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EXECUTIVE CABINET

Day: Wednesday
Date: 28 June 2017
Time: 2.00 pm
Place: Lesser Hall 2 - Dukinfield Town Hall

Item No.	AGENDA	Page No
1.	APOLOGIES FOR ABSENCE To receive any apologies for the meeting from Members of the Executive Cabinet.	
2.	DECLARATIONS OF INTEREST To receive any declarations of interest from Members of Executive Cabinet.	
3.	MINUTES	
a)	EXECUTIVE CABINET To consider the minutes of the last meeting of the Meeting of Executive Cabinet held on 22 March 2017.	1 - 8
b)	SINGLE COMMISSIONING BOARD To receive the minutes of the meeting of the Single Commissioning Board held on 11 April 2017	9 - 14
c)	ASSOCIATION OF GREATER MANCHESTER AUTHORITIES/GREATER MANCHESTER COMBINED AUTHORITY To consider the minutes of the AGMA Executive Board and Greater Manchester Combined Authority held on 27 January and 24 February 2017.	15 - 34
4.	FINANCE MONITORING REPORTS	
a)	REVENUE MONITORING To consider the attached report of the First Deputy (Performance and Finance)/ Assistant Director (Finance).	35 - 58
b)	CAPITAL MONITORING To consider the attached report of the First Deputy (Performance and Finance)/ Assistant Director (Finance).	59 - 86
c)	TREASURY MANAGEMENT To consider the attached report of the First Deputy (Performance and Finance)/Assistant Director (Finance).	87 - 98

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Robert Landon, Head of Democratic Services, to whom any apologies for absence should be notified.

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d)	COUNCIL TAX SUPPORT SCHEME To consider the attached report of the First Deputy (Performance and Finance)/Assistant Director (Exchequer).	99 - 104
5.	TAMESIDE FUTURE 5 To consider the attached report of the Executive Leader/Director of Governance, Resources and Pensions.	105 - 120
6.	VISION TAMESIDE - ASHTON TOWN HALL To consider the attached report of the First Deputy (Performance and Finance)/Assistant Director (Development and Growth).	121 - 132
7.	REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE POLICES To consider the attached report of the Executive Member (Clean and Green)/Assistant Director (Environmental Services).	133 - 202
8.	URGENT ITEMS To consider any items which the Chair is of the opinion shall be considered as a matter of urgency.	203 - 210

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Robert Landon, Head of Democratic Services, to whom any apologies for absence should be notified.

MEETING OF EXECUTIVE CABINET

22 March 2017

Commenced: 2.00 pm

Terminated: 2.50 pm

Present: Councillor K. Quinn (Chair)

Councillors: Cooney, J. Fitzpatrick, Gwynne, Kitchen, Ricci, Robinson, Taylor, L Travis and Warrington,

Apology for Absence: Councillor Kitchen

45. DECLARATIONS OF INTEREST

Members	Subject Matter	Type of Interest	Nature of Interest
Councillor Taylor	Item 57– Active Tameside	Prejudicial	Chair of the Tameside Sports Trust

46. MINUTES

(a) Executive Cabinet and Overview (Audit) Panel

Consideration was given to the Minutes of the joint meeting of Executive Cabinet and Overview (Audit) Panel held on 8 February 2017.

RESOLVED

That the Minutes of the joint meeting of Executive Cabinet and Overview (Audit) Panel held on 8 February 2017 be taken as read and signed by the Chair as a correct record.

(b) Strategic Planning and Capital Monitoring Panel

Consideration was given to the Minutes of the Strategic Planning and Capital Monitoring Panel held on 13 March 2017.

RESOLVED

That the Minutes of the Strategic Planning and Capital Monitoring Panel held on 13 March 2017 be received and the following recommendations approved:

Vision Tameside Phase 2 Progress Update

That the progress with the delivery of the overall Vision Tameside Phase 2, specifically with lease negotiations, development of a recant plan and Employment and Skills initiatives, be noted;

- (i) That the emerging risk associated with the delay in securing an appropriate funding package for the Streetscape Improvement project, be noted;**
- (ii) That the budget variations and virements identified in Section 7 of the report, be approved; and**
- (iii) That the progress being made to drawdown the £4 million Skills Capital Funding, be noted.**

Education Capital Programme Update

- (i) The allocation of Basic Need grant funding schemes as outlined in Section 3 and Appendix 1 of the report be agreed; and**

- (ii) The allocation of School Condition and Maintenance funding schemes as outlined in Section 4 and Appendix 2 of the report be agreed.

Corporate Asset Management Update

- (i) That the list of disposals identified in Appendix 1 to the report be approved; and
- (ii) That the allocation of £125,526 to undertake building condition replacement/repair projects as detailed in the report, be approved.
- (iii) That the current Disposal Policy be amended for approval at the next meeting to address the process for dealing with objections.

Smartly Pooled Section 106 Agreements and Developer Contributions

- (i) That authority be given to release funds from available resources for the following projects:

Section 106

£13,705.39 for the provision of new fencing at Egmont Street Playing Fields to enhance the appearance and quality of the site.

Developer Contributions

£60,000 for funding infrastructure improvements across a number of sites including improvements to path networks across Council owned greenspace.

(c) Single Commissioning Board

Consideration was given to the Minutes of the Single Commissioning Board held on 14 February 2017 be noted.

RESOLVED

That the Minutes of the Single Commissioning Board held on 14 February 2017 be noted.

(d) Association of Greater Manchester Authorities / Greater Manchester Combined Authority

Consideration was given to a report of the Executive Leader and Chief Executive, which informed Members of the issues considered at the AGMA Executive Board and Greater Manchester Combined Authority held on 27 January and 24 February 2017 and the Forward Plan of Strategic Decisions of the Greater Manchester Combined Authority and AGMA Executive.

RESOLVED

That the content of the report be noted.

47. REVENUE MONITORING

Consideration was given to a report of the First Deputy (Performance and Finance)/Assistant Executive Director (Finance), which showed that at Quarter 3 the overall net service projected budget outturn revenue position was £0.476m under budget. It was explained that strong budget management was required across the Council to ensure that its financial plans were achieved and that the Council was therefore able to control budgetary pressures in the future.

The report detailed each Directorate's projected revenue outturn position for 2016/17 against budgets for the year and showed the net income and expenditure as a variation to the budget. Also included were details for those budgets that were held corporately and the projected outturn position. These budgets included the cost of capital financing, democracy and where service areas were unable to affect spend against budget, e.g. AGMA costs.

Separate tables breaking down the budgets into elements of expenditure and income were included in **Appendix 2** to the report, showing how Directorates were utilising their allocated funding.

In terms of Care Together it was explained that a single consolidated financial report was now being produced working towards financial sustainability across the whole health and social care economy. This was showing a forecast collective deficit of £5m in 2016/17 and this was forecast to grow in the following year. Short and medium term options were being worked upon to minimise this position and the latest consolidated report was included at **Appendix 4** to the revenue monitoring report.

RESOLVED:

- (i) That the changes to revenue budgets as set out at Appendix 1 be approved.**
- (ii) That the projected revenue outturn position is noted for services experiencing budgetary pressures and that they identify plans to bring down the extent of the expenditure above budget.**
- (iii) That the detail for each service area be noted.**
- (iv) That authority be delegated to the Chief Executive to agree a sum (section 6.4 refers) to be paid to the Tameside & Glossop NHS Integrated Care Foundation Trust (T&G NHS ICFT) as previously approved within the 2015/16 Council revenue outturn monitoring report presented to the Executive Cabinet on 29 June 2016.**
- (v) To approve the sum of £0.250 million for the supply of professional services to the Care Together programme as outlined in section 6.6 of the report.**

48. CAPITAL MONITORING

Consideration was given to a report of the First Deputy (Performance and Finance) / Assistant Executive Director (Finance) summarising the capital monitoring position at 31 December 2016 based on information provided by project managers, which showed that the current forecast was for service areas to spend £42.375m on capital investment by March 2017, which was £20.381m less than the current programmed spend. It was proposed, therefore, that the capital investment programme be re-profiled to reflect current information and the re-phasing of £15.475m into the next financial year identified within the individual service areas as detailed in the report.

The projected outturn capital expenditure by service area was detailed and explanations were provided for capital projects with a projected variation of £0.100m or above over the life of the project. Schemes with an in-year variation in excess of £0.100m were highlighted and approval was being sought to re-profile the capital expenditure of these project.

It was explained that it was no longer intended to acquire an increased shareholding in InspiredSpaces (Tameside) Ltd due to the potentially adverse effect on the level of PFI Credit the Council received from the Government.

RESOLVED:

Members are asked to approve the following:

- (i) That the reprofiling to reflect up to date investment profiles be approved;**
- (ii) That the changes to the Capital Programme be approved;**
- (iii) That the updated Prudential Indicator position be approved;**
- (iv) That the current capital budget monitoring position be noted;**
- (v) That the resources currently available to fund the Capital Programme be noted**
- (vi) That the current position in regards to compulsory purchase orders (CPOs) and indemnities be noted**
- (vii) That the updated capital receipts position;**
- (viii) That the intention not to proceed with the purchase of additional shares in InspiredSpaces (Tameside) Ltd.**

49. INTEGRATED COMMISSIONING FUND – SINGLE FINANCE AGREEMENT FROM 1 APRIL 2017

Consideration was given to a report of the First Deputy (Performance and Finance) / Chief Finance Officer (CCG) / Assistant Executive Director (Finance), which set out the key principles required to establish a joint (single) fund between the Council and the Tameside and Glossop Clinical Commissioning Group (CCG) managed by the Single Commissioning Board.

The report provided an update on progress made and sought approval from the Tameside Council Executive Cabinet and the CCG Governing Body to consolidate the value of pooled resources via an Integrated Commissioning Fund agreement from 1 April 2017. The same report would be presented to the Governing body of the CCG on 29 March 2017.

The Tameside & Glossop Care Together Single Commissioning Board would be required to manage all resources within the Integrated Commissioning Fund and comply with both organisations statutory functions from the single fund.

Members were reminded that at Joint Board meeting between Tameside Hospital Trust, Tameside and Glossop CCG and the Council on 23 September 2015 all parties had agreed to work together within the Care Together programme to implement the plan for an Integrated Care Organisation.

The report explained that the arrangement agreed for 2016/2017 was that, whilst working as a single commissioning function, the Council and CCG would retain full responsibility for their own financial risks. It was proposed that from 1 April 2017 each organisation would begin to share financial risks in proportion to the respective contributions they made into the Integrated Commissioning Fund. This would result in a sharing arrangement of 80% for the CCG and 20% for the Council. This would be a significant step for both organisations given the current financial climate and the scale of savings that must be delivered in the short term and the risks that the local health and social care economy faced.

In addition it was proposed that a stepped approach be taken to risk sharing and that a cap be placed on the shared financial exposure that each organisation would be expected to meet. For 2017/2018 it was proposed that:

- a cap of £2m be placed on CCG related risks that the Council would contribute to;
- A cap of £0.5m be placed on Council related risks that the CCG would contribute to.

RESOLVED:

- 1. That it be noted that an identical report would be presented to the Tameside and Glossop CCG Governing Body for approval on 29 March 2017.**
- 2. That approval be given to the inclusion of 2017/2018 Tameside Council service budgets as stated in Appendix 1 to the report within the existing section 75 joint finance pooled agreement (currently in existence for the Better Care Fund). That approval also be given to the inclusion of 2017/2018 Tameside Council service budgets as stated in Appendix 1 to the report within an aligned partnership agreement. The section 75 agreement and aligned partnership agreement would formulate an overall Integrated Commissioning Fund (ICF) for the Tameside and Glossop economy.**
- 3. That it be noted that the CCG had also included budget allocations within the section 75 agreement, aligned partnership agreement and in addition services in collaboration agreement. Services in collaboration referred to services which could not be included within a section 75 agreement and which the CCG co-commissioned with NHS England for the Tameside and Glossop economy. The governance arrangements for managing, and the accountability for delivering, statutory duties from the single fund would be undertaken by the Tameside & Glossop Care Together Single Commissioning Board.**
- 4. That approval be given to the management of the associated share of financial risk during 2017/2018 as stated within section 13 of the report. Executive Cabinet Members also noted that the Council agreed to increase the value of Council resources within the ICF by a maximum sum of £5.0 million in both 2017/2018 and 2018/2019 on the**

condition that the T&G CCG agrees a reciprocal arrangement in 2019/20 and 2020/21 should this be necessary. These sums were additional to the risk share values stated within section 13.

5. That it be agreed that Tameside Council should continue to be the host organisation for the existing Section 75 pooled fund agreement.
6. That authority be delegated to the Executive Director for Governance, Resources & Pensions to finalise the terms of the financial framework (Appendix 3), which will support the Integrated Commissioning Fund to be approved by both the Council and CCG by 31 March 2017.

50. TAMESIDE PLEDGES

Consideration was given to a report of the Executive Leader/Executive Director (Governance, Resources and Pensions), which provided an update on the Tameside Pledges 2016. It was explained that the Pledges outlined a commitment to deliver work on 16 priority areas that had been identified as being of importance to Tameside residents. Each of the pledges had been delivered through a bespoke programme of activity. In some cases the work linked in with wider Greater Manchester or national programmes but enhanced them and brought added value for Tameside.

RESOLVED:

That the report be noted and the on-going delivery of the Tameside Pledges be supported.

51. CHILDRENS SERVICES IMPROVEMENT PLAN

Consideration was given to a report of the Executive Member (Children and Families) and the Executive Director (People) which outlined the approach taken to produce the Tameside Children's Services Improvement plan, including a summary of the consultation responses received which were considered and incorporated in the drafting of the plan. It was explained that the Tameside Children's Services Improvement Plan would be submitted to Ofsted on 20 March 2017 as per the statutory deadline following inspection, attached to the report was the working draft as at time of publication of Cabinet agenda. Executive Cabinet was asked to adopt the Tameside Children's Services Improvement Plan as Council policy. It was stated that further improvements were being received from our partners and would be reflected in the report. Progress against the Tameside Children's Services Improvement Plan would be monitored by the independently chaired Tameside Children's Services Improvement Board. Quarterly progress updates would be presented to Executive Cabinet.

RESOLVED:

That the content of the report be noted and the Tameside Children's Services Improvement Plan, as appended to the report be adopted as Tameside Council policy.

52. HOUSING AND EMPLOYMENT LAND

Consideration was given to a report of the Deputy Executive Leader/Assistant Executive Director (Development and Growth), which explained that the available supply of land for housing had been refreshed alongside a review of available land for employment in order to provide an up to date position across the Borough for the 15 year period from 1 April 2016 - 31 March 2031. This would determine the contribution that this supply of land provided towards the Borough's objectively assessed housing requirement and employment land needs. It was stated that the updated assessments were crucial to demonstrate best use of urban land in support of the strategy set out in the draft Greater Manchester Spatial Framework (GMSF) to maximise the use of urban land in order to minimise the need for the release of land in the Green Belt.

The GMSF housing requirement over the period 1 April 2015 to 31 March 2031 was 10,880, but as also explained in the report it was clear that green belt sites not currently included in the availability assessment would have to be considered if the currently identified requirement up to 2035 was to be met within Tameside.

In terms of employment land the GMSF set out the requirements for Industrial, Warehousing and Office development in sq.m. As part of the Economic Evidence supporting the GMSF, the employment floorspace requirement approach was set out. Following consultation in 2015, the GMSF had adopted an Accelerated Growth Scenario which sought to increase the economic performance of Greater Manchester compared to that achieved between 2004 and 2015.

When considering this item Members agreed that it was important that all Members receive regularly and timely updates on land issues and in particular on housing completions.

RESOLVED:

- (i) That the contents of the report be noted and the publication of the 2016 Land Availability site data approved;**
- (ii) That a further review of Housing and Employment Land Availability be prepared on completion of the monitoring period ending 31 March 2017 and published for consultation.**

53. SITES OF BIOLOGICAL IMPORTANCE

Consideration was given to a report of the Deputy Executive Leader and Assistant Executive Director (Development and Investment), which provided an update on changes which have occurred to designated Sites of Biological Importance (SBI) and Regionally Important Geological and Geomorphological (RIGs) sites within the Borough. These are sites which have been surveyed by or under the supervision of the Greater Manchester Ecology Unit in 2015.

It was explained that the review process for SBIs was conducted on an annual basis guided by a selection criteria adopted in 2008 and recently updated in 2016. The review process for RIGs was undertaken by a group of suitably qualified volunteer geologists assessing sites in accordance with the nationally agreed guidance and overseen by the GM Ecology Unit. The report set out the results of the 2015 review of SBI and RIGs.

RESOLVED:

That the proposed changes to the Borough's Sites of Biological Importance (SBI) and Regionally Important Geological and Geomorphological (RIGs) sites within the Borough are adopted.

54. GODLEY GREEN GARDEN VILLAGE

Consideration was given to a report of the Deputy Executive Leader/Assistant Executive Director (Development and Growth), which sought Members agreement for the Council to enter into a Memorandum of Understanding with other landowners for the promotion and delivery of the proposed Godley Green Garden Village.

It was reported that the draft Greater Manchester Spatial Framework (GMSF) issued in 31 October 2016 identified an allocation for a new Garden Village in the Godley Green area, with 2,350 new homes and supporting infrastructure and facilities. Whilst the GMSF was going through the necessary statutory processes it was important for the landowners to commence work on shaping the proposals for the Garden Village along with the Council and other stakeholders

RESOLVED:

That the Council enters into a Memorandum of Understanding, as attached at Appendix 2 to the report, with the landowners for the promotion and delivery of the proposed Godley Green Garden Village.

55. PLANNING FEES

Consideration was given to report of the Deputy Executive Leader and the Assistant Executive Director (Development and Investment), which explained that the Government's Housing White Paper "Fixing our broken housing market" included proposals to boost local authority capacity and capability to deliver. It was stated that the Government recognised the views of the development industry that the lack of capacity and capability in planning departments was restricting their ability to get on site and build. The Government also recognises the difficulties reported by local authorities in recruiting and retaining planners and others with specialist skills. The White Paper committed the government to take steps to secure the financial sustainability of planning departments; ensure that the planning system had the skilled professionals it needs to assess and make the tough decisions expected; and provide targeted support to address areas of specialist weakness.

To this end the Government had confirmed that:

- (i) Local authorities would be able to increase the nationally set planning fees by 20% from July 2017 **on the condition that** they committed to invest the additional fee income in their planning department. On 21 February 2017, the DCLG contacted all local planning authorities in England to seek their confirmation that they would wish to take up this opportunity, with an initial response requested by 13 March 2017. The letter sent by the s151 officer is attached at **Appendix 1** to the report.
- (ii) To allow an increase of a further 20% for those authorities who were delivering the homes their communities needed subject to further consultation on the detail.
- (iii) To keep the resourcing of local authority planning departments, and where fees can be charged, under review.

RESOLVED:

That the Executive Cabinet endorsed the adopted option (ii) above to the increase planning fees by 20% and commits to investing the additional fee income in the Planning Service.

56. PEAK VALLEY AND SYMPHONY HOUSING

Consideration was given to a report of the Deputy Executive Leader/Assistant Executive Director (Development and Growth), which presented a request from the Symphony Housing Group for the Council's consent to its proposal to collapse the existing Board structures of each of the Group's organisations (including Peak Valley Housing Association) in order to establish and facilitate implementation of a Common Board. It was explained that the proposal had emerged following a downgrade of Symphony's governance rating by the Homes and Communities Agency (HCA) for serious non-compliance. Symphony Group was in the process of moving towards a unified operational structure, under the banner "Building One Organisation." In October 2016 the Peak Valley Housing Association (PVHA) Board had agreed to participate in the new Symphony structure with effect from 1 April 2017.

RESOLVED:

That approval be given to the request from the Symphony Housing Group for the Council's consent to its proposal to collapse the existing Board structures of each of the Group's organisations (including Peak Valley Housing Association) in order to establish and facilitate implementation of a Common Board, subject to agreement on an enhanced role for the Hattersley Land Board that will support both community development and physical regeneration to ensure a sustainable neighbourhood.

57. ACTIVE TAMESIDE

Consideration was given to a report of the Executive Member (Healthy and Working) and the Director of Public Health which identified the key issues that required consideration to support Active Tameside to continue to move forward as the preferred provider and delivery vehicle for sport and leisure in Tameside, playing an active role in system wide approaches to improve health and wellbeing outcomes, enabling progress towards tackling health inequalities and achieving long term sustainable improvements in life expectancy.

It was stated that Active Tameside was highly valued delivery vehicle making an important contribution to the place based ambition and effort to achieve improvements in the health and wellbeing outcomes in Tameside neighbourhoods. The report explained that the Council and Active Tameside had demonstrated a shared commitment through a strong collaborative relationship and joint investment of £20m capital which was key to the continued development of the partnership and the success of the delivery model. The position continued to be challenging as, despite best endeavours Active Tameside had been unable to accrue necessary reserves to achieve the financial resilience to reduce or eliminate the risks associated with trading in a competitive and dynamic market place. Without an intervention that would result in Active Tameside having access to cash reserves, Active Tameside would continue to operate under the risk of not having sufficient funds to meet all expected and unexpected costs, and also lack the necessary investment capability to sustain and develop its business.

RESOLVED:

- (i) That it be agreed to advance the total management fee to Active Tameside for 2017/2018 on 1 April 2017 to support the cash flow of the organisation (£ 1.433 million);**
- (ii) That a supplementary one-off no repayable £0.311 million management fee to Active Tameside during 2016/2017 (£0.141million) and 2017/2018 (£0.170million) respectively be provided to mitigate reduced actual (2016/2017) and projected (2017/2018) levels of revenue income as detailed in sections 3.5 and 3.6 of the report subject to due diligence and the delegated approval of the First Deputy (Finance and Performance);**
- (iii) Note the revised procurement framework and the Council's ambitions to ensure the long term financially sustainable community asset based provision of wellbeing facilities and services, review the current commissioning arrangements and the most appropriate timing for re-commissioning including the most advantageous property arrangements.**

CHAIR

TAMESIDE AND GLOSSOP SINGLE COMMISSIONING BOARD

25 May 2017

Commenced: 11.00 am

Terminated: 12.40 pm

PRESENT: Alan Dow (Chair) – Tameside and Glossop CCG
Steven Pleasant – Tameside Council Chief Executive and Accountable Officer for NHS Tameside and Glossop CCG
Councillor Brenda Warrington – Tameside MBC
Councillor Peter Robinson – Tameside MBC
Christina Greenhough – Tameside and Glossop CCG

IN ATTENDANCE: Kathy Roe – Director of Finance
Clare Watson – Director of Commissioning
Stephanie Butterworth – Executive Director (People)
Sandra Whitehead – Assistant Executive Director (Adults Services)
Anna Moloney – Consultant in Public Health Medicine
Gideon Smith – Consultant in Public Health Medicine

APOLOGIES: Councillor Gerald Cooney – Tameside MBC
Alison Lea – Tameside and Glossop CCG
Jamie Douglas – Tameside and Glossop CCG

1. WELCOME AND CHAIR'S OPENING REMARKS

In opening the meeting the Chair made reference to the terrorist incident at Manchester Arena on the evening of 22 May 2017 and his thoughts and those of the Board were with the victims and the families of those who had been affected. He paid tribute to the bravery and dedication of emergency services who responded so swiftly to this tragic event.

He advised that the Governing Body meeting of the Clinical Commissioning Group on 24 May 2017 had signed of its accounts and annual report 2016/17 and had received the Health and Social Care Partnership leadership rating as 'Good'.

2. DECLARATIONS OF INTEREST

Members	Subject Matter	Type of Interest	Nature of Interest
Alan Dow and Christina Greenhough	Item 6(d) – 2017-18 Commissioning Improvement Scheme	Prejudicial	Tameside GPs

* Dr Dow and Dr Greenhough left the room during consideration of this item and took no part in the decision thereon.

3. MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting held on 11 April 2017 were approved as a correct record.

4. FINANCIAL POSITION OF THE INTEGRATED COMMISSIONING FUND

The Director of Finance presented a report of the Tameside and Glossop Care Together constituent organisations on the consolidated financial position of the economy 2016/17. The

report also provided detailed of the savings realised in 2016/17 together with the significant level of savings required in 2017/18 to ensure control totals were delivered and financial sustainability achieved on a recurrent basis thereafter. It was acknowledged that the delivery of additional savings beyond 2017/18 would also be required, the details of which would be reported to future meetings.

The 2016/17 position in all three organisations had now been finalised and the process of completing year end accounts and annual reports as separate statutory organisations were being completed and the audit process was underway.

All three organisations had met financial control totals in 2016/17. Tameside and Glossop Clinical Commissioning Group had delivered a 1% surplus. The movement was detailed and explained in the report and as was in line with the guidance on treatment of national system risk reserve. The net deficit outturn relating to the three Council services included within the Integrated Care Foundation Trust would be financed from Council reserves. The significant deficit primarily arose within Children's Services and was due to exceptional additional demand during the year and details of the variations for each service were provided. The Integrated Care Foundation Trust had an authorised deficit of £17.3m for 2016/17. The actual normalised deficit was £13.3m, so exceeding the target by £4m.

Whilst the financial control totals had been met across the economy, the Director of Finance emphasised that this had only been possible because of non-recurrent actions. On a recurrent basis there remained an underlying deficit across the economy which increased in future years.

RESOLVED

- (i) That the 2016/17 financial year update on the month 11 financial position at 28 February 2017 and the projected outturn at 31 March 2017 be noted.**
- (ii) That the significant level of savings delivered in 2016/17 and required during 2017/18, detailed in section 4 of the report, to achieve confirmed control totals and the financial sustainability of the economy on the recurrent basis thereafter be acknowledged.**
- (iii) That the significant amount of financial risk in relation to achieving an economy balanced budget across this period be acknowledged.**

5. PERFORMANCE REPORT

Consideration was given to a report of the Director of Public Health providing an update on quality and performance data. Assurance was provided for the NHS Constitutional Indicators. In addition, Clinical Commissioning Group information on a range of other indicators were included to capture the local health economy position. This was based on the latest published data at the end of February 2017. The following were highlighted as exceptions:

- Diagnostic standard improving but still failing the standard;
- A&E Standards were failed at Tameside Hospital Foundation Trust;
- Ambulance response times were not met at a local or at North West level;
- Improving Access to Psychological Therapies performance for recovery remained the same;
- 111 Performance against key performance indicators; and
- MRSA Bacteraemia.

Attached for information was the draft Greater Manchester Partnership dashboard and the latest NHS England improvement and Assessment Framework dashboard. Also appended to the report was a presentation on improving urgent care compiled by Tameside and Glossop Care Together.

RESOLVED

That the content of the performance and quality report be noted.

6. ADULT SOCIAL CARE TRANSFORMATION PROPOSALS

Consideration was given to a report of the Head of Assessment and Care Management, Adults, outlining the funding that had been made available to local authorities for Adult Social Care, and Tameside Metropolitan Borough Council's share of the monies. Proposals for the most effective use of the funding was highlighted, identifying projects for consideration in line with priority service areas, with indicative costs over three years (where it was possible to identify them).

It was reported that Adult Services had seen significant reductions in its budget since 2010/11 as a result of cuts to government funding. This had placed pressure on the Council to continue to deliver good outcomes for local people who accessed Adult Services, with the available finances. In order to mitigate against the reductions in funding, there had been a number of responses, which were outlined in the report.

The Chancellor of the Exchequer presented his Spring Budget on 8 March 2017, which included an additional £2.0 billion of funding for Adult Social Care, to be made available to local authorities over the period 2017/18 to 2019/2020. For Tameside this equated to a total of £10.296 million through to 2019/20. An analysis of the funding profile over this three year period was provided in the report.

There were three broad themes locally that would be the focus of our programme to impact on service quality and outcomes:

- Quality assurance across community based services, particularly care homes and home care services;
- Transformation of services that help people to live at home, including home care, Reablement, Community Response Service (Telecare, Telehealth);
- Asset based Work – as well as working within communities, to ensure a focus on Carers, Shared Lives and dementia.

Each of the themes would be underpinned with an Organisational Development programme that would embed the transformation, ensuring mainstreaming beyond the funding timescale.

The proposals described would be delivered within the next three years, and would require additional resources to manage delivery. A Programme Manager and several Project Co-ordinators would be required to form a small Programme Management Office, and where relevant, would work with the Care Together Programme Management Office to ensure economy wide processes were met. Details of anticipated costs identified against the additional funding, were appended to the report.

Specific funding had been identified for voluntary sector organisations to support them at a time where funding had been seriously challenged, at the same time that the development of the community offer was a mainstay of the Care Together programme. Many organisations were reporting that they were facing significant financial challenges, amongst them Age UK, who had reported that they had had to review, redefine and significantly reduce their offer locally in order to stabilise the business.

One the proposals in the programme was to grant fund £127,000 to Age UK for one year only, to stabilise the business and give them some capacity to re-structure and embed their new local offer. Age UK did receive funding from Adult Services to core fund the service, but due to other reductions in funding, they were re-structuring and re-scoping their business model to ensure their continued presence in the market.

The report sought permission to grant fund for one year to the value of £127,000 to ensure the viability of the business, Age UK were a very well recognised and well established voluntary sector organisation, the failure of which and withdrawal from the local community would be a great concern and would question the economy's commitment to a thriving voluntary sector as described in the Care Together programme. Whilst grant funding was proposed to underpin the business for

a transition year, Age UK had provided clear plans on how they would invest the funding to maximise the impact of the funding on their new offer.

It was reported that information of Derbyshire Country Council plans for Adult Social Care spend in Glossopdale had not yet been confirmed. There had been initial conversations with the Head of Service for Adults in Derbyshire, who was arranging to meet with Tameside colleagues to look to align schemes and investments. This would not impact or influence the plans described in the report.

It was concluded that the report had provided an overview of the schemes that were proposed to contribute to the three key priorities that had been identified as key to improving system efficiency and would improve outcomes for people accessing services. The proposals were intended to meet unmet need, to tackle a backlog of work, and also to transform services to improve outcomes for individuals, to benefit the wider economy by promoting resilience, self-management and supporting people to remain independently at home. Additional benefits were also expected with regards to step up and step down community capacity to reduce A&E attendances and hospital admissions.

RESOLVED

- (i) That the content of the report be noted.**
- (ii) That the further development of proposals contained within the report be supported in principle.**
- (iii) That the proposed approach to manage the programme of proposals which included the Programme Management Office Care Together oversight of the programme be approved.**
- (iv) That the payment of on recurrent grant funding to Age UK of £127,000 for one year only be approved.**

7. YOUNG PEOPLE'S EMOTIONAL WELLBEING SERVICE

Consideration was given to a report seeking authorisation to extend the contract for the provision of a young people's emotional wellbeing service for a period of 24 months.

The current contract price for the financial year 2016/17 was £91,500. This was a reduction of the previous annual sum of £106,785 for the financial year of 2014/15 as part of the council's budget strategy. In addition, at the time of national in year Public Health grant saving (October 2015), this contract was further reviewed. It was considered that this service could not sustain an additional saving without a significant detrimental impact on children and young people Tier 1 and Tier 2 mental health interventions. This would have implications for the whole system approach in transformation for young people's mental health services as set out in the Children and Young People Emotional Wellbeing and Mental Health Local Transformation Plan.

This contractual service provision offer was a significant part of Tameside's ambition to provide high quality, seamless services to children, young people and their families and reduce demand on high-cost reactive services. The offer was integral to the system integration outlined in the Local Transformation Plan for children and young people's mental wellbeing.

RESOLVED

That authorisation be given to extend the current contract for a period of 24 months from 1 October 2017 to 30 September 2019.

8. DRUG AND ALCOHOL RECOVERY SERVICE

Consideration was given to a report of the Director of Public Health advising that the Lifeline Project Ltd would transfer their business and assets to CGL (Change, Grow, Live) on 31 May 2017. Lifeline had developed a close relationship with CGL in order to secure the continuity of its

services to the community. The transfer had progressed to the stage of legal, contractual and workforce transference that was necessary for the handover from Lifeline to CGL to occur.

In order to take all necessary steps to continue to protect the care of service users and employees it was proposed to novate the current contract held between Tameside MBC and Lifeline Project Ltd to a contract to be held between Tameside MBC and CGL Plc. The novated contract would be completed on the existing contractual terms agreed for the remainder of the contractual term which included the necessary protection of staff in all areas of the contract, the value of which was provided within the report.

In order to be assured of the capability and competence of CGL as an organisation and their ability to achieve and deliver the contractual obligations, a full organisational questionnaire was submitted by CGL, identical to the document provided by tendering organisations during the original service tender, the results of which were detailed in **Appendix 1** to the report.

Board Members discussed the proposed transfer and raised concerns regarding the short notice of the change, the limited knowledge of the new provider and the absence of the tender process. In noting the comments of the Chief Finance Officer, the Board requested a proposal for enhanced financial and performance monitoring to support assurance and consideration of whether a re-tender was necessary to be submitted to the next meeting.

RESOLVED

- (i) That approval be given to vary the contract for the Drug and Alcohol Recovery Service by the novation of the contract to a new provider who would take on the obligations of the original contractor.**
- (ii) That in view of the short notice of the change, the limited knowledge of the new provider and the absence of a tender process, a proposal for enhanced financial and performance monitoring to support assurance and consideration of whether a re-tender was necessary, be submitted to the next Board meeting.**

9. COMMISSIONING IMPROVEMENT SCHEME

Consideration was given to a report outlining a proposal for a Commissioning Improvement Scheme for 2017/18 based on the learning from the 2016/17 scheme and preparatory discussions at Finance and Quality, Innovation, Productivity and Prevention Programme Group. Achievement under the parameters of the 2016/17 Commissioning Improvement Scheme had been calculated and the engagement and innovative thinking of practices and neighbourhoods acknowledged. There was, however, also learning from the framework of that scheme which needed to be reflected whilst maintaining the spirit in which the initial outline was drafted and the positive engagement and creative thinking the scheme had supported.

The principles of the Commissioning Improvement Scheme were to remain, to recognise the performance of practices against their devolved unified commissioning budget in comparison to the prior year and therefore maintain and further develop engagement in delivering Quality, Innovation, Productivity and prevention and securing best use of resources across the economy.

The proposal for achievement under the Commissioning Improvement Scheme in 2017/18 was proposed to following the same principles as 2016/17 of recognising underspends against budget in year and recognising improvements again 2016/17 when comparing the variance position of each year. The proposal for 2017/18 would see practices achieving one of four outcomes which were highlighted in the report. Reference was also made to the following:

- Budget setting;
- Achievement calculations timescales and payment timescales;
- Utilisation of achievement payments;
- Risks and communication

RESOLVED

- (i) That the 2017/18 Commissioning Improvement Scheme proposal be supported.**
- (ii) Continuation of the continuation of the high cost patient risk pool with the change for 2017/18 to apply 50% of each high cost episode to the pool.**
- (iii) Adjustment from 15% to 20% in respect of any improvement achieved.**


10. URGENT ITEMS

The Chair reported that there were no urgent items had been received for consideration at this meeting.

11. DATE OF NEXT MEETING

It was noted that the next meeting of the Single Commissioning Board would take place on Thursday 22 June 2017 commencing at 2.00 pm at Dukinfield Town Hall.

CHAIR

Report To:	EXECUTIVE CABINET
Date:	28 June 2017
Executive Member/ Reporting Officer:	Councillor Kieran Quinn, Executive Leader Steven Pleasant, Chief Executive
Subject:	AGMA EXECUTIVE BOARD MEETINGS / GREATER MANCHESTER COMBINED AUTHORITY
Report Summary:	<p>To inform Members of the issues considered at the January and February meetings of the AGMA Executive Board and Greater Manchester Combined Authority meeting. Under the AGMA Constitution there are provisions to ensure that AGMA Executive deliberations and decisions are reported to the ten Greater Manchester Councils. In order to meet this requirement the minutes of AGMA Executive Board/Greater Manchester Combined Authority meetings are reported to Executive Cabinet on a regular basis. The minutes of the following meetings of the AGMA Executive Board and the Greater Manchester Combined Authority are appended for Members information:</p> <ul style="list-style-type: none">a) GM Combined Authority: 28 April 2017b) Joint Meeting of GM Combined Authority and AGMA Executive Board: 28 April 2017c) Also appended to the report is a copy of the Greater Manchester Combined Authority and AGMA Executive Board Forward Plan of strategic decisions.
Recommendations:	That Members note and comment on the appended minutes and forward plan.
Links to Community Strategy:	The Constitution and democratic framework provides an effective framework for implementing the Community Strategy.
Policy Implications:	In line with council policies.
Financial Implications: (Authorised by the Section 151 Officer)	There are no budgetary implications other than any specific references made in the AGMA Executive Board/Greater Manchester Combined Authority minutes.
Legal Implications: (Authorised by the Borough Solicitor)	Consideration of the AGMA Executive Board/Greater Manchester Combined Authority minutes helps meet the requirements of the AGMA Constitution and helps to keep Members informed on sub-regional issues and enables effective scrutiny. The matter relating to the airport is picked up as a separate report for consideration by members.
Risk Management:	There are no specific risks associated with consideration of the minutes.
Access to Information:	The background papers relating to this report can be inspected by contacting Robert Landon, Head of Democratic Services by:  phone: 0161 342 2146

 e-mail: robert.landon@tameside.gov.uk

**DECISIONS AGREED AT THE MEETING OF THE GREATER MANCHESTER
COMBINED AUTHORITY, HELD ON FRIDAY 28 APRIL 2017 AT GREATER
MANCHESTER POLICE HEADQUARTERS, CENTRAL PARK, MANCHESTER**

GM INTERIM MAYOR	Tony Lloyd (in the Chair)
BOLTON COUNCIL	Councillor Cliff Morris
BURY COUNCIL	Councillor Rishi Shori
MANCHESTER CC	Councillor Richard Leese
OLDHAM COUNCIL	Councillor Jean Stretton
ROCHDALE MBC	Councillor Richard Farnell
SALFORD CC	City Mayor Paul Dennett
STOCKPORT MBC	Councillor Alex Ganotis
TAMESIDE MBC	Councillor Kieran Quinn
TRAFFORD COUNCIL	Councillor Sean Anstee
WIGAN COUNCIL	Councillor Peter Smith

JOINT BOARDS AND OTHER MEMBERS IN ATTENDANCE

GMF&RS	Councillor David Acton
GMWDA	Councillor Nigel Murphy
TfGMC	Councillor Andrew Fender

OFFICERS IN ATTENDANCE

Eamonn Boylan	GMCA
Liz Treacy	GMCA Monitoring Officer
Richard Paver	GMCA Treasurer
Andrew Lightfoot	Deputy Head of the Paid Service, GMCA
Julie Connor	Head of Governance and Scrutiny, GMCA
Paul Harris	Governance and Scrutiny, GMCA
Margaret Asquith	Bolton Council
Pat Jones-Greenhalgh	Bury Council
Joanne Roney	Manchester CC
Carolyn Wilkins	Oldham Council
Steven Pleasant	Rochdale MBC
Jim Taylor	Salford CC
Laureen Donnan	Stockport MBC
Steven Pleasant	Tameside MBC
Theresa Grant	Trafford Council

Alison McKenzie Folan
Ian Hopkins
Peter O'Reilly
Steve Warrener
Jon Rouse
Mark Hughes
Adam Allen
Clare Monaghan
Rodney Lund

Wigan Council
GM Police
GM Fire & Rescue Service
Transport for Greater Manchester
Health and Social Care Partnership
Manchester Growth Company
Office of the Police & Crime Commissioner
Office of the Police & Crime Commissioner
Manchester CC

80/17 APOLOGIES

Apologies for absence were received and noted from Donna Hall (Wigan) and Jon Lamonte (TfGM).

81/17 CHAIR'S ANNOUNCEMENTS AND URGENT BUSINESS

a) Welcome

The Chair extended a welcome to Eamon Boylan who was attending his first meeting in his capacity as the newly appointed Chief Executive of the GMCA.

He also acknowledged that this was his final GMCA meeting as Interim Mayor and Chair and offered thanks to officers and Members for their support during his tenure.

b) Workers' Memorial Day

The Chair reminded Members that today was Workers' Memorial Day.

c) Fire Incident at The Christie

Councillor David Action, Chair of the Greater Manchester Fire and Rescue Service provided an update on the recent fire incident at The Christie Hospital. Members noted that this was a complex fire which required the attendance of 20 appliances and paid tribute to their efforts.

82/17 DECLARATIONS OF INTEREST

Councillor Sean Anstee declared a personal and prejudicial interest in Item 6, Outcome of Independent Remuneration Panel.

83/17 MINUTES OF THE GMCA MEETING HELD ON 31 MARCH 2017

The Minutes of the GMCA meeting held on 31 March 2017 were submitted.

Resolved/-

That the Minutes of the GMCA meeting held on 31 March 2017 be approved as a correct record.

84/17 FORWARD PLAN OF STRATEGIC DECISIONS OF GMCA

Consideration was given to a report advising members of those strategic decisions that were to be considered by the GMCA over the forthcoming months.

RESOLVED/-

That the Forward Plan of Strategic Decisions, as set out in the report be noted.

85/17 OUTCOME OF THE INDEPENDENT REMUNERATION PANEL

[Note: Councillor Sean Anstee declared a personal and prejudicial interest in this item and left the meeting room during its consideration.]

Tony Lloyd, GM Interim Mayor, introduced a report which provided Members with an update on the outcome of the Independent Remuneration Panel which was established in order to make recommendations on the level of remuneration for the GM Elected Mayor.

Members were reminded that the Greater Manchester Combined Authority Order 2011, as amended by the GMCA (Amendment) Order 2015 and the GMCA (Functions and Amendment) Order 2017 and provides for the appointment of a GMCA Independent Remuneration Panel (IRP). The Order as amended provides that the GMCA may pay an allowance to the Elected Mayor subject to the following conditions:-

- a) that the GMCA has considered recommendations made by the IRP which contains recommendations for such an allowance.
- b) that the allowance paid by the GMCA does not exceed the amount specified in the recommendation made by the independent remuneration panel.

RESOLVED/-

1. That the recommendation of the Independent Remuneration Panel that the allowance for the Elected Mayor of the Greater Manchester Combined Authority of £110,000 per year be approved and to note that this allowance was not index linked or pensionable.
2. That the recommendation of the Independent Remuneration Panel to review the Mayoral allowance in 2020, with the outcome of the review to be applicable from the beginning of the next mayoral term in May 2020, be approved.

85/17 REVISED GMCA TREASURY MANAGEMENT STRATEGY STATEMENT, BORROWING LIMITS AND ANNUAL INVESTMENT STRATEGY 2017/18 - 2019/20

Councillor Kieran Quinn, Portfolio Lead for Investment Strategy and Finance, introduced a report which set out the proposed Treasury Management Strategy

Statement, Borrowing Limits and Prudential Indicators for 2017/18 to 2019/20 for the GMCA from the 8th May 2017, incorporating the Police and Crime Commissioner and fire functions which transfer at that time.

The Strategy also sets out the Borrowing Limits and Prudential Indicators for the GMCA if the Housing Investment Fund is included, which is dependent on the Authority being granted the necessary borrowing powers to allow the funds currently held by Manchester City Council to transfer.

RESOLVED/-

That the proposed Treasury Management Strategy Statement be approved, applicable from the 8th May 2017, in particular:-

- i) The Treasury Indicators listed in Appendix A of this report.
- ii) The MRP Strategy outlined in Appendix B to the report.
- iii) The Treasury Management Policy Statement at Appendix C to the report.
- iv) The Treasury Management Scheme of Delegation at Appendix D to the report.
- v) The Borrowing Requirements listed in Section 5 of the report
- vi) The Borrowing Strategy outlined in Section 8 of the report.
- vii) The Annual Investment Strategy detailed in Section 9 of the report.
- viii) Unlimited lending to the Greater Manchester Waste Disposal Authority in the period until it becomes part of the GMCA.

86/17 BREXIT MONITOR

Councillor Richard Leese, Portfolio Lead for Economic Strategy, introduced a report which updated members on the key economic and policy developments in relation to the UK's decision to leave the European Union (EU). The latest edition of the monthly Greater Manchester Brexit Monitor was appended to the report and provided a real-time view of the economic and policy impact of Brexit.

Members noted that a number of companies continued to invest in Greater Manchester and was out performing the national level in this regard.

Councillor Leese commented that Greater Manchester was both demographically and economically larger than Wales and for this reason should have a voice in the Brexit negotiations.

Councillor Richard Farnell noted a recent report which had identified that although there had been an increase of 60,000 jobs in Greater Manchester since 2011, overall no net employment growth had been created.

Councillor Shori noted a skills gap in Greater Manchester and highlighted the aspiration to grow the local economy.

RESOLVED/-

That the contents of the April Brexit Monitor, as set out at Appendix 1 to the report, be noted.

87/17 INTERMEDIATE BODY STATUS FOR GREATER

Councillor Kieran Quinn, Portfolio Lead for Investment, introduced a report which sought the agreement from Leaders for GMCA to become an Intermediate Body for the purpose of European Structural and Investment Funds (ESIF) from 1st May 2017.

Members noted that becoming an Intermediate Body will give GMCA a greater level of local control over ERDF call activity and timing, strategic selection of projects and involvement in project monitoring.

RESOLVED/-

1. That it be agreed that GMCA become an Intermediate Body from 1st May 2017, for the reasons set out in the report.
2. To grant delegated authority to the GMCA Treasurer and Monitoring Officer to finalise the GM Intermediate Body Memorandum of Understanding.

88/17 HOUSING WHITE PAPER – ‘FIXING THE BROKEN HOUSING MARKET’- GREATER MANCHESTER RESPONSE

Councillor Richard Farnell, Portfolio Lead for Planning and Housing, introduced a report which reminded Members that on the 7 February 2017, the Secretary of State for Communities and Local Government announced the publication of the Government's White Paper on housing and planning, designed to address the "broken housing market" and its failure to deliver the numbers of homes needed to house the nation.

Members noted that the deadline for comments is 2 May and the report provided a short briefing of the White Paper and a suggested draft response from Greater Manchester.

Councillor Farnell highlighted that the White Paper did provide for land banking by developers or make provisions for sanctions to ensure that they develop these sites. Clarification had also been requested in relation to assisting the release of brownfield sites.

Councillor Smith commented on the need for affordable housing and the issues associated eg young people being forced out of the housing market due to house prices relative to their income. He also highlighted the potential problem of a shortage of skilled building workers post Brexit.

RESOLVED/-

1. That the report be noted and that the draft response along with the comments recorded above be endorsed.

2. To grant delegated authority to the Lead Chief Executive, Planning & Housing, in consultation with Councillor Farnell, Portfolio Holder for Planning and Housing, to make final amendments to the consultation documents and submission to the Department for Communities and Local Government

89/17 COMMUNITY RESILIENCE UPDATE: IN RESPECT OF GREATER MANCHESTER GOVERNANCE ARRANGEMENTS

Tony Lloyd, GM Interim Mayor, introduced a report, which provided an update in relation to the progress made around the building community resilience agenda and in particular, he wished to draw Members' attention to positive outcomes and areas of work which would benefit from additional investment.

RESOLVED/-

1. That GM Prevent Duty Self-Assessment framework process described in the report continues to be resourced and supported locally.
2. That the approach to Prevent as outlined in the report and in particular the Channel peer review process and ensure that adequate local resource is allocated to both the planning and implementation of this work, be supported.

90/17 INDEPENDENT REPORT OF GREATER MANCHESTER CRISIS CONCORDAT

Tony Lloyd, GM Interim Mayor, introduced a report which updated Members in relation to Lord Bradley's independent review of the Greater Manchester Crisis Care Concordat partnership work.

