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EXECUTIVE CABINET

Day: Wednesday
Date: 25 July 2018
Time: 2.00 pm (or on the rise of the Strategic Commissioning Board whichever is the later)
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	
3.	MINUTES	
a)	EXECUTIVE CABINET To consider the minutes of the meeting of Executive Cabinet held on 20 June 2018.	1 - 10
b)	STRATEGIC COMMISSIONING BOARD To receive the minutes of the meeting of the Strategic Commissioning Board held on 20 June 2018.	11 - 18
c)	STRATEGIC PLANNING AND CAPITAL MONITORING PANEL To receive the minutes of the meeting of the Strategic Planning and Capital Monitoring Panel held on 9 July 2018.	19 - 24
d)	ASSOCIATION OF GREATER MANCHESTER AUTHORITIES/GREATER MANCHESTER COMBINED AUTHORITY To receive the minutes of the meeting of the GM Combined Authority held on 29 June 2018.	25 - 52
4.	RECOMMENDATIONS OF STRATEGIC COMMISSIONING BOARD To receive any recommendations made by the Strategic Commissioning Board previously considered at the earlier meeting at 1pm On 25 July 2018 In relation to the following reports	
a)	SEXUAL AND REPRODUCTIVE HEALTH SERVICE TWO YEAR CONTRACT EXTENSION To consider the attached report of Executive Member (Economic Growth and Housing) / Interim Assistant Director of Population Health.	53 - 68

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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5.	CAPITAL PROGRAMME REVIEW To consider the attached report of the Executive Member (Performance and Finance) / Director of Finance.	69 - 80
6.	REVENUE MONITORING To consider the attached report of the Executive Member (Performance and Finance) / Director of Finance.	81 - 90
7.	TREASURY OUTTURN To consider the attached report of the Executive Member (Performance and Finance) / Director of Finance.	91 - 104
8.	RESPONSE TO RECOMMENDATIONS MADE BY THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN To consider the attached report of the Executive Leader / Director of Governance and Pensions.	105 - 122
9.	CHILDREN'S SERVICES GOVERNANCE To consider the attached report of the Executive Member (Children and Families) / Director of Children's Services.	123 - 128
10.	INTEGRATED NEIGHBOURHOOD WORKING To consider the attached report of the Executive Member (Children and Families) / Executive Member (Lifelong Learning) / Director of Children's Services.	129 - 132
11.	FUTURE LOCAL SAFEGUARDING ARRANGEMENTS To consider the attached report of the Executive Member (Children and Families) / Director of Safeguarding and Quality.	133 - 142
12.	GAMBLING POLICY CONSULTATION To consider the attached report of the Executive Member (Neighbourhood Services) / Director of Operations and Neighbourhoods.	143 - 174
13.	DEVELOPMENT OF AN EVENTS PANEL To consider the attached report of the Executive Member (Neighbourhood Services) / Assistant Director (Operations and Neighbourhoods).	175 - 190
14.	URGENT ITEMS	

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.

EXECUTIVE CABINET

20 JUNE 2018

Commenced: 2.30pm

Terminated: 3.45pm

Present: Councillor Warrington (in the Chair)
Councillors Bray, Cooney, Fairfoull, Feeley, Gwynne, Kitchen and Ryan

In Attendance:

Steven Pleasant	Chief Executive
Sandra Stewart	Director of Governance & Pensions
Kathy Roe	Director of Finance
Steph Butterworth	Director of Adult's Services
David Moore	Interim Director of Growth
Ian Saxon	Director (Operations & Neighbourhoods)
Tom Wilkinson	Assistant Director (Finance)
Sandra Whitehead	Assistant Director (Adult Services)
Emma Varnam	Assistant Director (Operations and Neighbourhoods)

1. DECLARATIONS OF INTEREST

There were no declarations of interest submitted for this meeting.

2. MINUTES

a) Meeting of Executive Cabinet

Consideration was given to the Minutes of the Meeting of Executive Cabinet held on 20 March 2018.

RESOLVED

That the Minutes of the Meeting of Executive Cabinet held on 20 March 2018 be taken as read and signed by the Chair as a correct record.

b) Strategic Commissioning Board

Consideration was given to the Minutes of the Strategic Commissioning Board held on 17 April and 23 May 2018.

RESOLVED

That the Minutes of the Strategic Commissioning Board held on 17 April and 23 May 2018 be received.

c) AGMA Executive Board Meetings / 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 Greater Manchester Combined Authority on 25 May 2018 and the Forward Plan of Strategic Decisions of the Greater Manchester Combined Authority and AGMA Executive Board.

RESOLVED

That the content of the report be noted.

3. RECOMMENDATIONS OF THE STRATEGIC COMMISSIONING BOARD

(a) Community Services Contract

Consideration was given to a report of the Executive Member (Performance and Finance)/Director of Finance which explained the proposed revised payment arrangements for the commissioning of community service provision by the Council and NHS Tameside & Glossop Clinical Commissioning Group across the locality from the Tameside and Glossop Integrated Care NHS Foundation Trust (ICFT). It was stated that the revised payment profiles would enhance the ICFT's cashflow position and allow it to avoid interest costs of £300k per annum. The Council would be compensated by £100k per annum for its own loss of interest caused by changing the payment profile.

Executive Cabinet was informed that the Strategic Commissioning Board had previously considered the report and supported the recommendations.

RESOLVED

- (i) That the advance payments arrangements set out in the report, intended to commence from 20 June 2018 for 2018/19 and from 1 April each financial year thereafter be agreed.**
- (ii) That it be noted that Tameside Council will continue to be the host organisation and accountable body for the Section 75 pooled fund agreement.**
- (iii) That the change, if expedient, be documented in the Section 75 and contracts between the CCG, ICFT and Council, otherwise through a separate agreement.**

(b) Outline Business Case For Transfer Of Adult Social Services Function

Consideration was given to a report of Executive Leader/Director of Adult Services which set out the draft Outline Business Case (OBC) for the transaction of a proportion of Adult Social Care services and staff into the ICFT. The OBC combined a high level Strategic Outline Case (SOC) and the OBC within one document as agreed with NHS Improvement.

It was explained that the Council, ICFT, and CCG had considered a number of integration options at the SOC stage and concluded that the options distilled in the OBC were the most effective ones to take at this time.

Details of the teams and functions that were included in the preferred option were set out in the report, including the benefits, dis-benefits and risks to both the Council and the ICFT.

The report described the economic, business, financial, commercial and management cases for the transaction of the services and functions identified in the preferred option.

Executive Cabinet was informed that the Strategic Commissioning Board had previously considered the report and supported the recommendations.

RESOLVED:

That the content of the report be noted and the proposals contained in Option 2 be supported.

(c) EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That under Section 100A of the Local Government Act 1972 (as amended) the public and press be excluded for the following item the grounds that it involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Local Government Act

1972. Information relating to the financial or business affairs of the parties (including the Council) had been provided to the Council in commercial confidence and its release into the public domain could result in adverse implications for the parties involved. Disclosure would be likely to prejudice the Council's position in negotiations and this outweighs the public interest in disclosure.

(d) Domestic Abuse Service

Consideration was given to a report of the Assistant Director for Operations and Neighbourhoods requesting that the existing contract for the provision of the Domestic Abuse Service be extended for 6 months until 31 March 2019 to enable the service to be retendered. It was explained that this was necessary because the contract had not been awarded following a recent tendering exercise. In addition, the availability of additional funding for the service had been confirmed during the tender period.

Executive Cabinet was informed that the Strategic Commissioning Board had previously considered the report and supported the recommendations.

RESOLVED

- (i) That the service be retendered in light of the results of the tender evaluation following confirmation that additional funding was available.**
- (ii) That approval be given for a six month extension of the existing contract with New Charter Homes (part of the Jigsaw Group) to facilitate the retender exercise.**

4. REVENUE MONITORING

Consideration was given to a report of Executive Member (Performance and Finance)/Assistant Director (Finance) which showed that the actual 2017/18 revenue budget outturn position for the Council was a net position of £3.342m under budget. This was a movement of £0.736m from the Period 10 monitoring report which reported a forecasted outturn position of £2.607m under budget.

It was stated that this movement was net of the release of some provisions within Governance and further cost pressures in Children's Services.

Members were informed that this overall position reflected the prudent planning taken when setting the 2017/18 budget, but also masked a number of pressures and savings challenges across the Directorates, including:

- The Director of Children's outturn was £8.655m in excess of budget due to demand on service provision in Children's Social Care. Specific mention of the management of this budget was included in section 3 the report.
- The Director of Governance outturn is within budget by £2.505m due to the effect of staff turnover, restrictions in spending, the release of some large one-off provisions and the bringing forward of savings in light of the service pressures being felt elsewhere within the Council.
- The Director of Finance and IT outturn is within budget by £0.928m due to delays in recruitment and other restrictions in spending.
- Corporate costs outturn is £8.263m under budget for 2017/18. This is due to a combination of the release of operational contingencies, which will be used to offset pressures in Children's Services, and receipt of one off additional grant income and additional Manchester Airport Dividend in excess of budget.

It was stated that the pressures within Children's Services in particular threaten the financial sustainability of future year's budgets, and whilst these have been absorbed through prudent contingency planning and proactive restrictions on spending elsewhere, further funding cuts and

inflationary pressures in 2018/19 and beyond erode the financial base and the Council's ability to sustain pressures of this size.

Given these significant pressures, which have been mitigated by mainly one-off measures, strong budget management is required across the Council to ensure that its financial plans are achieved, and to ensure that the Council is able to control budgetary pressures and deliver the required savings over the medium term.

RESOLVED:

- (i) That the final actual revenue outturn position be noted.**
- (ii) That the detail for each service area be noted and that Directors be required to identify measures to ensure expenditure is maintained within the approved budget for the 2018/19 and future years.**
- (iii) That the position on the Integrated Commissioning Fund, including the transaction of the risk share be noted.**
- (iv) That the emerging risks and financial pressures (Section 6) be noted.**

5. CAPITAL MONITORING

Consideration was given to a report of Executive Member (Performance and Finance)/Assistant Director (Finance) which reminded Members that the Strategic Planning and Capital Monitoring Panel at its meeting on 9 October 2017 had recommended to Cabinet a three year capital programme for the period 2017-2020 of over £174 million. Additional schemes had been approved in February and March 2018, bringing the total programme to £185 million.

The report summarised the 2017/18 capital expenditure outturn position at 31 March 2018, based on information provided by project managers.

The report showed actual capital investment in 2017/18 of £51.385m at 31 March 2018. This is significantly less than the original budgeted capital investment for 2017/18, and is in part due to project delays that are being experienced following the liquidation of Carillion.

The report summarised the financial position as follows:

- The outturn for 2017/18 was £51.385m compared to the revised 2017/18 budget of £55.370m;
- The original budget for 2017/18 was in excess of £89m but significant re-profiling was requested in previous reports due to slippage on a number of schemes. Some further slippage had occurred in the last two months of the year and further re-profiling requests of £3.449m into future year(s) to match expected spending profiles had been requested;
- The remaining £0.530m under budget could be returned to the central capital reserves and applied elsewhere.

It was stated that demand for capital resources exceeded availability and it was essential that those leading projects ensured that the management of each scheme was able to deliver them on plan and within the allocated budget.

Close monitoring of capital expenditure on each scheme and the resources available to fund capital expenditure was essential and was an integral part of the financial planning process. The liquidation of Carillion had resulted in some delays to a number of projects, resulting in slippage in the programme.

There was very limited contingency funding set aside for capital schemes, and any significant variation in capital expenditure and resources, particularly the delivery of capital receipts, would have implications for future revenue budgets or the viability of future capital schemes.

RESOLVED:

- (i) That the reprofiling to reflect up to date investment profiles be agreed;**

- (ii) That the changes to the Capital Programme be agreed;
- (iii) That the updated Prudential Indicator position be agreed.
- (iv) That the capital outturn position be noted;
- (v) That the resources currently available to fund the Capital Programme be noted;
- (vi) That the updated capital receipts position be noted.
- (vii) That the need for a full review of the Capital Programme in early summer 2018 be noted.

6. STAR PROCUREMENT

Consideration was given to a report of the Executive Member (Performance and Finance)/Assistant Director (Finance) which set out a business case to enter into a strategic shared procurement service with STAR procurement, as a fourth and equal member.

It was stated that the business case had been informed by the outcome and findings of the recent review of the Council's procurement arrangements by STAR procurement, who were commissioned by the Council in October 2017. The scope of the STAR commission was to review the operational arrangements and propose a long term strategic solution for the Council's procurement function.

It was explained that STAR procurement was a shared procurement service between Stockport, Trafford and Rochdale Councils, who each owned an equal share in the operation, which was hosted by Trafford Council.

It was stated that the Council had for a number of years operated a decentralised procurement function coordinated through a hub and spoke arrangement. Over a period of time the impact of austerity had seen procurement roles being restructured and merged with other roles within directorates and at the same time the central team had diminished in size to the extent that there was currently only one member of staff from the original procurement team. Furthermore there were no Chartered Institute of Procurement and Supply (CIPS) qualified staff within the Council directly responsible for procurement, which represented a risk in relation to compliance with EU Legislation and the efficiency of its procurement activities.

Members were informed that STAR procurement had a track record of delivering cashable procurement savings for its partner organisations. The business case pointed to on-going savings of £1m a year each year, which would form a key plank of the delivery of the Council's Medium Term Financial Plan.

A more streamlined procurement service would reduce the need for procurement waivers as procurement would be conducted on a more strategic and proactive basis than currently, meaning fewer waivers and greater value for money.

