highways report that the condition is within tolerance and is not considered a danger to pedestrians. The condition will continue to be reviewed as part of the Council's regular scheduled safety inspections.

- 2.4 Recommendation 4 - That in respect of the Elton Road Roundabout to Wheelock Primary School, the Executive Director of Place be requested install street lighting to the footway/cycle path which is located behind the hedge on Hind Heath Road.

- 2.4.1 Officer Response - A new section of footway, running adjacent to Hind Heath Road, was installed as part of a new housing development in 2014. Additional houses are due to be constructed in 2017 and discussions are currently taking place between Highways and the developer as to the feasibility of lighting along this section of road. However, for the pupils walking to school it is unlikely that they will need to walk this section in the dark as the school starts at 08.50 and closes at 15.15. In early January sunrise is at 08.24 and sunset at 16.08, this should therefore give pupils time to walk in daylight.

- 2.4.2 As pupils using this routes are of primary school age we would expect children to be accompanied and therefore any risks are minimised.

- 2.5 Recommendation 5 - The Director of Education be requested to provide safety information on any future proposals relating to the availability of walking routes to school.

- 2.5.1 Officer Response - There are approximately 3 to 4 individual requests each year from parents requesting that individual walking routes to school to be assessed. This work is carried out by Transport Service Solutions.

- 2.5.2 Where further assessments are carried out that may impact on large numbers of pupils, local members will be invited to walk the route along with Cheshire East Highways, these route assessments will be published on the CEC website.

- 2.6 Recommendation 6 - Whilst the Council's current policy on available walking routes to school complies with national guidance in respect of road safety, the Committee believes that its failure to address issues of personal safety

indicates that the policy is detached from modern life and the Committee therefore requests Cabinet to review the policy with a view to including specific reference to the need to take account of personal safety.

- 2.6.1 Officer Response - When assessing a route, the Council follows the nationally accepted guidelines Road Safety GB. These guidelines state that a route should be assessed on road safety not personal safety. This is based on case law. An available route is one that can 'reasonably' be walked and is 'capable of being used' (*Rogers V Essex County Council* [1987]).
- 2.6.2 Case law also states that it is reasonable to expect a child to be accompanied on their walking journey to and from school (*Regina v Devon County Council, Ex parte George* [1989]).
- 2.6.3 A recent request posted, by CEC, on two Local Authority Forums, Association of Transport Coordinating Officers and Road Safety GB, asked which Local Authorities follow the Road Safety GB guidance. Twelve Local Authorities responded who all stated that they follow the guidance and do not include personal safety into their assessment.
- 2.6.4 It should be noted that assessments do not determine whether a route is "safe" or dangerous. Instead, the assessment determines whether transport should be provided because a particular walking route presents exceptional road safety hazards.
- 2.6.5 As the current CEC policy is in line with national guidance and in line with the approach of many other local authorities, it is unnecessary to review the policy at this time.
- 2.6.6 In the guidance issued by the Department of Education in 2014, 'Home to School travel and transport', it recommends that Local Authorities have a statutory duty to promote the use of sustainable travel and transport, which includes the publication of a Sustainable Modes of Travel Strategy. The Council has in place a Local Transport Plan (2011 – 2026) and section 6 focuses on 'Supporting our Children and Young People'. However, as the last update of the Sustainable Modes of Travel Strategy took place in 2009, it is recommended that the Executive Director – Place be requested to review the Council's Sustainable Modes of Travel Strategy and present a revised strategy to Cabinet for consideration and approval.
- 2.6.7 The development of a Sustainable Modes of Travel to School Strategy provides the Council with the opportunity to bring together existing strategies and programmes of work where we support travelling to school by sustainable modes of travel. Current programmes of work comprise:
 - Working in partnership with the Fire and Rescue Service delivering Road Safety Education in schools.
 - Supporting the Bikeability Training, with 1555 young people trained at Level 1, 4223 young people trained at Level 2 & 162 trained at Level 3.
 - Rolling out the implementation of 20 mph zones around schools.

- Where applicable, supporting individual schools with the development of walking routes.
- Investing in School Crossing Patrols.
- Developing a cycling strategy that will support cyclists travelling on everyday journeys.
- Our Local Plan which encourages new developments to support sustainable travelling.
- Improvements in footpaths and public rights of way near schools.

2.7 Recommendation 7 - That in respect of the five sites involved in the call-in and any future sites, decisions to withdraw free bus travel be undertaken on a phased basis in accordance with paragraph 53 of the Department of Education guidance 2014 so that no child currently in receipt of a bus pass will be disadvantaged by the decision.

2.7.1 Officer Response - Department of Education Home to School Travel and Transport Guidance states that 'good practice' suggests when there is a change to policy that the introduction of any changes should be phased-in so that children who start under one set of transport arrangements continue to benefit from them until they either conclude their education at the school or choose to move to another school'.

2.7.2 A range of transition options have been considered including:

- a) No transition payment to be made available as such payment is not a 'requirement'.
- b) A 50% subsidy to be made for one year.
- c) A smaller subsidy be made to cover the period until a pupil concludes their education at their current school or moves to another school.

A precedent has previously been made in relation to option b) for post 16 transport, but option c) is recommended as it is more in line with the good practice guidance within the DfE Guidance.

2.7.3 In light of the guidance from the DfE it is recommended that the Executive Director – People be given delegated authority (in consultation with the Portfolio Holder for Children and Families) to discuss options with the relevant schools and academies; and approve a level of transitional grant funding so that where practicable any child who currently receives free school transport will receive subsidised transport until they either conclude their education at their current school or move to another school. This would be in the form of a one off payment to schools or academies within a maximum total budget allocation of £150,000.

2.8 Recommendation E – That the Committee's disappointment be placed on record regarding the fact that this matter was not brought to it for consultation by Cabinet before the decision was taken.

Officer response – As the proposals relate to the implementation of an existing and previously agreed policy, no formal consultation is required. However, post

the Cabinet decision it was always the intention to liaise with parents, schools, feeder schools etc. in relation to the issues connected with implementation and to seek to address issues together. This activity was paused during the call in period. The Committee's disappointment is however noted.

3.0 Recommendations

It is recommended that the decisions approved by Cabinet, in June 2016, regarding AWR be confirmed, subject to the following:

- 3.1 Middlewood Way be confirmed as an available walking route.
- 3.2 Implementation of changes to the availability of routes be postponed until September 2017.
- 3.3 The Executive Director – People be given delegated authority (in consultation with the Portfolio Holder for Children and Families) to discuss with relevant schools and academies; and arrange such transitional grant funding as the Executive Director considers appropriate, so that where practicable any child who currently receives free school transport will continue to receive subsidised transport until they either conclude their education at their current school or move to another school.
- 3.4 The highway improvements recommended by the Children and Families Overview and Scrutiny Committee, and identified as 'to be implemented' in appendix A to this report, be approved.
- 3.5 For any future route assessments, where changes to the classification are being considered, local members to be invited to accompany officers on a route review.
- 3.6 The Executive Director – Place be requested to review the Council's Sustainable Modes of Travel Strategy and bring a revised strategy to Cabinet for consideration and approval.
- 3.7 Cabinet note the Committee's disappointment at a perceived lack of consultation in relation to the proposals.

4.0 Contact Information

- 4.1 Contact details for this report are as follows:
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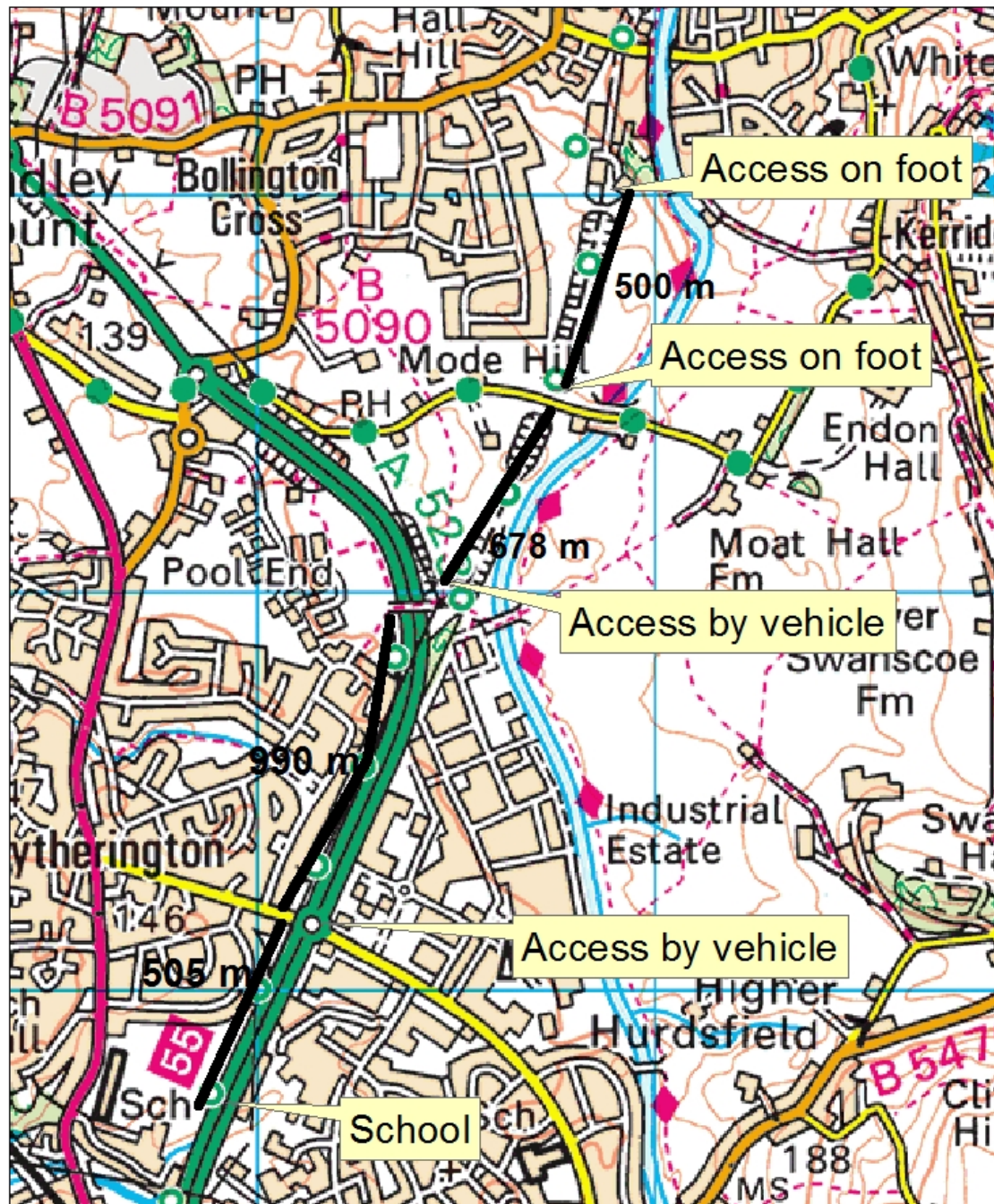
Appendix A

Summary of comments from C&F OSC regarding highway improvements and Officer's responses

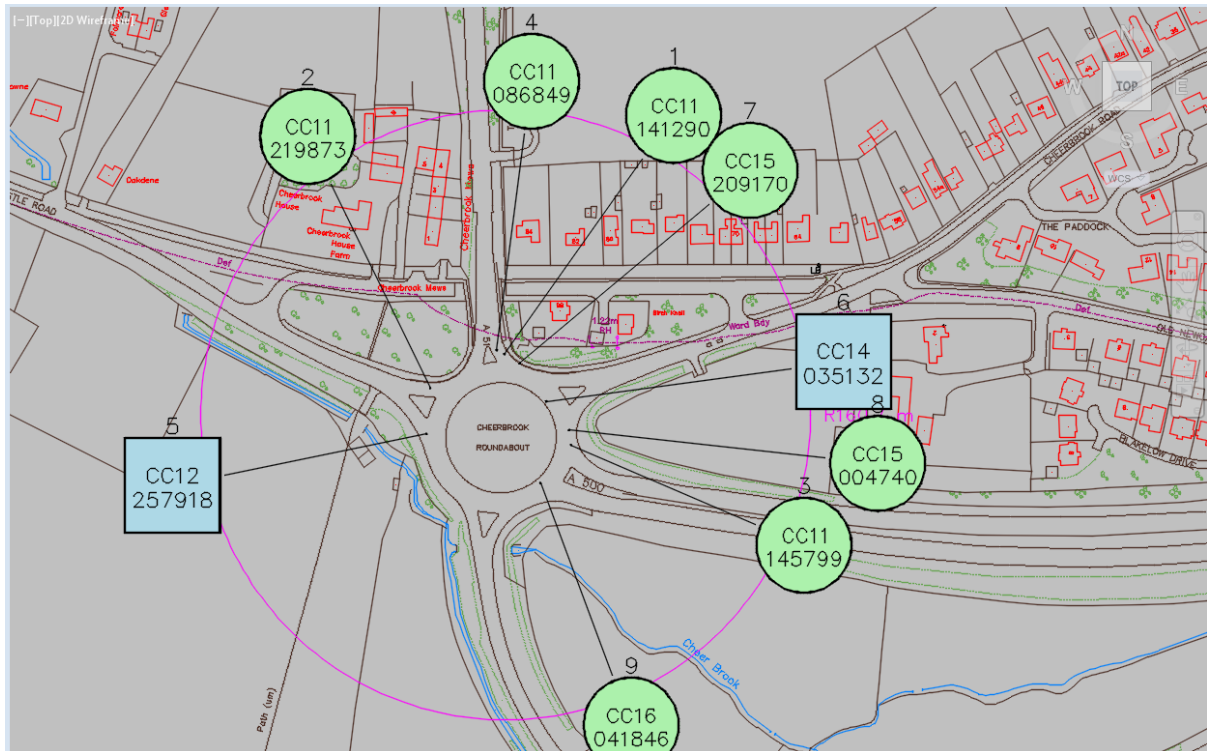
	Recommendation from C&F OSC	Officer's Response	Recommendation to be implemented (yes/no)
1	The Middlewood Way should be declared unavailable	<p>The Middlewood Way is assessed as an available walking route and status will not change</p> <p>A route is assessed to see if it is walkable not whether it should be walked. A parent is responsible for deciding how they travel to school whether it is on foot, cycle, car or bus.</p> <p>CEC would be open to legal challenge if the route was declared unsafe for pupils but remained open to the public.</p>	No
2	That lighting be installed at the Higher Poynton end of the Middlewood Way	To be explored as part of a full review of street lighting as part of the Street Lighting Policy development	No
	Repair potholes on Middlewood Way	To be repaired by September 2017	Yes
3b	Install signage to improve visibility of Toucan crossing on A500	Existing cycle warning signs to be changed for larger sized signs	Yes
3c	Install double barriers on level crossing on Nantwich Road	Network rail state that the crossing complies with their risk assessment and are not taking any further action	No
3d	Switch lighting back on Newcastle Road	Lighting has now been switched on	Yes
3e	Review speed limit on Newcastle Road	Speed limit under review.	Yes
3f	Repair footway on Newcastle Road,	Highways report that footway is within tolerance levels	No

	Nantwich		
4	Install lighting on Hindheath Road	Lighting may be installed as part of new housing development.	No

Appendix B



Appendix C



Cabinet

Date of Meeting: 18 October 2016

Report of: Peter Bates, Chief Operating Officer

Subject/Title: Tax Compliance and Procurement Procedures – (Council Notice of Motion)

Portfolio Holder: Councillor Paul Findlow

1. Report Summary

- 1.1. The Council received a Notice of Motion at Council on 28 July regarding tax compliance and the Council's procurement procedures, noting the impact of tax evasion and avoidance, the steps taken by the UK Government's to tackle this via the introduction of Procurement Policy Note in 2014, requiring Central Government Departments to assess tax compliance within contracts valued at £5m or above. There is no mandatory requirement for local government authorities to implement this arrangement, but they can decide to include this within their own policy frameworks. The Notice of Motion requested that the Council considers implementing this practice locally, allowing the Chief Operating Officer to determine the threshold value that would be appropriate locally.

2. Recommendation

- 2.1. That the Council's procurement procedures be amended with effect from 1 January 2017 to require all companies bidding for contracts of £5m or greater to self certify that they are fully tax compliant in line with the UK Government's Procurement Policy Note (03/14).

3. Other Options Considered

- 3.1. The Council's procurement team have considered the impact of the introduction of this discretionary requirement on its larger procurements of £5m or greater. The Council's procurement documentation has been updated in line with the Government's Crown Commercial Service (CCS) latest procurement practice applying all elements of the standard CCS documentation. The tax compliance requirement was specifically excluded because the documentation only required that it be applied to central government departments. The impact of not including the requirement has been considered, particularly in relation to the burden on small and medium sized enterprises. Applying an appropriate threshold will mitigate the impact on smaller sized enterprises.

4. Reasons for Recommendation

- 4.1. The Council has sought to apply the best practice outlined by the UK Government, which in particular is detailed by its Crown Commercial Service department (CCS). The Council's procedures follow those laid out by the CCS and where possible any updates to good practice are considered and implemented. Ensuring tax compliance is an important attribute that the Council considers as good practice. This recommendation will allow the Council to apply the good practice outlined by the UK Government.

5. Background/Chronology

- 5.1. At the Council meeting in July 2016 a Notice of Motion regarding tax compliance and procurement procedures was outlined, which has been detailed below:

- 5.2. "This Council notes that:

corporate tax evasion and avoidance are having a damaging impact on the world's poorest countries, to such a level that it is costing them far more than they receive in aid

- this is costing the UK as much as £30bn a year
- this practice also has a negative effect on small and medium-sized companies who pay more tax proportionately.

This Council further notes that the UK Government has taken steps to tackle the issue of tax avoidance and evasion by issuing Procurement Policy Note 03/14 (PPN 03/14). This applies to all central government contracts worth more than £5m.

This Council also notes the existence of voluntary schemes promoting tax compliance such as the Fair Tax Mark, which can serve as an independent means of verification. This council notes the 2015 Public Contract Regulations which state (in section 4) that local government can choose to adopt Procurement Policy Note 03/14.

This Council believes that bidders for council contracts should be asked to account for their past tax record, using the higher standards in PPN 03/14.

This Council therefore calls for procurement procedures to be amended to require all companies bidding for service and works contracts worth more than figures to be agreed with the Chief Operating Officer to self-certify that they are fully tax-compliant in line with central government practice using the standards in PPN 03/14, applying to contracts of the size specified above.

This Council asks the Cabinet to publicise this policy and to report on its implementation annually."

- 5.3. In 2015 the Council's Procurement documentation was updated in line with the UK 2015 Public Contract Regulations, applying all elements except for the discretionary tax requirement. This change would implement the discretionary element in line with the Notice of Motion.

6. Wards Affected and Local Ward Members

- 6.1. All wards of the Council affected.

7. Implications of Recommendation

7.1. Policy Implications

- 7.1.1. The Council's procurement procedures will be amended, specially the Pre Qualification Questionnaire (PQQ), which aligns with the Council's Contract Procedure Rules, which will not require amendent to allow for the suggested changes.

7.2. Legal Implications

- 7.2.1. The Council's Contract Procedure Rules have been approved by Council in December 2014 and updated following Government guidance, via the 2015 Public Contract Regulations in 2015. Amending the procedures can be approved by officers within the Professional Services, the service area for Procurement.

7.3. Financial Implications

- 7.3.1. There are no direct financial implications from this recommendation.

7.4. Equality Implications

- 7.4.1. There are no equality and diversity implications from this recommendation.

7.5. Rural Community Implications

- 7.5.1. There are no specific rural community implications from this recommendation.

7.6. Human Resources Implications

- 7.6.1. There are no Human Resources implications from this recommendation.

7.7. Public Health Implications

7.7.1. There are no Public Health implications from this recommendation.

8. Risk Management

8.1. The level of risk has been assessed, including the potential additional process impact on bidders self certifying. Through setting the threshold at £5m or above, this will provide effective mitigation significantly reducing the risk impact.

9. Access to Information/Bibliography

9.1. UK Government – Crown Commercial Services – Procurement Policy Note (03/14).

10. Contact Information

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Cheshire East Council

Cabinet

Date of Meeting:	18 th October 2016
Report of:	Chief Operating Officer
Subject/Title:	Everybody Sport & Recreation Annual Performance Report 2015-16
Portfolio Holder:	Councillor David Brown, Highways and Infrastructure

1. Report Summary

- 1.1. This report provides Cabinet with the second Annual Performance Report from “Everybody Sport & Recreation” (ESAR) for the financial year 2015-16 in respect of the delivery of service on behalf of the Council

2. Recommendation

- 2.1. Cabinet is requested to note the progress made by the Trust in its second year of trading as an independent Charitable Trust. It is requested to examine the performance information provided in the Annual Report to ensure that the maximum benefits and required outcomes for the residents of Cheshire East are achieved.

3. Other Options Considered

- 3.1. Under the performance reporting Framework for the Council’s Alternative Delivery Vehicles (ASDV’s) there is a requirement on Everybody Sport & recreation to report back to the Council with its Annual Performance Report.

4. Reasons for Recommendation

- 4.1. As the Council continues to move towards being a “Commissioning Council”, ESAR as one of the Council’s Alternative Service Delivery Vehicles (ASDVs) is key to the delivery of a range of services and “outcomes” for local residents, in particular Outcome Five “People Live Well & For Longer” and it is important to ensure that these are achieved through the ongoing monitoring of the Leisure Operating Agreement.

5. Background/Chronology

- 5.1. In February 2014 Cabinet approved the transfer of the management of a range of services to the new Charitable Trust “Everybody Sport & Recreation”. The new Trust was formally established in March 2014 with a Board of eleven including two Cheshire East Council representatives. The Trust is part of the Council’s wider drive to become a “Commissioning Council”.
- 5.2. The services and staff (over 750) formally transferred to the Trust on the 1st May 2014. In addition to the leisure and sports development team the management of the following leisure facilities are currently managed by the Trust on behalf of the Council –

Alsager Leisure Centre
Barony Park Sports Complex
Holmes Chapel Leisure Centre
Knutsford Leisure Centre
Macclesfield Leisure Centre
Middlewich Leisure Centre
Nantwich Swimming Pool and Fitness Centre
Peter Mason Leisure Centre - Congleton
Poynton Leisure Centre
Sandbach Leisure Centre
Shavington Leisure Centre
Cumberland Arena Crewe
Wilmslow Leisure Centre

In addition, earlier on this year and prior to opening on April 1st the Trust took over the management of the new Crewe Lifestyle Centre, which added to the leisure elements of service also includes overall asset management on behalf of the Council for the remainder of the building (library, family centre and adults social care).

- 5.3. The Leisure Operating Agreement contains a range of elements to ensure that the Trust provides the services required by the Council. These are set out in a Service Specification which helps form the basis by which the Council monitors that the Trust is delivering on the outcomes expected by the Council as part of its Residents First Approach. The commissioning and monitoring of this service is undertaken by the Strategic Commissioning team who receive quarterly reports on the Trust’s progress and performance against a range of contractual performance indicators.
- 5.4. The Annual Report demonstrates the successes that have been achieved by the Trust within its second year of trading and both the Chairman of the Trust Councillor Kolker and Peter Hartwell the Chief Executive Officer will attend the meeting to present the Report and answer any questions. Some headline successes include -

- An annual attendance at leisure centres of 2,827,197 compared to 2,707,702 the previous year.
- Cheshire East is now the most active Borough in the North West following the latest Sport England Active People Survey
- Everybody membership has risen 27% since the transfer of the service to over 11,000 members
- There were 6486 volunteer hours in sport and recreation organised through the trust during the year
- Through “Bikeability” 6162 young people were trained in cycling skills with an average fifteen schools per month visited throughout the year. Due to the success of the current scheme further additional funding of £590,000 has just been awarded by the Department for Transport to carry on its delivery to 2020
- The Trust’s “Learn to Swim” Scheme now has over 6,000 learners receiving lessons, all enjoying free swimming at other times to encourage participation and progress
- In September 2015 ten leisure apprentices started working with the Trust

5.5 The continued programme of both capital investment and maintenance and improvements to leisure facilities by the Council, including the recently opened Crewe Lifestyle Centre and the forthcoming improvements to the Peter Mason Leisure Centre has helped support the Trust in delivering a high quality service to the increasing numbers of users.

5.6 During the year the Trust has continued to refine, develop and improve its leisure offer. At times this has meant challenging long standing processes and operations that are no longer sustainable in modern leisure delivery. An example of this was the changes brought about to swimming lessons and its effect on local swim clubs. After some initial difficulties the new Learn to Swim Scheme is now fully operational and the Trust has continued to develop a new positive relationship with the clubs to ensure that they, as with many other organisations, continue to deliver an important element of leisure to the local community. The improvements in terms of swimming attendances is noted in 5.4 above.

