

Cabinet Agenda

Date: Tuesday, 14th January, 2020
Time: 1.00 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 in the report.

It should be noted that Part 1 items of Cheshire East Council decision-making meetings are audio recorded and the recordings are uploaded to the Council's website.

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

1. **Apologies for Absence**
2. **Declarations of Interest**

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

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

In accordance with paragraph 3.33 of the Cabinet Procedure Rules, 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 Cabinet. Individual members of the public may speak for up to 2 minutes. The Chairman or person presiding will have the discretion to vary this requirement where they consider it appropriate. 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.

Please contact Paul Mountford, Executive Democratic Services Officer
Tel: 01270 686472
E-Mail: paul.mountford@cheshireeast.gov.uk

4. **Questions to Cabinet Members**

A period of 20 minutes is allocated for questions to be put to Cabinet Members by members of the Council. A maximum period of two minutes will be allowed for each member wishing to ask a question. The Leader will have the discretion to vary this requirement where they consider it appropriate. 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.

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 3 - 12)

To approve the minutes of the meeting held on 3rd December 2019.

6. **Management of Bovine Tuberculosis on Council Land** (Pages 13 - 18)

To consider a report on the management of Bovine Tuberculosis on Council land.

7. **Media Relations Protocol Review 2020** (Pages 19 - 32)

To consider the new draft Media Relations Protocol for Cheshire East Council.

8. **Revenues and Benefits Printing and Postal Service** (Pages 33 - 36)

To consider a report seeking approval to procure and award a contract for a Printing and Postal service which will support the Revenues and Benefits billing functions.

9. **Outcome of Ofsted Inspection of Cheshire East Local Authority Children's Services**

To consider the outcome of the Ofsted Inspection of Cheshire East Local Authority Children's Services. *Report to follow*

THERE ARE NO PART 2 ITEMS

Membership: Councillors C Browne (Vice-Chairman), S Corcoran (Chairman), T Fox, L Jeuda, N Mannion, J Rhodes, B Roberts, A Stott and M Warren

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 3rd December, 2019 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor S Corcoran (Chairman)
Councillor C Browne (Vice-Chairman)

Councillors T Fox, L Jeuda, N Mannion, J Rhodes, B Roberts, A Stott and
M Warren

Councillors in attendance

Councillors Q Abel, M Benson, C Bulman, J Clowes, T Dean, J P Findlow,
J Saunders, L Wardlaw and N Wylie

Officers in Attendance

Frank Jordan, Executive Director Place and Acting Deputy Chief Executive
Mark Palethorpe, Acting Executive Director People
Jane Burns, Executive Director Corporate Services
Linda Couchman, Acting Strategic Director of Adult Social Care and Health
Jan Bakewell, Director of Governance and Compliance
Alex Thompson, Director of Financial and Customer Services
Paul Mountford, Executive Democratic Services Officer

Apologies

Councillors D Flude and K Flavell, and Kath O'Dwyer, Acting Chief Executive

78 DECLARATIONS OF INTEREST

There were no declarations of interest.

79 PUBLIC SPEAKING TIME/OPEN SESSION

Sue Helliwell referred to a proposal in the draft budget to reduce the discount to owners of rented property from six weeks to four and asked if this would penalise social landlords.

The Portfolio Holder for Finance, ICT and Communication responded that the proposed reduction would not affect the majority of social landlords as they benefited from a statutory exemption from Council Tax for up to six months on empty property.

Carol Jones thanked the Cabinet and the officers for their help for Crewe over the last few years but also referred to the state of the bus station in Crewe.

With regard to the bus station, the Portfolio Holder for Environment and Regeneration announced that the Council had now signed contracts with Peveril Securities for the demolition of the retail part of the Royal Arcade site and that demolition works would start in the late spring or early summer.

Debbie Jamison referred to a report to Cabinet on 8th October 2019 on the ESAR Annual Performance Report 2018/19 and asked if Cllr Wardlaw had received a written response to a query she had raised at that meeting and, arising from this, whether the Portfolio Holder for Finance, IT and Communication had approved two business cases before having the delegated authority to do so.

The Leader indicated that a written response would be provided.

Debbie Jamison also stated that Cabinet's aim of addressing climate change and air pollution through local plan policies was being undermined by a lack of meaningful travel plans, and by new road junction designs that did not prioritise walking and cycling.

The Leader responded that the responses to the consultation on the draft Environmental Strategy were currently being analysed. He added that planning was a regulated function and that officers were restrained by Government guidance. He also praised the work of Councillor S Akers Smith as Cycling and Walking Champion who had raised similar issues to those raised by the questioner.

Craig Nicholson, Unison Branch Secretary for Cheshire East, referred to an item on the agenda relating to the proposed creation of a separate legal entity for the Council's Care4CE service. He sought assurances regarding the protection of current terms and conditions, continuity of service, and the Local Government Pension Scheme. He added that Unison would wish to see a seven year contract between Care4CE and the Council. Unison would seek to engage with the Council over the delivery of the mechanism. He had further detailed questions to which he would welcome a written response.

The Leader undertook to provide a written response to the further detailed questions. He added that the staff were the Council's greatest asset and the Council would work closely with the unions on the matter.

80 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 5th November 2019 be approved as a correct record.

81 QUESTIONS TO CABINET MEMBERS

Councillor N Wylie referred to the decision not to fund and support road closures for Remembrance Sunday in 2020. Parish councils had been notified of this in a letter from the Cheshire Police and Crime Commissioner. She asked the Portfolio Holder for Communities to work to reinstate the supported road closures.

The Portfolio Holder for Communities undertook to take the matter up with the Police and Crime Commissioner and to keep Councillor Wylie informed.

Councillor J Clowes indicated that two areas in the south of the Borough affected by the recent flooding had been notified the day before Cabinet that they would receive a site visit by the flood inspectors, six weeks after the floods had occurred. Three other areas at Burley Dam, Cox Bank and Stapeley were awaiting a response. She found the length of time it had taken to respond unacceptable and asked for this to be investigated.