RESOLVED:

That following consideration of the business case for the future provision of procurement services at Tameside MBC that COUNCIL be requested to APPROVE the preferred option of partnership approach to deliver the Council's procurement function, delivered via STAR procurement as a Shared Service on the following basis:

- (i) **SUBJECT to Full Council, and existing STAR Councils' ratification, Tameside join STAR procurement as a fourth and equal member in the shared service.**
- (ii) **the carry forward of £150k of Financial Management underspend from the 2017/18 financial year into 2018/19 to provide sufficient budget to cover the costs of implementation of the shared service;**
- (iii) **a £55k contribution to STAR's reserves to provide working capital as a fourth and equal member, to be funded from the Council's own reserves;**
- (iv) **that the first £150k of savings achieved from the delivery of procurement savings are utilised to establish the necessary recurrent base budget to fund the Council's contribution to STAR membership in 2019/20;**

- (v) **NOTE the business case that prudently predicts the delivery of annual recurred savings of £1m per annum;**
- (vi) **an extension to the existing arrangements to a maximum cost of £120k to August 2018 to be met from existing budgets.**
- (vii) **That Cllr Fairfoull, the Executive Member (Finance and Performance) be appointed as the Council's representative on the STAR Joint Committee and Tom Wilkinson, the Assistant Director (Finance) be appointed to the STAR Board.**

7. CHILDREN'S SERVICES OFSTED INSPECTION

Consideration was given to a report of the Executive Member (Children and Families)/Director of Children's Services which informed Members of the outcome of Ofsted's fifth monitoring visit which was carried out on 18 and 19 April 2018.

It was stated that this was a positive report for Tameside MBC and built upon "*the early signs of success*" noted by Ofsted at their last monitoring visit in January. In summary Ofsted was reporting to the public and to the DfE that the Council had demonstrated evidence of improvement in the pace of change whilst there still remained a huge amount to do.

The key specific findings in their overview summary were that:

- There had been an accelerated pace of change.
- The outcomes for children and families were improving.
- The Council had made Early Help a priority.
- Strategic leadership was driving positive progress.
- Partners were showing increased engagement.
- The Council's self-assessment and quality auditing were accurate.
- Practitioners were clear about their work with children and families, but the quality of practice was inconsistent.

The next monitoring visit would be carried out on 22 and 23 August 2018 and would be focused upon our services to Looked After Children.

RESOLVED:

That the update be noted.

8. ADULT COMMUNITY EDUCATION OFSTED INSPECTION 2018 OUTCOME

Consideration was given to a report of the Executive Member (Lifelong Learning)/Director of Place which informed Members that the Tameside Adult Community Education (ACE) service had been inspected by Ofsted between 26 February and 1 March 2018. The service had been judged as '2' or 'Good' moving up from the previous inspection grade of '3' or 'Requires Improvement' when last inspected in April 2016. This was an excellent outcome for the service, council, partner, learners and residents and is reflective of the hard work and improvements made by the service since the last inspection.

It was explained that Tameside ACE was a key service within the Council, responsible for delivering Adult and Community Education. Each year over 700 learners were educated and supported, helping them to move into employment, volunteering opportunities and further study. In the academic year 16/17, enrolments totalled 1,342. The Service was financially strong.

It was important to acknowledge that 74% of all learners were from the top 30% of the most deprived areas in Tameside. Therefore, an area of strength was the ability to engage and support the hardest to reach learners, building their self-esteem and confidence to help them reach their potential.

RESOLVED:

That the report be noted and those involved be congratulated on the success;

9. ADULT EDUCATION BUDGET

Consideration was given to a report of the Executive Member (Lifelong Learning)/Director of Children's Services which informed Members that the Greater Manchester Combined Authority was working towards the devolution of the Adult Education Budget from Central Government for the year 2019/20 onwards. To achieve devolution the Department for Education had advised that each constituent Greater Manchester Local Authority must give consent in conjunction with the Combined Authority to a statutory Order giving effect to the same. The final Order was not available until mid-June 2018 however consent must be provided by 30 June 2018. The report provided background and requested delegated authority to ensure Tameside Council could provide consent in line with timescales

RESOLVED:

That Council be recommended to give consent to the order attached to the report and approve delegated authority to the Chief Executive in consultation with the Executive Leader to consent to the Order or any minor variations to give effect to the transfer of budget to the GMCA.

10. EQUALITY SCHEME

Consideration was given to a report of the Executive Leader/Director of Governance and Pensions which explained that the One Equality Scheme (2018-22) was the first joint Equality Scheme of the Tameside & Glossop Strategic Commission (Tameside Council and NHS Tameside and Glossop Clinical Commissioning Group).

The report provided an update on the development of the One Equality Scheme, including the final draft Scheme attached at Appendix 3 to the report, and its role in helping satisfy our obligations under the Specific Duties / Regulations of the Public Sector Equality Duty (Section 149 of the Equality Act 2010) which will now be undertaken jointly as a Strategic Commission.

The report sought formal adoption of One Equality Scheme by Executive Cabinet

RESOLVED:

That the One Equality Scheme and the equality objectives set out within it for Tameside & Glossop Strategic Commission be formally adopted.

11. MAKING WALKING AND CYCLING SAFER – AN INVESTMENT STRATEGY

Consideration was given to a report of the Executive Member (Neighbourhood Services)/Director of Operations and Neighbourhoods which outlined the proposals from Transport for Greater Manchester (TfGM) to develop a "Streets for All" Strategy across Greater Manchester. The report also provided details of the 'Made to Move' report, describing its aim and how this provided the foundation for the 'Streets for All' Strategy and the development of the Local Cycling and Walking Infrastructure Plan. The report explored how all these thematic strands were brought together to support the development of a delivery pipeline of schemes, detailing Tameside's ambition to develop strategic active travel and cycling schemes for the future.

In addition, the report explored all the current initiatives, strategies and proposals around active travel, walking and cycling, and how these interrelated with other GM strategies for tackling congestion, reducing air pollution, and improving health and outlined details of pipeline schemes that the Council had identified to support these initiatives, with a recommendation that should funding be made available, the Council supports future schemes from those proposed.

RESOLVED:

That the report be noted and that support be given to the proposed outline schemes identified in Appendix 6 to the report as the basis for a pipeline of schemes to be used as a basis for the Council to bid for funding, as and when such funding becomes available.

12. FOOD SAFETY AND FOOD STANDARDS SERVICE PLAN 2018/19

Consideration was given to a report of the Executive Member (Neighbourhood Services)/Assistant Director (Neighbourhoods and Operations) which provided information on the Food Safety and Food Standards Service Plan for 2018/19. It was explained that the plan set out the standard of performance that must be achieved by the Operations and Neighbourhoods Directorate in order to maintain high quality health protection. The work of the Service was to successfully balance service delivery between education, encouragement and enforcement. A copy of the Plan was appended to the report.

RESOLVED:

That Council be recommended to approve the Food Safety and Food Standards Service Plan 2018/19.

13. HOMELESSNESS

Consideration was given to a report of the Executive Member (Economic Growth and Housing)/Assistant Director (Operations and Neighbourhoods) which explained that the draft Preventing Homelessness Strategy aimed to bring about a borough wide cultural change in approach to tackling and preventing homelessness in Tameside. The Strategy advocated a holistic and integrated approach to preventing homelessness which tackled the complexity of issues which could result in homelessness. It aimed to broaden and deepen constructive collaboration between services, partner organisations, the Faith sector, and members of the community. It sought to foster capacity to cultivate creative solutions to the ever-increasing problem of homelessness and focused effort and resources to address the specific needs of the Borough. The Strategy complied with new statutory requirements which had been introduced through the Homelessness Reduction Act 2017.

It was stated that an inclusive and participatory approach had been taken to develop the strategy. At the outset, key stakeholders were given the opportunity to shape the development of the strategy. The Preventing Homelessness multi-agency forum and the Registered Providers Forum were at the centre of its development and a project team with representatives from key services, led by the Senior Housing Strategy Officer, had been set up.

The strategy supported the Council and its partners to deliver Tameside Borough priorities and the GM pledges to prevent homelessness. This strategy would have an action plan with resources allocated to it and officers assigned to each action. This was currently under development.

RESOLVED:

That the Preventing Homelessness Strategy for 2018 to 2021 be agreed.

14. VISION TAMESIDE PHASE 2 (TAMESIDE ONE) COMPLETION PLAN

Consideration was given to a report of the Executive Member (Performance and Finance) / Interim Director of Growth outlining proposals for the completion of the Vision Tameside Phase 2 (VTP2) project, following the appointment of the Official Receiver as liquidator to Carillion plc, who were contracted by the LEP to deliver the VTP2 project. The LEP and Robertson Construction Group, had worked with original sub-contractors to review the remaining work required to complete the

VTP2 project, with a view to remobilising the site to enable the completion of the construction project. This report sought approval of the approach set out therein and a recommendation to Council to vary the Capital Programme to provide additional funds to complete the project, some as a consequence of the Carillion liquidation and the remainder which would have been required at this stage to complete the project.

An accompanying presentation explained the strategic importance of the VTP2 project, emphasising that the move was part of a wider strategic asset management plan to invest in retained civic buildings across the Borough whilst most importantly noting the strength of the strategic, economic and commercial business case for the development in the interests of creating a thriving borough. Work had been ongoing to ensure that the Council's original vision of additional employment and investment in young people in the Borough was realised despite the unfortunate collapse of Carillion. In doing so work would be secured for the local supply chain and deliver the Council's pledge for apprentices working on the development to be able to complete their apprenticeships.

Following the liquidation of original building contractor Carillion, the Council moved swiftly to agree that Robertson replace Carillion and the LEP entered into an early works agreement to undertake necessary due diligence and to secure the employment of key construction staff and bring subcontractors back on site. By moving the project forward Vision Tameside would be one of the first public sector projects of its scale affected by Carillion's liquidation to have agreed arrangements to completion, with similar projects reporting delays of up to two years.

The Strategic Business Case had been independently reviewed by Genecon (a nationally recognised company specialising in economic development and place making) and confirmed that the project could generate net additional Gross Value Added benefits with a net present value of over £140 million, over a 30 year project lifetime.

The programme included the demolition of the previous Council administration building (which was 70% larger than required for staff and partners), and had a maintenance backlog of £4million, with a further £8million expected cost for refurbishment. The site was being redeveloped to include the proposed Advanced Skills Centre for Tameside College as well as a Shared Service Centre for the Council and its partners and new retail premises (proposed to be leased to Wilkinson's).

The development was expected to bring additional footfall and vitality into Ashton Town Centre and would secure the future of Tameside College as well as improving the provision of skills and supporting growth and regeneration across Tameside.

The Local Education Partnership had worked with Robertson and their sub-contractors to review the remaining packages of work, and to determine the additional costs of re-mobilising the site and completing the programme. The costs had been independently verified by Cushman and Wakefield, construction management specialists to check that the costs provided "value for money" and the costs outlined in the report were believed by the Local Education Partnership and its advisers to be as complete a representation of the costs to be incurred to complete the project as is possible in the circumstances presented by the collapse of Carillion.

Particular reference was made to the budget position of the whole VTP2 programme, showing a requirement of £9.389m to complete the project and the key headlines were summarised in the report. Clearly, the revised budget required for this project as a consequence of the Carillion collapse would leave a funding shortfall in the Council's capital investment programme. It was considered imperative that the VTP2 programme was completed and it was proposed that a review of the whole capital programme be brought back to the next Executive Cabinet on 25 July 2018 to consider a revised capital programme that allowed the VTP2 programme to be completed within the resources available.

Once the construction phase had been approved and funding agreed, a further report on the operation of the whole administrative estate would need to be presented to Executive Cabinet outlining the recant strategy.

RESOLVED:

That the approach outlined in the report be agreed and:

- (i) It be noted that the LEP entered into an early works Agreement with Robertson Construction Group to enable due diligence to be undertaken and has remobilised the site to enable the completion of the Vision Tameside Phase 2 construction project and the LEP has submitted a proposal to the Council (dated 1 June 2018) outlining its plans to complete the Vision Tameside Phase 2 construction project.**
- (ii) That COUNCIL be RECOMMENDED to approve an additional budget allocation of £8.289m from the Capital Programme for the Vision Tameside Phase 2 project from resources available to the Council, pending the outcome of a bid for additional Skills Capital funding to GMCA.**
- (iii) That COUNCIL be RECOMMENDED to agree a provisional risk and insurance budget up to £1.100m to manage any residual contract risk such expenditure to be approved by the Director of Finance subject to final due diligence; and**
- (iv) That the Director of Growth in consultation with the Borough Solicitor, be authorised to negotiate and approve the final terms of all associated agreements and oversee the delivery of the project to completion within the approved funding and to submit bids for external funding towards the additional costs of the project as appropriate.**

CHAIR

TAMESIDE AND GLOSSOP STRATEGIC COMMISSIONING BOARD

20 June 2018

Commenced: 1.00 pm

Terminated: 2.25 pm

Present: Dr Alan Dow (Chair) – NHS Tameside and Glossop CCG
 Steven Pleasant – Tameside MBC Chief Executive and Accountable Officer for NHS Tameside and Glossop CCG
 Councillor Brenda Warrington – Tameside MBC
 Councillor Bill Fairfoull – Tameside MBC
 Councillor Warren Bray – Tameside MBC
 Councillor Gerald Cooney – Tameside MBC
 Councillor Leanne Feeley – Tameside MBC
 Councillor Allison Gwynne – Tameside MBC
 Councillor Oliver Ryan – Tameside MBC
 Dr Alison Lea – NHS Tameside and Glossop CCG
 Dr Kate Hebden – NHS Tameside and Glossop CCG
 Carol Prowse – NHS Tameside and Glossop CCG

In Attendance: Sandra Stewart – Director of Governance and Pensions
 Kathy Roe – Director of Finance
 Stephanie Butterworth – Director of Adult Services
 Gill Gibson – Director of Safeguarding and Quality
 Jessica Williams – Interim Director of Commissioning

Apologies: Dr Jamie Douglas – NHS Tameside and Glossop CCG
 Dr Ashwin Ramachandra – NHS Tameside and Glossop CCG
 Dr Vinny Khunger – NHS Tameside and Glossop CCG
 Councillor Jean Wharmby – Derbyshire CC

15. DECLARATIONS OF INTEREST

Members	Subject Matter	Type of Interest	Nature of Interest
Dr Alison Lea	Item 6(e) – Primary Care Access Services – Procurement Evaluation Strategy	Personal	Associate Medical Director at Tameside and Glossop Integrated Care Foundation Trust

16. MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting held on 23 May 2018 were approved subject to the following amendments:

- Councillor Oliver Ryan to be included on the list of those present.
- Councillor Brenda Warrington’s apologies to be noted.
- Minute 9 – Intermediate Care in Tameside and Glossop – to include *“Councillor Wharmby stated that could not agree with the decision to move the beds from Shire Hill. The 8 intermediate care beds promised for Glossopdale had not been put into place, home care facilities had not been looked at and proposals from the Glossop neighbourhood team had not been discussed.”*
- Minute 10 – Integrated Urgent Care in Tameside and Glossop – the recurrent cost of A&E and Walk in Centre at present be amended to read £10.900m per annum.