RESOLVED/-

1. That the report and comment on areas of significance, in particular the recommendations made in relation to leadership be noted.
2. That the recommendations be considered in the first instance by the Mental Health Strategic Partnership Board, which reserves the right to delegate responsibility for recommendation implementation to those working groups which already function within the Greater Manchester Mental Health strategic governance arrangements.

91/17 APPOINTMENT OF NON EXECUTIVE DIRECTOR TO TRANSPORT FOR GREATER MANCHESTER BOARD

Tony Lloyd, GM Interim Mayor and Portfolio Lead for Transport, introduced a report which sought the approval of Members to extend the appointment of Mr Les Mosco as a Non-Executive Director of Transport for Greater Manchester.

RESOLVED/-

1. That the short term extension of the appointment of Mr Les Mosco as a Non-Executive Director of TfGM to 31 December 2017 be approved; and
2. That authority be delegated to the Chief Executive of TfGM to formalise the terms of this re-appointment.

92/17 MANCHESTER GROWTH COMPANY BUSINESS PLAN

Councillor Richard Leese, Portfolio Lead for Economic Strategy, introduced a report which presented Members with the Manchester Growth Company (MGC) Business Plan for the 2017-18 financial year.

The full business plan has been approved by the MGC Board with input from Local Authority Chief Executive portfolio leads. Members noted that alongside the plan is an agreed performance reporting framework to allow oversight on core MGC deliverables.

Members agreed to take the confidential, commercially sensitive Part B report at Item 16 of the agenda as read whilst considering this report.

RESOLVED/-

1. That the report and the priorities for 2017/18, as set out in the report be noted and the business plan be endorsed.
2. That the change of company name from Manchester Growth Company to Growth Company be noted.

93/17 EXCLUSION OF PRESS AND PUBLIC

Members noted that the commercially sensitive information contained in Item 16, Manchester Growth Company Business Plan was taken as read during the consideration of the Part A Manchester Growth Company Business Plan (Minute Ref 92/17 refers) and for this reason the exclusion resolution was not moved.

94/17 MANCHESTER GROWTH COMPANY BUSINESS PLAN

CLERK'S NOTE: This item was considered in support of the Part A Manchester Growth Company Business Plan at Minute 92/17 above.

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DECISIONS AGREED AT THE MEETING OF THE JOINT GREATER MANCHESTER COMBINED AUTHORITY AND AGMA EXECUTIVE BOARD, HELD ON FRIDAY 28 APRIL 2017 AT GREATER MANCHESTER POLICE HEADQUARTERS, CENTRAL PARK, MANCHESTER

GM INTERIM MAYOR	Tony Lloyd (in the Chair)
BOLTON COUNCIL	Councillor Cliff Morris
BURY COUNCIL	Councillor Rishi Shori
MANCHESTER CC	Councillor Richard Leese
OLDHAM COUNCIL	Councillor Jean Stretton
ROCHDALE MBC	Councillor Richard Farnell
SALFORD CC	City Mayor Paul Dennett
STOCKPORT MBC	Councillor Alex Ganotis
TAMESIDE MBC	Councillor Kieran Quinn
TRAFFORD COUNCIL	Councillor Sean Anstee
WIGAN COUNCIL	Councillor Peter Smith

JOINT BOARDS AND OTHER MEMBERS IN ATTENDANCE

GMF&RS	Councillor David Acton
GMWDA	Councillor Nigel Murphy
TfGMC	Councillor Andrew Fender

OFFICERS IN ATTENDANCE

Eamonn Boylan	GMCA
Liz Treacy	GMCA Monitoring Officer
Richard Paver	GMCA Treasurer
Andrew Lightfoot	Deputy Head of the Paid Service, GMCA
Julie Connor	Head of Governance and Scrutiny, GMCA
Paul Harris	Governance and Scrutiny, GMCA
Margaret Asquith	Bolton Council
Pat Jones-Greenhalgh	Bury Council
Joanne Roney	Manchester CC
Carolyn Wilkins	Oldham Council
Steven Pleasant	Rochdale MBC
Jim Taylor	Salford CC
Laureen Donnan	Stockport MBC
Steven Pleasant	Tameside MBC
Theresa Grant	Trafford Council

Alison McKenzie Folan	Wigan Council
Ian Hopkins	GM Police
Peter O'Reilly	GM Fire & Rescue Service
Steve Warrener	Transport for Greater Manchester
Jon Rouse	Health and Social Care Partnership
Mark Hughes	Manchester Growth Company
Adam Allen	Office of the Police & Crime Commissioner
Clare Monaghan	Office of the Police & Crime Commissioner
Rodney Lund	Manchester CC
Paul Harris	GM Integrated Support Team

32/17 APOLOGIES

Apologies for absence were received and noted from Donna Hall (Wigan) and Jon Lamonte (TfGM).

33/17 CHAIR'S ANNOUNCEMENTS AND URGENT BUSINESS

There were no announcements made by the Chair or items of urgent business reported.

34/17 DECLARATIONS OF INTERESTS

There were no declarations of interest made by any Member in respect of any item on the agenda.

35/17 MINUTES OF THE JOINT GMCA AND AGMA EXECUTIVE BOARD HELD ON 31 MARCH 2017

The minutes of the meeting of the Joint GMCA & AGMA Executive Board held on 31 March 2017 were submitted.

RESOLVED/-

That the minutes of the meeting of the Joint GMCA & AGMA Executive Board, held on 31 March 2017 be approved as a correct record.

36/17 FORWARD PLAN OF STRATEGIC DECISIONS OF JOINT GMCA & AGMA

Consideration was given to a report advising Members of those strategic decisions that were to be considered by the Joint GMCA and AGMA Executive Board over the forthcoming months.

RESOLVED/-

That the Forward Plan of Strategic Decisions, as set out in the report, be noted.

37/17 MINUTES OF THE JOINT GMCA & AGMA SCRUTINY POOL HELD ON 7 APRIL 2017

The minutes of the Joint GMCA and AGMA Scrutiny Pool meeting, held on 7 April 2017 were submitted for information.

RESOLVED/-

That the minutes of the Joint GMCA and AGMA Scrutiny Pool meeting, held on 7 April 2017 be noted.

38/17 MINUTES OF THE JOINT GMCA & AGMA AUDIT COMMITTEE HELD ON 19 APRIL 2017

The minutes of the Joint GMCA and AGMA Audit Committee meeting, held on 19 April 2017 were submitted for information.

RESOLVED/-

That the Minutes of the Joint GMCA & AGMA Audit Committee meeting held on 19 April 2017 be noted.

39/17 GMCA AUDIT COMMITTEE MEMBERSHIP & TERMS OF REFERENCE 2017-18

Tony Lloyd, GM Interim Mayor, introduced a report which set out the necessary changes that the GMCA needs to make as it prepares to take on significant new powers devolved from government in May 2017.

Members noted that there has been new legislative requirements regarding the audit committees of Combined Authorities in the Cities and Local Government Devolution Act 2016 and Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 ('the Order'). The provisions of this Order come into force on the 8th May 2017. It also sets out some proposed changes to the Committee which will ensure that it continues to discharge its functions effectively after May 2017.

Members noted that Greater Manchester's Joint Audit Committee agreed these recommendations at its meeting on 19 April 2017 and requested that the Joint GMCA and AGMA Executive Board endorse their recommendations.

RESOLVED/-

1. That it be agreed that the GMCA's Audit Committee's membership is reduced from eight to six.
2. That it be agreed that there should be some flexibility regarding the composition of the Committee's membership of six, so that the GMCA have the option of either appointing **two independent persons and four elected members** or **five elected members and one independent person** (depending on the number of

appointable independent persons). It is suggested that the final decision on the Committee's composition should be taken by the GMCA's Annual Meeting in June.

3. That going forward Audit Committee members should not be members of the GMCA (ie. not a Leader/City Mayor of the ten districts, or their substitutes or the elected mayor).
4. That the GMCA's Monitoring Officer (in consultation with the GMCA Treasurer) be given delegated authority to make arrangements, for advertising, short-listing and interviewing candidates for appointment as Independent Members of the GMCA Joint Audit Committee and to make recommendations to the GMCA in respect of appointment.
5. That the changes set out in section 4 of the report, are incorporated in the GMCA Audit Committee's new terms of reference.

40/17 INVESTING IN REFORM

Tony Lloyd, GM Interim Mayor and Portfolio Lead for Reform introduced a report which provided Members with an update on the development of the GM Reform Investment (Life Chances) Fund. It outlines the content of specific funding agreements with Government, governance arrangements for the Fund and recommendations arising from the GM Reform Investment Panel and GM Reform Board.

RESOLVED/-

1. That the progress in developing the GM Reform Investment Fund, be noted.
2. That the content of the draft GM Reform Investment Fund Memorandum of Understanding as set out as an appendix to the report, be noted.
3. That the opportunity to operate outside the existing national framework for the Troubled Families programme be noted and that the re-profiling of the GM Troubled Families funding to accelerate wider system transformation be agreed.
4. That the recommendation of the Reform Board and the Reform Investment Fund Panel to fund Intensive Community Orders for a period of up to three years from 2017/18, subject to completion of the GM Reform Investment Fund Memorandum of Understanding with Government be agreed.

41/17 ACKNOWLEDGEMENT - TONY LLOYD

Members noted that this was to be the last meeting attended by Tony Lloyd in his capacity as GM Interim Mayor and Chair of the GMCA.

On behalf of Members, Councillor Kieran Quinn paid tribute to the work Tony had done during a long career as a Member of Parliament, a Minister, as Police and Crime Commissioner and as GM Interim Mayor. In particular, he recognised Tony's ability to understand the needs of public service, in supporting diversity and addressing hate crime. In addition, Members noted that his working contribution to public life was visible in the continued growth of Greater Manchester.

In response, Tony thanked his colleagues for their kind words and support.

Date: **28 April 2017**

Subject: **Forward Plan of Strategic Decisions for the GMCA**

Report of: **Julie Connor, Head of Greater Manchester Integrated**

1. INTRODUCTION

1.1 At their meeting on 24 June 2011, the GMCA agreed procedures for developing a Forward Plan of Strategic Decisions for the Authority, in line with the requirements of the GMCA's constitution. The latest such plan is attached as the Appendix to this report.

2. RECOMMENDATIONS

2.1 GMCA members are invited to note, comment and suggest any changes they would wish to make on the latest Forward Plan of Strategic Decisions for the GMCA; attached to this report.

3. FORWARD PLAN: CONSTITUTIONAL REQUIREMENTS

3.1 In summary the Secretary of the GMCA is required to:-

- prepare a plan covering 4 months, starting on the first day of the month
- to refresh this plan monthly
- to publish the plan fourteen days before it would come in to effect
- state in the plan
 - (i) the issue on which a major strategic decision is to be made;
 - (ii) the date on which, or the period within which, the major strategic decision will be taken;
 - (iii) how anyone can make representations on the matter and the date by which any such representations must be made; and
 - (iv) a list of the documents to be submitted when the matter is considered

The constitution is also quite specific about the matters which would need to be included within the Forward Plan:-

- any matter likely to result in the GMCA incurring significant expenditure (over £1 million), or the making of significant savings; or
- any matter likely to be significant in terms of its effects on communities living or working in the area of the Combined Authority.

plus the following more specific requirements:-

1. a sustainable community strategy;
 2. a local transport plan;
 3. approval of the capital programme of the GMCA and TfGM and approving new transport schemes to be funded by the Greater Manchester Transport Fund;
 4. other plans and strategies that the GMCA may wish to develop;
 5. the preparation of a local economic assessment
 6. the development or revision of a multi-area agreement,
 7. the approval of the budget of the GMCA;
 8. the approval of borrowing limits, the treasury management strategy and the investment strategy;
 9. the setting of a transport levy;
 10. arrangements to delegate the functions or budgets of any person to the GMCA;
 11. the amendment of the Rules of Procedure of the GMCA;
 12. any proposals in relation to road user charging
- 3.3 All the matters at 1-12 above require 8 members of the GMCA to vote in favour, except those on road user charging, which require a unanimous vote in favour
- 3.4 The attached plan therefore includes all those items currently proposed to be submitted to the GMCA over the next 4 months which fit in with these criteria. GMCA members should be aware that:-

- Only those items considered to fit in with the above criteria are included. It is not a complete list of all items which will be included on GMCA agendas
- Items listed may move dependent on the amount of preparatory work recorded and external factors such as where matters are dependent on Government decisions; and
- In some cases matters are joint decisions of the GMCA & AGMA Executive Board.

CONTACT OFFICER:

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GREATER MANCHESTER COMBINED AUTHORITY

FORWARD PLAN OF STRATEGIC DECISIONS

1 May 2017 – 31 August 2017

The Plan contains details of Key Decisions currently planned to be taken by the Greater Manchester Combined Authority; or Chief Officers (as defined in the constitution of the GMCA) in the period between 1 May and 31 August 2017.



Please note: Dates shown are the earliest anticipated and decisions may be later if circumstances change.

If you wish to make representations in connection with any decisions please contact the contact officer shown; or the offices of the Greater Manchester Integrated Support Team (at Manchester City Council, P.O. Box 532, Town Hall, Manchester, M60 2LA, 0161-234 3124; info@agma.gov.uk) before the date of the decision.

Subject	Contact Officer	Description	Anticipated Date of Decision
Wigan Interchange	Portfolio Lead: TBC Portfolio Lead Officer: Jon Lamonte Contact Officer: Steve Warrener	Full Approval	26 May 2017
To be confirmed			
Rail Industry Funding Submissions for CP6 (2019 – 2024)	Portfolio Lead: TBC Portfolio Lead Officer: Jon Lamonte Contact Officer: Jon Lamonte	To present the priority list of future rail schemes to be submitted into the industry control period mechanism with a view to securing funding.	To be confirmed

Subject	Contact Officer	Description	Anticipated Date of Decision
Stations Investment	Portfolio Lead: TBC Portfolio Lead Officer: Jon Lamonte Contact Officer: Steve Warrener	Programme and Asset Management – Proposal for Transfer	To Be confirmed
Section 48 Grants	Portfolio Leader: Councillor Alex Ganotis Portfolio Lead Officer: Donna Hall Contact Officer: Sue Parkinson	Proposals for a new Funding Programme	To be confirmed
Greater Manchester City Deal : Homes for Communities Agency Receipts	Portfolio Lead: Cllr Richard Farnell Portfolio Lead Officer: Eamonn Boylan Contact Officer: Bill Enevoldson	Proposed Strategy for equity investment	To be confirmed
Stockport Bridge Interchange	Portfolio Lead: Portfolio Lead Officer: Jon Lamonte Contact Officer: Steve Warrener	Full Approval	July 2017

Subject	Contact Officer	Description	Anticipated Date of Decision
Bus Franchising	Portfolio Lead: TBC Portfolio Lead Officer: Jon Lamonte Contact Officer: Steve Warrener	Consultation and progress with legislation	To be confirmed

Report To:	EXECUTIVE CABINET
Date:	28 June 2017
Executive Member/ Reporting Officer:	Cllr J M Fitzpatrick - First Deputy (Performance and Finance) Ian Duncan – Assistant Executive Director (Finance)
Subject:	REVENUE MONITORING – QUARTER 4 2016/17
Report Summary:	<p>This report shows that at Quarter 4 the overall net service outturn revenue position for 2016/17 is £1.234m under budget. This is after movements to reserves to assist with future years' budget pressures.</p> <p>The budget for corporate costs is £7.142m under budget.</p> <p>The report explains the main variations to the Council's approved budget for the year.</p>
Recommendations:	<ol style="list-style-type: none">1) That the revenue outturn position is noted.2) That the detail for each service area is noted.3) That the changes to revenue budgets as set out in the report are approved.4) That the capital outturn position is noted.
Links to Community Strategy:	Budget is allocated in accordance with the Community Strategy.
Policy Implications:	Budget is allocated in accordance with Council Policy.
Financial Implications: (Authorised by the S151 Officer)	This is the subject of the report.
Legal Implications: (Authorised by the Borough Solicitor)	There is a statutory duty to ensure the Council sets a balanced budget and that it is monitored to ensure statutory commitments are met.
Risk Management:	Failure to properly manage and monitor the Council's budgets will lead to service failure and a loss of public confidence.
Access to Information	<p>The background papers relating to this report can be inspected by contacting the report writer, Ian Duncan, Assistant Executive Director (Finance) by:</p> <p> Telephone: 0161 342 3864</p> <p> e-mail: ian.duncan@tameside.gov.uk</p>

1 INTRODUCTION

- 1.1 This is the final revenue monitoring report of the 2016/17 financial year. The report summarises the unaudited revenue outturn position for service areas of the Council at the 31 March 2017.
- 1.2 Details of the various sections and Appendices within the report are shown below:
- **Section 2:** Changes to the budget since January 2017.
 - **Section 3:** A summary of the budget and revenue financial position for Service areas.
 - **Section 4:** Savings update.
 - **Section 5:** Council Tax, Business Rates collection performance and write offs.
 - **Section 6:** Commentary about the financial challenges in the local health and social care economy.
 - **Section 7:** Capital Outturn Summary.
 - **Section 8:** Recommendations.
 - **Appendix 1:** Details for each Directorate showing the revenue outturn position and:
 - an explanation of significant variations to budget;
 - an analysis of expenditure and income.
 - **Appendix 2:** Analysis of the Council Tax and Business Rates collection performance.
 - **Appendix 3:** Business Rates, Council Tax and Sundry Debtor Accounts written off.
 - **Appendix 4:** Summary of the capital outturn position
- 1.3 This report details the Council's final revenue outturn position for 2016/17 against the approved budget for the year and shows the net of income and expenditure as a variation to budget.
- 1.4 Also included within the report are details for those budgets that are held corporately and the projected outturn position. These budgets include the cost of capital financing, democracy and where service areas are unable to affect spend against budget e.g. AGMA costs.
- 1.5 Separate tables, which break down the budgets into elements of expenditure and income, are included in **Appendix 1**, to show how Directorates used their allocated funding.
- 1.6 The report also shows the final capital outturn position. A detailed report will be presented to the next meeting of the Strategic Planning and Capital Monitoring Panel.

2 SUMMARY OF CHANGES TO THE BUDGET

- 2.1 There have been no adjustments to the overall net budget since Quarter 3 and remains at £162.3m. There has been a change between services relating to accommodation for the Clinical Commissioning Group, which has been reflected in Table 1 below.

3 SUMMARY OF THE FINANCIAL POSITION

3.1 This report shows that at Quarter 4 the total service overall net revenue expenditure for the 2016/17 financial year is £142.2m compared to a budget for services of £143.4m, giving a position of £1.234m less than the budget.

Table 1: Outturn revenue position for 2016/17

Directorate	Service	2016/17 Budget £000	Outturn £000	Variation to Budget £000
People	Children's Social Care	25,878	28,684	2,806
People	Education	3,313	3,213	(100)
People	Adult and Early Intervention Services	42,064	42,019	(45)
	Total Director of People	71,255	73,916	2,661
Place	Asset and Investment Partnership Management	2,580	3,344	764
Place	Environmental Services	46,999	46,068	(931)
Place	Development Growth and Investment	2,286	2,257	(29)
Place	Digital Tameside	1,817	1,817	0
Place	Stronger Communities	7,096	6,652	(444)
	Total Director of Place	60,778	60,138	(640)
Public Health	Director of Public Health	1,400	1,506	106
Governance and Resources	Director of Governance and Resources	9,979	6,618	(3,361)
	Total Service Position	143,412	142,178	(1,234)

- 3.5 The overall net position is that service expenditure is within budget although it can be seen that there are variances, both over and under budget, as summarised in Table 1. Fuller details are set out in **Appendix 1**. In particular Children's Services have faced financial difficulties during the year.
- 3.6 In addition to service budgets, there are corporate budgets which are held to pay for costs such as levies, loan debt etc. as well as the means to cope with in-year volatility. This is £7.1 million less than budget, after contributions to earmarked reserves.

Table 2

Directorate	Corporate Budgets	2016/17 Budget £000	Outturn £000	Variation to Budget £000
Other	Corporate Costs, Capital and Financing and Other Cost Pressures	18,889	11,747	(7,142)
	Total	18,889	11,747	(7,142)

- 3.7 The revenue position reported needs to be considered in the context of the Council's Medium Term Financial Strategy (MTFS). An updated MTFS was presented to Full Council on the 28 February 2017 and detailed the remaining gap to be addressed by 2019/20 as shown in Table 3.

Table 3 - Medium Term Financial Strategy 2017-20

	2017/18 £000	2018/19 £000	2019/20 £000
<u>Resources</u>			
Revenue Support Grant	0	0	0
Business Rates Baseline	(47,701)	(49,285)	(51,094)
Business Rates Top-up Grant	(43,635)	(37,267)	(30,865)
Collection Fund Surplus	(1,000)	(1,000)	(1,000)
Amount to be funded from Council Tax	(74,333)	(74,333)	(74,333)
Use of Reserves and Balances	(2,600)	(1,600)	(300)
Total Resources	(169,269)	(163,485)	(157,592)
<u>Spending Plans</u>			
Director of People	83,117	80,998	79,343
Public Health	16,707	16,740	16,548
Director of Places	58,362	59,550	59,846
Director of Governance and Resources	9,652	9,725	9,824
Corporate Costs	9,558	15,705	19,482
Total Spending	177,396	182,718	185,043
<u>Council Tax Increases</u>			
Council Tax Increase - 4.99% (1.99% in 2019/20)	(3,824)	(7,871)	(9,597)
Revised Tax Base & Collection Rate	(2,303)	(2,612)	(2,922)
Additional Collection Fund Surplus	(2,000)	(500)	(500)
Remaining Gap to be addressed	0	8,250	14,432

4 SAVINGS

- 4.1 Savings targets were allocated in line with consideration of the Council's core purpose, policy priorities, and assessed risks. The Council agreed a savings target of £14 million for 2016/17 as part of a two year budget plan. Detailed savings proposals were drawn up for 2016/17 and agreed by Full Council in February 2015. With the exception of £ 0.860 million within Children's services, the savings targets have been delivered and are summarised below.

Table 3

Directorate	2016/17 Savings Target Achieved £000
People	5,856
Public Health	350*
Place	-
Governance and Resources	-
Corporate Savings	3,589
Capital and Financing	4,305
Total	14,100

* excludes reduction in Public Health grant of £363k

5 COUNCIL TAX, BUSINESS RATES AND SUNDRY DEBTS

- 5.1 The importance of maximising income collection in these areas cannot be overstated given the sums involved.

Council Tax	£92.5 million billed in 2016/17
Business Rates	£43.9 million
Sundry Debts	£61.4 million

- 5.2 **Appendix 2** includes tables showing how the Council has performed against target collection rates in both Business Rates and Council Tax. Any arrears at 31 March 2017 will continue to be pursued vigorously in 2017/18.
- 5.3 Business Rates continues to be a source of some frustration in terms of its predictability and certainty. This is due to the large volume of appeals against rateable values, which remain outstanding: in March 2016 there were 864 appeals outstanding and one year later there are 809 outstanding. As a result the provision set aside for successful appeals has had to be increased to £7.740 million, up from last year's level of £5.952 million. The Business Rates Retention Scheme means that variations in the level of Business Rates income collected has a direct impact on Council resources.
- 5.4 Also attached on **Appendix 3**, are details of irrecoverable debts over £3k (council tax and business rates) and accounts with delegated discretion to write off.

6 CARE TOGETHER

- 6.1 Under Care Together a single body now commissions health and social care services. The single commissioning function is made up from Tameside & Glossop Clinical Commissioning Group and Tameside Council. The Care Together vision is to significantly raise healthy life expectancy by focussing on health and care needs of communities with a view to achieving

better prosperity, health and wellbeing and to deliver a clinically and financially sustainable health and social care service with the next five years.

- 6.2 On the financial front a first step was to enter into a section 75 agreement with Tameside and Glossop CCG to pool resources, with each organisation agreeing to be responsible for its own financial risks in this first year. The governance arrangements are that the Single Commissioning Management Team and the Single Commissioning Board receive regular budget monitoring reports and will agree mitigating actions as appropriate. The financial information in respect of council services provided to the single commissioning bodies is consistent with information included in the Council's budget monitoring reports albeit there can be timing differences between the two.
- 6.3 In working towards financial sustainability across the whole health and social care economy i.e. including Tameside Hospital Foundation Trust, a single consolidated financial report is now produced on a monthly basis. This is showing a collective surplus of £1.1 million in 2016/17. The revenue financial position is shown below;

Table 4

Organisation	Year End			Movement	
	Budget £'000s	Actual £'000s	Variance £'000s	Previous Month £'000s	Movement in Month £'000s
Tameside & Glossop CCG	388,441	381,272	7,169	3,491	3,678
Tameside MBC	69,272	71,904	(2,632)	(4,011)	1,379
Total Single Commissioner	457,713	453,176	4,537	(520)	5,057
ICFT Deficit	(17,300)	(13,840)	(3,460)	(2,525)	(935)
Total Whole Economy	440,413	439,336	1,077	(3,045)	4,122

The outturn consolidated report can be found at:

<http://tameside.moderngov.co.uk/documents/s18811/ITEM%20a%20-%20Care%20Together%20Economy%20Presentation.pdf>

7 CAPITAL OUTTURN SUMMARY

- 7.1 The Capital outturn position is detailed in **Appendix 4**. It shows expenditure less than the budget of £15.869 million this is after identified slippage was taken into account at quarter 3. The detail of the variances will be included within the Capital outturn report, which will be presented at the next meeting of the Strategic Planning and Capital Monitoring Panel.

8 RECOMMENDATIONS

- 9.1 As stated on the report cover.

DIRECTOR OF PEOPLE

1. CHILDREN'S SERVICES

	2016/17 Budget £000	Outturn £000	Variation to Budget £000
Children's Social Care	25,878	28,684	2,806
Education	3,313	3213	(100)
TOTAL	29,191	31,897	2,706

Overview

Reasons for the significant variations to budget:

CHILDREN'S

Employee Expenses:

£000

Employee costs are in excess of budget due to a number of additional Social Workers and agency Social Workers being employed to address caseload capacity issues.

662

External Agency Placements - Residential/Fostering and Internal Carer Payments:

External Residential and Foster Care Placements and Internal Carer Payments - The Looked After Children Numbers have increased significantly from 435 at April 16 to 509 at March 17, this has resulted in spend above budget. It should be noted that the service is exposed to significant risk of costs and additional unexpected and complex needs placements throughout the year, which could have an effect on these costs.

1,172

Original Savings yet to be realised - Eligibility Threshold Reductions

215

Original Savings yet to be realised - Boyds Walk Residential saving of external compared to internal

380

Original Savings yet to be realised - Closure of St Lawrence Road

100

Original Savings yet to be realised - Further reductions to External Residential and Fostering Placements

165

Sales, Fees and Charges:

Reduction in Inter Agency Adoption fees and other minor variations under £0.05m

268

Other Variations:

Other variations amount to £0.156m under budget. The following have been identified as significant areas of variation: Increase in contract value for Children's Right Return Interviews for Missing Children's Service (£0.100m); remand placement expenditure in excess of grant (£0.051m). This is offset by lower than anticipated costs for IT related expenditure (£0.080m), efficiencies in Early Help leading to a reduction in spend (£0.097m), salary contributions to Early Years (£0.076m) and other minor variations under £0.050m. (156)

Children's Total

2,806

EDUCATION

Employee Costs

£000

Expenditure is below budget on employee costs due to the vacant Head of Schools Performance & Standards position (£0.085m), some part year vacancies (£0.082m), a reduction/re-distribution of staff within the Pupil Support Service (0.080m) and other minor variations under £0.050m. (362)

Special Education Transport

Expenditure is above budget due to an increase in the number of children receiving transport for the academic year 2016-17. 250

Other Expenditure

Other Expenditure is below budget due to both the traded Governors Support (£0.062m) and Education Psychology (£0.069m) services spending less on external support and resources than originally planned, the School Improvement Fund (£0.098m) spending less than anticipated, along with other minor variations of less than £0.050m. There was expenditure from the School Improvement Fund of £0.111m which was offset by contributions from schools of £0.093m and earmarked reserves of £0.018m. (184)

Grants & Other Contributions

Minor Variations Under £0.050m (51)

Non-Academy Schools Income

Income is less than budgeted for Non-Academy Schools due to a reduction in the buy in from schools to the Behaviour for Learning & Inclusion Service (£0.185m), to the Equality, Multicultural and Access Team (£0.087m), the School Music Service (£0.020m) and the Governors Training Traded Service (£0.016m). 334

Other Income

Minor Variations Under £0.050m (87)

Education Total

(100)

2. ADULT AND EARLY INTERVENTION SERVICES

	2016/17 Budget £000	Outturn £000	Variation to Budget £000
Adult Social Care	42,064	42,019	(45)
TOTAL	42,064	42,019	(45)

Overview

£000

ADULTS AND EARLY INTERVENTION

Removal of payment for the performance element of Better Care Fund (BCF) has resulted in changes to national conditions around NHS commissioned out of hospital services. There is a minimum requirement in 2016/17 to invest £4.4m of the overall BCF allocation into these services which represents an increase of £1.12m on the previous year's figure. Consequently this has resulted in a £1.12m reduction in the BCF resource available to fund Adult Social Care.

1,120

Additional Homecare Expenditure that had been expected to incur did not materialise. This is a result of commissioned hours being significantly in excess of actual hours provided

(303)

Funded Nursing Care placements income was greater than projected

(356)

Further reductions in Direct Payments expenditure due to a reduction in client numbers and claw backs from clients

(100)

Income from Client Contributions towards community based care packages was higher than expected. This is a significant increase on the previous year's position

(250)

Transfer from Adult Social Care Budget Strategy Reserve

(1,500)

Transfer to Adult Social Care Doubtful Debt Provision (note i)

1,500

Other Minor Variations

(156)

Adults and Early Intervention Total

(45)

Note i: The Council aims to collect approximately £10.3 million per annum from service users as their means tested financial contribution towards the cost of their care. At 31 March 2017 there were £5.6 million of cumulative arrears covering the past 16 years. An assumption has been made that not all of the debt will ultimately be collected. Debt is only written off as a last resort after all avenues for collection have been exhausted.

DIRECTOR OF PUBLIC HEALTH

3. DIRECTOR OF PUBLIC HEALTH

	2016/17 Budget £000	Outturn £000	Variation to Budget £000
Director of Public Health	1,400	1,506	106
TOTAL	1,400	1,506	106

Overview**£000**

The Public Health budget has been charged with the borrowing repayments associated with the major capital investment plan in facilities managed by Active Tameside. No budget provision for this cost was made in 2016/17.

106**Public Health Total****106**

4. ASSET AND INVESTMENT PARTNERSHIP MANAGEMENT

	2016/17 Budget £000	Outturn £000	Variation to Budget £000
Asset and Investment Partnership Management	2,580	3,344	764
TOTAL	2,580	3,344	764

Overview

CORPORATE LANDLORD

£000

This relates to expenditure costs on the completion of a sale, which is over the allowable 4% cost that cannot be off set against the capital receipt, for example small plots of land. There is no allowance in the budget for costs exceeded the 4% threshold.

136

Similarly there is no specific budget provision for the following costs that were incurred during the year:

- Expenditure relating to the realisation of capital receipts under £10k;
- Abortive expenditure costs on potential sales of land and buildings;
- Essential building maintenance and repair there was no specific budget for this in 16/17 but has been addressed in 17/18.

329

An annual sum is paid to Rochdale Council for the use of their data centre of £50k. Expenditure charged in the years represented 15 months occupation.

72

The income budget for capital receipts under £10k was set at the level achieved the previous year of £110k. The amount actually received was £73k which was less than the budget.

37

An income budget associated with a DfE grant received in a previous financial year was rolled forward into the 2016/17 budget in error. No such income was received in the year.

166

Dukinfield Cemetery And Crematorium Business rates reimbursement backdated to 2010.

(196)

Ryecroft Community Association's rent review has reduced the income budget from £46k to £23k. There were other minor rent variations of £3k.

26

ESTATES

The rental income generated from industrial estates is less than budget.

136

The income from charging for the estates function is less than the budget.

57

Asset and Investment Partnership Management Total

763

5. ENVIRONMENTAL SERVICES

	2016/17 Budget £000	Outturn £000	Variation to Budget £000
Environmental Services	46,999	46,068	(931)
TOTAL	46,999	46,068	(931)

Overview

£000

WASTE SERVICES

The waste disposal levy budget comprises of a payment to GM Waste Disposal Authority and also a contribution to the waste levy smoothing reserve. The individual components are:

- A payment of £12.974m for the levy during the year which is below budget **(6,390)**
- Waste Disposal Levy year-end transfer to reserve **5,759**
- Other waste disposal related expenditure **631**

Expenditure in excess of budget :

386

- Purchase of wheeled bins £225k
- Transport costs - additional hires and workshop recharges £161k

OPERATIONS SERVICE

Essential health and safety infrastructure repairs in excess of budget

167

ENGINEERS SERVICE

Expenditure in excess of budget in Engineering Design :

170

- Engineering works £105k
- Supplies and Services £65k

Expenditure in excess of budget in Highways :

93

- Engineering works (footways, drainage, street lighting reactive maintenance)

CIVIL ENGINEERS SERVICE

- Income in excess of budget

(1,447)

Expenditure in excess of budget :

911

- Sub-contractors £526k
- General materials £385k

Other variations across Environmental Services

Expenditure less than budget as a result of delayed recruitment following various service re-designs	(591)
Other variations across Environmental Services	400
Savings delivered in advance of 2017/2018	(1,020)
Environmental Services Total	<u>(931)</u>

6. DEVELOPMENT GROWTH AND INVESTMENT

	2016/17 Budget £000	Outturn £000	Variation to Budget £000
Development Growth and Investment	2,286	2,257	(29)
TOTAL	2,286	2,257	(29)

Overview

£000

Expenditure less than budget as a result of delayed recruitment following various service re-designs across Development Growth and Investment. Budgets are set to top of scale, and it is anticipated that vacant posts are expected to be filled as soon as possible. (179)

One-off unbudgeted commitments for various economic growth and regeneration initiatives across the borough £200k, one off additional funding received from DCLG to support planning in relation to Godley Green Garden Village £299k carried forward to 2017/18 and other minor variations below £50k across the service amounting to £145k. 648

Employment & Skills grant funding from Salford City Council for GM Commitments (£98k) and one off additional grant funding from DCLG to support planning in relation to Godley Green Garden Village (£299k), other minor variations across the service below £0.50m £28k. (369)

Income less than budget for the Building Control service £153k as a result of vacant posts, therefore inability to complete work. 166

Higher than anticipated income for the Agency Service provided to deliver Disabled Facilities Grant Funded capital scheme for 2016/17 (£50k), and increased income in Employment and Skills (£50k). (100)

Other minor variations across the service below £0.50m (£65k). (65)

Savings being planned 2016/17 to be used to fund service re-design in the Investment and Development service within Development Growth and Investment. (130)

Development Growth and Investment Total **(29)**

7. DIGITAL TAMESIDE

	2016/17 Budget £000	Outturn £000	Variation to Budget £000
Digital Tameside	1,817	1,817	(0)
TOTAL	1,817	1,817	(0)

Overview

No variation to budget.

8. STRONGER COMMUNITIES

	2016/17 Budget £000	Outturn £000	Variation to Budget £000
Stronger Communities	7,096	6,652	(444)
TOTAL	7,096	6,652	(444)

Overview

£000

Reduction in Supporting People contracts in effect from part way through the year, full year effect will materialise in 2017/18.

33

Contract variation for homelessness demographics due to change in legislation increasing demand not coming into effect until 1st October 2016, waiver for 10 units of temporary supported accommodation for homeless household's full year effect of £52k.

(106)

Contract variation for supporting people & homelessness contracts to pay living wage not coming into effect until 1st October 2016, when materialised only affected 3 members of staff.

(162)

One-off savings from staff turnover.

(72)

Increase in demand and subsequent 23% increase in the number of packages awarded for the Tameside Resettlement Scheme

50

Ad-hoc efficiencies across Stronger Communities.

(187)

Stronger Communities Total

(444)

DIRECTOR OF GOVERNANCE AND RESOURCES

9. DIRECTOR OF GOVERNANCE AND RESOURCES

	2016/17 Budget £000	Outturn £000	Variation to Budget £000
Director of Governance and Resources	9,979	6,618	(3,361)
TOTAL	9,979	6,618	(3,361)

Overview**£000**

Expenditure less than budget as a result of delayed recruitment following various service re-designs severance, on-going restrictions in recruitment and delays in the implementation of service redesign. (1,969)

On-going restrictions in expenditure and efficiencies across the service have resulted in an expenditure level of £674k under budget. This includes reductions in software maintenance costs of £112k, non-commissioning of Project and Professional services expenditure of £173k and advertising costs of £150k. (674)

Income levels in excess of budget provision across the service for external income generation, fee income and recharges total 436k, and the cost of collection surplus of 282k. (718)

Director of Governance and Resources Total**(3,361)**

CORPORATE BUDGETS

10. CORPORATE COSTS

Directorate	Corporate Budgets	2016/17 Budget £000	Outturn £000	Variation to Budget £000
Other	Corporate Costs, Capital and Financing and Other Cost Pressures	18,889	11,747	(7,142)
	Total	18,889	11,747	(7,142)

Overview

As reported in monitoring reports and treasury management updates throughout the year, no borrowing was undertaken by the Council in 2016/17. The saving from this decision was £5.962 million. For information, the 2017/18 budget assumes only limited borrowing will take place.

A change in the placement of the Council's surplus cash has contributed to the generation of additional investment interest of £0.804 million.

The assessment of Business Rates the possible outcome of business rates appeals continues to be a source of frustration. When the budget for 2016/17 was approved in February 2016 it was assumed that a surplus of £1.7million in business rates would be achieved before business rates appeals, but that an equivalent sum would have to be set aside for the backdated cost of appeals.

Savings in insurance costs (£0.555 million) and spend less than budget provision for corporate budgets (£1.160 million).

For transparency, transfers to the earmarked Budget Strategy Reserve were made in the year, amounting to £3.9 million and £3.0 million to the NNDR deficit reserve. This is consistent with the budget assumption and therefore there is no variation to report.

APPENDIX 2

The tables below detail how the Council is performing against target collection rates in both Business Rates and Council Tax. Arrears are pursued and recovery of current year arrears will continue in future years.

Council Tax In-year Collection Performance 2016/17				
	Cash Collected £m	Cash Collected %	Cash Target %	Variation %
April 2016	9.623	10.42	10.80	-0.38
May 2016	17.800	19.27	19.40	-0.13
June 2016	26.103	28.26	28.40	-0.14
July 2016	34.121	36.89	37.60	-0.71
August 2016	42.443	45.86	46.20	-0.34
September 2016	50.665	54.71	55.30	-0.59
October 2016	58.812	63.51	64.30	-0.79
November 2016	67.166	72.54	73.30	-0.76
December 2016	74.963	80.97	81.80	-0.83
January 2017	83.183	89.94	90.20	-0.26
February 2017	85.689	92.56	92.50	+0.06
March 2017	86.698	93.69	94.40	-0.71

Business Rates In-year Collection Performance 2016/17				
	Cash Collected £m	Cash Collected %	Cash Target %	Variation %
April 2016	10.789	17.18	10.70	+6.48
May 2016	15.863	25.33	18.80	+6.53
June 2016	20.918	33.65	28.80	+4.85
July 2016	23.329	37.54	38.30	-0.76
August 2016	32.069	51.57	46.70	+4.87
September 2016	36.935	59.39	55.10	+4.29
October 2016	42.602	68.73	63.50	+5.23
November 2016	45.088	72.83	72.10	+0.73
December 2016	49.762	80.59	79.50	+1.09
January 2017	55.710	90.23	88.20	+2.03
February 2017	56.248	95.12	92.70	+2.42
March 2017	59.253	96.42	96.20	+0.22

APPENDIX 3

IRRECOVERABLE DEBTS OVER £3000

1 January 2017 to 31 March 2017

Note individuals are anonymised

REF:	DEBT:	FINANCIAL YEAR(S)	BALANCE	REASON
15106355	Council Tax	2009 - 2010 £486.32 2010 - 2011 £985.06 2011 - 2012 £963.96 2012 - 2013 £400.89 2013 - 2014 £886.22 2014 - 2015 £490.06	£3751.51	Debt Relief Order granted 19/08/2014
13813422	Council Tax	2005 - 2006 £181.24 2006 - 2007 £867.57 2007 - 2008 £641.59 2008 - 2009 £646.50 2009 - 2010 £457.50 2010 - 2011 £216.49 2011 - 2012 £347.75	£3359.01	Debt Relief Order granted 19/09/2012
COUNCIL TAX		SUB TOTAL - Debt Relief Order	£7110.52	
15380816	Council Tax	2013 - 2014 £790.00 2014 - 2015 £1336.87 2015 - 2016 £1072.00	£3405.33	Individual Voluntary Arrangmnt 11/08/2015
16349938	Council Tax	2013 - 2014 £80.23 2014 - 2015 £1210.87 2015 - 2016 £1227.32 2016 - 2017 £1325.30	£3843.72	Individual Voluntary Arrangmnt 26/05/2016
COUNCIL TAX		SUB TOTAL - Individual Voluntary Arrangement	£7249.05	
16462293	Council Tax	2013 - 2014 £900.30 2014 - 2015 £903.10 2015 - 2016 £1253.02 2016 - 2017 £1165.03	£4221.45	Bankrupt 06/08/2016
COUNCIL TAX		SUB TOTAL - Bankruptcy	£4221.45	
15278656	Council Tax	HomeTrader (North West) Ltd St Helens House King Street Derby DE1 3EE Company Dissolved 14/04/2016	2011 - 2012 £242.92 2012 - 2013 £455.24 2013 - 2014 £1340.30 2014 - 2015 £1494.60 2015 - 2016 £1281.09	£4814.15

16253437	Council Tax	CH Wrightcare Supported Lodgings Ltd 601 Market Street Whitworth Rochdale OL12 8QS Company Dissolved 12/11/2016	2011 – 2012 £132.21 2012 – 2013 £819.44 2013 – 2014 £1019.42 2014 – 2015 £1021.40 2015 – 2016 £1036.72 2016 – 2017 £93.02	£4122.21
COUNCIL TAX		SUB TOTAL - Company Dissolved	£8,936.36	
COUNCIL TAX IRRECOVERABLE BY LAW			£27,517.38	
65514407	Business Rates	Best Discount Ltd Oakland Furnishing Company Wharf Point Market Street Droylsden M43 6DD Company Dissolved 28/06/2016	2015 – 2016 £10940.00 2016 – 2017 £5272.28	£16,212.28
65523456	Business Rates	Tech Haulage Ltd Unit E201G Warmco Industrial Estate Manchester Road Mossley OL5 9XA Company Dissolved 02/06/2015	2013 – 2014 £2337.58 2014 – 2015 £3000.98	£5338.56
65454574	Business Rates	Indigo Jeans Ltd 32 Staveleigh Mall Ashton-Under-Lyne OL6 7JJ Company Dissolved 04/10/2016	2014 -2015 £16863.95 2015 – 2016 £25730.00 2016 – 2017 £660.44	£43,254.39
65502909	Business Rates	CMH Bars Ltd The Bowling Green 91 Manchester Road Denton M34 2AF Company Dissolved 17/05/2016	2016 – 2016 £6721.21	£6721.21
65479535	Business Rates	Battlefield Paintball Ltd Unit 4 Ground Floor 2 Hertford Street Ashton-Under-Lyne OL7 0TB Company Dissolved 19/07/2016	2014 – 2015 £3000.00 2015 – 2016 £8332.17	£11,332.17
65469125	Business Rates	First Bathrooms Ltd 150J & 150K Holland Street Denton M34 3GG Company Dissolved 01/10/2016	2012 – 2013 £3701.65 2013 – 2014 £4968.08	£8669.73

65497830	Business Rates	First Bathrooms Ltd 150B Holland Street Denton M34 3GG Company Dissolved 01/10/2016	2012 – 2013 £1448.97 2013 – 2014 £3701.22	£5150.19
65031490	Business Rates	Flexilight Ltd Gardeners Arms 153 Astley Street Dukinfield SK16 4PU Company Dissolved 01/11/2016	2011 – 2012 £3185.15	£3185.15
65501562	Business Rates	Afeeto Ltd 2 Market Street Ashton under Lyne OL6 6BX Company Dissolved 22/12/2015	2013 – 2014 £2216.29 2014 – 2015 £3249.90 2016 – 2016 £298.62	£5764.81
65494183	Business Rates	Old Fleece Ltd Old Fleece Hotel 29 Market Street Stalybridge SK15 2AL Company Dissolved 23/02/2016	2014 – 2015 £3329.34	£3329.34
65037498	Business Rates	Lessa Tyre Recycling Ltd Oxford Street Sawmills Hertford Street Ashton-Under-Lyne OL7 0QL Company Dissolved 19/11/2013	2009 – 2010 £14067.00 2010 – 2011 £14114.57 2011 – 2012 £14488.25 2012 – 2013 £7729.11	£50,399.83
65476161	Business Rates	HS Property Management Ltd 1 st Floor Portland Mill Portland Street South Ashton-Under-Lyne OL6 7SX Company Dissolved 07/07/2015	2013 – 2014 £4429.48 2014 – 2015 £2767.78	£7197.24
BUSINESS RATES		SUB TOTAL – Company Dissolved	£166,554.90	
65486687	Business Rates	2016-2017 £3544.60	£3554.60	Bankrupt 25/8/2016
BUSINESS RATES		SUB TOTAL – Personal Bankruptcy	£3,554.60	
65166044	Business Rates	2013 – 2014 £6906.00 2014 – 2015 £8342.00 2015 – 2016 £7468.00	£22,716.00	Individual Voluntary Arrgt 18/05/2016
65474042	Business Rates	2013 – 2014 £1858.84 2014 – 2015 £2171.97	£4030.81	Individual Voluntary Arrgt 07/11/2014
BUSINESS RATES		SUB TOTAL – Personal Voluntary Arrangement	£26,746.81	
BUSINESS RATES IRRECOVERABLE BY LAW			£196,856.31	

DISCRETION TO WRITE OFF OVER £3000
1 January 2017 to 31 March 2017

Note individuals are anonymised

REF:	DEBT:	FINANCIAL YEAR(S)	BALANCE	REASON
13536609	Council Tax	2004 - 2005 £716.06 2005 - 2006 £968.25 2006 - 2007 £1002.50 2007 - 2008 £1030.50 2008 - 2009 £1065.96 2009 - 2010 £1101.81 2010 - 2011 £1127.25 2011 - 2012 £1134.25 2012 - 2013 £201.39	£7662.27	Absconded, no trace.
13137573	Council Tax	2007 - 2008 £155.05 2008 - 2009 £166.89 2009 - 2010 £885.11 2010 - 2011 £861.69 2011 - 2012 £796.69 2012 - 2013 £796.69 2013 - 2014 £826.37 2014 - 2015 £685.17	£5173.66	Absconded, no trace
13751619	Council Tax	2005 - 2006 £373.03 2006 - 2007 £462.78 2007 - 2008 £474.77 2008 - 2009 £428.99 2009 - 2010 £444.35 2010 - 2011 £455.24 2011 - 2012 £455.24 2012 - 2013 £455.24 2016 - 2014 £1032.39	£4582.03	Absconded, no trace
COUNCIL TAX		SUB TOTAL - Absconded, No Trace	£17,417.96	
COUNCIL TAX DISCRETIONARY WRITE OFF			£17,417.96	
38768	Sundry Debts	FI45068913 12/08/2005	£9441.60	Recovery Exhausted
228808	Sundry Debts	FI45005196 12/09/2002 £942.88 FI45006140 13/08/2003 £208.03 FI45058266 14/08/2003 £4706.15	£5857.06	Recovery Exhausted
SUNDRY DEBTS		SUB TOTAL - Recovery Exhausted	£15,298.66	
SUNDRY DEBTS DISCRETIONARY WRITE OFF			£15,298.66	

Reference		Name and address of company and status	Financial Year	Balance
65034451	Business Rates	Mountrose Ltd 1 Arrow Trading Estate Corporation Road Denton M34 5LR Company in Administration 11/07/2016	2015 – 2016 £6,256.53 2016 – 2017 £6,100.16	£12,356.69
65047136	Business Rates	Norwood Partition Solutions Ltd Unit 13 Hyde Point Dunkirk Lane Hyde SK14 4NL Company in Administration 17/03/2016	2015 – 2016 £3572.42	£3572.42
65052749	Business Rates	Norwood Partition Solutions Ltd Unit 12 Hyde Point Dunkirk Lane Hyde SK14 4NL Company in Administration 17/03/2016	2015 – 2016 £4753.52	£4753.52
BUSINESS RATES		SUB TOTAL – Company in Administration	£20,682.63	
65508877	Business Rates	Nero Ltd Unit 29 Arcades Shopping Centre Warrington Street Ashton-Under-Lyne OL6 7JE Company in Liquidation 18/03/2016	2015 – 2016 £3889.16	£3889.16
65521825	Business Rates	D S Fabrications Ltd Unit E201D Warmco Industrial Estate Manchester Road Mossley OL5 9XA Company in Liquidation 02/09/2016	2015 – 2016 £4777.49 2016 – 2017 £3412.38	£8189.87
65524343	Business Rates	Microshop Trading Ltd Unit D1 Jannat Business Centre Fitzroy Street Ashton-Under-Lyne OL7 0TL Company in Liquidation 21/09/2016	2014 – 2015 £378.02 2015 – 2016 £3119.34	£3497.36
65492156	Business Rates	Northside Distribution Ltd Universal House Robinson Street Ashton-Under-Lyne OL6 8NS Company in Liquidation 18/04/2016	2014 – 2015 £2199.75 2015 – 2016 £14514.25 2016 – 2017 £771.08	£17,485.08

65331893	Business Rates	S.G Turret Ltd Town Lane Denton M34 6LE Company in Liquidation 22/10/2015	2014 – 2015 £753.00 2015 – 2016 £2508.57	£3259.57
65505700	Business Rates	Whitemills Management Ltd Alexandra House 94 Old Street Ashton-Under-Lyne OL6 7SD Company in Liquidation 28/01/2016	2015 – 2016 £3014.46	£3014.46
65423297	Business Rates	Ryecroft Engineering Co Ltd Ryecroft Street Ashton-Under-Lyne OL7 0BS Company in Liquidation 12/01/2015	2014 – 2015 £13872.18	£13,872.18
BUSINESS RATES		SUB TOTAL – Company in Liquidation	£53,207.68	
BUSINESS RATES DISCRETIONARY WRITE OFF			£73,890.31	

SUMMARY OF UNRECOVERABLE DEBT OVER £3000



SUMMARY OF UNRECOVERABLE DEBT OVER £3000		
IRRECOVERABLE by law	Council Tax	£ 27,517.38
	Business Rates	£196,856.31
	Sundry	Nil
	TOTAL	£224,373.69
DISCRETIONARY write off – meaning no further resources will be used to actively pursue	Council Tax	£17,417.96
	Business Rates	£73,890.31
	Sundry	£15,298.66
	TOTAL	£106,606.93

APPENDIX 4

Capital Outturn Position

CAPITAL MONITORING STATEMENT - OUTTURN 2016/17			
	Annual Budget	Actual	Outturn Variation
	£000	£000	£000
<u>PEOPLE</u>			
Children's Services	658	533	(125)
Active Tameside	4,253	4,002	(251)
Adults' Services	918	247	(671)
<u>PLACES</u>			
AIPM	16,855	11,022	(5,832)
Stronger Communities	181	145	(36)
Development & Investment	3,908	3,529	(379)
Digital Tameside	658	483	(175)
Engineering Services	9,230	8,673	(557)
Environmental Health	472	31	(441)
Operations	182	161	(21)
Transport	2,520	1,548	(972)
Education	8,401	4,834	(3,567)
<u>Exchequer</u>			
	90	80	(10)
Unallocated	2,832	0	(2,832)
Total	51,158	35,288	(15,869)

Resources	£000
Grants & Contributions	13,520
Revenue Contributions	560
Corporate:	
- Prudential Borrowing	0
- Reserves / Capital Receipts	21,209
Total	35,288

Report To:	EXECUTIVE CABINET
Date:	28 June 2017
Executive Member/Reporting Officer:	Cllr Jim Fitzpatrick - First Deputy (Performance & Finance) Ian Duncan – Assistant Director (Finance)
Subject:	CAPITAL MONITORING REPORT – OUTTURN
Report Summary	<p>This report summarises the capital monitoring position at 31 March 2017.</p> <p>The report shows total capital investment of £35.288m in 2016/17.</p> <p>Some schemes have been delivered earlier than planned whilst others will be delivered later, as this is set out in the report.</p>
Recommendations:	<p>Members are asked to approve the following:</p> <ul style="list-style-type: none">(i) The reprofiling to reflect up to date investment profiles.(ii) The revised Capital Programme (including changes).(iii) The Capital Financing statement for 2016/17. <p>Members are asked to note:</p> <ul style="list-style-type: none">(i) The 2016/17 Capital Outturn position.(ii) The current position in regards to compulsory purchase orders (CPOs) and indemnities(iii) The capital receipts position
Links to Community Strategy:	The Capital Programme ensures investment in the Council's infrastructure is in line with the Community Strategy.
Policy Implications:	In line with Council Policies.
Financial Implications: (Authorised by the Section 151 Officer)	This is the subject of the report.
Legal Implications: (Authorised by the Borough Solicitor)	It is a statutory requirement for the Council to set a balanced budget. It is important that the capital expenditure position is regularly monitored to ensure we are maintaining a balanced budget and to ensure that the priorities of the Council are being delivered.
Risk Management:	Failure to properly manage and monitor the Council's budget will lead to service failure and a loss of public confidence.
Access to Information:	<p>The background papers relating to this report can be inspected by contacting Tom Austin, Financial Management by:</p> <p> phone: 0161 342 3857</p> <p> e-mail: thomas.austin@tameside.gov.uk</p>

1. INTRODUCTION

- 1.1 This is the final capital monitoring report for 2016/17, summarising the position as at 31 March. All Capital Monitoring reports are submitted to the Strategic Planning and Capital Monitoring Panel, Executive Cabinet and Overview (Audit) Panel.
- 1.2 The report incorporates an update on major capital schemes and an update on Compulsory Purchase Orders (CPOs), indemnities, and potential liabilities.