In responding, the Portfolio Holder for Highways and Waste emphasised that the Rivers Authority and landowners also had a responsibility to take action in relation to the floods. However, he undertook to investigate the particular cases referred to and provide a written response.

Councillor J Saunders referred to a figure of £1.5M in the draft budget relating to Cheshire East's carbon emissions and sought further details as to how the money would be spent and what the expected outcomes were. She also asked if this was a sufficient commitment of resources.

The Portfolio Holder for Environment and Regeneration responded that further details would be reported to Cabinet in April 2020 when it received reports on the Carbon Action Plan and Environmental Strategy. He added that the Council was also expecting to receive grant funding from the Cheshire and Warrington Local Enterprise Partnership.

Councillor T Dean referred to a proposal in the draft Environmental Strategy to produce a Green Infrastructure Strategy by October 2019. He asked when this would be available to members.

The Portfolio Holder for Environment and Regeneration undertook to circulate the Strategy to all members and provide a link to the website.

82 SEND REFORMS TASK AND FINISH GROUP - SEND LOCAL OFFER FOR 16 TO 25 YEAR OLDS (FINAL REPORT)

Cabinet considered the final report and recommendations of the SEND Reforms Task and Finish Group on the SEND local offer for 16 to 25 year olds.

The report had been considered and endorsed by the Children and Families Overview and Scrutiny Committee on 25 November 2019. Councillor J Saunders spoke on this matter as Chairman of the Committee.

The Leader placed on record his thanks to Councillor D Flude, the Chairman of the Task and Finish Group, who was unable to attend the meeting.

RESOLVED

That

1. the Task and Finish Group's report be received;
2. the Task and Finish Group's recommendations, as set out below, be supported:
 - (a) that further work is undertaken to continue to develop and embed the following actions relating to current improvement work in the service and recommendations from the previous OSC report:
 - (i) Continue to ensure that the co-production of Education and Health Care Plans is embedded;
 - (ii) Implement the new locality structure within the service ensuring capacity and expertise for 16-25 provision; and
 - (iii) Continue to ensure the transition across 16-25 provision is seamless and continue to ensure the annual reviews are coproduced with all relevant partners, parents and carers to better prepare young people for adulthood and furthermore to ensure the right services are in place in a timely manner;
 - (b) in relation to health services which support SEND, services align with the development of one Clinical Commissioning Group (CCG) to ensure a consistent offer for the following:
 - (i) ensure that there are no gaps in services, particularly in relation mental health and speech and language and that these services are fit for purpose;
 - (ii) ensure continued partnership oversight of the newly developed single pathway for autism, promoting the consistent offer across the borough and monitoring performance to ensure improved outcomes for children and young people; and

- (iii) that the Council continues to support and assist the development of a programme of clubs activities and bespoke provision for supported young people, which encourages them to develop their skills and interests;
- (c) The following specific action in relation to the 16-25 offer to be addressed by all partners.
 - (i) that Cheshire East Council continues to coordinate, drive, develop and promote supported internships and support local businesses in the employment of those with disabilities;
 - (ii) to undertake a sufficiency review of supported accommodation to ensure sufficient quality accommodation, which is fit for purpose, where it is appropriate; and
 - (iii) review the financial procedures and processes for post 16 payments and ensure these are made efficient; and
- (d) monitor the new locality structure within the service ensuring capacity and expertise for 16-25 provision.

83 DOMESTIC TAXBASE 2020/21 REPORT

Cabinet considered a report which set out the Council Tax base calculation 2020/21 for recommendation to Council.

RESOLVED

That Cabinet recommends to Council that

1. in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount to be calculated by Cheshire East Council as its Council Tax Base for the year 2020/21 is 152,597.84 for the whole area; and
2. the following changes be made in respect of empty property charges:
 - (a) The period for the award of discount in respect of empty rental property be reduced from 6 weeks to 4 week; and
 - (b) The premium charged for property that has been empty for 5 years or longer be increased from 100% to 200%.

84 **COUNCIL TAX SUPPORT SCHEME FOR 2020/21**

Cabinet considered a report on the Council Tax Support Scheme for 2020/21, including proposed amendments to the scheme to make it simpler and more efficient.

RESOLVED

That Cabinet recommends that Council

1. amend the Council Tax Support scheme for 2020/21 as follows:

- (a) Introduce a 'banded scheme', that is reviewed annually in line with the Consumer Price Index for September of the preceding year, with the income initial bands and levels of support set as follows:

Maximum award	Single	Couple	Couple / lone parent with 1 child	Couple / lone parent with 2 or more children
75%	£0 - £90	£0 - £140	£0 - £200	£0 - £290
60%	£90.01-£115	£140.01-£170	£200.01-£230	£290.01-£320
45%	£115.01-£140	£170.01-£200	£230.01-£270	£320.01-£360
30%	£140.01-£165	£200.01-£230	£270.01-£300	£360.01-£390
15%	£165.01-£190	£230.01-£260	£300.01-£320	£390.01-£410

Table 1 Proposed income bands and support for working age claimants

- (b) Disregard the first £40 weekly income for those customers classed as disabled under the current scheme;
- (c) Fully disregard Carer's allowance;
- (d) Disregard the first £25 of all weekly-earned income;
- (e) Increase the maximum period that claims for Council Tax Support can be backdated from 13 weeks to 12 months, where customers can show good reasons for the delay;
- (f) Increase the fixed non-dependent deduction for other adults in the household from £7 to £8 per week;
- (g) Stop the additional 8 weeks top-up payment for some people who start work, known as extended payments; and

2. note that, apart from the recommendations listed above, all other elements of the scheme are to remain unchanged.