17. COMMUNITY SERVICES CONTRACT

Consideration was given to a report of the Executive Member (Performance and Finance)/Director of Finance which explained the proposed revised payment arrangements for the commissioning of community service provision by the Council and NHS Tameside & Glossop Clinical Commissioning Group across the locality from the Tameside and Glossop Integrated Care NHS Foundation Trust (ICFT). It was stated that the revised payment profiles would enhance the ICFT's cashflow position and allow it to avoid interest costs of £300k per annum. The Council would be compensated by £100k per annum for its own loss of interest caused by changing the payment profile.

Members of the Board commented favourably on the change in the arrangements which would help ensure more funds were retained within the local health economy to optimise improved services for residents.

RESOLVED

- (i) That the advance payments arrangements set out in the report, intended to commence from 20 June 2018 for 2018/19 and from 1 April each financial year thereafter.**
- (ii) To note that Tameside Council will continue to be the host organisation and accountable body for the Section 75 pooled fund agreement.**
- (iii) That the change will, if expedient, be documented in the Section 75 and contracts between the CCG, ICFT and Council, otherwise through a separate agreement.**

18. QUALITY REPORT

The Director of Quality and Safeguarding presented a report providing the Strategic Commissioning Board with assurance that robust quality assurance mechanisms were in place to monitor the quality of the services commissioned, highlight any quality concerns and providing assurance as to the action being taken to address such concerns. The report covered data and issues of concern / remedy, good practice including patient stories and surveys and horizon scanning for the following:

- Tameside and Glossop Integrated Care NHS Foundation Trust Acute and Community Services;
- Mental Health (Pennine Care NHS Foundation Trust);
- Care Homes / Home Care;
- Safeguarding;
- Primary Care;
- Public Health; and
- Small Value Contracts.

Particular reference was made to concerns raised by the Strategic Commissioning Function with the Integrated Care Foundation Trust (ICFT) in relation to staffing capacity within District Nursing Teams and how this was impacting on the service's capacity to support the Neighbourhood delivery model. A deep dive into the District Nursing had been requested and this would be presented back to the ICFT Contract Quality and Performance Assurance meeting.

The successful launch of Hand Hygiene Week and 'Drink More, Stop Infections' campaign was noted. It was also explained that a Quality Improvement Team was now operational to support independent providers across the health and social care sector in Tameside to improve the quality of service provision delivered to vulnerable adults. The Board Members heard that the primary focus of the work would initially be on the Care and Nursing Home sector particularly those homes rated 'Inadequate' or 'Requires Improvement' by the Care Quality Commission.

RESOLVED

That the content of the update report be noted.

19. PERFORMANCE REPORT

The Assistant Director (Policy, Performance and Communications) submitted a report providing the Strategic Commissioning Board with a Health and Care Performance update at June 2018 covering:

Health and Care Dashboard

Exceptions (areas of concern):

- A&E waits total time with 4 hours at Tameside and Glossop Integrated Care Foundation Trust;
- Referral to Treatment – 18 weeks;
- Proportion of people using social care who receive self-directed support and those receiving Direct Payments;
- Total number of Learning Disability service users in paid employment.

On watch (monitoring):

- Cancer 31 day wait;
- Cancer 62 day wait;
- 65+ at home 91 days.

Other Intelligence / horizon scanning:

- Winter crisis – Influenza and uptake of vaccines;
- NHS111;
- 52 week waiters;
- Deaths in hospital.

In Focus – Urgent Care

It was anticipated that 2018/19 would be a year of significant change for urgent and emergency care. The progress report was based on the services currently in place focusing on historic data whilst also signalling how these will change going forward as the Integrated Urgent Care Services and further Care Together developments were implemented. The key headlines were detailed as follows:

- Understanding demand
 - A&E attendances;
 - Non-elective Admissions;
- Managing demand
 - Primary Care Services;
 - NHS 111;
 - 999 Ambulance Services;
 - Alternative to Transfer;
 - Digital Health Service;
 - Mental Health Support;
 - Admissions avoidance support in the community;
 - Non-elective Admissions.
- Managing bed capacity

In conclusion, the commitment to keeping people well and providing effective alternatives to hospital based care would support improvements in clinical outcomes and patient experience. For those people needing hospital based support there would be a focus on effective recovery and a Home First approach on discharge.

However, as the system developed and only the very sick people attended A&E the current performance standards based on time to discharge from A&E might no longer be appropriate as the clinical level of need would determine the time needed to fully assess the patient's need and agree an appropriate care pathway and this might exceed the current 4 hour standard. Likewise, the increased use of length of stay of zero days and home based care would result in only the

sickest people being admitted overnight and these may need a length of stay greater length of stay of 7 days before they were well enough to be discharged.

RESOLVED

That the content of the performance report and Urgent Care In Focus progress report be noted.

20. COMMUNITY CARDIOLOGY DIAGNOSTICS

The Interim Director of Commissioning presented a report which explained that Tameside and Glossop CCG commissioned Broomwell Healthwatch TeleMedical Monitoring Services Ltd to deliver the following community diagnostic services:

- Practice based 12 lead ECG service including provision of ECG machines and remote interpretation of all ECGs.
- Neighbourhood based 24 hour ECG service including provision of ECG machines and remote interpretation of all ECGs.

It was reported that Broomwell had delivered services to Tameside and Glossop for a number of years. The current contract was let on 1 April 2016 as a three year contract with an option to extend for a further two years following a formal procurement process. The current contract was due to end on 31 March 2019. The indicative annual contract value for the 2 services was £190,000.

A service description, finance and performance monitoring and options for the future commissioning of community cardiology diagnostics for the population of Tameside and Glossop were outlined. The recommended option was to extend the current contract for a further two years.

RESOLVED

That approval be given to extend the existing contract with Broomwell Healthwatch TeleMedical Monitoring Services Ltd for the provision of a Community Cardiology Diagnostics Service for two years from 1 April 2019.

21. CONTRACT FOR THE PROVISION OF A GARDEN MAINTENANCE AND DAY SUPPORT SERVICE AT SUPPORTED DOMESTIC PROPERTIES IN TAMESIDE

Consideration was given to a report of the Director of Adult Services describing the rationale for an extension of the contract for the provision of a garden maintenance and day support service at supported domestic properties in Tameside for a period of two years.

It was reported that the service consisted of two components:

- 1) A core domestic gardening and grounds maintenance service delivered to a set number of supported domestic properties in Tameside, where tenants had learning disabilities or mental health conditions.
- 2) A day support element for two people with learning disabilities for whom the service would meet some or all of their assessed needs.

The core domestic gardening and grounds maintenance service was currently delivered to 43 domestic properties across the borough. Provision was made by the provider for the day service elements to deliver up to five places per week, Monday to Friday. The two people currently engaged with the service had no set time limit for their continuation. Consequently they could remain with the service for the length of the contract or could, at some point, cease engagement.

The provider was also on the Council's Approved List of Day Services, which attracted a direct payment for each supported person. Therefore the day support provision would be paid at £31.37 per person per day based on five places per week. If one or both people ceased to use the service, the service delivery would continue based solely on the garden maintenance element unless there was a further referral into the service via the approved provider list.

The Board noted that performance monitoring of the service had been positive and Greenscape engaged well with the commissioners.

RESOLVED

That approval be given to extend the existing contract with Greenscape for the provision of a garden maintenance and day support service at supported domestic properties in Tameside for two years.

22. MENTAL HEALTH COMMUNITY BASED SERVICES – CONTRACT EXTENSION

The Director of Adult Services presented a report seeking authorisation to extend the Mental Health Community Based Services contract under Procurement Standing Order F1.3 by two years from 1 April 2019 to 31 March 2021.

The report outlined the service which provided community based support for people recovering from mental ill health through the delivery of a model based on the principles of recovery and rehabilitation that enabled individuals to move through the service to independence. The aims were delivered through partnership working with individuals, care co-ordinators and other stakeholders.

The Members of the Board were pleased to learn of the outcomes being achieved with people with mental health problems and the ability of the provider to work effectively and creatively in meeting the outcomes of the contract.

RESOLVED

That approval be given to extend the existing contract with Turning Point for the provision of mental health community based services for a period of two years from 1 April 2019 to 31 March 2021.

23. LIST OF APPROVED DAY TIME ACTIVITIES – CONTRACT EXTENSION

Consideration was given to a report of the Director of Adult Services describing the rationale for an extension of the List of Approved Daytime Activities contract for a period of two years from 30 November 2018.

The key aims and objectives of the service were to provide day time support for people who were eligible for publically funded care and support and currently there were 460 places per week commissioned for 203 people.

Inclusion on the list brought no guarantee of placements / business but service users had access to the list of approved day services from which to choose, allowing for a more personalised range of options to be purchased from providers that had their economic standing and their proposed service evaluated by the Council. To date, nine organisations in total were on the framework with all contracts running through to November 2018 and further details of the Approved Day Services were attached at Appendix 1 to the report.

The Board welcomed the extension to the contract to continue to deliver a range of daytime activities for older people and people with disabilities ensuring a degree of social inclusion and learning and where carers are involved providing an important level of respite, enabling people to remain living at home.

RESOLVED

That approval be given to extend the existing contract for the List of Approved Daytime Activities for a period of two years from 30 November 2018.

24. PRIMARY CARE ACCESS SERVICES – PROCUREMENT EVALUATION STRATEGY

Consideration was given to a report of the Interim Director of Commissioning, which explained that the current Out of Hours Service including the Alternative to Transfer Service delivered by GoToDoc was commissioned approximately 7 years ago and had been extended three times. The Extended Access Service was delivered by Orbit (GP Federation). Both contracts were due to expire on 30 September 2018 and notice had been given.

A review had identified through public consultation that an integrated out of hours and extended access service including alternative to transfer would benefit service users. The aim of the service would be to deliver a comprehensive Primary Care Access Service for patients and ensure a 24/7 access offer was available to patients within primary care for both routine and same day/urgent demand.

Key to the delivery of the service was the simplification of access to urgent care whilst improving the level of service available. Multiple access points would be replaced by telephone access through a patient's own GP practice to book appointments as well as a single location for urgent walk-in services.

In order to develop the specification and establish the best method for securing services, a project group had been established and the membership was outlined in the report. A procurement strategy was in place to ensure that the objectives of the National Health Service (Procurement, Patient Choice and Competition) (No 2) Regulations 2013 would be met and considerations under the Public Services (Social Value) Act 2012.

In terms of procurement methodology, a Prior Information Notice had been published on 23 May 2018 to raise awareness within the market of the upcoming procurement. A bidder event would also be held to explain the procurement process to potential bidders.

Due to the value of the contract and in line with the Contracting Authority Detailed Financial Policies, the project group had appraised the risks and benefits of each option and had concluded that a procedure which followed the basic principles of an Open Procedure was the most appropriate due to the amount of interest within the market to deliver the services required as part of the specification.

Bidders would be tested on capacity, capability and technical competence of the submission in accordance with the Light Touch Regime within the Public Contracts Regulations 2015.

It was proposed that the procurement be advertised in the Official Journal of the European Union and on Contracts Finder, the UK Government's single platform for providing free access to public procurement related information and documentation.

The invitation to tender and supporting documents would be available to download via a North of England Commissioning Support (NECS) eTendering portal. NECS utilised a secure electronic tendering system where online tenders were published and received into a secure online eTendering portal. The bids could only be accessed by specified representatives on the pre-determined tender closing date. NECS was proposing that an authorised representative be given approval to open bids on behalf of the Clinical Commissioning Group for this procurement ensuring that the bids would be opened in the agreed timeframe. Reference was made to a procurement timetable showing the key milestones and timescales for the proposed procurement process.

The Board considered the evaluation model proposed which sought to identify the Most Economically Advantageous Tender, interpreted as the highest combined quality and price score, the evaluation criteria, outlined in Table 2 and the full set of evaluation questions within Appendix 3 to the report.

The evaluation process was made up of four stages as follows:

- Stage 1 – Compliance;
- Stage 2 – Capability and Capacity;
- Stage 3 – Technical Evaluation;
- Stage 4 – Presentation.

Bidders would be advised that the Clinical Commissioning Group had an affordability limit of £23,890,000 over the 10 year contract (5 year initial contract period plus 5 years extension period) from 1 October 2018. Bidders would also be informed that there was a maximum affordability limit per contact year which had been set at £2,389,000.

RESOLVED

That it be RECOMMENDED to the Clinical Commissioning Group that:

- (i) **Approval be given to the proposed procurement and evaluation strategy, evaluation timetable, financial envelope, contract term, evaluation questions, evaluation methodology, Official Journal of the European Union advert and to note the risks identified.**
- (ii) **Approval be given for the use of electronic tendering systems and approval for an authorised representative from the North of England Commissioning Support (NECS) to open the bids on behalf of the Clinical Commissioning Group.**

25. OUTLINE BUSINESS CASE FOR TRANSFER OF ADULT SOCIAL SERVICES FUNCTION

Consideration was given to a report of the Executive Leader and the Director of Adult Services presenting the draft Outline Business Case for the transaction of a proportion of Adult Social Care services and staff from Tameside MBC to the Tameside and Glossop Integrated Care NHS Foundation Trust. The Outline Business Case combined a high level Strategic Outline Case and the Outline Business Case within one document as agreed with NHS Improvement.

It was reported that Council, Integrated Care Foundation Trust and Clinical Commissioning Group considered a number of integration options at the Strategic Outline Case stage and concluded that the options distilled in the Outline Business Case were the most effective ones to take at the time.

Details of the teams and functions included in the preferred option were detailed including the benefits, dis-benefits, and risks to both the Council and the ICFT.

The report also described the economic, business, financial, commercial and management cases for the transaction of the services and functions identified in the preferred option.

RESOLVED

- (i) **That the content of the report be noted.**
- (ii) **That the proposal contained in the preferred option, Option 2, integration of a subset of in house Adult Social Care delivered services from Tameside MBC to the ICFT, through TUPE arrangements, be supported.**

26. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That under Section 11A of the Local Government Act 1972 (as amended) the public be excluded for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Local Government Act 1972. Information relating to the financial or business affairs parties (including the Council) had been provided to the Council in commercial confidence and its release into the public domain could result in adverse implications for the parties involved.