2. KEY POINTS

- 2.1 The Council spent a total of £35.288m on capital investment in 2016/17; this is £15.870m less than the total programmed spend for the year (£51.158m) and is detailed in Section 3. There has been no loss of resource as a result of the underspend position.
- 2.2 Section 3 also details schemes with an in-year variation in excess of £0.100m and seeks approval to re-profile the capital expenditure of each project into 2017/18. An explanation for the need to re-profile the capital expenditure is also provided.
- 2.3 Table 1 below provides a high level summary of capital expenditure by service area.

Table 1: Overall capital monitoring statement Outturn 2017

CAPITAL MONITORING STATEMENT - OUTTURN 2016/17			
	Annual Budget	Actual	Outturn Variation
	£000	£000	£000
<u>PEOPLE</u>			
Children's Services	658	533	(125)
Active Tameside	4,253	4,002	(251)
Adult's Services	918	247	(671)
<u>PLACES</u>			
Asset Investment			
Partnership Management	16,855	11,022	(5,832)
Stronger Communities	181	145	(36)
Development & Investment	3,908	3,529	(379)
Digital Tameside	658	483	(175)
Engineering Services	9,230	8,673	(557)
Environmental Health	472	31	(441)
Operations	182	161	(21)
Transport	2,520	1,548	(972)
Education	8,401	4,834	(3,567)
<u>Exchequer</u>	90	80	(10)
Unallocated	2,832	0	(2,832)
Total	51,158	35,288	(15,870)

2.4 Of the total variation of £15.870 million, it is recommended that £12.929 million is re-profiled into the following financial year. This is identified within the individual service area tables below.

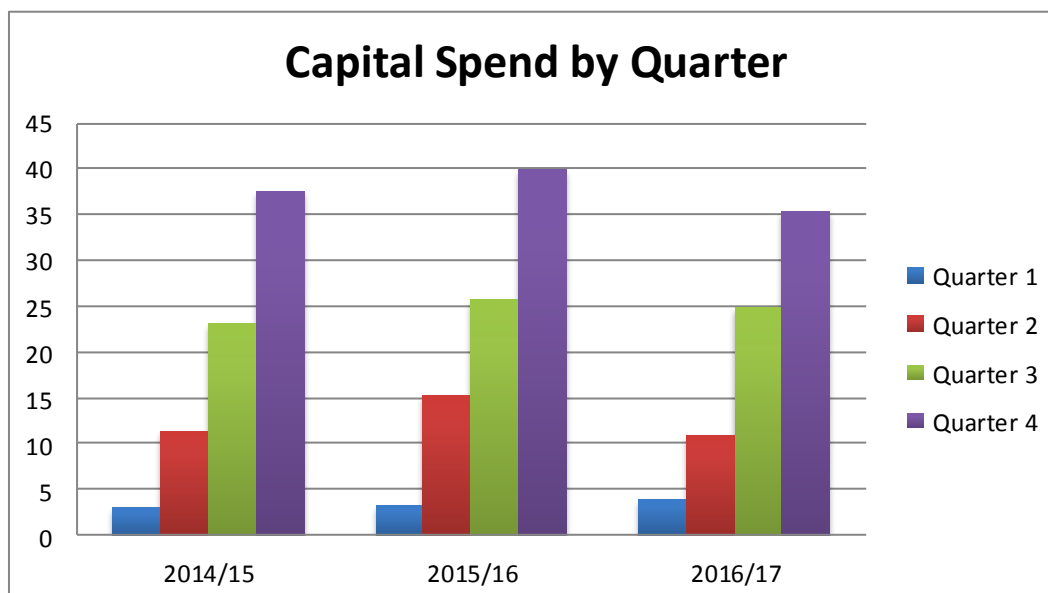
2.5 Table 2 below shows the resources used to finance 2016/17 Capital spend.

Table 2: Funding statement 2016/17

Resources	£000
Grants & Contributions	13,520
Revenue Contributions	560
Corporate:	
- Prudential Borrowing	0
- Reserves / Capital Receipts	21,208
Total	35,288

2.6 The chart below shows a year on year comparison of capital expenditure on a quarterly basis.

Table 3: Comparison of quarterly capital spend levels 2014/15 - 2016/17



3. CAPITAL EXPENDITURE OUTTURN 2016/17

3.1 This section of the report provides an update of capital expenditure along with details of re-profiling to be approved and the overall outturn position of the various projects.

Education

3.2 The table below outlines the projected investment for Education services. An explanation has also been provided for the requested re-profiling.

Table 4a: Detail of Education Capital Investment Programme

Education Capital Programme Statement				
Capital Scheme	2016/17 Budget	Outturn	Outturn Variation	Recommended Re-profiling
Cromwell Enhancements (note 1)	1,441	829	(612)	1,441
Building Schools For The Future Reserve - Funding Stream	683	0	(683)	683
Hyde Targeted Basic Need New School	673	828	155	0
Livingstone Remodelling/Extension	544	419	(125)	125
Devolved Schools Capital	473	473	0	0
Greenside Lighting, Fire Alarm and Small Power	428	412	(16)	16
Specific Capital Reserve	403	0	(403)	403
Two Year Old Entitlement Grant - Funding Stream	264	51	(213)	213
St Damian's Classroom Alterations	246	252	6	0
St James' Hattersley - Additional Classroom	220	160	(60)	60
St Georges CE Primary School	197	0	(197)	197
Livingstone Heat Emitters And Pipework	193	171	(22)	22
Gorse Hall Small Power	189	174	(15)	15
Basic Need - Funding Stream	180	0	(180)	10
Aldwyn Primary Additional Accommodation	135	135	0	0
Wildbank Primary School – Main Scheme	120	0	(120)	120
Discovery Academy - Remodelling/Furniture	115	89	(26)	26
Broadoak Primary External Areas	100	0	(100)	100
St Anne's Denton Flat Roofs	100	0	(100)	100
Hollingworth Kitchen & Dining Refurbishment	62	0	(62)	62
School Condition Related Works Contingency	22	2	(20)	20
Arlies Fan Convector, Controls and Radiator Covers	11	11	0	0
Other Minor Schemes	1,602	830	(772)	837
Total	8,401	4,836	(3,565)	4,446

Notes:

1. The cost of the scheme is partly financed from insurance proceeds which will be used to finance 2016/17 expenditure. Therefore the full budget is recommended for re-profiling.

Table 4b: Education Capital Investment Programme – Re-profiling

Explanation of Re-profiling			
Service Area	Capital Project	Explanation for Re-profiling	Amount (£000)
Education	Cromwell Enhancements	This contract is currently on site and is due for completion in September 2017.	1,441
Education	Unallocated Schools Funding Streams	Amount unallocated in year will be re-profiled into 2017/18 and allocated to appropriate schemes.	1,299
Education	St Georges CE Primary School	£197k approved at the March 2017 Strategic Planning and Capital Investment Panel. We are currently liaising with the Diocese who will be carrying out the works.	197
Education	Livingstone Remodelling/Extension	This new two classroom extension was handed over to the Council in February 2017. The work is completed and the final invoices are currently awaited.	125
Education	Wildbank Primary School – Main Scheme	£120k approved at the March 2017 Strategic Planning and Capital Investment Panel and the works are planned for Summer 2017.	120

Children’s Services

3.3 The table below outlines the projected investment for Children’s services. Explanations are also provided for requested re-profiling.

Table 5: Detail of Children’s Services Investment Programme

Children’s Services Investment Programme				
Capital Scheme	2016/17 Budget	Outturn	Outturn Variation	Recommended Re-profiling
Purchase Of Two Children’s Homes	658	533	(125)	125
Total	658	533	(125)	125

Table 5b: Children’s Services Investment Programme Re-profiling.

Explanation of Re-profiling			
Service Area	Capital Project	Explanation for Re-profiling	Amount (£000)
Children’s Service	Purchase Of Two Children’s Homes	Delays due to on-going adaption works and asbestos removal. The remaining funding will be utilised in the first half of 2017/18.	125

Stronger Communities

- 3.4 The table below outlines the projected investment for Stronger Communities. Only minor re-profiling has been requested.

Table 6: Detail of Stronger Communities Capital Investment Programme

Stronger Communities Capital Programme Statement				
Capital Scheme	2016/17 Budget	Outturn	Outturn Variation	Re-profiling to be approved
Libraries In The 21 st Century	142	115	(27)	27
Safe And Secure Project (Alleygating and Burglary Reduction)	38	27	(11)	0
Supporting Customer Experience and Contact	1	0	(1)	1
Street Art In The Community	0	3	3	0
Total	181	145	(36)	28

Active Tameside

- 3.5 The table below outlines the projected investment for Public Health. An explanation has also been provided for the requested re-profiling.

Table 7a: Detail of Active Tameside Capital Investment Programme

Active Tameside Capital Programme Statement				
Capital Scheme	2016/17 Budget	Outturn	Outturn Variation	Re-profiling to be approved
Active Tameside Wellness Centre & Wider Investment	3,814	3,580	(234)	234
Hyde United FC	415	415	0	0
Droylsden Youth Centre	24	7	(17)	0
Total	4,253	4,002	(251)	234

Table 7b: Active Tameside Capital Investment Programme – Re-profiling

Explanation of Re-profiling			
Service Area	Capital Project	Explanation for Re-profiling	Amount (£000)
Active Tameside	Active Tameside Wellness Centre & Wider Investment	Delayed procurement due to limited interest in the development from the Construction market has led to a delayed start for the scheme	234

Adult Services

- 3.6 The table below outlines the projected investment for Adult Services. No re-profiling is required at this time.

Table 8: Detail of Adult Services Capital Investment Programme

Adult Services Capital Programme Statement				
Capital Scheme	2016/17 Budget	Outturn	Outturn Variation	Recommended Re-phasing
CCTV Dukinfield Town Hall	139	153	14	0
Integrated Care Organisation Capital Investment	94	94	0	0
Unallocated Funding	685	0	(685)	0
Total	918	247	(671)	0

Asset Investment Partnership Management (AIPM)

- 3.7 The table below outlines the projected investment for AIPM. An explanation has also been provided for the requested re-profiling.

Table 9a: Detail of AIPM Capital Programme

AIPM Capital Programme Statement				
Capital Scheme	2016/17 Budget	Outturn	Outturn Variation	Recommended Re-profiling
Vision Tameside	10,142	9,994	(148)	148
Purchase of Freehold, Whitelands Road	5,400	1	(5,399)	5,399
Building Fabric Works	566	565	(1)	0
Opportunity Purchase Fund (Individual Approval Required)	500	5	(495)	0
Tame Street Emergency Generators	93	83	(10)	10
Development Of Former Stamford High School Site	50	48	(2)	0
Mottram Showground	2	2	0	0
Wellington Works	0	156	156	0
Ashton Town Hall Roof Repairs	0	27	27	0
Public Realm	102	140	38	(38)
Total	16,855	11,021	(5,834)	5,519

Table 9b: AIPM Capital Investment Programme – Re-profiling

Explanation of Re-profiling			
Service Area	Capital Project	Explanation for Re-profiling	Amount (£000)
AIPM	Purchase of Freehold, Whitelands Road	Contracts have been exchanged and will be completed in October 2017.	5,399
AIPM	Vision Tameside	This variation takes into account some contingency budget that was allocated in 2016/17 for potential additional costs. As these have not been met it is required that this is re-profiled into 2017/18.	148

Development and Investment

- 3.8 The table below outlines the projected investment for Development and Investment. An explanation for requested re-profiling is provided below.

Table 10a: Detail of Development and Investment Capital Programme

Development and Investment Capital Programme Statement				
Capital Scheme	2016/17 Budget	Outturn	Outturn Variation	Recommended Re-profiling
Disabled Facilities Grants	1,547	1,461	(86)	73
Ashton Town Centre & Civic Square	1,094	1,492	398	(398)
Ashton Old Baths	916	537	(379)	379
Grant Funding to be Allocated	259	0	(259)	259
St Petersfield Development	65	36	(29)	29
Longlands Mill	24	3	(21)	21
Ashton Market Hall Incubator Units	3	0	(3)	3
Total	3,908	3,529	(379)	366

Table 10b: Development and Investment Capital Programme – Re-profiling

Explanation of Re-profiling			
Service Area	Capital Project	Explanation for Re-profiling	Amount (£000)
Development and Investment	Ashton Town Centre & Civic Square	The outturn variance is due to the purchase of materials and the demolition of stalls in preparation for the start of Phase 2 works scheduled in 2018. The overspend in 2016/17 will be funded from budget currently in 2017/18 and will not result in an increase to the overall scheme.	(398)
Development and Investment	Ashton Old Baths	This scheme is running slightly behind schedule. Practical completion was achieved in March 2017	379
Development and Investment	Grant Funding to be Allocating	Housing capital grant monies not yet allocated, as no relevant schemes have been identified. Funding will be required in 2017/18	259

Digital Tameside

- 3.9 The table below outlines the projected investment for Digital Tameside. Only minor re-profiling is required.

Table 11: Detail of Digital Tameside Capital Investment Programme

Digital Tameside Capital Programme Statement				
Capital Scheme	2016/17 Budget	Outturn	Outturn Variation	Recommended Re-profiling
Working Differently - ICT Hardware & Software	181	140	(41)	41
Town Centre Wi-Fi	171	121	(50)	0
ICT - Enablement Project	137	105	(32)	32
Digital By Design	124	81	(43)	43
Disaster Recovery Site	45	37	(8)	8
Total	658	484	(174)	124

Engineering Services

- 3.10 The table below outlines the projected investment for Engineering Services. An explanation has also been provided for the requested re-profiling.

Table 12a: Detail of Engineering Services Capital Investment Programme

Engineers Capital Programme Statement				
Capital Scheme	2016/17 Budget	Outturn	Outturn Variation	Recommended Re-profiling
Highways Maintenance Funding	2,408	2,327	(81)	81
LED Street Lighting Investment	2,304	2,303	(1)	1
Challenge Funding	1,247	1,190	(57)	57
Denton Link Road	1,053	1,008	(45)	45
Pothole Funding	1,000	993	(7)	7
King Edward Road Retaining Wall	300	291	(9)	9
Ashton Northern Bypass - Stage 2	279	179	(100)	100
Ashton Canal Links	180	29	(151)	151
Link to Velodrome	176	18	(158)	158
Hattersley Station Passenger Facilities	50	18	(32)	32
Dukinfield Corridor	30	43	13	(13)
Other Minor Schemes	203	274	71	17
Total	9,230	8,673	(557)	645

Table 12b: Detail of Engineering Services Capital Programme – re-profiling

Explanation of Re-profiling			
Service Area	Capital Project	Explanation for Re-profiling	Amount (£000)
Engineering Services	Ashton Northern Bypass – Stage 2	There is a contingency allocation of £100k for Part 1 claims that cannot be closed down until 7 years after the bypass has opened. This contingency needs to remain until the expiry of this period.	(100)
Engineering Services	Ashton Canal Links	The spend profile was based on the legal agreements being signed between the Council and TfGM (Transport for Greater Manchester). The delay in signing the agreement by TfGM means that the scheme has not been able to start.	151
Engineering Services	Link to Velodrome	The spend profile was based on the legal agreements being signed between the Council and TfGM) The delay in signing the agreement by TfGM means that the scheme has not been able to start..	158

Environmental Services

3.11 The table below outlines the projected investment for Environmental Services. An explanation has also been provided for the requested re-profiling.

Table 13a: Detail of Environmental Services Capital Investment Programme

Environmental Services Capital Programme Statement				
Capital Scheme	2016/17 Budget	Outturn	Outturn Variation	Recommended Re-profiling
Guide Lane Former Landfill Site	465	24	(441)	441
Retrofit (Basic Measures)	7	7	0	0
Total	472	31	(441)	441

Table 13b: Detail of Environmental Services Capital Programme – Re-profiling.

Explanation of Re-profiling			
Service Area	Capital Project	Explanation for Re-profiling	Amount (£000)
Environmental Services	Guide Lane Former Landfill Site	The outturn variation of £441k is as a result of anticipated spend for the voluntary acquisition of properties and landscaping works being delayed into 2017/18 following negotiations. The remaining budget allocated of £197k is required to cover any further unforeseen costs associated with this scheme; and to ensure that the council's statutory duties required under Part 2A of the Environmental Protection Act 1990, which are to remediate the land if there is a significant risk of harm to persons or property, in accordance with statutory guidance issued by the Secretary of State, are met.	(441)

Operations

3.12 The table below outlines the projected investment for Operations. Only minor re-profiling is required.

Table 14: Details of Operations Capital Investment Programme

Operations Capital Programme Statement				
Capital Scheme	2016/17 Budget	Outturn	Outturn Variation	Recommended Re-profiling
Stamford Park Infrastructure	20	20	0	0
Dukinfield Park Improvements	20	15	(5)	5
Silver Springs Infrastructure	20	18	(2)	2
Sunnybank Park - Landscaping	19	17	(2)	2
Rocher Vale & Hulmes and Hardy Wood	15	19	4	(4)
Allotment Railings and Infrastructure Improvement	14	13	(1)	1
Tree Planting Programme	10	10	0	0
War Memorials	10	9	(1)	1
Other Minor Schemes	54	41	(13)	12
Total	162	142	(20)	19

Transport

3.13 The table below outlines the projected investment for Transport. An explanation has also been provided for the requested re-profiling.

Table 15a: Detail of Transport Capital Investment Programme

Transport Capital Programme Statement				
Capital Scheme	2016/17 Budget	Outturn	Outturn Variation	Recommended Re-phasing
Procurement of Fleet Vehicles	2,442	1,509	(933)	933
Purchase of Mowers	39	39	0	0
Light Vans	39	0	(39)	39
Total	2,520	1,548	(972)	972

Table 15b: Explanations of Transport Capital Investment Programme – re-profiling.

Explanation of Re-profiling			
Service Area	Capital Project	Explanation for Re-profiling	Amount (£000)
Transport	Procurement of Fleet Vehicles	The variance is as a result of the delay in the procurement of one set of vehicles from this scheme. New, Euro 6 engine classification became legislation after the order was raised. However, the tender stipulated that prior to build the vehicles had to comply with the changes in European emission legislation. The new engine for these vehicles initially failed type approval and a subsequent submission had to be re-designed. We have, however, now been given assurances that this is going to be approved mid-June and the vehicles should be ready for delivery mid-August.	933

Exchequer

3.14 The Table below outlines the projected investment for Exchequer. No re-profiling has been requested.

Table 16: Detail of Exchequer Capital Investment Programme

Exchequer Capital Programme Statement				
Capital Scheme	2016/17 Budget	Outturn	Outturn Variation	Recommended Re-profiling
Online Forms	90	80	(10)	10
Total	90	80	(10)	10

4. COMPULSORY PURCHASE ORDERS, INDEMNITIES AND POTENTIAL LIABILITIES

Redmond Close

- 4.1 All even numbered properties on Redmond Close have now been purchased and the final phase of the project to make the contaminated land safe as statutorily required is underway, well within the agreed financial envelope.

Wellington Works

- 4.2 This was a complex compulsory purchase compensation matter, which has now been resolved. All final costs incurred will be managed within the Council capital budget.

Denton Link Road

- 4.3 A General Vesting Declaration (GVD) has been executed for land required within the CPO in relation to Denton Link Road and so the Council has now assumed responsibility for the same, by registering its legal title to the land with HM Land Registry.
- 4.4 The Council has completed a variation to the CPO Indemnity and Development Agreement to enable the delivery of the link road.

Hattersley CPO

- 4.5 The Council approved the making of a compulsory purchase order in respect of the one outstanding property in June 2015 in order to facilitate the final phase of the new District Centre for Hattersley and continues to work with its partners, Peak Valley Housing Association and the Homes and Communities Agency. Peak Valley Housing Association have indemnified the Council's CPO costs through a CPO Indemnity Agreement. The CPO has now been made and submitted to the National Casework Unit for confirmation.

5 CHANGES TO THE APPROVED 3 YEAR CAPITAL PROGRAMME

- 5.1 Since it was approved in February 2017, there has been an increase in the programme totalling £0.267m over the period 2016/17 – 2018/19. Full details are listed in **Appendix 1**.

6. CAPITAL RECEIPTS

- 6.1 With the exception of capital receipts earmarked as specific scheme funding, all other capital receipts are retained in the Capital Receipts Reserve and utilised as funding for the Council's corporately funded capital expenditure, together with any other available resources identified in the medium term financial strategy.

- 6.2 £11.3m of BSF Capital Receipts are to be repaid corporately, to repay temporary corporate funding of the Schools Capital Programme.
- 6.3 Receipts of £4.2m were generated from the disposal of Council assets in 2016/17.

7. PRUDENTIAL INDICATORS

- 7.1 The revised capital programme is shown at **Appendix 3**, and includes requirements for re-profiling and other required changes.

APPENDIX 1

Changes to Capital Programme

SERVICE	SCHEME	SOURCE OF FUNDING	BUDGET CHANGES 2016/17 £000	BUDGET CHANGES 2017/18 £000	BUDGET CHANGES 2018/19 £000	TOTAL £000
Capital Programme Quarter 3 2016/17			62,756	74,073	11,964	148,793
A) Increases to the Programme						
Environmental Services	Hospital Parking	Corporate funding		950		950
Adults	Integrated Care Organisation	Capital Investment	94			94
Education	Hollingworth Kitchen & Dining	Refurbishment	(56)	118		62
Education	Gorse Hall Drainage	Grant	10			10
Active Tameside	Active Tameside Wellness Centre & Wider	Investment		10		10
Education	Asbestos Surveys Phase 1	Grant	7			7
Education	Broadbottom CE Remedial Works	Grant	5			5
			60	1,078	0	1,138
B) Reductions in Programme						
Environmental Services	Green Space Improvements - Hyde	Contribution	(16)			(16)
			(194)	0	0	(194)
C) Funding Transfers in Programme following Q3 Monitoring						
Development And Investment	Ashton Town Centre And Civic Square	Corporate funding/Grant	(1,958)	1,958		0
Education	Aldwyn Primary Additional Accommodation	Grant	(1,057)	1,057		0
Education	Alder Buy Out Fitness Centre	Grant	(1,000)	1,000		0

Engineering Services	Challenge Funding	Grant	(952)	952	0
AIPM	Vision Tameside	Corporate funding	(858)	858	0
Education	Education Grants Reprofiled	Grants	(549)	549	0
Community Services	Libraries In The 21st Century	Corporate funding	(417)	417	0
Engineering Services	Junction Improvements on M60	Grant	(359)	359	0
Environmental Services	Retrofit (Basic Measures)	Grant	(322)	322	0
Engineering Services	Highways Maintenance Funding	Grant	(314)	314	0
Environmental Services	Carbon Reduction - Invest To Save Schemes Approval Required	Corporate funding	(311)	311	0
Engineering Services	Denton Link Road	Corporate funding /Grant/Capital Contributions	(300)	300	0
Engineering Services	Access To Metrolink Stops	Grant	(300)	300	0
Education	Primary Capital Programme - Russell Scott	Grant	(256)	256	0
Engineering Services	Hattersley Station Passenger Facilities	Grant	(254)	254	0
Active Tameside	Active Tameside Wellness Centre & Wider Investment	Corporate funding	(250)	250	0
Digital Tameside	ICT - Vision Tameside	Corporate funding	(240)	240	0
Digital Tameside	Working Differently - IT Hardware & Software	Corporate funding	(230)	230	0
Engineering Services	Ashton-Stalybridge Cycle Route	Grant	(224)	224	0
Engineering Services	Ashton Town Centre Access Improvements	Grant	(191)	191	0
Engineering Services	Huddersfield Narrow Canal	Grant	(180)	180	0
Digital Tameside	Digital by Design	Corporate funding		178	178
Community Services Development And Investment	Supporting Customer Experience	Corporate funding	(178)		(178)
Engineering Services	St Petersfield	Corporate funding	(164)	164	0
Engineering Services	Dukinfield Corridor	Grant	(130)	130	0
Education	Waterloo Boiler And Heat Emitters	Grant	(119)	119	0
AIPM	Prep of Outline Planning Applications / Review of Playing Field Provision	Corporate funding	(116)	116	0
Education	Cromwell Upgrade	Grant	(114)	114	0
Development And Investment	Godley Hill Development And Access Road	Corporate funding	(110)	110	0

AIPM	Public Realm	Corporate funding	102	(102)	0
Education	Seed Challenge: St James' CE - Remodelling	Grant	(73)	73	0
Education	St James Ashton	Grant	(65)	65	0
AIPM	Dukinfield Crematoria Clock Tower	Corporate funding	(54)	54	0
Education	BSF Droylsden Academy	Specific Capital Receipts	(33)	33	0
Education	Wildbank Lighting And Power	Grant	(32)	32	0
Education	Broadoak Primary School	Grant	(31)	31	0
Education	St James' CE Health & Safety	Grant	(30)	30	0
Education	Greswell Walls And Windows	Grant	(25)	25	0
Education	Russell Scott Primary Seed Challenge	Grant	(25)	25	0
Development And Investment	Hyde Town Centre	Corporate funding	(23)	23	0
Education	Linden Road Children's Centre - Refurbishment And Electrical	Grant	(17)	17	0
Education	Furniture And Equipment Contributions - Basic Needs Schemes	Grant	(16)	16	0
Environmental Services	Stamford Park Infrastructure	RCCO	10	(10)	0
Community Services	Street Art In The Community	RCCO	(8)	8	0
Education	St Damian's Classroom Alterations	Grant	(4)	4	0
Education	Longdendale Science Laboratories	Grant	(2)	2	0
Reprofiling recommended in this report					
Children's Services			(125)	125	0
Active Tameside			(234)	234	0
AIPM			(5,519)	5,519	0
Stronger Communities			(28)	28	0
Development & Investment			(366)	366	0
Digital Tameside			(124)	124	0
Engineering Services			(645)	645	0
Environmental Health			(441)	441	0
Operations			(19)	19	0
Transport			(972)	972	0
Education			(4,446)	4,446	0

Exchequer	(10)	10		0
	(24,399)	24,399	0	0
Net Changes to Programme	(24,533)	24,800	0	267
Capital Programme 2016/17 Outturn	38,223	98,873	11,964	149,060

RCCO - "Revenue Contribution to Capital Outlay" describes where capital investment is funded from revenue sources.

AIPM - Asset Investment Partnership Management.

Education changes agreed as part of Education Capital Programme Progress update at March Strategic Planning & Capital Monitoring Panel.

APPENDIX 2

Capital Financing Statement

	Annual Budget £000	Actual Expenditure £000	Borrowing £000	Grants & Other Contributions £000	Capital Receipts £000	RCCO & Reserves £000	Total £000
<u>PEOPLE</u>							
Adults	918	247	0	0	0	247	247
Children's	658	533	0	0	0	533	533
Community Services	181	145	0	0	0	145	145
Public Health	4,253	4,002	0		415	3,587	4,002
<u>PLACES</u>							
Asset and Investment Partnership Management	16,855	11,022	0	2,117	0	8,906	11,022
Development & Investment	3,908	3,529	0	1,464	0	2,065	3,529
Digital Tameside	658	483	0	0	0	483	483
Education	8,401	4,834	0	3,945	4	56	4,834
Engineering Services	9,230	8,673	0	5,066	0	3,607	8,673
Environmental Health	472	31	0	7	0	24	31
Operations	182	161	0	92	0	69	161
Transport	2,520	1,548	0	0	0	1,548	1,548
Exchequer Services	90	80	0	0	0	80	80
Unallocated / Contingency	2,832	0	0		0	0	0
Subtotal	51,158	35,288	0	13,520	419	21,350	35,288

APPENDIX 3

Capital Programme (after re-profiling)

	ESTIMATE 2016/17 £000	ESTIMATE 2017/18 £000	ESTIMATE 2018/19 £000	TOTAL £000
CAPITAL PROGRAMME 2016/17 - 2018/19				
Adult And Health Services				
Mental Health Project - Improving Service Access	260	0	0	260
IT Infrastructure	237	0	0	237
Transforming Adult Social Care	169	0	0	169
Autism Innovation	19	0	0	19
CCTV Dukinfield Town Hall	139	0	0	139
ICO Capital Investment	94	0	0	94
Adult And Health Services Total	918	0	0	918
Children's Services				
Purchase of Two Children's Homes	533	135	0	658
Children's Services Total	533	135	0	658
Asset and Investment Partnership Management				
Opportunity Purchase Fund (Individual Approval Required)	500	500	0	1,000
Mottram Showground	2	159	0	161
Dukinfield Crematoria Clock Tower	0	54	0	54
Vision Tameside	9,994	28,077	0	38,071
Public Realm	140	2,491	0	2,631
Document Scanning	0	158	0	158
Development of Former Stamford High School Site	50	0	0	50
Building Fabric Works	566	0	0	566
Prep of Outline Planning Applications / Review of Playing Field Provision	0	116	0	116
Tame Street Emergency Generators	83	9	0	93
Purchase of Freehold, Whitelands Road Ashton	1	5,399	0	5,400
AIPM Total	11,336	36,964	0	48,300
Community Services				
Supporting Customer Experience And Contact	0	1	0	1
Libraries In The 21 st Century	114	445	0	559

Street Art In The Community	0	8	0	8
Safe And Secure Project (Alleygating And Burglary Reduction)	38	0	0	38
Community Services Total	152	454	0	606
Education				
BSF Droylsden Academy	0	33	0	33
Milton St John Primary Seed Challenge	18	(5)	0	13
St Paul's Primary Hyde Seed Challenge	0	11	0	11
Milton St John's Fencing	0	5	0	5
St James' CE Health & Safety	2	30	0	32
Stalyhill Infants	0	5	0	5
St Thomas More Secondary Seed Challenge	25	0	0	25
Greswell Primary Drainage	17	0	0	17
Micklehurst Fire Alarm Survey & Works	40	0	0	40
Russell Scott Primary Seed Challenge	0	25	0	25
Dane Bank Primary Seed Challenge	13	1	0	14
Aldwyn Primary Additional Accommodation	135	2,247	0	2,382
Hyde Community College	7	0	0	7
New Charter Academy	10	12	0	22
Discovery Academy - Remodelling/Furniture	89	26	0	115
Seed Challenge: St James' CE - Remodel Main Entrance, Toilets And Admin	0	73	0	73
Devolved Schools Capital	473	0	0	473
Primary Capital Programme - Russell Scott	0	256	0	256
Ravensfield Primary School	4	8	0	12
Specific Capital Reserve	0	403	0	403
Basic Need - Funding Stream	170	6,582	0	6,752
Capital Maintenance - Funding Stream	14	44	0	58
Short Breaks Capital Grant - Funding Stream	0	88	0	88
Two Year Old Entitlement Grant - Funding Stream	51	213	0	264
Bradley Green Primary - Funding Stream	0	30	0	30
Building Schools For The Future Reserve - Funding Stream	0	683	0	683
St Johns CE Dukinfield	8	92	0	100
Alder Buy Out Fitness Centre	0	1,000	0	1,000

Ashton Targeted Basic Need New School	92	2	0	94
Hyde Targeted Basic Need New School	673	0	0	673
BSF ICT Capital	16	0	0	16
Universal Infant Free School Meals	0	3	0	3
St George's CE Kitchen	14	0	0	14
RCCO Reserve	0	7	0	7
Education Improvements – Developer Contributions	0	50	0	50
Broadbottom Drainage Works	6	0	0	6
Hollingworth Kitchen & Dining Refurbishment	0	180	0	180
St Annes Denton Kitchen Extension	53	0	0	53
Leigh Drainages	0	2	0	2
Milton St John Creation of Bulge Class	100	0	0	100
Livingstone Remodelling/Extension	419	125	0	544
The Heys Floor Replacement	34	25	0	59
Gorse Hall Power And Fire Alarm	10	4	0	14
Wildbank Lighting And Power	0	32	0	32
Fairfield Car Park Repairs	37	0	0	37
Linden Road Children'S Centre - Refurbishment And Electrical	0	17	0	17
Milton St John Primary - Temporary Emergency Works	14	32	0	46
Inspire Academy - Pre-Opening Costs	0	44	0	44
Broadoak Primary School Facilities	0	31	0	31
Fairfield Rd Primary	1	0	0	1
St James' Hattersley - Additional Classroom	160	60	0	220
Disabled Access Works At Hurst Knoll, Stalyhill Infants And Bradley Green	8	0	0	8
St Damian's Classroom Alterations	246	4	0	250
Broadoak Primary External Areas	0	100	0	100
Furniture And Equipment Contributions - Basic Needs Schemes	6	14	0	20
School Condition Related Works Contingency	2	21	0	23
Greenside Lighting, Fire Alarm And Small Power	412	16	0	428
Gorse Hall Small Power	174	15	0	189
Livingstone Heat Emitters And Pipework	171	22	0	193
Dowson Lower School Heat Emitters	6	0	0	6

Stalyhill Infants Heat Emitters And Pipework	67	2	0	69
Arlies Fan Convectors, Controls And LST Radiator Covers	11	110	0	121
Waterloo Boiler And Heat Emitters	0	119	0	119
Hurst Knoll Nursery Fan Convectors And Mobile Classroom Air Conditioning	0	36	0	36
Hollingworth Drainage	21	21	0	32
Milton St John's Drainage	0	25	0	25
Rosehill Flooring	18	8	0	26
Arlies Mobile Classroom Roof	31	0	0	31
St Anne's Denton Flat Roofs	0	100	0	100
Micklehurst Water Tower	22	0	0	22
Greswell Walls And Windows	0	50	0	50
Longdendale Science Labs	63	2	0	65
Mechanical & Electrical - Broadbent Fold	0	11	0	11
Mechanical & Electrical - Corrie Primary	0	28	0	28
Mechanical & Electrical - Yew Tree Primary	0	13	0	13
Mechanical & Electrical - Oakdale	0	6	0	6
Mechanical & Electrical - Buckton Vale	0	7	0	7
Safeguarding & Access - Buckton Vale	0	38	0	38
Safeguarding & Access - Waterloo	0	10	0	10
Safeguarding & Access - Cannon Burrows	0	15	0	15
Astley High School - Carpets	1	39	0	40
Inspire Academy - Play Equipment	0	40	0	40
Cromwell Enhancements	0	1,636	0	1,636
Heys Toilet Adaptations	0	5	0	5
Stalyhill Toilet Adaptation	0	5	0	5
St James Ashton Health & Safety	0	65	0	65
Cromwell M&E Upgrade	0	114	0	114
Alder Community High School	0	25	0	25
Astley Community High School	0	25	0	25
Hyde Community College	0	25	0	25
Wildbank Primary School - Main Scheme	0	120	0	120

St Georges CE Primary School	0	197	0	197
Stalyhill Safeguarding And Access Issues	0	10	0	10
Broadbottom CE Remedial Works	0	5	0	5
Micklehurst Drainage	0	10	0	10
Gorse Hall Drainage	0	10	0	10
Funding Stream - Holden Clough	0	15	0	15
Asbestos Surveys Phase 1	0	7	0	7
Education Total	3,955	15,620	0	19,575
Engineering Services				
Borough Wide Minor Works	2	4	0	6
Carriageway Structural Maintenance	18	0	0	18
The Longdendale Integrated Transport Strategy	0	480	0	480
The Longdendale Integrated Transport Strategy (Notional Element)	0	7,809	0	7,809
Ashton Northern Bypass - Stage 2	179	100	0	279
Congestion Performance Fund (Tranche 4)	4	0	0	4
Living Streets	9	0	0	9
Pothole Funding	993	7	0	1,000
Cycle City Ambition Grant	9	0	0	9
Muse Developments	0	15	0	15
Lower Bennett Street	0	16	0	16
Junction Improvements	0	359	0	359
Ashton Town Centre Access Improvemnts	2	189	0	191
LED Street Lighting Investment	2,303	2,305	0	4,608
Highways Maintenance Funding	2,327	3,153	0	5,480
Ashton-Stalybridge Cycle Route	4	224	0	228
Denton Link Road	1,008	345	0	1,353
Challenge Funding	1,190	1,509	0	2,699
King Edward Road Retaining Wall	291	109	0	400
Access To Metrolink Stops	0	300	0	300
Hattersley Station Passenger Facilities	18	732	0	750
Huddersfield Narrow Canal	20	165	0	185

Ashton Canal Links	30	150	0	180
Link To Velodrome	18	158	0	176
Dukinfield Corridor	43	117	0	160
Permanent Pothole Repair	117	0	0	117
Engineering Services Total	8,583	18,248	0	26,831
Environmental Services				
Children's Play	0	20	0	20
Dukinfield Park Improvements	15	25	0	40
Stamford Park Infrastructure	20	0	0	20
Green Space Improvements - Dukinfield	11	0	0	11
Pocket Parks	11	0	0	11
Allotment Railings And Infrastructure Improvement	13	63	0	76
Memorial Gardens Audenshaw	2	0	0	2
Scott Road Memorial Gardens, Droylsden	2	0	0	2
Sunnybank Park - Landscaping	17	2	0	19
Highway Replacement Tree Planting Access Works	6	3	0	9
Rocher Vale & Hulmes And Hardy Wood	19	10	0	29
Carbon Reduction - Invest To Save Schemes Approval Required	0	311	0	311
Retrofit (Basic Measures)	7	322	0	329
Guide Lane Former Landfill Site	24	441	0	465
Assheton Avenue Surfacing	10	0	0	10
War Memorials	9	11	0	20
Audenshaw Environmental Improvements	0	9	0	9
Tree Planting Programme	10	30	0	40
Hospital Parking	0	950	0	950
Silver Springs Infrastructure Improvements	18	2	0	20
Environmental Services Total	193	2,200	0	2,393
Transport				
Light Vans	0	39	0	39
Procurement of Fleet Vehicles	1,509	933	0	2,442
Fleet Replacement 17/18	0	2,256	0	2,256

Refuse Collection Fleet	0	3,060	0	3,060
Ransome Mowers	39	0	0	39
Transport Total	1,547	6,289	0	7,836
Digital Tameside				
Working Differently - ICT Hardware & Software	140	271	0	411
ICT – Vision Tameside	105	822	440	1,367
Disaster Recovery Site	37	8	0	45
Digital By Design	81	238	0	319
Town Centre Wi-Fi	171	0	0	171
Digital Tameside Total	533	1,340	440	2,313
Resources				
Estimated Future Borrowing Approvals / Receipts	2,225	4,262	5,000	11,487
Repayment of Prud Borrowing	607	721	0	1,328
Resources Total	2,832	4,983	5,000	12,815
Development And Investment				
Ashton Town Centre And Civic Square	1,492	1,560	0	3,052
Ashton Market Hall Incubator Units	0	3	0	3
Godley Hill Development And Access Road	0	110	0	110
St Petersfield	36	193	0	229
Hyde Town Centre	0	23	0	23
Ashton Old Baths	537	379	0	916
Longlands Mill	3	21	0	24
Disabled Facilities Grants	1,474	730	0	2,247
Grant Funding Yet To Be Allocated	0	259	0	259
Development And Investment Total	3,542	3,321	0	6,863
Public Health				
Hyde United FC	415	0	0	415
Droylsden Youth Centre	24	0	0	24
Active Tameside Wellness Centre & Wider Investment	3,580	10,174	6,524	20,278
Public Health Total	4,019	10,174	6,524	20,717

Exchequer

Online Forms	80	10	0	90
Exchequer Total	80	10	0	90
Total	38,223	99,728	11,964	149,915

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Report To:	EXECUTIVE CABINET
Date:	28 June 2017
Executive Member/Reporting Officer:	Cllr Jim Fitzpatrick – First Deputy (Finance and Performance) Ian Duncan – Assistant Director, Finance (Section 151 Officer)
Subject:	TREASURY MANAGEMENT ACTIVITIES
Report Summary:	The report sets out the Treasury Management activities for the financial year 2016/17. Given that investment interest rates were lower than external borrowing rates throughout the year, available cash reserves were used to fund internal borrowing on a temporary basis. This resulted in lower than anticipated borrowing costs, with an external interest saving of £6.691m. Investment returns were £0.803m higher than estimated.
Recommendations:	<ol style="list-style-type: none">1. That the treasury management activities undertaken on behalf of both Tameside MBC and the Greater Manchester Metropolitan Debt Administration Fund (GMMDAF) are noted.2. The outturn position for the prudential indicators in Appendix A is approved.3. The counterparty limit for GMPF is increased from £50m to £75m.
Links to Community Strategy:	The Treasury Management function of the Council underpins the ability to finance the Council's priorities.
Policy Implications:	In line with Council Policies
Financial Implications: (Authorised by the Section 151 Officer)	By not taking up the borrowing requirement since 2009/10, a saving on external debt interest payments of £5.888m was achieved against the 2016/17 original estimate. The investment returns on cash balances in 2016/17 were £0.803m higher than the original estimate. Therefore the outcome of these treasury management actions, summarised in para 5.25 of the report, resulted in net external interest paid during 2016/17 of £3.945m, being a saving of £6.691m compared to the original estimate.
Legal Implications: (Authorised by the Borough Solicitor)	As there is a statutory duty for the Council to set, monitor and comply with its requirements to ensure a balanced budget, sound treasury management is a key tool in managing this process. Demonstration of sound treasury management will in turn provide confidence to the Council that it is complying with its fiduciary duty to the public purse, and in turn allows the Council to better plan and fulfil its key priorities for the coming year. Members should ensure they understand the meaning of Appendix A and the outturn of prudential indicators they are

being asked to approve, together with the increase in the counterparty limit for GMPF of £25m, and the reasons for the same, before making their decision.