85 PROPOSED ARTICLE 4 DIRECTIONS FOR SMALL HOUSES IN MULTIPLE OCCUPATION

Cabinet considered a report on the making of three non-immediate Article 4 Directions to withdraw permitted development rights for the conversion of individual dwellings to small Houses in Multiple Occupation for parts of Crewe.

RESOLVED

That Cabinet

1. authorises the making of three non-immediate Article 4 Directions, giving a period of at least 12 months between notification and it coming into force, for the areas shown on the maps attached at Appendix A to the report (Nantwich Road area, Crewe), Appendix B (West Street area, Crewe) and Appendix C (Hungerford Road area, Crewe);
2. authorises the Executive Director-Place to carry out the necessary statutory procedures for the making of the Article 4 Directions, including public consultation; and
3. delegates authority to the Portfolio Holder for Planning to confirm the Directions having considered the feedback from the public consultation.

86 SELECTIVE LICENSING

Cabinet considered a report outlining an approach to the introduction of a Selective Licensing scheme in Cheshire East.

RESOLVED

That Cabinet

1. confirms and approves the development of an action plan for the area detailed on the map attached at Appendix A to the report (Nantwich Road area, Crewe); and
2. notes that a further report will be brought to Cabinet to consider progress of the action plan and the need for a Selective Licensing scheme to be introduced after all other reasonable measures have been implemented.

87 **BEST4BUSINESS UPDATE**

The confidential appendices to this report were taken as read and the matter was considered wholly within Part 1 of the meeting, members having had the opportunity before the meeting to inspect the confidential papers at a private briefing.

Cabinet considered an update report on the outcomes of the full programme review for Best4Business.

The Shared Services Committee had considered the report at its meeting on 22nd November 2019 and had resolved that:

1. the recommendations to Cabinet be agreed subject to the inclusion of 'in consultation with the relevant Portfolio Holder' in recommendation 2.1.4 (relating to the procurement of external advisers to provide ongoing support for the programme); and
2. the revised approach to the delivery of the Best4Business programme and governance structure, as set out in the Cabinet report, be agreed.

RESOLVED

That Cabinet

1. notes the recommendations of the Shared Service Joint Committee of 22nd November;
2. endorses and approves the recommendations regarding the scope and phasing of the programme as outlined in section 6 of the report;
3. agrees the revised programme governance arrangements that are being put in place as outlined in section 6 of the report;
4. authorises the Executive Director Place, in consultation with the relevant Portfolio Holder, to procure external advisers to provide ongoing support for the programme and to enter in to a contract for these services;
5. supports the future arrangements for the member oversight of the programme as described in Section 6 and Appendix B of the report;
6. approves the scope of the revised commercial arrangements with Agilisys as outlined in section 7 of the report;
7. authorises the Executive Director Place, in consultation with the Director of Governance and Compliance and the Director of Finance and Customer Services, to finalise the negotiations with Agilisys and to agree to variations to the contract in collaboration with Cheshire West and Chester Council;

8. authorises the Executive Director Place, in consultation with the Director of Governance and Compliance, the Director of Finance and Customer Services, the Portfolio Holder for Corporate services and the Portfolio Holder for Finance, IT and Communication, to update the Inter-Authority Agreement between Cheshire East Council and Cheshire West and Chester Council to reflect any Deed of Variation agreed with Agilisys; and
9. notes the revised forecast budget and programme plan in the confidential Appendix C.

88 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 Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

89 CARE4CE: DEVELOPING SUSTAINABLE ADULT SOCIAL CARE THROUGH THE CREATION OF A SEPARATE LEGAL ENTITY

Cabinet considered a report proposing the creation of a separate legal entity for the Council's Care4CE service.

RESOLVED

That the recommendations in the report be approved on the basis that option (a) in recommendation 2.1.2 is agreed as the preferred option.

The meeting commenced at 1.00 pm and concluded at 2.40 pm

Councillor S Corcoran (Chairman)

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Key Decision Y

Date First
Published: 29/11/19

Cabinet

Date of Meeting: 14 January 2020

Report Title: Management of Bovine Tuberculosis on Council Land

Portfolio Holder: Councillor N Mannion - Environment and Regeneration

Senior Officer: Frank Jordan - Executive Director Place

1. Report Summary

- 1.1. The spread of Bovine Tuberculosis has a significant impact on cattle, wildlife and farming, which, in a rural borough such as Cheshire East, has the ability to affect those residents directly involved in farming and the whole community.
- 1.2. Because of the significant impacts, the Council recognises the need to address this issue and wishes to take a stance on the management of Bovine Tuberculosis in the rural environment.
- 1.3. This report sets out the steps that the Council plans to take.

2. Recommendations

- 2.1. That Cabinet:
 - 2.1.1. Recognises the impact of Bovine Tuberculosis on cattle, wildlife, and the farming community in the Borough.
 - 2.1.2. Endorses good bio-security in the rural environment to reduce the risk of transmission of Bovine Tuberculosis.
 - 2.1.3. Confirms that this Council will not support the culling of badgers on Council land and will seek to amend its new leases accordingly. Any essential variation of such a lease clause will be subject to a formal request in writing and subsequent consent.
 - 2.1.4. Endorses vaccination as an important part of any long-term approach to reducing the general prevalence of the disease, risk to cattle or wildlife and its impact in Cheshire East and resolves to support badger

vaccination programmes, particularly in those areas most at risk of the spread of Bovine Tuberculosis, and to commit in principle to support them financially with Council and other resources.