6. Wards Affected and Local Ward Members

6.1. N/A

7. Implications of Recommendation

7.1. Policy Implications

- 7.1.1. The establishment of the Trust was in line with the Council's drive to become a "Commissioning Council". The presentation of this second Annual Performance Report to the Council is in line with the reporting requirements as set out in the Leisure Operating Agreement.

7.2. Legal Implications

- 7.2.1. The presentation of an Annual Report to the Council is in line with the requirements of the Leisure Operating Agreement and allows the Council to be updated on the performance of the Trust.
- 7.2.2. ESAR currently operates a contract of ten years in length which can be extended for a further five years subject to agreement by both parties. The contract commenced on 1st May 2014 and includes a range of leisure centre leases that also run co-terminus with this term.
- 7.2.3. The management of the new Crewe Lifestyle Centre and delivery of a leisure service is undertaken as a Variation of the existing Leisure Operating Agreement

7.3. Financial Implications

- 7.3.1. The Trust receives a Management Fee for the delivery of service to be renegotiated annually with the Council. In addition the Trust also "buys back" a range of services including ICT and payroll support. The latter was to ensure a smooth transition into the new way of working and continuity of service to users. The Trust will consider in future years if it wishes to continue to buy these services from the Council as it does at present or seek an alternative provider. Whilst the Council has transferred the majority of the leisure centre sites to the Trust by way of a lease the responsibility for the buildings remains with the Council as Corporate Landlord. This at present includes the provision of elements such as repairs and maintenance, capital improvements and energy provision.
- 7.3.2. The Trust is a fully independent organisation and it is required by the Charities Commission to submit a full set of accounts. The Trust's financial position will be reported to the Council as part of the company's Annual Performance Report. The Trust is a company limited by guarantee, and under this status the Trust is additionally a "not for profit" organisation which means it has to reinvest any surpluses into services and facilities.

7.3.3. The annual Management Fee takes into account a number of elements including the success of the previous financial year and the commissioning requirements of the Council for the forthcoming year.

7.4. Equality Implications

7.4.1. The Trust as illustrated in the Annual Report remains committed to ensuring that services are delivered to all residents in Cheshire East including provision to those of all ages and with disabilities.

7.5. Rural Community Implications

7.5.1. The Annual Report demonstrates the Trust's commitment to delivery across Cheshire East including within rural communities.

7.6. Human Resources Implications

7.6.1. There are no implications

7.7. Public Health Implications

7.7.1. As set out in 4.1 above the Trust is expected to be a significant contributor to the Council's "Outcome Five – People Live Well & For Longer" in support of improving the health of local residents as set out in the Council's Three Year Plan. The Annual Performance Report addresses the Trust's progress on this area of work.

7.7.2. The current government guidelines state that adults should aim to be active daily. Over a week, activity should add up to at least 150 minutes (2½ hours) of moderate intensity activity in bouts of 10 minutes or more. The national Active People Survey is conducted annually and reports on how many people achieve this. The latest data available is from 2015 and identified that 60.1% of adults (aged 16 and over) were physically active. This compares to 57.0% for England and 60.0% for similarly affluent areas and is an increase of 3.7% or an additional 14,705 active people since 2014. Government guidelines state that children and young people (aged 5-18) should participate in at least 60 minutes of moderate to vigorous intensity physical activity every day, incorporating muscle strengthening activities on at least three days a week. In 2014/15, there was a national survey of 15 year olds (What About YOUth). This identified that 14.7% of 15 year olds in Cheshire East were physically active. This compares to 13.9% for England.

7.7.3 This report demonstrates the contribution the Trust have made to achieving this level of physical activity in Cheshire East with 11,000

members and 2,811,694 attendances (1,112,972 adults and 1,020,241 under 16s) in 2015/16.

7.7.4 Being physically active daily has many benefits. It reduces risk of a range of diseases, e.g. coronary heart disease, stroke, type 2 diabetes. It helps people maintain a healthy weight. It helps people maintain ability to perform everyday tasks with ease. It improves self-esteem and reduces symptoms of depression and anxiety. All these contribute to the Council achieving outcome 5 – People Live Well and For Longer.

8. Risk Management

- 8.1. In addition to the requirement to deliver it's Annual Performance Report to the Council, to ensure that the Trust are delivering the requirements of the Leisure Operating Contract, the Council currently monitors the performance of the Trust on a formal regular basis including, quarterly performance meetings and reports, the submission of performance indicators as part of the Council's Corporate Performance Management Framework and regular on site visits.

9. Access to Information/Bibliography

- 9.1. Appendix 1 – Everybody Sport & Recreation – Performance Report 2015-16

10. Contact Information

Contact details for this report are as follows:

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Everybody Sport & Recreation



PERFORMANCE REPORT 2015-16

 **everybody**

providing
'Leisure for Life'

Registered Charity Number: 1156084
Registered in England & Wales (No. 08685939)

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Chief Executive's Report

Welcome to our second Annual Performance Report. Once again I am delighted to be able to report on another successful year of improved service delivery to our customers and communities.

During our first year we sought to lay solid foundations for our future. Building on that now, our second year has been focussed on greater investment and creating more opportunities for everyone to participate in leisure and recreation – from every walk of life, whatever their age or ability.

As a result we have seen important changes and dramatic improvements to our customer offer, staff development and business growth.

Our membership has grown by over 25% in our first two years to 11,000 at the end of 2015-16. We have welcomed over 2.8M customer visits this year, an increase of over 4%, and the recent Active People Survey (undertaken by Sport England), now shows Cheshire East as the most active area in the North West region. I have no doubt we have helped play our part in that success.

We all understand the power and potential that sport and recreation have to transform lives. No other single service is capable of achieving so many positive outcomes on such a wide range of social issues. Sport and recreation builds confidence and self-esteem, develops life skills, strengthens community spirit, improves health and wellbeing, reduces anti-social behaviour, helps employment prospects and boosts educational attainment.



If we can maintain this momentum and continue to increase participation, together with all our partners, the long-term impact on all these issues will be tremendous. Working closely with Holmes Chapel Parish Council we have helped bring their new Community Centre into operation and we opened the doors to our first customer on 28th November 2015. Further joint investment is planned to ensure it becomes a vibrant, sustainable centre for a variety of sporting, leisure and community activities.

In February 2016 Cheshire East Council handed us the keys to the new £15M Lifestyle Centre in Crewe. This is the very best facility from which we will seek to achieve our shared aim of helping local people live well and for longer.

We have refreshed our 'Learn To Swim' offer, providing free swimming now to our 6,000 learners, increasing participation locally again, despite a national decline in swimming.

We have seen the launch of our new Academy, bringing to life our desire to be the best that we can be and becoming the leisure employer of choice in our area. A key aspect of our Academy's work is managing our ambitious apprenticeship scheme.

Our first cohort of 10 apprentices joined us in September 2015 to start their careers in leisure. This is an important part of our aim to be fit for the future and we will do more of this each year, ensuring we have the skills and expertise we need to develop our business and deliver better services.

November 2015 saw an intense week of interviews and inspections as we gained the national Investors in People Award. After only 18 months as an independent charity, this is a remarkable achievement and is testament to the calibre of our people and recognition of our organisational values. We recently undertook our first employee survey too and I was heartened to see that over 80% of staff are satisfied with their job and in working for our charity despite the significant changes we have faced.

At the same time, customer satisfaction has improved too with an overall rating of 8/10 for all that we do. Staff friendliness & knowledge continues to score highly at 9/10 whilst we need to do more to improve our refreshments offer and increase the maintenance programme, both of which achieved less than 7/10.

I would like to thank our staff and our trustees for their continued dedication and commitment in making our second year of operation both an enjoyable and successful one.

2015-16 has been another great year for Everybody. We have delivered more, saved more, invested more, employed more and ultimately achieved so much more than ever before. Yet, there is always room for further improvement and so there is still much more to come...

We have continued to make significant financial savings of over £2.1M per annum. These savings help protect front-line services, keeping all our centres open despite budgetary pressures on the Council, and fund new investment in facilities and activities across the borough.

Our Everybody Awards evening, held in October 2015, was our biggest and best yet with over 100 nominees across all categories. The night itself was a fantastic celebration of what we have all achieved together over the previous year.

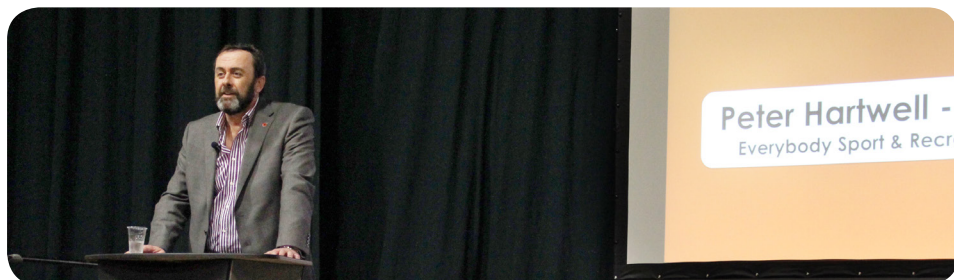
Finally, I would like to welcome our newest member of the Everybody team – Todd the Tiger. He joined us in February to help get the new Crewe Lifestyle Centre ready for our customers on time. Todd has already proved a very popular presence in our centres and at our events and I am sure we will see a lot more of him during 2016-17.

Best wishes,

Peter Hartwell

Chief Executive

31st May 2016



Who we are...

Everybody Sport & Recreation is a company limited by guarantee with charitable status, formed in March 2014 from the transfer of the leisure services portfolio of Cheshire East Council. We are an independent not for profit organisation and reinvest all surpluses back into the services we provide.

Everything we do will seek to support our charitable objects, as set out in our Articles of Association and demonstrate a public benefit. Our objects are:

“the provision or assistance in the provision of facilities for recreation or other leisure time occupation in the interest of social welfare such facilities being provided to the public at large save that special facilities may be provided to persons who by reason of their youth, age, infirmity or disability, poverty or social or economic circumstances may have need of special facilities and services” and;

“the promotion and preservation of good health including but not limited to through community participation in healthy recreation”

Everybody is responsible for the day to day management of a range of facilities and leisure development activity through the staff and senior management team.

Strategic direction is provided by the independently appointed board of trustees in accordance with the contract and funding agreement with Cheshire East Council. The board has ultimate responsibility for the governance of the trust and supports and challenges the senior management team.



Who we are...

There are 11 trustees on the board, all of whom are local volunteers with a wide variety of professional backgrounds from various sectors. They bring a wealth of expertise and experience to help shape and improve our services.

At Everybody, we don't just believe in getting more people, more active, more often – that goes without saying! In order to make a real impact on the health and social issues affecting our communities, we need to target our efforts and our service offer. Only in this way can we make participation in leisure and recreation an important part of everybody's day to day lives, whatever their ability or need.

Our simple vision of providing 'Leisure for Life' seeks to make participation in any activity an enduring habit from the earliest years to later life, helping people to live well and for longer.

An essential part of establishing Everybody as an independent charity was to develop a new set of organisational values.

If we are to succeed in delivering on our mission and strategic aims, we will only do so by working with these values at the heart of all that we do.

Fit For The Future

We will give everyone the opportunity to train and enhance skills by encouraging people to develop themselves and others. Creating and promoting 'careers in leisure'.

Working As One

We will all work to the common goal of providing "leisure for life" and support each other in all we do.

Trusted And Honest

We respect and value the input of every person and at all times act with integrity and respect.

In The Service Of Others

We will provide first class facilities and services that are well maintained, inviting and valued by our customers.

Free To Do Our Best

Our culture and business processes will support people to act on their own initiative - with innovation being recognised and rewarded.

Caring For All

We will actively seek to involve everyone in all communities, working in partnership and with a passion for people.

What we do...

The fifteen leisure facilities managed by Everybody Sport and Recreation are the main component of the trust's wider offer to enhance the health and quality of life of the residents of Cheshire East, as well as those who work in or visit the area.

With almost 3 million visits each year from all ages and now 11,000 members across the borough, the leisure centres provide programmes and activities that contribute enormously to the social, educational and economic life of the community and to the physical and mental health and wellbeing of local people.

By providing targeted initiatives in those areas of greatest need, whatever the cause, we will actively seek to reduce health inequalities across the borough. At the same time, sport and recreation will help tackle anti-social behaviour and assist with town centre regeneration through greater participation, events and activity resulting in increased footfall in our centres.

Involvement in sport and active recreation has the potential to enable everyone to gain access to an avenue of activity and social networks which will remain with them throughout their lives, for some it will lead to performance at the highest level.

Our development programme ensures that pathways and structures are in place to enable people to learn basic skills, participate in an activity of their choice, developing their competencies and reach levels of performance according to their individual aspirations and ability.

Everybody Sport & Recreation will create the right conditions so that sport, play and active recreation can flourish at all levels. Through effective partnerships we will introduce people to active recreation opportunities, teach them the necessary skills and give them the opportunity to participate and enjoy leisure at their own level - whether this is simply playing in a local park with friends, joining in at their local leisure centre or even, representing their country.



What we do...



Strategic Aims

1. Grow an ethical and sustainable business

Membership Growth Since 2014

25%

8,762
in 2014

10,934
March 2016

Swimming Pool Refurbishment at Poynton

Poynton Leisure Centre had a full refurbishment of the Swimming Pool including new tiles to the whole of the pool. This project took place during the summer 2015 and the facility was opened again just in time for the new school year. School children, Everybody members and customers in the region can now enjoy the newly refurbished pool at during the week and at weekends.

Crewe Lifestyle Officially Opens with Sir Philip Craven MBE

The new Crewe Lifestyle Centre houses an impressive range of Leisure and Community facilities accessible for everybody. As well as an eight-lane 25m swimming pool and a world-class fitness suite it will also be a place to socialise with an onsite cafe, group fitness classes, community events and more. Cheshire East Council services including the library and family and adult social care are also in one place.

Holmes Chapel Community Centre Officially Opens Fitness Centre

Holmes Chapel Community Centre (previously the AP Club) was purchased by Holmes Chapel Parish Council and leased to Everybody Sport and Recreation to bring it back to full community use. The site has now been refurbished to include a state of the art 50 station fitness suite, group fitness studio, sauna, steam room and Jacuzzi.

The community rooms and café are currently under construction with a completion date of September 2016. Holmes Chapel Community Centre is also the home of our Brooklands Head Office bringing together all professional and technical support staff and senior management team.



2. Provide a great customer experience

Online bookings are now available with 24% online transactions for 2015/16

267,812
website visitors

60,337
social media
interactions

8.01
user survey
score

Everybody Wins Sport & Fitness Establishment of the Year at Heart Safe Awards

On Friday 9th October, Everybody Sport and Recreation proudly received the Sports and Fitness Establishment of the Year at the Heart Safe Awards in Manchester. The Sport and Fitness Establishment of the Year award recognises and celebrates a Sports & Fitness establishment that has invested in Heart Safe equipment and training for their staff and customers, and who has continuously invested in life saving training of their staff.



Unlimited Free Swimming for Children Learning to Swim

Everybody launched in January a new Learn to Swim Scheme 'Everybody SWIM' which provides unlimited free public swimming sessions for all children enrolled on swimming lessons. The new initiative has been launched to encourage families to swim regularly at their local leisure centre and help children to improve on their swimming technique to progress through the Learn to Swim stages.

Macclesfield Hosts Half Marathon

On Sunday 27th September over 1000 participants took part in the Macclesfield Half marathon, Macclesfield 5K and a junior fun run which is organised by the Macclesfield Harriers A.C. The course which is hosted at Macclesfield Leisure Centre is described as "a challenging and rewarding route through the leafy back roads of East Cheshire".



Nantwich hosts North West Triathlon

The North West Triathlon which is organised by the UK Triathlon Series and hosted at the Barony Sports Complex and Nantwich Outdoor Brine Pool returns each year in May and September. The event attracts thousands of competitors and spectators from across the North West and showcases our excellent outdoor pool and Barony facilities.

Les Mills Classes Launched at Everybody

Everybody has introduced a new timetable of the latest Les Mills fitness classes in centres across Cheshire East. From Les Mills Grit Strength and Cardio to Plyo and Bodypump Everybody customers can now experience the cutting edge group fitness workouts guaranteed to push you to your limits and achieve results. Classes have been introduced in Crewe, Alsager, Holmes Chapel, Macclesfield, Knutsford, Wilmslow and Congleton.

Taste for Life

Taking on board feedback from our customer survey, we have taken the step to improve on our refreshment options. In February we recruited our first Catering Manager to launch a new catering arm; Taste for Life. Taste for Life aims to provide onsite cafés and refreshment options to our customers whilst also catering for children's parties and corporate events.

The new Crewe Lifestyle Centre was the first to launch Taste for Life providing a wide selection of hot and cold beverages, children's lunch packs and freshly prepared hot and cold snacks.

We will look to open further Taste for Life cafes in Macclesfield and Wilmslow, also improving the current catering offer at our Nantwich Outdoor Pool.



3. Develop our people to be the best

The Academy So Far...

Over 2,100 individual learning & development interactions

84% report a significant or major improvement in their competence

99% would recommend the course to someone else.

First Cohort of Apprenticeships Recruited

10 new apprenticeship opportunities have been provided to kick-start careers in leisure and provide excellent on the job training and recognised qualifications in a variety of roles throughout the business. These new apprenticeship positions help candidates to establish a career in the leisure industry, from business admin, marketing and finance to human resources, leisure development and leisure operations.



Personal Training Scheme Launched at Everybody

Customers can now benefit from one-to-one training sessions at the Crewe, Wilmslow, Macclesfield and Shavington Centres offering bespoke, progressive fitness programmes, nutritional and food planning advice and ongoing motivation and support from experienced instructors. Instructors from Everybody were enrolled on personal training courses through the Everybody Academy and internally selected for their new roles.

Everybody Academy Launched

Everybody Academy is the new learning and development arm of Everybody Sport and Recreation. The Academy has the overarching aim to "Provide learning opportunities and environments that inspire and equip people to realise their potential". The Academy specifically seeks to deliver high quality, up-to-date and value for money learning and development opportunities to enable us to meet our key objective of "developing our people to be the best".



Everybody Staff Awards

The first Everybody Staff Awards were held where staff recognised colleagues all year round through our Raising the Bar scheme. Awards were presented to staff across the business such as Employee of the Year, Team of the Year, Manager of the Year, Special Recognition, Volunteer of the Year and many more. Employee of the year went to Michelle Millner whilst Nordic Walking leaders Lorraine and Diane received volunteer of the year.

Everybody Awarded Investors in People Award

Everybody Sport and Recreation is proud to announce it has received the highly acclaimed Investors in People (IIP) Award. Successful accreditation against the Investors in People Standard is the sign of a great employer, an outperforming place to work and a clear commitment to sustainability.

4. Build strong communities and effective partnerships

Volunteer Hours

6486



Number of Volunteers

109

Number of
Volunteer Opportunities

37

Cheshire and Warrington School Games

The Cheshire and Warrington School Games was a success in Macclesfield. Over 1000 talented children took part across 9 different sports throughout the day including athletics, rounders, golf, table tennis and gymnastics.



Crewe Community Athletics Session Launches

During December a new community athletics programme for children and young people was organised and delivered by Everybody Sport & Recreation at the Cumberland Arena. 10 sessions were delivered with over 236 children in attendance. The sessions are delivered by a local Level 3 Athletics Coach and three Everybody Sport and Recreation volunteers, who assist the coach and support with administration. The sessions are non competitive, open to all abilities, and aimed at children and young people aged 8-12 years old (U11s and U13s).

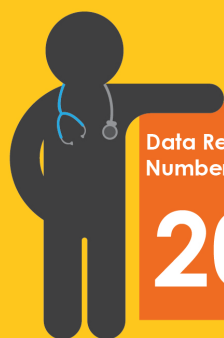
401 Marathon Challenge Comes to Macclesfield Athletics Track

The Athletics Track at Macclesfield Leisure Centre was chosen as the ideal location to host #133 and #224 of the 401 Marathon Challenge, being taken on by Ben Smith. Ben is taking on a world record attempt to run 401 marathons in 401 consecutive days across 309 different locations in the UK. Ben chose to run both marathon number 133 and 224 at Macclesfield Leisure Centre's Athletics Track which was been provided by Everybody Sport and Recreation to support his challenge.



5. Change lives through healthy recreation

12 WEEK LIFESTYLE COACH PROGRAMME RESULTS AND SUCCESSES



Data Reported On
Number Of Clients

201



Clients Who Completed
The Programme

274



Clients Who Took
Out Memberships

205

Success of APA Athletes

The Athlete Performance Academy (APA) is designed to support individuals who are training and competing in sport at regional, national and international level. Three recent achievements from our top athletes including swimming gold medals, European level sailing and England Ice Hockey representation. We are continuing to grow the programme with 145 athletes currently accessing our facilities.



Cheshire Triathlon

Lifetime membership winner Rob Evans took on his first Triathlon after training 1-2-1 in Alsager's new fitness suite and taking adult swimming lessons with Everybody SWIM.

Knutsford Care Worker Achieves 8 ½ Stone Weight Loss To Have Life Changing Operation

Lee Bell, 23 a care worker from Knutsford joined Knutsford Leisure Centre in November 2014 and has now lost an amazing 8 1/2 stone. He needed to make a lifestyle change to have a gallbladder operation and shortly after joining his local leisure centre has changed his diet and now takes part in a range of fitness classes.



Sport Relief 2016

Sport Relief came to Crewe, Holmes Chapel and Knutsford with over 300 participants across all three areas running, walking and swimming to raise money.

Clubbercise Launch

Alsager Leisure Centre raised over £200 for breast cancer research and encourages over 50 men and women to get active every Friday night with a new Clubbercise Class. Clubbercise is a high energy aerobics and dance workout designed to put those who are self conscious at ease & enjoy exercise.

Real Life Transformations

Double Up Workout Participants Emily & Carol

Mother and daughter Carol and Emily have seen some fantastic improvements to their health since joining their local leisure centre in Alsager together in 2015. Carol has lost over 2 stone and Emily has toned up and increased her fitness levels. Most importantly they have made exercise a priority in their lives which has helped them transform their eating habits at home and created a new hobby for the whole family to enjoy together.



Carers & Family Holiday Activity Programme Success

55 children and adults attended the new carers and family holiday session at Alsager Leisure Centre during February Half Term. 8 adults took part in the taster session who have not attended a carer session previously. During this session people took part in PiYo, a combination of Pilates and Yoga, as well as Clubbercise. In the main sports hall there was a range of activities available for people of all ages to try. This included the giant bouncy castle, arts & crafts, wheelchair basketball, soft archery, ten pin bowling, parachute games, badminton etc. 7 families (approx. 8 adults and 16 young people) took up the option of going swimming by joining the public swim session running at the centre that afternoon.



Nordic Walkers Challenge Hadrian's Wall For Cystic Fibrosis

On 19th May to 27th May 2015 a group of Everybody Nordic Walkers took on a 7 day walking challenge to raise money for Cystic Fibrosis. The group called themselves the 'Hadrian's Hoofers' and used walking techniques they have learnt from regular Nordic Walking outings and courses organised by Everybody Sport & Recreation in Cheshire East.

Everybody Awards 2015

On 9th October 2015 the Everybody Awards were held at Wrenbury Hall, Nr Nantwich, Cheshire where inspiring volunteers, sporting clubs, and individuals from the region gathered to be recognised for their achievements and helping change lives through healthy recreation. The prestigious awards night welcomed over 200 guests including nominees and was hosted by local radio presenter Charlie Bushnell.



Disability Sports

Everybody ensures we are able to cater for all customers, whatever their ability we provide a number of sport and healthy recreation activities to suit. Regular inclusion sessions are held across Cheshire East both within our centres and out in the community.

Activities include: inclusive cycling, Active8, trampolining, swimming and multi-sport activities for anyone with a disability and their carers. New sessions are being added to our timetable each month including Dementia swim sessions and sessions working directly with community groups and charities for people to get active.