Risk Management:

Failure to properly manage and monitor the Council's loans and investments could lead to service failure and loss of public confidence.

Access to Information:

The background papers relating to this report can be inspected by contacting Tom Austin, Financial Management, by:



phone: 0161 342 3857



e-mail: Thomas.austin@tameside.gov.uk

1. INTRODUCTION

- 1.1 This is the Annual Report on Treasury Management for the financial year 2016/17. The report is required to be submitted to the Overview (Audit) Panel, in accordance with CIPFA's Code of Practice on Treasury Management, the Council's Financial Regulations and the CIPFA Prudential Code.
- 1.2 The report is in respect of both Tameside and the Greater Manchester Metropolitan Debt Administration Fund (GMMDAF), which is the former Greater Manchester County Council Debt of which Tameside is the responsible Authority on behalf of the ten Greater Manchester Councils.

The objective of the report is:

- a) To outline how the treasury function was managed during the year and how this compares to the agreed strategy.
- b) To set out the transactions made in the year;
- c) To summarise the positions with regard to loans and investments at 31 March 2017; and
- d) To set out the outturn position of the Council's prudential indicators.

2. TREASURY MANAGEMENT

- 2.1 Treasury Management is defined as:

"The management of the local authority's cash flows, its borrowings and its investments, the management of associated risks, and the pursuit of the optimum performance or return associated with these risks".

- 2.2 Within this definition, the Council has traditionally operated a relatively low risk strategy. This in effect means that controls and strategy are designed to ensure that borrowing costs are kept reasonably low over the longer term, rather than subject to volatility that a high risk strategy might deliver. Where investments are involved, the policy is to ensure the security of the asset rather than pursue the highest returns available. These objectives are in line with the Code of Practice.
- 2.3 The global financial crisis has raised the overall possibility of default. The Council continues to maintain strict credit criteria for investment counterparties to manage this risk. A system of counterparty selection was agreed by the Council as part of the budget setting process.

3. DEBT

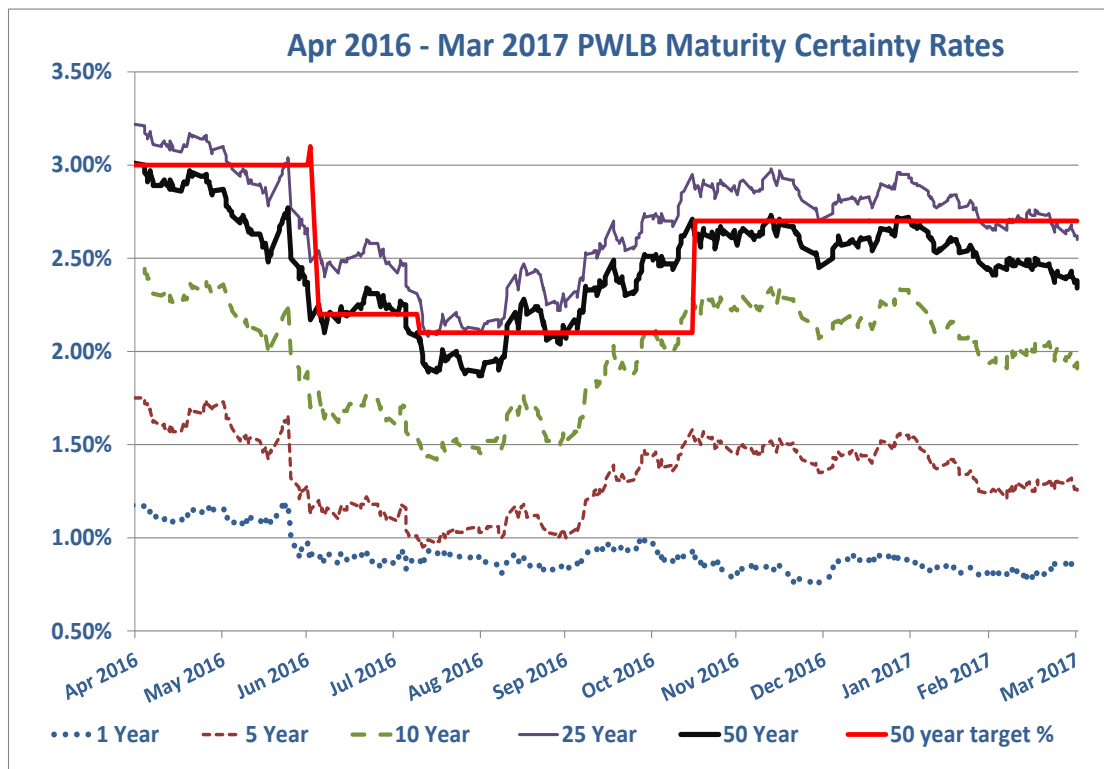
- 3.1 The long-term debt of the Council reflects capital expenditure financed by loans, which are yet to be repaid.
- 3.2 The amount of long-term debt that the Council may have is governed by the Prudential Limits set by the Council at the start of the financial year. This is based on the amount of borrowing which the Council has deemed to be prudent. It also allows for advance borrowing for future years' capital expenditure.

- 3.3 The Council must also allow for repayment of the debt, by way of the Minimum Revenue Provision (MRP). This is the minimum amount that the Council must set aside annually. The Local Authority (Capital Finance and Accounting) Regulations 2008 revised the previous detailed regulations and introduced a duty that an authority calculates an amount of MRP which it considered prudent, although the 2008 Regulations do not define “prudent provision”, they provide guidance to authorities on how they should interpret this.
- 3.4 In 2015/16, the Council’s MRP policy was revised from the previous practice (4% of the capital finance requirement on a reducing balance basis) to a straight line method of 2% of the 2015/16 capital financing requirement over a period of 50 years. The policy was further revised in 2016/17 in order to allow the annuity method to be used for certain investment projects.
- 3.5 Any new prudential borrowing taken up will be provided for within the MRP calculation based upon the expected useful life of the asset or by an alternative approach deemed appropriate to the expenditure in question.
- 3.6 For any finance leases and any on-balance sheet public finance initiative (PFI) schemes, the MRP charge will be equal to the principal repayment during the year, calculated in accordance with proper practices.
- 3.7 There will be no MRP charge for any cash backed Local Authority Mortgage Scheme (LAMS) that the Council operates. As for this type of scheme, any future debt liability would be met from the capital receipt arising from the deposit maturing after a 5 year period. Any repossession losses for this type of scheme would be charged to a LAMS reserve.
- 3.8 The majority of the Council's debt has been borrowed from the Public Works Loan Board (PWLB), and is solely made up of long term fixed interest loans. In previous years use has also been made of loans from banks. The main type of loan used is called a LOBO (Lender’s Option - Borrower’s Option) where after a pre-set time the lending bank has the option of changing the original interest rate. These loans are classified as variable interest rate loans when they reach option date. If we do not agree with the new interest rate, we have the option of repaying the loan. One of the Council's LOBO providers, Barclays, has confirmed they will waive their right to change the rate on their LOBO. Therefore this essentially converts that loan into a standard fixed rate loan with no risk of any increase in rate.
- 3.9 The mixture of fixed and variable rates means that although the Council can take some advantage when base rates are considered attractive, interest charges are not subject to high volatility which might occur if all debt was variable. However, longer term fixed rates are normally higher than variable rates.
- 3.10 Short term borrowing and lending can be used to support cash flow fluctuations caused by uneven income and expenditure, and to temporarily finance capital expenditure when long term rates are high and expected to fall. It is an extremely important aspect of Treasury Management to ensure that funds are available to meet the Council's commitments, and that temporary surplus funds attract the best available rates of interest.

4. INTEREST RATES

- 4.1 Interest rates (both long term and short term) vary constantly, even though headline rates (e.g. base rate, mortgage rate) may remain the same for months at a time.

- 4.2 In addition, different banks may pay different rates depending on their need for funds, and more particularly their credit status. Rates for borrowing are significantly higher than lending for the same period.
- 4.3 Long term interest rates are based on Government securities (Gilts), which are potentially volatile with rates changing every day, throughout the day. PWLB fixed loan rates are changed on a daily basis. In view of this, gilts and all matters which affect their prices are continually reviewed.
- 4.4 Following the Comprehensive Spending Review in October 2010, the PWLB increased the borrowing rates above gilt rates by a further 0.75% - 0.85% without changing debt redemption interest rates. However, the PWLB continues to offer a scheme to allow a 0.20% reduction on published borrowing rates known as the “certainty rate”, for Councils that provide indicative borrowing requirements for the next 3 years. The Council has provided this information and has therefore protected its eligibility for the “certainty rate”. This does not however commit the Council to a particular course of action.
- 4.5 The two major landmark events that had a significant influence on financial markets in 2016/17 were the UK EU referendum on 23 June and the election of a new President in the USA on 9 November. The first event had an immediate impact in terms of market expectations of when the first increase in Bank Rate would happen, pushing it back from quarter 3 2018 to quarter 4 2019. At its 4 August meeting, the Monetary Policy Committee (MPC) cut Bank Rate from 0.5% to 0.25% and the Bank of England’s Inflation Report produced forecasts warning of a major shock to economic activity in the UK, which would cause economic growth to fall almost to zero in the second half of 2016. The MPC also warned that it would be considering cutting Bank Rate again towards the end of 2016 in order to support growth. In addition, it restarted quantitative easing with purchases of £60bn of gilts and £10bn of corporate bonds, and also introduced the Term Funding Scheme whereby potentially £100bn of cheap financing was made available to banks.
- 4.6 In the second half of 2016, the UK economy confounded the Bank’s pessimistic forecasts of August. After a disappointing quarter 1 of only +0.2% GDP growth, the three subsequent quarters of 2016 came in at +0.6%, +0.5% and +0.7% to produce an annual growth for 2016 overall, compared to 2015, of no less than 1.8%, which was very nearly the fastest rate of growth of any of the G7 countries. Needless to say, this meant that the MPC did not cut Bank Rate again after August but, since then, inflation has risen rapidly due to the effects of the sharp devaluation of sterling after the referendum.
- 4.7 The table shown below (published by Capita) shows the comparative Public Works Loan Board interest rates available during 2016/17, for a range of maturity periods.



5. ACTIVITIES 2016/17

Borrowing

- 5.1 The Council originally had a potential borrowing requirement for the year of £94.325m.
- 5.2 The actual amount of long term borrowing which was required due to Council activity was £66.141m as outlined below: -

	£m
Loan financed capital expenditure:	
outstanding for 2016/17	nil
outstanding for 2015/16	14.072
outstanding for 2014/15	1.429
outstanding for 2013/14	11.845
outstanding for 2012/13	0.908
outstanding for 2011/12	(2.038)
outstanding for 2010/11	12.734
outstanding for 2009/10	29.650
outstanding for 2008/09	0.331
Plus debt maturing in year	1.108
	70.039
Less MRP repayments (excluding PFI)	(3.898)
Net under borrowed position	66.141

- 5.3 Due to the unfavourable differences between borrowing rates and investment rates and also to reduce the risk to the Council from investment security concerns, the borrowing requirement of £66.141m identified above continues to be met from internal borrowing (i.e. reducing the cash balances of the Council rather than taking up additional external borrowing). This has reduced the level of investment balances that would be placed with banks and financial institutions, therefore reducing the Council's exposure to credit risk.
- 5.4 The outstanding borrowing requirement of £66.141m will be taken up when both interest rates and investment security are deemed to be favourable, in consultation with the Council's treasury management advisors, Capita.

Rescheduling

- 5.5 Rescheduling involves the early repayment and re-borrowing of longer term PWLB loans, or converting fixed rate loans to variable and vice versa. This can involve paying a premium or receiving a discount, but is intended to reduce the overall interest burden, since the replacement loan (or reduction of investment) is normally borrowed at a lower interest rate.
- 5.6 The use of rescheduling is a valuable tool for the Council, but its success depends on the frequent movement of interest rates, and therefore it cannot be estimated for. It will continue to be used when suitable opportunities arise, in consultation with our treasury management advisors, although such opportunities may not occur.
- 5.7 A key change in the options for borrowing and rescheduling occurred on 1 November 2007 when the PWLB changed its interest rate structure to a more sensitive pricing method and also increased the relative cost of repaying debt. This change has reduced the ability of the Council to achieve savings from the rescheduling of debt.
- 5.8 As mentioned above, in October 2010 the PWLB increased the borrowing rates above gilt rates by a further 0.75% – 0.85% without changing debt redemption interest rates. This change has made new borrowing more expensive and reduced the opportunities for PWLB debt re-scheduling.
- 5.9 The Section 151 Officer and our treasury management advisors will continue to monitor prevailing rates for any opportunities to reschedule debt during the year.

Year end position

- 5.10 The following table sets out the position of the Council's debt at 1 April 2016, the net movement for the year, and the final position at 31 March 2017.

	<u>Debt O/S</u>	<u>Debt</u>	<u>Loans /</u>	<u>Debt O/S</u>
	<u>01/04/16</u>	<u>Repaid</u>	<u>Investments</u>	<u>31/03/17</u>
<u>Principal Amounts</u>	<u>£000's</u>	<u>£000's</u>	<u>In year</u>	<u>£000's</u>
			<u>£000's</u>	
PWLB - fixed interest	77,195	(340)		76,855
PWLB - variable interest	0			0
Market Loans	40,000			40,000
* Manchester Airport	2,390	(768)		1,622
Temp Loans / (Investments)	(149,041)		(2,765)	(151,806)
Trust Funds, Contractor Deposits etc.	132	13		145
Net loans outstanding	(29,324)	(1,095)	(2,765)	(33,184)

** Manchester Airport reflects debt taken over from Manchester City Council on 31 March 1994. In 2009/10 the Airport re-negotiated the terms of this arrangement with the 10 Greater Manchester Authorities, previously the Airport reimbursed all costs, however from 9 February 2010 the Council receives fixed annual interest of 12% of the amount outstanding at that date with a repayment of the debt by 2055.*

5.11 The amount of gross external loans outstanding (£118.5m) represents 22% of the Council's total long term assets (£541.2m) as at 31 March 2017.

5.12 In addition, on a temporary basis the Council utilised internal funds, balances and reserves including Insurance Funds and capital reserves, to finance capital expenditure rather than borrow externally.

Investments – managing cash flow

5.13 Short term cash flow activity was such that throughout the year the Council was always in a positive investment position. Since interest earned on credit balances with our own bankers is low and overdraft rates are high, investment and borrowing is carried out through the London Money Markets. The Council invests large sums of money, which helps ensure the interest rates earned are competitive.

5.14 The Local Government Act 2003 governs investments made by local authorities. The types of investments that may be made are controlled by guidance from the Department for Communities and Local Government. This guidance has split investments into two main categories – specified and non-specified investments.

5.15 Specified investments consist mainly of deposits with very highly rated financial institutions and other local authorities for periods of less than one year. The Council's approved "Annual Investment Strategy" for 2016/17 stated that at least 75% of our investments would be "specified". This requirement was lowered to 50% as part of the 2017/18 Strategy.

5.16 The Council's counterparty list mirrors that of the Council's advisors, Capita. The Capita Asset Services' creditworthiness service uses a wider array of information than just primary ratings. Furthermore, by using a risk weighted scoring system; it does not give undue preponderance to just one agency's ratings.

5.17 Typically the minimum credit ratings criteria the Council use will be a Short Term rating (Fitch or equivalents) of F1 and a Long Term rating of A-. There may be occasions when the counterparty ratings from one rating agency are marginally lower than these ratings but may still be used. In these instances consideration will be given to the whole range of ratings available, or other topical market information, to support their use.

5.18 All investments placed in the year agreed with the approved strategy. Within this low risk strategy, the aim is to maximise the rate of return for the investments. In order to gauge whether the performance is satisfactory, it is necessary to compare it with a suitable benchmark. The normal benchmarks used to measure market rates are 7 day London Interbank Offer Rate (LIBOR) for loans, and 7 day London Interbank Bid Rate (LIBID) for investments. The actual returns for loans and investments were therefore measured against the theoretical performance of the above rates, using actual cash flow figures.

5.19 Tameside achieved an average investment rate of 0.48% on the average weekly investment, against a benchmark LIBID rate of 0.32%. This equated to a gain of £254k. Gains, such as this, can only be made by strategic investment, where interest rates do not follow the general "market" expectations. In effect, some investments were made for longer durations, attracting higher interest rates, while the shorter dated rates did not increase in line with market pricing.

5.20 The annual turnover for investments was £627m.

5.21 No short term loans were required to aid cash-flow during the year, due to investments being placed with a short maturity profile.

Interest payable and receivable in the year

5.22 As detailed above, the £66.141m outstanding borrowing requirement has been met from internal borrowing during the year. This has reduced the level of investment balances placed with banks and financial institutions.

5.23 The full year impact of the decision not to take up this borrowing requirement has been to reduce external interest payable by £5.988m. The interest received on investment balances has been £0.803m higher than estimated.

5.24 The overall result of the various activities undertaken during the year was that net external interest charge was £6.691m less than the original estimate.

5.25 Interest payments associated with the above activities were:-

	<u>Budget</u> <u>£m</u>	<u>Actual</u> <u>£m</u>	<u>Variation</u> <u>£m</u>
External Interest			
Paid on Loans etc	11.842	5.854	(5.988)
Early repayment Discounts	(0.205)	(0.105)	0.100
Less received on Investments	(1.000)	(1.803)	(0.803)
Net external Interest paid	<u>10.637</u>	<u>3.945</u>	<u>(6.691)</u>
Internal Interest Paid	0.175	0.128	0.046
Total Interest Paid	<u>10.812</u>	<u>4.073</u>	<u>(6.645)</u>

5.26 Accounting rules do not allow interest to be paid on internal funds and revenue balances. Payments however are made in respect of such funds as insurance and trust funds etc. held by the Council on behalf of external bodies. The net effect on the Council is neutral.

6. CURRENT ACTIVITIES

6.1 Since the start of the 2017/18 financial year, no new rescheduling opportunities have been identified. The portfolio of loans held by the Council is reviewed on a regular basis by both the Treasury Management Section and by the Council's treasury management advisors (Capita).

6.2 In the 2017/18 Strategy, the Council expanded its counterparty list to include asset backed investments. No investments of this nature have been made yet but they are being actively considered.

6.3 The Council operates a Local Authority Mortgage Scheme to help first time buyers in the area, this involves the Council placing a deposit of £1m with Lloyds Bank for 5 years. This deposit is deemed to be a policy investment, rather than a treasury management investment and as such is separate to the above criteria.

- 6.4 There have been several instances where, due to the growth of the Pension Fund, it has proved difficult to identify sufficient suitable counterparties in which to invest the GMPF cash balances. This has been exacerbated by the recent advanced payments made to the Fund by Tameside MBC and several other GM Authorities. In light of this, it is recommended that the counterparty limit for GMPF investments is increased from £50m to £75m. This is still seen as a prudent measure given the size of the Fund.

7. GMMDAF ACTIVITIES

- 7.1 The Greater Manchester Metropolitan Debt Administration Fund (GMMDAF) was established in 1986 to administer the debt portfolio for the former Greater Manchester County Council. By law the Fund will end in 2022 by which time all debt will be fully repaid. Each year the total debt outstanding reduces annually by the amount repaid by the constituent authorities. Short term loans and investments are required to maintain the cashflow position, due to the difference in timing between receiving payments from the ten district councils and making loan and interest payments to the PWLB etc. Like the Council, rescheduling opportunities are taken if the right conditions exist.

- 7.2 During 2016/17 the debt outstanding reduced by £17.087m. The debt will be fully repaid by 31 March 2022.

- 7.3 The following table sets out the position at 1 April 2016, the net repayments and the final position at 31 March 2017.

<u>Principal Amounts</u>	<u>Debt O/S</u> <u>01/04/16</u>	<u>Debt</u> <u>Maturing</u>	<u>New Loans/</u> <u>Investments</u>	<u>Debt O/S</u> <u>31/03/17</u>
	<u>£000's</u>	<u>£000s</u>	<u>£000s</u>	<u>£000s</u>
PWLB	99,926	(31,963)	0	67,963
Pre 1974 Transferred Debt	238	(47)	0	191
Temp Loans / (Investments)	7,945	0	16,411	24,356
Other Balances	2,673	(1,488)	0	1,185
	110,782	(33,498)	16,411	93,695

- 7.4 No long term borrowing was required for 2016/17. The timing of any future borrowing will be carried out in consultation with our treasury management advisors, when interest rates are deemed favourable.

- 7.5 Although the portfolio of loans held by the Fund is reviewed on a regular basis by both Treasury Management officers and by the Council's treasury management advisors (Capita), no rescheduling opportunities were identified in 2016/17. Rescheduling will continue to be used when suitable opportunities arise, however long term borrowing is restricted by the end date of the Fund (2022), which has meant that it is difficult to reschedule debt in the present interest rate yield curve.

- 7.6 During the year, the fund made overall interest payments of £5.466m. This equated to an average "pool rate" of 5.09%, against the original estimate of 5.13%, and compares with 5.26% in 2015/16.

- 7.7 Manchester Airport re-negotiated the terms of its loan arrangement with the 10 Greater Manchester Councils in 2009/10. As a result of this arrangement the 10 Councils took responsibility to service the former Manchester Airport share of the GMMDAF. Previously the debt was serviced by the airport itself.

8. PRUDENTIAL LIMITS

- 8.1 At the start of the financial year the Council sets Prudential Indicators and limits in respect of Capital expenditure and borrowing. The outturn position for the Prudential Indicators are shown at **Appendix A**. Prudential indicators do not provide an effective comparative tool between Local Authorities, and therefore should not be used for this purpose.

9. RECOMMENDATIONS

- 9.1 As set out on the front of the report.

APPENDIX A

Prudential Indicators – Actual outturn 2016/17

<u>Indicator</u>	<u>Limit</u>	<u>Actual Outturn</u>
Ratio of financing costs to net revenue stream	8%	6%
Capital financing requirement	£199.173	£185.355m
Capital expenditure in year	£53.288m	£35.328m
Incremental impact on capital investment decisions	£8	£nil
Authorised limit for external debt	£269.568m	£131.254m
Operational boundary for external debt	£249.568m	£131.254m
Upper limit for fixed interest rate exposure	£199.173m	(£28.421m)
Upper limit for variable interest rate exposure	£59.752m	(£17.355m)
Upper limit for total principal sums invested for over 364 days	£30m	£0m

Maturity structure for fixed rate borrowing

Indicator	Limit	Outturn
Under 12 months	0% to 15%	5.46%
12 months and within 24 months	0% to 15%	0.27%
24 months and within 5 years	0% to 30%	0.89%
5 years and within 10 years	0% to 40%	4.36%
10 years and above	50% to 100%	89.03%

Report To:	EXECUTIVE CABINET
Date:	28 June 2017
Executive Member/Reporting Officer:	Councillor Jim Fitzpatrick – First Deputy Performance and Finance Ilys Cookson – Assistant Executive Director – Governance, Resources & Pensions.
Subject:	COUNCIL TAX SUPPORT SCHEME
Report Summary:	This report details the procedural requirement in deciding if changes are required to the Council Tax Support scheme (CTS), to become effective from April 2018. The scheme cost and claimant numbers continue to decline and support for claimants remains in place. There appears to be no adverse equality impact assessment arising from the quarterly reviews that take place and further guidance, which may have a bearing on the scheme, from the DCLG is not expected.
Recommendations:	That a RECOMMENDATION is made to Council that the Council Tax Support scheme for 2018/19 in principle remains the same scheme as that set effective from April 2017, subject to annual benefit uprating as detailed in the scheme and any further guidance which may be issued by DCLG..
Links to Community Strategy:	The Council Tax Support (CTS) scheme assists the most financially vulnerable in the Borough by providing means tested financial support towards Council Tax costs.
Policy Implications:	In line with Council policy and guidance from DCLG.
Financial Implications: (Authorised by the Section 151 Officer)	By its nature the cost of the Council Tax Support Scheme will vary from year to year, and indeed in-year, depending on the number of residents who qualify for support. This is clearly illustrated in the tables in para 3.1 and 3.3 of the report. No changes to the Scheme are being recommended and as such there are no financial implications over and above the normal in-year fluctuations.
Legal Implications: (Authorised by the Borough Solicitor)	Under Appendix 4 paragraph 5 (2) of the Local Government Finance Act 2012, the Council must agree any changes to its discretionary scheme by 31 January each year, which must be in accordance with the Council Tax Reduction Scheme (Prescribed Regulations)(England) Regulations 2012 as amended, as must its appeal process. This includes whether there is to be nil change as proposed here. An equality impact assessment in accordance with the public sector equality duty is continually undertaken every quarter. Having set a discretionary scheme, the Council must also be mindful of recent case law (including R (Logan) v the London Borough of Havering – 6.11.15) when applying the scheme. In particular, it may not be considered reasonable to refuse hardship funding on the basis that the hardship fund is exhausted (paragraph 8.9 of this report). Any claim for hardship must be considered on its merits only and careful consideration should be


given to the impact of any restrictions on those of working age, and or those that have a disability.

Risk Management:

The scheme is legally compliant in the way it has been set and the decision to consider if the scheme needs to change is part of the process to set the scheme for the future year.

Access to Information:

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

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 e-mail: ilys.cookson@tameside.gov.uk

DRAFT

1 BACKGROUND

- 1.1 The Welfare Reform Act 2012 contained provision to abolish Council Tax Benefit. The Government replaced it with a power for each local authority to have its own locally set council tax reduction scheme. The necessary primary legislation is included in the Local Government Finance Act, passed on 31 October 2012, which contained provision that Councils wishing to implement a local scheme must have the scheme approved by 31 January each year.
- 1.2 The local scheme was funded in the first year by way of a fixed grant, which the Department of Communities and Local Government (DCLG) have determined as being 90% of the 2011/12 outturn for Council Tax Benefit expenditure. In real terms this reduction in funding equated to 17.3% for Tameside for 2013/14 and a local council tax support scheme was set taking into account the costing envelope available.
- 1.3 Tameside's own local Council Tax Support (CTS) scheme was set at the Council meeting on 21 December 2012. The scheme was adopted to a challenging timescale additionally, the Universal Credit Regulations 2013, on which the principals of the Council Tax Support Scheme were based, was not passed through parliament until 25 February 2013.
- 1.4 The 2013/14 CTS scheme, which had been in place since 1 April 2013 was revised after consultation had been carried out with the public between 14 September 2015 and 30 November 2015. The Police Authority and Fire and Rescue Authority precepting bodies were also consulted. The scheme was further revised following consultation during 2015 with the public and precepting bodies and the following elements were introduced to the scheme from 1 April 2016:
- Capping support to a Band A property.
 - Reduce the maximum CTS award to 75%.
 - Align deductions for non-dependents of working age to the same level as those in the prescribed scheme for claimants of pensionable age.
 - Non-dependent deductions are disregarded for CTS claimants in receipt of a Staying Put payment.
- 1.5 In consideration of setting the local CTS scheme for 2018/19 this reports sets out:
- What the Council is required to do
 - The Council Tax Support scheme in operation

2 INTRODUCTION

- 2.1 The Council must adopt a Council Tax Support Scheme no later than the 31 January before the start of the financial year to which the scheme applies in accordance with the Local Government Finance Act 1992.
- 2.2 Paragraph 5(1) of Schedule 1A to the 1992 Act states that;
'For each financial year, each billing authority must consider whether to revise its scheme or to replace it with another scheme.'
- 2.3 The purpose of this report is therefore to consider the following:
- a) That the current CTS scheme remains in place in 2018/19 or;
 - b) That the current CTS scheme is revised for 2018/19.
- 2.4 Where a CTS scheme is to be revised then legislation is clear on the requirements to consult the public and precepting bodies prior to any changes to the scheme. Full consultation has taken place prior to previous revisions to the scheme.

- 2.5 The legislation is also clear that the Council must decide on the scheme to be set no later than the 31 January before the start of the financial year to which the scheme applies, in accordance with the Local Government Finance Act 1992, and which is subject to an annual key decision. In considering whether there should be revisions to the current scheme the current operation and costs of the scheme should be considered, in addition to any guidance released by central government or by direction of the Valuation Tribunal Service which consider appeals for local Council Tax Support schemes.

3 CURRENT OPERATION AND COSTS

- 3.1 The number of claimants and cost of the scheme has reduced steadily over the years as detailed below:

Table 1: Claimant numbers by year from April 2013

Total claimants April 2013	Total claimants April 2014	Total claimants April 2015	Total claimants April 2016	Total claimants April 2017
23,716	23,231	22,029	20,889	20,087

- 3.2 Claimant caseload fluctuates on a daily basis and overall there has been a downward trend on overall claimant numbers from 1 April 2013. The caseload continued to fall during 2016/17 even though the scheme changed from April 2016 and residents had more to pay in Council Tax due to the Council Tax rises in April 2016 and in April 2017; however this decline appears to follow the pattern from previous years. The fall is unlikely to be attributed to the changes introduced to the scheme which became effective from 1 April 2016 because, while the changes affected the majority of existing claimants by way of a reduced amount of CTS awarded, it did not change the eligibility criteria.

- 3.3 **Table 2 Costs of CTS scheme by year**

April 2013	April 2014	April 2015	April 2016	April 2017
£16.6m	£15.94m	£14.9m	£14.3m	£13.7m

- 3.4 Although the Council Tax increased in 2016/17 and in 2017/18 and included an adult social care precept, in addition to the CTS scheme change in requiring that all claimants pay at least 25% of their Council Tax liability, the actual scheme costs have continued to fall.
- 3.5 Scheme costs, claimant numbers and equalities data is monitored every quarter. This regular monitoring has not highlighted any real impacts from the changes as detailed above and the scheme is operating as expected.
- 3.6 Hardship relief continues to be available to any person who is experiencing financial hardship as a result of the CTS scheme. The purpose of the Hardship Fund is to mitigate the potential risk that some claimants may, in exceptional circumstances, suffer severe financial hardship as a result of the introduction of the scheme or changes to the scheme and may apply for additional monies to help pay their Council Tax. The Hardship Fund totals £5k in 2016/17. Hardship funding is identified from existing budgets and is currently administered via the Tameside Resettlement Scheme. However this amount does not exclude approved applications being granted should the maximum allocated funding being exceeded.

- 3.7 Residents may also obtain advice and assistance on the Hardship Fund and Council Tax Support scheme from the Council's Benefits Service, Citizens Advice Bureau, Tameside Welfare Rights Service and other local advice services such as MiNT.
- 3.8 Two applications for Hardship Relief were received in the 2016/17 financial year; one of which was successful and a total of £166.43 has been paid.

4.0 OTHER FACTORS TO BE CONSIDERED

- 4.1 The Valuation Tribunal Service considers appeals by any resident with regard to Council Tax Support schemes. The Tribunal Service is independent of the Council. On occasion the Valuation Tribunal may advise a Local Authority to reconsider elements of the scheme which can be for a number of reasons and, bearing in mind that each Local Authority will set its own scheme, so any decision of the Tribunal can only be directed to the Local Authority scheme being considered at appeal.
- 4.2 Tameside has not received any direction from the Valuation Tribunal Service in 2016/17 from the 4 cases heard and all appeals have been upheld. All 4 cases related to different matters such as income too high and did not qualify, or absence from the property and so CTS would not be paid. Two cases are listed to be heard to date in the current financial year.
- 4.3 The Department of Communities and Local Government (DCLG) have not issued any guidance on what Local Authorities should consider including in their local scheme for the forthcoming financial year. Should DCLG release guidance at a future date then this would be included in a revision to the scheme to be set in January 2018.

5.0 EQUALITIES REVIEW

- 5.1 A review of equalities information takes place every quarter to ensure that the CTS scheme is operating as expected and to ensure that no one equalities group is adversely affected. The equalities groups considered are by age, gender, disability and maternity. The categories of gender reassignment, sexual orientation and religion or belief are not considered as this information is not required to be held when processing Council Tax Support which is a means tested benefit.
- 5.2 The last quarterly review in March 2017 revealed that there continues to be no specific adverse impact on any specific equalities group. Detailed equalities analysis is included in the annual CTS reporting document, which is considered by the First Deputy, Performance and Finance.

6 RISKS

- 6.1 The decision as to whether to change the CTS scheme for the forthcoming year carries the risk of DCLG issuing guidance which Local Authorities must take into account in implementing any future scheme. DCLG are aware of the legislative timescale within which a local scheme must be set. Therefore should DCLG wish to issue guidance to be included in a future year's scheme then every Local Authority would be in the same position of a tight timescale within which to consult and redraft the scheme. The same applies with an outcome arising from a Tribunal decision however such matters cannot be foreseen.
- 6.2 In making a decision as to whether or not the scheme as set from April 2017 should continue in April 2018 is complying with the procedural matter as set in Paragraph 5(1) of Schedule 1A to the 1992 Local Government Finance Act.

7.0 CONCLUSIONS

- 7.1 At the present time there does not appear to be any external influences or internal requirement to revise the scheme for any reason. The scheme is operating as expected when the scheme was set in January 2017 to take effect from April 2017.
- 7.2 Should any revisions be considered then a full consultation would take place on the scheme change with members of the public and precepting bodies in accordance with guidance issued from DCLG. The Councils Executive Cabinet would be requested to consider the findings prior to the scheme for 2018/19 being set in January 2018.
- 7.3 The costs of the CTS scheme and the overall claimant numbers continue to fall, and hardship relief and other support methods continue to be available to the public. The Valuation Tribunal has not recommended a revision to Tameside's CTS scheme and the 4 appeals that have been considered have been upheld.
- 7.4 DCLG have not issued further guidance to Local Authorities in respect of designing local Council Tax Support schemes, and, at the present time, further instructions on setting a local scheme are not expected.

8 RECOMMENDATIONS

- 8.1 As set out on the front of this report.

Agenda Item 5

Report To:	EXECUTIVE CABINET
Date:	28 June 2017
Reporting Officer:	Councillor Kieran Quinn – Executive Leader Sandra Stewart – Director – Governance, Resources & Pensions Sarah Dobson – Assistant Director – Policy, Performance and Communications
Subject:	TAMESIDE FUTURE 5
Report Summary:	A proposal for a 12 month contextual communications and engagement campaign that aims to set out the narrative for a range of public service changes over the period. This report sets out the proposed narrative that would be used for communicating and engaging with partners, citizens and businesses on the work being undertaken to provide a secure and sustainable future for our services and our communities. It also sets out examples of the campaign material. A reformed public sector will support local residents to become resilient, independent and strong communities while engaging with others to help them do the same.
Recommendations:	Executive Cabinet are asked to agree the proposed approach for Tameside Future 5 campaign as outlined in this report and at the attached appendices.
Links to Community Strategy:	The Community Strategy and the Corporate Plan outline the priorities for improving the borough of Tameside. The Tameside Future 5 proposal sets those priorities in the context of public service reform and resilient communities.
Financial Implications: (Authorised by the Section 151 Officer)	No direct financial implications as a result of this report.
Legal Implications: (Authorised by the Borough Solicitor)	It is important that the Council has a clear narrative with the public explaining clearly what the Council is able to deliver within its budget and what we need to deliver with the community together to make the environment and community thrive.
Risk Management:	The risk of failing to explain the context of public service changes could adversely impact upon on the delivery of those changes and the aims and objectives of the Corporate Plan and the Community Strategy.
Background Papers:	The background papers relating to this report can be inspected by contacting Simon Brunet – Policy Lead – Policy, Performance & Communications (Governance and Pensions).



Telephone: 0161 342 3542



e-mail: simon.brunet@tameside.gov.uk

1. BACKGROUND

- 1.1 A proposal is made for a new approach for engaging and communicating with the public with the aim of setting out a narrative that would explain a range of public service changes. This will build upon the work in previous years undertaken through the budget consultation and the Tameside pledges.
- 1.2 This report sets out the narrative that will be used to engage with partners, citizens and businesses on the work being undertaken to provide a secure and sustainable future for our services and communities. The report also sets out a range of events that can be utilised to communicate the messages and sets out options for a campaign name. It is anticipated that a reformed public sector will support local residents to become resilient, independent and strong communities while engaging with others to help them do the same. The name for the campaign is Tameside Future 5.
- 1.3 The core narrative of Tameside Future 5 is:
- Challenge #1 – public services are chronically underfunded by Government and there is rising demand for those services
 - Challenge #2 – Public services cannot do it all, the community needs to help and support
 - Impact – there is a risk of poor outcomes for local people
 - Solution #1 – a sustainable public sector based on a new relationship with residents
 - Solution #2 – move towards the public reducing dependency on public services and making positive lifestyle choices
 - How – move to an enabling public sector and active citizens (not passive consumers)
 - We're changing, and making services more accessible, enabling and sustainable.
 - What can you do to make yourself, family and neighbourhood more resilient?
- 1.4 The financial challenges facing the public sector in Tameside are unprecedented. Over the ten year period 2010-2020 the amount of money the Council has to spend on services will have reduced by £200 million due to the combined impact of Government funding cuts and increased demand for services. This is equivalent to nearly £2,000 per household. By 2020 there is forecast to be a £70 million funding gap in the Tameside & Glossop health and social care economy if we don't deliver major organisational and societal changes.
- 1.5 The challenge to the public sector continues to be to find new ways of delivering public services with less money. In support of this there is a need to establish a new relationship between public services and citizens, communities and businesses that enables shared decision making, democratic accountability and for everyone to have a voice, genuine co-production and joint delivery of services. Increasingly new models of service delivery are based on residents accessing enabling services so they can resolve their own needs. Accordingly local residents need to change the way they interact with public services, moving from being passive consumers to active citizens both for their own needs and for the wider community (e.g. through formal and informal volunteering).

2. THE NARRATIVE

- 2.1 The Tameside Future 5 communication and engagement campaign will cover the key areas of importance to the citizen and the future sustainability of the public sector and local communities. Public services will be the key enabler but citizens, community groups and businesses will need to play their part in successfully delivering the aims set out in paragraph 2.2.

- 2.2 The key aims for reformed public services and active citizens that will be articulated by the Tameside Future 5 are:
- Access and utilisation of digital services;
 - Better skills, better jobs and higher wages;
 - Successful families where all children have the opportunity to reach their potential;
 - Resilient, engaged and supportive communities; and
 - Longer and healthier lives.
- 2.3 Under each of the five aims there are a range of projects and services that articulate the vision of enabling public services that are the catalyst for active citizens and how residents can use these services to improve their lives. The Tameside Future 5 campaign would explain the general approach to delivering services and enabling active citizens using existing and emerging models. **Appendix 1** provides an overview of the campaign narrative and content. Under-pinning the Tameside Future 5 campaign is a range of supporting projects, each of which will in many cases have their own communications campaign and/or engagement activity which would continue – but have reference back to Tameside Future 5. These include:
- Devolution and the Greater Manchester Mayor
 - Care Together
 - Social Prescribing
 - Self-Care
 - Vision Tameside
 - Integrated Neighbourhood working
 - Digital Tameside
 - Tameside Economic Strategy
 - Greater Manchester Plan for Homes and Jobs
 - Greater Manchester Strategy
 - Greater Manchester 2040: The Way Ahead (TFGM's transport plan)
- 2.4 At the core of the Tameside Future 5 approach is a challenge to our communities:
- We're changing, and making services more accessible, enabling and sustainable.
 - What can you do to make yourself, family and neighbourhood more resilient?
- 2.5 The narrative will clearly set out what the council is doing to make accessing services easier, helping residents to make the right choices and providing them with the opportunities to lead successful lives. In addition it will also set-out what residents need to do to help themselves, become more resilient and lead long, fulfilling and healthier lives.

3.0 CAMPAIGN APPROACH

- 3.1 In order to effectively engage with the public the following approach will be developed:
- A campaign logo and branding has been designed. See **Appendix 1**. The logo and branding will be used on publicity material, web pages, Twitter, Facebook and infographics associated with the campaign.
 - Dedicated webpages will be created which are clearly branded and will provide the public with clear information about the public service changes, how they can play their part and prompt citizens to become more digitally engaged with the council. It will be **important** that these web pages can be easily accessed from the home page of the council's website.

- Communications plan will be developed detailing the communications channels, material and key messages that will be used. Agreed messages will be particularly useful on social media to ensure consistent messages are being used.
- Posters, leaflets and flyers will be produced promoting the campaign and directing citizens to the dedicated webpages for further information and promoting the key messages.
- A 'pull-out and keep' centre page spread in the Citizen explaining the changes and how residents can become active citizens will be produced.

3.2 Attached at **Appendix 2** is the communication plan including a summary of the type of groups and networks that will be used for engagement activity and events. The events will be a mixture of presentations to existing meetings (e.g. Town Councils and Town Teams); attendance at community groups and events. It is proposed to utilise any opportunities to have stands at any cultural events or sporting events that take place in the borough to promote the messages. The purpose of attending different events is to explain the public services changes and encourage people to take an active part in the reforms and become an active citizen.

3.3 Elected Members are at the heart of Tameside's communities and have an extensive network of community contacts within their ward areas. Elected members will play a key role in promoting the messages and encouraging citizens to become more resilient, play an active part in their community and look out for their neighbours. Promotion of the key messages through these networks by councillors will be invaluable in engaging the community. Town Councils are key to leading and delivering these messages in the community.

3.4 The public would have the opportunity to feed in views, comments and suggestions via the online Big Conversation tool. (Note: this will **not** be a formal consultation on proposed changes to services but a mechanism for collecting further ideas).

3.5 Alongside the engagement with the public a number of themed sector events would be run including key public sector and community leaders following the model used two years ago in the budget consultation.

4. APPENDICES

4.1 The following appendices are attached:

- Appendix 1 – example of Tameside Future 5 campaign narrative material (draft)
- Appendix 2 – Communications Plan

5. RECOMMENDATIONS

5.1 As set out on the front of the report.



Tameside is changing. We want our community, to change with us, so we can move forward together.

We all know that public services are underfunded yet the demand on these services is increasing - and so this isn't about what we have lost or how we can no longer provide services in the same way - it's about how we move forward despite this, together, and create better lives for all.

This is a new relationship between us - the public service providers and our staff, and you - the residents and businesses of Tameside.



These are the promises we can make so that services are more accessible and help you make the right choices, and the promises you can make to be active citizens engaging with services and becoming a community champion. This means a sustainable future for public services and Tameside families.

Let's make the right choices for the right future and together we can build a better Tameside.





We are...

- Making it easier to recycle
- Improving public transport
- Providing modern schools and colleges
 - Joining up health and care
- Supporting children and families
- Freeing up land for houses and attracting business
- Investing in all our town centres
 - Putting more services online
- Listening to you and providing information to help make positive choices
- Supporting our communities to work together

Will you...

- Think green – recycle and use public transport
- Keep your local streets clean and tidy
 - Choose a healthy lifestyle
- Volunteer in your community
- Get your children school ready
- Buy local and support your local town centre
- Use online services before you ring or visit
- Be a good neighbour and look out for others
- Improve your skills and those of your children





Digital services are cheaper and quicker to use for all of use.



Report litter, potholes, graffiti etc. online
www.tameside.gov.uk/reportit



Pay for council tax, fines etc. online
www.tameside.gov.uk/payit



Apply for free school meals, planning permission, school places etc. online
www.tameside.gov.uk/applyforit



Book a GP appointment
<https://patient.emisaccess.co.uk/account/login?ReturnUrl=%2F>



Access the internet in our open access libraries
www.tameside.gov.uk/libraries



Bin collections, what to put in the different bins and report any problems
www.tameside.gov.uk/RefuseandRecycling



Information about services for children, young people, their parents and carers.
www.tameside-sid.org.uk



Find out what events are taking place in your area.
www.whatson.tameside.gov.uk



Find out more about adult services provision in Tameside
www.adultportal.tameside.gov.uk:14500/web/portal/pages/help/services



Access to Swift Wi-Fi in our town centres





Supporting local businesses and up skilling ourselves build a prosperous community.



Learn a new skill
www.tameside.ac.uk/Pages/Adults/



Use our open access libraries PCs to find new job opportunities
www.tameside.gov.uk/libraries/computer



Find out how educational facilities and public services are being improved
www.visiontameside.com



Access deals by using the Tameside Loyalty Card
www.tamesideloyaltycard.co.uk



Support our general / specialist markets
www.tameside.gov.uk/markets



Discover more about businesses and investment opportunities in Tameside
www.liveworkinvest.com



Easy & affordable access to jobs and learning
www.tfgm.com/journey_planning/





We all want our children and young people to have the best start in life.



Ensure children are school ready
www.tameside.gov.uk/surestart/contactdetails



Encourage children to learn new skills
www.codeclub.org.uk/



Attend a family event
www.tameside.gov.uk/events/team



Become a foster carer
www.tameside.gov.uk/fostering/moreinfo



Keep your child safe
www.tamesidesafeguardingchildren.org.uk



Use the free early education / childcare places for 2 year olds
www.tameside.gov.uk/surestart/childcare/2yearoldfunding



Use Tameside's Service Information Directory to find out information about services for children, young people, their parents and carers.
www.tameside-sid.org.uk





Doing something to help others is a rewarding experience and helps build a community.



Volunteer in your community
www.cvat.org.uk



Check on elderly neighbours
www.nhs.uk/Livewell/women60-plus/Pages/How-to-help-a-lonely-older-person.aspx



Plan a community tidy-up
www.thebigtidyup.org/home/1221



Become a dementia friend
www.dementiafriends.org.uk



Set up a Home Watch scheme in your neighbourhood
www.tameside.gov.uk/homewatch



Use public transport and help reduce CO² emissions and reduce your carbon footprint
www.tfgm.com/journey_planning/



Recycling as much as you can
www.tameside.gov.uk/recycling



Reporting graffiti, fly tipping etc.
www.tameside.gov.uk/reportit



Volunteer in our beautiful countryside
www.tameside.gov.uk/volunteering/countryside



Keeping our borough clean and tidy provides everyone with a pleasant environment to live in.





Staying fit and healthy improves your life and frees up services for those most in need.



Eat a healthy diet
www.nhs.uk/oneyou#3YhoSuKhxsRgFIQE.97



Take exercise
www.activetameside.com



Drink sensibly
www.nhs.uk/Livewell/alcohol/Pages/Alcoholhome.aspx



Access health care information online
www.nhs.uk/pages/home.aspx



When it's less urgent than 999, ring 111 for medical help



Pharmacies are health care professionals; you can seek advice from them
www.nhs.uk/Service-Search/Pharmacy/LocationSearch/10



Access services for people later in life
www.ageuk.org.uk/tameside



Take exercise in one of our parks or open spaces
www.tameside.gov.uk/parks



If you become unwell or injured make sure you choose the right service to ensure you get the right service.
www.tamesideandglossopccg.org/local-services/Local%20Services





T A M E S I D E FUTURE FIVE

Working together we can build a sustainable future for our borough, providing much needed homes, state-of-the-art educational facilities, a joined up health service and a thriving economy where everyone has the opportunity to succeed.