2.1.5. Notes the risks outlined in paragraph 6.6 of this report.

3. Reasons for Recommendations

- 3.1. Bovine Tuberculosis is an infectious disease of cattle. This disease can infect other mammals, including humans, deer, goats, pigs, cats, dogs and badgers. The disease can be spread directly through close contact or indirectly through environmental contamination. It is the opinion of the Animal and Plant Health Agency that badgers are the most significant weighted source of infection for incidents that started in 2018.
- 3.2. The Department for Agriculture Environment and Rural Affairs sets out a series of measures to reduce the risk of the disease, by taking appropriate bio security measures. These include, maintaining a closed herd, taking appropriate steps if cattle are purchased, minimising contact with badgers, deer and adjoining land owners cattle and minimising the contact of visitors and off farm equipment with the herd. Therefore, the Council endorses good bio security in the rural environment as one of the many tools to manage this disease.
- 3.3. The licenced culling of badgers is a lawful measure. It is a part of the Government's 25-year strategy for achieving Officially Bovine Tuberculosis Free status for the whole of England.
- 3.4. Cull licences are issued by Natural England and the decision to grant a licence for a specific area is based on scientific and veterinary evidence suggesting that culling will be of benefit in that particular area. It is open to landowners in those areas to participate or not.
- 3.5. However, the Council's view is that vaccination is an important part of any long-term approach to reducing the general prevalence of the disease, risk to cattle or wildlife and its impact in Cheshire East. It is recognised that vaccinating badgers is not the complete answer to eradicating this disease in cattle but is complementary when taken alongside other measures.
- 3.6. The Council currently uses a standard form of lease for its farm tenancies. The Council as an owner of land can choose to vary the terms of leases it offers in the future in any way it sees fit.
- 3.7. If the recommendations are approved, a suitable term will be included in the new leases the Council offers to reflect its position around the management of Bovine Tuberculosis and would require formal written consent for any essential variation to its position on culling of badgers on its land.

- 3.8. Consideration of formal requests in writing for a variation will be subject to the decision of the Portfolio Holder for Environment and Regeneration.
- 3.9. The Council recognises the very difficult choices that individual farmers have to make whilst seeking to address this disease. Where the Council has already granted a tenancy, it does not have the ability to vary the lease without the consent of the tenant, but the Council would encourage tenants to utilise the vaccination approach.

4. Other Options Considered

- 4.1. The Council could choose not to act. Cull licences are issued by Natural England and the decision to grant a licence for a specific area is based on scientific and veterinary evidence suggesting that culling will be of benefit in that particular area. It is open to landowners in those areas to participate or not.
- 4.2. The Council could support the legal culling of badgers and permit it on land under its direct control. This position would not be consistent with the Council's previously stated position on this matter. It would also not be consistent with its previous approach to adopt a vaccination approach on its own land.

5. Background

- 5.1. Badgers are a key part of the natural environment in their own right. Badgers are a protected species under the law, and it is illegal to harm a badger or interfere with its sett. Due to the link between badgers and the potential transmission of Bovine Tuberculosis to cattle, the Government can issue licences to control badgers in areas. The culling of badgers seeks to remove infected badgers from the environment and thereby reduce the transmission of the disease. The culling of badgers is managed through badger disease control licences. Vaccination and culling which rely on different approaches to control Bovine Tuberculosis in the badger population cannot take place on the same land.
- 5.2. Due to the complex nature of Bovine TB, its biology and epidemiology, it is expected, that the effect of interventions would be seen several years after their introduction. It is also difficult to assign success to any single intervention. As a result, it is most likely that success will be achieved by the combined impact of a wide range of measures, which are part of a national system as opposed to any one particular intervention in one geographic area. However, veterinary evidence is that culling forms part of a holistic approach to tackling the disease.
- 5.3. The Council has permitted vaccination under the Cheshire Badger Vaccination Programme on its land in support of this work. This programme plans to trap and vaccinate badgers over a four-year period. The programme

is operated by trained volunteers, who fund-raised to initiate the programme in 2019. Natural England manages vaccination programmes through licencing.

- 5.4. Natural England has recently paused the issuing of new vaccination licences or processing of further areas covered by an existing licence, in order to allow a review of procedures to take place on how best to manage the coexistence of vaccination projects and badger control projects. This does mean that further planned vaccination this year in more areas of land will be delayed, including some areas of Council land.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. The Council has a statutory duty to take such steps as it considers appropriate for improving the health of the local population. (Health and Social Care Act 2012 (as amended))
- 6.1.2. The Council has a duty to work with local communities to help them comply with laws for the prevention the spread of animal disease and for protecting the welfare of animals. (Animal Health Act 1981 (as amended) The Council also has powers under the Animal Welfare Act 2006).
- 6.1.3. As a landlord, the Council imposes conditions upon which any tenancy is offered. The Council may choose to include provisions regarding participation in culling in new leases.

6.2. Finance Implications

- 6.2.1. There are costs associated with varying terms of existing leases. Given the Council wishes to make this change, it is entirely reasonable for the Council to carry these costs, should tenants wish to vary their leases. These would be legal and professional advice fees and would present an unbudgeted pressure on the farms estate budget.

6.3. Policy Implications

- 6.3.1. Currently the Council's position on management of Bovine Tuberculous in badgers is to decline to participate in a badger cull for land in its control and to support and engage with vaccination programmes. This paper will change the terms of leases that it offers for agricultural land.

6.4. Equality Implications

- 6.4.1. An equality impact assessment has been completed.

6.5. Human Resources Implications

- 6.5.1. None

6.6. Risk Management Implications

- 6.6.1. The Council may wish to review its position in the future as further information about the management of Bovine Tuberculosis comes forward in Cheshire East and Nationally. Should this be the case, a further report can be presented to Cabinet for its consideration.
- 6.6.2. The Council can choose the form of lease it issues for its tenants and choose to manage its land in the way it sees fit. However, the Council as a public body also has other responsibilities to the wider community, with reasonable expectations for involvement in the community on its decision making. The Council has not undertaken a consultation exercise on adopting this policy.
- 6.6.3. Should the Council wish to act in terms of enforcing terms in its leases, there is a risk that it may have to resort to legal proceedings. As with all legal proceedings the determination of these proceedings would be outside of the control of the Council.
- 6.6.4. The Council has duties relating to public and animal health. This approach limits the ability of the Council and its tenants to participate in a legal method to control disease on its land.