27. DOMESTIC ABUSE SERVICE

Consideration was given to a report of the Assistant Director for Operations and Neighbourhoods requesting that the existing contract for the provision of the Domestic Abuse Service be extended for 6 months until 31 March 2019 to enable the service to be retendered. This was necessary because the contract had not been awarded following a recent tendering exercise. In addition, the availability of additional funding for the service was confirmed during the tender period.

RESOLVED

- (i) That the service be retendered in light of the results of the tender evaluation following confirmation that additional funding was available.**
- (ii) That approval be given for a six month extension of the existing contract with New Charter Homes (part of the Jigsaw Group) to facilitate the retender exercise.**

28. URGENT ITEMS

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

29. DATE OF NEXT MEETING

It was noted that the next meeting of the Strategic Commissioning Board would take place on Wednesday 25 July 2018.

CHAIR

STRATEGIC PLANNING AND CAPITAL MONITORING PANEL

9 July 2018

Commenced: 2.00pm

Terminated: 2.50pm

Present:

Councillor Warrington (Chair)
Councillors Cooney, Dickinson, Fairfoull, Gwynne,
McNally and Robinson

Chief Executive:

Steven Pleasant

Monitoring Officer:

Sandra Stewart

Section 151/Chief Finance Officer: Kathy Roe

Also in attendance:

Ian Saxon – Director, Operations and Neighbourhoods
David Moore – Interim Director of Growth
Tom Wilkinson – Assistant Director of Finance
Ade Alao - Head of Investment and Development

Apologies for absence:

Councillors B Holland and Newton

1. DECLARATIONS OF INTEREST

2. MINUTES

The Minutes of the meeting of the Strategic Planning and Capital Monitoring Panel held on were signed as a correct record.

3. CAPITAL MONITORING – OUTTURN 2017/18

Consideration was given to a report of the Assistant Director of Finance, summarising the 2017/18 capital expenditure outturn position at 31 March 2018. The report showed actual capital investment in 2017/2018 of £51.385 million at 31 March 2018. This was significantly less than the original capital budget for 2017/18 and was in part due to project delays that were being experienced following the liquidation of Carillion.

It was explained that there had been changes to 2017/18 Capital Programme since the period 10 report. These were largely due to the re-profiling of £27.725 million into 2018/19 approved in period 10. **Appendix 1** to the report provided a summary of changes to the 2017/18 programme budget since the period 10 monitoring report.

Details of the capital expenditure to date were shown by service area and Section 4 of the report referred to the most significant scheme variations.

Reference was also made to capital receipts and prudential indicators.

RESOLVED

That the following **RECOMMENDATIONS** be made to Cabinet:

- (i) That the re-profiling to reflect up-to-date investment profiles be approved;
- (ii) That the changes to the Capital Programme be approved;
- (iii) 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 updated capital receipts position be noted; and
- (vii) That the need for a full review of the Capital Programme in early summer 2018, be noted.

4. VISION TAMESIDE PHASE 2 (TAMESIDE ONE) COMPLETION PLAN

The Interim Director of Growth submitted a report, previously submitted to Executive Cabinet, outlining proposals for completing the Vision Tameside Phase 2 project, following the appointment of the Official Receiver as liquidator to Carillion plc, who were contracted by the LEP to deliver the Vision Tameside Phase 2 project.

It was explained that all construction work on the site of the Vision Tameside Phase 2 project stopped following the announcement of the liquidation of Carillion on 15 January 2018. The immediate uncertainty meant that all the sub-contractors chose to suspend work, pending further clarification of the situation.

The LEP signed an Early Works Agreement with Robertson Construction Group Limited on 13 February 2018, initially for an 8 week period and the LEP subsequently advised the Council that it had signed further variations to extend the Early Works Agreement until 2 July 2018.

The LEP had worked with Robertson and their sub-contractors to review the remaining packages of work, and to determine the additional costs of re-mobilising the site and completing the programme.

Cushman & Wakefield were appointed as the Council's Independent Client Advisers to undertake Value for Money Assessments and Project Monitoring. A process had been established whereby Cushman & Wakefield carried out an independent review of each individual sub-contractor package submitted by the LEP and made recommendations to the Council before approval. 24 sub-contractor packages had been approved to date.

The costs had been independently verified by Cushman & Wakefield, to check that the costs provided 'value for money' and the costs outlined in the report were believed by the LEP and its advisers to be as complete a representation of the costs to be incurred to complete the project as was possible in the circumstances presented by the collapse of Carillion.

The site had now been remobilised with the full complement of the site team in place and all health and safety arrangements, including plans, signage and audits completed. A number of sub-contractor work packages had recommenced including roofing, cladding and M&E. Other work packages were due to commence over the coming weeks.

Three payment applicants had been submitted by the LEP to date. One application had been certified and paid, the second application had been certified and the third application was currently being reviewed by Cushman & Wakefield before a recommendation was made to the Council.

The additional budget allocations requested in the report were based on the work undertaken by the LEP, Robertson and its sub-contractors, with contingencies build in, as was normal for major projects of this size, to allow for unforeseen cost over-runs. The budget allocations were explained in the report. The Council, the LEP and Robertson would work closely together through various project-related governance meetings to ensure that any cost over-runs were minimised and any un-used contingencies would be retained within the Council's budgets. It was also noted that the Council was currently expecting to contain the costs of moving back into the new Tameside One building ('recant' costs) within other specific identified capital and revenue codes.

The report concluded that the liquidation of Carillion on 15 January 2018 had had major cost and time implications on the delivery of the Vision Tameside Phase 2 construction project. Carillion owed around £2 billion to its 30,000 suppliers, sub-contractors and short-term creditors who risk getting nothing back from the liquidation.

The council had moved swiftly to request proposals for the remobilisation and completion of the project and Vision Tameside Phase 2 would be among the first public sector projects of this scale affected by Carillion's liquidation to have an agreed route to completion. Other similar projects were reporting projected delays 1 to 2 years.

The overall delivery has been delayed by at least 6 months with additional costs currently assessed as £8.289 million. A risk and insurance provision of up to £1.1 million may also be required subject to final due diligence.

The approach outlined in the report represented the most satisfactory course of action for the Council to pursue to achieve the earliest possible completion of the Vision Tameside Phase 2 project.

RESOLVED

That the following recommendations, approved by Executive Cabinet, be noted:

- (i) That the LEP entered into an early works Agreement with Robertson Construction Group to enable due diligence to be undertaken and has remobilised the site to enable the completion of the Vision Tameside Phase 2 construction project and the LEP has submitted a proposal to the Council (dated 1 June 2018) outlining its plans to complete the Vision Tameside Phase 2 construction project;**
- (ii) That an additional budget allocation of £8.289 million from the Capital Programme for the Vision Tameside Phase 2 project from resources available to the Council, pending the outcome of a bid for additional Skills Capital funding to GMCA, be recommended to Council;**
- (iii) That a provisional risk and insurance budget up to £1,100 million be recommended to Council, to manage any residual contract risk. Such expenditure to be approved by the Director of Finance subject to final due diligence; and**
- (iv) That the Director of Growth, in consultation with the Borough Solicitor, be authorised to negotiate and approve the final terms of all associated agreements and oversee the delivery of the project to completion within the approved funding and to submit bids for external funding towards the additional costs of the project as appropriate.**

5. ASSET MANGEMENT

The Director of Operations and Neighbourhood submitted providing details with regard to the capital spend on statutory compliance repairs on the Council's buildings during the period January 2018 to May 2018.

RESOLVED

That the following RECOMMENDATIONS be made to Executive Cabinet that:

- (i) That the content of the report be noted; and**
- (ii) The spend associated with statutory compliance capital repairs for the period January 2018 to May 2018 of £15,680.**

6. EDUCATION CAPITAL PROGRAMME UPDATE

Consideration was given to a report of the Director of Growth, advising Members of the Panel on the latest position with the Council's Education Capital Programme 2017/18 and sought approval

for amendments to the Education Capital Programme as detailed in the report and in appendices to the report.

The report gave details of:

- Funding allocation;
- Basic Need Schemes progress update;
- School Condition and Capital Maintenance progress update and requests for additional funding allocations/amendments;
- Procurement and value added; and
- Risk Management.

Members were advised that the liquidation of Carillion had created a significant risk to the timely delivery of Education Capital Projects. Officers had been exploring and implementing alternative delivery options to ensure the programme was not further adversely affected. However, the delivery of most schemes remained reliant on the successful appointment of a new contractor under the Additional Services Contract.

To avoid disrupting education delivery, generally the most intrusive work was best carried out over the summer break, which meant that plans for new projects needed to be well-developed before the summer. The situation this year meant that significant delays were inevitable. Liaison would continue with individual schools to seek to mitigate any adverse effects of the delays.

Inflation in the building industry was also a more significant risk than previously experienced and larger schemes would be most affected. Early scoping and pricing of the works would mitigate against this and enable projects to be delivered in a timely and cost-effective manner.

It was concluded that there had been significant capital investment in schools over the recent past to support the Council's delivery of its statutory responsibilities connected with the provision of sufficient and suitable places. The proposals identified in the report would enable the Council to meet its statutory duties.

RESOLVED

That the following RECOMMENDATIONS be made to Executive Cabinet:

- (i) That the allocation of Basic Need grant funding schemes as outlined in Section 3 and Appendix 1 be approved;**
- (ii) The allocation of School Condition Allocation grant funding schemes as outlined in Section 3 and Appendix 2 be approved;**
- (iii) The allocation of the £211,254 available from the Special Provision Fund for 2018/19 towards the cost of expanding Hawthorns Special School be approved;**
- (iv) The risks associated with the timely delivery of School Condition and Basic Need projects due to the delay in appointing a new Facilities Management provider under the Additional Services Contract following the collapse of Carillion Construction Limited, be noted.**

7. SECTION 106 AGREEMENTS AND DEVELOPER CONTRIBUTIONS

Consideration was given to a report of the Director of Growth, summarising the current position with regard to receipts received from Section 106 Agreements and Developer Contributions, and made comments for each service area. New Agreements made and requests to draw down funding were also detailed.

It was reported that the summary position as at 31 May 2018 for Section 106 Agreements totalled £1,153,000, with Developer Contributions, as at 31 May 2018, totalling £228,000, less approved allocations of £112,000 leaving a balance of £116,000. The balance of unallocated section 106 funds and developer contributions were as follows:-

- Services for Children and Young People - £652,000 (s106) and £68,000 developer contributions;
- Community Services (Operations and Greenspace) - £326,000 (s106) and £32,000 developer contributions; and
- Engineering Services - £114,000 (s106) and £14,000 developer contributions.

It was reported that a Section 106 Agreements had been negotiated as follows:

(i) 17/00774/FUL – Land on the south west side of and including 10-12 Slateacre Road, Hyde
 Planning permission was granted on 4 June 2018 following the completion of a Section 106 agreement for the demolition of 10 and 12 Slateacre Road and the construction of 10 semi-detached houses with associated access and infrastructure. The Section 106 agreement required £12,867.16 to be used as a Green Space contribution to upgrade the path across hacking Knife Meadow, Werneth Low.

(ii) 17/00216/FUL – Moss Tavern, 99-101 Ashton Road, Droylsden
 Planning permission was granted on 3 May 2018 for the demolition of the existing public house and the redevelopment of the site to provide a three-storey mixed-use development including 17 residential units and 1 ground floor retail unit, with associated car and cycle parking facilities. The Section 106 agreement required £12,443.89 to be used as a Green Space Contribution for the purposes of carrying out footpath repairs at Lees Park, Droylsden.

(iii) 17/00794/FUL – 2-32 Wordsworth Road, Denton
 Planning permission was granted on 14 March 2018 for a residential development comprising 16 no. 3 bed houses. The Section 106 agreement required:

- £18,101.61 to be used as an Education Facilities Contribution in respect of or towards the cost of an extension and related educational infrastructure to Denton Community College;
- £19,293.97 to be used as a Green Space Contribution in respect of or towards the cost of the following projects:
 - Hulmes and Hardy Wood, Lower Haughton Dale:
 - o Path improvements;
 - o Pond restoration of Hulmes pond – partial excavation and resealing with clay; and
 - o Replacement of the post and rail fence from meadow Lane to Arden Bridge,
 - Haughton Dale:
 - o Pond restoration in the Golt; and
 - o Path improvements in Apethorn Wood and in Gibraltar Wood.

There were a number of resolutions where planning permission had been granted subject to agreements being entered in to which were currently being processed and finalised. When formally entered in to and active, these agreements would be reported to a future meeting of the Strategic Planning and Capital Monitoring Panel.

No new requests to draw down funding had been made since the previous report to the Panel.

RESOLVED

That the content of the report be noted.

8. ENGINEERING CAPITAL PROGRAMME 2018/19 UPDATE

The Director of Operations and Neighbourhoods submitted a report setting out details of the 2018/19 Engineering Capital Programme for Engineering Services and sources of funding with specific reference to the Highways Structural Maintenance Programme and capital funding made available by Council for both the Tameside Asset Management Plan (TAMP) for highways and flood prevention and repair of consequential flooding damage and additional parking facilities.

The report also provided details of the GM Mayors Challenge Fund for Walking and Cycling and an update on the Council's Bid to the Department for Transport's Safer Roads Fund.

RESOLVED

That the content of the report be noted.

9. LEISURE ASSETS CAPITAL INVESTMENTS PROGRAMME UPDATE

Consideration was given to a report of the Director of Growth, summarising progress to date in relation to the delivery of the council's capital investment programme to improve sports and leisure facilities in Tameside.

Individual elements of the programme were highlighted in the report as follows:

- Active Copley Heating System Replacement (£0.369m)
- Active Copley Pitch Replacement (£0.177m)
- Active Medlock Roof Replacement (£0.120m)
- Active Hyde Pool Extension (£3.096m)
- Active Hyde Wave Machine Replacement (£0.060m)
- Tameside Wellness Centre, Denton (£13.674m Council Investment & £1.050m repayable loan by Active Tameside)
- Active Dukinfield (iTRAIN) (£1.3m Council Investment & £1m repayable loan by Active Tameside)
- Active Longdendale (Total Adrenaline) (£0.600m all repayable loan by Active Tameside).