To find out more visit

www.tameside.gov.uk/xxxxx



TAMESIDE FUTURE 5 ENGAGEMENT AND COMMUNICATIONS PLAN

The communications plan covers the following areas:

1. Channels
2. Materials
3. Key messages
4. Timeline

1.0 CHANNELS

- Social media
 - Twitter
 - Facebook
 - Instagram
 - You Tube
- Tameside Council website
 - Promoted on homepage
 - Dedicated Tameside Future 5 webpages
 - Leader's blog
- Print media
 - Tameside Reporter (including the Leaders weekly column)
 - Tameside Weekly News (including the Leaders weekly column)
 - About Tameside
 - Citizen
- Networks (to push messages).
 - Registered Social Landlords
 - Live Work Invest
 - Carers Centre
 - Community Voluntary Action Tameside (CVAT)
 - BME Network
 - Information Ambassadors
 - Health Watch
 - Patient Network
 - Patient Neighbourhood Groups
 - Patient Participation Groups
 - Equality and Diversity Group (health)
 - plus over 50 other networks
- Public/community/sector meetings & groups
 - Town Councils
 - Town Teams
 - Countryside Volunteers
 - Cranberries
 - Grafton Centre
 - Time of our Life
 - 2 B US
 - Youth Council
 - Engagement through schools
- Engagement events (i.e. roadshows)
 - Libraries
 - Customer Services
 - Active Tameside
 - Children's Centres
 - Town centres / markets
 - Shopping centres e.g. Arcades, Snipe

- Cultural / sporting events
- Health centres
- GP practices

(Note: the list above is not exhaustive for meeting & groups and engagement events.)

2.0 MATERIALS

- Web pages
- Leader's blog
- A Day in the Life of..... video (website and You Tube)
- Vox Pops (residents saying how they've changed)
- GIFs
- Infographics (for use on Twitter, Facebook, website etc.)
- Posters, leaflets, flyers

3.0 KEY MESSAGES

- What we're doing differently
 - Providing health services within the community
 - Helping older people to stay in their homes
 - Investing in exciting and different types of leisure facilities
 - Providing self-care information through the 'Life in Tameside and Glossop website'
 - Providing free Wi-Fi in all town centres
 - Running workshops for older people to learn digital skills
 - Providing access to IT facilities in our open-access libraries
 - Creating more on-line access to services
 - Helping schools to provide coding clubs
 - Running Hackathons for young people to develop new coding skills
 - Creating new opportunities for businesses (Ashton Old Baths, redevelopment of Ashton Market Square)
 - Attracting new businesses to the area
 - Building a new Transport Interchange hub making access to jobs / education easier
 - Helping smaller, local businesses to win work from the public sector (Tameside Works First)
 - Sell-off unused council land for housing / business development
 - Providing the Tameside Loyalty Card, helping independent retailers
 - Providing access to high quality learning facilities: children centres, schools, colleges
 - Providing free / low cost activities for families
 - Providing early help for families in need
 - Giving young people a voice through Youth Council and 2BeUs
 - Providing more frequent blue bin collections and more opportunities to recycle
 - Providing volunteering opportunities
 - Giving residents / businesses a voice through the Big Conversation Community
 - Supporting neighbourhoods to keep their areas clean
 - Providing two neighbourhood teams to deal with ASB, community clean-ups and community cohesion
 - Helping neighbourhoods to grow their own food
 - Vision Tameside is investing in the future of our young people through state of the art college facilities.
 - Tameside Interchange will improve access for local people to jobs, learning and leisure benefitting public transport users and the wider community.
 - We are supporting our town centres with the Tameside Loyalty Card, cheaper car parking and the Big Tidy Up.
 - Tameside Council is working hard to provide more local jobs and apprenticeships by supporting local businesses through the Enterprise and Business Grants.

- Tameside Youth Employment Scheme (YES) is supporting young people aged 16-24 years who are unemployed or not in training.
- Vision Tameside is securing prestigious buildings in all our towns making them the heart of the community.
- What you can do
 - Eat a healthy diet
 - Keep active, use the Active Tameside facilities
 - Avoid taking drugs
 - Drink alcohol in moderation
 - Use pharmacies , 111 telephone service first before visiting GPs and A & E
 - Book GP appointments, request repeat prescriptions and access patient records online
 - Report it, pay for it, apply for it online first
 - Source information via our website and Life in Tameside and Glossop
 - Encourage your children to use the coding clubs
 - Use IT facilities in our open-access libraries
 - Shop and buy local
 - Use public transport to reduce your carbon footprint
 - Consider becoming an entrepreneur and start your own business
 - Fulfil your work potential and upskill
 - Use children centres and early help services
 - Ensure your children attend school
 - Support your child to continue to learn inside and outside of school
 - Help your child be career ready
 - Recycle as much as you can and reduce your carbon footprint
 - Volunteer in your local community
 - Look out for your neighbours and the most vulnerable
 - Get involved in consultations
 - Keep your neighbourhood green and clean (don't drop litter)

4.0 TIMELINE – KEY DATES / MILESTONES

July 2017	Creation of content, materials, web pages etc
August 2017	Elected Member briefings
August 2017	Partners and stakeholder briefings
September 2017	Town Councils
September – November 2017	Public events and roadshows
September - November 2017	Sector engagement events
December 2017	Feedback & next steps

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Agenda Item 6

Report To:	EXECUTIVE CABINET
Date:	28 June 2017
Executive Member/Reporting Officer:	Councillor Jim Fitzpatrick – First Deputy (Performance and Finance) Damien Bourke - Assistant Executive Director (Development, Growth and Investment)
Subject:	RE-USE OF ASHTON TOWN HALL
Report Summary:	The purpose of this report is to provide a further update on project development, costs, delivery timescales and risks associated with the project for the re-use of Ashton Town Hall
Recommendation	That Executive Cabinet: <ol style="list-style-type: none">1. Notes the progress made to date with developing the project to secure the reuse of Ashton Town Hall.2. Approves a project development budget of £0.350 million for design and planning work up to RIBA Stage 4 (Technical Design) as outlined in the report to enable a full feasibility and costings to provide sufficient information for allocation from the revised Capital Programme if it is determined to proceed.
Links To Community Strategy:	Prosperous Tameside
Policy Implications	In line with approved policy
Financial Implications: (Authorised By The Section 151 Officer)	<p>It is anticipated the Council will approve a maximum sum of £6.7 million within the capital programme to support this project. The projected cost currently exceeds this sum by £0.625 million (details within table 3 section 5.4). There is also expected to be additional expenditure which currently excluded from this sum as explained in sections 3.10 and 5.6 of the report. It is therefore essential that a Heritage Lottery Fund bid (as explained in section 5.8) is successful to ensure the project is delivered within all available resources.</p> <p>The requested £0.350 million project development sum will be financed from the available project resource.</p> <p>The Council will commission the appropriate VAT related advice to mitigate the risk of any potential partial exemption financial implications associated with this project once the design and associated use and occupation arrangements are finalised.</p> <p>It should be noted that damage was caused to the rear of the town hall building during the demolition of the former Tameside Administrative Complex. The financing arrangements to support the necessary reinstatement work is yet to be agreed between the related parties. The associated cost of this work is excluded from any of the financial details contained within this report as it is expected this will not be a related project resource liability.</p>

**Legal Implications:
(Authorised By The Borough
Solicitor)**

This report requests approval for £0.350 million to enable the LEP, the Council's strategic partner, to begin the procurement of the design stage. As it is proposed that the LEP will manage the contract no further governance is required as this is already governed by the strategic partnership and related agreements which officers are required to follow, aside from ensuring that there are sufficient monies set aside in the capital programme to pay for the refurbishment and build, as identified in the comments from the Assistant Director for Finance. Clearly should officers not propose to follow the LEP agreements it follows they will require further governance to do so.

The Council must be mindful that the monies authorised now will form a small part of the projected total costs of the project which have been estimated at £7.3m although it was envisaged that a maximum sum of £6.7 million would be incurred – financial comments refer. Without detailed costings there can be no certainty on the total cost of the project. The Council must put in place a robust process for monitoring spend against budget and reviewing the projected costs for the whole project to ensure that where possible spending is controlled.

It is recommended that a project board is set with a view to overseeing the whole project from inception to completion to ensure that the project remains within its intended original scope, or if the scope changes that this is identified at an early stage to ensure that budgets are managed accordingly.

The project envisages at some stage external funding being introduced. The project board should remain fully briefed on any and all applications for funding to ensure that the Council is able to comply with the conditions of any funding in order to reduce any reputational risks to the Council.

Risk Management:

The key risks, impact and mitigation proposed are included in the report at Section 7.

Access To Information:

The background papers relating to this report can be inspected by contacting the report writer Ade Alao, Head of Investment and Development by:



Telephone: 0161 342 2795



e-mail: ade.alao@tameside.gov.uk

1. INTRODUCTION

- 1.1 The Grade II listed Ashton Town Hall has been the traditional home of municipal life in Ashton since its opening in 1840 and has remained, by and large, unchanged in layout since it was extended in 1878. As Tameside's premier civic building, its heritage importance and significance lies in its classical façade framing of the Market Square and anchoring of the historic setting at the very heart of the town.
- 1.2 The building was physically linked to the Tameside Administrative Centre (TAC) from 1980 until 2015 and played an ancillary role accommodating civic and other functions. With the new Shared Services building due for completion in Summer 2018, Ashton Town Hall will once again be a stand-alone building with the challenges and opportunities that will bring.
- 1.3 The Council is committed to the retention and financially sustainable future use of Ashton Town Hall. Executive Cabinet endorsed a vision for the future use of the building in June 2016. This followed an initial feasibility study by Ryder Architecture that examined options for improvements in layout and use of underused spaces along with improvements to access, and a draft vision and high-level business plan, developed by Creative Heritage Consultants Ltd.
- 1.4 The initial feasibility study identified the following issues, which would need to be addressed in the building, within plans for re-use:
- Extensive building works will be required to deliver a functional stand-alone building in terms of servicing and to meet current fire regulations.
 - The building does not function efficiently and is incapable of meeting the Council's anticipated future requirements in its current configuration.
 - Some areas of the building are now not fully accessible and do not meet current statutory DDA requirements.
 - Extensive repairs and replacement works will be required to the building's fabric and services.
- 1.5 The key recommendations from the feasibility study were:
- Demolition of the existing rear stairs and replacing it with a new, fully compliant glazed stair and lift enclosure, which would provide a new entrance adjacent to the Shared Services building and level access to all floors. This improvement to the building's vertical circulation was identified as key to achieving the Council's aspirations for optimal and fully accessible operation.
 - Potential for new commercial opportunities for the building were identified particularly to the northern area at lower ground (pavement level) where new glazed shop front openings could be created.
 - Further consideration of the options available for improved use of spaces in the building including the Council Chamber, civic, event, exhibition, meeting and office uses.
 - Need for a detailed building condition survey including mechanical and electrical services installations.
- 1.4 Creative Heritage Consultants Ltd, a specialist heritage assets consultancy, was commissioned in 2016 to develop a draft vision and high-level business plan for the sustainable future use of Ashton Town Hall. The proposed vision is: **"The Jewel on the Square: Inform, Debate and Celebrate"**. The three concepts can be summarised as:
- **Inform** – art and culture hub, retail / food & drink
 - **Debate** – Council Chamber, Mayor's Parlour, committee / meeting rooms and Forshaw Room

- **Celebrate** – ballroom and function rooms

1.5 This report provides a further update on project development, costs, delivery timescales and risks and seek approval to progress project development.

2. PROGRESS UPDATE

2.1 A comprehensive condition survey was completed in November 2016 by Donald Insall Associates and BCA Consulting which identified £3.72 million of repairs required for the building. It also established that its Mechanical and Electrical (M&E) infrastructure was at the end of its serviceable life.

2.2 £0.534 million of repairs are urgent and £2.582 million will be required within 5 years to arrest further deterioration of the building. A sum of £0.607 million has also been suggested to address desirable items such as replacing some of the windows with traditional sash windows, replacing some internal doors with doors more in keeping with the buildings character and heritage. A summary of the building condition works is shown in table 1 below:

Table 1

Ashton Town Hall Building Condition Works Summary				
	Urgent £	Year 5 £	Desirable £	Totals £
Building work	289,441	238,794	278,690	806,925
Mechanical & Electrical (M&E)	114,891	1,717,313	181,406	2,013,610
Preliminaries	80,866	391,221	92,019	564,106
Contingency	48,520	234,733	55,211	338,464
Total	533,718	2,582,061	607,326	3,723,105

2.8 Even if the £3.72 million of repairs identified as required were carried out, the building will still not be functional as a stand-alone building in terms of servicing, and will still be incapable of meeting the Council's anticipated future requirements in its current configuration. Many areas of the building will still not be fully accessible and will not meet current statutory DDA requirements. Fire regulations compliance requirements will likely curtail maximum occupancy of the building which will adversely impact on its future financial sustainability through income generating activities.

2.9 54% (£2.014 million) of the repairs identified is allocated to maintaining the M&E systems which are at the end of their serviceable life. This is not recommended as it is uneconomical in comparison with installing new M&E installation with a 25-year life. More so as there will be a point when the M&E systems will need to be replaced completely as the repair costs become excessive and parts become obsolete.

2.10 Ryder Architecture has now used the information from their initial feasibility study, vision & high-level business plan and building condition surveys to develop concept proposals for the re-use of Ashton Town Hall for the Council's consideration.

3. CONCEPT PROPOSALS

3.1 Details of the concept proposals are shown in **Appendix 1** with the following key elements:

3.2 **Lower Ground Floor (Inform)** - This floor consolidates all public exhibition activities on a single floor supported by commercial tenancy opportunities providing active frontage to new pedestrian routes fronting the new public spaces adjacent to the Shared Services building. The public exhibition space is to be designed to provide:

- Modern interactive environment which has a family focus, is dementia friendly and has an extensive activity programme.
- Re-interpretation of the Museum of the Manchester Regiment to provide an opportunity to display and access the collection in new ways and provide visitors with extraordinary experiences.
- A complementary central art gallery relocated from Ashton Central Library creating opportunities for linked trips to the museum and other town centre attractions.
- All exhibitions to be accessed free of charge in line with national policy.
- Interesting introduction to Tameside's social and industrial heritage with sign posting along a cultural trail to the Portland Basin Museum.

3.3 **Ground Floor (Debate)** – Relocation of the Council Chamber to the ground floor as a large / flexible modern meeting space, with audio-visual facilities suitable for live webcasting if required. This will be set up for regular Council meetings but could be made available for corporate bookings for conference space when not in use by the Council. The floor will also consolidate other civic uses including the Mayor's Parlour and offices for the Member of Parliament.

3.4 **First Floor (Celebrate)** - Consolidation of large flexible spaces for event hire with modern kitchen and bar support facilities.

3.5 **Second Floor (Office Space)** – Limited cost allowance has been made to provide office space.

3.6 **External Envelope** – Works will include both refurbishment to the historic fabric and new interventions. This includes extensive repair and making good to areas which were modified for the connection of TAC and existing elements which have been identified as requiring attention in the building condition report. New interventions are required to improve access, servicing, day lighting and viability of lower ground floor spaces.

3.7 **Mechanical & Electrical Services and Roof** - This includes new compliant and modern Mechanical, Electrical and Plumbing (MEP) systems requiring new riser routing through the existing building, alongside new air intake and extract at roof level. Discreet louvered enclosures will be placed upon the roof to suit the engineer's requirements.

3.8 **Glazed External Stair & Lift Enclosure** - To realise the building's full potential and unlock the maximum occupancy of each floor plate, a new external stair and lift enclosure is proposed which provides level access. Making this the main vertical circulation route through the building unlocks the opportunity to utilise redundant lift shafts for mechanical and electrical distribution. The glazed external envelope of the new stair enclosure will form a high-quality addition to the northern elevation linking the new Shared Services building with the historic Ashton Town Hall.

3.9 The following **assumptions** have been made in developing the concept proposals:

- a) The assumed maximum occupancy of the upper floors of the building for means of escape is 790 with a maximum occupancy of 450 persons for the first-floor event space

accommodation. Further development of the brief for these spaces is required to ascertain if this is sufficient for viable commercial operation.

- b) WC provision is also based on a total occupancy of 790.
- c) Primary route to flexible space 2 (existing Council Chamber) is via lower ground / ground floor access from new stair and lift. Existing lift shaft at first floor to be retained and reused as a services riser with a secondary route to event space 2 at this level.
- d) No tiered raised floor to new council chamber.
- e) Café / restaurant facility shares toilet provision with museum accommodation.

3.10 The following **exclusions** have been made at this stage of project development:

- a) The existing armoury is understood to be of substantial construction and will be retained in its current location. Current plant proposal will need to be amended to work with this identified constraint.
- b) Decorative display cabinets located in the entrance foyer (with integrated heating) and Forshaw Room, to be potentially relocated to lower ground, and new heating proposed to foyer.

4. BUSINESS PLAN

4.1 Alongside project development for the capital scheme, a detailed operational business plan for Ashton Town Hall is being undertaken to provide assurance on the financial sustainability of the proposals.

4.2 The three organising principles of the proposed vision (Inform, Debate & Celebrate) are extensively interconnected and have profound implications for how the building is managed to achieve its business and social objectives.

4.3 The “new” Ashton Town Hall will require high quality, focused, building and event management for it to be successful. It will need a clear focus on commercial viability, on expanding customer base and on providing a valued service to the local and wider community. It will also need a significant level of operational flexibility and creative problem solving in order to realise the building’s full potential. This will have implications for the marketing approach for the “new” Town Hall which needs to communicate the three organising principles and the sense of dynamism they bring.

4.3 Whilst this report seeks authority to develop Ashton Town Hall its own right there is an opportunity to develop an attractive overall offer based on a campus facility in Ashton Town Centre. This combines the facilities available in the new Shared Service building, Tameside College buildings, Ashton Market Hall, Ashton Town Hall and the wider Ashton Town Centre.

4.4 Table 2 below sets out the issues that require further consideration in the detailed business planning:

Table 2

Business Plan	Action
Ownership and Facilities Management	A change of ownership or franchising is not proposed however a commercial focus is required to ensure the vision for the Town Hall and its uniqueness fills a gap in provision and is

	actively and professionally promoted both locally and regionally.
Increased Commerciality	<p>It is essential that the Town Hall is financially sustainable. There needs to be a realistic, market led approach to pricing to ensure the facility remains viable.</p> <p>The commerciality consideration will need to include to the Council's use of the Chamber and committee / meeting rooms. It is possible that these spaces are not dedicated to Council use alone and that they could be marketed as part of the conference offer (the Council Chamber for example may appeal to some as a venue for marriage ceremonies). The space therefore needs to be designed to be as flexible as possible and rooms "named" rather than referring them to meeting rooms therefore avoiding "typecasting" for any specific use.</p> <p>With regards to the arts space and museum, free entry is the current national policy. However opportunities may exist for generating secondary income from a small gallery shop, charging for temporary exhibitions and hiring the gallery space for drinks receptions and other functions.</p>
Marketing	In order to achieve high levels of occupancy and take advantage of the "programmability" of the spaces in the building, a creative and effective marketing strategy is required. The marketing strategy will need to consider the uniqueness of the building for the target market, understand the offer available from competing venues and develop branding and advertising to professionally promote the building.

4.5 The multi-functionality of the space being proposed will require skilled programming to ensure that conferences and weddings do not clash, that the Council Chamber and its environs are vacant and quiet when required for Council sessions and that school children using a committee / meeting room when on a visit to the cultural hub are segregated from the general public for safeguarding reasons.

4.6 Work has now commenced on the development of the business plan and a detailed proposal will form part of a future report seeking final approval for the capital scheme.

5. PROCUREMENT AND FINANCIAL IMPLICATIONS

Procurement

5.1 Given the specialist nature of the works involved, there are a limited number of contractors with the requisite skills and expertise to undertake the project. An initial procurement options appraisal has indicated that there will be little market interest in undertaking the project on a Design and Build basis as most will only be prepared to submit a tender against a schedule of works on an industry-standard contract. The Heritage Lottery Fund is

also unlikely to approve funding for works to heritage buildings procured on a design and build basis.

5.2 It is proposed that the project is commissioned from the Tameside Investment Partnership (LEP), through the Additional Services Contract, to appoint the professional team, specify all the works, produce a schedule of works, pricing documents and associated contract documents for tender and manage the contractor through to completion through an OJEU-compliant process.

5.3 The LEP will be required to undertake the tender process, on behalf of the Council, via the Chest and use of the Council's approved tender documentation and compliance with standing orders.

Estimated Costs

5.4 The estimated costs are based on a traditional procurement route and the Concept Stage (RIBA Stage 2) Cost Plan is shown in table 3:

Table 3

Ashton Town Hall – Stage 2 Cost Plan	
Works Element	Estimated Cost £
Building Costs	4,205,630
External Works	116,000
Preliminaries & Overhead & Profit	864,000
Contingency (25% of above costs)	1,296,408
Fees up to RIBA Stage 7 (13% of construction costs – all above costs)	842,665
Total Estimated Project Costs	7,324,703

5.5 There is a significant level of contingency allowance included in the current cost estimate that reflects the risks associated with work to a listed building and the early stage of project development. As more detailed design work is completed, the level of contingency required will be expected to reduce but will still need to be maintained at a prudent level.

5.6 The following costs are excluded at this stage:

- General furniture, fixtures and other equipment (FF&E)
- IT infrastructure
- Specialist security system
- Cleaning of external fabric
- Marketing and promotion

5.7 A budget of £0.350 million (included within the table 3 total is proposed for developing the project to RIBA Stage 4 (Technical Design) to include all architectural, structural and building services information, specialist design and specifications, planning approval, listed building consents and tender.

Funding

5.8 The project has been formally registered with the Heritage Lottery Fund (HLF) for an application for heritage grant funding. The initial advice is that the overall project is unlikely

to be successful with an HLF grant application but the elements relating to the museum and arts gallery could be supported for up to £1.5 million subject to detailed proposals.

- 5.9 It is anticipated the Council will approve a maximum sum of £6.7 million within the capital programme to support this project. The projected cost currently exceeds this sum by £0.625 million. There is also expected to be additional expenditure which is currently excluded from this sum as explained in sections 3.10 and 5.6 of the report. It is therefore essential that a Heritage Lottery Fund bid is successful to ensure the project is delivered within all available resources.
- 5.10 The Council will commission the appropriate VAT related advice to mitigate the risk of any potential partial exemption financial implications associated with this project once the design and associated use and occupation arrangements are finalised.
- 5.11 It should be noted that damage was caused to the rear of the town hall building during the demolition of the former Tameside Administrative Complex. The financing arrangements to support the necessary reinstatement work is yet to be agreed between the related parties. The associated cost of this work is excluded from any of the financial details contained within this report as it is expected this will not be a related project resource liability.

6. INDICATIVE PROGRAMME

- 6.1 Consideration has been given to phasing the works so that the building can re-open in a phased manner. This approach is felt to be unachievable because of the severing of services and the need to demonstrate a step change in the building before re-marketing its facilities.
- 6.2 The table below provides an indicative programme:

Milestone	Target Completion Date
Council approval to proceed	By end of June 2017
Tender	January 2018
Final approval	February 2018
Design development & planning approval	March 2018
Build period	May 2018 – March 2019
Building fit-out	March 2019 – Summer 2019
Building re-opens	Summer 2019

7. RISKS

- 7.1 The risk profile for this project has been reviewed throughout the Stage 2 process. As with all capital projects of this scale there are several significant risks that need to be managed and mitigated, on a monthly basis, as the project develops.
- 7.2 A comprehensive risk register is monitored by the Vision Tameside Working Group on a regular basis and mitigation actions reviewed and implemented when required. The current top five risks identified are:

Risk	Potential Impact	Mitigation
Increase in project scope	Increase in time	• The Vision Tameside Working Group,

/ design changes	and cost	<p>will monitor progress to ensure the project is delivered in line with the brief.</p> <ul style="list-style-type: none"> • A robust variation process will be implemented to monitor and control change therefore ensuring that costs are contained within the budget envelope.
Insufficient contingency budget for scale and complexity of the Programme.	Actual contingency exceeds the allowance.	<ul style="list-style-type: none"> • Appropriate contingency budget established as part of the Stage 2 costs in line with HLF listed building guidance.
Inadequate project management and delivery capacity delays implementation.	Delay in project timescales and completed project not fit for purpose project.	<ul style="list-style-type: none"> • Necessary resources identified at the outset and experienced external resources are being utilised to fill gaps.
Museum risks	Failure to achieve the agreed vision for the public exhibition space and have an appropriate business plan.	<ul style="list-style-type: none"> • Engagement with the Museum Trustees and Council Cultural Services Team. • Commission specialist advice from museum consultants. • Learn from best practice elsewhere.
Reduction of footfall during redevelopment	Reduction in trade for local shops and businesses.	<ul style="list-style-type: none"> • Project to be promoted as part of the Vision Tameside marketing campaign. • Project established with town centre retailers to help them promote their own businesses and town centre as a whole.

8. PROJECT GOVERNANCE

- 8.1 Given the high profile of this town centre project and its links to the wider Vision Tameside Programme, it is recommended that the Vision Tameside Working Group, chaired by the First Deputy (Finance and Performance), is responsible for maintaining oversight and control over the project's development and delivery. In addition, regular reports will be provided to the Council's Strategic Planning and Capital Monitoring Panel.
- 8.2 An officer task group from different Council services, including Investment & Development, Asset Management, Museums, IT, Executive Support, Engineering, Finance, Legal and the LEP will be responsible for day to day delivery. Dedicated client project management is provided by the Capital Projects Team in Place Directorate.

9. NEXT STEPS

- 9.1 Subject to approval the next high level steps in project development are:
- a) Undertake further design development and condition survey work to develop the project within the budget envelope.

- b) Commission specialist museum designer and activity planner to develop proposals for the public exhibition space to ensure it delivers the vision.
- c) Proactively engage with the Heritage Lottery Fund to progress a funding application.
- d) Undertake detailed business planning.

10. CONCLUSION

- 10.1 Ashton Town Hall is a major Tameside heritage and civic asset and good progress is being made with the project for the future re-use of the building.
- 10.2 Vision Tameside and the redevelopment of the Market Square bring together a major opportunity to reassess the role of Ashton Town Hall to achieve its renewal through reframing its future functions both physically and operationally.
- 10.3 The future of Ashton Town Hall, is in many ways dependent on the success of the Council's Town Centre regeneration programmes, but also, because of its pivotal role in the heart of the town, is an essential part of the overall success.

11. RECOMMENDATIONS

- 11.1 As stated on the report cover.

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Agenda Item 7

Report To:	EXECUTIVE CABINET
Date:	28 June 2017
Executive Member/Reporting Officer:	Councillor Allison Gwynne, Executive Member (Clean and Green) Ian Saxon, Assistant Director (Environmental Services)
Subject:	REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE POLICIES & CONDITIONS
Report Summary:	This report outlines the consultation process recently undertaken in relation to proposed changes to policies & conditions for licensed private hire & hackney carriage vehicles and drivers. The report includes all responses to the public consultation, together with the comments from the Speaker's panel (Licensing).
Recommendations:	That the amended policies & conditions for private hire & hackney carriage drivers & vehicles be adopted by the Council.
Links to Community Strategy:	The licensing of Hackney Carriage vehicles contributes towards the Community Strategy theme of providing a safe environment.
Policy Implications:	Any future changes to these policies will be subject to Council decision.
Financial Implications: (Authorised by the Section 151 Officer)	Any expenditure relating to the implementation of changes to the policies and conditions will be financed from the service revenue budget.
Legal Implications: (Authorised by the Borough Solicitor)	The Council has previously resolved that Part II of the Local Government (Miscellaneous Provisions) Act 1976 should apply within Tameside. Consequently the Council is responsible for regulating the Private Hire and Hackney Trade within the Tameside. The Council has policies and conditions in place to enable members of the trade (private hire and hackney drivers, owners of private hire and hackney vehicles and private hire operators) to know how the Council will carry out these functions. The policies and conditions also ensure the Council carries out these functions in a transparent, fair, reasonable and proportionate manner. The Council is entitled and expected to amend these policies and conditions to reflect the changing needs of the Council, the trade and the public. In respect of the proposed changes to the current policies and conditions appropriate consultation has been carried out and had regard to which should reduce the risk of them being successfully challenged by way of a judicial review.
Risk Management:	Failure to properly consult on these proposals could result in a challenge from the trade or their representatives through a judicial review. This risk has been managed by extensive discussions with the trade which means that officers believe that the proposals in this report are broadly acceptable to most members.

Access to Information:

The background papers relating to this report can be inspected by contacting the report writer, by Ian Saxon, Assistant Executive Director:



Telephone: 0161 342 34701



e-mail: ian.saxon@tameside.gov.uk

1. INTRODUCTION

- 1.1 In 2011, the Council adopted new policies and licence conditions for Hackney Carriage & Private Hire drivers, vehicles & operators. The new policies and conditions were the first such update since 1980.
- 1.2 Before adopting the new policies & licence conditions, an extensive consultation exercise was carried out which invited comment from the taxi & private hire trade, the public and elected members. As part of this consultation exercise, a report was presented to the Speaker's Panel (Licensing) on 11 March 2011, asking for a number of recommendations to be made by the panel to assist in the final decision.
- 1.3 When the Panel made their final recommendations, they also recommended that, once adopted, the policy & conditions should be reviewed again after a period of 3 years.
- 1.4 In November 2011, the Executive Member for Environmental Services formally adopted the revised policies & conditions by way of a key decision. The new policies included several significant amendments such as an age limit for licensed vehicles (a first for Tameside), a condition standard for licensed vehicles, a code of conduct for licensed drivers and a requirement for larger operators to keep electronic booking records.
- 1.5 In October 2015, the Tameside Owners & Drivers Association (the trade body representing licensed drivers and vehicle owners in Tameside) carried out two "go slow" protests around the Tameside area. One of the Association's main grievances was with some of the policies & conditions adopted by the Council in November 2011.
- 1.6 Following the protest, and taking into account the recommendation made by Panel in 2011 to review the conditions after 3 years, a decision was made to review some of the licence conditions for hackney carriage and private hire vehicles & drivers. Some amendments have been suggested by the representatives of the taxi trade and some have been suggested by the Licensing Manager.

2. REPORT

- 2.1 In August 2016, permission was granted by the Executive Member for Environmental Services, for a 12 week public consultation in respect of the proposed amendments, during which all key stakeholders would be given the opportunity to give their responses.
- 2.2 The consultation started on 6 September 2016 and remained active until 29 November 2016. The consultation was run via the Council's "Big Conversation" web page and anyone could respond to give their views on the proposed amendments to licence conditions.
- 2.3 The full consultation is attached at **Appendix 1**. This is the full list of questions relating to all the issues which are under review. The responses to the consultation are attached at **Appendix 2**.
- 2.4 Attached at **Appendix 3** is a summary of all the proposed changes to policies & conditions, together with a summary of the perceived benefits & risks associated with the proposed changes.
- 2.5 On 24 January 2017 a report was presented to the Speaker's Panel (Licensing), summarising the proposed changes to policy & conditions & outlining in detail the results of the public consultation. Members of the Tameside Owners & Drivers Association were present at the meeting and addressed the Panel in respect of each individual proposal.

The Panel were asked to make comments on the proposals, and the Panel's comments are included in this report.

- 2.6 Following the public consultation, some minor amendments were made to the proposed policies & conditions & a further 2-week consultation was carried out in relation to these minor amendments. The responses to this short consultation are attached at **Appendix 10**.

Licensed vehicle age limit

- 2.8 The current conditions for hackney carriages and private hire vehicles require new vehicles (those being issued with a licence for the first time) to be less than 5 years old, and existing vehicles to be taken off the fleet at 12 years of age (15 years for wheelchair accessible vehicles – which includes all hackney carriage vehicles).
- 2.9 The taxi & private hire association have requested that the Council consider amending the lower age limit of 5 years for wheelchair accessible vehicles only. Their request is that the lower age limit be raised to allow wheelchair accessible vehicles up to 8 years old to be licensed for the first time.
- 2.10 The public consultation showed that 65% of respondents either agreed or strongly agreed with the proposal to increase the lower age limit for vehicles and 35% either disagreed or strongly disagreed.
- 2.11 The Speakers Panel (Licensing) commented that they were satisfied that there was scope to increase the lower age limit (for wheelchair accessible vehicles only), providing any increase was balanced out by the introduction of an emissions policy and a condition policy which applies to all licensed vehicles, irrespective of age. The Panel commented that a lower age limit of 7 years may be appropriate in these circumstances.
- 2.12 The lower age limit of 7 years for wheelchair accessible vehicles is proposed as an amendment to be adopted by the Council.

Conditions relating to vehicles which have been written off in an accident

- 2.13 Currently, there are no conditions which prevent the Authority from issuing licences to vehicles, which have repaired after having previously been damaged and then declared a total loss by an insurance company.
- 2.14 The Licensing Manager has asked for a policy to be introduced, which precludes the Authority from licensing previously written-off vehicles due to concerns about the vehicle's structural integrity in the event of a second accident.
- 2.15 Subject to certain exemptions, the taxi & private hire trade association have agreed that there are benefits in introducing a restriction on the licensing of written-off vehicles.
- 2.16 In addition, the trade association have requested that the existing conditions be amended to allow the owners of vehicles which are above the "lower" age limit, to replace their vehicle with one, which is of a similar, or younger age (as long as the vehicle is below 10 year old), if their existing vehicle is written off or stolen.
- 2.17 This amendment would ensure that vehicle owners were not penalised by having to find additional money to buy a vehicle which is below the lower age limit.
- 2.18 The public consultation showed that 70% of respondents either agreed or strongly agreed with the proposal to prohibit the licensing of vehicles, which have previously been written-off and 29% disagreed.
- 2.19 In addition, the public consultation showed that 51% of all respondents supported the suggestion that vehicle owners whose vehicle is written-off or stolen should be able to

replace their vehicle with one which is of a similar or younger age. 49% either disagreed or strongly disagreed.

2.20 The Speaker's Panel (Licensing) agreed that these proposals were reasonable and proportionate, and that prohibiting the licensing of previously written-off vehicles was a suitable public protection measure. In addition, they supported allowing owners to replace written-off vehicles with older replacements, providing a vehicle condition policy could be introduced which applies to all vehicles, irrespective of their age.

2.21 The suggested changes relating to written-off vehicles is recommended to Council.

Additional types of vehicle to be licensed as hackney carriages

2.22 The taxi trade have requested that the Council consider licensing a wider range of vehicles as hackney carriages, including smaller, rear (wheelchair) loading vehicles. The trade association believe that there are cost benefits to the owners of hackney carriages, and have provided a list of vehicles which are marketed as purpose-built taxis and are cheaper to buy – both new and used – than the current list of approved vehicles.

2.23 The public consultation showed that 79% of respondents either agreed or strongly agreed with this proposal and 21% either disagreed or strongly disagreed.

2.24 The Speaker's panel (Licensing) agreed with the proposal.

2.25 It is recommended that Council allows the additional types of vehicle to be licensed as hackney carriage vehicles.

Acceptable condition policy

2.26 The existing acceptable condition policy requires the owners of licensed vehicles over 10 years old to keep them in good condition, or risk the Council refusing to re-license them.

2.27 The taxi trade have suggested the removal of this policy and the introduction of an alternative policy requiring all vehicles, regardless of age, to meet the same high standards. Their view is that this would be fairer, as all vehicles, irrespective of age, would need to meet the same standards. They also believe that it would be a clearer policy, as having the same standards for all vehicles would make the requirements clearer and easier to understand.

2.28 92% of respondents to the public consultation either agreed or strongly agreed with this proposal and 8% either disagreed or strongly disagreed.

2.29 The Speaker's Panel (Licensing) agreed that the acceptable condition policy should apply to all vehicles, irrespective of age. They also commented that the introduction of a vehicle emissions policy would also help to address air quality issues across Tameside and the rest of Greater Manchester.

2.30 It is recommended that the Council incorporates the acceptable condition policy and the new emissions policy within the policies & conditions for private hire and hackney carriage vehicle conditions.

The Councils "Convictions Policy" for licensed drivers and applicants for drivers licences

2.31 The Convictions Policy defines the matters which the Speaker's Panel (Licensing) should take into account when deciding if a licensed driver or applicant is a "Fit & Proper" person & gives guidance to the Panel on applying the "Fit & Proper Test".

- 2.32 The existing convictions policy was introduced in 2006 and will benefit from a refresh to ensure it is fit for purpose. The new policy is based on a policy which has been commonly adopted by the majority of Greater Manchester authorities.
- 2.33 In addition, the current policy does not give any guidance on how the Panel should consider “non conviction-related matters” such as intelligence and court acquittals for serious offences. A revised policy would help the Panel in making appropriate decisions and assist in protecting the public. The proposed new policy is attached at **Appendix 4**
- 2.34 48 respondents to the public consultation gave narrative responses to this proposal – the responses are attached at **Appendix 5**
- 2.35 The Speaker’s Panel (Licensing) strongly supported the introduction of a new convictions policy.
- 2.36 It is recommended that the new policy be adopted by the Council.

Policy relating to the requirement for new applicants to pass an English Language test and a local knowledge test.

- 2.37 Under the current policy & conditions, new applicants for driver’s licences are required to pass an English language test and a local knowledge test. These tests are currently administered by Officers from the Licensing Department.
- 2.38 The proposal is for the function of testing prospective applicants to be outsourced to an appropriate college or training facility to ensure fairness and high standards are maintained in respect of the training and testing of new applicants for taxi & private hire driver’s licences.
- 2.39 91% of respondents to the public consultation either agreed or strongly agreed with this proposal and 9% either disagreed or strongly disagreed.
- 2.40 The Speaker’s Panel (Licensing) supported the proposal on the understanding the Licensing Authority retained control of the content & curriculum of any new course or exam.

CCTV cameras in licensed vehicles

- 2.42 CCTV can offer additional protection to members of the public and licensed drivers, prevent crimes against drivers and provide useful evidence in the event of a complaint.
- 2.43 The proposal is to introduce a policy which encourages the use of CCTV in licensed vehicles and gives clear guidance to drivers and owners on all aspects of CCTV use in licensed vehicles. A draft CCTV policy is attached at **Appendix 6**
- 2.44 90% of respondents to the public consultation either agreed or strongly agreed with this proposal and 10% either disagreed or strongly disagreed.
- 2.45 The Speaker’s Panel (Licensing) strongly supported this proposal.
- 2.46 It is recommended that the Council adopts the new CCTV policy.
- 2.47 The proposed new vehicle conditions, including the revised vehicle condition policy, restrictions on written-off vehicles and a new emissions policy for licensed vehicles are attached at **Appendix 7** and **Appendix 8**.
- 2.48 An Equality Impact Assessment has been completed in relation to the proposed amendments & is attached at **Appendix 9**.

- 2.49 The initial screening section of the equality impact assessment showed that none of the groups with protected equality characteristics would be negatively impacted by the adoption of any of the amended & new policies & conditions.
- 2.50 The only exception related to members of the public with disabilities, for whom it was felt that the impact of extending the lower age limit for wheelchair accessible vehicles may have a positive impact by increasing the number of such vehicles within Tameside.
- 2.51 In view of the results of the initial screening, it was not felt necessary to carry out a full equality impact assessment.

3.0 RECOMMENDATION

- 3.1 As stated on the report cover



PRIVATE HIRE & HACKNEY VEHICLES POLICIES & CONDITIONS REVIEW

QUESTIONS

Q1. Please indicate which of the following best describes your interest in this consultation (Please tick one box only):

- A holder of a taxi related licence with Tameside Council
- A member of the public
- A community or voluntary group
- A partner organisation
- A business /private organisation
- Other (please specify below)

Q2. Have you used a private hire or hackney vehicle in Tameside during the last 12 months? (Please tick one box only):

- Yes (Go to Q3)
- No (Go to Q4)

Q3. Approximately how often have you used a private hire or hackney vehicle in Tameside during the last 12 months? (Please tick one box only)

- More than once a week
- At least once a week
- Two or three times a month
- At least once a month
- About once every six months
- At least once a year

Q4. If an individual currently wishes to licence a taxi or private hire vehicle with Tameside Council, it must be less than 5 years old (referred to as the 'lower age limit'). Once licensed, the vehicle can remain licensed until it is 12 years old, or 15 years old if it is wheelchair accessible.

Members of the taxi trade have requested that consideration be given to raising the lower age limit from 5 years to 8 years for wheelchair accessible vehicle (this includes all hackney carriages – or 'black cabs' - in Tameside). There is no proposal to increase the upper age limit of 15 years.

To what extent do you agree that the lower age limit for wheelchair accessible vehicles should be raised from 5 years to 8 years? (Please tick one box only)

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q5. If a licensed vehicle is written off in an accident or stolen, the owner must replace the vehicle with one which is less than 5 years old – irrespective of the age of the vehicle which was written off.

Members of the taxi trade have requested that this policy be reviewed to allow vehicles of up to 10 years old to be licensed as direct replacements for existing licensed vehicles which have been written off or stolen.

To what extent do you agree that owners of a licensed vehicle which has been written off in an accident or stolen should be able to replace their vehicle with one which is up to 10 years old? (Please tick one box only)

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q6. We are also seeking views on whether the council should stop the licensing of vehicles which have previously been written off, and then repaired.

To what extent do you agree that vehicles which have previously been written off and then repaired should not be issued a licence to be used as a private hire or hackney vehicle? (Please tick one box only)

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q7. Prior to 2011, the Council could only licence “London style” taxis as hackney carriages (shown as Image A).

Image A



In 2011, a change in policy allowed a limited number of different vehicles to be licensed as hackney carriages, such as the Peugeot E7 (shown as Image B) and the Mercedes M8 (shown as Image C).

Image B



Image C



Members of the taxi trade have now requested that the Council considers licensing other, smaller vehicles as hackney carriages, such as the Ford Journey (shown as Image D) and the Peugeot Premier (shown as image E). These vehicles are smaller and wheelchair passengers are loaded from the rear, rather than from the side. They are also cheaper to buy.

Image D



Image E



To what extent do you agree that smaller vehicles, such as the Ford Journey (shown as image D) and the Peugeot Premier (shown as image E), should be considered for licensing as hackney vehicles? (Please tick one box only)

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q8. The Council adopted an “acceptable condition policy” in 2011. This policy required all vehicles over the age of 10 years old to be maintained to a higher standard to ensure older vehicles are maintained sufficiently well to protect the travelling public.

Members of the taxi trade have suggested that the enhanced conditions of this policy applicable to vehicles aged 10 years or over should be extended to all licensed vehicles so that all are maintained to the same high standard.

To what extent do you agree that the enhanced conditions of the acceptable condition policy, applicable to vehicles aged 10 years or over, should be applied to all vehicles irrespective of their age? (Please tick one box only)

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q9. The Council is not allowed to grant taxi driver licences to individuals unless they are a 'fit and proper' person. Currently, this decision is made in accordance with a 'convictions policy' which was adopted by the Council in 2006.

A new policy and set of guidelines relating to the application of the 'Fit & Proper Test' to licensed drivers & operators has been drafted which can be viewed at www.tameside.gov.uk/tbc/FitProperTestPolicy.pdf. The revised policy and guidelines tighten up the existing restrictions on individuals with certain convictions, and allows the Council to take into account a much wider range of information when deciding whether individuals are fit and proper.

Do you have any comments you wish to make in relation to the Policy & Guidelines relating to the Application of the "Fit & Proper Test" to Licensed Drivers & Operators? (Please state in the box below)

Q10. Applicants for hackney & private hire driver licences currently have to undergo an English language, numeracy and local knowledge test before being granted a licence.

The Council are considering requiring new applicants to undergo a course which would test potential drivers to a higher standard in terms of English, numeracy and local knowledge. The course would also give applicants instruction on other aspects of taxi driving, such as disability legislation, safeguarding etc.

To what extent do you agree with the introduction of a course which would ensure potential drivers are tested to a higher standard in terms of English numeracy and local knowledge? (Please tick one box only)

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q11. The Council is considering the introduction of a policy relating to CCTV in licensed vehicles. The proposed policy may include information relating to: advice and guidance in installing CCTV in vehicles; the type of CCTV systems which can be used; ensuring passengers are aware that CCTV is installed in the vehicle; training and competency in using CCTV systems.

To what extent do you agree with the introduction of a policy relating to CCTV in licensed vehicles? (Please tick one box only)

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q12. Do you have any other comments you wish to make in relation to our private hire or hackney vehicle policy & conditions? (Please state in the box below)

ABOUT YOU

The following information will only be used as part of the consultation and will not be used or processed for any other purpose

Q13: Name:

Postcode:

If you are interested in joining The Big Conversation, your local online community for people who live, work and spend free time in Tameside, please provide your e mail address below and we will contact you.

E mail:

Q14 Are you.....?

- Male Female

Q15 What is your age? (Please state)

Q16 What is your ethnic group? (Please tick one box only)

White

- English / Welsh / Scottish / Northern Irish / British
 Irish
 Gypsy or Irish Traveller
 Any other White background (Please specify)

Mixed / Multiple Ethnic Groups

- White and Black Caribbean
 White and Black African
 White and Asian
 Any other Mixed / Multiple ethnic background (Please specify)

Black / African / Caribbean / Black British

- African
 Caribbean
 Any other Black / African / Caribbean background (Please specify)

Asian / Asian British

- Indian
 Pakistani
 Bangladeshi
 Chinese
 Any other Asian background (Please specify)

Other ethnic group

- Arab
 Any other ethnic group (Please specify)

Q17 Are your day-to day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months? This may include problems related to old age. (Please tick one box only)

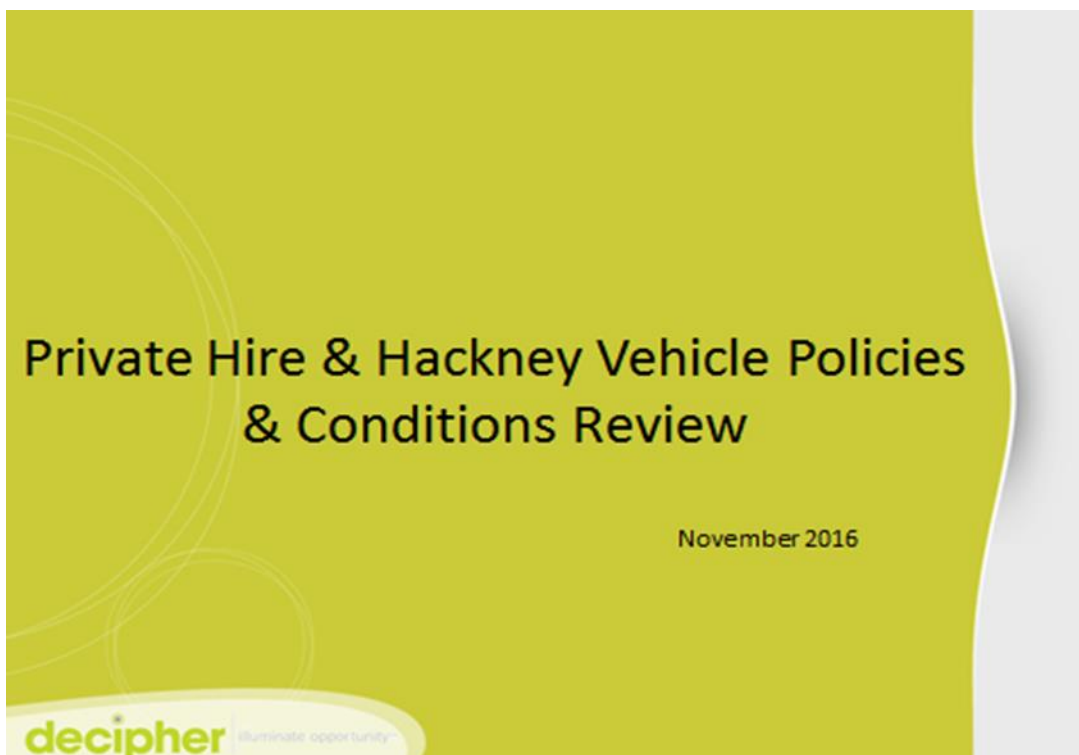
- Yes, limited a lot
 Yes, limited a little
 No

Q18 Do you look after, or give any help or support to family members, friends, neighbours or others because of either: (Please tick one box only)

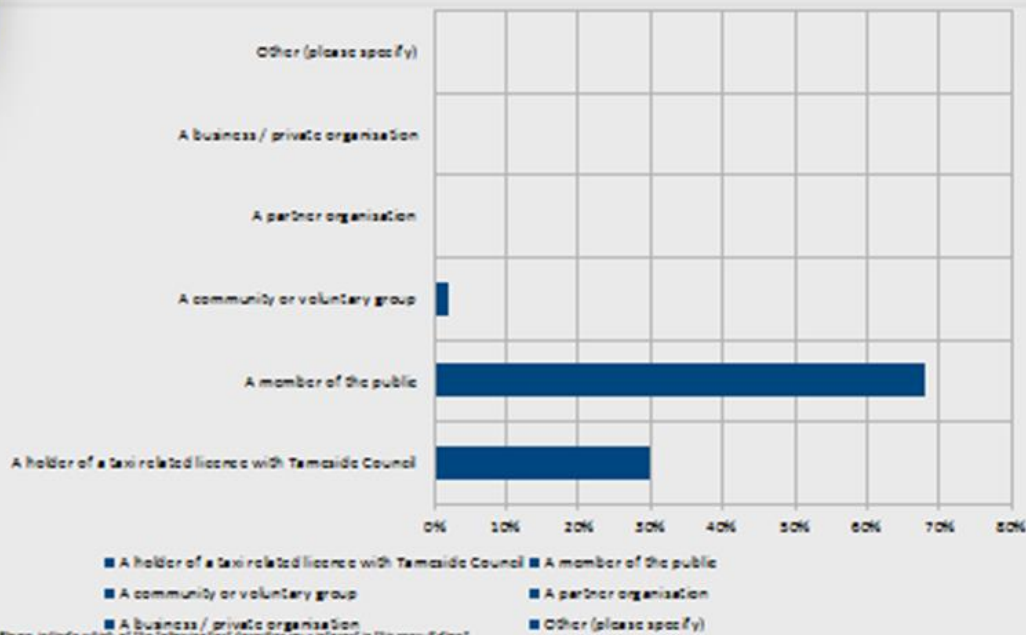
- Long term physical or mental ill-health / disability?