6.7. Rural Communities Implications

- 6.7.1. The Council recognises the need for effective control of Bovine Tuberculosis in order to reduce the impact on the agricultural community, the rural economy and the area's wildlife. The Council wishes to take a proactive step in the management of Bovine Tuberculosis in the rural environment.

6.8. Implications for Children & Young People/Cared for Children

- 6.8.1. None.

6.9. Public Health Implications

- 6.9.1. The Council has a statutory duty under the Animal Health Act to enforce legislation designed to prevent and control the spread of disease. Where a cull licence has been granted for a specific area, based on scientific and veterinary advice suggesting it is of benefit in controlling the spread of disease, the Council may be seen to be acting contrary to this duty in prohibiting participation in a cull on tenanted farms, should it choose not to agree to consent to participation in the cull.
- 6.9.2. If a reduction in the natural reservoir of *M. bovis* through vaccination of badgers led to a reduction in transmission between badgers and cattle this would benefit public health by reducing risk of transmission to humans but would also confer a benefit to the emotional health and wellbeing of the rural community by reducing loss of earnings due to Bovine Tuberculosis.

6.10. Climate Change Implications

- 6.10.1. There are no direct climate change implications.

7. Ward Members Affected

- 7.1. The Council's landholdings are spread across the borough and as a result all wards are affected.

8. Consultation & Engagement

- 8.1. As a landowner, there is no requirement for the Council to undertake consultation or engagement prior to taking this decision.

9. Access to Information

- 9.1. Further reading

Bovine Tuberculosis in England in 2018, APHA Sept 2019

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/844813/england-tb-epi-report-2018a.pdf

Contact Information

- 9.2. Any questions relating to this report should be directed to the following officer:

Name: Andy Kehoe

Job Title: Head of Estates

Email: andy.kehoe@cheshireeast.gov.uk



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Key Decision N

Date First
Published: N/A

Cabinet

Date of Meeting: 14 January 2020

Report Title: Media Relations Protocol Review 2020

Portfolio Holder: Councillor Amanda Stott – Finance, ICT and Communication

Senior Officer: Jane Burns, Executive Director Corporate Services

1. Report Summary

- 1.1. This report presents a new draft Media Relations Protocol for Cheshire East Council (Appendix).
- 1.2. A media relations protocol sets out the policy and principles that define how public and media relations activity for an organisation will be undertaken.
- 1.3. It sets out roles and responsibilities with regard to public relations and specifically media relations activity, including: establishing approvals process, identifying spokespersons and distribution / publication protocol.

2. Recommendations

- 2.1. The Portfolio Holder is asked to approve the Cheshire East Council Media Relations Protocol as set out in the Appendix.

3. Reasons for Recommendations

- 3.1. The Media Relations Protocol will enable efficient and responsible public communications activity, ensuring that the organisation's public communications are approved by those officers and members with appropriate authority and that it is clear which individual officers and members are empowered to speak on behalf of the organisation.

4. Other Options Considered

- 4.1. The Council could operate without a media relations protocol. However, this would mean that the organisation had no framework to coordinate, govern and manage public communication activity, risking significant reputational damage and hampering the ability of the organisation to communicate effectively with residents, customers and stakeholders.
- 4.2. The Council could continue to use the previous version of the Media Relations Protocol. However, this document, while deemed appropriate for the organisation at the time it was written, and for a number of years afterwards, does not necessarily fully reflect the need of the organisation today, nor the environment and media landscape in which it operates.

5. Background

- 5.1. Cheshire East Council is an important organisation with a significant impact and influence locally and regionally. Its policies and service delivery have wide-ranging, direct and indirect impact on people's lives and futures.
- 5.2. It is important that our customers and other stakeholders have good access to information about the organisation.
- 5.3. It is also important that the policies and priorities of the organisation, and the reasons and drivers for those policies and priorities, are presented in ways that can be easily understood by the full range of stakeholders.
- 5.4. The Media Relations Protocol is a framework that establishes the rules and conventions to ensure that the Council's public communications activity is well managed and well governed.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. The communications and engagement activities covered by this report and strategy are subject to the following guidance and legislation:
- Data Protection Act 2018
 - Copyright, Designs and Patents Act 1988
 - Libel and defamation law
 - Code of recommended practice for local government publicity

6.2. Finance Implications

6.2.1. The Media Relations Protocol has been written in the context of agreed 2019/20 budget for communications and engagement activity.

6.3. Policy Implications

- The Media Relations Protocol is a key document that establishes how Council communications will be managed and governed.

6.4. Equality Implications

6.4.1. The Council has a duty under the Equality Act (2010) and the Code of Recommended Practice for Local Government Publicity to ensure that information about Council services is made available to all audiences.

6.4.2. The Code of Recommended Practice states that: “Publicity about local authorities and the services they provide should be freely available to anyone who wishes to receive such information in a format readily accessible and understandable by the person making the request or by any particular group for which services are provided.”

6.4.3. While the Media Relations Protocol does not in itself dictate the channels, format or means of communication, it does support communications activity of all kinds, for all audiences, including those with protected characteristics, by setting out a framework to ensure that any public communications activity is approved and voiced by individuals with the appropriate authority.

6.5. Human Resources Implications

6.5.1. This report has no direct impact on human resources.

6.5.2. The protocol shapes the way in which the communications and media team operates. Any significant variation in the volume and/or nature of the work required resulting from a change of protocol, would require a review of resourcing.

6.5.3. It is anticipated that the current communications and media team will be subject to restructuring in early 2020 as part of the planned wider Business Change service restructure.

6.6. Risk Management Implications

6.6.1. An effective media relations protocol will support the organisation to ensure that it is fairly represented, that it is transparently and clearly accountable and accredited for its decisions and actions, reducing the

risk of reputational damage through misrepresentation, misinformation and/or disinformation.