With regard to Active Copley Heating System Replacement, the Head of Investment and Development advised Members that the heating system installation at Active Copley had been completed and was now fully operational. The final payment for the installation was made by the Council at the end of the defects liability period some two years ago. There was an ongoing dispute between Carillion, the LEP's main contractor and their sub-contractor regarding an alleged outstanding final payment of £60,000. This was not a matter for the Council and was being dealt with by the LEP and Carillion's liquidator.

In respect of Active Hyde Pool Extension, the Head of Investment and Development advised that a further £88,280 had been approved by Executive Cabinet on 21 March 2018 to increase the capital allocation to £3,185,000 in the 2018-19 capital programme.

The LEP had subsequently advised the Council that its preferred contractor withdrew its interest in the scheme just before the scheduled contract signing. In order to mitigate the risk of further delays caused by the withdrawal, the LEP was currently exploring other options.

Executive Cabinet had agreed to a review of all schemes that had not commenced. This was part of a reprioritisation of the capital programme, which would be taken to Executive Cabinet in July 2018. This review would consider all the impacts of not progressing with the scheme.

It was reported that overall, good progress was being maintained with the delivery of the Council's capital investment programme to improve sports and leisure facilities.

RESOLVED

That the content of the report be noted.

CHAIR

Report To:	EXECUTIVE CABINET
Date:	25 July 2018
Executive Member/ Reporting Officer:	Cllr Brenda Warrington, 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 GMCA Constitution there are provisions to ensure that GMCA 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> <p>a) GM Combined Authority on 29 June 2018.</p>
Recommendations:	That Members note and comment on the appended minutes.
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.
Risk Management:	There are no specific risks associated with consideration of the minutes.
Access to Information:	<p>The background papers relating to this report can be inspected by contacting Robert Landon, Head of Democratic Services by:</p> <p> phone: 0161 342 2146</p> <p> e-mail: robert.landon@tameside.gov.uk</p>

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NOTICE OF DECISIONS TAKEN BY THE AGMA EXECUTIVE BOARD ON 29 JUNE 2018

PRESENT:

Greater Manchester Mayor	Andy Burnham
Bolton	Councillor Linda Thomas
Bury	Councillor Rishi Shori
Manchester	Councillor Richard Leese
Oldham	Councillor Sean Fielding
Rochdale	Councillor Allen Brett
Salford	City Mayor Paul Dennett
Stockport	Councillor Alex Ganotis
Tameside	Councillor Brenda Warrington
Trafford	Councillor Andrew Western
Wigan	Councillor Keith Cunliffe

OTHER MEMBERS IN ATTENDANCE:

TfGMC	Councillor Mark Aldred
Salford	Councillor Paula Boshell
Stockport	Councillor Wendy Wild
Wigan	Councillor Jenny Bullen

OFFICERS IN ATTENDANCE:

GMCA Chief Executive	Eamonn Boylan
GMCA –Deputy Chief Executive	Andrew Lightfoot
GMCA – Monitoring Officer	Liz Treacy
GMCA – Treasurer	Richard Paver
Office of the GM Mayor	Kevin Lee

Bolton	Gerry Brough
Bury	Paul Patterson
Oldham	Carolyn Wilkins
Manchester	Geoff Little
Rochdale	Steve Rumbelow
Salford	Jim Taylor
Stockport	Caroline Simpson
Tameside	Steven Pleasant
Trafford	Gill Colbert
Wigan	Donna Hall
Manchester Growth Company	Mark Hughes
TfGM	Jon Lamonte
GMP	Ian Piling
GMFRS	Dawn Docx
GMCA	Julie Connor

GMCA
GMCA
GMCA

Sylvia Welsh
Lindsay Dunn
Nicola Ward

APOLOGIES:

Bolton
Bury
Manchester
Stockport
Trafford
Wigan
GMHSC Partnership
GMP

Tony Oakman
Pat Jones-Greenhalgh
Joanne Roney
Pam Smith
Theresa Grant
Cllr David Molyneux
Jon Rouse
Ian Hopkins

Agenda Item No.

2. APPOINTMENT OF THE CHAIR OF THE AGMA EXECUTIVE BOARD - 2018/19

RESOLVED /-

That the GM Mayor, Andy Burnham be appointed as Chair of the AGMA Executive Board for 2018/19.

3. APPOINTMENT OF VICE CHAIRS OF THE AGMA EXECUTIVE BOARD - 2018/19

RESOLVED /-

That Councillors Richard Leese and Brenda Warrington be appointed as Vice Chairs of the AGMA Executive Board for 2018/19.

4. AGMA CONSTITUTION

RESOLVED /-

That the AGMA Constitution, as agreed by the AGMA Executive Board in November 2015, be noted.

5. GREATER MANCHESTER APPOINTMENTS AND NOMINATIONS 2018/19

RESOLVED /-

1. That the following appointments from GM Local Authorities to the AGMA Executive Board for 2018/19, be noted:

District	Member	Substitute Member
GMCA	Andy Burnham GM Mayor	
Bolton	Mrs Linda Thomas (Lab)	Ebrahim Adia (Lab) Nicholas Peel (Lab)
Bury	Rishi Shori (Lab)	Andrea Simpson (Lab) Sharon Briggs (Lab)
Manchester	Richard Leese (Lab)	Sue Murphy (Lab) Nigel Murphy (Lab)
Oldham	Sean Fielding (Lab)	Arooj Shah (Lab) Abdul Jabbar (Lab)
Rochdale	Allen Brett (Lab)	Daalat Ali (Lab) Sara Rowbotham (Lab)
Salford	Paul Dennett (Lab)	John Merry (Lab) Paula Boshell (Lab)
Stockport	Alex Ganotis (Lab)	Wendy Wild (Lab) Kate Butler (Lab)
Tameside	Brenda Warrington (Lab)	Bill Fairfoull (Lab) Leanne Feeley (Lab)
Trafford	Andrew Western (Lab)	Mike Freeman (Lab) Cath Hynes (Lab)
Wigan	David Molyneux (Lab)	Keith Cuncliffe (Lab) Christopher Ready (Lab)

2. That the following appointments from GM Local Authorities to the Police and Crime Panel for 2018/19, be noted:

District	Member
Bolton	Mohammed Ayub (Lab)
Bury	Tamoor Tariq (Lab)
Manchester	Nigel Murphy (Lab)
Oldham	Steve Williams (Lab)
Rochdale	Janet Emsley (Lab)
Salford	David Lancaster (Lab)
Stockport	Sheila Bailey (Lab)
Tameside	Alison Gwynne (Lab)
Trafford	Mike Freeman (Lab)
Wigan	Kevin Anderson (Lab)
Co-opted member	Diane Curry
Co-opted member	Maqsood Ahmad

3. That it be noted that the appointment of the current 2 co-opted members to the Police and Crime Panel will expire in October 2018, following two three year appointment periods and that a recruitment process will undertaken during July with a view appointing 2 new co-opted members for a three year period ending October 2020/21.
4. That the following appointments from GM Local Authorities to the GM Health Scrutiny Committee for 2018/19, be noted and that the substitute vacancies would be confirmed by GM Local Authorities:

District	Member	Substitute Member
Bolton	Stephen Pickup (Lab)	David Evans (Lab)
Bury	Stella Smith (Lab)	Vacancy
Manchester	Eve Holt (Lab)	Vacancy
Oldham	Colin McLaren (Lab)	Cath Ball (Lab)
Rochdale	Ray Dutton (Lab)	Patricia Sullivan (Cons)
Salford	Margaret Morris (Lab)	Vacancy
Stockport	Keith Holloway (Lib Dem)	John Taylor (Lab)
Tameside	Gill Peet (Lab)	Teresa Smith (Lab)
Trafford	Sophie Taylor (Lab)	Anne Duffield (Lab)
Wigan	John O'Brien (Lab)	Ron Conway (Lab)

5. That the appointment of the following 10 members, nominated by the GM Local Authorities and the Housing, Planning and Homelessness portfolio lead to the Planning and Housing Commission for 2018/19, be approved:

District	Member
GMCA Portfolio Lead	Paul Dennett
Bolton	Nicholas Peel (Lab)
Bury	Eamonn O'Brien (Lab)
Manchester	Susan Richards (Lab)
Oldham	Hannah Roberts (Lab)
Rochdale	Linda Robinson (Lab)
Salford	Derek Antrobus (Lab)
Stockport	Kate Butler (Lab)
Tameside	Ged Cooney (Lab)
Trafford	James Wright (Lab)
Wigan	Carl Sweeney (Lab)

6. That the appointment of the following 10 Members, nominated by the GM Local Authorities to the GM Reform Committee for 2017/19, be agreed:

District	Member
Bolton	Mrs Linda Thomas (Lab)
Bury	Eamonn O'Brien (Lab)
Manchester	Sue Murphy (Lab)
Oldham	Arooj Shah (Lab)
Rochdale	Liam O'Rourke (Lab)
Salford	John Merry (Lab)
Stockport	Elise Wilson (Lab)
Tameside	Bill Fairfoull (Lab)
Trafford	Cath Hynes (Lab)
Wigan	Nazia Rehman (Lab)

7. That the following nominations by GM Local Authorities to the Statutory Functions Committee for 2018/19, be agreed and that GM Local Authorities will provide nominations to the vacant substitute positions:

District	Member	Substitute Member
Bolton	Akhtar Zaman (Lab)	Anne-Marie Watters (Lab)
Bury	TBA	TBA
Manchester	Bernard Stone (Lab)	Vacancy
Oldham	Norman Briggs (Lab)	Adrian Alexander (Lab)
Rochdale	Janet Emsley (Lab)	Daniel Meredith (Lab)
Salford	TBA	Jane Hamilton (Lab)
Stockport	Tom McGee (Lab)	Wendy Wild (Lab)
Tameside	Leanne Feeley (Lab)	TBA
Trafford	Laurence Walsh (Lab)	Mike Freeman (Lab)
Wigan	Nazia Rehman (Lab)	Bill Clarke (Lab)

8. That it be noted that the Terms of Reference of the Statutory Functions Committee are under review and will be submitted to AGMA for consideration at a later date.
9. That the appointment of the following 10 members, nominated by the GM Local Authorities to the GM Pensions Fund Management Panel for 2018/19:

District	Member
Bolton	Champak Mistry (Lab)
Bury	Joan Grimshaw (Lab)
Manchester	Paul Andrews (Lab)
Oldham	Cath Ball (Lab)
Rochdale	Shaun O'Neill (Lab)
Salford	Michele Barnes (Lab)
Stockport	John Pantall (Lib Dem)
Tameside	Brenda Warrington (Lab)
Trafford	Alan Mitchell (Con)
Wigan	Terry Halliwell (Lab)

10. That the following member and Chief Executive, as Portfolio Lead and Chief Executive for Culture be appointed to the Halle Board:

		Member
AGMA Executive Member	Portfolio Lead for Culture	Linda Thomas
Chief Executive		Donna Hall

11. That the appointment of Derek Antrobus to the People's History Museum Board be approved.
12. That it be noted that Eddie Moores (Oldham) was appointed to the Council of Governors for the Christie Hospital NHS Foundation Trust for a three year term of appointment, to be reviewed in June 2019.

6. SCHEDULE OF MEETINGS

RESOLVED /-

That it be agreed that meetings of the AGMA Executive Board will take place on the same day as the GMCA, when required.

A link to the full agenda and papers can be found here:

https://www.greatermanchester-ca.gov.uk/meetings/meeting/531/agma_executive_board

This decision notice was issued on 2 July 2018 on behalf of Eamonn Boylan, Secretary to the Greater Manchester Combined Authority, Churchgate House, 56 Oxford Street, Manchester M1 6EU. The deadline for call in of the attached decisions is 4.00pm on Wednesday 11 July 2018.

Call-In Process

In accordance with the scrutiny procedure rules, these decisions will come into effect five days after the publication of this notice unless before that time any three members of the relevant Overview and Scrutiny Committee decides to call-in a decision.

Members must give notice in writing to the Chief Executive that they wish to call-in a decision, stating their reason(s) why the decision should be scrutinised. The period between the publication of this decision notice and the time a decision may be implemented is the 'call-in' period.

Decisions which have already been considered by an Overview and Scrutiny Committee, and where the GMCA's decision agrees with the views of the Overview and Scrutiny Committee may not be called in.

NOTICE OF DECISIONS TAKEN BY THE GMCA ON 29 JUNE 2018

PRESENT:

Greater Manchester Mayor	Andy Burnham
Bolton	Councillor Linda Thomas
Bury	Councillor Rishi Shori
Manchester	Councillor Richard Leese
Oldham	Councillor Sean Fielding
Rochdale	Councillor Allen Brett
Salford	City Mayor Paul Dennett
Stockport	Councillor Alex Ganotis
Tameside	Councillor Brenda Warrington
Trafford	Councillor Andrew Western
Wigan	Councillor Keith Cunliffe

OTHER MEMBERS IN ATTENDANCE:

TfGMC	Councillor Mark Aldred
Salford	Councillor Paula Boshell
Stockport	Councillor Wendy Wild
Wigan	Councillor Jenny Bullen

OFFICERS IN ATTENDANCE:

GMCA Chief Executive	Eamonn Boylan
GMCA –Deputy Chief Executive	Andrew Lightfoot
GMCA – Monitoring Officer	Liz Treacy
GMCA – Treasurer	Richard Paver
Office of the GM Mayor	Kevin Lee

Bolton	Gerry Brough
Bury	Paul Patterson
Oldham	Carolyn Wilkins
Manchester	Geoff Little
Rochdale	Steve Rumbelow
Salford	Jim Taylor
Stockport	Caroline Simpson
Tameside	Steven Pleasant
Trafford	Gill Colbert
Wigan	Donna Hall
Manchester Growth Company	Mark Hughes
TfGM	Jon Lamonte
GMP	Ian Piling
GMFRS	Dawn Docx
GMCA	Julie Connor

GMCA
GMCA
GMCA

Sylvia Welsh
Lindsay Dunn
Nicola Ward

APOLOGIES:

Bolton
Bury
Manchester
Stockport
Trafford
Wigan
GMHSC Partnership
GMP

Tony Oakman
Pat Jones-Greenhalgh
Joanne Roney
Pam Smith
Theresa Grant
Cllr David Molyneux
Jon Rouse
Ian Hopkins

Agenda Item No.