- Problems due to old age?

- No
- Yes, 1-19 hours a week
- Yes, 20-49 hours a week
- Yes, 50 or more a week



[Q1] Please indicate which of the following best describes your interest in this consultation?



[Q1] Please indicate which of the following best describes your interest in this consultation?

8328 (OPT0104) (N = 112)



illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

[Q1] Please indicate which of the following best describes your interest in this consultation?

	All
Total	100%
A holder of a taxi related licence with Tameside Council	30%
A member of the public	68%
A community or voluntary group	2%
A partner organisation	0%
A business / private organisation	0%
Other (please specify)	0%

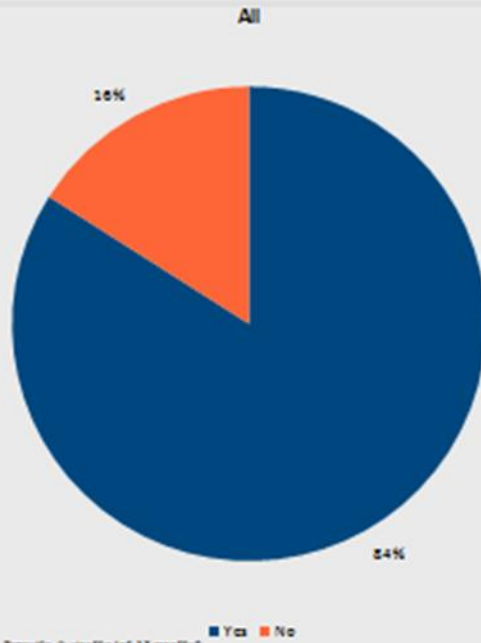
[Q1] Please indicate which of the following best describes your interest in this consultation?

8328 (OPT0104) (N = 112)



illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

[Q2] Have you used a private hire or hackney vehicle in Tameside during the last 12 months?



[Q2] Have you used a private hire or hackney vehicle in Tameside during the last 12 months?

8326 (84) (26 N = 118)

decipher

illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

[Q2] Have you used a private hire or hackney vehicle in Tameside during the last 12 months?

	All
Total	100%
Yes	84%
No	16%

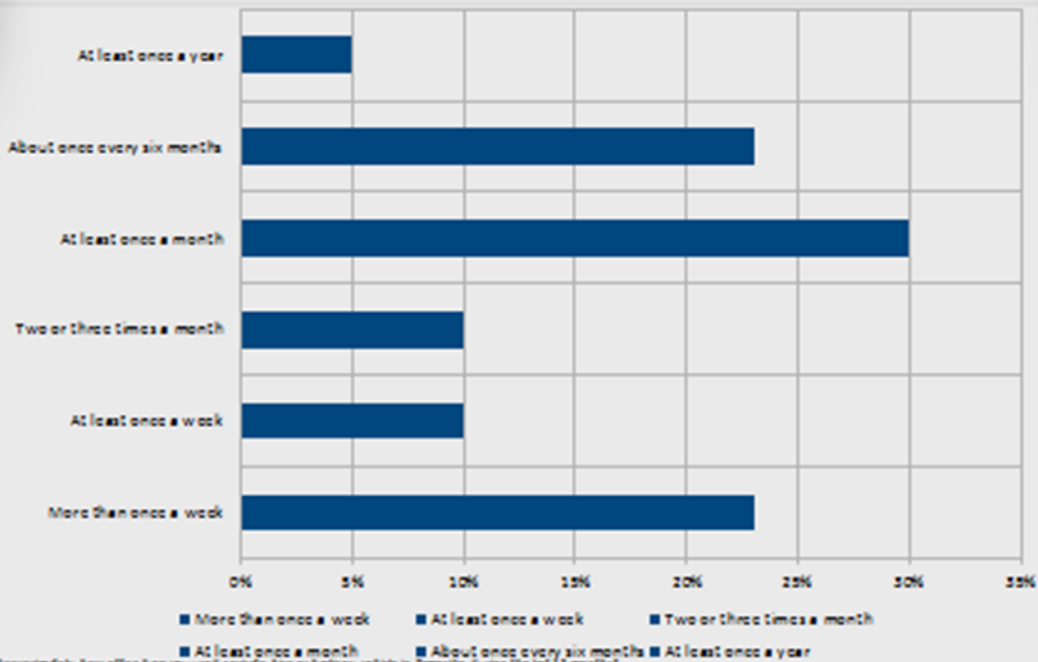
[Q2] Have you used a private hire or hackney vehicle in Tameside during the last 12 months?

8326 (84) (26 N = 118)

decipher

illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

[Q3] Approximately how often have you used a private hire or hackney vehicle in Tameside during the last 12 months?



[Q3] Approximately: How often have you used a private hire or hackney vehicle in Tameside during the last 12 months?

8328 ((OPTD142)) (SN N = 100)



illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

[Q3] Approximately how often have you used a private hire or hackney vehicle in Tameside during the last 12 months?

	All
Total	100%
More than once a week	23%
At least once a week	10%
Two or three times a month	10%
At least once a month	30%
About once every six months	23%
At least once a year	5%

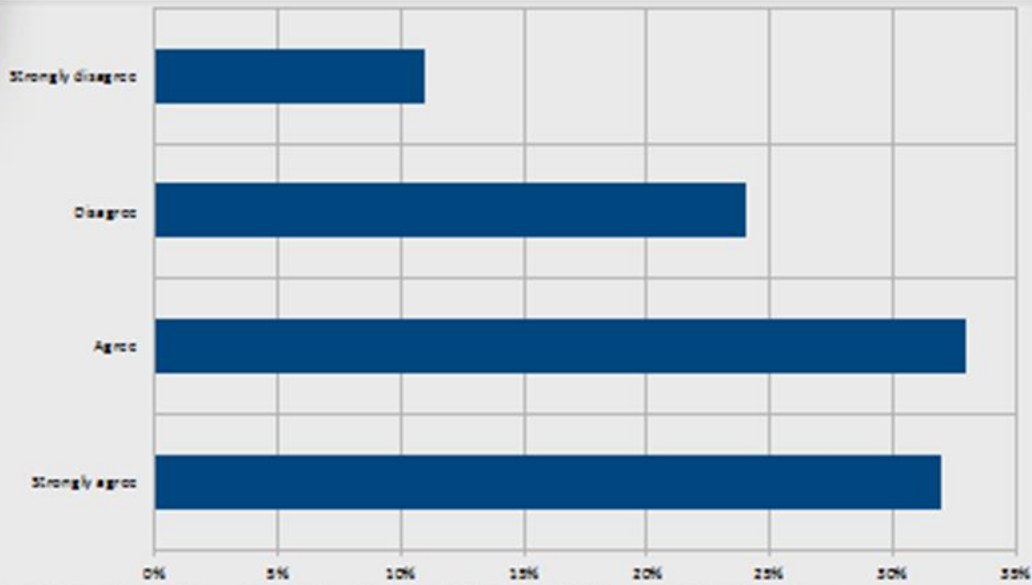
[Q3] Approximately: How often have you used a private hire or hackney vehicle in Tameside during the last 12 months?

8328 ((OPTD142)) (SN N = 100)



illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

[Q4] If an individual currently wishes to licence a taxi or private hire vehicle with Tameside Council, it must be less than 3 years old (referred to as the 'lower age limit'). Once licensed, the vehicle can remain licensed until it is 12 years old, or 15 years old if it is wheelchair accessible. Members of the taxi trade have requested that consideration be given to raising the lower age limit from 3 years to 8 years for wheelchair accessible vehicles (this includes all hackney carriages – or 'black cabs' – in Tameside). There is no proposal to increase the upper age limit of 15 years. To what extent do you agree that the lower age limit for wheelchair accessible vehicles should be raised from 3 years to 8 years?



[Q5] If an individual currently wishes to licence a taxi or private hire vehicle with Tameside Council, it must be less than 8 years old (referred to as the 'lower age limit'). Once licensed, the vehicle can remain licensed until it is 12 years old, or 15 years old if it is wheelchair accessible. Members of the taxi trade have requested that consideration be given to raising the lower age limit from 8 years to 3 years for wheelchair accessible vehicles (this includes all hackney carriages – or 'black cabs' – in Tameside). There is no proposal to increase the upper age limit of 15 years. To what extent do you agree that the lower age limit for wheelchair accessible vehicles should be raised from 8 years to 3 years?

8326 ((OPTONS)) (SN - 110)

decipher

Illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

[Q4] If an individual currently wishes to licence a taxi or private hire vehicle with Tameside Council, it must be less than 3 years old (referred to as the 'lower age limit'). Once licensed, the vehicle can remain licensed until it is 12 years old, or 15 years old if it is wheelchair accessible. Members of the taxi trade have requested that consideration be given to raising the lower age limit from 3 years to 8 years for wheelchair accessible vehicles (this includes all hackney carriages – or 'black cabs' – in Tameside). There is no proposal to increase the upper age limit of 15 years. To what extent do you agree that the lower age limit for wheelchair accessible vehicles should be raised from 3 years to 8 years?

	All
Total	100%
Strongly agree	32%
Agree	33%
Disagree	24%
Strongly disagree	11%

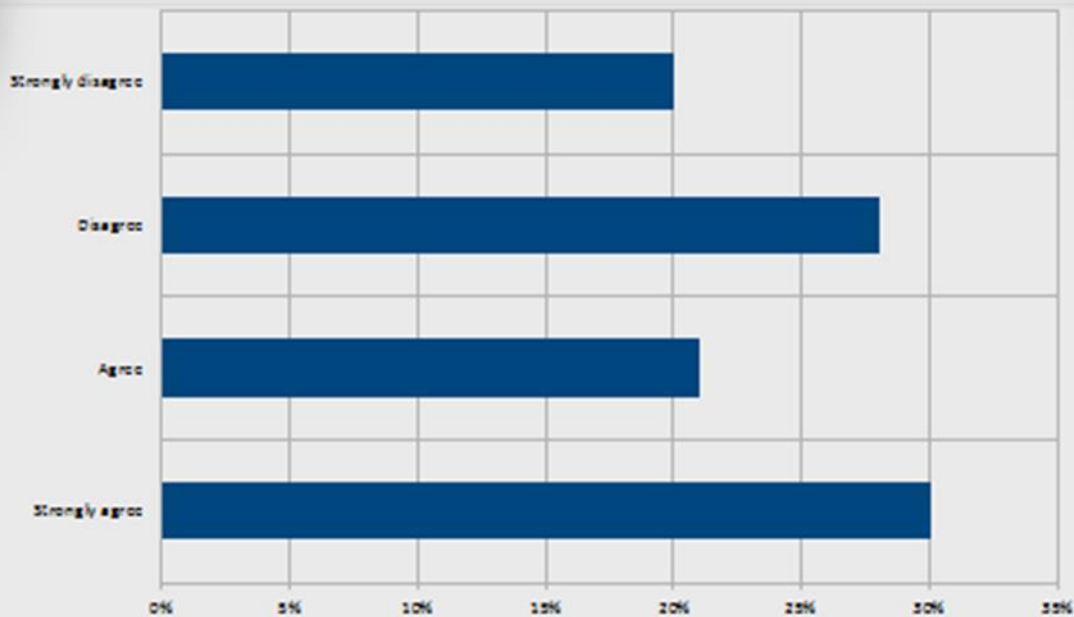
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8326 ((OPTONS)) (SN - 110)

decipher

Illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

Q3) If a licensed vehicle is written off in an accident or stolen, the owner must replace the vehicle with one which is less than 3 years old – irrespective of the age of the vehicle which was written off. Members of the taxi trade have requested that this policy be reviewed to allow vehicles of up to 10 years old to be licensed as direct replacements for existing licensed vehicles which have been written off or stolen. To what extent do you agree that owners of a licensed vehicle which has been written off in an accident or stolen should be able to replace their vehicle with one which is up to 10 years old?



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Q38 (OPT0404) (SA/N = 117)

decipher

illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

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	All
Total	100%
Strongly agree	30%
Agree	21%
Disagree	28%
Strongly disagree	20%

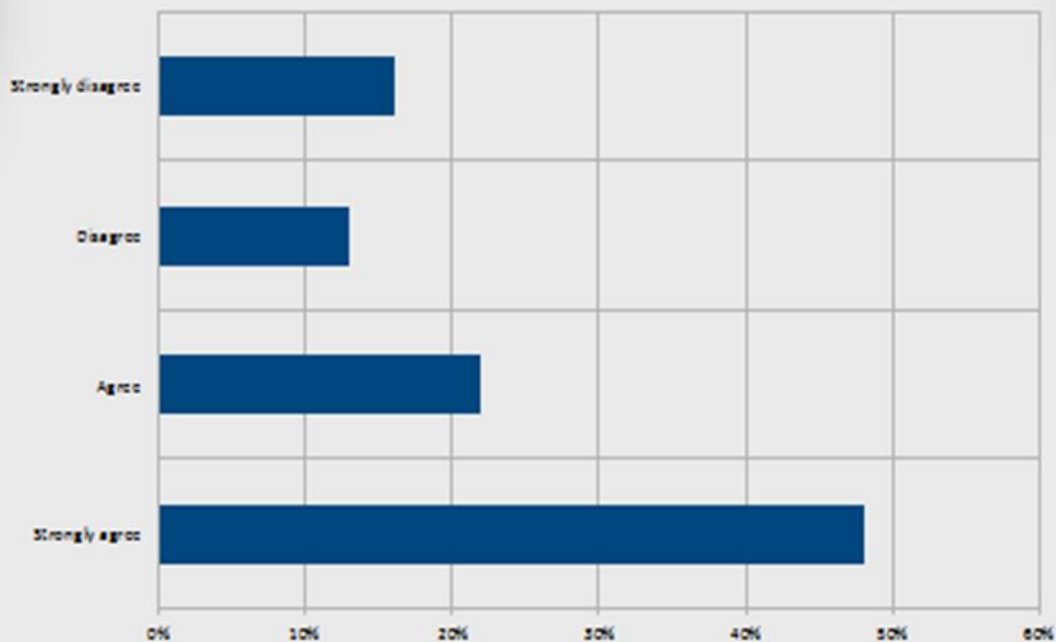
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Q38 (OPT0404) (SA/N = 117)

decipher

illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

[Q6] We are also seeking views on whether the council should stop the licensing of vehicles which have previously been written off, and then repaired. To what extent do you agree that vehicles which have previously been written off and then repaired should not be issued a licence to be used as a private hire or hackney vehicle?



[Q6] We are also seeking views on whether the council should stop the licensing of vehicles which have previously been written off, and then repaired. To what extent do you agree that vehicles which have previously been written off and then repaired should not be issued a licence to be used as a private hire or hackney vehicle?

Strongly agree Agree Disagree Strongly disagree

Q128 (OPTIONAL) (56 N = 112)

decipher

Illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

[Q6] We are also seeking views on whether the council should stop the licensing of vehicles which have previously been written off, and then repaired. To what extent do you agree that vehicles which have previously been written off and then repaired should not be issued a licence to be used as a private hire or hackney vehicle?

	All
Total	100%
Strongly agree	48%
Agree	22%
Disagree	13%
Strongly disagree	16%

[Q6] We are also seeking views on whether the council should stop the licensing of vehicles which have previously been written off, and then repaired. To what extent do you agree that vehicles which have previously been written off and then repaired should not be issued a licence to be used as a private hire or hackney vehicle?

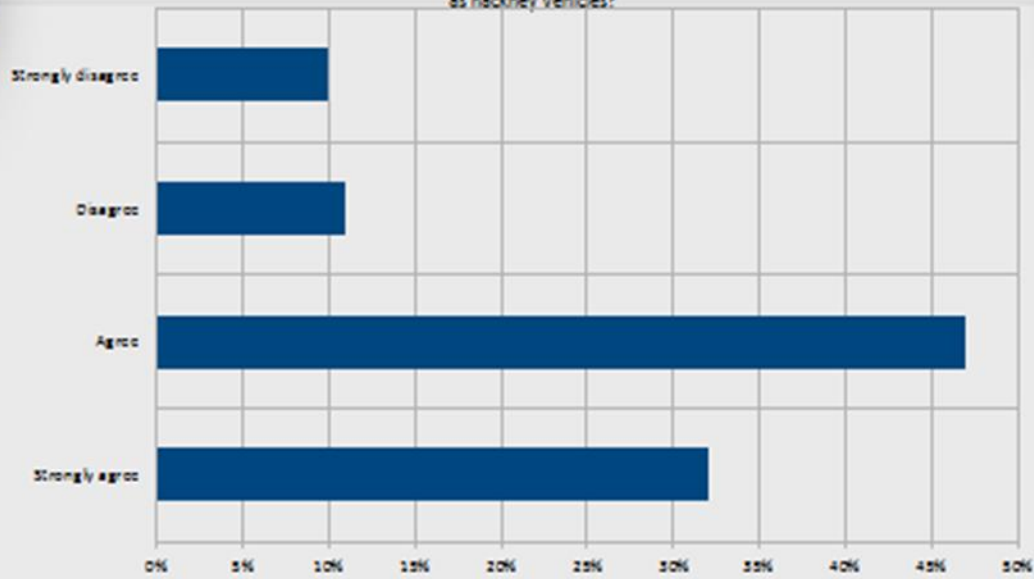
Q128 (OPTIONAL) (56 N = 112)

decipher

Illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

allowed a limited number of different vehicles to be licensed as hackney carriages, such as the Peugeot E7 (shown as image B) and the Mercedes MB (shown as image C). Members of the taxi trade have now requested that the Council considers licensing other, smaller vehicles as hackney carriages, such as the Ford Journey (shown as image D) and the Peugeot Premier (shown as image E). These vehicles are smaller and wheelchair passengers are loaded from the rear, rather than from the side. They are also cheaper to buy. To what extent do you agree that smaller vehicles, such as the Ford Journey (shown as image D) and the Peugeot Premier (shown as image E), should be considered for licensing

as hackney vehicles?



[Q7] Prior to 2013, the Council would only license "London style" taxis as hackney carriages (shown as image A). In 2013, a change in policy allowed a limited number of different vehicles to be licensed as hackney carriages, such as the Peugeot E7 (shown as image B) and the Mercedes MB (shown as image C). Members of the taxi trade have now requested that the Council considers licensing other, smaller vehicles as hackney carriages, such as the Ford Journey (shown as image D) and the Peugeot Premier (shown as image E). These vehicles are smaller and wheelchair passengers are loaded from the rear, rather than from the side. They are also cheaper to buy. To what extent do you agree that smaller vehicles, such as the Ford Journey (shown as image D) and the Peugeot Premier (shown as image E), should be considered for licensing as hackney vehicles?

8028 (OPT0164) (SA N - 112)

decipher

illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

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as hackney vehicles?

	All
Total	100%
Strongly agree	32%
Agree	47%
Disagree	11%
Strongly disagree	10%

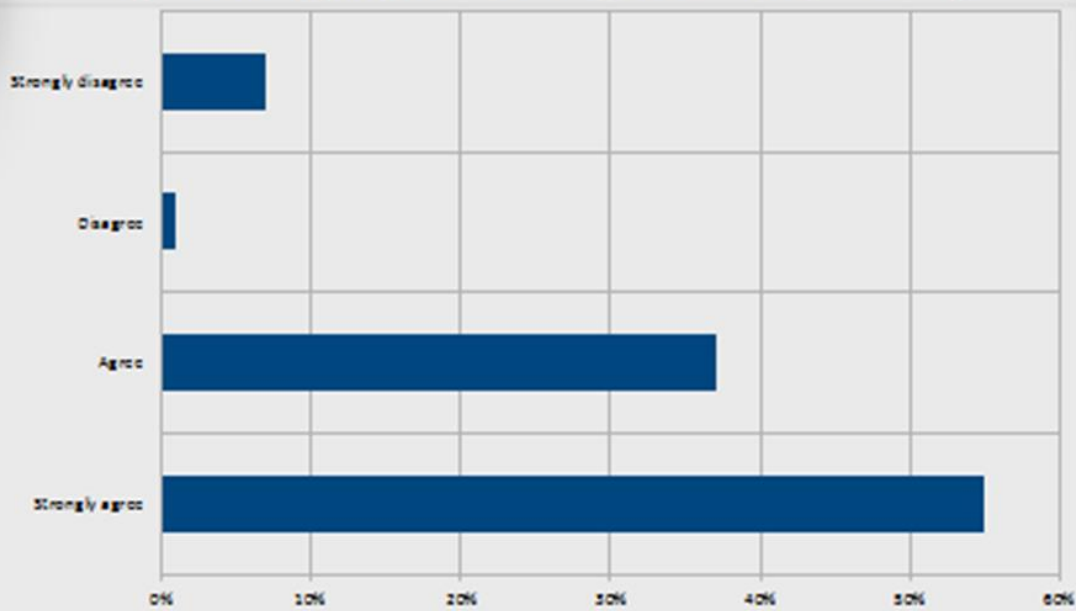
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8028 (OPT0164) (SA N - 112)

decipher

illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

[Q8] The Council adopted an "acceptable condition policy" in 2011. This policy required all vehicles over the age of 10 years old to be maintained to a higher standard to ensure older vehicles are maintained sufficiently well to protect the travelling public. Members of the taxi trade have suggested that the enhanced conditions of this policy applicable to vehicles aged 10 years or over should be extended to all licensed vehicles so that all are maintained to the same high standard. To what extent do you agree that the enhanced conditions of the acceptable condition policy, applicable to vehicles aged 10 years or over, should be applied to all vehicles irrespective of their age?



[Q8] The Council adopted an "acceptable condition policy" in 2011. This policy required all vehicles over the age of 10 years old to be maintained to a higher standard to ensure older vehicles are maintained sufficiently well to protect the travelling public. Members of the taxi trade have suggested that the enhanced conditions of this policy applicable to vehicles aged 10 years or over should be extended to all licensed vehicles so that all are maintained to the same high standard. To what extent do you agree that the enhanced conditions of the acceptable condition policy, applicable to vehicles aged 10 years or over, should be applied to all vehicles irrespective of their age?

838 ((DP104)) (56% = 117)

decipher

Illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

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	All
Total	100%
Strongly agree	55%
Agree	37%
Disagree	1%
Strongly disagree	7%

[Q8] The Council adopted an "acceptable condition policy" in 2011. This policy required all vehicles over the age of 10 years old to be maintained to a higher standard to ensure older vehicles are maintained sufficiently well to protect the travelling public. Members of the taxi trade have suggested that the enhanced conditions of this policy applicable to vehicles aged 10 years or over should be extended to all licensed vehicles so that all are maintained to the same high standard. To what extent do you agree that the enhanced conditions of the acceptable condition policy, applicable to vehicles aged 10 years or over, should be applied to all vehicles irrespective of their age?

838 ((DP104)) (56% = 117)

decipher

Illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

[Q9] Do you have any comments you wish to make in relation to the Policy & Guidelines relating to the Application of the 'Fit & Proper Test' to Licensed Drivers & Operators?

	All
	47

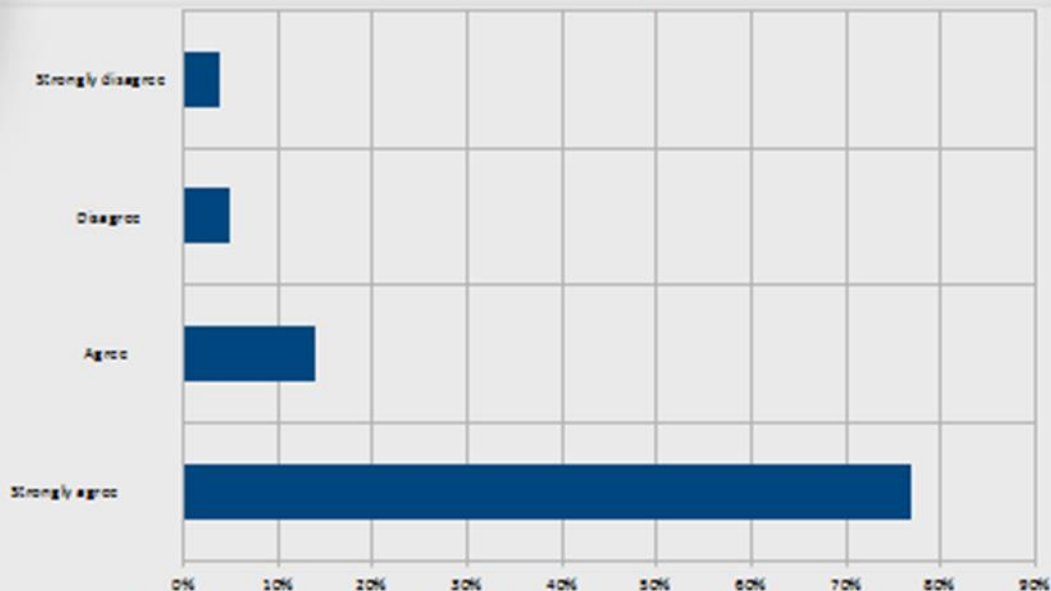
[Q9] Do you have any comments you wish to make in relation to the Policy & Guidelines relating to the Application of the 'Fit & Proper Test' to Licensed Drivers & Operators?

8128 (1071014) (26 N + 17 answer)

decipher

illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

[Q10] Applicants for hackney & private hire driver licences currently have to undergo an English language, numeracy and local knowledge test before being granted a licence. The Council are considering requiring new applicants to undergo a course which would test potential drivers to a higher standard in terms of English, numeracy and local knowledge. The course would also give applicants instruction on other aspects of taxi driving, such as disability legislation, safeguarding etc. To what extent do you agree with the introduction of a course which would ensure potential drivers are tested to a higher standard in terms of English numeracy and local knowledge?



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8128 (1071014) (26 N + 110)

decipher

illuminate opportunity Private Hire & Hackney Vehicle Policies & Conditions Review

[Q10] Applicants for hackney & private hire driver licences currently have to undergo an English language, numeracy and local knowledge test before being granted a licence. The Council are considering requiring new applicants to undergo a course which would test potential drivers to a higher standard in terms of English, numeracy and local knowledge. The course would also give applicants instruction on other aspects of taxi driving, such as disability legislation, safeguarding etc. To what extent do you agree with the introduction of a course which would ensure potential drivers are tested to a higher standard in terms of English numeracy and local knowledge?

	All
Total	100%
Strongly agree	77%
Agree	14%
Disagree	5%
Strongly disagree	4%

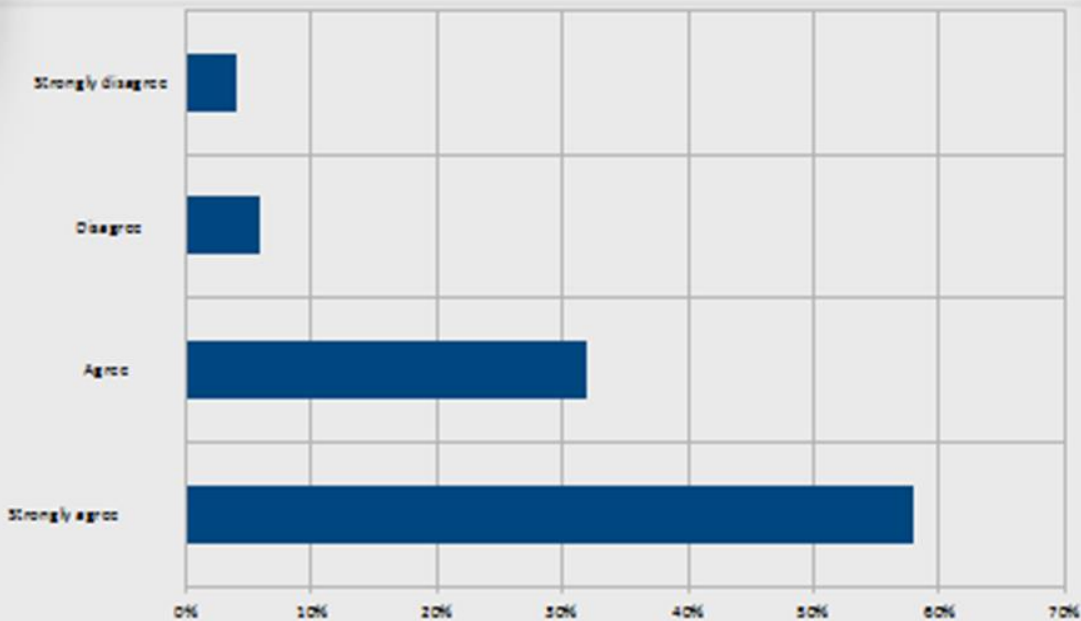
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8326 ([OPTIONAL]) (26/4 - 122)

decipher

illuminate opportunity - Private Hire & Hackney Vehicle Policies & Conditions Review

[Q11] The Council is considering the introduction of a policy relating to CCTV in licensed vehicles. The proposed policy may include information relating to: advice and guidance in installing CCTV in vehicles; the type of CCTV systems which can be used; ensuring passengers are aware that CCTV is installed in the vehicle; training and competency in using CCTV systems. To what extent do you agree with the introduction of a policy relating to CCTV in licensed vehicles?



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8326 ([OPTIONAL]) (26/4 - 122)

decipher

illuminate opportunity - Private Hire & Hackney Vehicle Policies & Conditions Review

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	All
Total	100%
Strongly agree	58%
Agree	32%
Disagree	6%
Strongly disagree	4%

[Q11] The Council is considering the introduction of a policy relating to CCTV in licensed vehicles. The proposed policy may include information relating to advice and guidance in installing CCTV in vehicles; the type of CCTV systems which can be used; ensuring passengers are aware that CCTV is installed in the vehicle; training and competency in using CCTV systems. To what extent do you agree with the introduction of a policy relating to CCTV in licensed vehicles?

#128 ((OPTIONAL)) (AN - 110)

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[Q12] Do you have any other comments you wish to make in relation to our private hire or hackney vehicle policy & conditions?

	All
	51

[Q12] Do you have any other comments you wish to make in relation to our private hire or hackney vehicle policy & conditions?

#128 ((OPTIONAL)) (AN - 31 answers)

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APPENDIX 3

Policy to be Reviewed	Review Requested/ Suggested by	Suggested/Requested Amendment to Policy	Possible Benefits of Amendment	Possible Risks of Amendment
<p>“Lower” age limit policy for wheelchair accessible vehicles (including all hackney carriage vehicles). The current policy is to refuse licences to new vehicles if they are over 5 years old.</p>	<p>Taxi & Private Hire Trade Association</p>	<p>To increase the lower age limit policy to allow licences to be issued to new vehicles up to 8 years old.</p>	<p>Cost – Vehicles up to 8 years old are significantly cheaper to buy than vehicles under 5 years old.</p> <p>Availability – The Trade Association report that vehicles under 5 years old are difficult to source.</p>	<p>Public Safety – Taxis are subject to hard use & high mileages. Allowing older vehicles to be licensed increases the risk of a vehicle being deemed unroadworthy.</p> <p>Air Quality – Older vehicles are more polluting & could potentially add to the air quality problems in Greater Manchester</p>
<p>Conditions relating to vehicles which have been written off in an accident.</p>	<p>Taxi & Private Hire Trade Association & Tameside Council Licensing Service</p>	<p>The Trade have suggested a relaxation of the lower age policy for vehicles which have been written off in an accident.</p> <p>Tameside Council’s Licensing Service has suggested a condition which prohibits the licensing of vehicles which have previously been written off.</p>	<p>Cost – if a vehicle over 5 years old is written off following an accident, the owner will only be paid out the value of the older vehicle & may not be able to afford the additional cost of a vehicle under 5 years old.</p> <p>Prohibiting the licensing of repaired write-offs will protect public safety by ensuring passengers are carried in vehicles which are structurally sound.</p>	<p>Public Safety - Allowing older vehicles to be licenced increases the risk of a vehicle being deemed unroadworthy.</p> <p>Air Quality - Older vehicles are more polluting & could potentially add to the air quality problems in Greater Manchester</p>
<p>The policy which restricts the types of vehicles which the Council will license as hackney carriages.</p>	<p>Taxi & Private Hire Trade Association</p>	<p>The taxi trade have requested that the Council consider licensing a wider range of vehicles as hackney</p>	<p>Cost – The trade have provided a list of vehicles which are marketed as purpose-built taxis and are cheaper to buy – both new</p>	<p>Public Safety – rear-loading vehicles require the driver and wheelchair passenger to enter the road at the rear of the vehicle when loading, rather than loading from</p>

		carriages, including smaller, rear (wheelchair) loading vehicles.	and used – than the current list of approved vehicles.	<p>the kerbside.</p> <p>Rank Space – when loading a wheelchair passenger, the rear ramps require additional space between vehicles on taxi ranks.</p> <p>Reduced Passenger Capacity – these vehicles have fewer seats and additional passengers may be unable to accompany disabled companions.</p>
<p>The Council's "Acceptable Condition Policy". This policy requires the owners of licensed vehicles over 10 years old to keep them in good condition, or risk the Council refusing to re-license them.</p>	Taxi & Private Hire Trade Association	The taxi trade have suggested the removal of this policy and the introduction of an alternative policy requiring all vehicles, regardless of age, to meet the same high standards.	<p>Fairness – all vehicles, irrespective of age, would need to meet the same standards.</p> <p>Clarity – Having the same standards for all vehicles would make the requirements clearer and easier to understand.</p>	Maintenance of Older Vehicles – the current policy encourages the owners of vehicles over 10 years old to maintain them to a higher standard. There is a risk that changing this policy could lead to older vehicles being less well maintained.
The Councils "Convictions Policy" for licensed drivers and applicants for drivers licences.	Tameside Council Licensing Service	The Convictions Policy defines the matters which the Speaker's Panel (Licensing) should take into account when deciding if a licensed driver or applicant is a "Fit & Proper" person & gives guidance to the Panel on applying the "Fit & Proper Test".	<p>Updating Existing Policy – The existing policy was introduced in 2006 and will benefit from a refresh to ensure it is fit for purpose. The new policy is based on a policy which has been commonly adopted by the majority of Greater Manchester authorities.</p> <p>Public Protection – The current policy does not give any guidance on how the Panel should consider "non</p>	None identified at this stage.

			conviction-related matters” such as intelligence and court acquittals for serious offences. A revised policy would help the Panel in making appropriate decisions and assist in protecting the public	
The Policy relating to the requirement for new applicants to pass an English Language test and a local knowledge test.	Tameside Council Licensing Service & Taxi Trade Association	Under the current policy & conditions, new applicants for driver’s licences are required to pass an English language test and a local knowledge test. These tests are currently administered by Officers from the Licensing Department.	Better Public Service – the Taxi Trade Association have expressed concern that the standard of new licence holders has dropped – particularly in relation to English language and local knowledge. A review of this policy will examine whether there is a better alternative to in-house testing of new applicants.	None identified at this stage.
A policy relating to the use of CCTV cameras in licensed vehicles	Tameside Councils Executive Members	The introduction of a policy relating to CCTV in licensed vehicles	CCTV can offer additional protection to members of the public and licensed drivers. CCTV can prevent crimes against drivers and provide useful evidence in the event of a complaint.	Questions have been raised about the protection of people’s privacy when travelling in licensed vehicles.

Policy & Guidelines relating to the Application of the “Fit & Proper Test” to Licensed Drivers & Operators



STATEMENT OF POLICY – APPLICATION OF THE “FIT & PROPER” TEST

This document aims to provide guidance to any person with an interest in public and private hire licensing. In particular, but not exclusively:

- Applicants for drivers' licences
- Existing licensed drivers whose licences are being reviewed
- Applicants for operators licences
- Existing licensed operators whose licences are being reviewed
- Licensing Officers
- Members of the Speaker's Panel (Licensing) or other relevant decision making body
- Magistrates hearing appeals in respect of local authority decisions
- Police

The aim of the guidance is to provide transparency and consistency across the Greater Manchester region, in accordance with the principles of good enforcement and relevant Regulatory Compliance Codes.

Where Licensing Officers have delegated powers to grant licences, these guidelines will be utilised when making a decision to grant a licence. In all other cases applications for licences will be referred to the Speaker's Panel (Licensing) or other relevant decision making body. Whilst Officers and the Speaker's Panel (Licensing) will have regard to the guidelines contained in the policy, each case will be considered on its individual merits and, where the circumstances demand, the Panel/Officer may depart from the guidelines.

Background

1. In this policy the word “individual” includes an existing licence holder, an applicant for a new licence, and an applicant for the renewal of an existing licence.
2. Licences for drivers of hackney carriages, private hire vehicles or private hire operator may only be granted where the Council is satisfied that the individual is a fit and proper person to hold such a licence. *Local Government (Miscellaneous Provisions) Act 1976 S51 (1)(a) and S59 (1)(a)*
3. In this policy the word “issue” is used. This includes complaints made to the Council, Police, Operators or any other agency, breaches of licensing conditions and intelligence received from other agencies (including circumstances which have not resulted in a criminal conviction, caution or other disposal).
4. Licences for operators of private hire vehicles may only be granted where the Council is satisfied that the individual is a fit and proper person to hold such a licence. *Local Government (Miscellaneous Provisions) Act 1976 S55 (1)*
5. The policy is intended to give guidance on deciding whether a person is or is not a fit and proper person. The policy cannot cover every eventuality, but does give guidance in relation to individuals with previous convictions and cautions, other offences, such as motoring offences, and on the application of the “fit and proper test” to individuals when other information or intelligence may call into question their suitability to hold the relevant licences.
6. The Council is concerned to ensure:
 - (a) That an individual is a fit and proper person.
 - (b) That the public are not exposed to persons with a history of dishonesty, indecency, violence or other serious criminal matters.
 - (c) The safeguarding of children, young persons and vulnerable adults.
7. The public are not normally permitted to attend Committee hearings for private hire, hackney carriage driver applications or private hire operator applications or reviews, however, in determining whether to grant a licence the committee or officers will take into account the human rights of the wider public and balance these against the human rights of the applicant.
8. When submitting an application for a licence to drive a hackney carriage or private hire vehicle, or for an operators licence, individuals are required to declare all their previous convictions. Individuals are also required to declare all formal/simple cautions, any matters of restorative justice, all endorsable fixed penalties they have received and to provide details of all criminal matters of which they are currently the subject of investigation or prosecution.
9. The information given will be treated in confidence and will only be taken into account in relation to the relevant application, to assist the Council in determining whether the applicant is a fit and proper person to hold a licence for the purposes of sections 51, 55 and 59 of the Local Government (Miscellaneous Provisions) Act 1976, or whether the Council should exercise any of its powers under section 61 and 62 of the Act (suspension, revocation or refusal to renew a licence).

10. Applicants for a licence to drive a hackney carriage or private hire vehicle should be aware that the Council is empowered by law to check with the Disclosure & Barring Service for the existence and content of any criminal record and other intelligence held in their name. Officers from the licensing section will, where appropriate, contact other agencies for any further information which they may hold e.g. Housing Service, Children's Services and Greater Manchester Police. Information received from the Disclosure & Barring Service or other agency will be kept in strict confidence while the licensing process takes its course and will be retained no longer than is necessary and in any event will be destroyed in accordance with the requirements of the Data Protection Act 1998 and in accordance with good practice after the application is determined or any appeal against such determination is decided.

11. The disclosure of criminal convictions, fines, cautions or other relevant information relating to an individual's conduct will not necessarily disqualify an individual from being granted, renewing or retaining a licence. The primary consideration is whether or not the individual can satisfy the Council that they are a fit and proper person to hold such a licence.

12. The Council may fail to be satisfied that an individual is a fit and proper person to hold a driver's licence or an operator's licence for any good reason. If adequate evidence that a person is a fit and proper person is not adduced or if there is good reason to question or doubt the evidence provided, then that could amount to good reason to refuse a licence.

13. In considering evidence of an individual's character and fitness to hold a drivers licence or operators licence, where previous convictions, cautions or other information relating to an individual's character are disclosed, the Council will consider the nature of the issue and any penalty imposed on the individual. The Council will also consider when the incident(s) took place, the date of any conviction and the length of time which has elapsed since the incident or conviction.

14. Other matters which the Council may take into account include the individual's age when the incident or offence took place, whether or not it demonstrates a pattern of criminal behaviour, the intent, the harm which was, or could have been caused and any other factors which might be relevant. Where an individual has been convicted of a criminal offence, the Council cannot review the merits of the conviction [*Nottingham City Council v. Mohammed Farooq (1998)*].

15. These guidelines do not deal with every type of offence, and do not prevent the Council from taking into account offences not specifically addressed in the guidelines, or other conduct which may be relevant to an individual. If an individual has a conviction for an offence not covered by the guidelines reference will be made to the factors at paragraph 14 when deciding whether any action should be taken.

Offences described in the guidelines and similar offences, though differently entitled in any statutory provision, modification or re-enactment, will be taken into account in accordance with the guidelines

16. These guidelines are not an attempt to define a "fit and proper person".

17. Any individual who is refused a driver's licence or has such a licence suspended or revoked on the grounds that the Council is not satisfied he/she is a fit and proper person to hold such a licence has a right of appeal to the Magistrates' Court within 21 days of the notice of refusal.

18. Any individual who is refused an operators licence has a right of appeal to the Magistrates' Court within 21 days of the notice of refusal.

19. This guidance will be used for the determination of new applications, the renewal of existing licences and the review of existing licences in relation to hackney carriage drivers, private hire drivers and private hire operator licences.

20. It is common practice for individuals to submit simultaneous applications for Hackney Carriage and Private Hire Driving Licence(s). Licensing Authorities may use the same application form which allows the individual to specify if they are applying for both types of driver's licences or only one type. This provides an efficient service for the customer and saves needless duplication. For dual applications the Speaker's Panel (Licensing) will be asked to apply the fit and proper test to each individual application. Similarly where an existing driver who holds both Private Hire and Hackney Carriage Licences is referred to Committee/Panel the fit and proper test will be applied individually to each Licence.

GUIDELINES ON THE RELEVANCE OF PREVIOUS CONVICTIONS AND OTHER INFORMATION

General Policy

1. Each case will be decided on its own merits.
2. In every case, it is the responsibility of the applicant or licence holder to prove that they are a fit and proper person.
3. The Council has a duty to ensure so far as possible that drivers and operators are fit and proper persons to hold licences. One aspect of that is the extent to which previous convictions, including but not limited to convictions for offences against children and young persons, dishonesty, sexual offences, traffic offences, violence and drugs indicate whether a person is or is not a fit and proper person, and whether or not they would be likely to take advantage of passengers or abuse or assault them.
4. Restorative justice and other criminal disposals are increasingly used by the police as a less formal way of dealing with issues and as an alternative to the criminal court system. The Council recognises that restorative justice and other out of court disposals tend to be applied in less serious cases or for first time offenders, nevertheless all such disposals will be taken into account when determining if a person is a fit and proper person.
5. A person with a conviction for a serious offence or a number of separate offences need not be automatically barred from obtaining a licence, but would normally be expected to:
 - a. Remain free of conviction for an appropriate period, which will depend on the nature of the offence(s); and
 - b. Show adequate evidence that he or she is a fit and proper person to hold a licence (the onus is on the applicant to provide such evidence).

Simply remaining free of conviction will not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.

6. In certain situations it may be appropriate to depart from the general policy. For example, where the offence is an isolated one with mitigating circumstances or where a conviction defaults outside of the policy between the application and determination date. Similarly, multiple offences or a series of offences over a period of time are likely to give greater cause for concern and may demonstrate a pattern of inappropriate behaviour, which will be taken into account. In any case which involves murder, manslaughter or sexual offences, a licence will normally be refused.

7. Where the Council has received any information which suggests that a person is not (or is no longer) a fit and proper person, or that an individual has breached one or more conditions attached to their licence (and such breach/breaches call into question whether the licence holder remains a fit and proper person), the Speaker's Panel (Licensing) will meet to consider the information. After hearing the available evidence, the Panel may refuse to grant, refuse to renew, revoke or suspend a licence for any specified period.

- a. Hearing with notice – Where the Speaker’s Panel (Licensing) is to meet to consider whether or not an individual is a “fit and proper” person, notice of the time and date when the Panel meeting is to be convened will then be given ahead of the date listed with sufficient time to allow the person to seek independent legal advice and to attend and be represented at the hearing.
 - b. Ex-parte hearing – Where a meeting of the Speaker’s Panel (Licensing) is convened as a result of sensitive information being received by the Council, an assessment will be undertaken in balancing a person’s right to a fair hearing against whether or not it is in the public interest to hold the hearing ex-parte.
 - c. Where new offences are created or existing offences are consolidated or re-enacted etc. they will be treated in a manner appropriate to their severity whether or not this guidance has been updated to reflect the changes.
8. The following examples afford a general guide on the action which might be taken where convictions are disclosed:

A. Offences of Dishonesty

Drivers of hackney carriages and private hire vehicles are in a position of trust. It could be comparatively easy for a dishonest driver to defraud the public by, for example, demanding more than the legal fare, or by other criminal means.

Passengers of hackney carriages and private hire vehicles may include especially vulnerable people and children.

Members of the public entrust themselves to the care of drivers both for their own safety and for fair dealing. In certain situations drivers will know that a property is empty whilst the occupants are away on holiday for a set period of time after taking them to the airport or railway station.

The widespread practice of delivering unaccompanied property is indicative of the trust which businesses put into drivers.

For these reasons a serious view is taken of any offences involving dishonesty. An applicant with conviction(s) for dishonesty, which are less than 5 years old is unlikely to be considered favourably and should be referred to Panel for determination.