Key Performance Indicators

Membership Sales

Corporate
1,060

Annual
Direct Debit
4,536

Month
To Month
Direct Debit
2,440

Annual
Cash
892

Total
8,928

Live Memberships

Corporate
1,646

Annual
Direct Debit
6,161

Month
To Month
Direct Debit
2,236

Annual Cash
891

Leisure Development

Cared For
Children

Memberships

402

Attendances

1,926

Talented Athletes
Support Scheme

Memberships

147

Attendances

3,053

Exercise Referral
Schemes

Memberships

309

Attendances

6,634

Disabled Users

Memberships

642

Attendances

11,757

Bikeability

Attendances

6,162

Volunteer Hours

6,486

Participation

Total
Attendance
2,827,197

Adult
1,134,687

16 Years
& Under
1,023,175

60 Years +
118,670

Other
550,665

Customer Survey
2015 Overall
Responses

Overall
Satisfaction
8.01

Staff
Friendliness
8.73

Staff
Knowledge
8.54

Staff
Politeness
8.78

NPS
24

General
Cleanliness
7.46

Value For
Money
8.02

Refreshments
6.74

Variety
7.98

Finance

Operating Surplus 2015-16 (with pension costs removed)

	Unrestricted Funds	Restricted Funds	01 Apr 2015 - 31 Mar 2016	01 Apr 2014 - 31 Mar 2015
	£	£	£	£
<u>Income:</u>				
Donations and Legacies	2,897,611	-	2,897,611	2,966,241
Charitable Activities	7,967,601	6,621	7,974,221	6,591,845
Other Trading Activities	37,216	-	37,216	44,316
Grants & Contracts	2,406,645	318,977	2,725,622	3,028,593
Total Income	13,309,073	325,598	13,634,670	12,630,995
<u>Expenditure On Charitable Activities</u>				
Other Trading Activities	44,684	-	44,684	47,994
Charitable Activities	13,077,345	328,484	13,405,829	12,373,161
Total Expenditure	13,122,029	328,484	13,450,513	12,421,155
Net Income (Expenditure)	187,044	(2,887)	184,157	209,840
Transfers Between Funds	(2,887)	2,887		-
Operating Surplus/ (Deficit)	<u>184,157</u>	<u>-</u>	<u>184,157</u>	<u>209,840</u>
<u>Funds of the Charity</u>				
Unrestricted Funds			69,374	44,566
Designated Funds			114,783	165,274
Total Funds			184,157	209,840

Cheshire East Council

Cabinet

Date of Meeting:	18 th October 2016
Report of:	Executive Director of Place
Subject/Title:	Crewe Green Roundabout Improvements – Preferred Option and Procurement
Portfolio Holder:	Cllr David Brown, Highways and Infrastructure

1. Report Summary

- 1.1 The Council has set out a clear vision and strategy for jobs-led economic growth in the emerging Local Plan. It is vital that there is significant investment in transport infrastructure to support that growth.
- 1.2 The Council has a successful record of progressing and delivering significant transport projects. Recently delivered schemes such as Crewe Green Link Road South, Basford West Spine Road and improvements to the A500 near to the M6 Junction 16 are already contributing to economic growth.
- 1.3 In addition, funding has been secured to progress schemes such as the Congleton Link Road, Poynton Relief Road, Middlewich Eastern Bypass and the replacement of Sydney Road Bridge which will all contribute to delivering Local Plan housing and jobs growth and provide additional capacity in the period leading up to HS2.
- 1.4 Crewe Green Roundabout is a key congestion ‘Pinch Point’ on the main distributor network on the route between Crewe and the wider road network and on one of the main access routes to Leighton Hospital. The proposed scheme at the junction will provide capacity for the predicted growth in traffic during the Local Plan period up to 2030.
- 1.5 The £5m scheme will also improve access to strategic employment sites at Basford, M6 J16/J17 and Crewe Town Centre. A further objective is delivering network resilience in the era prior to the arrival of the HS2 Hub.
- 1.6 Crewe Green Roundabout is also a key gateway to the town and improvements at this junction will support the growth strategy whilst addressing existing traffic and access constraints.
- 1.7 This report identifies a preferred option for the junction improvement and recommends a procurement route for the delivery of the scheme.

2. Recommendations

Cabinet is recommended to

- 2.1** Approve Option 3 as the preferred design solution in accordance with the layout shown at Appendix 1.
- 2.2** Approve the use of the Scape Civil Engineering and Infrastructure Framework for the procurement of the scheme works with the NEC Target Cost form of contract.
- 2.3** Authorise the Director of Legal Services to enter into any necessary delivery agreements (or supporting agreements) for the provision of services by the Contractor.
- 2.4** Authorise the Executive Director of Place, in consultation with the Highways and Infrastructure Portfolio Holder, to enter into negotiations with third party landowners for the acquisition of the land and rights necessary for the construction of the scheme.
- 2.5** Authorise the Executive Director of Place to take all necessary action to undertake the advance diversion of any utility services necessary to deliver the scheme.
- 2.6** Authorise the Director of Legal Services in consultation with the Portfolio Holder to enter into such legal agreements as necessary to acquire all land and rights to that land necessary for the construction of the scheme and to dedicate that land as highway.
- 2.7** Authorise the Executive Director of Place, in consultation with the Highways and Infrastructure Portfolio Holder, to proceed with all necessary technical work, including preparation of a detailed design, land assembly, investigation and conduct of diversions of statutory-undertakers apparatus to enable the Highway Works in regard of the Preferred Option.
- 2.8** Approve the continuation of Jacobs as designers for the scheme under the existing arrangements with them for delivery of highway professional services.
- 2.9** Authorise the Executive Director of Place in consultation with the Highways and Infrastructure Portfolio Holder, to complete the assembly of the necessary third-party funding contributions for expenditure on the scheme and authorise the forward funding of the scheme up to £1.7m.

3. Reason for recommendations / Other options considered

Preferred Design Option:

- 3.1** At the July meeting, Cabinet accepted the four design options that had been prepared for public consultation. A public consultation exercise has

been conducted between 19th July and 26th August 2016. A summary of the results of consultation is included at Appendix 3.

- 3.2 The outcomes from the consultation exercise (including consideration of alternative suggestions received during consultation), plus further traffic-modelling work, exploratory discussions with Utility Companies, an assessment of construction risks and maintenance liabilities have all be considered in identifying a preferred option. All four options are considered to be affordable and all could be completed in sufficient time for Sydney Road Railway Bridge replacement scheme to proceed to current programme. A score-card comparison of each design option has been prepared based upon the following criteria

- Ease of construction
- Ease of use
- Suitability for Strategic Development Site
- Utilities impacts
- Disruption during construction
- Resilience to future traffic growth
- Provision for non-motorised users
- Affordability.

- 3.3 A copy of this assessment is included at Appendix 4, showing the relative merits of each option and the rationale for proposing Option 3 as the preferred solution.

- 3.4 In summary, Option 3 is considered to be the most effective in achieving the Council's objectives. Option 3 was also the most favoured in consultation; has least impact on the Strategic Site and is the lowest cost solution. Therefore it is recommended that Option 3 be considered the Preferred Option. The three options consulted on but not recommended as "preferred" are shown at Appendix 2.

Procurement Route:-

- 3.5 For schemes of this nature and scale, the Council has a number of available options for procurement of a suitably-qualified construction contractor. A detailed evaluation of the relevant procurement options has been completed and this is included at Appendix 5.

In summary, the following procurement options have been assessed:

- OJEU procurement paths,
- Highway England's Collaborative Delivery Framework

- The Scape Civil Engineering and Infrastructure Framework
 - The Cheshire East Highway Service Contract
- 3.6 Based upon the assessment at Appendix 5 and the legal opinion on the use of the Highway Service Contract, it is recommended that the Scape framework is used to deliver the Works at Crewe Green Roundabout using an NEC Target Cost Form of Contract.
- 3.7 Preliminary designs have already been developed much more fully than usual as a basis for public consultation. These designs have informed consideration of the procurement of the works. Continuity of design input is considered to be a key factor in minimising risks and ensuring timeliness of construction works beginning on site. For this reason, it is recommended that Jacobs continue their role as scheme designers under the Council's existing "reachback" contractual arrangements with them. The Scape framework allows for the use of such an arrangement and there are many examples of where a nominated designer has been incorporated in scheme successfully delivered via the framework.
- 3.8 Commencement of detailed design work will include all the associated topographical, environmental and habitat surveys that are necessary to inform a planning application. The planning application will require the statutory public consultation to be conducted.
- 3.9 Consultation with the Duchy of Lancaster has been ongoing during this year concerning the Local Plan and the Strategic Site at Crewe Green. As a result, the Duchy has joined the Project Board and is well-informed on the Council's design and delivery process. The Council must now proceed to negotiations for the acquisition of Duchy land required for the preferred scheme. No other landowners are affected by the need to acquire land.
- 3.10 Statutory Undertakers' apparatus is present at Crewe Green and will be affected by the preferred, or any other, design solution. Preliminary discussions have already taken place with the relevant Utility Companies, as reflected in the options appraisal. There is now a requirement to enter into detailed discussions with the affected Utilities to agree the diversions / relocations that will be required. Utility diversion works are intended to be completed before the main construction works for the scheme commences.

4. Background

- 4.1 Following on from an award of £142.7 million of Local Growth Fund in July 2014, the LEP was awarded a further £15.2 million in February 2015 as part of an LGF round 2. One of the projects included in this additional round was Crewe Green Roundabout which was awarded an allocation of £3.3 million. This allocation was made on a proposal that the scheme removed a key congestion 'Pinch Point' on the main distributor network in Crewe and improved access to strategic employment sites at Basford, Capricorn (J17) and directly opened up an allocated Housing Site. The

project proposed to unlock 570 new homes, facilitate the creation of 750 jobs and increase GVA by £167m (2011 prices)

- 4.2 The remainder of the £5m total scheme funding (£1.7m) will come from developer contributions in the form of S106 contributions from developments which will contribute to traffic growth at the roundabout. Dependent on the timing of development, there may be a requirement to forward fund some of the scheme costs in advance of receipt of the developer contributions.
- 4.3 The land required by the scheme will be taken from the development land for the Strategic Site identified in the draft Local Plan. Development of the site will be subject to planning permission. The landowner is the Duchy of Lancaster and access is also required to the development site on the Duchy land (subject to planning).
- 4.4 Further to the north of Crewe Green Roundabout is the Sydney Road Railway Bridge. Sydney Road Bridge is due to be replaced as another LGF funded Major Scheme in the Council's current infrastructure programme. Concurrent construction works at Crewe Green Roundabout and Sydney Road Bridge would require substantial diversions and traffic management measures, leading to unacceptably high levels of disruption locally. Therefore the programming of these two schemes is intended to avoid any concurrent road closures at the 2 sites. The bridge works require temporary closure and possession of the West-Coast Main Line railway, with railway possessions secured starting in October 2018. Therefore, it is important to complete the works on site at Crewe Green Roundabout before October 2018. This makes the speed of delivery of the scheme a major driver of the choice of procurement route.

5. Wards Affected

Crewe East and Haslington Wards

6. Local Ward Members

Cllr David Newton – Crewe East

Cllr Suzanne Brookfield – Crewe East

Cllr Clair Chapman – Crewe East

Cllr John Hammond - Haslington

Cllr David Marren – Haslington

7. Implications of Recommendations

7.1 Policy Implications:

- 7.1.1 It relates directly to the Council's Three Year Plan; Outcomes 2 and 6.

- 7.1.2 The Scheme supports the emerging Local Plan Policy CO2 and is included in the associated Infrastructure Delivery Plan
- 7.1.3 The scheme aligns strongly to both the Economic Development Strategy and the Vision and Strategy for Economic Growth.
- 7.1.4 It is included in the Local Transport Plan 2015 Policy B2 – Enabling Development.

7.2 Legal Implications (including procurement):

- 7.2.1 The proposed Scheme is subject to the Public Contracts Regulations 2015 and must be procured by way of a compliant procurement exercise. The Service has engaged with Procurement and conducted an evaluation of the procurement options.
- 7.2.2 A planning application will need to be submitted prior to any works taking place and any requirements of such permission will need to be met as detailed in that permission. Further advice will need to be taken once the land issues have been fully investigated.
- 7.2.3 The Council is subject to strict rules on the pooling of funds through s106 agreements and cannot pool more than 5 contributions from such agreements. Additionally, there are some risks in the Council forward funding infrastructure projects on the basis of potential s106 funds. For example, s106 agreements cannot be obtained for projects that have already been completed, the receipt of s106 monies is conditional on the terms of the individual s106 agreements and the ability of the developer to pay. There is therefore a risk that valid s106 agreements never lead to the receipt of funds so this funding stream cannot be absolutely guaranteed at this stage.

7.3 Financial Implications:

- 7.3.1 The preliminary estimate of the cost of a solution is £5m which is included in the approved capital programme. The costs will vary depending on the selection of the preferred design but all options are expected to come either within or below this estimate.
- 7.3.2 The scheme will be fully funded from external resources including Local Growth Fund award of £3.3m and £1.7m of developer contributions secured by the Council.

7.4 Equality Implications:

- 7.4.1 There will be no equality implications as a result of this decision.

7.5 Rural Community Implications:

- 7.5.1 There will be no rural community implications as a result of this decision.

7.6 Human Resource Implications:

- 7.6.1 There will be no human resource implications as a result of this decision.

7.7 Public Health Implications:

- 7.7.1 The detailed design of the preferred solution will accommodate both pedestrians and cyclists to prevent, as far as possible, the junction acting as a barrier to those wishing to walk and cycle to access town centre facilities and employment sites, including the new Lifestyle Centre.

- 7.7.2 The design will be subject to a safety audit process to ensure that vulnerable road users, including pedestrians and cyclists, are taken into account in the final layout.

8. Risk Management

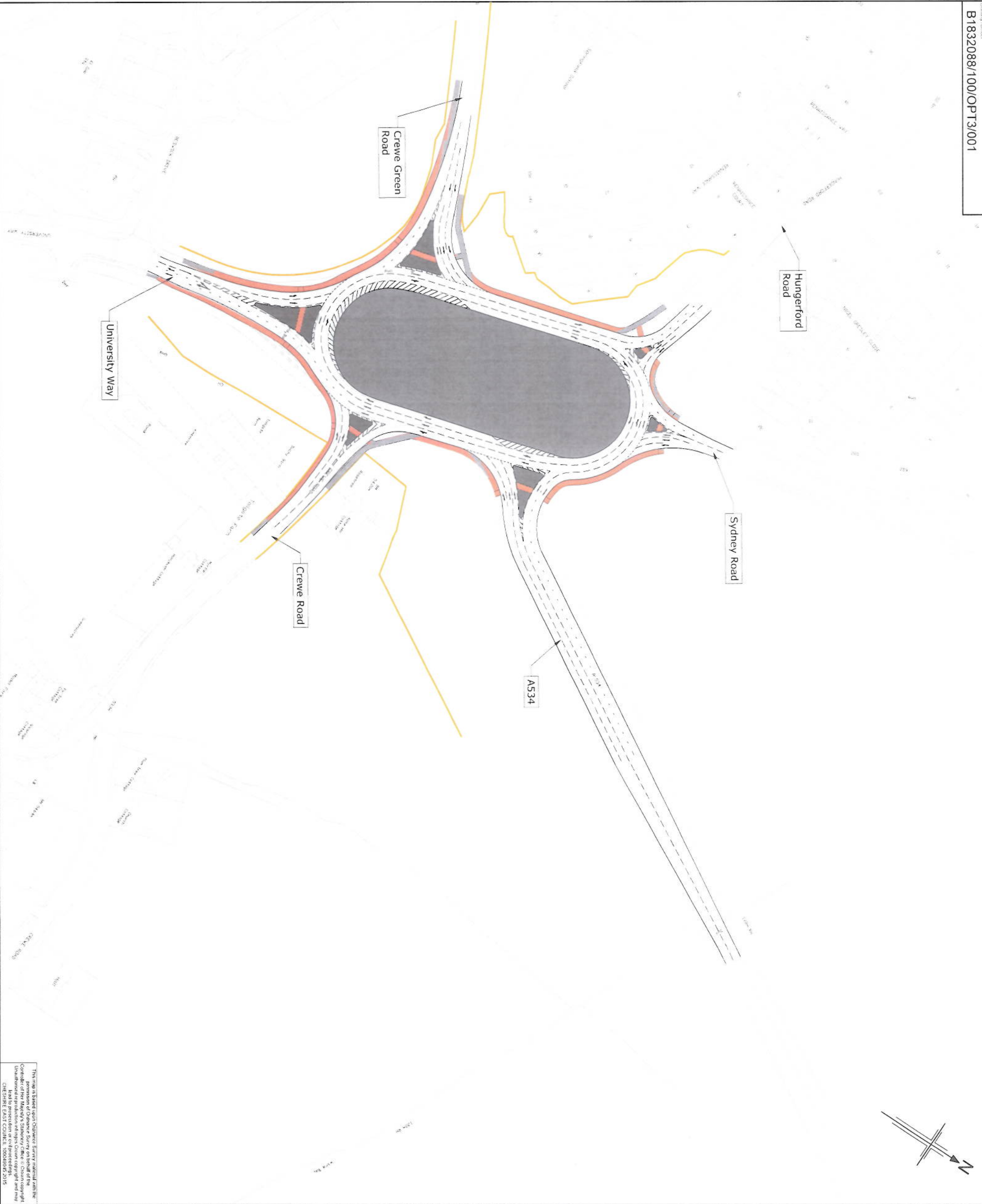
- 8.1 Robust governance arrangements have been operating for the project and a risk register is in place. Mitigation measures; monitoring and effective control will continue to be exercised.
- 8.2 The three principal risks identified are safety in construction; timely completion and delivery within budget. They have all been considered in the selection of the preferred design solution.
- 8.3 The procurement route proposed is a risk-minimising measure having been assessed using these principal risks as the key criteria.
- 8.4 The retention of the Designers will mitigate risk saving time by not handing over their design work to a contractor's designer and retaining the Council's Designer's knowledge in full.
- 8.5 In addition, the third party funding from S106 agreements is not yet all secured, so there remains a risk that this may not be achieved. If this occurs, there is a risk that the Council's forward funding element of the project will not be recouped and the overall capital programme would need to be modified accordingly. Mitigation of this risk is underway via close working with the planning team and negotiations with developers to ensure that sufficient contributions will be secured which, along with the LGF funding, will fully fund the scheme.

9. Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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Designation: Head of Strategic Infrastructure
Tel No: 01270 686688
Email: chris.hindle@cheshireeast.gov.uk

B1832088/100/OPT3/001



- Notes:
- 1. All dimensions in order unless noted otherwise
- KEY
- Proposed Highway Boundary
 - Proposed Island NUT Crossing
 - Existing Footway
 - Proposed Footway

APPENDIX 1

DRAFT



Rev	Rev Date	Purpose of revision	AMS	RS	AS	PH
0	07/06/2016	PRELIMINARY				

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Project
Crewe Green Roundabout

Drawing title
OPTION 3
6-ARM GYRATORY

Drawing status
PRELIMINARY DO NOT SCALE

Scale
1:1000 @ A1

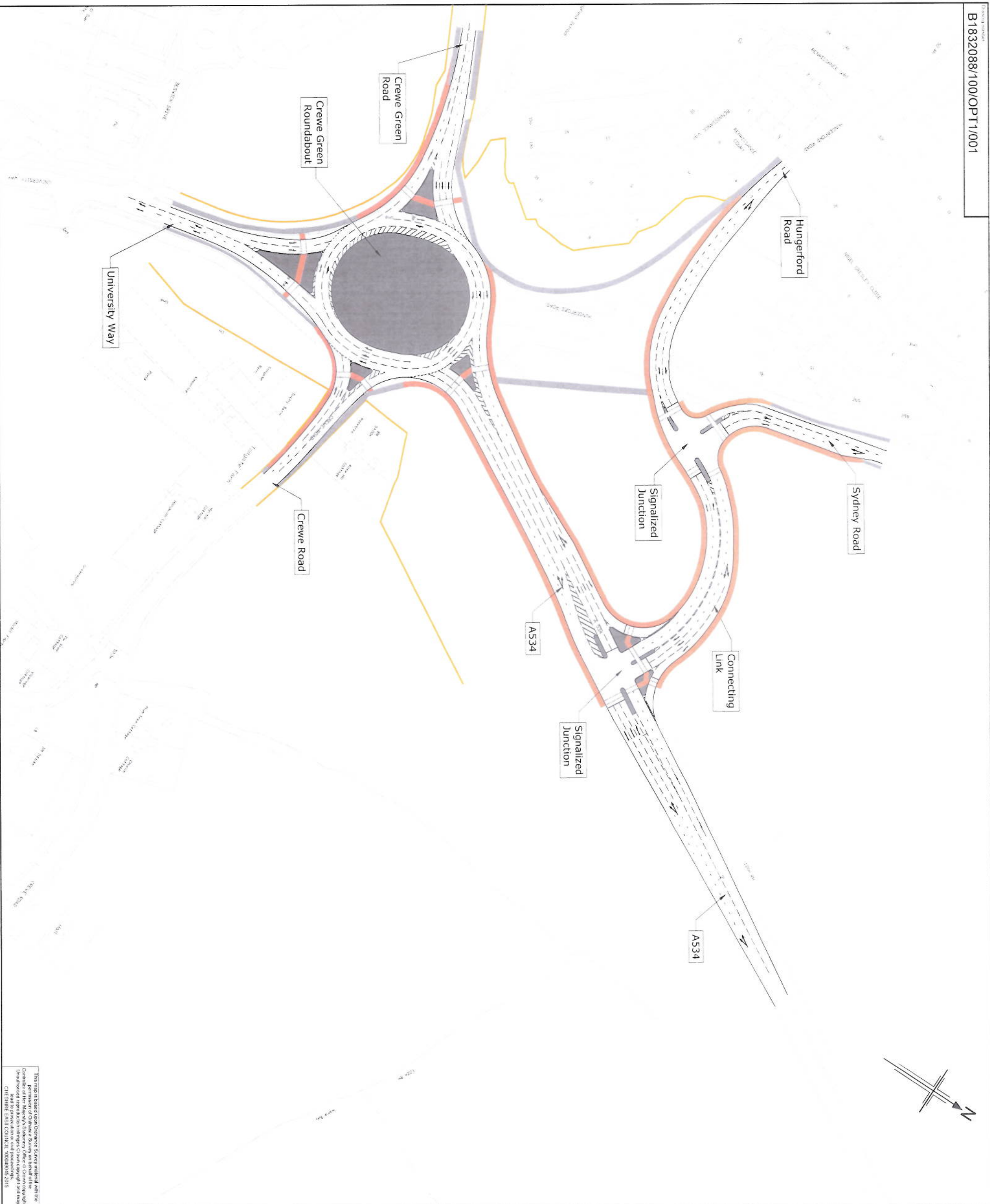
Client No.
B1832088

Drawing number
B1832088/100/OPT3/001

Rev
0

This drawing is based upon Ordnance Survey national mapping data. It is not to be used in whole or part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.
CHESHIRE EAST COUNCIL, 100048420.2015

B1832088/100/OPT1/001



Notes:
1. All dimensions in metric unless noted otherwise.