1. CHAIRS ANNOUNCEMENTS

RESOLVED /-

1. That the thanks and appreciation, on behalf of the GMCA be recorded to the Interim Fire Officer, Dawn Docx and all staff at the Greater Manchester Fire and Rescue Service, particularly those working at the scene. The support of Fire and Rescue Services from Derbyshire, Lancashire, West Yorkshire and Gloucestershire and armed forces from the Royal Regiment of Scotland was recognised in helping continuously to control the fires on Saddleworth Moor, Winter Hill and in Rochdale.
2. That thanks are given to the community of Carbrook and neighbouring communities of Tameside and Oldham for their support and generosity to frontline responders.
3. That Brenda Warrington and Steven Pleasant and all the staff at Tameside be thanked for the support provided to residents.
4. That the recent death of Councillor Cath Piddington (Tameside) and funeral arrangements be noted, recognising her record of services of 28 years as a local councillor and as a former Chair of the GM Waste Disposal Authority and that the sympathies of the GMCA be passed on to the family.

2. ELECTION OF CHAIR 2018/19

RESOLVED /-

That the appointment of Andy Burnham, as the GM Mayor, under Part 5a, section 4 of the Constitution, as Chair of the GMCA (ex-officio) be noted.

3. APPOINTMENT OF VICE CHAIRS 2018/19

RESOLVED /-

That Richard Leese and Brenda Warrington be appointed as Vice Chairs of the GMCA for 2018/19.

4. GMCA GOVERNANCE AND CONSTITUTION

RESOLVED /-

Transport

1. That the size of TFGMC as 23 members be confirmed.
2. That it be agreed to amend the Operating Agreement to reflect these changes.
3. That it be noted that the Terms of Reference of TfGMC will be reviewed to ensure that they reflect the Mayor's current transport powers with a further review to be undertaken in 2019/20 to reflect proposed powers.
4. That each GM Local Authority be requested to:
 - Agree the size of TfGMC as 23 members
 - Appoint 1 member to TfGMC, save for Manchester City Council to appoint 2 members, and nominate 1 member to be appointed by GMCA to ensure political balance
 - Note that the remaining 2 appointments are 1 member appointed by GMCA and 1 member appointed by the Mayor
 - Agree to amend the Operating Agreement to reflect these changes
 - Note that the Terms of Reference will be reviewed to ensure that they reflect the Mayor's current transport powers with a further review in 2019/20 to reflect proposed powers.

Waste

4. That the name of the committee as the Waste and Recycling Committee be confirmed.
5. That it be agreed that the committee will comprise of 15 members.
6. That the purpose, role and function of the committee as set out in paragraph 3.1 of the report, be agreed.
7. That the delegations the Head of Paid Service, as set out in paragraph 3.7 of the report, be confirmed.

Delegations to GMCA Resources Committee/ Head of Paid Service

8. That the amendments to the GMCA Resources Committee and Head of Paid Service delegations in respect of severance payments be approved.

Delegations on Investment Fund decisions

9. That the delegations to the Head of Paid Service in consultation with the relevant Portfolio Leader in respect of Investment Fund decisions be approved.

Delegations – Land and Property

10. That the delegations to the Head of Paid Service in consultation with the relevant Portfolio Leader in respect of Land and Property matters be approved.

Corporate Issues and Reform Overview & Scrutiny Committee

11. That the decisions of the Corporate Issues and Reform Overview & Scrutiny Committee in relation to the operation of the 'Key Decision' process be noted.
12. That the proposed amendment to the committee's call-in arrangements in relation to its budget scrutiny function be approved.

Audit Committee

13. That the amendment to the composition of the Audit Committee to provide for the appointment of two substitute co-opted elected members who may be invited to attend as full members of the Audit Committee when apologies have been received be approved. Furthermore, that it be approved that substitute members to be appointed from the nominations received from constituent councils following their annual meetings ensuring politically inclusivity.

General

14. That the amendments to Parts 1 to 5 of the Constitution to give effect the above decisions, the Mayor's decision in relation to the Fire Committee and the Monitoring Officer's general review of the Constitution be approved.
15. That the Monitoring Officer be authorised to make any changes of a typographical nature to the Constitution.

5. GREATER MANCHESTER APPOINTMENTS AND NOMINATIONS 2018/19

RESOLVED /-

1. That the appointment of Eamonn Boylan, GMCA Head of Paid Service as the Secretary of the GMCA be noted.
2. That the portfolio leads for 2018/19 as allocated by the GM Mayor and GMCA Head of Paid Service be noted.
3. That the following appointments by GM Local Authorities to the Greater Manchester Combined Authority for 2018/19 be noted:

District	Member	Substitute Member
Bolton	Linda Thomas (Lab)	Ebrahim Adia (Lab)
Bury	Rishi Shori (Lab)	Andrea Simpson (Lab)
Manchester	Richard Leese (Lab)	Sue Murphy (Lab)
Oldham	Sean Fielding (Lab)	Arooj Shah (Lab)
Rochdale	Allen Brett (Lab)	Sara Rowbotham (Lab)
Salford	Paul Dennett (Lab)	John Merry (Lab)
Stockport	Alex Ganotis (Lab)	Wendy Wild (Lab)
Tameside	Brenda Warrington (Lab)	Bill FairFoull (Lab)
Trafford	Andrew Western (Lab)	Cath Hynes (Lab)
Wigan	David Molyneux (Lab)	Keith Cuncliffe (Lab)

4. That the appointment of the following 5 GMCA members to the GMCA Standards Committee for 2018/19 be approved agreed:

Paul Dennett, Alex Ganotis, Andrew Western, Linda Thomas and Brenda Warrington.

5. That it be noted the GMCA, in December 2015 appointed 1 Co-opted Independent Member, Geoff Linnell, to act as the Chair of the Standards Committee and 1 Independent Person, Nicole Jackson, to assist the Monitoring Officer and Hearing Panel in dealing with allegations that members of the GMCA have acted in breach of the GMCA's Code of Conduct. The term of office of these appointment is for 4 years with effect from 18 December 2015.
6. That the appointment of the following 5 GMCA members to the GMCA Resources Committee for 2018/19 be approved agreed:

GM Mayor Andy Burnham, Richard Leese, Paul Dennett, Allen Brett and David Molyneux.

7. That the following members from the nominations received from the GM Local Authorities be appointed to the Greater Manchester Waste & Recycling Committee (11 Labour, 3 Conservative and 1 Liberal Democrat) for 2018/19:

District	Member
Bolton	Mohammed Iqbal (Lab)
	Stuart Haslam (Con)
Bury	Allan Quinn (Lab)
	Tony Cummings (Lab)
Manchester	Rabnawaz Akbar (lab)
	Shaukat Ali (Lab)
Oldham	Stephen Hewitt (Lab)
Rochdale	Neil Emmott (Lab)
Salford	David Lancaster (Lab)
	Vacancy (Con)
Stockport	Roy Driver (Lab)
	Helen Foster-Grime (Lib Dem)
Tameside	Alison Gwynne (Lab)
Trafford	Judith Lloyd (Lab)
	Sean Anstee (Con)

8. That the GM Waste & Recycling Committee be requested to nominate a Chair of the Committee at the first meeting for consideration by the GMCA in July 2018.
9. That the following members from the nominations received from the GM Local Authorities be appointed to the Audit Committee for 2018/19:

District	Member
Manchester	Sarah Russell (Lab)
Oldham	Colin McLaren (Lab)
Trafford	Chris Boyes (Con)
Wigan	Richard Marshall (Lab)

A further 2 substitute members to be confirmed from the pool of nominations received from the GM Local Authorities at the next meeting of the GMCA.

10. That the following appointments by the GM Local Authorities to the Health and Care Board be noted:

District	Member	Substitute Member
Bolton	Linda Thomas (Lab)	Debbie Newall (Lab)
Bury	Andrea Simpson (Lab)	Rishi Shori (Lab)
Manchester	Bev Craig (Lab)	Joanna Midgley (Lab)

Oldham	Sean Fielding (Lab)	Zahid Chauhan (Lab)
Rochdale	Sara Rowbotham (Lab)	Wendy Cocks (Lab)
Salford	Paul Dennett (Lab)	John Merry (Lab)
Stockport	Wendy Wild (Lab)	Alex Ganotis (Lab)
Tameside	Brenda Warrington (Lab)	Bill Fairfoull (Lab)
Trafford	Andrew Western (Lab)	Judith Lloyd(Lab)
Wigan	Peter Smith (Lab)	Keith Cunliffe (Lab)

11. That the appointment of the following four GMCA members to the GM Local Enterprise Partnership for 2018/19 be agreed:

GM Mayor Andy Burnham, Richard Leese, Sean Fielding and Councillor Linda Thomas be appointed to the Greater Manchester Local Enterprise Partnership for 2018/19.

12. That the appointment of the following 5 members to the Manchester Growth Company Board for 2018/19 be agreed:

Richard Leese, Paul Dennett, Ebrahim Adia, Paula Boshell and Cath Hynes.

13. That the appointment of the Portfolio Lead for Skills, Employment and Work, Sean Fielding, plus two Portfolio Assistants be appointed to the Skills and Employment Partnership for 2018/19.

14. That Portfolio Lead for Green City Region, Alex Ganotis, be appointed to the GM Low Carbon Hub for 2018/19.

15. That the appointment of the GM Mayor to the Greater Manchester Land Commission for 2018/19 be noted.

16. That the appointment of the following 3 GMCA members to the GM land Commission for 2018/19 be agreed:

Richard Leese, Paul Dennett and David Molyneux.

17. That the appointment of the GM Mayor to the Transport for the North Board be noted.

18. That the appointment of the Portfolio Assistant for Transport as the GMCA substitute member on the TfN Board be agreed.

19. That nominations be sought from the GM Local Authorities for 1 member and a substitute member act as the GMCA's representative on the TfN Scrutiny Committee.

20. That the following final appointments to the 3 Overview & Scrutiny Committees be agreed:

**ECONOMY, BUSINESS GROWTH & SKILLS
OVERVIEW & SCRUTINY**

1	Bolton	Susan Haworth	LAB
2	Bury	Mary Whitby	LAB
3	Manchester	Luke Raikes	LAB
4	Oldham	*Valerie Leach	LAB
5	Rochdale	*Daniel Meredith	LAB
6	Salford	Kate Lewis	LAB
7	Stockport	Jude Wells	LAB
8	Tameside	Yvonne Cartey	LAB
9	Trafford	Barry Brotherton	LAB
10	Wigan	Charles Rigby	LAB
11	Stockport	Mark Hunter	LIB DEM
12	Rochdale	Mike Holly	CON
13	Salford	Karen Garrido	CON
14	Bury	Robert Caserta	CON
15	Oldham	Chris Goodwin	LAB

**HOUSING, PLANNING & ENVIRONMENT
OVERVIEW & SCRUTINY**

1	Bolton	Shamim Abdullah	LAB
2	Bury	Catherine Preston	LAB
3	Manchester	James Wilson	LAB
4	Oldham	James Larkin	LAB
5	Rochdale	Linda Robinson	LAB
6	Salford	Stuart Dickman	LAB
7	Stockport	Laura Booth	LAB
8	Tameside	Mike Glover	LAB
9	Trafford	Graham Whitham	LAB
10	Wigan	Lynne Holland	LAB
11	Stockport	Lisa Smart	LIB DEM
12	Bolton	Andrew Morgan	CON
13	Wigan	Michael Winstanley	CON

14	Bury	Dorothy Gunther	CON
15	Manchester	Paula Sadler	LAB

CORPORATE ISSUES & REFORM OVERVIEW & SCRUTINY			
1	Bolton	Hamid Khurram	LAB
2	Bury	Stella Smith	LAB
3	Manchester	Mary Watson	LAB
4	Oldham	Colin McLaren	LAB
5	Rochdale	Peter Malcom	LAB
6	Salford	David Jolley	LAB
7	Stockport	Yvonne Guariento	LAB
8	Tameside	Gill Peet	LAB
9	Trafford	Ann Duffield	LAB
10	Wigan	Joanne Marshall	LAB
11	Bury	Tim Pickstone	LIB DEM
12	Trafford	Nathan Evans	CON
13	Stockport	Linda Holt	CON
14	Tameside	John Bell	CON
15	Manchester	Annette Wright	LAB

21. That the following final appointment of members to the GMCA Overview and Scrutiny Committee substitute's pool, be agreed:

	LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT
Bolton	Kevin McKeon	David Greenhalgh	
Bury	Waiting for 1 further nomination to be confirmed		
Manchester			John Leech (Sub)
Oldham	To be confirmed		Hazel Gloster, (Sub)

Rochdale	Ray Dutton	Ann Stott	
Salford	Tanya Burch	To be confirmed	
Stockport			
Tameside	Adrian Pearce	Ruth Welsh	
Trafford	Amy Whyte	Bernard Sharp	
Wigan	Fred Walker	James Grundy	

22. That the appointment of Susan Ford as the GMCA Designated Scrutiny Officer be noted.
23. That the following appointment to the Regional Leaders Board for 2018/19 be agreed:
GM Mayor Andy Burnham, Deputy Mayor Beverley Hughes and Andrew Western
24. That the appointment of Paul Dennett to the Atlantic Gateway Board for 2018/19 be agreed.
25. That the following appointments to the NW European Programmes Local Management Committee for 2018/19 be agreed:
Paul Dennett as the Member and Sue Murphy as the substitute member.
26. That the appointment of the following GMCA members to the Greater Manchester European Structural Fund (European Programmes) Local Management Committee for 2018/19 be agreed:
GM Mayor Andy Burnham, Sue Murphy, Alex Ganotis, David Molyneux and Keith Cunliffe.
27. That the following members from the nominations received GM Local Authorities to the North West Flood and Coastal Committee for 2018/19 be agreed:

District	Member
Bolton	Nicholas Peel (Lab)
Bury	Alan Quinn (Lab)
Rochdale	Neil Emmott (Lab)

Those members appointed to be requested to appoint their own substitute.