In particular, an application will normally be refused or an existing licence revoked where the individual has a conviction for an offence or similar offences listed below, if the date of conviction or the date on which any custodial sentence is completed* is less than 5 years prior to the date of application:

- i. Theft
- ii. Burglary
- iii. Fraud
- iv. Benefit fraud
- v. Handling or receiving stolen goods
- vi. Forgery (e.g. producing false insurance policy)
- vii. Conspiracy to defraud
- viii. Obtaining money or property by deception
- ix. Other deception
- x. Blackmail
- xi. Unauthorised taking of a motor vehicle
- xii. Abstracting electricity
- xiii. Perjury
- xiv. Attempting to or perverting the course of justice

*Including any suspended sentence or any period where the individual is subject to licence on release (i.e. the custodial sentence will only be considered complete at the end of any licence period).

B. Violence

Members of the public entrust their personal safety to private hire and hackney carriage drivers whenever they take a journey.

Passengers often travel alone and are vulnerable to physical attack etc.

Users of private hire and hackney carriage vehicles have a right to expect that drivers are not individuals with a history of violent behaviour of any description.

1. Offences against Children (under 14 years) and Young Persons (aged 14 to 17 years)

Drivers of hackney carriage and private hire vehicle are often entrusted with the care of children and young persons. It could be easy for an unscrupulous driver to take advantage of such vulnerable persons.

The Council seeks to minimise risks associated with children and young persons and for that reason a more serious view will be taken where offences of violence involve children or young persons.

Where the commission of an offence involved loss of life, a licence will normally be refused or revoked, irrespective of the date of offence or conviction.

Any other conviction will generally result in an application being refused or an existing licence revoked where the individual has a conviction for an offence or similar offences listed below, if the date of conviction or the date on which any custodial sentence is completed* is less than 10 years prior to the date of application.

*Including any suspended sentence or any period where the individual is subject to licence on release (i.e. the custodial sentence will only be considered complete at the end of any licence period).

2. Offences against Other Persons

An application will normally be refused or an existing licence revoked where the individual has a conviction for the below offences:

- Murder
- Manslaughter
- Manslaughter or culpable homicide while driving

An application will normally be refused or an existing licence revoked where the individual has a conviction for an offence or similar offences listed below, if the date of conviction or the date on which any custodial sentence is completed* is less than 10 years prior to the date of application.

- Arson
- Inflicting grievous bodily harm or wounding with intent (s.18 Offences Against the Person Act)
- Inflicting grievous bodily harm or wounding (s.20 Offences Against the Person Act)
- Inflicting grievous bodily harm or wounding with intent (s.20 Offences Against the Person Act 1861) which is racially aggravated (s.29(1)(a) Crime and Disorder Act 1998)

- Inflicting grievous bodily harm or wounding (s.18 Offences Against the Person Act 1861) which is racially aggravated (s.29(1)(a) Crime and Disorder Act 1998)
- Assault occasioning actual bodily harm (s.47 Offences Against the Person Act 1861) which is racially aggravated (s.29(1)(b) Crime and Disorder Act 1998)
- Common assault which is racially aggravated (s.29(1)(c) Crime and Disorder Act 1998)
- Robbery
- Aggravated burglary
- Illegal possession of a firearm
- Riot
- Violent disorder
- Resisting arrest
- Assault Police
- Threats to kill

*Including any suspended sentence or any period where the individual is subject to licence on release (i.e. the custodial sentence will only be considered complete at the end of any licence period).

An application will also normally be refused or an existing licence revoked where the individual has a conviction for an offence or similar offences listed below, if the date of conviction or the date on which any custodial sentence is completed* is less than 5 years prior to the date of application.

- Racially-aggravated criminal damage (s.30 Crime and Disorder Act 1998)
- Racially-aggravated s.4 Public Order Act 1986 offence (fear of provocation of violence) (s.31(1)(a) Crime and Disorder Act 1998)
- Racially-aggravated s.4A Public Order Act 1986 offence (intentional harassment, alarm or distress (s.31(1)(b) Crime and Disorder Act 1998)
- Racially-aggravated s.2 Protection from Harassment Act 1997 offence (harassment) (s.32(1)(a) Crime and Disorder Act 1998)
- Racially-aggravated s.4 Protection from Harassment Act 1997 offence (putting people in fear of violence) (s.32(1)(b) Crime and Disorder Act 1998)
- Racially-aggravated s.5 Public Order Act 1986 offence (harassment, alarm or distress) (s.31(1)(c) Crime and Disorder Act 1998)

*Including any suspended sentence or any period where the individual is subject to licence on release (i.e. the custodial sentence will only be considered complete at the end of any licence period).

An application will also normally be refused or an existing licence revoked where the individual has a conviction for an offence or similar offences listed below, if the date of conviction or the date on which any custodial sentence is completed* is less than 3 years prior to the date of application:

- Common assault
- Assault occasioning actual bodily harm (s.47 Offences Against the Person Act)
- Affray
- S5 Public Order Act 1986 offence (harassment, alarm or distress)
- S.4 Public Order Act 1986 offence (fear of provocation of violence)
- S4A Public Order Act 1986 offence (intentional harassment, alarm or distress)
- Harassment- breach of restraining order- on conviction Protection from Harassment Act 1997 s5(5) / s. 5(6)
- Obstruction
- Possession of offensive weapon
- Criminal damage

*Including any suspended sentence or any period where the individual is subject to licence on release (i.e. the custodial sentence will only be considered complete at the end of any licence period).

No favourable distinction will be made in relation to offences relating to domestic violence or abuse. The Council takes the view that domestic abuse and violence is completely unacceptable and the above guidelines will apply to any offence, including those relating to domestic violence or abuse.

C. Drugs

An application will normally be refused or an existing licence will normally be revoked where the individual has a conviction for an offence related to the supply of drugs if the date of conviction or the date on which any custodial sentence is completed* is less than 10 years prior to the date of application.

An application will normally be refused or an existing licence will normally be revoked where the individual has more than one conviction for offences related to the possession of drugs if the date of conviction or the date on which any custodial sentence is completed* is less than 5 years prior to the date of application.

*Including any suspended sentence or any period where the individual is subject to licence on release (i.e. the custodial sentence will only be considered complete at the end of any licence period).

If any applicant was previously an addict then they will normally be required to show medical evidence that they have been drug free for at least 5 years before consideration will be given to granting a licence.

D. Sexual and Indecency Offences

Any individual currently on the sex offenders' register will not normally be granted a licence.

Offences against Children (under 14 years) and Young Persons (aged 14 to 17 years)

Where the commission of a sexual offence involves a child or young person an application will normally be refused or an existing licence will normally be revoked, irrespective of the date of offence, conviction or end of sentence.

Intelligence and other information which has not resulted in a criminal conviction

The Council will sometimes be made aware of other intelligence or lower level information about an individual which has not resulted in the conviction of that person but is relevant in relation to their character. Officers will give appropriate consideration to this information and will seek to consult with other appropriate agencies in order to ensure that they have a comprehensive understanding.

Any additional information gathered through this process may then be taken into account at any subsequent meeting of the Speaker's Panel (Licensing).

Offences against persons other than children / young persons

Individuals with a conviction for rape, indecent assault, or other similar offences contrary to the Sexual Offences Act 2003, will normally be refused a licence, or existing licence holders will have their licence(s) revoked, irrespective of the date of offence, conviction or end of sentence.

Applications from Individuals with a conviction relating to sexual offences such as soliciting, importuning, indecent exposure or other similar offences contrary to the Sexual Offences Act 2003, will normally be refused or an existing licence will normally be revoked if the date of conviction or the date on which any custodial sentence is completed* is less than 10 years prior to the date of application.

*Including any suspended sentence or any period where the individual is subject to licence on release (i.e. the custodial sentence will only be considered complete at the end of any licence period).

E. Drunkenness

Driving whilst under the influence of alcohol or drugs is unacceptable under any circumstances and puts not only the driver, but passengers and other road users at risk. Such irresponsible behaviour is not compatible with the responsibilities of a private hire or hackney carriage driver.

With a motor vehicle

Where an individual has been convicted of an offence of driving, attempting to drive or being in charge of a vehicle while under the influence of alcohol or drugs, an application will normally be refused or an existing licence will normally be revoked. At least 5 years free from conviction should normally elapse from the date of the restoration of the DVLA licence before an applicant is considered for a licence.

In addition, an individual will normally be required to show medical evidence that a period of at least 5 years has elapsed after completion of detoxification treatment if they were an alcoholic or drug addict.

Not in a motor vehicle

An isolated conviction for drunkenness need not debar an individual from obtaining or holding a licence. In some cases, a warning may be appropriate.

More than one conviction for drunkenness could indicate a medical problem necessitating clinical examination and refusal of a licence.

In addition, in line with DVSA's group 2 medical standards, an individual will generally be required to show a period of at least 5 years has elapsed after completion of detoxification treatment if they were an alcoholic or drug addict.

F. MOTORING CONVICTIONS

Major traffic offences

New applicants and existing licensed drivers with a conviction for a Major Traffic Offence as defined below, which is less than 5 years prior to the date of the application (or the present date in relation to existing licensed drivers) will be referred to the Panel for determination. A conviction less than 3 years prior to the date of the application will generally be refused.

Any conviction which followed the death of an individual through negligent driving (listed as offence codes CD40 to CD71 and DD60 to DD80) will normally result in an application being refused or an existing licence being revoked, irrespective of the date of conviction.

Where the conviction resulted in a period of disqualification, an application will normally be refused unless a period of 3 years free from conviction has lapsed from the restoration of the DVLA licence

and 5 years where the disqualification relates to driving with excess alcohol or whilst unfit through drink or drugs.

In addition, applicants will generally be required to show medical evidence that a period of at least 5 years has elapsed after completion of detoxification treatment if they were an alcoholic or drug addict.

For the purposes of these guidelines the following offences are classed as ‘Major Traffic Offences’:

AC10	Failing to stop after an accident
AC20	Failing to give particulars or to report an accident within 24 hours
AC30	Undefined accident offences
BA10	Driving while disqualified by order of Court
BA30	Attempting to drive while disqualified by order of Court
CD40	Causing death through careless driving when unfit through drink
CD50	Causing death through careless driving when unfit through drugs
CD60	Causing death through careless driving with alcohol level above the limit
CD70	Causing death through careless driving then failing to supply a specimen for alcohol analysis
CD71	Causing death through careless driving the failing to supply a specimen for drug analysis
DD40	Dangerous driving
DD60	Manslaughter or culpable homicide while driving a vehicle
DD80	Causing death by dangerous driving
DR10	Driving or attempting to drive with alcohol level above limit
DR20	Driving or attempting to drive while unfit through drink
DR30	Driving or attempting to drive then failing to supply a specimen for analysis
DR31	Driving or attempting to drive when unfit through drugs
DR40	In charge of a vehicle while alcohol level above limit
DR50	In charge of a vehicle while unfit through drink
DR60	Failure to provide specimen for analysis in circumstances other than driving / attempting to drive
DR61	Failure to provide specimen for drug analysis in circumstances other than driving / attempting to drive
DR70	Failing to provide specimen for breath test
DR80	Driving or attempting to drive when unfit through drugs
DR90	In charge of a vehicle when unfit through drugs
IN10	Using a vehicle uninsured against third party risks
LC20	Driving otherwise than in accordance with a licence
LC30	Driving after making a false declaration about fitness when applying for a licence
LC40	Driving a vehicle having failed to notify a disability
LC50	Driving after a licence has been revoked or refused on medical grounds
MS50	Motor racing on the highway
MS60	Offences not covered by other codes
MS90	Failure to give information as to identity of driver, etc.
UT50	Aggravated taking of a vehicle

Aiding, Abetting, Counselling or Procuring

Offences as coded above, but with 0 changed to 2 (e.g. IN10 becomes IN12).

Causing or Permitting

Offences as coded above, but with 0 changed to 4 (e.g. IN10 becomes IN14).

Inciting

Offences as coded above, but with 0 changed to 6 (e.g. IN10 becomes IN16).

Or similar offences or offences which replace the above offences.

Intermediate Traffic Offences

Any Intermediate Traffic Offence, which has attracted 4 or more penalty points will be treated as though it were a Major Traffic Offence.

One Conviction

Where an individual has a single Intermediate Traffic Offence within the 2 years immediately preceding the date of application, they will normally be expected to show a period of at least 12 months free from conviction before an application is considered.

Existing licence holders who have been convicted of an intermediate traffic offence may be referred to the Speaker's Panel (Licensing).

Two or more Convictions

Where an individual has 2 or more Intermediate Traffic Offences in the 12 months immediately preceding the date of application, the individual will normally be expected to show a period of at least 2 years free from conviction before an application is considered.

If any conviction for an Intermediate Traffic Offence results in a disqualification, reference should be made to the section of these guidelines entitled "Disqualification".

For the purposes of these guidelines the following motoring offences are classed as 'Intermediate Traffic Offences':

CU10	Using vehicle with defective brakes
CU20	Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition
CU30	Using a vehicle with defective tyres
CU40	Using a vehicle with defective steering
CU50	Causing or likely to cause danger by reason of load or passengers
CU80	Breach of requirements as to control of the vehicle mobile phones etc
CD10	Driving without due care and attention
CD20	Driving without reasonable consideration for other road users
CD30	Driving without due care and attention or without reasonable consideration of other road users
SP10	Exceeding goods vehicle speed limit
SP20	Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles)
SP30	Exceeding statutory speed limit on a public road – summons (not fixed

	penalty)
SP40	Exceeding passenger vehicle speed limit
SP50	Exceeding speed limit on a motorway
SP60	Exceeding speed limit offence

Aiding, Abetting, Counselling or Procuring

Offences as coded above, but with 0 changed to 2 (e.g. CU10 becomes CU12).

Causing or Permitting

Offences as coded above, but with 0 changed to 4 (e.g. CU10 becomes CU14).

Inciting

Offences as coded above, but with 0 changed to 6 (e.g. CU10 becomes CU16).

Or similar offences or offences which replace the above offences.

MINOR TRAFFIC OFFENCES

Any Minor Traffic Offence which has attracted 4 or more penalty points will be treated as though it were an Intermediate Traffic Offence

Single conviction

Where an individual has a single Minor Traffic Offence in the 12 months immediately preceding the date of application, the application will normally be granted with a letter of warning being placed on the file.

Two or more Convictions

Where an individual has two or more Minor Traffic Offences in the 2 months immediately preceding the date of application an individual will normally be expected to show a period of at least 12 months free from conviction before an application is considered.

For the purposes of these guidelines the following motoring offences are classed as 'Minor Traffic Offences':

MS10	Leaving a vehicle in a dangerous position
MS20	Unlawful pillion riding
MS30	Play street offences
MS70	Driving with uncorrected defective eyesight
MS80	Refusing to submit to an eyesight test
MW10	Contravention of Special Road Regulations (excluding speed limits)
PC10	Undefined contravention of Pedestrian Crossing Regulations
PC20	Contravention of Pedestrian Crossing Regulations with moving vehicle
PC30	Contravention of Pedestrian Crossing Regulations with stationary vehicle
SP30	Exceeding statutory speed limit on a public road resulting in a fixed penalty
TS10	Failing to comply with traffic light signals
TS20	Failing to comply with double white lines

TS30	Failing to comply with a "Stop" sign
TS40	Failing to comply with direction of a constable or traffic warden
TS50	Failing to comply with traffic sign (excluding "Stop" sign, traffic lights or double white lines)
TS60	Failing to comply with school crossing patrol sign
TS70	Undefined failure to comply with a traffic direction sign

Aiding, abetting, counselling or procuring

Offences as coded above, but with 0 changed to 2 (e.g. PC10 becomes PC12)

Causing or permitting

Offences as coded above, but with 0 changed to 4 (e.g. PC10 becomes PC14)

Inciting

Offences as coded above, but with 0 changed to 6 (e.g. PC10 becomes PC16)

Or similar offences or offences which replace the above offences.

Plying for Hire

In the case of a private hire driver found guilty of an offence of plying for hire, the Speaker's Panel (Licensing) would normally order the licence to be revoked or suspended.

Breach of Conditions, Bye-laws and complaints

Any breach of conditions, breach of bye-laws or complaint relating to a licence holders conduct may be referred to the Panel. A licence holder brought before the Panel will be dealt with by way of either taking no further action, a formal warning, a period of suspension or revocation.

Guidance

Licence holders will be brought before Panel in situations where it is clear that the holder's behaviour is not influenced by verbal or written warnings administered by Licensing Officers. Any licence holder who receives a third warning (verbal or written) in respect of a breach or complaint may be brought before the Panel.

All complaints will be investigated. Some investigations and breaches will result in prosecution and in those cases the prosecution outcome will be the deciding factor in the decision to refer to Panel as will other prosecutions and cautions administered by other enforcing agencies.

Where the authority administers a caution to a licence holder this does not preclude a referral to panel for the matter for which the licence holder has been cautioned.

In other cases an investigation may result in a warning, such warnings will be relevant to the rolling 3 year period.

In certain situations the breach or complaint may be deemed so serious that an immediate referral to Panel is warranted. In those cases the reasoning for the decision for the immediate referral will be recorded within the formal report to Panel.

Reapplication

Where an individual has had an application refused or a licence revoked, the Committee/ Panel would normally refuse any subsequent application made within 5 years of the date of the previous refusal or revocation unless there are substantial material changes in the individual's circumstances. In addition, the individual must provide evidence that they are a fit and proper person before a licence will be granted.

DISQUALIFICATION

Disqualification – Major Traffic Offence

An application will generally be refused unless a period of 3 years free from conviction has elapsed from the restoration of the DVLA licence, and 5 years where the disqualification relates to driving whilst unfit through drink or drugs.

Disqualification – Intermediate and Minor Traffic Offences & Disqualification due to Totting Up of Penalty Points

An application will generally be refused unless the individual can show a period of 12 months has elapsed from the restoration of the DVLA licence.

Totting up without Disqualification

An individual who has accrued sufficient points for disqualification, under totting up, to be considered by the Court, may argue exceptional hardship and not receive a disqualification.

In these circumstances the Council will consider the application as a disqualification for the most serious of the offences which contributed to the totting up (e.g. where the offences contributing to the totting up are SP30, SP80 and IN10 the Council would consider IN10 under 'Disqualification – Major Traffic Offence').

There may be occasions where an applicant has accrued sufficient points under totting up for the court to consider disqualification, but successfully argues that exceptional hardship should apply and the court has not, therefore, imposed a disqualification. In these circumstances the Council expects the individual to supply full details of each of the matters that led to the totting up. The Council will take those matters into account in accordance with this policy when deciding whether to grant or refuse an application or whether to take action against an existing licence. Should the individual not supply full details of each of these matters then the Council will take the failure to supply such information into account when deciding whether to take any such action.

SPENT CONVICTIONS

By virtue of the Rehabilitation of Offenders Act 1974 (Exemptions) (Amendment) Order 2002 taxi drivers are an exempted occupation for the purposes of the 1974 Act and convictions are therefore never spent.

The Council will only consider spent convictions if it appears to be relevant for deciding whether the individual is a fit and proper person to hold a licence and that justice cannot be done in the case, except by admitting or requiring evidence relating to that spent conviction. The council will, in its consideration of the nature of the offence(s), take into account the history or pattern of offending, the lapse of time and whether all the convictions have previously been considered.

FORMAL/ SIMPLE CAUTIONS AND ENDORSABLE FIXED PENALTIES

For the purpose of these guidelines formal/simple/conditional cautions and endorsable fixed penalties shall be treated as though they were convictions.

MULTIPLE CONVICTIONS FROM SINGLE INCIDENT

Where an individual has multiple convictions arising from a single incident, the convictions will generally be treated as one conviction for the purposes of these guidelines.

In these circumstances the period for which the individual would normally be expected to show free from conviction will be the longest applicable period calculated by reference to each offence.

OTHER OFFENCES

Offences under the Town Police Clauses Acts and Part II of the Local Government (Miscellaneous Provisions) Act 1976 and Hackney Carriage Byelaws and Section 167 Criminal Justice and Public Order Act 1994.

One of the main purposes of the licensing regime set out in the Town Police Clauses Acts and Part II of the Local Government (Miscellaneous Provisions) Act 1976 ("the Acts") and Hackney Carriage Byelaws, is to ensure the protection of the public.

For this reason a serious view is taken of convictions for offences under the Acts (including illegally plying for hire and/or touting) when deciding whether an individual is to be considered as a fit and proper person to hold a licence.

In particular, an individual will normally be refused a licence if (s)he has been convicted of an offence under these Acts at any time during the 2 years preceding the application or has more than one conviction within the last 5 years preceding the date of the application.

OTHER INFORMATION, INTELLIGENCE ETC.

The Local authority can take into account any information when determining whether an individual is or is not a fit & proper person to hold private hire or hackney carriage drivers licences.

These guidelines to convictions supersede all others and take effect from:

APPENDIX 5

1. Any person with ANY conviction should be refused a license,
2. I would like to see stricter controls around identity fraud and drivers using others badges.
3. A very full and well written document. Very important that we can be safe in hired vehicles. Thank you
4. I feel all licence holders should be thoroughly vetted like other careers that have contact with members of the public and vulnerable people
5. I feel it is time to have all taxis should be compulsory to fit cameras inside to protect the driver also the passengers from harrasment. I fear every time a child is placed inside a taxi they are being placed vulnarable to grooming we hear a lot about this recently.
6. It seems appropriate that such policies are reviewed from time to time and that new information/evidence which can be used to ensure the safety of users of these services is enhanced. I feel a thorough job has been done in this instance.
7. NO
8. I agree with the above guidelines.
9. This sounds like the best way forward for all parties.
10. Looks OK to me.
11. All seems a fair and just requirement to be met
12. Every application must be scrutinised and be interviewed. supply references and no related criminal record. All Previous convictions for road traffic offences. Licenses to be review every 2 years
13. NO
14. No
15. I think the guidelines are reasonably thorough, and I agree with them
16. Not at present
18. Cautions should NOT be treated as a conviction
19. public safety is paramount. and in view of this the conditions must be met.
20. Did I miss the school zip-Zag areas ?
21. Allowing the use of repaired/right off vehicles to transport people about is a backward step, all Taxi's should be maintained to the highest standard with NO excuses, dropping the age 5 to 8 is a backward step, i appreciate that the cost implication is increased but it must be a safety first issue Paul Main
22. No

23. I support the most stringent regulations / restrictions when considering whether to grant a license, especially when it comes to making sure a person's identity is genuine.
24. I think the requirement should be speak fluent English , and decent knowledge of Tameside district
25. only fit and proper persons should be licensed by the Council - most definitely
26. The guidelines seem adequate at this time. Changing the policy in regards to court acquittals, and intelligence is another thing. As far as I was aware any person acquitted of a crime in the UK was 'not guilty' and that should be the end of the matter. Intelligence acquired by either the council, taxi licencing, or the police for that matter is fraught with danger, and widely open to abuse from people seeking revenge for a whole host of reasons. Intelligence should only ever be used when it can be backed up, and is more than hearsay.
27. Tameside is now flooded with private hire vehicles that ply for hire, severe action is required such as instant revoking of license for say three months is needed as a deterrent to stop it continuing, outside taxi offices is also very bad.
28. Vehicle should be fit for MOT and for public safety. In all other town old vheciles are still running after mot test there should be no problem. Age limit should be scarped cannot afford new due to no work we are struggling. Pubs and clubs all closed
29. minor offenders should be allowed, as long as council approve the person
30. Some of these conditions seem draconian, and how with such a comprehensive list of offenses are there at least three undefined categories
31. n/a
32. none
33. I agree that in certain circumstances each case should be decided on its own merits. If an individual passes a CRB then they have the required standard to be a fit and proper person
34. I feel as though some of the guidelines need adjusting.
35. to strict it can be easy to get two sp30 also if the court says you can drive under hardship the council must not have more power than the court
36. I believe that is a good idea to make sure that the drivers in the business are CRB checked to make sure that they are not convicts and will not pose a threat to the passengers as this will have an Effect on the company.
37. Fair policy
38. This seems over the top. Anyone can make a stupid mistake in our youth - it should not stop us working and doing something useful.
39. Any sexual conviction or child protection concerns should be referred to child protection manager for assessment. Should also consider wording ie normally should be replaced with will not granted or will be revoked.
40. All taxi drivers should be fluent in the language of the land. ie: English. Having more than one language is a benefit, of course, but understanding and speaking the common language for all should be essential. (this may be in the notes but I couldn't see it). Also, Taxi's should be free from strong smells and odours, especially, but not limited to, the

driver's personal hygiene. On many occasions I have had the experience of sitting in a taxi that was pungent with (the driver's) body odour.

41. English speaking drivers, There is a lot of foreign drivers that can't speak English.

42. They should be smartly dressed

43. There is too much to read in this document, there should have been a shortened version available. However, if the person has a criminal record, takes drugs or is constantly getting points on their driving licence then they should not be granted a taxi licence.

44. Absolutely NO convictions whatsoever

45. No, too much hassle to read the booklet

46. I feel the Guidelines are comprehensive and fit for purpose. I would hope that extreme care be exercised when dealing with what amounts to hearsay when a person is not convicted (or cautioned etc.) as this is wide open to abuse.

47. Anyone with a criminal record should not be licensed in any way

48. I agree with tightening the guidelines

**TAMESIDE METROPOLITAN BOROUGH COUNCIL****Policy on the Installation & Operation of CCTV Systems in Licensed Taxis and Private Hire Vehicles****INTRODUCTION**

The aim of this policy is to allow for the safe installation and use of CCTV systems in taxis and private hire cars licensed by Tameside Metropolitan Borough Council. In allowing the installation and use of CCTV, the Licensing Authority recognises that such systems can be used to prevent and detect crime, reduce the fear of crime and enhance the safety of taxi and private hire car drivers, as well as their passengers. However, this policy also seeks to ensure that the installation and operation of CCTV systems do not compromise the safety of either drivers or passengers or unreasonably interfere with the privacy of members of the public.

For the purposes of this policy, a CCTV system will include any electronic recording device attached to the inside of a taxi or private hire car having the technical capability to capture and retain visual images from inside or external to the vehicle.

This policy does not place a mandatory requirement on the licensed operators of taxis and private hire cars to install CCTV systems in their vehicles. Any CCTV system to be fitted in a taxi or private hire car must, as a minimum, meet the requirements of this policy. Only CCTV systems meeting these requirements can be installed into licensed taxis and private hire cars.

Where an operator wishes to install and use a CCTV system, it will be a condition of the taxi or private hire car licence that the requirements of this policy are complied with. Failure to comply with the requirements of this policy could lead to the suspension of the vehicle licence.

THE DATA CONTROLLER

The Information Commissioner defines a "data controller" as the body which has legal responsibility under the Data Protection Act 1998 for all matters concerning the use of personal data. For the purpose of the installation and operation of a CCTV system in taxis and private hire vehicles, the "data controller" will be the vehicle proprietor and not the driver.

The licence holder, as data controller, will therefore be responsible for ensuring compliance with the requirements of this policy and with all relevant data protection legislation, including the Data Protection Act 1998. The data controller is legally responsible for the use of all images including breaches of legislation.

THIRD PARTY DATA PROCESSOR

Where a service provider is used for the remote storage of CCTV data they will act as a 'data processor'. A data processor, in relation to personal data, means any person (other than an employee of the data controller) who processes data on behalf of the data controller, in response to specific instructions. The data controller retains full responsibility for the actions of the data processor.

There must be a formal written contract between the data controller and the data processor. The contract must contain provisions covering security arrangements, retention/deletion instructions, access requests and termination arrangements. A copy of the contract must be provided to an authorised officer of the Licensing Authority, or to the Police, on reasonable request.

GENERAL REQUIREMENTS – INSTALLATION AND OPERATION

CCTV systems must not be used to record conversations between members of the public as this is highly intrusive and unlikely to be justified except in very exceptional circumstances. Wherever possible, the CCTV system should not have any sound recording facility. However, if the system comes equipped with a sound recording facility then this functionality should be disabled and only capable of being utilised in the following limited circumstances:-

Audio recording will only be justified where the recording is triggered due to a specific threat to driver or passenger safety, e.g. a 'panic button' is utilised and must be subject to the following safeguards:-

a) Where this audio recording facility is utilised a reset function must be installed which automatically disables audio recording and returns the system to normal default operation after a specified time period has elapsed.

b) The time period that audio recording may be active should be the minimum possible and should be declared at the time of submission for approval of the equipment.

In the limited circumstance where audio recording is justified, signs must make it very clear that audio recording is being or may be carried out.

CCTV systems installed in taxis and private hire cars will be inspected as part of the vehicle test carried out by the Authority.

The installation and operation of a CCTV system must comply with the requirements of the Information Commissioner's CCTV Code of Practice, which is available at the following address:-

http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/ico_cctvfinal_2301.pdf

All equipment must comply with any legislative requirements in respect of Motor Vehicle Construction and Use Regulations.

All equipment must meet any and all requirements as regards safety, technical acceptability and operational/data integrity.

All equipment must be designed, constructed and installed in such a way and in such materials as to present no danger to passengers or to the driver, including impact with the equipment in the event of a collision or danger from the electrical integrity being breached through vandalism, misuse, or wear and tear. In particular, the camera(s) must be fitted safely and securely in such a way that it does not adversely encroach into the passenger area and must not impact on the safety of the driver, passenger or other road users.

All equipment must be installed as prescribed by the equipment and/or vehicle manufacturer installation instructions by a qualified auto-electrician.

The CCTV system must not weaken the structure or any component part of the vehicle or interfere with the integrity of the manufacturer's original equipment.

All equipment must be installed in such a manner so as not to increase the risk of injury and/or discomfort to the driver and/or passengers. For example, temporary fixing methods such as suction cups will not be permitted, or lighting, such as infra-red, which emits at such a level that may cause distraction or nuisance to the driver and/or passengers.

All equipment must be protected from the elements, secure from tampering and located such as to have the minimum intrusion into any passenger or driver area or impact on the luggage carrying capacity of the vehicle.

It is contrary to the Motor Vehicle (Construction and Use) Regulations 1986 for equipment to obscure the view of the road through the windscreen.

Equipment must not obscure or interfere with the operation of any of the vehicle's standard and/or mandatory equipment, i.e. not mounted on or adjacent to air bags/air curtains or within proximity of other supplementary safety systems which may cause degradation in performance or functionality of such safety systems.

Viewing screens within the vehicle for the purposes of viewing captured images will not be permitted.

All wiring must be fused as set out in the manufacture's technical specification and be appropriately routed.

The location of the camera(s) installed within the vehicle must be for the purpose of providing a safer environment for the benefit of the taxi or private hire vehicle driver and passengers, and not for any other purpose.

All equipment must be checked regularly and maintained to operational standards, including any repairs after damage.

All system components requiring calibration in situ should be easily accessible.

AUTOMOTIVE ELECTROMAGNETIC COMPATIBILITY REQUIREMENTS (EMC)

CCTV equipment must not interfere with any other safety, control, electrical, computer, navigation, satellite, or radio system in the vehicle. Any electrical equipment such as an in-vehicle CCTV system fitted after the vehicle has been manufactured and registered, is deemed to be an Electronic Sub Assembly (ESA) under the European Community Automotive Electromagnetic Compatibility Directive and therefore must meet with requirements specified in that Directive.

CCTV equipment should be e-marked or CE-marked. If CE marked confirmation by the equipment manufacturer as being non-immunity related and suitable for use in motor vehicles is required.

Activation of the equipment may be via a number and combination of options, such as - door switches, time delay, drivers' panic button or in the case of incident/event recorder, predetermined G-Force parameters set on one or more axis (i.e. braking, acceleration, lateral forces) and configured to record for a short period of time before the event, during the event and a short period following the event.

SECURITY OF IMAGES

All Images captured by the CCTV system must remain secure at all times.

The captured images must be protected using encryption software which is designed to guard against the compromise of the stored data, for example, in the event of the vehicle or equipment being stolen. It is recommended by the Information Commissioner that the data controller ensures that any encryption software used meets or exceeds the current FIPS 140-2 standard or equivalent. System protection access codes will also be required to ensure permanent security.

RETENTION OF CCTV IMAGES

The CCTV equipment selected for installation must have the capability of retaining images either:

- within its own hard drive;
- using a fully secured and appropriately encrypted detachable mass storage device, for example, a compact flash solid state card;
- or where a service provider is providing storage facilities, transferred in real time using fully secured and appropriately encrypted GPRS GSM telephone) signalling to a secure server within the service provider's monitoring centre.

Images must not be downloaded onto any kind of portable media device (e.g. CDs or memory sticks) for the purpose of general storage outside the vehicle.

The CCTV system must include an automatic overwriting function, so that images are only retained within the installed storage device for a maximum period of 31 days from the date of capture.

Where a service provider is used to store images on a secure server, the specified retention period must also only be for a maximum period of 31 days from the date of capture.

Where applicable, these provisions shall also apply to audio recordings.

USE OF INFORMATION RECORDED USING CCTV

Any images and any audio recording should only be used for the purposes described in this policy. Requests may be made to the data controller by Authorised Officers of the Licensing Authority, the Police or other statutory law enforcement agencies, insurance companies/brokers/loss adjusters or exceptionally other appropriate bodies, to view captured images, or obtain audio recordings if applicable. The licence holder, as data controller, is responsible for responding to these requests. Police, Authorised Officers of the Licensing Authority or other law enforcement agencies should produce a standard template request form, setting out the reasons why the disclosure is required. Alternatively a signed statement may be accepted.

All requests should only be accepted where they are in writing, and specify the reasons why disclosure is required.

Under the Data Protection Act 1998, members of the public may also make a request for the disclosure of images, but only where they have been the subject of a recording. This is known as a 'subject access request'.

Such requests must only be accepted where they are in writing and include sufficient proofs of identity (which may include a photograph to confirm they are in fact the person in the recording). Data controllers are also entitled to charge a fee for a subject access request (currently a maximum of £10) as published in the Information Commissioner's CCTV Code of Practice.

SIGNAGE

All taxis and private hire cars with CCTV must display signage within the vehicle to indicate that CCTV is in operation. The driver must also verbally bring to the attention of the passengers that CCTV equipment is in operation within the vehicle.

The signage must be displayed in such positions so as to minimise obstruction of vision and to make it as visible as possible to passengers, before and after entering the vehicle.

In the limited circumstance where audio recording is justified, signs must make it very clear that audio recording is being or may be carried out and this must also be verbally brought to the attention of the passengers.

CONTACT DETAILS

The name and the contact telephone number of the licence holder, as data controller must be included on the sign.

SIGNAGE FOR EXTERNAL FACING CCTV SYSTEMS

Where a CCTV system is installed within the vehicle in order to record incidents *outside of* the vehicle, it will not be practical to display a sign. Instead, when the CCTV is activated in response to an incident, the driver of the vehicle must inform the person(s) recorded that their personal data was captured - as soon as practicable after the incident.

They should also be informed of the purpose for which the device has been installed, being driver and passenger safety.

APPENDIX 7

Policy and Conditions for Private Hire Vehicle Licences

The proprietor shall at all times comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 and the conditions hereinafter provided.

In this policy and these conditions:

“Authorised officer” has the same meaning as in section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

“The Council” means the Council of the Metropolitan Borough of Tameside.

“The identification plates” means the plates issued by the Council for display on the exterior and interior of the vehicle for the purpose of identifying the vehicle as a private hire vehicle.

“The operator” means a person holding a licence to operate private hire vehicles issued pursuant to section 55 of the Local Government (Miscellaneous Provisions) Act 1976.

“The proprietor” has the same meaning as in section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

“Taximeter” has the same meaning as in section 80 of the Local Government (Miscellaneous Provisions) Act 1976 and the Measuring Instruments (Taximeters) Regulations 2006.

“Private hire vehicle” has the same meaning as in section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

“Driver” means the holder of a private hire vehicle driver’s licence issued by the Council.

Private Hire Vehicle Policy

A. Before a licence is granted in respect of a private hire vehicle the applicant must:

1. Complete and submit to the Council an application and Statutory Declaration in the form prescribed by the Council.
2. Pay to the Council a fee as detailed in the current Licensing Fees and Charges list which is available on request.
3. Satisfy the Council that:
 - (i) The vehicle is in a suitable mechanical condition, is both safe and comfortable for the carriage of passengers and suitable in type, size and design for use as a private hire vehicle.
 - (ii) there is in force in relation to the vehicle a policy of insurance covering use for hire and reward, passenger liability and passenger’s luggage, and comply with the provisions of the Road Traffic Act 1988.
 - (iii) There is in force a valid certificate of insurance against liability for employees (in appropriate cases) in accordance with the Employers’ Liability (Compulsory Insurance) Act 1969.
 - (iv) The vehicle will be operated by an operator licensed by the Council.
 - (v) The vehicle has never been declared a total loss as a result of accident damage or other damage. Vehicles which have been declared as category A, B or C write-offs will not be licensed by the Council under any circumstances. Vehicles which have been declared as category D write-offs will not be licensed by the council unless the applicant can provide clear evidence, including photographs of the damage sustained by the vehicle before any repairs are carried out and a full and comprehensive report from a suitably qualified engineer stating that the vehicle provides protection to the occupants equal to the protection it provided prior to receiving the accident or other damage.
4. Present the vehicle for inspection at such place within the Metropolitan Borough of Tameside and at such time as the authorised officer shall by notice to the applicant require.

B. Vehicle Specification

1. A vehicle will be suitable in type, size and design for use as a private hire vehicle if it is not an FX/ TX style vehicle but meets the following specification:
2. Will be a saloon or estate car, MPV or minibus type vehicle. In the case of an estate car there must be fitted a guard or tonneau cover to keep luggage securely in place & shall have a minimum of 4 passenger seats. No seat can be side facing.
3. Must be a right-hand drive vehicle.

4. Not be multi-coloured but may be two-tone. The vehicle must not be black or appear to be black in dark or low-light conditions (this to include a prohibition on any very dark blue or very dark grey coloured vehicles). The decision of the Licensing Officer in this respect will be final.
5. Any application for a private hire vehicle licence to carry less than 4 people will be considered on an individual basis. The decision of the authorised officer in this respect will be final.

C. Age Policy

1. No vehicle will be first licensed unless the vehicle is less than 5 years old from the date of first registration as per the vehicle registration document (V5).
2. No wheelchair accessible vehicle will be first licensed unless the vehicle is less than 7 years old from the date of first registration as per the vehicle registration document (V5).
3. If an existing licensed private hire vehicle is declared a total loss by an insurance company as a result of accident damage, or is stolen & not recovered, that licensed vehicle may be replaced by a vehicle of similar or younger age (with a maximum age of 10 years).
4. No vehicle will be relicensed once the vehicle has reached 12 years old from the date of first registration as per the vehicle registration document (V5).
5. No wheelchair accessible vehicle will be relicensed once the vehicle has reached 15 years old from the date of first registration as per the vehicle registration document (V5).

D. Seating provision

Seating provision shall be specific to the vehicle type as shown below;

1. Saloon/Estate vehicle licensed to carry 4 passengers

i) Seat Height

From the top of the seat cushions to the lowest part of the roof lining must be approximately 865mm (approx. 34 inches).

ii) Leg Room Front Seat - There must be approximately 750 mm (approx. 29 ½ inches), between the leading edge of the dashboard and the back of the seat being measured.

iii) Leg Room Rear Seats - There must be approximately 750 mm (approx. 29 ½ inches), between the front surface of all rear seat backs and the back of the seat in front, measured with the front seat located as described above.

iv) Seat Depth - Fixed passenger seats (measured from the back of the seat to the front edge of the seat cushion) must be approximately 406mm (approx. 16 inches).

v) Seat Width - Fixed passenger seats (measured along the front edge of the seat) must allow approximately 406 mm (approx. 16 inches) per person.

As an example, this would allow a medium sized five-door hatchback to operate as a private hire vehicle, but would exclude smaller three-door vehicles from being licensed.

2. Vehicles Licensed to Carry between 5 and 8 Passengers

i) These vehicles must have two means of exit in the rear part of the vehicle.

ii) No seat must be required to be tipped or otherwise moved in order to gain access to another seat, and no seat can be side facing.

- iii) All seats must be fitted with three point seatbelts.
- iv) No door will be obstructed by the position of a seat and all aisles or walkways must be clear and unobstructed.
- v) The vehicle step height must be 250mm or less, and a grab handle must also be fitted to assist passengers.
- vi) Seat Height. - From the top of the seat cushions to the lowest part of the roof lining must not be approximately 865 mm (approx. 34 inches).
- vii) Leg Room Front Seat - There must not be approximately 750 mm (approx. 29 ½ inches) between the leading edge of the dash board and the back of the seat being measured.
- viii) Rear/Middle Seats - There must be approximately 650 mm (approx. 25 ½ inches) between the front surface of seat backs and the back of the seat in front, measured with the front seat located as specified above.
- ix) Seat Depth - Fixed passenger seats (measured from the back of the seat to the front edge of the seat cushion) must be approximately 406mm (approx. 16 inches).
- x) Seat Width - Fixed passenger seats (measured along the front edge of the seat) must allow approximately 406mm (approx. 16 inches) per person.
- xi) Facing Seats - The distance between the seat backs measured in a horizontal plane along the top surface of the seating cushion must be approximately 1300 mm (51 inches approx.). The distance between the front edges of the seat cushions must be approximately 425 mm (approx. 16 ¾ inches).
- xii) Note: The dimensions of the seats will vary dependent upon the vehicle type and model. The Licensing Enforcement Officer's opinion on whether a vehicle presented for inspection meets the above policy requirements will be final.
- xiii) Any proposed alteration must be discussed with an authorised officer before the works are carried out to ensure the safety of passengers carried is not compromised.

NOTE: Access to and exit from a vehicle will vary dependent upon the type and specific conversion. The authorised officer's opinion of accessibility will be final.

E. Luggage space

1. The vehicle shall have adequate luggage space; all luggage to be secure so as not to become a danger in the event of an accident. The authorized officer's opinion on whether a vehicle has sufficient luggage space will be final.

F. First Aid Kit

1. The vehicle must contain a suitable first aid kit permanently marked with the plate number of the vehicle. A standard kit purchased from a chemist or auto store will be deemed adequate. .

G. Internal Condition

1. The interior of the vehicle must be water and wind tight.
2. The seats must be properly cushioned and covered.
3. The floor of the passenger compartment must be provided with a proper carpet, mat or other covering.

H. Windows and Window tints

1. Side windows in the passenger compartment must be capable of being opened by passengers or the vehicle must be air conditioned. If the side windows are not capable of being opened (in the

case of vehicles with between 5 and 8 seats) a suitable means of escape must be provided e.g. emergency escape hammer.

2. Vehicles fitted with Manufacturers tinted windows only will be accepted & the windows must still allow a clear view of the inside of the vehicle to and observer standing outside the vehicle. The authorised officer's opinion in this respect will be final. Any tinted window film applied after purchase is not acceptable.

I. LPG Conversions

1. LPG conversions must have a 150mm to 230mm crumple zone of metal between the rear of the vehicle and the gas tank. Fitting must be by an approved fitter and all parts of the tank system shall be subject to certification. The tank and installation must be re-tested annually and the appropriate certificate produced to the Licensing Officer before a test certificate will be issued. NOTE: Only multi-point sequential systems will be permitted.

J. Passenger lifts

1. Any vehicle fitted with a hydraulic lift must have a certificate issued under the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) and shall have the vehicle thoroughly examined by a competent person on a frequency prescribed by them but not greater than once every 6 months. The examination certificate must be produced to the authorized officer prior to the annual or 6 monthly inspection.

2. Any sliding/mechanical ramps must be approved by the manufacturer/vehicle supplier and be risk assessed by the owner in order to establish that the safe working load is sufficient for all needs and that the ramps are fit for purpose.

K. Vehicle Conversions

1. Any vehicle without M1 Whole Vehicle/low volume approval must have undergone a test of Voluntary Individual Vehicle Approval at a DVSA Test Station. The original IVA certificate must be produced to the authorised officer as proof of the Individual Vehicle Approval examination before a test certificate will be issued.

Conditions of Licence

1. Operators

The proprietor shall not use or permit the vehicle to be used in the Metropolitan Borough of Tameside as a private hire vehicle unless the vehicle's operator holds a current operator's licence issued by the Council.

2. Drivers

The proprietor of a private hire vehicle shall not employ as a driver thereof any person who does not have a current driver's licence issued by the Council. If the proprietor permits or employs any other person to drive the vehicle as a private hire vehicle, they must, before that person commences to drive the vehicle, ensure that the driver holds a current private hire driver's licence issued by the Council and shall ensure that they continue to hold such a licence during the whole period of their employment by the proprietor.

3. Identification Plates and Display of Licence Number

a) The plates identifying the vehicle as a private hire vehicle and required to be exhibited on the vehicle pursuant to Section 48(6) of the Local Government (Miscellaneous Provisions) Act 1976 shall be securely fixed to the rear exterior of the vehicle in a conspicuous position either immediately above or below the bumper and in such manner as to be easily removed by an authorised officer or Constable.

b) The proprietor shall also cause to be securely fixed and maintained inside the vehicle in such a position as to be clearly visible either by sight or touch at all times to persons being conveyed therein a plate supplied by the Council containing the number of this licence and such other information as the Council may provide.

c) The proprietor or driver of a private hire vehicle shall ensure that the identification plates are maintained and kept in such a condition that the information contained on the identification plates is clearly visible to public view at all times.

4. Licence and Return of Identification Plates

The proprietor shall upon the expiry (without immediate renewal), revocation or suspension of this licence forthwith return to the Council the identification plates issued to him by the Council when granting this licence, or ensure that such plates are destroyed so as to make them unusable.

5. Provisions regulating how a private hire vehicle shall be furnished, first aid kit, etc.

The proprietor of the private hire vehicle shall:

a) Provide sufficient means by which any person in the private hire vehicle may communicate with the driver during the course of the hiring.

b) Cause the interior of the vehicle to be kept wind and water tight.

c) Cause the seats in the passenger compartment to be properly cushioned and covered.

d) Provide windows at the sides and rear of the vehicle. Side windows in the passenger compartment must be capable of being opened by passengers.

e) Cause the floor in the passenger compartment to be provided with a proper carpet, mat or other vehicle covering.

f) Provide facilities for the conveyance of luggage safely and protected from inclement weather.

g) Provide a suitable first aid kit permanently marked with the plate number of the vehicle. A standard kit purchased from a chemist or auto store will be deemed adequate. The first aid kit must be carried in the vehicle in such a position as to be readily available for use.

6. Fittings

No fittings other than those approved by the Council may be attached to or carried upon the inside or outside of the vehicle.

7. Radio Equipment

The proprietor shall ensure that any radio equipment or any other type of electronic communication device, navigation device or dispatch equipment fitted to a private hire vehicle is at all times kept in

a safe and serviceable condition and maintained in proper working order. Such equipment must not be positioned in such a way that it obscures any part of the driver's view of the road and must not be fixed to the windscreen of the vehicle within any part of the area which is swept by the windscreen wipers.

8. Maintenance of Vehicle

a) The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements (including in particular those contained in the Motor Vehicles (Construction and Use) Regulations) shall be fully complied with. The vehicle shall comply with the manufacturer's specification at all times.

b) The vehicle will at all times be subject to test and inspection and should it be found that a vehicle is not being properly maintained or that any part or fitting is not in good working order, a notice will be served on the proprietor prohibiting them from using the vehicle until the defect has been remedied.

c) If a vehicle is wheelchair accessible, any wheelchair ramps, wheelchair securing straps, wheelchair seatbelt extensions and any other equipment necessary for the safe transportation of wheelchair users must be kept in the vehicle at all times. Such equipment must be of the correct type for the vehicle in which it is being carried and must at all times be in a safe, serviceable and clean condition. Any such equipment must be permanently marked with the registration number of the vehicle in which it is carried.

d) The proprietor of the licensed vehicle shall ensure that all drivers carry out a visual inspection of the vehicle prior to its use. This check shall consist of as a minimum ensuring that all tyres are roadworthy, all lights and indicators are working, the windscreen wipers and wash bottle are working effectively, and that in the event of a puncture, the wheel can be either replaced with a roadworthy spare or inflated by other means without compromising the safety of the passengers or other road users. A written record of these checks must be kept in the vehicle and produced for inspection when requested by an authorised officer.

e) Any requirement by an authorised Officer or testing mechanic for bodywork or mechanical repair shall be complied with within the timeframe specified and in any case, the vehicle shall be presented for re-inspection within 28 days. Any failure to comply with such notice will result in the vehicle licence being suspended.