- KEY
- Proposed Highway Boundary
 - Proposed Island
 - Existing Footway
 - Proposed Footway

APPENDIX 2a

0 20 40 60 80 100 m
SCALE 1:1000

REV	DATE	DESCRIPTION	BY	CHKD	APP'D
0	07/06/2018	Preliminary	AMS	BS	PH

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Netherfield Building, 1500 Street, Warrington, Cheshire WA1 1AA
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www.jacobs.co.uk



Project: Crewe Green Roundabout

Drawing title: OPTION 1
4-ARM ROUNDABOUT WITH
TWO REMOTE SIGNALIZED
JUNCTIONS

PRELIMINARY

Scale: 1:1000 @ A1 DO NOT SCALE

Client: B1832088/100/OPT1/001

Drawn by: 0

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OPTION 2
4-ARM ROUNDABOUT WITH ONE
REMOTE SIGNALIZED JUNCTION &
ONE NONSIGNALIZED ROUNDABOUT

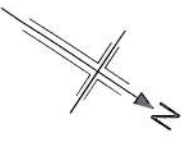
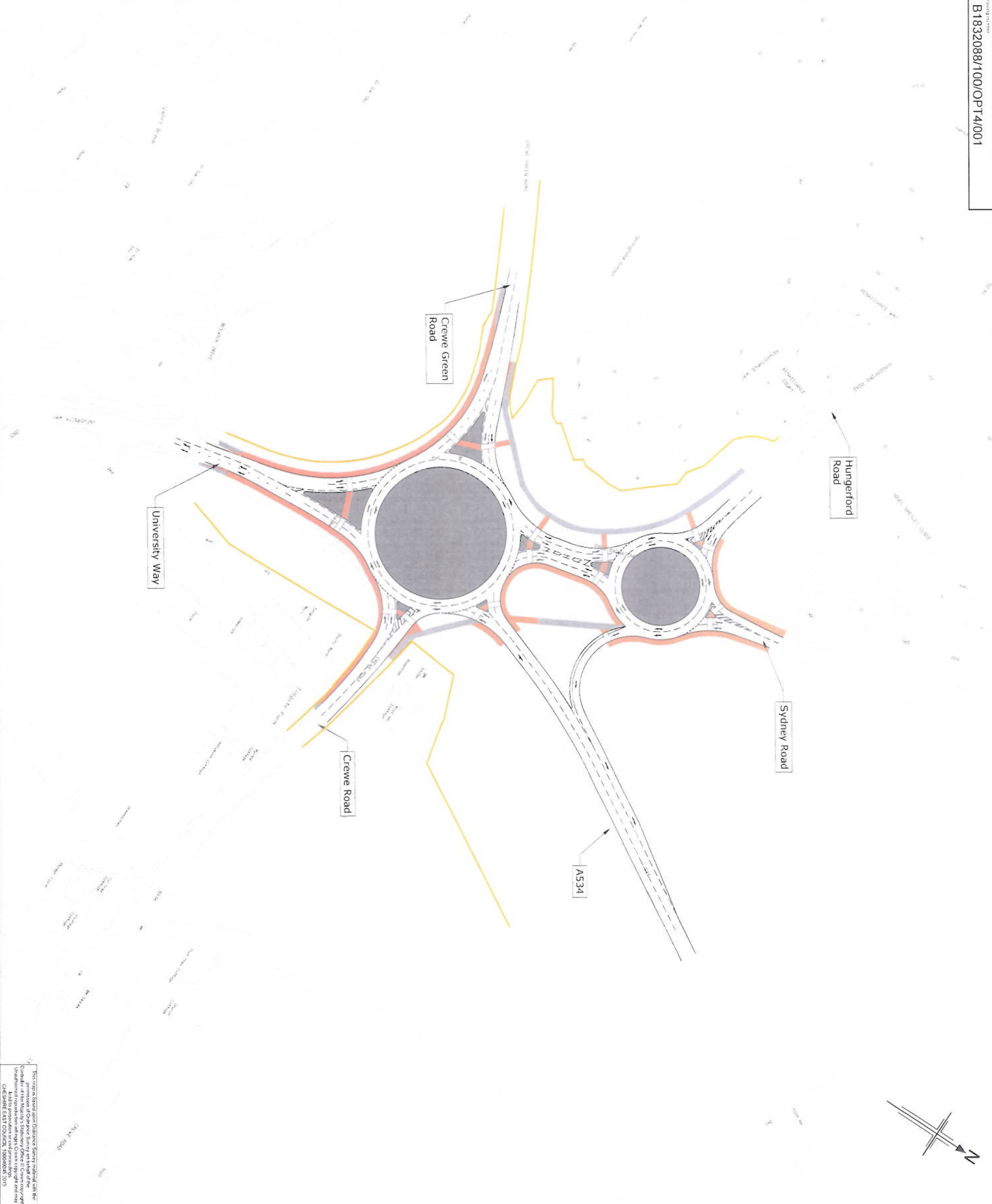
Drawing Status

PRELIMINARY

B1832088/100/OPT2/001

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Drawing number
B1832088/100/OPT4/001



- Notes
- 1. All dimensions in this drawing are in meters.
 - 2. Biodiversity/Highway Boundary
 - 3. Proposed Road
 - 4. Mature / Older Existing Footway
 - 5. Proposed Footway

APPENDIX 2c

DRAFT



Rev	Rev Date	Rev Description	Rev	Rev Date	Rev Description
1	10/05/2018	Issue for comment	1	10/05/2018	Issue for comment



Project
Crewe Green Roundabout

Option 4
DUMBELL ROUNDABOUT

Scale
1:1000 @ A1

Do not scale
DO NOT SCALE

Drawing number
B1832088/100/OPT4/001

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Crewe Green Roundabout Options Consultation

Cheshire East

Updated Interim Findings

20th September 2016



Project Name

Project No: B1832088
 Document Title: Crewe Green Roundabout Options Consultation – Interim Findings
 Document No.: 01
 Revision: Draft
 Date: 20 September 2016
 Client Name: Cheshire East Council
 Client No:
 Project Manager: Paul Holder
 Author: Charlie Bowen
 File Name: P:\Highways\Projects\B1832088 - Crewe Green Roundabout\04 Working Folder\04 Consultation\160823 Crewe Green Roundabout Consultation Interim Report.docx

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Document history and status

Revision	Date	Description	By	Review	Approved
Draft	15.09.16	Updated CGR Consultation Interim Report	S Cowap	C Bowen	
V1	19.09.16	Updated CGR Consultation Interim Report	S Cowap	C Bowen	
V2	20.09.16	Updated CGR Consultation Interim Report	S Cowap	C Bowen	P Holder

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1.2	Preferred options	3
1.2.1	Rationale for option selection	4
1.3	Other factors to consider in design and alternatives	6
1.4	Summary of early findings	8

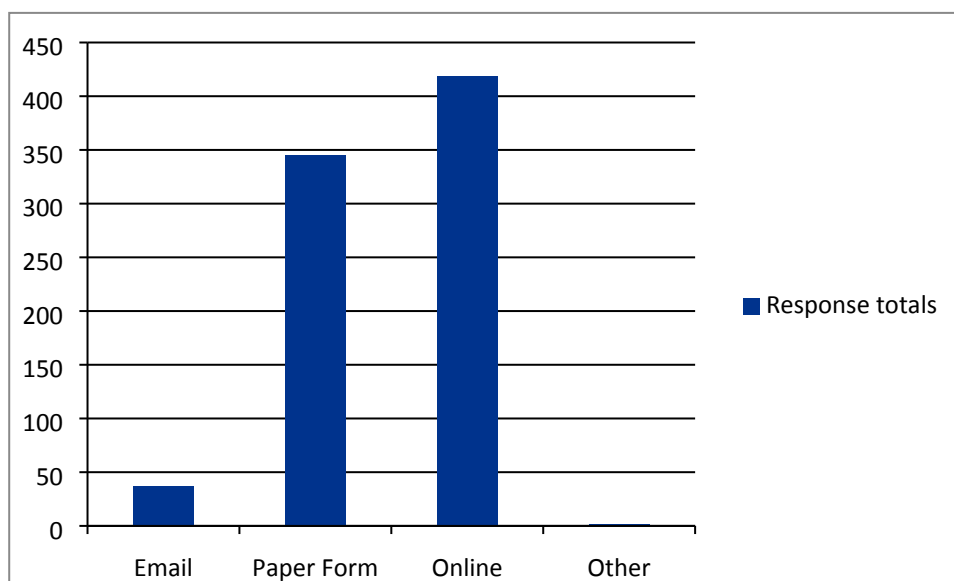
1. Interim Consultation Findings

This report sets out the interim findings from the recent options consultation for the Crewe Green Roundabout improvement scheme. The consultation ran from 25th July to 26th August 2016. The consultation responses have undergone an initial analysis, the findings of which are contained within this report. They will continue to undergo further analysis that will form the basis of the full consultation report at the end of the month.

1.1 Response numbers

Responses to the consultation were accepted through a number of methods:

- online response form, available on the Cheshire East Council consultation website (418)
- paper response form, returned to the council – a duplicate of the online response form on the Cheshire East Council website (345)
- letter, sent to Strategic Infrastructure, Cheshire East Council, Floor 6, Delamere House, c/o Municipal Buildings, Earle Street, Crewe, CW1 2BJ (1)
- email, sent to the scheme email account: crewegreenroundabout@cheshireeast.gov.uk (37)



1.2 Preferred options

Most responses stated explicitly which option was preferred, recorded in the table below. Where the preference was not clearly derived from the text in any emails received, this is recorded as “no preference”. Out of all responses, **options 3 and 4** are the most preferred options. There is very little between option 3 and 4, with option 3 marginally receiving more responses in favour overall.

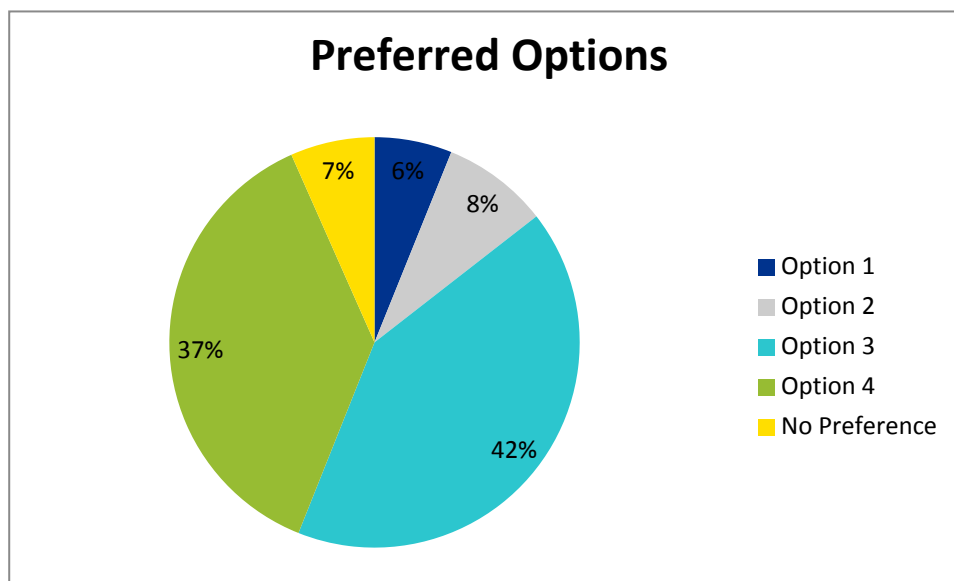
a) Preferred Option Table

Question 1 asked for a preferred option, and allowed for “no preference” to be stated.

Preferred option	Online Respondents	Email	Questionnaire (hard copy)
Option 1	28	2	15
Option 2	38	2	22
Option 3	161	18	134
Option 4	162	3	115
No preference	18	3	29

b) Preferred option chart

The chart below represents the total percentages preferring each option, with 37% preferring option 4 and 42% preferring option 3 overall.



1.2.1 Rationale for option selection

Question 2 asked for the reasons for the respondent's preferred option. Respondents cited numerous reasons for selecting their preferred option. Below are the headlines for each option from the 801 responses analysed in this interim review.

Note: Many of the findings below appear contradictory. For example, best value/cost appears as the reason for preferring Options 2, 3 and 4, despite the greater cost for Option 2. The final report will explore the nuances in the chosen preferences and draw out a more analytical set of data; this analysis was not possible in the timescales for producing this interim review.

c) Option 1

Perceived Advantages	Perceived Disadvantages
Avoids a need for two roundabouts, which can be confusing to drivers	Does not deal with the problem of congestion at Crewe Green Roundabout during peak times
Improves traffic flow	Traffic signals not supported
Safer for cyclists	Makes some routes longer and more complex
Direct and easier for Sydney Road and Hungerford Road traffic flow	
Separates M6 traffic from local traffic	

d) Option 2

Perceived Advantages	Perceived Disadvantages
Less disruptive during construction	Will not resolve the congestion issue
Removes traffic lights, increases flow	Traffic signals not supported
Best value (cost)	Perception of high cost
Reduces number of roads feeding into Crewe Green Roundabout	Safety concerns
Appears to be the best solution to enable quicker access to Haslington	
Ease of navigation	
Best solution to traffic problem between Crewe Green Roundabout and Hungerford Road/Sydney Road junction	

e) Option 3

Perceived Advantages	Perceived Disadvantages
Simplest solution – provides ease of navigation	Concerns regarding layout
Removes the lights which is better for traffic flow	Traffic signals not supported

Safer option	Raises safety concerns
Maximises capacity and flexibility	
Best value (cost)	
More fluid traffic system	
More lanes will reduce peak time congestion	

f) Option 4

Perceived Advantages	Perceived Disadvantages
Good solution for pedestrians	Raises safety concerns, in particular regarding pedestrian crossings
Improves traffic flow	Traffic signals not supported
Best solution for drivers	Concerns regarding layout
Ease of navigation	May increase congestion
Best value (cost)	
Easy access for Haslington and Crewe	
Least disruptive	
Efficient in terms of land take and routing	

1.3 Other factors to consider in design and alternatives

Question 3 allowed respondents to provide other comments about the proposals for Crewe Green Roundabout. Below are some of the responses that were received that provide ideas for consideration. Note: this is not a full listing, but summarises the more substantive comments received. Many of the comments were outside of the scope of this project and will be passed on to Cheshire East Council upon completion of the full report.

Other factors to consider in design
Make lanes wider regardless of option selected
Two simple light controlled crossroads with multiple lane approach
An extra lane using grass lane in middle from fire station to Crewe Green Roundabout. Continuing with one lane will not deal with congestion.
Look at Swindon roundabout as solution (mentioned numerous times) as this makes drivers use common sense leading to less accidents
Consider a similar solution to Stoke A500 underpass (cited a number of times)
Take Stoke traffic into account. Consider a dedicated lane from Crewe Road to the A534 at the point where the Stoke traffic hits the Crewe Road at Alsager Road. This can be catered for by forming two new roundabouts for Sandbach/M6 and Stoke traffic to be able to get to Leighton Hospital/Middlewich.
Consider a dedicated road out of Crewe - similar to the dedicated lane on the A500 when you come off for Etruria - to allow the Stoke traffic to get out of Crewe onto the new road, with a simple way to get to the Alsager Road.
Use Crewe Green Island as a landscaped iconic gateway to Crewe
Keep traffic signals on whichever option is chosen as it calms the dangerous drivers
Designated crossing points for walkers, cyclists and horse riders which could include signals if required and include for each option. Depending on the option selected, signal controlled crossings would be required on some arms of junctions, as NMUs travelling between Haslington and further afield on the National Cycle Network route, as well as other trajectories, cross Crewe Green Roundabout.
Thought needs to be given to through traffic on Hungerford Road
Reduce various sections of road to 30mph
Take account of residents on Renaissance Way and Stephenson Drive waiting to turn right
Consider mini roundabouts to cope with through traffic at junctions of Renaissance Way, Lauriston Avenue and Coleridge Way
20mph area for Hungerford Academy should be at Hungerford Road between Coleridge Way and Macon Way
Part-time traffic signals to be considered to deal with peak time traffic
Traffic flow disruption created by Manchester Metropolitan University students crossing and buses serving the university needs to be taken into account in the design
Approving a petrol station at Crewe Green Roundabout will by default attract more traffic requiring fuel before joining the motorway at junction 17 or 16. This will mean a continual "in & out" flow of vehicles trying to access the forecourt or exit back into the flow of traffic.
Concerned that there does not seem to be any assistance for Haslington residents to traverse the road in order to reach the railway station, university and Hungerford Road if the traffic light is removed for the roundabout.
Delineated Dutch style cycle lanes at roundabouts have been adopted in the UK and it would be interesting to see if this would be suitable in the local context (again subject to traffic counts, cycle movements, safety and cost considerations).

1.4 Summary of early findings

From the 801 consultation responses analysed in this interim review, both options 3 and 4 constitute the preferred options, with option 3 marginally taking the majority vote. Early analysis work suggests that most responses have been received from the Haslington area (CW1 5) and therefore options 3 and 4 offer the best local solution to the congestion issues. The most common reason for support for both of these options is that the proposed changes will ameliorate the traffic flow and thereby ease congestion.

There has been much discussion in response to the merits of traffic lights at roundabouts. Many respondents have suggested that the current roundabout works best when the lights aren't working. Others are concerned that a roundabout without traffic lights will present safety issues, offering a contradictory view that will be explored in greater detail in the full report.

Safety has been a key theme running through the responses, with respondents clear in their request that any design be mindful of driver safety and NMU safety. Reassurance on safety from CEC to the general public will be required when selecting the preferred option and will need to be clearly articulated at the next consultation stage.

Many responses also stated that the improvements to the roundabout are welcomed as the congestion at Crewe Green Roundabout has been an issue to local businesses and commuters for a long time.

For many respondents, the signage of the new roundabout, whatever option is chosen, would need to be clear and take into account the varying abilities of all drivers. Responses suggest that the current roundabout is confusing to drivers, with a frequent issue being incorrect lane selection, causing frustration and accidents.

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Crewe Green Roundabout Design Solution Selection

Options Comparison

Option	Key Criteria					Key Requirements - Options Scoring																						Affordability			
	Acceptable Traffic Solution	Operational Safety	Buildability & Maintainability	Impacts on Duchy Land	Suitability for NMU	Ease of Construction			User Perception / Ease of Use			Suitability for Strategic Site Development			Utilities Impacts			Disruption During Construction			Resilience to Increases in Traffic			Non Motorised User (NMU) Provision			Total Weighted Score				
						Weighting	Score	Weighted Score	Weighting	Score	Weighted Score	Weighting	Score	Weighted Score	Weighting	Score	Weighted Score	Weighting	Score	Weighted Score	Weighting	Score	Weighted Score	Weighting	Score	Weighted Score	Weighting	Score	Weighted Score	Total Weighted Score	Ranking
1						2	4	8	4	1	4	2	1	2	4	4	16	3	4	12	4	1	4	3	2	6	52	4	£4.3m - £4.7m	3=	
2						2	4	8	4	1	4	2	1	2	4	4	16	3	4	12	4	2	8	3	2	6	56	3	£4.3m - £4.7m	3=	
3						2	3	6	4	4	16	2	4	8	4	1	4	3	3	9	4	3	12	3	2	6	61	1	£3.4m - £3.8m	1	
4						2	2	4	4	3	12	2	4	8	4	3	12	3	2	6	4	3	12	3	2	6	60	2	£3.6m - £4.2m	2	

- Notes:
- 1) Key criteria objectives are given a RAG assessment. The 4 options all meet all of the Key Criteria and so proceed to be scored against Key Requirements.
 - 2) Weightings are based upon the requirements with highest priority being assigned the highest weighting
 - 3) Scores are on a scale of 1 to 4 with a lower score indicating a lower ranking assessment
 - 4) Weighted Scores are direct multiplication of weighting and score

Ease of Construction

Options 1 & 2 involve the greatest amount of construction off highway and are therefore scored more highly

Option 3 involves a significant amount of off highway construction but with extensive tie-in and is therefore scored highly but less so than 1 & 2

Option 4 requires extensive on highway construction at both the roundabout and the Syndey Rd / Hungerford Road junctions, and whilst some off highway works are required this option has the lowest amount

User Perception / Ease of Use

Options 1 & 2 are unintuitive and involve significant deviations of route for traffic heading to / coming from Syndey Road & Hungerford Road for all origins/destinations other than Sandbach (50% of Hungerford & 90% of Sydney traffic)

Option 3 is very straight forward in it's use but involves potentially long travel distances for the relatively small proportion of vehicles that need to traverse the full roundabout. In particular the movements from Syndney Road & A534 to Hungerford Road may be perceived as excessive (though not dis-similar to the current movements from A534 to Hungerford Road)

Option 4 replicates the existing traffic movements but removes the signal controls and hence reduces delay times

Suitability for Development

Options 1 & 2 create a large degree of severance with the link through Duchy Land and the remnant area for development, whilst feasible will form a peninsula surrounded on three sides by highway. Further development to the north will be severed by the link road

Options 3 & 4 have no severance and leave little residual land with no development potential

Utilities Impacts

With the majority of road construction taking place offline Options 1 & 2 are expected to have the lowest impacts on existing utilities, though BT, MP gas, HV elec & water services are still likley to be impacted by kerb realignments and local widening of the existing roundabout

Option 3 appears to have the greatest impacts with a number of BT services impacted between Crewe Green Road & Hungerford Road in addition to those associated with kerb realignment & local widening of the existing southern half of the roundabout

Option 4 appears to be similar in impact to Options 1 & 2, but with additional impact to all services due to the kerb realignment between University Way & Crewe Green Road

BT diversions are a significant consideration for Options 3 & 4 with fibre optic services impacted. C3 quotations suggest high cost & long durations for diversions

Utilities impacts are given a high weighting due to the potential to adversely impact programme

Disruption During Construction

A workshop has been held with the Network Team. It is recognised that all options will require night-time working and closures to achieve certain operations such as machine surfacing
Provisionally Options 1 & 2 are least disruptive, with Option 4 requiring the greatest amount of construction on live carriageway and therefore the greatest level of disruption
Option 3 is disruptive but significantly less so than Option 4

Resilience to Changes in Traffic

All options perform well for current traffic forecasts with Option 1 performing worst due to the signals at the Hungerford Road / Sydney Road Junction.
The link road between the Hungerford Road / Syney Road Junction and the signals at the A534 has a risk of blocking back in either direction in the event of signal failure or if significantly heavier demands are experienced
The link between the two roundabouts in Option 4 performs well and shows no risk of queuing on the connecting link (max RFC of 0.56 and 0.52 for the southbound & northbound respectively)
The potential provision of a free-flow link from University Way to Crewe Green Road provides additional relief to what is envisaged as potentially becoming an increased demand

Non Motorised Users Provision

National guidelines have been followed to produce the solutions for all four design options
Options 1 & 2 present little change to existing NMU provision at the junction
Option 3 introduces potentially long NMU routes
Option 4 allows shorter NMU routes
All options have a potential significant drawback for the crossing of University Way & Crewe Green Road in the event of the introduction of the free-flow left turn lane. Alternative crossing locations or removal of the free-flow lane may need to be implemented to resolve this

Cost Estimates

Costs are estimated as Rough Order of Magnitudes (RoM) and are based upon Q2 2016 prices
Ranges quoted are based upon measured works with and without puffin crossings at NMU crossing points
Estimates include for preliminaries at 15%, design fees at 17%, traffic management costs at 30% and optimism bias at 44%
Land costs, legal fees and costs associated with electricity, gas and water diversions are not included

APPENDIX 5 - CREWE GREEN ROUNDABOUT PROCUREMENT OPTIONS

1. Available Procurement Routes

The alternative procurement routes are: .

- a. The Scape Framework. Scape is a public-sector owned organisation that has in place a number of national procurement frameworks for use by the public sector. The relevant framework for the Crewe Green Roundabout project is the Civil Engineering and Infrastructure Framework. The provider for highways on the Framework is Balfour Beatty.
- b. Highway England's Collaborative Delivery Framework (Lot 2) with a mini-tender. The Framework provides a cost effective way for Highways England to procure up to £5 billion of investment in England's motorways and major A roads over the next five years and is open to highway authorities to use. Lot 2 covers medium-value construction works up to £25 million
- c. OJEU Open Procedure is a single-stage process in which the Invitation to Tender must be sent to all suppliers that express an interest in response to the Contract Notice.
- d. OJEU Restricted Procedure is a two-stage process which allows Institutions to draw up a short-list of interested parties by undertaking a pre-qualification stage, prior to the issue of invitation to tender documents.

The alternatives above vary in their delivery mechanisms, with some being strongly based upon Early Contractor Involvement (ECI) or Design & Construct (D&C), and others having a greater leaning towards traditional contracts with detailed design undertaken in advance of tendering and contract award. With some options there is flexibility and opportunity for all possibilities.

A potential option to deliver the scheme via the existing Highway Service Contract has been explored, but discounted on legal and procurement advice that a direct award by this route of a contract of this scale and value could be successfully challenged on the basis that it is beyond the intended scope of the existing contract.


2. Selection Criteria

All options need to be considered in the context of the three major risks to the success of the project:

- a. Quality of scheme / service – including relevant experience of the potential contractor delivering in high quality schemes and service in similar traffic sensitive locations, including compliance with the Construction Design and Management Regulations (CDM).
- b. The Roundabout has to be complete before the start of works on the nearby Sydney Road Bridge Major Scheme in October 2018 which is fixed by rail possessions
- c. The budget for the Scheme is set at £5,000,000. With as-yet unquantifiable utility diversions required it is important to apply all the funding directly to the design and works rather than to an expensive procurement route.

3. Assessment of Procurement Routes against the Principal Risks

With regard to procurement route selection, the following presents an assessment of the relative strengths and weaknesses of the route options against the principal risks to the Project (see Section 2):

Procurement Option 	Risk		
	Quality	Timely Completion	Affordability
Scape Framework	<ul style="list-style-type: none"> Provides for Early Contractor Involvement to inform the detailed design and minimise cost and delay risks. Has been used satisfactorily successfully on a scheme of similar nature and value delivering on time and on budget. (Warrington) – Client references are very good. The supplier is a recognised experienced contractor with a track record of delivery locally and nationally via the framework. 	<ul style="list-style-type: none"> Facilitates early diversion of utilities during the detailed-design phase, hence not delaying the works Speed of procurement much quicker than OJEU procedures. Has been used successfully on a scheme of similar nature and value delivering on time and on budget. (Warrington) – Client references are very good. 	<ul style="list-style-type: none"> Low cost of transaction. SCAPE fee is 0.5% The Scape framework ensures that the market is tested and value achieved via tendering the majority of works to local supply chains. Has been used successfully on a scheme of similar nature and value delivering on time and on budget. (Warrington) – Client references are very good. Provides for the use of NEC target costs form which incentivises cost minimisation and shares risks.