6. SCHEDULE OF MEETINGS 2018/19

RESOLVED /-

That the schedule of meetings for 2018/19 be agreed:

Friday 27 July 2018	-	Rochdale
Friday 28 September 2018	-	Oldham
Friday 26 October 2018	-	Salford
Friday 30 November 2018	-	Bury
Friday 14 December 2018	-	Bolton
Friday 25 January 2019	-	Tameside
*Friday 15 February 2019	-	Wigan - Budget meeting
Friday 29 March 2019	-	Stockport
Friday 26 April 2019	-	Manchester
Friday 31 May 2019	-	Trafford
Friday 28 June 2019	-	Rochdale

9. MINUTES OF THE GMCA MEETING HELD ON 25 MAY 2018

RESOLVED/-

1. That the minutes of the GMCA meeting held on 25 May 2018 be approved as a correct record.
2. That consultation on the next version of the Greater Manchester Spatial Framework (GMSF), commence following approval at the GMCA meeting in October, in order to enable consideration of the implications of the Office for National Statistics' (ONSs) 2016 Sub National Population Projections (SNPP) which were published on 24 May 2018.
3. That a briefing note be prepared on the current status of the Greater Manchester Spatial Framework and rationale for the decision to delay the consultation until October 2018 for GM Leaders to disseminate to their respective Local Authority elected members.

10. MINUTES OF THE TRANSPORT FOR GREATER MANCHESTER COMMITTEE HELD ON 15 JUNE 2018

RESOLVED/-

That the minutes of the Transport for Greater Manchester Committee held on the 15 June 2018 be noted.

11. MINUTES OF THE GMCA AUDIT COMMITTEE HELD ON 12 JUNE 2018

RESOLVED /-

That the minutes of the GMCA Audit Committee held 12 June be noted.

12. GMCA OVERVIEW AND SCRUTINY COMMITTEE MINUTES – JUNE 2018

RESOLVED /-

1. That the minutes of the Housing, Planning and Environment Overview and Scrutiny Committee held 5 June 2018 be noted.
2. That the minutes of the Economy, Business Growth and Skills Overview and Scrutiny Committee held 8 June 2018 be noted.
3. That the minutes of the Corporate Issues and Reform Overview and Scrutiny Committee held 19 June 2018 be noted.

13. RAIL PERFORMANCE UPDATE

RESOLVED/-

1. That the contents of the report be noted.
2. That the GMCA received monthly updates on the performance of rail services for the next few months.

14. ROUGH SLEEPERS UPDATE

RESOLVED/-

1. That the latest information on the work underway to address rough sleepers be noted and circulated to members of the GMCA and GM Local Authority Chief Executives.
2. That a report on the impact of the roll out of Universal Credits be submitted to the GMCA in July 2018.
3. That the GM Mayor convene a meeting of Local Authority Cabinet Lead Members on Homelessness to discuss and agree the most effective method of data collections and reporting going forward.

15. STOCKPORT INTERCHANGE MIXED USE APPROVAL (KEY DECISION)

RESOLVED/-

1. That the current position in relation to the Mixed Use Development proposition that was being progressed for potential delivery in conjunction with the Stockport Interchange and Stockport Town Centre Access Plan (STCAP) Local Growth Deal schemes be noted.
2. That approval, in principle, be given for the Stockport Interchange / Town Centre Mixed Use scheme to proceed, subject to a further request for the granting of Full Approval and the associated release of Growth Deal funding being submitted to the Combined Authority in due course, in line with Growth Deal governance.
3. That it be noted that there was a requirement for the GMCA to underwrite up to £5m of the patient equity required for the residential element of the scheme, in the event that other options were not viable and a further report will be submitted to the GMCA once the appropriate due diligence and analysis has been completed.

16. GREATER MANCHESTER GROWTH DEAL – MANCHESTER SALFORD INNER RELIEF ROUTE: REGENT ROAD/WATER STREET (KEY DECISION)

RESOLVED / -

1. That full approval for the Manchester Salford Inner Relief Route - Regent Road/Water Street scheme be granted.
2. That the associated release to Manchester City Council of the remaining £13.840 million of the total £15 million of funding from the Local Growth Deal budget be agreed.

17. DISPOSAL OF FORMER ROCHDALE FIRE STATION

RESOLVED /-

That the disposal of the former Rochdale Fire Station be approved.

18. BREXIT MONTHLY MONITOR

RESOLVED /-

That the contents of the June Brexit Monitor be noted.

19. AMENDMENT TO SKILLS FUNDING: YOUTH CONTRACT EXPANSION AND GREATER MANCHESTER AGE CONTINUATION FUNDING (KEY DECISION)

RESOLVED /-

1. That the funding associated with previous projects and proposals for future spend to be developed in partnership with stakeholders including the GM Local Authorities be agreed and noted.

2. That the oversight and sign off of the final projects be delegated to the Portfolio Lead Chief Executive with responsibility for Employment & Skills in consultation with the Portfolio Leaders for Employment and Skills.

20. DEVOLUTION OF ADULT EDUCATION BUDGET (KEY DECISION)

RESOLVED /-

1. That the resolutions to the issues previously raised be noted.
2. That confirmation be sought that consent has been received within each LA to secure consent to the Order.

21. GREATER MANCHESTER INVESTMENT FRAMEWORK PROJECTS UPDATE (KEY DECISION)

RESOLVED /-

1. That it be agreed that the funding applications by Ursa Finance Ltd (investment of up to £3m) and a newly created HII (loan of £3m) be given conditional approval and progress subject to due diligence.
2. That delegated authority be given to the Combined Authority Treasurer and Combined Authority Monitoring Officer to review the due diligence information and, subject to their satisfactory review and agreement of the due diligence information and the overall detailed commercial terms of the transactions, to sign off any outstanding conditions, issue final approvals and complete any necessary related documentation in respect of the loans/investments.
3. That the changes to the terms of the EON Reality Limited agreement in line with the update provided in the confidential part of the agenda be agreed.
4. That it be noted that the Chair of Corporate Issues and Reform Scrutiny Committee has agreed that the decision in relation to the HII must be made urgently and cannot reasonably be deferred in accordance with Rule 17 of the Access to Information Procedure Rules.

22. GREATER MANCHESTER HOUSING INVESTMENT LOANS FUND (KEY DECISION)

RESOLVED /-

1. That the GM Housing Investment Loans Fund loans in the table below, as detailed further in the accompanying Part B report be approved.

BORROWER	SCHEME	DISTRICT	LOAN
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J Walker Homes Ltd	Royley, Royton	Oldham	£1.543m	
The Northern Powerhouse Residential REIT Ltd	Former Mail Office	Royal Sorting	Stockport	£5.400m

2. That authority be delegated to the GMCA Treasurer acting in conjunction with the GMCA Monitoring Officer to prepare and effect the necessary legal agreements.

23. TRANSFORMING CITIES CHALLENGE FUND (KEY DECISION)

RESOLVED /-

1. That the notice to rescind the following resolution from the GMCA meeting held on 29 March 2018:

GMCA 69/18 TRANSFORMING CITIES CHALLENGE FUND

That the proposal to place an initial order for 24 vehicles prior to 30 June 2018, with an additional 3 trams (i.e. up to 27 trams) to be ordered pending approval of the Business Case and associated funding for the Metrolink (Airport line) T2 extension, and authorise TfGM to enter into contractual arrangements for the procurement thereof be approved.

2. That the report be noted.
3. That the Cycling and Walking Commissioner's Cycling and Walking Infrastructure Proposal be approved.
4. That the release of the £1.542 million DfT Cycle Safety Grant, currently held by GMCA, to Manchester City Council to deliver a cycle safety scheme at the junction of Alan Turing Way / Ashton New Road; and the addition of the scheme to the capital programme be approved.
5. That the proposal to procure 27 trams and associated infrastructure; including the additional 3 trams that were previously to be procured upon confirmation of the Metrolink (Airport Line) T2 extension funding decision by DfT and that are to form part of the local match funding for that scheme be approved.
6. That the offer of further engagement regarding the Beeline proposals be extended to all local authorities should it be requested.
7. That Leaders be requested to encourage their respective officers to be as bold as possible with their design and ideas for cycling and walking opportunities in their respective Local Authority areas.

24. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED/-

That, under section 100 (A) (4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items on business on the grounds that this involves the likely disclosure of exempt information, as set out in paragraph 3, Part 1, Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

25. GREATER MANCHESTER INVESTMENT FRAMEWORK PROJECT UPDATES

RESOLVED /-

That the report be noted.

26. GREATER MANCHESTER HOUSING INVESTMENT LOANS APPLICATIONS)

RESOLVED /-

That the report be noted.

A link to the full agenda and papers can be found here:

https://www.greatermanchester-ca.gov.uk/meetings/meeting/514/greater_manchester_combined_authority

This decision notice was issued on 2 July 2018 on behalf of Eamonn Boylan, Secretary to the Greater Manchester Combined Authority, Churchgate House, 56 Oxford Street, Manchester M1 6EU. The deadline for call in of the attached decisions is 4.00pm on Wednesday 11 July 2018.

Call-In Process

In accordance with the scrutiny procedure rules, these decisions will come into effect five days after the publication of this notice unless before that time any three members of the relevant Overview and Scrutiny Committee decides to call-in a decision.

Members must give notice in writing to the Chief Executive that they wish to call-in a decision, stating their reason(s) why the decision should be scrutinised. The period between the publication of this decision notice and the time a decision may be implemented is the 'call-in' period.

Decisions which have already been considered by an Overview and Scrutiny Committee, and where the GMCA's decision agrees with the views of the Overview and Scrutiny Committee may not be called in.

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Report to: STRATEGIC COMMISSIONING BOARD

Date: 25 July 2018

Officer of Strategic Commissioning Board: Debbie Watson, Interim Assistant Director of Population Health

Subject: SEXUAL AND REPRODUCTIVE HEALTH SERVICE TWO YEAR CONTRACT EXTENSION

Report Summary: The report describes the rationale for agreeing to an extension of the above contract for a period of two years. The contract is issued by Stockport MBC on behalf of Stockport, Tameside and Trafford and a partnership agreement is in place between all three parties.

Recommendations: That a contract extension for two years from 1 April 2019 is approved.

Financial Implications:
(Authorised by the statutory Section 151 Officer & Chief Finance Officer)

Integrated Commissioning Fund Section	Section 75
Decision Required By	Strategic Commissioning Board
Organisation and Directorate	Tameside MBC – Population Health
Budget Allocation	£ 1.3 million
Additional Comments	
<p>Budget provision of £1.3 million per annum is within the medium term Population Health directorate revenue budget to support the proposed two year contract extension. It is essential that robust contract and performance monitoring arrangements remain in place to ensure expenditure and performance remain in line with the value of the contract during the proposed extension period.</p> <p>Strategic Commissioning Board members should be satisfied that the existing contract is demonstrating value for money and also be aware that the Tameside economy has significant efficiency savings to deliver over the medium term before approving the two year extension.</p>	

Legal Implications:
(Authorised by the Borough Solicitor)

There is provision in the Council’s procurement standing orders to extend the contract if there is already provision in the Contract to allow for an extension; the contract has been well conducted with no adverse problems; and the Contract is considered to provide value for money.

There is no restriction under the Public Contracts Regulations to extending a Contract if the authority for such an extension is contained in the Contract itself and the original procurement which is in fact the case and the extension does not involve a modification of the Contract.

The rationale is contained in the report for agreeing to an extension of the above contract for a period of two years. Such an extension needs to be agreed between all three partnering Authorities who are collaborating together under the procurement arrangements. This collaboration is aimed at securing the Greater Manchester Sexual Health Strategy.

The Borough Solicitor is supportive of the extension proposal.

How do proposals align with Health & Wellbeing Strategy?

The proposals align with the Starting Well and Developing Well programmes for action

How do proposals align with Locality Plan?

The service is consistent with the following priority transformation programmes:

- Enabling self-care
- Locality-based services
- Planned care services

How do proposals align with the Commissioning Strategy?

The service contributes to the Commissioning Strategy by:

- Empowering citizens and communities
- Commission for the 'whole person'
- Create a proactive and holistic population health system

Recommendations / views of the Professional Reference Group:

Reported directly to the Strategic Commissioning Board.

Public and Patient Implications:

None.

Quality Implications:

Tameside Metropolitan Borough Council is subject to the duty of Best Value under the Local Government Act 1999, which requires it to achieve continuous improvement in the delivery of its functions, having regard to a combination of economy, efficiency and effectiveness

How do the proposals help to reduce health inequalities?

Provision of Sexual and reproductive health services has a positive effect on health inequalities. Poor sexual health and lack of access to contraception contributes to inequalities, with more deprived populations experiencing worse sexual health.

What are the Equality and Diversity implications?

The proposal will not affect protected characteristic group(s) within the Equality Act. The service is available to Adults regardless of ethnicity, gender, sexual orientation, religious belief, gender re-assignment, pregnancy/maternity, marriage/ civil and partnership.

What are the safeguarding implications?

Sexual and Reproductive Health Services have an important role in the identification and response to abuse. The service has explicit resources for this, is linked into Child Sex Exploitation and Domestic Abuse services and has pathways to safeguard children and vulnerable adults.

What are the Information Governance implications? Has a privacy impact assessment been

There are no information governance implications within this report therefore a privacy impact assessment has not been carried out.

conducted?

Risk Management:

The purchasers will work closely with the provider to manage and minimise any risk of provider failure consistent with the provider's contingency plan.

Access to Information :

The background papers relating to this report can be inspected by contacting Richard Scarborough, Planning and Commissioning Officer by:



Telephone: 0161 342 2807



e-mail: richard.scarborough@tameside.gov.uk

1 BACKGROUND

- 1.1 Under the Health and Social Care Act 2012, Local Authorities have a statutory duty to commission confidential, open access services for Sexually Transmitted Infections and Contraception, as well as ensuring that the local population has reasonable access to all methods of contraception.
- 1.2 An Executive Decision in January 2016 approved the joint procurement of a sexual and reproductive health service in a cluster arrangement with Stockport and Trafford Councils with Stockport leading the procurement and awarding the contract.
- 1.3 This arrangement was in line with the Greater Manchester sexual health strategy, produced by the Greater Manchester Sexual Health Network, to re-commission services in cluster based arrangements using a single Greater Manchester service specification.
- 1.4 When the cluster based re-commissioning of secondary care was undertaken it was as the first stage in the move towards a single system or service for Greater Manchester, possibly using pooled budgets and a lead provider model. The shared service specifications and transformation of cluster based services were seen as the first step in the development of single system with a wholesale re-procurement process to be conducted in time for a new Greater Manchester service being in place in 2019.
- 1.5 Since these plans were formulated in 2015 this strategy has been revised and there are currently no plans to procure a single system or provider across Greater Manchester.
- 1.6 As stated in the GM Sexual Health Strategy 2018:

“The emerging Local Care Organisation developments across Greater Manchester, alongside the integrated commissioning arrangements, and the work on neighbourhood and primary care standards across the conurbation, gives us an opportunity to engage primary care (and particularly general practices and pharmacies) with sexual and reproductive health in a way that has never before been possible. While we have consistency of offer in our specialist services, we have great variation in primary care provision, both within and between boroughs. This is particularly evident in the provision of reproductive health services. Improving the quality and consistency of this offer will improve pathways through the system and will better meet patient expectations and outcomes. This will include developing closer relationships between specialist and primary care services, in order that they can support each other effectively. This work will take place alongside the development of a strengthened digital offer, allowing patients both to self-manage and to access some services online, allowing us to reduce demand on clinic based services. It will also allow patients to be more effectively triaged, with faster access of higher risk patients into services.”