6.7. Rural Communities Implications

6.7.1. The Media Relations Protocol is a necessary tool to ensure that the council's public communications are well managed and are available across a range of channels, reaching individuals and communities in all geographies across Cheshire East, including rural areas.

6.8. Implications for Children & Young People/Cared for Children

6.8.1. Communications and media activity will be central to the council's work to deliver the ambitions of the council's Children and Families services. The Media Relations Protocol is a necessary tool to ensure that the council's communications resources are well managed.

6.9. Public Health Implications

6.9.1. Communications and media activity will be central to the council's work to deliver the ambitions of the council's Public Health service. The Media Relations Protocol is a necessary tool to ensure that the council's communications resources are well managed.

6.10. Climate Change Implications

6.10.1. Communications and media activity will be central to the council's work to address the climate change emergency and deliver the ambitions of the council's Environmental Strategy. The Media Relations Protocol is a necessary tool to ensure that the council's communications resources are well managed.

7. Ward Members Affected

7.1. All wards and ward members will be affected by this protocol, equally.

7.2. The protocol establishes ward members' role in organisational communications.

8. Consultation & Engagement

8.1. The Media Relations Protocol has been informed by the Communications Survey of Residents 2017 and the Residents Survey 2017.

8.2. Corporate Overview and Scrutiny committee are discussing the Council's Media Relations Protocol at a future meeting. The committee's views will be taken into account in developing the final document for approval.

9. Access to Information

- 9.1. [Code of recommended practice for local government publicity.](#)

10. Contact Information

- 10.1. Any questions relating to this report should be directed to the following officer:

Name: Michael Moore

Job Title: Interim Communications Manager

Email: Michael.moore@cheshireeast.gov.uk

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Cheshire East Council

Media relations protocol 2020 DRAFT

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Introduction

This document sets out the policy and principles that define how public and media relations activity for Cheshire East Council, as a Local Authority, will be undertaken.

This protocol is based on the principles set out in the [Code of recommended practice on local government publicity](#). The code asserts that council publicity should:

- be lawful
- be cost effective
- be objective
- be even-handed
- be appropriate
- have regard to equality and diversity
- be issued with care during periods of heightened sensitivity

A fundamental principle underlying the code is that publicly-funded council communications activity should be apolitical, representing the views and position of the Local Authority as a public service organisation, not the views of a given political party, group or individual.

The organisation, individual officers and members, may risk criticism and/or prosecution for misuse of public funds should communications activity be seen to be politically motivated. This is subject to particular scrutiny in periods of heightened sensitivity, such as immediately before elections or referenda.

This protocol sets out:

- the purpose and scope of the communications function,
- the principles and process through which the requirement for communications activity is generated
- how we will ensure consistency and quality of messages
- how we identify spokespersons to speak on behalf of the council
- the approval process for public statements

It is principally concerned with the way the organisation engages with journalistic media. This includes, but is not limited to, journalistic activity in the following media:

- Newspapers
- Magazines
- Radio
- TV
- Online news sites
- Social media
- Online video and audio

In the following geographies:

- Hyper-local
- Local
- Regional
- National
- International

‘Journalistic Media’ is defined by the professional standards adhered to by the practitioner. A professional journalist, for the purposes of this protocol, will be accredited by one or more of the following bodies:

- National Council for the Training of Journalists (NCTJ)
- Broadcast Journalism Training Council (BJTC)

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They will hold either:

- National Press Card, issued by the UK Press Card Authority, or
- International press card issued by the Chartered Institute of Journalists

Their work will be published, broadcast or distributed in media described above, and is subject to the Independent Press Standards Organisation (IPSO) and the IPSO [Editors' Code of Practice](#).

Communications and media team purpose

The communications and media team is a supportive enabling function, offering professional, strategic communications advice and outcome-based, audience-focussed communications activity to help achieve corporate objectives.

It will:

- Provide professional communications resources, guidance and governance to support the effective delivery of council services and initiatives;
- Work to influence perceptions and encourage positive action internally and externally, locally and nationally to position CEC as a high-performing local authority;
- Support and enable culture change and a shift in behaviours through the delivery of high quality evidence based resources and messaging.

It is driven by a four-point strategy:

- Give people information about the council, its services and how to access those services;
- Build local reputation with our customers (internally and externally);
- Position and build profile with key stakeholders, peer group and decision makers locally, regionally and nationally;
- Seek to positively influence behaviour, supporting the council's six strategic outcomes and priorities and the Brighter Future Transformation Programme.

Scope of activity for the communications and media team

The communications and media team will:

- Work with the organisation to identify and plan for communications priorities, opportunities and risks.
- Deliver information about council services and how to access them, prioritising those services where evidence shows that these are the most important to residents, and which are council priorities.
- Lead, enable and support public and stakeholder communications and media activity required to deliver priority projects and programmes.
- Communicate, publicise and promote decisions, service changes, and priorities etc. that are the result of decisions taken through the public, transparent and democratic decision-making processes of the authority, following appropriate consultation. For example:
 - Decisions taken at full council
 - Decisions taken at cabinet

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- Portfolio holder decisions
- Decisions otherwise delegated through any of the above bodies as established through the constitution
- Defend the reputation of the organisation (but not that of individual Members personally), rebutting and correcting factual inaccuracies where they enter the public conversation about the organisation.
- Undertake all communications and media activity following the principles set out in the Public Affairs and Engagement Framework ensuring that engagement with all impacted stakeholders and audiences is coordinated, owned and managed in each instance of communications activity.
- Support council's transformation journey and its strategic priorities.

***Note:** The communications and media team will work on matters that relate to the activity, decisions and priorities of the council as an organisation, and will not operate in any way that is party political in nature. To do so would be in direct breach of the [Code of recommended practice on local government publicity](#)

In public relations, as in all council business, it is the role of Members to be party-political and the role of officers to create content that is neutral, or occasionally to speak neutrally, on behalf of the whole council (albeit including the delivery of the administration's programme).