	Risk		
	Quality	Timely Completion	Affordability
Highways England Collaborative Delivery Framework Lot 2	<ul style="list-style-type: none"> The suppliers will be recognised experienced contractors with a track record of delivery via the framework. 	<ul style="list-style-type: none"> No pre-qualification process required Speed of transaction quicker than OJEU, but Requires a mini-tender which would take a minimum of 8 weeks The Framework could reach capacity and close before it could be used for this Project 	<ul style="list-style-type: none"> Restricted to 5 contractors Value-for-money will be uncertain on a scheme of this scale and is dependent on the level of supplier interest at mini-tender stage
OJEU Open Procedure	<ul style="list-style-type: none"> Provides the opportunity to select a good-quality delivery team. Potential lack of local knowledge with some tendering companies. No opportunity for Early Contractor Involvement give the project time constraints. 	<ul style="list-style-type: none"> Procedure is far too long to achieve the Project delivery deadline taking approximately 7 months Full Tender documents have to be available when the PIN Notice is published 	<ul style="list-style-type: none"> May provide good value for money as there would be more competition Interested, viable contractors will apply potentially from across the EU Expensive in terms of preparing documents;

	Risk		
	Quality	Timely Completion	Affordability
			<p>administering the process; and evaluating tenders.</p> <ul style="list-style-type: none"> • There could be a very large number of tender returns requiring assessment • Burden of tendering effort may reduce interest in bidding from contractors available through other routes • Some smaller companies will be deterred from bidding as they normally operate as supply-chain partners
OJEU Restricted Procedure	<ul style="list-style-type: none"> • Provides the opportunity to select a good-quality delivery team. • No pre-existing Communications and Stakeholder Management • No opportunity for Early Contractor Involvement as it is now too late to 	<ul style="list-style-type: none"> • Procedure is far too long to achieve the Project delivery deadline because of the extra PQQ stage of at least 2 months making approximately 9 months in total • Full tender documents have 	<ul style="list-style-type: none"> • Less resource-hungry and expensive for tenderers compared to the OJEU Open Process • May provide good value for money as there would be focussed competition

Procurement Option	Risk		
	Quality	Timely Completion	Affordability
	procure this via OJEU	to be available when the PIN Notice is published	<ul style="list-style-type: none"> Interested, viable contractors will apply Expensive in terms of preparing documents; administering the process; and evaluating tenders. Supervisory and contract administration required adding a financial burden to the Project

It should be noted that the procurement decision does not depend on which design option is selected. They all present the same characteristics in terms of the construction challenges posed. Therefore, there should be no further factors influencing the procurement route.

On the basis of this comparison of procurement routes, it is recommended that the Scape Framework is used to deliver the Works at Crewe Green Roundabout, using an NEC Target Cost Form of Contract.

4. Form of Contract

The New Engineering Contract (NEC) is a family of standard contracts which stimulate good management of the relationship between the two parties to the contract. This Form of Contract was conceived by the Institution of Civil Engineers and is maintained by them. The latest version is NEC3 amended in April 2016. It is entirely suitable for the Crewe Green Roundabout Project. It is a clear and simple document and has become widely accepted for the vast majority of civil-engineering projects. The NEC3 complies fully with the [Achieving Excellence in Construction](#) (AEC) principles. The Efficiency & Reform Group of The UK Cabinet Office recommends the use of NEC3 by public sector construction procurers on their construction projects.

The Scape framework allows for the use of this form of contract

5. Risk./Reward Strategy

As the contract will be a works only contract, with Jacobs as the nominated designer, a payment and risk-sharing mechanism needs to be selected with the NEC Form of Contract. The choices are:

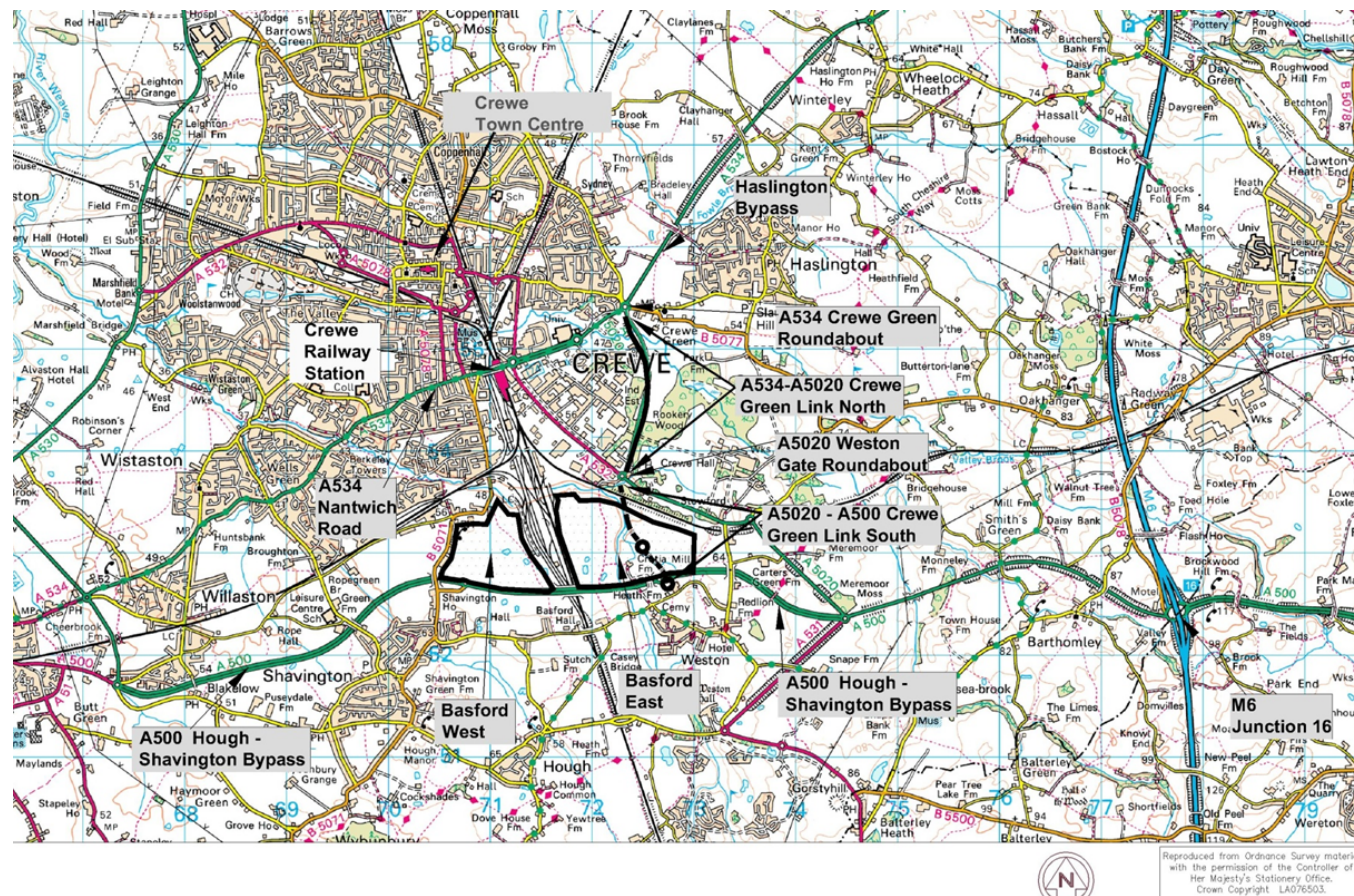
- a. A Lump Sum 'Priced Contract' which provides price certainty and reduces administrative costs during site works. However, there remains a risk of suffering contractual claims
- b. A "Target-Cost" contract which incentivises the contractor to reduce costs through a pain/gain share mechanism but doesn't fully protect the Client from potential overspend. There are significant costs associated with the administration of the finances as a result of the mechanism.
- c. A Cost-Reimbursable contract where the financial risks are taken largely by the Client. With a well-developed design & statutory undertakers diversions carried out in advance this could arguably give the least construction expenditure, but risks would need to be well understood and the administration of the contract is likely to be a cost burden.

The circumstances at Crewe Green Roundabout support all three types of contract because the design will be very well-developed, and major risks associated with statutory undertakers diversions will have been reduced through advanced diversions. The choice of type of contract should be based upon ability to administer the contract and assignment of risk.

On balance, a target-cost contract will provide a reasonable share of risks and incentivises all parties to maximise benefits to outcomes throughout the project, and will result in a competitive price with early certainty. This type of contract encourages efficiency and early completion which will be particularly important for Crewe Green Roundabout.

An NEC 3 Target Cost contract is therefore recommended as the form of contract to be used, with a choice to be made on whether the pricing basis is an Activity Schedule (Option C) or a Bill of Quantities (Option D). A decision on this should be based upon how well the detailed breakdown of the works to be executed, suit an established Method of Measurement for the production of a meaningful Bill of Quantities.

CREWE GREEN ROUNDABOUT LOCALITY PLAN – APPENDIX 6



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Cheshire East Council

Cabinet

Date of Meeting:	18 th October 2016
Report of:	Executive Director of Place, Frank Jordan
Subject/Title:	Crewe Markets
Portfolio Holder:	Cllr Paul Bates, Communities and Health Cllr Don Stockton, Regeneration

1. Report Summary

- 1.1. The Council has been in discussion with Crewe Town Council regarding the future of the Market Hall and the wider markets offer in the town. The markets represent a significant opportunity to contribute to the regeneration of Crewe Town Centre. This report sets out an approach for moving forward on setting and implementing the future vision for the market offer in Crewe.

2. Recommendation

- 2.1. It is recommended that Cabinet;
- Agrees to the principle of developing a vision, business plan and delivery programme for the markets jointly with Crewe Town Council.
 - Approves the allocation of £50,000 of revenue funding from the sustainability revenue budget for this work.
 - Notes the potential future capital requirements for this project, the funding of which will be subject to a separate report and decision.

3. Other Options Considered

- 3.1. Creating a vibrant market offer will support the work the Council is undertaking to regenerate Crewe. Therefore the 'do nothing' option is not considered to be the preferred option.
- 3.2. The Council could transfer the asset to Crewe Town Council. However taking this approach at this stage may present the Town Council with a significant burden, both in terms of risk and potential liabilities. This option also potentially reduces the opportunity to consider changes to the markets offer and also the potential regeneration benefits to the town. Dealing with

the transfer will become the significant issue rather than realising the potential opportunity the market represents. The transfer to Crewe Town Council could be still considered as an option for both parties in the future.

- 3.3. The Council could also procure new operators for the markets however at the present time this is not considered to be an option. This may work if the Council was purely interested in a commercial return, however the Council also has regeneration objectives which may not be achieved by taking this route.
- 3.4. The Council could look to close the market. This is not assessed to be an option as the Council sees the market offer for Crewe to be an integral part of the regeneration of Crewe.

4. Reasons for Recommendation

- 4.1. It is clear that the Market Hall is under used and lacks the dynamism of a thriving market offer. This has a number of impacts on a variety of stakeholders including the existing traders and residents.
- 4.2. Furthermore the Market Hall provision does not provide an attractive commercial return to the Council.
- 4.3. The Market Hall, set within attractive surroundings, has the potential to create a vibrant link within the Town Centre between Grand Junction Retail Park, Memorial Square and Market Street.
- 4.4. It is foreseeable that continuing with the current operations will result in failure of the market at a point in the future.
- 4.5. The Council and Crewe Town Council do not have the in-house expertise to develop the vision and operating model for the market, however both parties have the capability of implementing the changes required once a programme is developed.
- 4.6. Should the Council transfer the Market Hall out of its ownership there are a number of practical issues, which are not insurmountable, relating to servicing and operation of the building that would have to be worked through.

5. Background Information

- 5.1. Following discussions between the two Councils, the Town Council have set out their thoughts on the future operation of the markets. Although this approach is embryonic it is clear that they wish to engage with Cheshire East Council to enhance the operation of the markets.
- 5.2. The market offer in Crewe consists of the indoor market, covered market (off Lyceum Square) and the outdoor market which is currently situated on Market Square, Market Street and Earle Street which averages around 20

stall holders per trading day. The indoor market has a traditional markets offer and not all stalls are open on a regular basis.

- 5.3. Cheshire East Council are currently progressing a planned programme of maintenance works on the exterior of the indoor market building which is currently underway and this has a cost of £180k. This work is essential and needs to be delivered regardless of any future operating model.
- 5.4. The revenue income for Crewe Market (indoor and outdoor) for 2015/16 was £264k against a budget of £243k. The revenue income budget for 2016/17 is £196k. Debt is currently £81k, of which £55k is over six months old and therefore has already been provided for within the Council's accounts. Although not assessed in detail the yield of the market is not in line with other investment assets and the service has confirmed that the number of tenants are declining.
- 5.5. Currently ANSA employ four employees (3.23fte) relating to delivery of market services in Crewe, however it should be noted that the team also undertake other works within the town centre. This needs to be considered carefully depending on the approach that will be taken to progress the opportunity.

6. Next Steps

- 6.1. There is a requirement to progress with the next steps quickly in order to maintain momentum on the project. These are;
- To agree the principles and terms of reference for the partnership arrangements between Crewe Town Council and Cheshire East Council for the markets.
 - To commission a specific piece of work on the vision and future operating model for the market.
 - To undertake a consultation exercise with staff, traders, residents and users of the market.
 - To develop an outline programme, business case and scheme for works to the markets and the surrounding public realm areas.
- 6.2. It is expected that this process will be completed by January 2017. An update report on the project will be presented to the Cabinet once this the first phase of work is completed.

7. Wards Affected and Local Ward Members

- 7.1. Crewe Central. Cllr Faseyi has not been consulted at this time. Given that Crewe Market will be of interest to all Crewe Residents and has wider regeneration implications it is recommended that all Crewe Members are engaged with during the initial consultation work and then throughout the implementation phase of the project.

(as this report progresses through the system it is planned to discuss this matter with her and other Crewe Members).

7.2. Policy Implications

The Council has sought to devolve market halls to the appropriate Town or Parish Council in the past. The reason for this differing approach is to improve linkages within the Town Centre between Market Street, Memorial Square and Grand Junction. This proposal presents an opportunity to work in a collaborative way with the express intent to drive the regeneration of the town, thereby creating additional benefits to the residents of Crewe.

7.3. Legal Implications

There are no direct legal implications arising from this report, however, as the project develops during this next phase Legal Services will be consulted to ensure there are no legal barriers to prevent the project going forward and to ensure appropriate partnership arrangements are put in place.

7.4. Financial Implications

Finance colleagues have not been formally consulted at this stage but are aware of the paper.

There is a requirement for £50,000 revenue funding to fund the work at this stage. It should be noted that additional resources will be required to implement the project. Should physical works be required for example, it is anticipated that additional capital funding may be required in the future to deliver the project, however this has not been scoped at this time.

The initial revenue costs of £50,000 will be funded from the sustainability reserve budget.

It is to be noted that a capital budget (Crewe Town Centre Regeneration Budget) currently exists for regeneration projects in Crewe which could be allocated to a future markets scheme.

7.5. Equality Implications

Not applicable at this stage.

7.6. Rural Community Implications

Although too early in the project to define it is felt that a future offer could present opportunities to market fresh local produce in the Market Hall and this could create opportunities for the rural community.

7.7. Human Resources Implications

ANSA currently operate the market on behalf of Cheshire East Council. At this stage the potential implications are not known and as the project progresses these implications should become clear. However it is foreseeable that changing the operating model could have HR or TUPE issues, depending on the operating model chosen. In any event working closely with ANSA and the team working in the market will be essential in implementing a successful outcome to the project.

7.8. Public Health Implications

Markets can generate an opportunity to create a healthy eating agenda and it is expected that this would be an element of the vision.

7.9. Other Implications (Please Specify)

Reputation. Cheshire East Council and Crewe Town Council will consult and work closely with the key stakeholders and the community to ensure their engagement in the project.

Any future project will need to be managed carefully so any works undertaken fit into any other future regeneration schemes that are proposed in Crewe.

8. Risk Management

8.1. There are a wide range of risks that at this time have been considered that relate to the proposal and to the physical buildings

Reputation. There is a risk that the proposed course of action may not produce a deliverable outcome. However a do nothing approach is likely to lead to further reduction in the market offer in the town which would increase the reputational risk to the Council. A consultation exercise with traders, staff and local stakeholders will be conducted to ensure the community are fully engaged in this project.

The cost of a potential future scheme is not known at this time and may not be wholly achievable, given the financial pressures that the Council faces. The decision making on any future investment will be taken at a later date, when the scope of the works will be understood.

Both Councils have committed to working closely on the project and a robust project brief will be constructed based on a clear view on the outcomes required.

Project governance. This project will be a regeneration lead scheme, using the Council's established project governance processes. Oversight will be

provided by Cheshire East's Cabinet member for Communities in consultation with the Cabinet Member of Regeneration. It is expected that the physical aspects of any development will be managed by the Property Projects team.

9. Access to Information/Bibliography

9.1. There are no background papers for this project

10. Contact Information

Contact details for this report are as follows:-

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Cheshire East Council

Cabinet

Date of Meeting:	18 th October 2016
Report of:	Steph Cordon - Head of Communities
Subject/Title:	Prevent Duty & Channel Duty Progress Report
Portfolio Holder:	Cllr Paul Bates, Communities and Health

1. Report Summary

- 1.1 This report summarises for Cabinet our responsibilities under the Prevent Duty Guidance (2015), the Channel Duty Guidance (2015). The report also covers what we are doing in Cheshire East and Sub Regionally with Cheshire West and Chester, Warrington and Halton Borough Councils.
- 1.2 As background, there is a national strategy produced by Central Government called Contest. Its aim is to stop people becoming terrorists or supporting terrorism. A key part of this is called Prevent which is about tackling the ideology behind extremism, preventing people from being drawn into terrorism and working with sectors and organisations at risk of radicalisation.
- 1.3 The legislative context for Prevent is under Section 26 of the Counter-Terrorism and Security Act 2015, which places a duty on certain authorities to have due regard to the need to prevent people from being drawn into terrorism. Cheshire East as a Council is defined as being one of the authorities that this applies to. Effective Councils are defined in the guidance as those that work with their local partners to protect the public, prevent crime and promote strong integrated communities.
- 1.4 In Cheshire East, the work of the Community Safety Partnership is the vehicle utilised to pull together the multi-agency group that is needed. In addition, close working arrangements are in place with the two Local Safeguarding Boards for Adults and Childrens Services. Work to develop a sub-regional approach to effectively and efficiently use our resources has also started and we now have a Pan Cheshire Prevent Group, and a Pan Cheshire Prevent Strategy – Preventing vulnerable people from being drawn into extremism (appendix 1).
- 1.5 The legislation requires us to ‘give due regard’ which means that we should place an appropriate weight on the need to prevent people being drawn into terrorism when we consider all the other factors relevant to how we carry out our usual functions. All Councils also have to establish a Channel Panel which

is multi-agency and looks at individuals who are nominated as being at risk of being drawn into terrorism and how to provide advice and support.

1.6 The key for us in fulfilling our Prevent & Channel duties is how to ensure that we:

- embed Prevent into mainstream activities
- build resilience to extremist ideologies within our communities
- safeguard those who are most vulnerable to the messages of extremists

Our local Multi Agency working and Pan Cheshire working will ensure we fulfil these duties aligned with our wider safeguarding roles.

2. Recommendation

2.1. That Cabinet note the:

- (i) collective progress to date thanking partners for their involvement, support and contributions;
- (ii) responsibilities these duties place upon the Council;
- (iii) Pan Cheshire Prevent Strategy and express support for this

3. Other Options Considered

3.1 The Prevent and Channel Duties are legal requirements and therefore other options have not been considered.

4. Reasons for Recommendation

4.1 To update on progress in carrying out statutory duties under Prevent and Channel both locally and Sub Regionally.

4.2 To receive the Pan Cheshire Prevent Strategy – Preventing vulnerable people from being drawn into extremism (appendix 1).

5. Current Position

5.1 Working with partners, careful consideration has been given to ensuring that we take a measured and proportionate response to this issue. There is a desire for this to be discussed and some actions agreed at a sub-regional level to ensure both an appropriate response and to reduce duplication of effort. A Prevent Chairs group has recently been established to do this and currently this group's focus is:

- A standardised Information Sharing Agreement for local Channel Panel use;
- a Pan Cheshire Prevent Strategy;

- and sharing practice learning

5.2 In Cheshire East we have focused on training and awareness raising to enable people to spot any potential signs and to know where to signpost people at risk of being drawn into extremism. A training programme for front line staff is now in development for implementation later in the year. Work will progress then for information materials for adults, children, young people, carers / parents. A One Minute Guide for Safeguarding in Education Settings is already in place for schools and training has already been provided for designated safeguarding leads in our schools, colleges and education settings.

5.3 The attached Pan Cheshire 'Preventing vulnerable people from being drawn into extremism strategy' is attached at appendix 1. The strategy provides a short summary of the Home Office strategy and then:

- explains Terrorism
- explains Prevent
- explains Extremism
- explains Radicalisation
- covers the Local Authority duties
- explains what is already happening in Cheshire
- sets out Our Pan Cheshire Vision
- identifies some of the signs of radicalisation
- identifies how to report any concerns or suspicions
- and Governance and Accountability – through our Safer Cheshire East Partnership

We then have a Cheshire East Prevent Action Plan, which is our work plan and is structured around three priorities:

- To embed Prevent into mainstream activities
- To build resilience to extremist ideologies within our communities
- To safeguard those most vulnerable to the messages of extremists

The focus of the action plan is to ensure we embed Prevent into day to day practice, and to raise awareness of the Prevent & Channel Duties. Once we have embedded this work we will then plan to review what is working well, what needs to improve, to ensure continued development / improvement.

6. Where are we up to with establishing our Channel Panel?

6.1 The first Channel Panel in Cheshire East was held in January 2016. The Panel are currently focusing on developing its collective practice, which includes collaborative / collective working to ensure that together we deliver the responsibilities under this duty for our residents.

6.2 The Panel meets bi monthly to undertake its functions. Part 1 of the meeting focuses on the Prevent Strategy duties. Part 2 of the meeting is the Channel

Panel itself where support considerations for those at risk or who are vulnerable are considered.

7. Wards Affected and Local Ward Members

7.1 The Prevent & Channel duties apply across the whole borough.

8. Implications of Recommendation

8.1 Policy Implications

8.1.1 Currently policy implications are not evident, as the work of the Prevent & Channel progresses policy implications may become evident; this will be kept under review both locally and through the Pan Cheshire Chairs group.

8.2 Legal Implications

8.2.1 Section 26 of the Counter Terrorism and Security Act 2015 places a Prevent duty on central bodies (listed in schedule 6 of the guidance eg local government, police, health and social care, education, criminal justice) in exercising their functions to have due regard for the need to prevent people being drawn into terrorism. Authorities subject to the provision must have regard to this guidance when carrying out the duty.

8.2.2 The Home Office oversees the Prevent activity in local areas and will monitor the duty with Councils. Councils have the responsibility of working with partners to protect the public, to prevent crime and to promote strong and integrated communities.

8.2.3 The Channel guidance was issued under section 36(7) and 38(6) of the Counter Terrorism and Security Act 2015 to support panel members and partners of local panels. It sets out a duty on local authorities and its partners to support people vulnerable to being drawn into terrorism.

The channel programme uses a multi agency approach to protect vulnerable people by:

- Identifying individuals at risk;
- Assessing the nature and extent of that risk;
- Developing the most appropriate support plan for the individual concerned

8.2.4 The success of the programme is dependent on the co-operation and co-ordination of partners' activities with individuals and families to reduce vulnerability and risk of radicalisation in partnership.

8.3 Financial Implications

- 8.3.1 Prevent and Channel Duties require the council to chair, administer, co-ordinate support arrangements and development plans and to report on progress in line with local governance requirements. The predominant financial implications are officer time.

8.4 Equality Implications

- 8.4.1 An Equality Impact Assessment (EIA) provides an active assessment to ensure consideration is given to any unintended consequences for any specific characteristic groups through the implementation of the Prevent and Channel work. This assessment is in place.

8.5 Rural Community Implications

- 8.5.1 From our work to date there are no apparent Rural Community implications to identify at this stage, this will be monitored by the Multi Agency Group.

8.6 Human Resources Implications

- 8.6.1 Workforce awareness and training along with operational practice support are the main implications here of the Prevent & Channel Duties. The Multi Agency Group has prioritised this work, and now has a training strategy in place which will ensure support for front line workers to appropriately raise any concerns about vulnerability to radicalisation through identified referral pathways.