9. Vehicle Condition Standard

All licensed private hire vehicles must be maintained in an acceptable condition, including all bodywork, paint, mechanical components, electrical components & systems and interior.

The vehicle must be regularly serviced at least in accordance with the manufacturers' recommendations and taking into account the additional demands of private hire use. Cosmetically, the vehicle should be kept clean and tidy, with no significant bodywork damage or wear and tear to the interior.

The following will be considered when deciding if a vehicle is in an acceptable condition:

1. Mechanically, no item should show significant wear, deterioration or cause any concern that the vehicle is less than 100% safe for use on the road.
2. Bodywork should show no significant damage, dents or excessive scratching. The overall appearance of the vehicle should be excellent and there should be no rust or deterioration on any of the vehicle's body panels.
3. The paint should have no signs of dullness or fading and the colour of all body panels should match.
4. The underside of the vehicle should be free from any excessive damage and should not show any signs of rust or other deterioration.

5. The interior of the vehicle, including all carpets, seats, boot lining and other trim should be clean and showing minimum signs of wear. The interior and trim must be free of any tears, cuts or burn marks and should be dry and hold no offensive odours.

6. The vehicle's previous test history may be taken into consideration when deciding if a vehicle is in an acceptable condition.

In addition to the above points, if the vehicle is tested and fails the test the extent that the plates are removed from the vehicle, it is clear that the vehicle owner has failed to maintain it in acceptable condition. In these circumstances, the authorised officer may require that the vehicle be permanently removed from the fleet and the Council will not license that vehicle again.

Vehicle proprietors are required to keep a schedule of the maintenance which has been carried out on the vehicle. This must include the following:

1. Documentary evidence that the vehicle has been regularly serviced at least in accordance with the manufacturers recommendations.
2. Documentary evidence of any work carried out on the vehicle, including receipts for parts etc.
3. Documentary evidence that regular checks are carried out on the vehicle both by the drivers (on a daily basis) and by the owner (on a weekly basis) to include tyres, lights, glass, fluid levels and overall condition of the vehicle.

NOTE: The authorised officer's opinion of whether a vehicle is in an acceptable condition will be final.

10. Vehicle Emissions Standard

As from 1 February 2018, the emissions emitted by the vehicle must comply with the relevant Euro emissions standard for the age of the vehicle:

- (a) Vehicles first registered up to 31 December 2005 must comply with the Euro 3 emissions standard.
- (b) Vehicles first registered up to 31 December 2010 must comply with the Euro 4 emissions standard.
- (c) Vehicles first registered up to 31 August 2015 must comply with the Euro 5 emissions standard.
- (d) Vehicles first registered after 1 September 2015 must comply with the Euro 6 emissions standard.
- (e) As the emissions standards for vehicles continue to become more restrictive, licensed private hire vehicles will be required to comply with the emissions standards relevant to the vehicle at the time of its first registration.

11. Alteration of Vehicle

No vehicle can be altered in any way without prior approval of the Licensing Department. Any alteration must meet Conditions of Application K.1. Above.

12. Damage to Vehicle

Any damage to a private hire vehicle materially affecting the safety, performance or appearance of the vehicle shall be reported to the Council by the proprietor in accordance with Section 50(3) of the Local Government (Miscellaneous Provisions) Act 1976 (as soon as practicable and in any case within 72 hours) and until such damage is repaired to the satisfaction of the Council, the vehicle shall not be used for hire.

13. Notification of Convictions to Council

The proprietor of a private hire vehicle shall within 7 days disclose to the Council in writing details of any conviction, caution or any other order including but not restricted to ASBO, CRASBO, VOO, Drink banning order etc. imposed on him/her (or, if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.

14. Vehicle Insurance

The proprietor of a private hire vehicle shall keep in force in relation to the user of that vehicle a Policy of Insurance issued by an Insurance Company approved by the Council covering use for

hire and reward, passenger liability, passenger luggage and such other matters as the Council may specify from time to time and comply with the requirements of the Road Traffic Act 1988.

On being so required by an authorised officer, the proprietor shall produce to that officer for examination a Certificate of Insurance issued by an approved Insurance Company in respect of the vehicle for the purposes of the Road Traffic Act 1988, provided that if the proprietor fails to produce such certificate to the officer on request, the proprietor shall within five days of such request produce it to that officer or to any other authorised officer at the office of the Council.

15. Carriage of Persons, Animals and Luggage

- a) The proprietor or driver shall not permit the private hire vehicle to be used to carry a greater number of passengers than the number prescribed in the licence.
- b) Where child seats are used they must be used in accordance with the manufacturer's instructions.
- c) The proprietor or driver shall not permit any animal to ride in the vehicle except an animal in the custody or control of the hirer.

16. Vehicles fitted with Taximeter

If the vehicle is fitted with a taximeter it shall be attached and maintained as to comply with the following requirements, that is to say:

- a) The proprietor shall cause the taximeter to be of a type approved by the Council and to be maintained in a sound mechanical condition at all times and to be located within the vehicle in accordance with the reasonable instructions of the authorised officer.
- b) The proprietor shall not use or permit to be used a taximeter that the Council has not sealed to prevent unauthorised adjustment of a taximeter.
- c) The proprietor shall cause the taximeter to be fitted with a key to bring the machinery into action and cause the word "HIRED" to appear on the face of the meter as soon as the vehicle is on hire.
- d) The proprietor shall ensure that when the vehicle is not hired the key can be locked and the machinery kept inactive and that the meter shows no fare at that time.
- e) The proprietor shall ensure that the taximeter shall not have a display sign "FOR HIRE" at any time.
- f) The proprietor shall ensure that when the taximeter is brought into action the fare and extras will be shown legibly on the face of the meter and shall be no more than permitted by the fare table displayed in the vehicle.
- g) The proprietor shall ensure that the word "FARE" shall be printed on the face of the meter in clear letters so as to apply to the fare recorded thereon.
- h) The proprietor shall ensure that the taximeter is in such a position in the private hire vehicle that figures recorded thereon are clearly visible to any passenger being carried therein.
- i) The proprietor or driver shall ensure that the dial of the taximeter is sufficiently illuminated that when in use it is visible to all passengers and cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1988 and also at any other time at the request of the hirer.
- j) The proprietor shall ensure that the taximeter and all its fittings are affixed to the private hire vehicle with Council's seals or by other means so that it shall not be practicable for any person to tamper with the taximeter except by breaking or damaging or permanently displacing the seals and other fittings.
- k) The proprietor undertakes to ensure that the taximeter will not be replaced without the prior permission of the Council.

17. Tampering with Taximeter

- a) Subject to the provisions of paragraph (b) of this condition the proprietor of a private hire vehicle shall not tamper with or permit any other person to tamper with the taximeter or its fittings or connections after it has been fitted to the private hire vehicle and sealed by an authorised officer, and shall not wilfully break or tamper or permit any other person to break or tamper with any seal or mark placed on the taximeter or its connections.
- b) If a taximeter affixed to a private hire vehicle is found to be defective or inaccurate or if the fare table is changed, the proprietor of the private hire vehicle or a person authorised by him, may break the seals of the taximeter for the purpose of effecting the necessary repairs or alterations,

provided that the proprietor shall, within twenty-four hours after breaking the seals, give or cause to be given notice of the action which he has taken in writing to an authorised officer at the Licensing Office specifying the number of the licence of the private hire vehicle and the maker's name and number of the taximeter and provided also that nothing in this condition shall be deemed to authorise a private hire vehicle to be used or continued in use as such with that taximeter after the seals on any taximeter with which the private hire vehicle is provided have been broken as aforesaid and before the taximeter has again been certified to register correctly.

18. Display of Fare Table

The proprietor shall ensure that:

- a) A copy of the fare table in a form approved by the Council is exhibited inside the private hire vehicle at all times.
- b) The fare table is not concealed from view or rendered illegible while the vehicle is being used for hire.

19. Signs, Notices, etc.

a) All licensed private hire vehicles must display the Operator approved door signs. These signs must be displayed on the front doors of the vehicle. In the case of an MPV or minibus type, the signs can be *either* on the front doors or on the middle or sliding door and a sign placed symmetrically on the opposing bodywork, and on a rear door/s.

The operator is responsible for supplying approved door signs to the vehicle proprietor.

Only signage that has been approved by an authorised officer can be displayed on licensed Private Hire vehicles.

Once approved, a copy of the sign should be provided to the licensing section.

The following guidance must be taken into account when designing signage:-

- i) The Council will not permit an operator to use a business name and/or phone number which is similar to one already approved.
- ii) Door signs should clearly display the operator business name, contact telephone number and the words "ADVANCED BOOKING ONLY" which shall be displayed in conjunction with the name and telephone number of the operator. The said sign shall use letters at least 2" high and shall give prominence to "ADVANCED BOOKINGS ONLY".
- iii) No signage will be given approval if it is deemed to be misleading, i.e. is likely to cause a person to believe that any Private Hire vehicle is a Hackney Carriage.
- iv) The words "TAXI", "TAX" or "CAB" whether in the singular or plural, or the words "MINI CAB", "PUBLIC HIRE CAR" or "FOR HIRE" must not be used.

b) The proprietor or driver shall cause to be affixed and maintained in a conspicuous position in accordance with the directions of the Council any sign or notices required from time to time by the Council.

20. Change of Address

A proprietor shall notify the Council in writing of any change of details as provided on the application form during the period of the licence within 5 working days of such change taking place. Any failure to comply with this condition may attract an administration fee.

21. Transfer of Licence

If the proprietor wishes to transfer the private hire vehicle to another person, he shall before such transfer, give notice thereof in writing to the Council specifying the name and address of the person to whom the private hire vehicle will be transferred and the licence shall be deemed to be revoked if the Council disapproves the transfer of the licence to that person and the private hire vehicle is or has been transferred to him. The Council will not disapprove the transfer of the licence to a person except upon the ground that he is not a fit and proper person to hold the licence.

APPENDIX 8

Policy and Conditions for Hackney Carriage Vehicle Licences

The proprietor shall at all time comply with provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 and the conditions hereinafter provided.

In this policy and these conditions:-

“Authorised officer” has the same meaning as in section 80 of the Local Government (Miscellaneous Provisions) Act 1976

“Hackney carriage” has the same meaning as the Town Police Clauses Act 1874.

“Identification plates” means the plates issued by the Council for display on the exterior and interior of the vehicle for the purpose of identifying the vehicle as a hackney carriage.

“The proprietor” has the same meaning as in section 80 of the Local Government (Miscellaneous Provisions) Act 1976

“Taximeter” has the same meaning as section 80 of the Local Government (Miscellaneous Provisions) Act 1976 and the Measuring Instruments (Taximeters) Regulations 2006.

“Driver” means the holder of a hackney carriage driver’s licence issued by the Council.

“Private hire vehicle” has the same meaning as section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

Hackney Carriage Licence Policy

(A) Before a licence is granted in respect of a hackney carriage the applicant must:

(1) Complete and submit to the Council an application and Statutory Declaration in the form prescribed by the Council.

(2) Pay to the Council a fee as detailed in the current Licensing Fees and Charges list which is available on request.

(3) Satisfy the Council that

(i) The vehicle is in a sound mechanical condition and conforms with the specifications laid down by the Transport For London Public Carriage Office for the construction and licensing of motor cabs in London or be of a type included on a list of vehicles approved by Tameside Metropolitan Borough Council for use as hackney carriages within the Borough of Tameside. The list of approved vehicles will be updated regularly by the council.

(ii) There is in force in relation to the vehicle a policy of insurance covering use for hire and reward, passenger liability and passenger luggage, and comply with the provisions of the Road Traffic Act, 1988.

(iii) The vehicle has never been declared a total loss as a result of accident damage or other damage. Vehicles which have been declared as category A, B or C write-offs will not be licensed by the Council under any circumstances. Vehicles which have been declared as category D write-offs will not be licensed by the council unless the applicant can provide clear evidence, including photographs of the damage sustained by the vehicle before any repairs are carried out and a full and comprehensive report from a suitably qualified engineer stating that the vehicle provides protection to the occupants equal to the protection it provided prior to receiving the accident or other damage.

(4) Present the vehicle for inspection at such place within the Metropolitan Borough of Tameside and at such time as the authorised officer shall by notice to the applicant require.

(B) Vehicle Specification

Any licensed hackney vehicle must:-

(a) Be a right-hand drive vehicle.

(b) If the vehicle is not an FX/TX type vehicle, it must be black in colour.

(c) If the vehicle is an FX/TX type vehicle, it may be any single colour or two-tone, but must not be multi-coloured.

(d) Be of sufficient seating capacity to carry a minimum of 5 and a maximum of 8 passengers.

(e) Have adequate lighting for the interior of the vehicle and an adequate heating system for the driver and passengers, with means of control by the driver.

(f) Have adequate insulation for all electrical leads and cables which must, where liable to be affected by exposure to water, petrol or oil, be adequately protected. All electrical circuits must be

protected by suitable fuses and battery leads must be so placed and protected that they cannot be a source of danger.

(g) Carry a spare wheel and tool kit to change wheels or another means of repairing a puncture at the roadside without compromising the safety of passengers or other road users.

(h) Carry a suitable first aid kit (see condition No 5 for details).

(i) Be fitted with an illuminated roof sign displaying the work "TAXI" (see condition No 17 for details).

(j) Be fitted with a dual tariff taximeter of a type approved by the Council, linked to a "FOR HIRE" sign capable of display.

(k) Not convey luggage by means of the roof.

(C) Age Policy

1. No vehicle will be first licensed unless the vehicle is less than 7 years old from the date of manufacture as per the vehicle registration document (V5).

2. If an existing licensed hackney carriage is declared a total loss by an insurance company as a result of accident damage, or is stolen & not recovered, that licensed vehicle may be replaced by a vehicle of similar or younger age (with a maximum age of 10 years).

3. No vehicle will be relicensed once the vehicle has reached 15 years old from the date of manufacture as per the vehicle registration document (V5).

Conditions of Licence

1. Driver

No person being the proprietor of a hackney carriage shall employ as a driver thereof any person who does not have a current driving licence and a current hackney carriage driver's licence issued by the Council.

2. Proprietors to Retain Driver's Licences

The proprietor shall retain a copy of the hackney carriage driver's licences of all drivers driving his / her vehicle and produce the same to an authorised officer or Constable on request.

3. Identification Plates and Display of Licence Number

(a) The plates identifying the vehicle as a hackney carriage and required to be exhibited on the vehicle pursuant to section 47(2) of the Local Government (Miscellaneous Provisions) Act 1976 shall be securely fixed to the front and rear exterior of the vehicle in a conspicuous position either immediately above or below the bumper and in such a manner as to be easily removed by an authorised officer or Constable.

(b) The proprietor shall also cause to be securely fixed and maintained inside the vehicle in such a position as to be visible either by sight or touch at all times to persons conveyed therein a plate supplied by the council containing the number of the licence and such other information as the Council may prescribe.

(c) The proprietor of a hackney carriage shall ensure that the identification plates are maintained and kept in such a condition that the information contained on the identification plates is clearly visible to public view at all times.

4. Licence and Return of Identification Plates

The proprietor shall upon expiry (without immediate renewal), revocation or suspension of this licence forthwith return to the Council the identification plates issued to him by the Council when granting this licence, or ensure that such plates are destroyed so as to make them unusable.

5. Provision of First Aid Kit

The proprietor of a hackney carriage shall provide a suitable first aid kit permanently marked with the plate number of the vehicle. A standard kit purchased from a chemist or auto store will be deemed adequate. The first aid kit must be carried in the vehicle in such a position as to be readily available for use.

6. Fitting

No fittings other than those approved by the Council may be attached to or carried upon the inside of outside of the vehicle,

7. Use of Radio Equipment

The proprietor shall ensure that any radio equipment or any other type of electronic communication device, navigation device or dispatch equipment fitted to a hackney carriage is at all times kept in a safe and serviceable condition and maintained in proper working order. Such equipment must not be positioned in such a way that it obscures any part of the driver's view of the road and must not be fixed to the windscreen of the vehicle within any part of the area which is swept by the windscreen wipers.

8. Maintenance of Vehicle

The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements (including in particular those contained in the Motor Vehicles (Construction and Use) Regulations) shall be fully complied with. The vehicle must comply with the manufacturers specification at all times.

The vehicle will at all times be subject to test and inspection and should it be found that a hackney carriage is not being properly maintained or that any part or fitting is not in good working order, a notice may be served on the proprietor prohibiting them from using the vehicle until the defect has been remedied.

Any wheelchair ramps, wheelchair securing straps, wheelchair seatbelt extensions and any other equipment necessary for the safe transportation of wheelchair users must be kept in the vehicle at all times. Such equipment must be of the correct type for the vehicle in which it is being carried and must at all times be in a safe, serviceable and clean condition. Any such equipment must be permanently marked with the registration number of the vehicle in which it is carried.

The proprietor of the licensed vehicle shall ensure that all drivers carry out a visual inspection of the vehicle prior to its use. This check shall consist of as a minimum ensuring that all tyres are roadworthy, all lights and indicators are working, the windscreen wipers and wash bottle are working effectively and that in the event of a puncture, the wheel can be either replaced with a roadworthy spare or inflated by other means without compromising the safety of the passengers or other road users. A written record of these checks must be kept in the vehicle and produced for inspection when requested by an authorised officer.

Any requirement by an authorised Officer or testing mechanic for bodywork or mechanical repair shall be complied with within the timeframe specified and in any case, the vehicle shall be presented for re-inspection within 28 days. Any failure to comply with such notice will result in the vehicle licence being suspended.

The vehicle proprietor must keep a written record of all servicing, maintenance, repairs and safety checks undertaken on the vehicle and make these records available to an Authorised Officer on demand.

9. Vehicle Condition Standard

All licensed hackney carriage vehicles must be maintained in an acceptable condition, including all bodywork, paint, mechanical components, electrical components & systems and interior.

The vehicle must be regularly serviced at least in accordance with the manufacturers' recommendations and taking into account the additional demands of hackney carriage use. Cosmetically, the vehicle should be kept clean and tidy, with no significant bodywork damage or wear and tear to the interior.

The following will be considered when deciding if a vehicle is in an acceptable condition:

1. Mechanically, no item should show significant wear, deterioration or cause any concern that the vehicle is less than 100% safe for use on the road.
2. Bodywork should show no significant damage, dents or excessive scratching. The overall appearance of the vehicle should be excellent and there should be no rust or deterioration on any of the vehicle's body panels.
3. The paint should have no signs of dullness or fading and the colour of all body panels should match.
4. The underside of the vehicle should be free from any excessive damage and should not show any signs of rust or other deterioration.
5. The interior of the vehicle, including all carpets, seats, boot lining and other trim should be clean and showing minimum signs of wear. The interior and trim must be free of any tears, cuts or burn marks and should be dry and hold no offensive odours.
6. The vehicle's previous test history may be taken into consideration when deciding if a vehicle is in an acceptable condition.

In addition to the above points, if the vehicle is tested and fails the test the extent that the plates are removed from the vehicle, it is clear that the vehicle owner has failed to maintain it in acceptable condition. In these circumstances, the authorised officer may require that the vehicle be permanently removed from the fleet and the Council will not license that vehicle again.

Vehicle proprietors are required to keep a schedule of the maintenance which has been carried out on the vehicle. This must include the following:

1. Documentary evidence that the vehicle has been regularly serviced at least in accordance with the manufacturers recommendations.
2. Documentary evidence of any work carried out on the vehicle, including receipts for parts etc.
3. Documentary evidence that regular checks are carried out on the vehicle both by the drivers (on a daily basis) and by the owner (on a weekly basis) to include tyres, lights, glass, fluid levels and overall condition of the vehicle.

NOTE: The authorised officer's opinion of whether a vehicle is in an acceptable condition will be final.

10. Vehicle Emissions Standard

From 1 February 2018, the exhaust emissions emitted by the vehicle must comply with the relevant Euro emissions standard for the age of the vehicle:

- (a) Vehicles first registered up to 31 December 2005 must comply with the Euro 3 emissions standard.
- (b) Vehicles first registered up to 31 December 2010 must comply with the Euro 4 emissions standard.
- (c) Vehicles first registered up to 31 August 2015 must comply with the Euro 5 emissions standard.
- (d) Vehicles first registered after 1 September 2015 must comply with the Euro 6 emissions standard.
- (e) As the emissions standards for vehicles continue to become more restrictive, licensed hackney vehicles will be required to comply with the emissions standards relevant to the vehicle at the time of its first registration.

11. Alteration of Vehicle

No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force.

12. Damage to a Vehicle

Any damage to a hackney carriage materially affecting the safety, performance or appearance of the vehicle shall be reported by the proprietor to the Council as soon as possible and in any case within 72 hours, in accordance with section 50(3) of the Local Government (Miscellaneous Provisions) Act 1976 and until such damage is repaired to the satisfaction of the Council the vehicle shall not be used to ply for hire.

13. Notification of Convictions to Council

The proprietor of a hackney carriage shall within 7 days disclose to the Council in writing details of any convictions, cautions or any other orders including but not restricted to ASBO, CRASBO, VOO, Drink banning order etc. imposed on him / her (or, if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.

14. Vehicle Insurance

The proprietor of a hackney carriage shall keep in force in relation to the user of that vehicle a Policy of Insurance issued by an Insurance Company approved by the Council covering use for hire and reward, passenger, liability, passenger luggage and such other matters as the Council may specify from time to time and comply with the requirements of Part VI of the Road Traffic Act 1972.

On being so required by an authorised officer, the proprietor shall produce to that officer for examination a Certificate of Insurance issued by an approved Insurance Company in respect of a hackney carriage for the purpose of Part VI of the Road Traffic Act 1972, provided that if the proprietor fails to produce such Certificate to the officer on request the proprietor shall within five days of such request produce it to that officer or any other authorised officer at the office of the Council.

15. Carriage of Persons, Animals and Luggage

- (i) The proprietor or driver shall not permit the hackney carriage to be used to carry a greater number of passengers than the number prescribed in the licence.
- (ii) The proprietor or driver shall not permit any person whatsoever to be conveyed in the front of a London type cab used as a hackney carriage.
- (iii) The proprietor or driver shall allow only one person to be conveyed in the front of a vehicle other than a London type cab used as a hackney carriage.
- (iv) The proprietor or driver shall not permit any animal to ride in the vehicle except an animal in the custody or control of the hirer.
- (v) The vehicle must not convey luggage by means of the roof.

16. Not to carry Person Having Notifiable Disease

A proprietor or driver of a hackney carriage shall not knowingly convey or permit to be conveyed in the carriage any person having a notifiable disease, the dead body of any person who has died suffering from any such disease, or any clothing, bedding or other articles whatsoever which is known to have been in contact with any such person or body, and shall immediately upon discovering that such a person, body or article has been unknowingly conveyed in the carriage, notify the fact to the Community Physician and the Council.

17. Taximeter and Fare Table

The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say:-

- (i) The proprietor shall cause the taximeter to be of a type approved by the Council and to be maintained in a sound mechanical condition at all times and to be located within the vehicle in accordance with the reasonable instructions of the authorised officer.
- (ii) The proprietor or driver shall cause the taximeter to be set to correspond with the fare table displayed in the vehicle, as adopted by the Council from time to time
- (iii) The proprietor shall not use or permit to be used a taximeter that the Council has not sealed.
- (iv) The proprietor or driver shall ensure that when the taximeter is brought into operation the permitted extras will be shown legibly on the face of the taximeter and shall be no more than permitted by the approved fare table.
- (v) The proprietor or driver shall ensure that a copy of the fare table supplied by the Council from time to time is exhibited inside the carriage at all times.
- (vi) The proprietor or driver shall ensure that the fare table is not concealed from view or rendered illegible.

18. Authorised Fares and charges when operating within the Borough of Tameside

(a) When a hackney carriage is standing or plying for hire the fare for any hiring shall be calculated in accordance with the fare table for all journeys within the Metropolitan Borough of Tameside unless the hirer expresses his / her desire to engage a hackney carriage by time, when the rate of fare shall be calculated by time. Such rate of fare shall be agreed in advance prior to the commencement of the journey.

(b) Regulated Distance

The rate of fares fixed by the Council shall include rates or fares for any journey commencing within Tameside and ending at any point within Greater Manchester, but outside Tameside, less than four miles from the nearest Tameside boundary.

19. Roof Sign "TAXI"

The proprietor of a hackney carriage shall cause the carriage to be provided with a roof sign of approved pattern so constructed as to comply with the following requirements, that is to say:-

(i) The sign shall bear the word "TAXI" in plain letters at least two inches in height and not more than four inches in height.

(ii) The sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire and for that purpose it shall be capable of being suitable illuminated.

(iii) The sign shall be affixed to the roof in a proper manner and safely wired to the taximeter.

20. Signs Notices, etc.

(i) No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except as may be required by any statutory provision (including byelaws) or required or permitted by these conditions, provided however that this condition shall not apply to any indication on a taxi meter fitted to the vehicle or to a sign which:-

a) contains the name, address, and telephone number of the proprietor or operator and is displayed on the vehicle other than on the roof or glass parts of the vehicle; or

b) contains advertising unrelated to the hackney carriage/private hire trade, meets the Advertising Standards Authority guidance and does not advertise alcohol, gambling, tobacco, political / religious causes or anything else deemed inappropriate by the authorised officer.

Such advertising may be displayed on the bodywork of a vehicle but must not encroach on to any of the vehicles windows, mirrors, lights, door handles, steps, ramps or other statutory signs as required by the Council.

The proprietor must seek prior permission from the Licensing Department before entering into any advertising agreements and a facsimile of the advertisement they intend to display must be supplied to the Licensing Department for approval.

Whenever an advertisement is removed from a vehicle, the proprietor must present the vehicle for a bodywork inspection by an authorised officer before any further advertisements are applied to the vehicle.

(ii) The proprietor shall cause to be affixed and maintained in a conspicuous position in accordance with the directions of the Council any sign or notices required from time to time by the Council.

21. Change of Address

The proprietor shall notify the Council in writing of any change of his address during the period of the licence within 7 days of such change taking place.

22. Transfer of Licence

If the proprietor wishes to transfer the hackney carriage to another person he shall, before such transfer, give notice thereof in writing to the Council specifying the name and address of the person to whom the hackney carriage will be transferred, and the licence shall be deemed to be revoked if the Council disapproves the transfer of the licence to the person and the hackney carriage is, or has been transferred to him. The Council will not disapprove the transfer of the licence to a person except upon the ground that he is not a fit and proper person to hold the licence.

The Council may require the intended new licensee to submit an enhanced CRB check (or its equivalent) in order to ensure they are a fit and proper person to hold a licence.

Appendix 9

Tameside Council Equality Impact Assessment Form

Subject / Title	Taxi & Private Hire Vehicle Policies & Conditions
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Service Unit	Service Area	Directorate
Licensing	Environmental Services	Place

Start Date	Completion Date
1 September 2016	1 December 2016

Lead Officer	John Gregory
Service Unit Manager	Sharon Smith
Assistant Executive Director	Ian Saxon

EIA Group (lead contact first)	Job title	Service
John Gregory	Licensing Manager	Licensing / Public Protection

PART 1 – INITIAL SCREENING

An Equality Impact Assessment (EIA) is required for all Key Decisions that involve changes to service delivery. All other changes, whether a Key Decision or not, require consideration for the necessity of an EIA.

The Initial Screening is a quick and easy process which aims to identify:

- *those projects, policies, and proposals which require a full EIA by looking at the potential impact on any of the equality groups*
- *prioritise if and when a full EIA should be completed*
- *explain and record the reasons why it is deemed a full EIA is not required*

A full EIA should always be undertaken if the project, policy or proposal is likely to have an impact upon people with a protected characteristic. This should be undertaken irrespective of whether the impact is major or minor, or on a large or small group of people. If the initial screening concludes a full EIA is not required, please fully explain the reasons for this at 1e and ensure this form is signed off by the relevant Service Unit Manager and Assistant Executive Director.

1a.	What is the project, policy or proposal?	Amendments to the existing policies & conditions relating to hackney carriage and private hire vehicles & conditions
1b.	What are the main aims of the project, policy or proposal?	To implement those changes which the council feels are appropriate

1c. Will the project, policy or proposal have either a direct or indirect impact on any groups of people with protected equality characteristics?

Where a direct or indirect impact will occur as a result of the policy, project or proposal, please explain why and how that group of people will be affected.

Protected Characteristic	Direct Impact	Indirect Impact	Little / No Impact	Explanation
Age			X	

Disability		X		The impact of extending the lower age limit for wheelchair accessible vehicles may have a positive impact by increasing the number of such vehicles within Tameside
Ethnicity			X	
Sex / Gender			X	
Religion or Belief			X	
Sexual Orientation			X	
Gender Reassignment			X	
Pregnancy & Maternity			X	
Marriage & Civil Partnership			X	
Are there any other groups who you feel may be impacted, directly or indirectly, by this project, policy or proposal? (e.g. carers, vulnerable residents, isolated residents)				
Group (please state)	Direct Impact	Indirect Impact	Little / No Impact	Explanation

Wherever a direct or indirect impact has been identified you should consider undertaking a full EIA or be able to adequately explain your reasoning for not doing so. Where little / no impact is anticipated, this can be explored in more detail when undertaking a full EIA.

1d.	Does the project, policy or proposal require a full EIA?	Yes	No
			X

APPENDIX 10

1) Good afternoon,

My only comment on this consultation would be that a system should be put in place to check that applicants for private hire and Hackney licences have a basic knowledge of the local area and, more importantly, up to date knowledge of the Highway Code especially with regard to road signage, bearing in mind the number of current taxi licence holders that blatantly ignore 'No Entry' signs and drive the wrong way along one way streets.

2) *To me it's ambiguous. The word 'Normally ' should be replaced with 'Not'.
The Policy is about ensuring that members of the public (all ages and vulnerabilities) are safe and not put at risk.*

Agenda Item 8

Report To:	EXECUTIVE CABINET
Date:	28 June 2017
Executive Member/ Reporting Officer:	Councillor John Taylor – Deputy Executive Leader Damien Bourke – Assistant Director (Development and Growth)
Subject:	TAMESIDE INTERCHANGE (ASHTON-UNDER-LYNE) LAND ASSEMBLY GOVERNANCE
Report Summary:	Following approval at the July 2015 meeting of the Strategic Planning and Capital Monitoring Panel this report seeks approval for a land assembly agreement made by Tameside MBC on behalf of Transport for Greater Manchester in securing all the required land for the new Tameside interchange (Ashton-Under-Lyne).
Recommendations:	<p>That approval is given to the following inter dependant actions, in order to complete the land-assembly agreements which are necessary to facilitate the new Tameside interchange (Ashton-Under-Lyne) development:</p> <ol style="list-style-type: none">1. purchase by the Council of the Ministry of Justice facility at Francis Thompson Drive together with relocation compensation equating to a total compensation package of £800 subject to £400k being met by Transport for Greater Manchester; purchase by the Council of freehold land at Assheton Close from New Charter of £15,000;2. payment by the Council of any tax liabilities falling to the Council as set out in the financial implications within this report;3. delegation of any consequential agreements arising out of the actions approved in this report to the Executive Director Governance, Resources, and Pensions in consultation with the Executive Director of Place to agree and execute, including:4. Payment by Transport for Greater Manchester to the Council of £400,000 forming 50% of the compensatory payment to be paid to the Ministry of Justice;5. the transfer of the surplus residual land from Transport for Greater Manchester to the Council for £1 (i.e. the land of the current transport interchange that is not required for the new Interchange) following completion of the development, with any direct receipt split equally between the Council and TFGM, with Governance to be sought at a later date; and6. To agree with Transport for Greater Manchester how transactional costs arising out of the actions approved in this report, including any tax required to be paid, such as Stamp Duty and Land Tax, and Value Added Tax, and New Charter land costs are to be met.

Links to Community Strategy:

For the purpose of this report a successful outcome will support a Prosperous and Attractive Tameside for the benefit of the wider community.

Policy Implications:

The new Tameside Interchange forms part of a multi-million investment package of measures for the whole of the Ashton town centre area as part of its wider Vision Tameside strategy. Together with the new sixth form college, the proposed shared Administration Centre, the St Petersfield development area and investments to the strategic highway network, Tameside continues to see a major reinvention of the borough's main administrative and retail centre within the borough. To fully complement the work it is important to successfully pursue the project land assembly in order to move forward with the interchange construction.

**Financial Implications:
(Authorised by the S151 Officer)**

It is important to note that a report on the Council's overall capital investment programme will be presented in September 2017 and that the approval of £444,550 at this stage (as per the recommendation) will be an initial call on the available resources. The intention is that approved schemes be financed from the Council's earmarked reserve for capital investment.

The transaction will be exempt from VAT as confirmed with the MoJ, however Stamp Duty will be required to be paid and has to be calculated on the full consideration given i.e. £800k.

The total Stamp Duty liability will be £29,550.

The purchase of the Freehold land at Assheton Close from New Charter at an agreed cost of £15,000 will be initially paid for by the Council and fully recovered from Transport for Greater Manchester as detailed in section 4 of the report.

**Legal Implications:
(Authorised by the Borough Solicitor)**

Under s 120 of the Local Government Act 1972, the Council may acquire land by agreement in its area for the purposes of the benefit, improvement or development of the area. S227 of the Town and Country Planning Act 1990 provides a similar power provided the public benefit is identified, whether it be economic, social or environmental. When this matter was first considered some two years ago, on the 15 July 2015, the Director of Place recommended that in return for Tameside funding the costs of the two plots of land on behalf of TfGM and taking on the risk of land assembly and relieving TfGM of the liability of meeting the full costs of land assembly, the Council would receive the freed up area of land which has development potential and that the remodelling of the interchange in this way would be of benefit to the Town centre operation as well as users of public transport. Members were advised at that time that the value of the Commercial land was more valuable than the two plots and any profit on sale will be shared with TfGM on a 50/50 basis and that any potential risks could be better managed by Tameside as we were better placed to manage land Assembly than TfGM. Members were advised by the financial and legal monitoring officers that such benefits could not be guaranteed in the absence of planning consent and successful sale negotiations with a prospective purchaser and consequently Tameside's financial

outlay remained at risk up to the point of sale. Unfortunately, for whatever reason the land negotiations with the MOJ to procure the probation site have not proceeded well and elected members now face a dilemma of agreeing to forward fund significant costs in order not to jeopardise the interchange project. The value of the probation premises are about £188K but it will be necessary to compensate the M OJ roughly £800 together with stamp duty payable of roughly £30K on top in order to avoid the very significant costs of delay in the remodelling and/or procurement of the interchange works. Whilst normally TfGM would have been liable for the cost of land assembly and relocation as a consequence of acquiring the probation office, these now fall to us having adopted that risk. It should be noted that these costs are somewhat defrayed as TfGM have agreed to pick up to £400K of these costs. The remainder of the cost will be a first call against any receipt received for the commercial land and consequently the Council runs a risk that it may not be fully recovered, however, in the circumstances these are outweighed by the potential for the interchange project not to go ahead or be delayed significantly which will be of detriment to the viability of the town centre.

Risk Management:

Without an agreed way forward for the land assembly there is every likelihood the proposed new interchange will not proceed, risking the wider Vision Tameside investment strategy for the main administrative and commercial centre for the borough.

The main objective for Tameside in taking forward the land assembly package for the proposed interchange is to ensure the vacant land to the east of the site, once the interchange is complete, is developed in a manner to complement the wider Vision Tameside Strategy. Failure to agree a land assembly package will risk this major development opportunity for the borough.

The financial risks associated with the proposal are set out in section 5 of the report.

Access to Information

The background papers relating to this report can be inspected by contacting the report writer, Nigel Gilmore

Telephone: 0161 342 3920

Email: nigel.gilmore@tameside.gov.uk

1.0 BACKGROUND

- 1.1 The current Ashton bus station and adjacent Metrolink terminus are located to the north west of Ashton town centre. Situated on Wellington Road it adjoins the Arcades Shopping Centre and is a short walk away from tram stop into Manchester. The current bus station was opened in 1994.
- 1.2 Members will be aware that plans have been in place for a number of years to modernise the existing facility. Initially these were proposed through an expansion of the adjacent Arcades Shopping Centre but following 2008 global downturn and more latterly longer term changes in the retail market this has not progressed.
- 1.3 In March 2014 the Greater Manchester Local Enterprise Partnership and Greater Manchester Combined Authority submitted a Growth and Reform Plan to Government. The plan sought a £400m share of the Local Growth Fund to support the region's transport and infrastructure requirements and within this £33m for a new Interchange in Ashton Town Centre. In July 2014 funding was awarded for three new interchanges across the conurbation at Ashton, Stockport and Wigan.
- 1.4 The Tameside project will see a new interchange constructed primarily on the existing bus station site, but with the footprint shifted to the west to improve links with the Metrolink terminus. The majority of stands will operate from a single concourse building. A small number of additional stands will be located alongside the existing tram stop.
- 1.5 In order to deliver the project, land is required from the Ministry of Justice (National Probation Service) at Francis Thompson Drive and New Charter Housing adjacent to Assheton House.
- 1.6 In July 2015 approval was secured through the Strategic Planning and Capital Monitoring Panel for Tameside to act as 'agent' for Transport for Greater Manchester (TfGM) in securing land required for the initiative.
- 1.7 In agreeing to undertake the land assembly package, Tameside can take full control of the future development opportunities of 3000m² of land to the east side of the site.



Figure 1 – Interchange General Layout Plan

- 1.8 Planning permission was secured in February 2016 and an indicative 3D plan of the proposed facility is shown above at Figure 1 above for information.

1.9 At the February 2017 Greater Manchester Combined Authority meeting full approval for the Tameside Interchange (Ashton-under-Lyne) was approved with the release of £33m to enable the delivery of the scheme.

1.10 This report provides updates to Members and seeks approval for the release of funds for the MoJ and New Charter areas of land.

2.0 LAND ASSEMBLY CONSIDERATIONS

2.1 In order to facilitate the initiative, a number of property and land interests are required. These are shown below at Figure 2 “Land Ownership Composite Plan”. The areas concerned are:

- The Ministry of Justice (MoJ) Building and associated land (Francis Thompson Drive); and
- Land currently belonging to the New Charter Group.

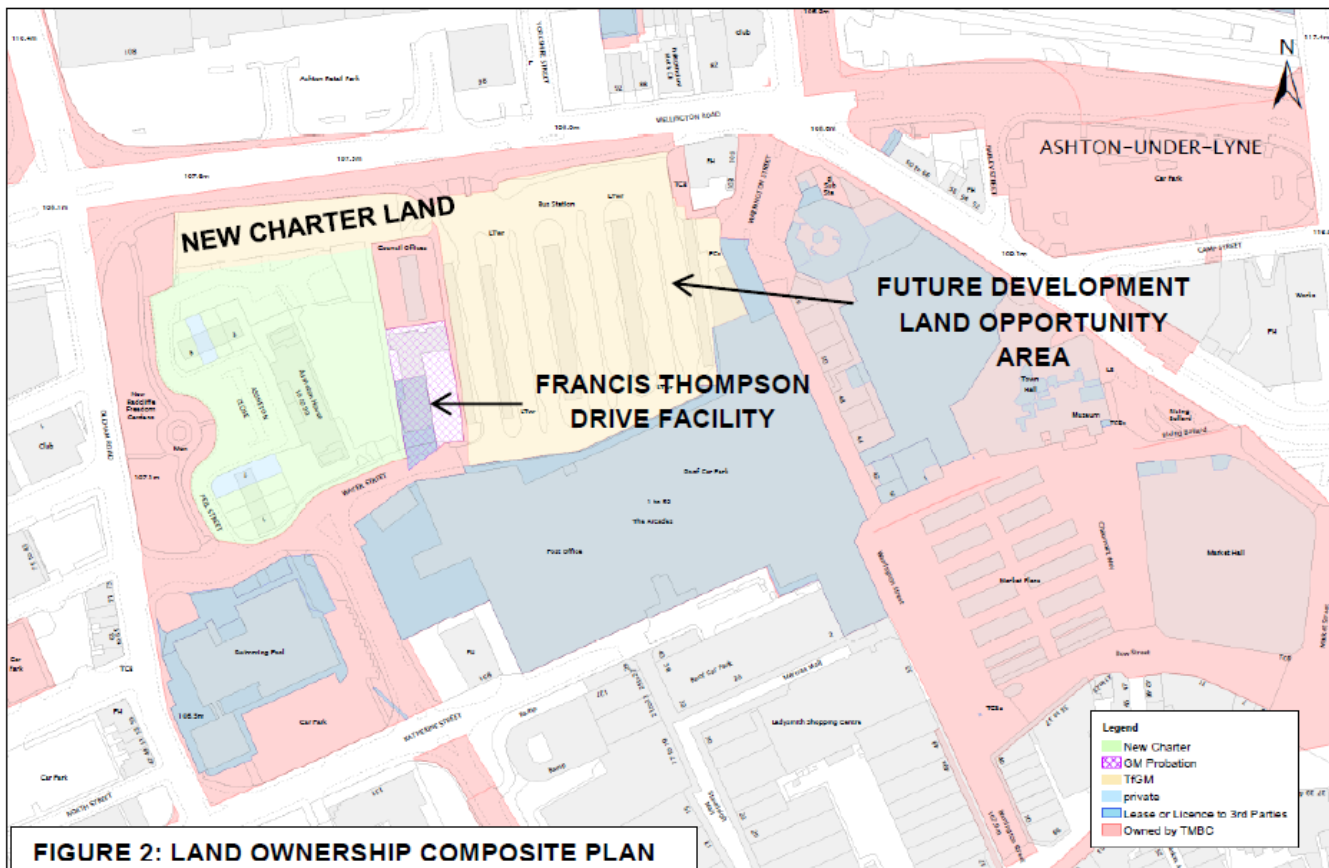


FIGURE 2: LAND OWNERSHIP COMPOSITE PLAN

1:1,250 © Crown copyright and database rights 2014 Ordnance Survey 100022097 SJ9399SE Tameside Metropolitan Borough

3.0 THE MINISTRY OF JUSTICE (MOJ) BUILDING AND ASSOCIATED LAND (FRANCIS THOMPSON DRIVE)

3.1 Terms were originally agreed to acquire the Freehold from the MOJ for the sum of £188,250 (exclusive of VAT) which was the mid-point between the two external valuations that were carried out on behalf of the Council and the MOJ. The draft agreement was predicated on the MoJ (National Probation Service) vacating Francis Thompson Drive and decanting into the Birchcroft Building, Crowthorne Road - a facility owned by Groundworks and leased to Tameside MBC.

3.2 The lease was based on a revised Heads of Terms agreement to re-gear the existing Tameside lease for a longer 10 year term to enable the simultaneous sub-letting of two separate parts to the National Probation Service and Community and Community Rehabilitation Company (CRC) on coterminous sub-leases for an initial minimum period of 5 years.

- 3.3 In addition to the above further costs related and alterations to the internal layout of the building were to be incurred bringing the overall costs to £230,000.
- 3.4 The provisional agreement had been negotiated over an 18 month period and had been in final preparation for internal Governance at the start of the current calendar year. A very late change in MoJ personnel at the beginning of the year, however, saw a distinct hardening of attitudes by the MoJ.
- 3.5 The MoJ revised stance centred on Birchcroft being unsuitable for their needs (now too small) and their identification of an alternative facility at Orbital 24, at Denton Business Park. In essence the MoJ demanded financial recompense around two scenarios – a £1m cash payment or £875k plus 50% of fees and stamp duty (total cost of approximately £960k) in order for them to purchase the Orbital 24 development outright. These demands are clearly unacceptable to both Tameside and Transport for Greater Manchester as the main scheme promoter.
- 3.6 With the need to commence construction of the new interchange as soon as possible three options were available:
- A complete redesign and subsequent retendering of the facility around the Francis Thompson Drive facility
 - Abandon the project
 - Agreeing to the MoJ demands
- 3.7 Whilst a complete redesign and subsequent retendering of the project is feasible, the costs (estimated at £2.5m) and potential 12 month scheme delay render this as unacceptable at this stage and would prove more expensive than acceding to the MoJ demands.
- 3.8 Abandoning a project that has incurred £2m of expenditure to date is an unacceptable option.
- 3.9 In relation to the £1m scenario as set out in the third option, further negotiation with the deputy Director of the MoJ estates has since taken place and a revised figure of £800k has been suggested as a compromise. Further it was agreed that this would be split equally between Tameside and TfGM.
- 3.10 Included within the above, is the MoJ interest in the Francis Thompson Drive facility being purchased for a nominal £1.
- 3.11 Whilst Member approval for the above would enable the scheme to commence as a priority, further Governance would be required at a later date in respect of the commercial land to the east of the site as set out in paragraph 1.7 above. Tameside officers are working on the premise that the residual land to the east of the site is transferred on completion of the interchange to Tameside and both TfGM and TMBC should benefit equally from any receipt received from the development of the development land.
- 3.12 The clear objective for Tameside is to maximise this receipt in order to recoup some of the extra, unforeseen costs of the MOJ relocation to both partners, and as such work towards retail led disposal as soon as an opportunity arises. TfGM colleagues would be consulted and any views in relation to the disposal will be considered as part of the development and in line with the Vision Tameside Framework.
- 3.13 With Member approval of the above and following their agreement of terms to acquire Orbital 24, the MOJ (National Probation Service staff) would temporarily move to Birchcroft whilst that building is fitted-out. Under the terms of the move a full rental agreement would be put in place during this period. MOJ fit out costs will be approximately £500k which will be borne by themselves

4.0 NEW CHARTER GROUP LAND

- 4.1 Terms have been provisionally agreed to acquire 1,604sq m of amenity land adjoining the current tram stop. The proposed purchase price is £15,000, based on an independent valuation of the land that has been carried out on behalf of TMBC. The area of land consists of a strip between the tram stop and Assheton House – see Figure 2 above. Members are asked to agree the purchase of this land.

5.0 FINANCIAL CONSIDERATIONS

- 5.1 At the time the original approval was granted in 2015 it was anticipated that the land assembly costs would at least be covered by the potential sale receipt from the development land. This was at the time when costs were anticipated to be in the order of £230k (see above).
- 5.2 As outlined above, the site assembly costs have increased significantly and the total outlay is now expected to be in the region of £850k, albeit this will be shared with TfGM, and currently does not include any rental income we have still to agree with MOJ for their decant location in Birchcroft.
- 5.3 Indicative valuations of the valuation site range between £800,000 - £1,000,000 based on assumptions around future use and planning. Therefore the financial position is much more finely balanced. Based on these figures there could be a loss of £50k or a modest surplus of £150k (before any sharing with TfGM) but ultimately this dependant on the development receipt actually received,

6.0 CONCLUSION

- 6.1 The new Tameside Interchange forms part of a multi-million investment package of measures for the whole of the Ashton town centre area as part of its wider Vision Tameside strategy. Together with the new sixth form college, the proposed shared Administration Centre, the St Petersfield development area and investments to the strategic highway network, Tameside continues to see a major reinvention of the borough's main administrative and retail centre within the borough. To fully complement the work it is important to successfully pursue the project land assembly in order to move forward with the interchange construction.

7.0 RECOMMENDATIONS

- 7.1 As stated on the report cover.

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