Any clearly party-political communications must be through Members' own channels (e.g. their own party newsletters and their own social media channels) rather than those owned and supported by officers (and funded by taxpayer resources).

Demand for communications activity

The need for communications activity will generally be identified by the communications and media team with senior officers of the council (head of service, director, executive director and/or chief executive) and will be agreed with portfolio holder.

All media enquiries, media releases, statements, information bulletins, pitches and interview requests must be handled by the communications and media team.

Proactive

Proactive opportunities may be identified for one or more of the following reasons:

- To provide information about access to services
- To inform audiences and stakeholders about any change to service or policy
- To celebrate the organisation's successes
- To establish the organisation's position on an issue (but not that of an individual member or political group)
- To promote the organisation's profile, sharing innovation and good practice with other organisations within the sector
- To encourage positive behaviour change in line with council priorities

Reactive

The organisation may be required to respond to externally generated demand. Such demands may arise from one or more of the following:

- Journalist enquiry
- Response to mis-information or dis-information in the public domain
- Any emerging issue, situation, emergency or crisis.

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- To establish the organisation's position on an issue (but not that of an individual member or political group)

Where a journalist makes a media enquiry, it is likely that they will give a deadline. If they do not, the communications and media officer should ask in order to manage expectations.

The IPSO [Editors' Code of Practice](#) establishes an expectation of 'right of reply'. This means that where a story is written about the Council, the Council must be given the opportunity to put forward its position. Right of reply can be exercised through a response to a media enquiry, in a media interview with a council spokesperson or, in some cases, a journalist's factual record of a meeting, for example a Full Council meeting, may be considered as having given sufficient right of reply to the organisation.

Consistency and quality of message

The Council is a large and complex organisation, operating in a very complicated environment; an environment which sometimes has many conflicting voices. It is important that the organisation's public messages are as transparent, simple and consistent as possible, delivered with clarity despite these complexities. This means that messages to the general public should be coordinated through the communications and media team, with all appropriate approvals in place prior to publication.

Spokespersons

A spokesperson is the named individual who is quoted in a media release or statement, and/or is put up for press, online, radio or TV interview.

It is essential that, where speaking on behalf of the organisation as a whole, spokespersons have the authority to speak on behalf of the organisation and are well-informed with regard to the facts and the council's position on the matter in question.

Portfolio holder

The default spokesperson for any media release or statement is the portfolio holder. They have strategic responsibility for the policy and strategic direction of the organisation. They are the organisation's figurehead for matters within their portfolio.

Leader and Deputy Leader of the council

The council leader or deputy leader will be put forward for interview where there are significant issues that affect the council as a whole or that cut across several portfolio areas. Where the leader or deputy leader is not available, he/she may nominate a senior officer, such as the chief executive, to take his/her place.

Committee chairs

Where the subject matter has specifically to do with the work of a particular council committee, for example, Overview and Scrutiny, Audit and Governance etc., then the chair of that committee may be quoted – this would in be agreement with and in addition to the portfolio holder responsible for that area of the council's work.

Champions and deputy cabinet members

Where a deputy cabinet member has been appointed, they may be quoted in the absence of, and/or, with the agreement of, the cabinet member. In addition, a number of member

champions have been appointed – they may be quoted with the agreement of the cabinet member.

Ward members

Where a story is particularly relevant to a specific ward, or is the result of direct work by ward member(s) in that ward, ward members may be quoted, in agreement with and in addition to the portfolio holder responsible for that area of the council's work.

Senior manager

In some cases, for example where a statement is concerned a purely operational matter, such as a staffing matter, it may, with the agreement of the portfolio holder and chief executive, be appropriate for a senior officer to be named spokesperson.

‘A council spokesperson’

In exceptional circumstances, for example, when working under particular time pressures and the default spokespersons are for whatever reason unavailable, quotes in media releases / statements may be attributed to ‘a council spokesperson’. This can only apply where the council's position on an issue is clearly established.

This should only be used in exceptional circumstances. It is important that, wherever possible, quotes are attributed to a named, identifiable and accountable individual.

Approval process

It is essential that all public statements and releases are approved by officers and members of the council with appropriate authority.

Releases and statements will be signed off by:

- Communications and media team
- Head of Service /Director
- Executive Director
- Portfolio Holder

Releases and statements will be shared with Chief Executive, Leader of the Council and Deputy Leader of the Council prior to distribution.

Where the matters concerned are over-arching, or are deemed of sufficient importance or impact, approval may also be sought from Chief Executive, Leader of the Council and Deputy Leader of the Council prior to distribution.

Distribution and Publication

Media releases and information bulletins

Many of the council's media releases and information bulletins will be intended for a general, local, public audience. In these cases the distribution of releases will be as follows:

1. Internal stakeholders
2. Publication on website
3. Social media
4. Direct email to local media distribution list

On other occasions, media releases may have a particular audience in mind. In such cases, the distribution of releases will be as follows:

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1. Internal stakeholders
2. Publication on website
3. Social media – this may be targeted
4. Direct email to specialist / targeted media distribution list
5. OPTIONAL - Direct email to local media distribution list

Media statements

Media statements are used in response to specific media enquires and therefore are not for general publication. Distribution of statements will be as follows:

1. Internal stakeholders
2. Direct email to enquiring journalist(s)

In exceptional circumstances, the decision may be taken to publish a specific media statement on the Cheshire East Council website and/or shared on social media. However, this would only be the case where there was a requirement to correct significant misinformation / disinformation or misunderstanding and the statement gave sufficient context to make sense in its own right. In many cases, due to the responsive nature of a statement, statements do not, in their own right, give sufficient context to be published for general, universal consumption without additional information.

Conclusion

This media relations protocol will enable efficient and responsible public communications activity, ensuring that the organisation's public communications are approved by those officers and members with appropriate authority and that it is clear which individual officers and members are empowered to speak on behalf of the organisation.