8.7 Public Health Implications

- 8.7.1 We consider that the delivery of the Prevent Strategy and Channel Panel duties would have no specific adverse health implications for our population. The Multi Agency Group will review closed cases each 12 months to identify any specific learning. This would inform the panels practice, and more broadly the prevent action plan.

9 Risk Management

- 9.1 **Reputational for Council** – the Council has a lead role in relation to Prevent and Channel duties, and is dependent on its partners to ensure our collective responsibilities are delivered well. We have a number of multi agency forums that demonstrate successful collective working to safeguard vulnerable individuals and groups, and therefore feel this risk is mitigated.
- 9.2 **Level of Risk in relation to radicalisation** – The Counter Terrorism Local Profile (CTLP), is a document held by Cheshire Police's Counter Terrorism unit.

The risk is monitored at a Senior Chief Executive level and through the Safer Cheshire East Partnership (SCEP).

- 9.3 **Analysis of Patterns** - Channel Panel will report annually to SCEP and both local Safeguarding Boards, on the panel's activity. These reports will include information on panel referral numbers & panel case numbers, age profile, location profile, and any themes / trends whilst retaining confidentiality at all times. Outcome data on the effectiveness of our multi-agency partnership work will also be covered. Such work will mitigate risk for all parties, and ensure continuous learning from our practice to occur effectively.

10 Access to Information/Bibliography

- 10.1 Prevent Strategy – HM Government 2011

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97976/prevent-strategy-review.pdf

- 10.2 Channel Duty Guidance – Protecting vulnerable people from being drawn into terrorism – HM Government 2015

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/425189/Channel_Duty_Guidance_April_2015.pdf

- 10.3 Revised *Prevent* Duty Guidance: for England and Wales – HM Government July 2015

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445977/3799_Revised_Prevent_Duty_Guidance_England_Wales_V2-Interactive.pdf

11 Contact Information

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Preventing vulnerable people from being drawn into extremism

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Foreword

We are proud to present the new Preventing Vulnerable People From Being Drawn Into Extremism Strategy on behalf of the Councils across Cheshire West and Chester, Cheshire East, Halton and Warrington

JTAC - the Joint Terrorist Analysis Centre - recently raised the current threat level to the UK from international terrorism from substantial to severe, meaning that a terrorist attack is highly likely. This was based on the changing nature of the threat posed by the Islamic State of Iraq and the Levant (ISIL) and developments in Syria.

The Home Office reported that approximately 500 individuals of interest to the police and security services have travelled from the UK to Syria and Iraq since the start of the conflicts, and a number of these have joined terrorist organisations. The return to the UK of around 250 of them has coincided with increased number of detected terror plots.

Although Cheshire, Halton and Warrington may not have the iconic terrorist targets of London and Manchester, we have over 200 miles of motorway, excellent train links, a busy airspace, along with a chemical industry presence.

These features are not a cause for alarm, but do increase the potential for terrorist activity within the area and the need for vigilance, particularly given that isolated individuals - or 'lone actors' - are difficult for security forces to detect using their traditional methods.

The purpose of this document is to set out our strategic approach and provide a robust framework from which we can work effectively with our partners to reduce the risks to our communities. This will include a strong focus on education, maintaining regular and effective dialogue with our communities and safeguarding those most vulnerable to the messages of extremists.

We also hope that this strategy will serve to raise awareness of what extremism and terrorism are, how to recognise the signs of radicalisation in others and what to do about it - and will result in Cheshire, Halton and Warrington remaining safe and happy places to live.

Introduction

In 2011, the Government published an updated version of its overarching counter-terrorism strategy, 'Contest'. The aim of Contest is to

“reduce the risk to the UK and its interests overseas from terrorism, so that people can go about their lives freely and with confidence.”

It is split into four workstreams:

Pursue: to stop terrorist attacks through investigation, detection and disruption

Prevent: to stop people becoming terrorists or supporting violent extremism

Protect: to strengthen against terrorist attack, focusing on border security, the transport system, national infrastructure and public places

Prepare: to mitigate the impact of a terrorist attack where that attack cannot be stopped

What is Terrorism?

The use or threat of action where

- It involves serious violence or damage, or risk of either, to person, property or electronic system
- It is designed to influence a government or to intimidate members of the public and
- It is made for the purpose of advancing a political, religious or ideological cause



The Counter Terrorism and Security Act received Royal Assent in 2015. Among other provisions, the Act places the Prevent strand on a statutory footing for “specified authorities” - one of the recommendations of the Extreme Taskforce, which was set up following the murder of Fusilier Lee Rigby in 2013. Recent incidents, like the siege in Sydney, attack on the Charlie Hebdo offices and further attacks in Paris and Tunisia, have put a greater focus on work to prevent radicalisation.

Specified authorities must, in the exercise of their functions, have due regard to the need to prevent people from being drawn into terrorism. As such, the Counter Terrorism and Security Act 2015 places a duty on offender institutions, schools, health and social care agencies, the police and local authorities.

What is Prevent?

The long-term solution to the threat faced by the UK from domestic or international terrorism is not just about more effective policing. It is about tackling the factors that can cause people to become drawn into violent extremism and empowering individuals and communities to stand up to violent extremists.

An integral part of CONTEST, the Prevent programme aims to stop people either from becoming terrorists or supporting terrorism. It does this by:

- challenging the spread of extremist ideology
- preventing vulnerable individuals from being drawn in by it, and
- working with a wide range of sectors and institutions where there are risks of radicalisation

In essence, it is concerned with early intervention; supporting those who may be at risk of committing a criminal offence if they are not appropriately supported.

Channel is a key part of the Prevent strategy. It uses existing links between local authorities, statutory partners, the police and local communities to:

- identify individuals at risk of being drawn into terrorism
- assess the nature and extent of that risk, and
- develop the most appropriate support plan for the individuals concerned

Support may consist of help with family problems, mental health support, religious support, mentoring or anything else deemed to be suitable. Wherever possible, Channel will compliment any mechanisms or interventions already in place to safeguard the individual.

What is Extremism?

Extremism is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We (the government) also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.

There are many different types of extremism, but could be grounded in religion, the far right, islamophobia, animal rights or politics, among others

What is Radicalisation?

Radicalisation is process by which people come to support terrorism and forms of extremism leading to terrorism

It is distinct from radicalism - within which Nelson Mandela or Martin Luther King might be appropriately categorised - in that it seeks to disenfranchise; that is, to create a narrative that doesn't already exist rather than fight for a cause borne out of injustice and oppression

Radicalisation has a complex, often overlapping, range of causes which vary from one organisation or individual to another, but may include:

- Political or economic grievances
- Social and psychological factors
- A feeling of not being accepted by, or having an affinity with, family, community or state

“ Extremism is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. ”



Local authority duties

The Prevent duty guidance, published alongside the Act, goes into more detail about what is expected of us as a local authorities.

We must:

- Communicate and promote the work and intentions of the Prevent programme
- Establish or make use of an existing local multi-agency groups to agree risk and co-ordinate and monitor the impact of our Prevent activity. These are known locally as the Channel Multi-Agency Panels (MAPs) and include a wide variety of relevant partners, including each local authority, Cheshire Police, probation, health, social care functions and youth offending services
- Use our existing counter-terrorism local profiles to begin to assess the risk of individuals being drawn into terrorism
- Engage with our Prevent co-ordinator, our education institutions, health, probation services, enforcement agencies and others as part of the risk assessment process
- Mainstream the Prevent duty so that it becomes part of the day-to-day work of each authority - in particular safeguarding
- Develop Prevent Action Plans where, through each Multi-Agency group, a risk has been highlighted
- Ensure that front-line staff have a good understanding of Prevent, are trained to recognise vulnerability and are aware of available programmes to deal with this issue

What is already happening across Cheshire, Halton and Warrington

- **Community Engagement**, helping communities to themselves identify and challenge extremism
- **Channel Programme**, which has operated successfully across the Cheshire Police footprint for around three years
- **Training Staff** within partner agencies, including education, health, young offending and the police - as well as key organisations in the private sector - to spot and refer people at risk of supporting extremism
- **Support for organisations and individuals** to change extremist ideology and uphold values of tolerance, democracy, cohesion and equality, through community-based activities and projects



2011: Govt publishes its overarching
Counter Terrorism Strategy: CONTEST
split into four streams
Pursue, Prevent, Protect and Prepare

Counter Terrorism and Security Act 2015
puts Prevent and Channel on a statutory
footing for all partner agencies

Prevent

Aim: to stop people becoming or supporting terrorists by:

- challenging the spread of terrorist ideology
- supporting vulnerable individuals
- working in key sectors where there may be risks

Contact: prevent@cheshire.pnn.police.uk

What's happening in Cheshire, Halton and Warrington?

- Community engagement ... to identify/challenge, and root out issues
- Channel
- Safeguarding and training
- Support for organisations and individuals ... including community activities and projects

Channel

A key element of the Prevent strategy

Aim: to identify individuals at risk of being drawn into terrorism, assess the nature and extent of that risk; and develop an appropriate support plan

Contact: prevent@cheshire.pnn.police.uk

What's happening in Cheshire, Halton and Warrington?

- Operating successfully for around 2 years
- People assessed as vulnerable have been given multi-agency support
- Safeguarding and training
- consisting of, among other things, help with family problems, mental health support, religious support and mentoring

Duty to
actively
participate

Specific Authorities

Local Authorities
Offender Institutions
Schools
Health and Social Care
Police

Home Office Prevent Duty Guidance

Local Authorities should:

- establish mechanisms, or use existing, for understanding the risk of radicalisation
- ensure that staff understand/ are equipped
- communicate and promote Prevent
- ensure that staff implement it effectively

Plan for our local Councils

- maintain regular and effective dialogue and co-ordination with communities
- use existing counter terrorism local profiles produced for every region by the police to assess local risk
- ensure that there are clear and robust safeguarding policies to identify children at risk
- train staff to recognise people at risk and report their suspicions appropriately
- ensure that publicly-owned venues and resources don't provide extremism platform
- make appropriate referrals to Channel

Our Vision is

“ To stop people within our communities becoming terrorists or supporting terrorism ”

This will be delivered through three Priorities

- Embed Prevent into our mainstream activities
- Build resilience to extremist ideologies within our communities
- Safeguard those most vulnerable to the messages of extremists

Embed Prevent into our mainstream activities

Why?

It is not possible to resolve the current terrorist threats we face simply by arresting and prosecuting more people. The Prevent programme is based on the ethos that prevention is better than cure, and

intervening at the earliest possible stage of the process of radicalisation is the most effective way to ensure a reduction in support for terrorism of all kinds. Our local Channel Multi-Agency Panels will assume operational responsibility for the duties

How?

Train our staff to recognise the signs of vulnerability and know what to do about it

Maximise links between policies and strategies that deal with vulnerability

Maintain an awareness of risks and put measures in place to mitigate them

Build resilience to extremist ideologies within our communities

Why?

This strategy will not be effective if communities do not play a key role in the development of preventative work and

community based solutions to local issues which create a potential platform for extremists to spread their divisive and dangerous ideologies

How?

Communicate and promote the work and intentions of the Prevent programme

Identify, understand and counter extremist ideologies in partnership with a range of institutions

Maintain regular and effective dialogue and co-ordination with community-based organisations

Safeguard those most vulnerable to the messages of extremists

Why?

Safeguarding individuals from radicalisation and violent extremism is important. More and more vulnerable people are being influenced by alluring and dangerous views through new social peer groups and online,

are not making conscious and rational decisions about supporting or becoming terrorists and need to be protected by the agencies and professionals who have a duty to care for them

How?

Ensure there are clear and robust safeguarding policies to identify children and adults at risk of radicalisation

Share information regularly and effectively with our partners

Ensure that publicly-owned venues and resources do not provide a platform for extremists

Signs of radicalisation

There is no definitive list of factors that will be present in the case of a person who has been radicalised. Every person is different, their personal experiences are different and the ways in which they might be exploited are wide-ranging.

A victim of radicalisation who we spoke to during the development of this Strategy noted that the feelings she experienced in the course of being radicalised were:

- A sense of superiority
- Being inappropriately euphoric
- Loss of her sense of humour
- Being more argumentative and quick to condemn contradictory views
- Loss of abstraction and erosion of critical-thinking skills
- Being cold, emotionless, isolated, withdrawn and secretive

However, any changes in a person's views or behaviour must be considered against the unique personal circumstances of the individual in question - some or none of the above may be present in other cases.



How to report suspicions

Members of the public should always remain alert to the danger of terrorism and report any suspicious activity to the police on 101, 999 or the anti-terrorist hotline: 0800 789 321.

If your information does not relate to an imminent threat, you can also contact the Security Service via the How You Can Help us page on the M15 website.

Our local co-ordinator can be contacted on:

Email: prevent@cheshire.pnn.police.uk Telephone: 01606 362121

Governance and Accountability

It is the responsibility of each local authority across the sub-region to establish its own governance and accountability structures, and decide how best to monitor performance against individual Action Plans. This is likely to involve the operational Channel MAPs being overseen by one or more strategic groups, such as Safeguarding Boards, Community Safety Partnerships or local Health and Wellbeing Boards.

The Cheshire Resilience Forum prepares for, responds to and recovers from any emergency - including those relating to terrorism - across Cheshire, Halton and Warrington. It is a multi-agency group covering our policing area which shares information and resources and responds together to an incident.

Along with neighbouring local authorities, its membership includes our emergency services, NHS and other relevant agencies, and is our front line local response to terrorist activity.





Cheshire East Council

Cabinet

Date of Meeting:	18 th October 2016
Report of:	Kath O'Dwyer Deputy Chief Executive and Executive Director – People
Subject/Title:	Children's Residential Home Tender
Portfolio Holder:	Cllr Liz Durham, Children and Families

1. Report Summary

1.1. Cabinet received a report on the 12th April 2016 setting out the approach to the redesign of Children's Homes in the borough. Cabinet agreed a timeline to put in place a wholly commissioned Children's Home service from 1 April 2017 comprising of :

- Home 1 (existing) with 3 beds within Macclesfield (Registered for Emotional and Behavioural Difficulties EBD)*
- Home 2 (existing) with 4 beds within Macclesfield (Registered for EBD)
- Home 3 (existing) with 3 beds within Crewe (Registered for EBD, Learning Disability and Physical Disability) *
- Home 4 & 5 (new) with 2 beds each within Crewe (to be Registered as EBD and the ability to utilise 1 bed in each home for emergency)

**The above homes have the option of providing one additional bed each and as such are registered as 4 bed units with Ofsted*

1.2. The purpose of this report is to provide an update on the progress of the tender process to put in place a wholly commissioned service for Children's Homes in Cheshire East and to request delegated authority to award the contract.

1.3 A fully compliant procurement process is being followed which will enable an effective and transparent contract award to be undertaken.

1.4 The commission of Children's Homes supports the strategic intentions and ambition for our children in care and demonstrates further evidence of the Council's passion and commitment to put children and particularly children in care at the heart of all that we do.

- 1.5 Children in care are our children and it is our role to ensure they are supported, nurtured and helped to be, and feel, safe, achieve their potential and grow into confident young people and adults. Ensuring our children can live and grow up in a safe and stable home is integral to ensuring their wellbeing and securing their positive development. Awarding the Children's Home contract through an effective and timely tender process supports our commitments to children in care.
- 1.6 The Government has started to utilise the recommendations of Sir Martin Narey's independent review of residential care. The Narey report is positive in respect of the role and impact that good residential provision can have for cared for children. The approach adopted by Children's Services in developing our residential offer fits with the findings and recommendations of the Narey report.
- 1.7 The government strategies that have followed the Narey report ('Putting Children First' and 'Keep on Caring') place great emphasis on cared for children experiencing stability and feeling safe and secure and also supporting young people from care to independence. The Local Authority will expect that the successful supplier of our five Children's Homes will participate fully in the innovation programme surrounding 'Staying Close'. Generally we would expect that the successful bidder and Cheshire East Council will work together to ensure that any significant strategies / legislative changes are included in the development of the service.
- 1.8 The specification for our Children's Homes tender is attached at Appendix 1. The specification has been brought to life through the co-production with young people and their reflection on living in residential homes. The specification has received positive feedback in respect of the child focused content and format.

2 Recommendation

- 2.1 Cabinet is recommended to delegate the authority to award the Children's Homes contract to the Deputy Chief Executive and Executive Director – People, in consultation with the Children's Portfolio Holder.
- 2.2 To authorise the Director of Legal Services to enter in to the contract with the successful bidder and any ancillary legal documentation required including the granting or taking of leases, underleases and licence agreements (after having consulted with the Head of Assets in respect of any property agreements).

3 Reasons for Recommendation

- 3.1 The delegation of award of contract will ensure:
 - i) An effective mobilisation of the service following award of contract. There are a range of important steps following contract award (ie TUPE / pension provision and sourcing of 2 new properties and their Ofsted registration as Children's Homes) that are critical in ensuring the stability of residential placements for

cared for children living in the current Children's Homes. The sooner the additional accommodation capacity delivered through the contract is established the sooner the Council will see the value for money aspects applied.

- ii) There is a seamless move from existing contractual arrangements to the start of the new contract. The contract for the two existing commissioned service homes delivered by Together Trust expires on the 31 March 2017 and there is no ability to extend.
- iii) That commercially sensitive tender information is not recorded within a public meeting.

4 Background

4.1 The current internal residential service comprises three four-bedded children's homes:

- Claremont in Crewe is owned and operated by the Council;
- Ivy Lane and Victoria Lodge in Macclesfield are also owned by the Council but are managed and staffed under a contractual arrangement with the Together Trust.

The contract out for tender maintains the three homes above and adds further capacity and flexibility with two additional two 2 bed homes from 1 April 2017.

Alongside our current residential service a range of external agency placements are also sourced via framework contracts and spot purchase. Eighteen residential placements (excluding residential schools) are purchased via fourteen different providers at a cost per week of between £2250 and £5890 (average £3600). Health contributions offset some of the weekly costs when continuing care assessments meet criteria.

- 4.2 Following Cabinet's agreement to apply a wholly commissioned service model to Children's Home delivery a project group was established to ensure an effective and compliant process. The project group includes Children's Services, Procurement, Legal and Assets. Finance and Human Resources colleagues have also provided support and advice.
- 4.3 A Provider engagement session was held in Middlewich on the 21st June 2016 to warm the market to the invitation to tender and explore the good practice gleaned from similar tendering across the country. The engagement session was well attended and input was positive. Providers confirmed that the draft timeline proposed would work effectively and importantly would provide sufficient time for effective mobilisation.
- 4.4 The specification for our Children's Home services has been compiled with input from children and young people. This aspect of co-production is important if we are to follow through with our commitment to build services that are in line with the wishes and views of children that will actually live in the homes. The

evaluation of the bidders for this service will also include a children and young people panel. The specification for services is attached at Appendix 1.

4.5 A summary of the procurement timeline is as follows:

Stage	Date(s)/time
Issue OJEU notice	16/08/2016
Issue of Invitation to Tender	23/08/2016
Deadline for queries and clarifications relating to Invitations to Tender	16/09/2016
Submission of Tenders	23/09/2016
Evaluation of Tenders	03/10/16 – 07/10/2016
Tenderer interviews/clarification meetings	w/c 17/10/2016
Notification of result of evaluation	24/10/2016
Standstill period	25/10/2016 – 07/11/2016
Expected date of award of Contract(s)	08/11/2016
Contract commencement	01/04/2017

5 Wards Affected and Local Ward Members

5.1 The three existing Children's Homes will remain in their current locations in Macclesfield and Crewe. The two new two bed Children's Homes are planned to be opened in the Crewe area but until properties are actually sourced this cannot be confirmed and therefore this increase in residential capacity has the potential to affect all areas of Cheshire East.

6 Implications of Recommendation

6.1 Policy Implications

6.1.1 The tender process will put cared for children at the centre of Council policy and decision making. The invitation to tender will be undertaken with clear reference to the Children and Young People's Plan, Corporate Parenting Strategy and Sufficiency Statement.

6.2 Legal Implications

- 6.2.1 There are a number of pieces of legislation and statutory guidance that set out the role of the local authority in respect of cared for children and care leavers. There are statutory obligations and guidance for the role of the Local Authority as the Corporate Parent in the Children Acts 1989 and 2004, the Children and Young Persons Act 2008 and the Children Act 1989 guidance and regulations, Volume 2: care planning, placement and case review.
- 6.2.2 Statutory Guidance: Securing Sufficient Accommodation for Looked After Children 2010, requires local authorities to develop a plan to secure sufficient accommodation for cared for children within their local authority area and which meets their needs. They can only do this if they work in partnership with other agencies as the requirement is not just about accommodation and placements but also securing a diverse range of universal, targeted and specialist services working together to meet children's needs' and applies not only to cared for children, but also those on the edge of care and at risk of custody.
- 6.2.3 The procurement process is being undertaken in accordance with the Public Contracts Regulations 2015 and the Council's own Contract Procedure Rules.
- 6.2.4 By entering into contractual arrangements with the successful bidder for the delivery of the service, TUPE regulations will be triggered in respect of the transfer of current staff who are working on the delivery of the service immediately before the transfer. The Council has undertaken the necessary due diligence to identify which of its employees have the right to transfer and to be able to provide the necessary employee liability information in accordance with the TUPE Regulations. The Council and the successful bidder will also have to be mindful of the need to comply with the Regulations' consultation requirements.
- 6.2.5 In respect of the leases of the Council's property the Council has the power to dispose of land pursuant to s123 of the Local Government Act 1972 subject to it being at the best consideration that can reasonably be obtained.
- 6.2.6 The Council has the power to take a lease of property pursuant to s120 of the Local Government Act 1972.
- 6.2.7 The General Disposal Consent 2003 authorises the disposal of land for 7 years or more at less than best consideration if the undervalue is £2 million or less, as in this case, and subject to those powers being exercised in line with public law principles.
- 6.2.8 The Council has a fiduciary duty at all times to the taxpayers and must fulfil this duty in a way which is accountable to local people.
- 6.2.9 The Council also has to be mindful of The European Commission's State Aid rules which set out that when disposing of land at less than best consideration the Council is providing a subsidy to the occupier of the land which may distort the market. In such cases the Council must ensure that the nature and the

amount of the subsidy complies with State Aid rules either by coming under one of the General Block Exemptions or under the De Minimis rule which permits aid up to approximately £155,000 (€200,000) over a 3 year period.

6.3 Financial Implications

- 6.3.1 The invitation to tender will ensure that the best value for money solution is put in place. This will focus on the most effective blend of internal / external provision for the varying number and needs of cared for children. The final financial implications will only be evident when the tender is complete and comparison to the reduced use of the external agency market is clear.
- 6.3.2 It is however clear that even if we do nothing in respect of the current model of Children's Homes the cost of re-commissioning the two homes currently run by Together Trust will provide an estimated budget pressure of at least £100k in 2017-18 and beyond.

6.4 Equality Implications

- 6.4.1 None at this stage.

6.5 Rural Community Implications

- 6.5.1 None identified at this stage.

6.6 Human Resources Implications

- 6.6.1 Consultation and effective communication with the staff at the current in-house home (Claremont) and via Together Trust for the two existing homes that they are contracted to run is taking place. TUPE/ pension provision considerations will also have to be planned in consultation with the Trade Unions.

6.7 Public Health Implications

- 6.7.1 Cared for children are more at risk of health inequalities than their peers. The proposals are expected to improve the awareness and response in respect of these health needs.

6.8 Implications for Children and Young People

- 6.8.1 Children in care will have an increased ability to live closer to their family, friends and local communities. The new design of commissioned Children's Homes will ensure a range in size of home which will provide a better match to the varying needs of our children and an improved fit with the size / layout of the accommodation. The ability to link more of our cared for children to the range of internal support provided by Children's Social Care will also support the quality of care they receive and ultimately the stability of placement.

6.9 Other Implications

6.9.1 None

7 Risk Management

- 7.1 Cared for children are a vulnerable group that are at risk of a number of factors – poor education and training, health, safeguarding and transition into adulthood. The design of an effective residential offer will aim to mitigate these risks to our children.
- 7.2 Individual elements of the tender for a wholly commissioned service will provide risks surrounding reputation (ie location of Children's Homes) and finance.

8 Access to Information/Bibliography

- 8.1 The legislation and key statutory documents in relation to cared for children and care leavers are set out in this paper.

9 Contact Information

Contact details for this report are as follows:-

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Service specification for Care Service to Children in Residential Homes



Part 1

Introduction

Cheshire East Borough Council Children and Families Department has an exciting opportunity for a Supplier of residential children's care to support the Council with its continuing journey to improving outcomes for our cared for children and young people.

The Council is seeking a Supplier, for the care and support to our cared for children and young people within residential settings. This service will provide care to five separate homes within the Borough of Cheshire East, with two of the homes currently within the Macclesfield locality, a further home is based within Crewe. It's the Council's intention to establish two further homes within the Crewe area. The accommodation for the three existing Children's Homes will be provided by Cheshire East Council and leased to the successful Supplier following a re-tender exercise. The two new two bed properties in the Crewe area will need to be sourced and managed by the successful Supplier.

The composition of the five homes will be as follows:

- Home 1 (existing) with 3 beds within Macclesfield (Registered for EBD)*
- Home 2 (existing) with 4 beds within Macclesfield (Registered for EBD)
- Home 3 (existing) with 3 beds within Crewe (Registered for EBD, LD and Physical Disability) *
- Home 4 & 5 (new) with 2 beds each within Crewe (to be Registered as EBD and the ability to utilise 1 bed in each home for emergency)

**The above homes have the option of providing one additional bed each and as such are registered as 4 bed units with Ofsted*

The additional two homes in Crewe will be within close proximity to each other. The care and support within these homes will work closely and in conjunction with the CEC Social Care, CEC therapeutic services and/or other Cheshire East based partner agencies to provide intensive support to the child/young person. This wrap around support will be formalised via a Service Level Agreement with the successful supplier.



Cheshire East Context

Cheshire East local authority encompasses the major towns of Crewe and Macclesfield and a number of smaller towns including Wilmslow, Congleton, Sandbach and Nantwich. The population is around 363,800. Ambition for All – Cheshire East Community Strategy 2010 - 2025 describes the area as being relatively prosperous and a good place to live with 85% of residents saying they are satisfied with their local area. Employment rates are high and residents' earnings are around 9% higher than the national UK average. Despite the relative affluence of the local authority

area, around 6% of neighbourhoods fall into the top 20% most deprived in England (Indices of Multiple Deprivation). Nine out of the fourteen lower super output areas are in Crewe with others located in the towns of Macclesfield, Congleton and Wilmslow. A total of 22,700 people live in these areas including 6,500 children and young people.

There are 42,500 households with 83,200 children aged (0-19 years) of these 44,000 young people aged between 11 and 19 living in the borough. Young people's educational attainment is generally good; the number of young people achieving 5 or more GCSEs grades A*-C including English and Maths is consistently above national averages. The majority of young people make successful transitions from school into college, work or training and the numbers of young people that are NEET have been lower than regional and national averages over the past few years.

Cheshire East Cared for Children

As at June 2016 there are 400 children and young people who are cared for with around 10% placed in residential children's homes. There are 268 children and young people subject to a child protection plan and 1133 children in need.

The Council Corporate Plan

The Council will work towards this 4 Year Plan (2016 to 2020) that focuses on:

- **Communities** – helping residents to help themselves and each other. Supporting volunteering and minimising antisocial behaviour.
- **Economy** – encouraging and supporting businesses to create high employment and opportunities for all.
- **Education** – supporting residents early to provide a great start in life.
- **Environment** – helping energy saving initiatives and making sure our green spaces make Cheshire East a great place to live.
- **Health** – safeguarding the vulnerable and providing appropriate care that helps people live well and for longer.



Further information can be found by following the link:

http://www.cheshireeast.gov.uk/council_and_democracy/your_council/council_finance_and_governance/cheshire_east_budget/cheshire_east_budget.aspx

Putting Residents First

Putting Residents First is about really listening and understanding what residents and businesses need and responding appropriately to provide the best possible **Service**.

- This requires **Flexibility**, which means us all adapting quickly to changing circumstances and learning together from our experiences.
- **Innovation** is about us being creative in our thinking and the way we approach our work and challenging convention where this no longer seems appropriate.
- Taking personal **Responsibility** is at the heart of our values in delivering what we promise, and ensuring efficient use of resources, whether this is our people, funding, processes, information or technology.
- Bringing this together is **Teamwork**, respecting and working well with others to collectively achieve the best outcomes for residents and communities.



The Council is rapidly changing and delivering more than ever before and our values reflect what we collectively believe will stand us in good stead in the years to come.

Putting Children and Young People First

Cheshire East Council Children and Families Department are committed to shaping our services with the voice of the child embedded within all our practices and services, as such has developed the following strategies and plans to support and continue to develop this ethos.

Children and young people's plan



The new children and young people plan for 2015-18 has been agreed. The priorities for the new plan are to ensure:

The CYP Plan Priorities are:

1. Embedding listening to and acting on the voice of children and young people throughout services (same as having a voice)
2. Ensuring frontline practice is consistently good, effective and outcome focused (feeds into feel and be safe)
3. Improving senior management oversight of the impact of services on children and young people
4. Ensuring the partnership effectively protects and ensures good outcomes for all children and young people in Cheshire East (feeds into feel and be safe)



Further information can be found from:

http://www.cheshireeast.gov.uk/children_and_families/childrens_trust/childrens_trust.aspx

Corporate Parenting Strategy 2015 to 2017

This strategy is informed by cared for children and care leavers. The outcomes and priorities identified are those which our cared for children and care leavers have said they feel will make the greatest difference to their lives.

The Corporate Parenting Guide can be found at:

http://www.cheshireeast.gov.uk/schools/school_governors/cared_for_children_-_governors.aspx

‘**The Pledge**’ and the ‘**Care Leavers Charter**’ set out the promises that Cheshire East has made to cared for children and care leavers based on what they have told us is important to them.



The new pledge
(scroll version).pdf



Charter for Care
Leavers Oct13.pdf

Participation Strategy

We want Cheshire East to be a great place to grow up and all children and young people to have a great childhood. We know from our work to develop the Children and Young People's Plan that children and young people in Cheshire East are keen to be involved in considering the important social issues affecting them and their community and offering solutions, and we are passionate about the improvements that can be made when they get involved in decision making and community life.

Through this strategy we aim to raise the profile and benefits of participation, to introduce a common and consistent approach and give all our young citizens the inspiration and confidence to get involved.

The views of young people who currently live in our children's homes have been included in this specification.

The Participation Strategy can be found by following at:

http://www.cheshireeast.gov.uk/children_and_families/childrens_trust/childrens_trust.aspx

The National Context

At the time of writing, the Government has started to utilise the recommendations of Sir Martin Narey's review of residential child-care. Recent government strategies 'Putting Children First' and 'Keep on Caring' place great emphasis on cared for children experiencing stability and feeling safe and secure and also supporting young people from care to independence. The Local Authority will expect that the successful supplier of our five Children's Homes will participate fully in the innovation programme surrounding 'Staying Close'. Generally we would expect that the successful bidder and Cheshire East Council will work together to ensure that any significant strategies / legislative changes are included in the development of the service.



The functions of Local Authorities in relation to Children who are looked after by them are set out in the Children Act 1989 as principally amended by the Children (Leaving Care) Act 2000, the Adoption and Children Act 2002, and the Children and Young Person Act 2008, and the associated regulations and guidance in relation to those functions.

Local Authorities have statutory duties in relation to the protection, accommodation and care of Children, which are that:

Every Council shall provide accommodation for any Child in need within their area who appears to them to require accommodation as a result of: -

- there being no person who has parental responsibility for him;
- him being lost or having been abandoned; or
- the person who has been caring for him being prevented (whether or not permanently, and for whatever reason) from providing suitable accommodation or care.

The Children's Home (England) Regulations 2015 are underpinned by a set of key principles, which are:

Children in Residential Care should be loved, happy, healthy, safe from harm and able to develop, thrive and fulfil their potential.

Residential Care should value and nurture each Child as an individual with talents, strengths and capabilities that can develop over time.

Residential Care should nurture positive relationships, encouraging strong bonds between Children and Staff in the Home on the basis of jointly undertaken activities, shared daily life, domestic and non-domestic routines and established boundaries of acceptable behaviour.

Residential Care should be ambitious, nurturing Children's school learning and out –of-school learning and their ambitions for their future.

Residential Care should be attentive to Children's needs, supporting emotional, mental and physical health needs, including repairing earlier damage to self-esteem and encouraging friendships.

Residential Care should be outward-facing, working with the wider system of Professionals for each Child, and with Children's families and communities of origin to sustain links and understand past problems.

Residential Care should have high expectations of Staff as committed members of a team, as decision makers and as activity leaders. In support of this, Children's Homes should ensure all staff are engaged in on-going learning about their role and the children and families they work with.



Residential Care should provide a safe and stimulating environment in high quality buildings, with spaces that support nurture and allow privacy as well as common spaces and spaces to be active.

The Children's Home (England) Regulations 2015 set out nine standards ("the Quality Standards") that must be met by the supplier of Cheshire East Children's Homes. The Quality Standards describe outcomes that each Child must be supported to achieve while living in a Children's Home and are:

- The quality and purpose of care standard
- The children's wishes and feelings standard
- The education and learning standard
- The enjoyment and achievement standard
- The health and well-being standard
- The positive relationships standard
- The protection of children standard
- The leadership and management standard
- The care planning standard

Guidance and Regulations

The Service is expected to be provided in line with the following Statutory Policies, Guidance and Frameworks (this list is indicative for guidance only and is not exhaustive and subject to change)

Children Homes (England) Regulations 2015
Care Standards Act 2000
Health and Social Care Act 2012
The Children Act 1989 amended 2004
Children and Families Act 2014
Human Rights Act 1998
Working Together to Safeguard Children 2015
UN Convention on the Rights of the Child (Article 12)
Health and Safety at Work Act
Equality Act 2010 amended (2016)
Data Protection
Freedom of Information legislation

towards continuous improvement.

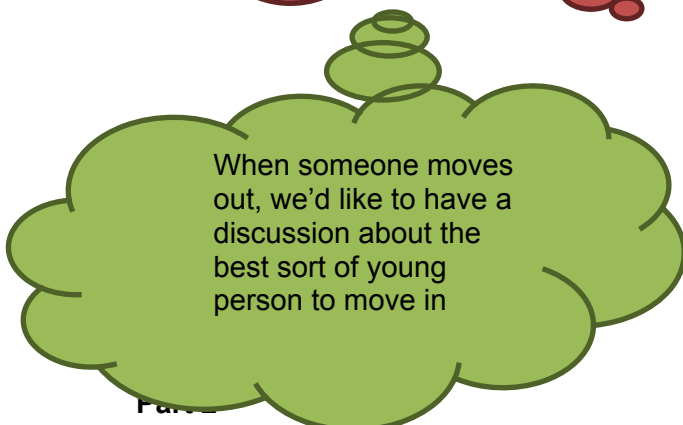
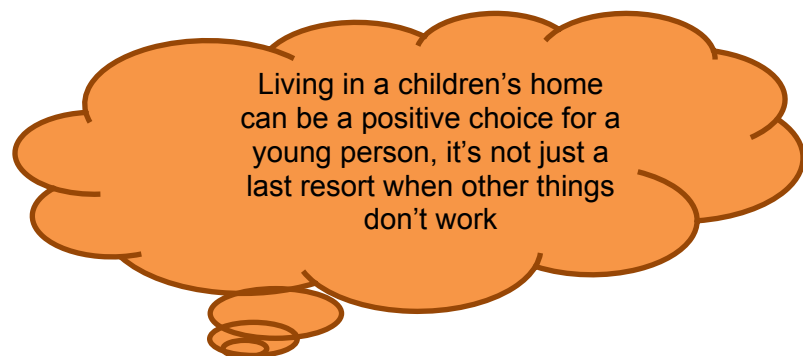
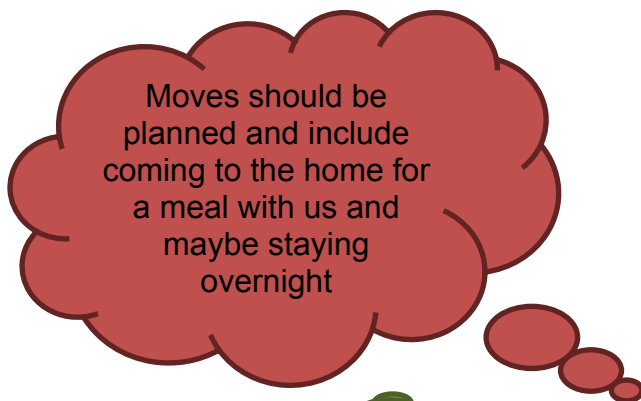
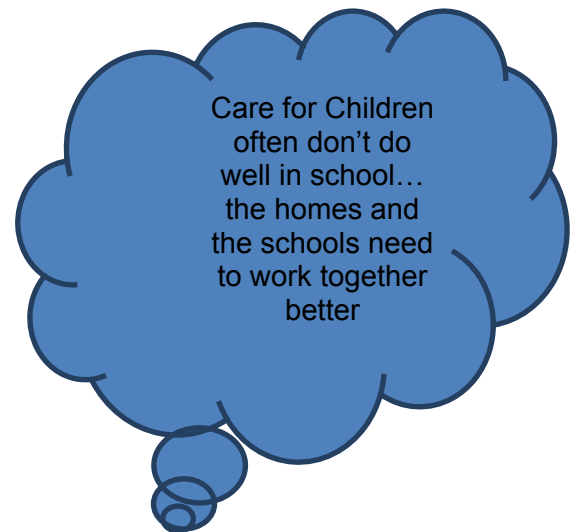
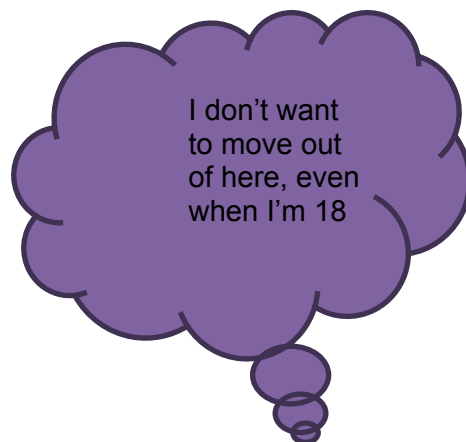
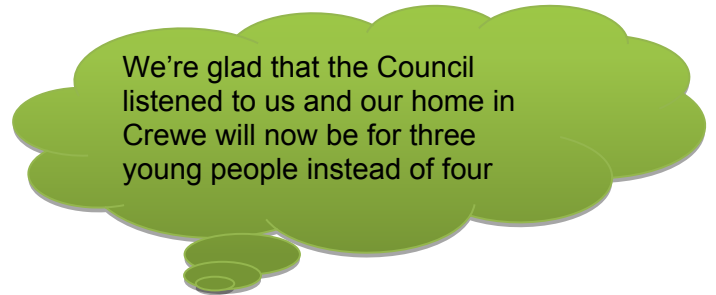
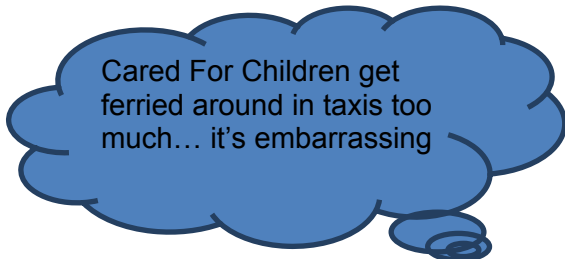


The Supplier shall work together with the Council to ensure compliance with the above, ensure monitoring of standards; and work

What our cared for children tell us about living in residential care

It is important that the successful supplier takes account of the current views of our children and young people when shaping the service from April 2017 and also continues to develop services in line with their views and aspirations.

Whilst generating this specification we met with a small group of our children in residential care and they provided the following feedback:



The Service

The children who use our Residential Service will have experienced multiple rejections and exclusion in their lives. They will all have experienced significant abuse and harm at various levels and, as a result, most will display behaviours which will test the boundaries of others. As such the Supplier must have the experience and knowledge to adapt to the challenges of providing a service that strives to gain the best outcome for the cared for children and young people within the home/s.

The service will need to meet the Children Homes (England) Regulations 2015 and its obligations to the regulator Ofsted. However, the Council is seeking a Supplier who will strive to exceed these standards providing a service that can be flexible, innovative to ensure that it meets the needs of the child/ young person placed within the home.

As the Supplier you will be acting as the Corporate Parent for all the children and young people placed within the five homes, as such the Council will expect the service to have a culture that is centred on the child/young person, their development and personal interests. As a 'parent' you will listen and hear what the child/young person is telling you, support their personal interests by using your knowledge and skills to guide and support them to develop to their best potential. This child centred approach could include for example; staff attendance at a school assembly, sporting and/or other activity/event where the child is participating or supporting them to access a hobby or interest.

All of the homes must provide accommodation, care and support for 365 days of the year, 24 hours a day. The homes are spread across the borough and will have a range of young people in residence with an individual needs and behaviours.

An appropriate level of prevention and intervention is expected using appropriate tools for each young person, taking into account their personal and individual needs and historical background.

The service must have a strong ethos, culture and high expectations regarding education, training and employment working positively with the young people to access opportunities that support them to develop and reach their full potential and personal aspirations in all areas of their life.

Each young person privacy and confidentiality should be respected where appropriate; such as staff knocking on the child/young person's bedroom door and gaining permission before entering the room.

To provide children and young people with the opportunity to enjoy growing up in Cheshire East and having an enjoyable childhood.

The Service must be:

Reliable - Children/Young People need to be able to depend on the Service. The Service shall be delivered as specified and not changed or discontinued without the written agreement of the Council. It must be a robust service which is able to withstand the demands made upon it.

Flexible - The Service shall be capable of responding to the individual Children/Young Person and their changing needs, recognising that provision may need to be adapted to meet a range of complex needs.

Sufficient - The Service shall be sufficient to enable the Children/Young People to live an ordinary and fulfilling life and be part of an overall network of support.

Co-ordinated - Services should be co-ordinated and adopt a multi-agency approach.

Placement Matching and Referrals to the Service

Referrals and admissions will be negotiated between the Supplier and the Cheshire East Service Manager with responsibility for oversight of the project. Following the receipt of appropriate referral information, the Supplier will complete an impact risk assessment to show how matching to the other young people in placement will be addressed and managed. Admissions will be managed in such a way as to ensure that placement stability and sensible levels of occupancy are maintained.

It is expected that as now, the three and four bedded homes will only accept planned admissions whilst the two bedded homes will be registered to accept emergency placements.

Services we expect for our children and young people

For the duration of the accommodation for all children and young people accommodated within the home/s must be provided with 24 hour care, support and accommodation. This must be within a safe environment that is tailored to the individual needs of the child/young person.

Each child/young person placed within the home must also be provided with the following items, subject to emerging needs of the individual child/young person.

All day to day clothing, general sport clothing and school uniforms

Any replacement specialised clothing requirements

Equipment and Resources

Individual sport and/or hobby equipment should be made available within reason e.g. tennis racket, football, books.

The child/young person should be encouraged and supported to access activities for example; dancing, drama, brownies.

The child/young person should have access to a computer that is linked to the internet, to support homework/education purposes. Appropriate safeguards and ICT controls are required to the internet browsers. The computer should be located in a quiet place.

Glasses and Contact Lenses

Glasses and/or contact lenses will be supplied subject to the required needs of the child/young person as prescribed by an optician.

Toiletries and Cosmetics

All toiletries and cosmetics, including skin and hair care products are to be provided; this includes specialised products according to heritage needs.

Regular hair maintenance including hair cuts

Religious and Heritage

Resources and equipment that develop the child/young person with their individual talents and life chances.

Day school outings and visits should be supported, alongside school books and learning equipment.

Pocket Money

Each young person will have an individual weekly allowance which is reviewed on a regular basis. This should be no less than the Council recommended amounts.

Where the young people have a mobile telephone this should be funded from any pocket money allowance.

Each young person must have a bank account in their own name or be supported to open an account.

Birthdays, Festivals and Gifts

Each child and young person will have an allocated amount and these rates will be recommended by the Council.
The Supplier will ensure that each child and young person is involved in the decisions around the gifts, birthdays or festivals.....
Telephone calls
Young people should be able to access a telephone to call family members as agreed with the Council. Telephone calls to friends should be allowed within reason.
Access to a telephone for the young person to call professional and other services should be unrestricted including to Childline and Ofsted.

Accommodation

The Supplier will ensure that the home maintained and kept in a clean and presentable order this includes the exterior and gardens. The Supplier is expected to ensure that all utility and council tax bills are paid in full quarterly and all required insurances for the properties are obtained and renewed annually.

Transport

The Supplier will be required to transport young people to school, to/from contact meetings, school/educational events and/or hobbies/activities.

The Supplier must ensure that the staff and vehicle used meet with the legal national requirements including:

- The Driver (staff member) must have a valid driving licence
- The Driver (staff member) must have valid Business Insurance
- The vehicle must be taxed, have a valid MOT and required insurances as stated above.

Education, Training and Employment

The Supplier will allocate a member of staff to each young person, who will liaise and work with schools to ensure that the young person is supported to integrate within the education community. This staff member must take an interest in the young person's school work, school activity and homework. Where the young person is experiencing difficulties in attending school and/or meeting the requirements with additional study/homework the allocated worker will work with the school and the young person to address these issues.

Each young person will be encouraged to be fully involved within their education planning including their Personal Education Plan (PEP) and their annual review and any transition plan. A copy of the PEP should be kept within the young person file.

The Supplier will be expected to monitor the school attendance of the young people within the home. Where there is an identified frequent and/or persistent absence they will notify the social worker of these concerns.

Where young people are at risk of exclusion and/or those with poor attendance shall be actively supported to remain in education/training.

The Supplier will work in partnership with the Council, Virtual Schools team and young person to access alternative provision that allows them to reach their full potential. However, the Supplier will continue to work diligently with the young person to return to school at the earliest opportunity

Where English is not the first language, the young person will be supported to access services that allow them to learn English as an additional language. The Supplier should seek links with groups that allow the young person to retain and develop their first language outside of the home.

Care Plans

Every child/young person placed within the home the Council will provide an up to date Care Plan, this will include Outcomes that the Supplier should endeavour to support the child/young person to work towards and develop.

Any alterations to the Care Plan should be after consultation and agreement of the Council, the care Plan must not be changed without the Council permission.

The Supplier must ensure that every child/young person has a copy of their Care Plan, which is available to them in a format suitable to their needs.

The successful Supplier will be instrumental into working with children and young people placed within the home(s) that will encourage and support children and young people remaining within a successful permanent family environment placement. .

Placement Plans

Every child/young person will have a Placement Plan that is up to date and continually reviewed. Where possible it should be coproduced with the child/young person and include all actions required by other agencies

Service Availability

The service must be available 365 days/24 hours per day, and staffed appropriately with trained and vetted staff members.

Preparation for Adulthood

Offer individual programmes that prepare the young person for independent living and adulthood, and develop their life skills and abilities e.g. budget management, meal preparation.

Staff should encourage and support activities such as gaining work experience and building C.V's to prepare those young people who aim to seek employment on leaving education.

Assist the young person's search for suitable jobs and access further training/education. Support should be offered for preparing for interviews and writing applications.

Young people should be encouraged to manage their own finances and ensure that as much freedom is given in making decisions about spending pocket money, allowance and earnings. This will include assisting the young person set up bank and saving accounts.

Each young person will be supported in conjunction with the Council to source suitable accommodation when they leave care.

Emotional Health and Wellbeing

The Supplier will be expected to respect the differences of the young people including their ethnicity, gender, language, religious beliefs, sexual orientation and cultural heritage, and support the development of positive identity.

Service planning and delivery must include varied and appropriate activities which help achieve the best outcomes for each individual young person.

Each young person will be supported to identify activities and resources of a diverse range including leisure activities and out of school provisions that are available outside of the home.

Each home should have a range of newspapers, magazines, toys, games and music available for the young people to use, having regard for their own interests and wishes.

The Supplier will ensure that all children within the home are registered with a local GP, dentist, optician and any other relevant health service. Children must be encouraged to attend routine health checks.

Children and young people will be supported with activities that promote and support mental health, providing the young people with coping strategies and skills to manage their emotions and build resilience.

The staff must be competent and skilled to be aware of the early signs of smoking, alcohol and substance misuse. As such take timely action to address these risk taking behaviours.

Children and young people must be supported to understand healthy relationships, sexual health, sexual relationships, sexually transmitted infections and unplanned pregnancy this should be tailored to the child's age and understanding.

Healthy eating and activity should be encouraged and the staff should be able to identify the early signs of eating disorders.

Cheshire East has a Children and Families Support Team that works to promote and support the emotional and mental health needs of Cared For Children which includes an embedded CAMHS worker; we expect that there will be a close working relationship between this service and the homes to ensure that the mental health needs of our young people are appropriately addressed. Where necessary, this will also include working alongside Cheshire East CAMHS more directly.

Contact with Relatives and Friends

Practical support shall be provided to the young person to assist them with contact to maintain meaningful relationships with parents, carers, family members and where appropriate friends. Staff within the home should room where the young person may have contact and meet in private with relatives.

Contact arrangements between the young person and their family should not be restricted unless by written agreement of the Council or Courts.