Contact details

Email: media@cheshireeast.gov.uk

Telephone: 01270 686577

Web: www.cheshireeast.gov.uk/media

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Key Decision: Y

Date First
Published: 15/11/19

Cabinet

Date of Meeting: 14 January 2020

Report Title: Revenues & Benefits Printing & Postal Service

Portfolio Holder: Cllr Amanda Stott – Finance, IT and Communication

Senior Officer: Alex Thompson – Director of Finance and Customer Services

1. Report Summary

- 1.1. This report seeks initial approval and further delegation to the Revenues Manager to procure and award a contract for a Printing and Postal service which will support the Revenues and Benefits billing functions. The service will provide the facility for all Council Tax and Business Rates bills, reminders and other documentation plus all Benefits notifications to be printed and posted off-site.

2. Recommendations

That Cabinet agrees:

- 2.1. That a suitable competitive OJEU procurement exercise is undertaken for the provision of Printing, Graphics and Postal Distribution Services for Cheshire East Council Revenues & Benefits Billing Departments.
- 2.2. To delegate to the Revenues Manager authority to procure and award a contract for Print and Post services following an appropriate and compliant procurement process.

3. Reason for Recommendations

- 3.1. Revenues and Benefits services have used off-site Print and Post services for almost 10 years to provide a streamlined, efficient and cost effective method of issuing in excess of 450,000 documents each year.
- 3.2. The off-site service also offers a hybrid mail service which facilitates off-site Print and Post for day to day desk top printing and provides an effective remote print solution to the increasing number of our home workers. This is

expected to be an enhancement on the current service and will include the option to extend the service across other teams within the organisation.

- 3.3. The total value of the contract is anticipated to be approximately £1.4m over a 7 year term which is included in the Council's budget. It is anticipated that the annual spend will decrease over time as we continue the move towards digital transactions within the service.
- 3.4. A 7 year term (with appropriate early termination provisions) is the preferred period in order to establish a longer term relationship with a supplier(s) who can partner with the Council to drive forward innovation and efficiency and reduce future cost. Previous 4 year terms have restricted longer term innovation and improvement of service due to project timescales.
- 3.5. This contract will be split into two 'Lots' or service provisions as follows:
- LOT 1: the main contract, will deliver the production of the various Daily and Annual Billing documents required covering Council Tax, Business Rates and Benefits.
- LOT 2: will cover a Hybrid print and post service for the Revenues and Benefits departments.
- 3.6. An off-site Print and Post service delivers savings against print, paper and postage in addition to providing the capacity to deliver the volumes required of an organisation of Cheshire East's size.
- 3.7. Utilising off-site Print and Post services brings added benefits of comprehensive Disaster Recovery arrangements that Cheshire East cannot facilitate.
- 3.8. Procuring the services in 2 lots removes the possible constraint of being required to take up the hybrid service from the bulk mailing supplier where that hybrid service is higher cost or lower quality.

4. Other Options Considered

- 4.1. The high volume of documentation issued by the Revenues & Benefits services means that the service cannot be delivered in-house due to technical and capacity limitations. In common with many other large Local Authorities, the service is delivered off-site by specialist Print and Post companies who are able to provide large scale, resilient and secure operations.

5. Background

- 5.1. Cheshire East Borough Council is the third largest unitary authority in the North West after Manchester and Liverpool. The Council has over 178,000 domestic and 14,500 non-domestic properties.
- 5.2. The Council is responsible for collecting over £265 million in Council Tax and over £145 million in Non-Domestic Rates (Business Rates) each year. The Council also deals with over 20,000 cases for Housing Benefit and Council Tax support and pays out approximately £60 million in Housing Benefit.
- 5.3. Initiatives to digitise the service of Council Tax, Business Rates and Benefits documentation to residents have been ongoing for several years but there is still a requirement for over 450,000 documents to be printed and posted to residents each year.
- 5.4. It is not anticipated that there will be any additional IT requirements compared to the current service.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. The value of the proposed contract is above the applicable EU threshold so the procurement and award of the contract is therefore subject to the Public Contracts Regulations 2015 ("PCRs"). The PCRs require the Council to treat all economic operators equally and without discrimination. In addition, the Council must act in a transparent and proportionate manner.

6.2. Finance Implications

- 6.2.1. The cost of the contract can be met from within the annual budget available.
- 6.2.2. An option to extend the hybrid service across the organisation may raise the overall value of the contract, but lower the unit cost and bring an expectation of savings overall for the council.
- 6.2.3. As print and post services are increasingly digitalised, the use of printed documents sent in the post should decrease, lowering the contract value.

6.3. Policy Implications

- 6.3.1. The approach supports outcome 6 of the Council's Corporate Plan - A responsible, effective and efficient organisation.

6.4. Equality Implications

6.4.1. There are no implications for Equality.

6.5. Human Resources Implications

6.5.1. There are no direct implications for Human Resources.

6.6. Risk Management Implications

6.6.1. An off-site supplier will provide a resilient service including disaster recovery facilities.

6.7. Rural Communities Implications

6.7.1. There are no direct implications for rural communities.

6.8. Implications for Children & Young People/Cared for Children

6.8.1. There are no direct implications for children and young people.

6.9. Public Health Implications

6.9.1. There are no direct implications for public health.

6.10. Climate Change Implications

6.10.1. The Council has committed to becoming Carbon neutral by 2025 and to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint.

6.10.2. We are looking to work with a supplier who will ensure minimal waste and reduce their company's and Cheshire East's environmental impact.

7. Ward Members Affected

7.1. The implications are borough wide.

8. Access to Information

8.1. n/a

9. Contact Information

9.1. Any questions relating to this report should be directed to the following officer:

Name: Paul Manning

Job Title: Revenues Manager

Email: paul.manning@cheshireeast.gov.uk