Where contact arrangements are to be supervised within Children/Family Centres the Supplier will be expected to transport the child/young person to and from the meeting.

Discipline and Behaviour Management

Cared for Children may encounter difficulties in their developmental cycle which will require sensitive and responsive services to address their needs. Often such children will display difficult, risk taking and challenging behaviours that may include violence or aggression.

- Many of our children initially use challenging behaviour as a mean of communication.
- Many of our children do not have an ability to understand the cause and effect of challenging behaviour/s on others.

Any display of violent and aggressive behaviour should not be seen in isolation, but in the context of the child or young person's life, it is expected that the Supplier use a 'child-centred' approach that is consistently applied.

The Supplier should encourage children and young people to present themselves positively in all social settings both inside and outside of the home. The home should have an ethos that is inclusive that tackles bullying and discrimination with a zero tolerance approach; this includes children, staff and/or visitors to the home.

Rules and permissions shall be decided on an individual basis taking into account the age of the child, risk factors and behaviours. However these should be set to allow children/young people to progressively develop their independence in a safe and informed manner.

Staff should work with other partners, professionals and services to give guidance and support to the child/young person to reduce and/or prevent offending behaviour and its consequences.

The home/s should have suitable policies and procedures in place for Behaviour and Risk Management, for de-escalation strategies and especially where 'physical intervention' has been implemented.

Record keeping and the monitoring of disciplinary measures to monitor compliance with policies and procedures is essential to identifying patterns of incidents leading to disciplinary and/or physical intervention. These records will be regularly reviewed with the Supplier to ensure that the support and or changes to the care planning for the individual child/young person are adjusted and implemented.

Youth Offending and Anti-Social Behaviours

Criminalisation of cared for young people is something that the Council is committed to reducing. Recognising behaviours and patterns where the young person is displaying risk taking activities should be actively managed and discouraged. The Supplier will work cohesively with the Council and Police to actively manage any young person's behaviours that could potentially become a criminal offence.

The Council has a 10 point checklist (Appendix A) that must be completed by the Supplier and circulated to the child or young persons Social Worker and Youth Offending Team where an offending incident occurs within a Children's Home. This is specifically targeted at children and young people over the age of 10 years of age. This will serve to improve joint agency protocols regarding offending by Children in Care and effectively manage the short and long term impact on children when an incident occurs.

Where the young person has committed an offence the Supplier should support the young person rehabilitation, this will include:

- Attendance to Police stations
- Attendance to programmes and projects
- Attendance at court
- Source suitable legal representative
- Collect them from venues and bring them back to their placement

Missing from Home

Where a child/young person is missing from the home the Supplier shall notify the Social Worker or Emergency Duty Team. The Supplier should take all action that could be reasonably expected of a parent under similar circumstances, including:

- Searching for the missing child/young person
- Reporting the missing child to the Police
- Act to obtain information on their whereabouts
- The collection and return of the missing child when the location becomes known if reasonably practicable

Advocacy and Independent Visitors

All of our cared for children and young people have access to CEC Advocacy and can request to have an Independent Visitor. Information on these services should be made available within the home for the young people.

An Advocate will attend each home on a regular basis to hold an open clinic for the placed child/young person.

Recruitment, Retention and Vetting of Staff

In 2008 the previous Government published the 2020 Children and Young People's Workforce Strategy. The Strategy set the vision that everyone who works with children and young people should be:

- ambitious for every child and young person
- excellent in their practice
- committed to partnership and integrated working
- respected and valued as professionals

The aim of the Strategy was to ensure that members of the workforce have the skills and knowledge to do the best job they possibly can to help children and young people develop and succeed across all the outcomes.

The Supplier shall ensure that the delivery of the Service emulates the 2020 Children and Young People's Workforce Strategy by being planned, delivered, monitored and evaluated by appropriately qualified, competent, experienced and confident staff. Workforce development, training and supervision appropriate to individual and staff group duties must be available to staff to ensure a high quality and safe service.

The Supplier is responsible for ensuring that it employs staff for the Service who have been subject to the following:

- The Staff group shall so far as is possible reflect the diversity of society and provide positive role models for all Children/Young People in terms of special needs including any disability; age; religion; racial origin; sexual orientation, culture and language and generally comply with the Equality Duty.
- The Supplier must develop clear, written job descriptions and person specifications for all posts to be established for this service. The Supplier may be required to supply copies of these documents to the Council and is expected to take reasonable note of any observations which the Council has.
- The Supplier must put in support mechanisms that provide staff with regular supervision, training and development. Other supports services, for example, mentoring, counselling and buddy scheme should be on offer to staff.

Vetting

The Supplier will ensure that all staff are satisfactorily checked through the Disclosure and Barring (DBS) formally known as Criminal Records Bureau (CRB) and that repeat checks are made in line with current regulations. Staff should also be advised that all service posts are exempt from the Rehabilitation of Offenders Act 1984 and therefore all convictions, spent or otherwise, must be declared and that an enhanced check will be carried out with the Criminal Records Bureau by the Supplier.

The Supplier will obtain a minimum of two written references for each member of staff employed at the Service, one of which must be from a previous employer, and one verbal

reference. Where staff have had previous employment in a care related field references should be sought from all previous employers.

Absence Management

Arrangements for covering staff absences must be factored into the core staffing capacity and the service should not be reliant on staff working overtime, or the use of agency staff other than for exceptional unplanned staff shortages.

The Supplier shall ensure that sufficient resources of trained and competent staff are available to cover all vacancies, holidays or staff sickness which may arise. The Supplier will also be expected to manage any changes to working patterns brought about by the European Working Time Directive and ensure that the staffing structure is Working Time Directive compliant.

Training

The Supplier shall ensure all staff employed within the service receives in-service training to enhance individual skills and to keep staff up to date with professional and legal developments for example:

- CSE
- Safeguarding

Supervision

The Supplier shall ensure that all staff understands to whom they are accountable and staff shall be provided with regular supervision by appropriately qualified and experienced staff in accordance with the Supplier's Supervision Policy.

Safeguarding

Suppliers(s) will ensure services comply with safeguarding procedures outlined by Cheshire East Council through the Local Safeguarding Children Board:

<http://www.cheshireeastlscb.org.uk/professionals/procedures-and-guidance.aspx>

The operational policies of Suppliers will address the following:

- Safe provision and storage of medication
- How to make a referral under safeguarding procedures
- How to raise a concern in relation to domestic abuse
- How to report and respond to safeguarding concerns about the practice of staff or volunteers
- Set out how they will manage a complaint investigation and how the learning will inform practice and continuous development of the service
- Set out how the management and reporting of Sudden Unlawful Deaths and the reflective learning from such events informs future practice and continuous service development

Supplier (s) will be responsible for informing the commissioner of their practice through routine contract monitoring arrangements or earlier where it relates to a critical incident and

or is deemed to be an emergency that warrants this step as a matter of urgency.

The safeguarding of children and must underpin all practice and Suppliers are expected to adhere to relevant legislation and guidance

Safeguarding Children and Young People

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

as well as statutory responsibilities within 1989 and 2004 Children Acts, critically:

“ Local agencies, including the police and health services, also have a duty under section 11 of the Children Act 2004 to ensure that they consider the need to safeguard and promote the welfare of children when carrying out their functions.

Under section 10 of the same Act, a similar range of agencies are required to cooperate with local authorities to promote the well-being of children in each local authority area (see chapter 1). This cooperation should exist and be effective at all levels of the organisation, from strategic level through to operational delivery. Professionals working in agencies with these duties are responsible for ensuring that they fulfil their role and responsibilities in a manner consistent with the statutory duties of their employer. ”

Cheshire East Local Safeguarding Children Board have policies that must be adhered too and evidenced within suppliers own policy, practice documents and records. The primary principle[s] here is that suppliers have robust policies, practices and pathways in place to escalate matters should this be required, therefore being able to: **Recognise, Respond, Record, Recruit Safely and Risk Assess well in respect of service user wellbeing and safety.**

Compliance with Local Safeguarding Children's Board's policy, procedures and protocols which must be regularly audited (including case recording audit) by the supplier. Suppliers are required to complete annually the self assessment as set out in the Safeguarding Standards for Children at risk.

The Safer Recruitment and selection of Staff, and Volunteers must be robust and include appropriately the undertaking of Disclosure and Barring Scheme enhanced checks [DBS]. If these checks reveal information which would make the person unsuitable for work with children or vulnerable adults the supplier shall not employ or otherwise use such persons in any way.

Workforce training on the prevention of abuse and safeguarding practice as well as domestic abuse must be given to all employees as a part of their induction and continued professional development.

The Supplier will identify a named safeguarding lead. The 'named' safeguarding lead will have arrangements in place to ensure they are able to access enhanced safeguarding advice, support and knowledge.

The successful supplier and their safeguarding lead must have in place:

- Clear referral and access criteria and documented pathways;
- Arrangements for the management of escalating risk;
- An information sharing and confidentiality policy in place that is clear regarding when, legally, information can be shared without consent and explains service users' rights and responsibilities;
- A risk assessment process that accounts for a history of abuse and the person's

- vulnerability to abuse, including predatory behavior or sexual vulnerability
- A Quality Audit / Performance Monitoring system for safeguarding activity, that complies with contract and safeguarding performance reporting / monitoring requirements
- A clear process for reporting and managing allegations in relation to a member of staff or volunteer.

The service must immediately notify the Commissioner of any improper conduct by any of its staff or by one service user towards another, in connection with any part of this contract.

Note examples of improper conduct of staff or Volunteers include:

- Neglect / Acts of Omission / self Neglect - Causing harm by failing to meet needs e.g. ignoring physical or medical care needs, withholding food, medicines, failure to provide adequate supervision
- Physical - Hitting, pushing, slapping, and using inappropriate physical restraint, burning, drowning, and suffocating, withholding medical care, feigning the symptoms of ill health or deliberately causing ill health.
- Sexual - Sexual activity of any kind where the vulnerable person does not or is not able to give consent.
- Psychological - Including verbal abuse, humiliation, bullying and harassment. Persistent emotional ill treatment, cyber-bullying, seeing or hearing the ill-treatment of others, Domestic Abuse (see the below section)
- Discriminatory abuse - Treating a person in a way which does not respect their race, religion, sex, disability, culture, ethnicity or sexuality.
- Organisational abuse - Where routines and rules make a person alter his/her lifestyle and culture to fit in with the institution.
- Financial - Taking money and/or property without permission. Using pressure to control a person's money/property/ benefits. Taking or offering any financial inducements.
- Modern Slavery / Trafficking – Smuggling is defined as the facilitation of entry to the UK either secretly or by deception (whether for profit or otherwise). Trafficking involves the transportation of persons in the UK in order to exploit them by the use of force, violence, deception, intimidation, coercion or abuse of their vulnerability.
- Radicalisation - is a process by which an individual or group comes to adopt increasingly extreme political, social, or religious ideals and aspirations that (1) reject or undermine the status quo or (2) reject and/or undermine contemporary ideas and expressions of freedom of choice.

Any staff member who is the subject of allegations must be suspended from providing any services under this contract until the matter is resolved to the satisfaction of the Commissioner. Where appropriate a report should be made to the local authority – for those working with children and young people to the LADO [Local Authority Designated Officer].

Suppliers will ensure that they have mechanisms in place to fulfil their duty with regard to the Independent Safeguarding Authority where they have dismissed an individual, or an individual has resigned, because they harmed or may harm a vulnerable person.

Consideration of subsequent reporting to professional registering bodies will also be needed e.g. GMC, NMC.

CEC Consent and Confidentiality and Information Sharing

The Supplier will adhere to CEC Consent and Confidentiality and Information Sharing Protocols and Policies provided within the link below:

http://www.cheshireeast.gov.uk/children_and_families/common_assessment_framework/consent_information_sharing.aspx

Continuous Improvement

The Supplier will develop an annual improvement plan to be submitted to the Council in the last quarter of each contractual year.

As part of the continuous improvement process the Supplier will be expected to work collaboratively with not only the Council but also partner agencies. The Supplier will attend quarterly review meetings to support the on-going collaborative links that will ensure that this Service is successful.

Through the contract management process we are looking to drive forward innovative ideas and better working practices.

The Service Specification is flexible so it can be developed over the period of the contract. The Council will work with the Supplier to target resources more effectively and to make sure all resources continue to be focused on agreed priorities.

The Supplier will be expected to meet any changes to the National Minimum Standards set by the regulator Ofsted.

Monitoring and Performance Management

Monthly Operational Meeting

The Registered Managers will be expected to attend monthly Operational meetings to review the current placements, referrals, matching and admissions to the service.

Quarterly Performance

The Supplier will be expected to submit a quarterly monitoring report to the Commissioners at least 10 working days before the Quarterly Performance Meeting.

The submitted return will need to contain details on the following criteria:

Key Performance Indicators (KPI's)

KPI Reporting Details	Target (minimum standard)
Occupancy Rates	95%
Recruitment and Retention Staff	95%
Induction and core training and development of staff	100%
Ofsted Rating Based on Full Inspection Report*	Good
Safeguarding Concerns are actioned/reported	100%
Placement Stability	2
Further Quarterly Report Information	
Continuous Improvement	
Service efficiency	
Participation - Voice of the child	

** Ofsted ratings and Inspection Information (If any home falls below a good rating at full inspection then the supplier will be required to produce an action plan and return to good or outstanding within an agreed timescale. If the timescale is not met CEC will consider issuing a formal improvement notice via contractual terms and conditions)*

Service Outcomes

	Describe how you have embedded listening to and acting on the voice of children and young people throughout services (same as having a voice)?
	<p>Inputs:</p> <p>Outputs:</p> <p>Outcome: e.g 100% of children are confident that they have been listened to and their concerns actioned.</p>
	How are you ensuring frontline practice is consistently good, effective and outcome focused (feeds into feel and be safe)?
	<p>Inputs:</p> <p>Outputs:</p> <p>Outcome:</p>
	Improving senior management oversight of the impact of services on children and young people
	<p>Inputs:</p> <p>Outputs:</p> <p>Outcome:</p>
	Ensuring the partnership effectively protects and ensures good outcomes for all children and young people in Cheshire East (feeds into feel and be safe)
	<p>Inputs:</p> <p>Outputs:</p> <p>Outcome:</p>

Appendix A

10 Point Checklist

1	Disciplinary Policy of Children's Home? <i>Copies of the behaviour management policy and the 'joint agency protocol regarding offending by children in care' are available on request.</i>	
2	Why have the police been involved and is it agreed in the policy?	
3	Any informal action / disciplinary action already taken?	
4	Any apology / reparation?	
5	Victim's views? <i>Willingness to attend court, engage in a restorative intervention?</i>	
6	Social worker's views? <i>The views of the key worker, social worker, YOT or CAHMS workers involved with the young person on the effect of potential criminal justice system intervention.</i>	
7	Care Plan for Child in Care? <i>What is the plan regarding their placement? Is it permanent / long term? What additional support does the young person receive eg education, CAMHS, YOT?</i>	
8	Recent behaviour / incidents re child in care? <i>Including those of a similar nature, historical relationship between young person and victim, setting the offence into context.</i>	
9	Information about incident from child in care (interview or other?) <i>Will be gathered from police interview.</i>	
10	Aggravating or mitigating factors? <i>CPS / Police to complete this section.</i>	

Appendix B**Allowances and Expenditures - Holidays and Activities**

- General maintenance including food, accommodation and related costs
- Normal replacement of clothing
- Pocket money
- Normal transport associated with any child living within a family including to and from a local school
- A limited amount of assessment of the child
- Some contact with parents, siblings and relatives
- Attendance at review meetings etc.
- Involvement in clubs and activities
- Keeping a record of events and memories about the child for the child

Rates as at April 2015

Age	Birthday Allowance	Festival Allowance	Holidays Allowance	Clothing Allowance
0 – 4	£137.20	£137.20	£342.95	£278.0
5 – 10	£156.52	£156.52	£391.30	£371.00
11 – 15	£194.53	£194.53	£486.33	£565.00
16+	£236.67	£236.67	£591.60	£565.00

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Cheshire East Council

Cabinet

Date of Meeting: 18th October 2016

Report of: Peter Bates, Chief Operating Officer

Subject/Title: LAN Switch Replacement Project

Portfolio Holder: Cllr Peter Groves, Finance and Assets

1. Report Summary

- 1.1. Projects / procurements above £1 million are deemed to be a 'key decision' of the Council and need to obtain 'Cabinet' approval. The purpose of this Cabinet paper is to provide the reasoning, and gain approval to award a contract to an appropriate accredited vendor, for the replacement and support and maintenance of all "End of Life, (EOL) and End of Sale, (EOS)", Local Area Network (LAN) equipment at an estimated cost of £3m for 7 years until December 2023.
- 1.2. The Public Service Network Code of Connection (PSN CoCo) is a mandatory set of requirements that must be demonstrated before local authorities in England and Wales can connect to the Government Secure Intranet (GSI) for them to receive a number of services from Central Government Departments such as DWP and Revenues and Benefits.

The annual CoCo, which has been in effect since September 2009, requires local authorities (LAs) to provide a compliance statement that documents how their information technology (IT) meets baseline requirements set up by the central government. The requirements are adopted from ISO 27001, a framework for assessing risk published by the International Organization for Standardization (ISO). The parameters for risk can be divided into four broad categories: technical, procedural, physical and human. The purpose of the PSN CoCo is for authorities to show that they are following good IT Security Governance and are protecting sensitive data traversing and traveling across the network and organisational boundaries. Additional guidance on how to maintain and provide effective controls is provided by CESG (the Information Security Arm of GCHQ). This guidance is continually evaluated, updated and is based on best practise principles around risk. Both Councils endeavour to follow this guidance to ensure that risks are minimised.

The enterprise infrastructure is continually assessed and monitored and audited to prevent malicious activity and breaches taking place. In

additional to PSN controls there are also requirements around PCI (Payment Card Industry controls) and GDPR (General Data Protection Regulation) which will replace the Data Protection Act. As the organisation moves to more flexible and shared working practises it's becoming critical that the Council's and 3rd party data is appropriately safeguarded and controlled. It is crucial that the organisational infrastructure is kept up to date and maintained. The LAN switches are one critical component in a complex environment and if not setup, configured, or patched correctly could become an opportunity for attack, resulting in fines, loss of reputation, and removal from our shared secure networks.

- 1.3. The purpose of this report is to highlight the risk of CWaC and CEC having a non-compliant PSN Network. It has been identified that a large number of the LAN switches on the corporate network, are no longer supported by the manufacturer, the (EOL) and (EOS) periods have passed. (Thus, the manufacturer no longer issues security patches or software and IOS upgrades.) The switches identified pose an ongoing risk to the councils. This will put the Council's network at risk of security breaches.

2. Recommendation

- 2.1. That the Cabinet approves the procurement and award of contracts for the replacement of all EOL/EOS LAN equipment at an estimated cost of £3m over a seven year contract period, via the Crown Commercial Service RM1045 LOT 2 – Local Connectivity Services: in accordance with the Public Contracts Regulations 2015 and Cheshire East Borough Council's Contract Regulations
- 2.2. The Chief Operating Officer, in consultation with the Portfolio Holder, be authorised to prepare and undertake the procurement, including any contract negotiations, and thereafter enter into the contract with the successful bidder.
- 2.3. To authorise the Director of Legal Services to enter into all necessary contractual documentation with the successful bidder and other bodies intending to participate in the contract.
- 2.4. The recommendation is to procure and install replacement LAN equipment that will deliver a PSN compliant infrastructure for both councils. The requirement is to replace all EOL/EOS switches on the corporate LAN. There are 552 devices (over 232 sites) in scope at this time. The project will procure, order and implement the new hardware. The procurement will include support and maintenance contracts for five years, with an option for two 12 month extensions. The project will be implemented in a phased approach, phase one, 59 sites, will be replacing LAN equipment at sites that consume PSN services direct and public locations such as Libraries, Leisure Centres and Children's Centres. Phase two, 173 sites, will be completed by end of December 2017.

3. Other Options Considered

- 3.1. There is no realistic alternative to the course of action proposed.
- 3.2. Note: We have established that using a framework to replace the hardware is the most cost effective approach when compared with leasing over a 7 year lifecycle. A report was conducted with Cheshire East's leasing partner, Arlingclose.

4. Reasons for Recommendation

4.1. Risk

The Council conduct an annual IT Health Check in readiness for PSN CoCo. In discussions with the PSN Assessor, it was agreed that the replacement completed over an expected 12 -18 month period as each council would be unlikely to be able to fund the work in a single year. The PSN Assessor agreed this was a pragmatic approach on the basis the LAN Refresh Project was concluded by end of December 2017.

PSN Accreditation not being achieved could impact the business by:

- Inability to consume services over the PSN network or provide services to citizens
- Inability to receive Benefits data from DWP
- Inability to work with partners and other agencies, e.g. reciprocal Wi-Fi
- Inability to access PSN compliant shared service, such as "Tell us Once" and Electoral Registration Digital Service
- Council's reputational risk of being placed in to special measures

4.2. Compliance

The existing support and maintenance contract no longer supplies the levels of service required. The new contract for the support and maintenance of the LAN equipment must be provided by an accredited Partner to comply with PSN compliance and Cheshire East ICT requirements. With such accredited partners, we are give the required assurance around the numbers of certified engineers and enhanced level of support direct from the manufacturer. The incumbent support and maintenance provider does not have the Gold Partner accreditation required as part of PSN compliance and Cheshire East ICT requirements.

4.3. Assets

All of the LAN equipment which is EOL/EOS and in a lot of cases is in excess of 10 years old, and with these assets having been sweated far in excess of their expected lifecycle, the manufacturers are no longer supporting security patches. Thus, if a known threat is identified and a manufacturer's update is released, the updated release would not be issued to any equipment that was EOL/EOS. This is the same for any firmware, software and operating system updates and upgrades.

5. Background/Chronology

- 5.1. The LAN Refresh has been a line item on the Infrastructure Programme for approx a year or so, originally anticipating that around 250-300 switches would be required to be replaced at an estimated cost of £750K per Council. Following a recent inventory and network review it has been exposed that there are in fact in excess of 550 switches needing investment to maintain compliance, at an estimated cost of £1.5M per Council.

6. Wards Affected and Local Ward Members

- 6.1. There will be no detrimental effect to any Wards as a result of this proposal.

7. Implications of Recommendation

7.1. Policy Implications

- 7.1.1. No policy implications identified.

7.2. Legal Implications

- 7.2.1. The value of this procurement at over £1,000,000 requires it to comply with both the Council's Contract Procedures and the Public Contracts Regulations 2015 (Public Contracts Regulations). The proposed procurement route using the Crown Commercial framework provides a compliant route for procuring the hardware and support and maintenance.

- 7.2.2. The procurement should be undertaken as soon as possible to minimise the risk of none compliance with the Payment Card Industry Controls, General Data Protection Regulation and the Data Protection Act.

7.3. Financial Implications

- 7.3.1. It is planned to conduct an urgent Crown Commercial Services framework procurement, on a non-committal basis. This will allow us to appropriately stage investment along the lifecycle of the project, but is also an opportunity to rationalise the supplier base for network equipment for the Councils moving forward.

The Councils have Capital budgets available for this – Cheshire East from the Core Systems Stability Programme, and Cheshire West from their annual Essential Replacement budget.

Consideration will be paid to accommodation and facility strategies throughout the deployment to avoid the over ordering of hardware for redundant premises.

The £3m investment is expected to be expended within the first 12 months of the project and this will provide PSN CoCo compliance for the Councils for a further 6 years.

7.4. Equality Implications

7.4.1. No equality implications identified.

7.5. Rural Community Implications

7.5.1. No rural community implications identified.

7.6. Human Resources Implications

7.6.1. No human resources implications identified, as this paper relates to the provision and implementation of the technical solution required in order to achieve PSN compliance. Temporary resources from Cheshire East ICT Services will be utilised to implement the solution. The budget for this resource is contained within the project capital budget.

7.7. Public Health Implications

7.7.1. There are no public health implications. All equipment to be replaced is located in either locked cabinets within corporate buildings, or in comms rooms with restricted access. Certified ICT resources only will have access to plant rooms, data cabinets and LAN equipment.

7.8. Other Implications (Please Specify)

7.8.1. No other implications identified.

8. Risk Management

- 8.1. If the proposals made in this paper are not approved at the Cabinet meeting, it will not be possible to meet the timescales agreed with the PSN Assessor for PSN CoCo compliance. The implications of this are that the Councils would be placed into special measures, or worst case scenario, the PSN connection is withdrawn, thereby endangering the Councils ability to deliver key services to citizens.

9. Access to Information/Bibliography

- 9.1. The background papers relating to this report can be inspected by contacting the report writer:

10. Contact Information

Contact details for this report are as follows:-

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