- 1.7 Following a competitive tender process in 2016, Manchester University NHS Foundation Trust (MFT) was awarded the contract to deliver a sexual and reproductive health service for the three Boroughs with the Tameside service based at Ashton Primary Care Centre.
- 1.8 The contract commenced 16 September 2016 for an initial period of two and a half years. There is an option to extend this contract for a further two years, subject to approval and negotiation between the parties to 31 March 2021.
- 1.9 A partnership agreement between Stockport, Tameside and Trafford governs the relationship between the commissioning parties. This agreement requires our consent to allow Stockport to issue a variation to extend the provider contract.

- 1.10 The service is delivered under the MFT branding of “The Northern” which includes the provision of services to Manchester City Council, having won their tender for a single multi-site service across Manchester. MFT are therefore the largest single Sexual and Reproductive Health Service provider across Greater Manchester.
- 1.11 During the initial period of the contract MFT has completed a full staffing restructure requiring an extensive staff consultation exercise. This restructure has now been implemented, including the recruitment of additional staff, to produce a single staff team across the Northern footprint. This restructure has been difficult and impacted service delivery capacity at times of staff shortages, however, the service is now in a much better position with a more resilient and appropriate structure which benefits from being managed across the Northern footprint whilst retaining locally focussed teams and clinical management.
- 1.12 MFT have implemented a new clinical system across the Northern footprint moving our clinic from the old Blythe Lilly system to Inform. This means that clinical records are available covering all consultations, tests, treatments etc regardless of which of their sites a patient has attended providing a safer and more joined up service which is more able to identify and respond to safeguarding issues. The new clinical system is also linked to the laboratory systems enabling the direct reporting of results which previously could take several days.
- 1.13 Alongside the building based service MFT have implemented an online service for people who have no symptoms but would like a sexual health check-up using a kit sent through the post as an alternative to a face-to-face clinic visit. This is an area of service which we intend to develop further and expand if a contract extension is granted.
- 1.14 One key new area of work that MFT have managed very successfully during the initial contract period is the implementation of the national pre-exposure prophylaxis (PrEP) trial. This NHS England trial is to provide PrEP (usually a daily tablet) to HIV negative people as a method of preventing transmission of HIV. MFT were one of the first service providers to be approved to commence delivery and have been central to the Greater Manchester response to eradicating HIV.
- 1.15 Whilst MFT are delivering our service under a joint contract and as part of the wider “Northern” service they have continued to respond to local needs and have local clinical leadership. We are currently working with them to develop and improve the provision of Long Acting Removable Contraception (LARC) within neighbourhoods and to support Tameside General Practices in the provision of LARC.
- 1.14 The service has reviewed and implemented new processes for management of safeguarding patients and is implementing an action plan to improve awareness and contribution to the Tameside Safeguarding Children’s Board Neglect Strategy having completed a recent audit.
- 1.15 Performance management of the contract has been conducted jointly by the sexual health commissioners within the three commissioning areas with additional joint work alongside the Manchester commissioner. Most of the initial focus has been on the workforce transformation, consolidating the new integrated service and implementation of new service functionality such as the online offer.
- 1.16 Performance meetings were initially conducted monthly during mobilisation and are now conducted on a quarterly basis. The service is subject to a performance framework and it reports against a range of performance and quality indicators on a quarterly basis. The provider engages well with the commissioners and actively pursues improvements in performance and quality. There are no current performance issues. (See example at **Appendix 1**).

2 PROCUREMENT STANDING ORDER SEEKING TO WAIVE / AUTHORISATION TO PROCEED

2.1 Authorisation for continued allocation of funding is required to enable us to give Stockport authority to extend the contract.

3 VALUE OF CONTRACT

3.1 The Tameside contribution to the contract value is £1,299,710 per annum.

3.2 The previous contract value of the SRHS prior to re-procurement and award to Central Manchester FT was £1,409,626 annually (2016/17 value). As this was an NHS contract it was subject to the annual NHS inflator so this value would have increased. The contract value for the current MFT contract is £1.3 million representing an approximate £100,000 reduction.

3.3 In addition to this the current service specification has additional responsibilities including –

- Responsibility for all chlamydia screens done within the service that previously were passed to RUClear and separately funded at a cost of approximately £50,000.
- Responsibility for all provision provided for residents of Manchester, Salford, Bury Wigan, Stockport and Trafford due to GM cross-charging arrangements meaning that the provider forgoes charging income. (This is a reciprocal arrangement and we are therefore not charged by services in these Boroughs and there is a simplified commissioner to commissioner arrangement resulting in cost savings.)

3.4 The contract includes amortised start-up costs of £63,000 during the initial period of the contract. The extension of the contract should therefore be at a reduced value.

4 GROUNDS UPON WHICH WAIVER/AUTHORISATION TO PROCEED SOUGHT

4.1 Following a competitive tender process in 2016, led by Stockport MBC, Manchester University FT was awarded the contract to provide sexual and reproductive health services for Tameside, Stockport and Trafford.

4.2 The contract was for a period of two and a half years with an option to extend for a further two years.

4.3 Performance monitoring of the service has been positive and MFT engage well with the commissioners.

4.4 Since the contract commenced there has been no inflationary increase.

5. REASONS WHY USUAL REQUIREMENTS OF PROCUREMENT STANDING ORDERS NEED NOT BE COMPLIED WITH BUT BEST VALUE AND PROBITY STILL ACHIEVED:

5.1 The provision of open access services for Sexually Transmitted Infections and Contraception is a statutory duty under the Health and Social Care Act 2012.

5.2 Sexual health and contraception are health inequality issues with consequences that are serious and long-lasting. Failure to prevent or treat sexual ill health or to provide adequate

contraception generates avoidable cost and demand across the health and social care system.

- 5.3 The implementation of the current contract has involved a workforce restructure and commencing a transformation of service delivery. This incurred an opportunity cost in terms of the impact on service delivery capacity during the implementation. The transformation of sexual health services is not complete and there is further work to implement the new Greater Manchester sexual health strategy. Further disruption to the service in the form of a re-procurement would hamper our ability to both drive forward change and prevent us consolidating the progress made so far.
- 5.7 Effective sexual and reproductive health services reduce costs from a range of areas including:
- Health costs – including unintended pregnancies, abortion services and STI treatment, and additional costs for treating complications arising from undiagnosed STI infections
 - Other public sector costs – including children born from unintended pregnancies, social welfare expenditure (such as family tax credits), personal social services (such as interventions for those experiencing neglect or abuse), housing and education (GM Sexual Health Strategy 2018)
- 5.8 Services that promote good sexual health, test for and treat STIs and provide access to condoms all contribute to reducing the number of diagnoses of STIs and HIV. NICE health economic modelling estimated the costs of treating each episode of STIs, HIV and PID complications, as follows:
- £121.92 for chlamydia;
 - £206.17 for gonorrhoea;
 - £210.59 for syphilis;
 - Treating 1 episode of pelvic inflammatory disease at £3,124;
 - On average, it costs £13,900 a year to treat a case of HIV (GM Sexual Health Strategy 2018).
- 5.9 In addition to the benefits to the individual and the community of being sexual healthy, there are economic benefits. The Department of Health's *Framework for Sexual Health Improvement in England* concludes that there is an £11 saving for every £1 spent on contraception.

6. RECOMMENDATIONS

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

APPENDIX 1

The following is extracted from the service quality report. The service reports, and is monitored, across the three areas so RAG rating is across the total performance and is not location specific. Data for Stockport and Trafford has been redacted.

An exception summary is included at the end of the report.



Quality Outcome Indicators (Key Performance Indicators) Report

Stockport, Tameside & Trafford

Period: Q4 2017/18
(January - March 2018)

Performance is currently not meeting the target or set to miss the target by a significant amount.			
Performance is currently not meeting the target or set to miss the target =/ $<$ 10%.			
Performance is currently meeting the target.			

Access					
Indicator	Threshold	Stockport	Tameside	Trafford	Combined
% of patients contacting the service who are triaged within 48 hours	100%		100%		100%
% of patients contacting the service with an urgent clinical need offered an appointment within 48 hours	90%		100%		100%
% of clients requiring emergency contraception offered an appointment on the day of contacting the service	90%		100%		100%
% of clients with a non-urgent clinical need offered an appointment within 2 weeks of contacting the service	80%		100%		100%

STI Testing & Treatment					
Indicator	Threshold	Stockport	Tameside	Trafford	Combined
% of patients offered an HIV test (Note: this relates to eligible patients attending for the purpose of obtaining a sexual health screen)	90%		assumed 100% - internal audit		
% of patients (of those offered - see above) who accept an HIV test (Note: this relates to clients attending for the primary purpose of obtaining a sexual health screen)	80%		internal audit		
Ratio of contacts per gonorrhoea index case, such that the attendance of these contacts at a Level 1, 2 or 3 service is documented as reported by the index case, or by a Healthcare Worker (HCW), within four weeks of the date of the first PN discussion	60%		36%		39%
Ratio of contacts of chlamydia index cases whose attendance at a Level 1, 2 or 3 service was documented as reported by the index case, or by a HCW, within four weeks of the date of the first PN discussion	60%		31%		41%
% of patients with a new diagnosis of HIV who are offered an appointment with HIV appropriately trained staff within two weeks	100%		100%		100%
Documented evidence within clinical records that a 'look-back' / root cause analysis exercise has been conducted for all patients who have been diagnosed with HIV at a late stage of infection in order to determine missed opportunities for earlier diagnosis.	'Look Back' report produced		No late diagnoses		100%

Documented evidence within clinical records that PN has been discussed with people living with HIV within 4 weeks of receiving a positive HIV diagnosis and within 1 week of identifying subsequent partners at risk	90%		100% (n=1)		67%
For a person diagnosed with HIV, ensure there is documented PN outcomes or a progress update at 12 weeks after the start of the PN process.	90%		100%		67%
% of patients who are notified of their test results within 10 working days (of the date that the sample was taken or received at the lab)	90%		90% (10 cases sampled)		97%

Chlamydia Screening & Treatment					
Indicator	Threshold	Stockport	Tameside	Trafford	Combined
% of asymptomatic young people aged under-25 attending the service who are screened for chlamydia on an opportunistic basis	75%		46%		37%
% of positive screens (positivity) is between 9% and 12% (Under 25s)	9% - 12%		9% (1/11)		3%
% of young people who are notified of their results within 10 working days (of the date that the sample was taken or received at the lab)	90%		80%		93%
% of young people who are diagnosed with chlamydia who are treated within six weeks of the test date	95%				This is not coded in L3 services

Contraception					
Indicator	Threshold	Stockport	Tameside	Trafford	Combined
% of long-acting methods prescribed as a % of all methods prescribed	25%		40%		44%

Patient Experience					
Indicator	Threshold	Stockport	Tameside	Trafford	Combined
% of patients receiving a new diagnosis of HIV who are referred to HIV support services	100%		100%		67%
% of clients with a booked appointment seen within 30 minutes of their appointment time	70%		Awaiting results		
% of patients attending a walk-in clinic seen within 90 minutes of registration	70%		Awaiting results		
% of 'did not attends' for appointment slots	≤ 10%		14%.		14%.
% of clients making a formal complaint about the service	<2%		0%		0%
% of clients receiving a response to a formal complaint with 28 days	100%		NA		NA
Completion of an annual patient survey	TO BE AGREED FOR 2017/18				Mar-18
% of clients responding to the annual patient survey rating the service as good or excellent	TO BE AGREED FOR 2017/18		Awaiting results		
Improvements to provision implemented as a result of patient feedback	TO BE AGREED FOR 2017/18		Awaiting results		
Completion of the You're Welcome self-assessment tool	TO BE AGREED FOR 2017/18		Yes		2/3

Reducing Inequalities					
Indicator	Threshold	Stockport	Tameside	Trafford	Combined
Development and implementation of an outreach plan to inform the provision of clinical and non-clinical outreach services for at-risk groups	Completed by Q3	☐	☐	☐	☐

Workforce					
Indicator	Threshold	Stockport	Tameside	Trafford	Combined
Proportion of nursing staff will be dual trained	Baseline to be established in 2016/17		80%		87%
Completion of an annual staff survey	TO BE AGREED FOR 2017/18		Sep-17		☐

Exception summary

Some target percentages that are very hard to achieve and are set much higher than usual standard we may therefore need to review targets and definitions.

Gonorrhoea ratio

Gonorrhoea contacts PN low– partly due to a training issue. Health adviser role gap now filled and staff training scheduled. Also suspect that the completion of PN tab on Inform is not being done accurately –especially with all team now doing it not just one person. MFT are confident that contact ratio is higher than recorded.

Direction of travel good, presumably due to improved recording as staff get used to Inform etc

Chlamydia ratio

Similar issues as per gonorrhoea ratio

Possible that the downward changes compared to previous quarters are due to data being prepared by different people – especially % asymptomatic screened for chlamydia which has fallen from 75. New analyst has been recruited and will be working alongside other analyst to prepare data to ensure consistency.

DNA

DNAs have gone up to 14%. Noted that MFT regard this as a good rate as it is a very challenging target. Also noted that repeat DNAs can skew the data.

Summary

Overall there is good performance in many areas and the 'red' areas do not relate to any major issues and can be turned around and/or they are national issues with extremely challenging targets.

QUALITATIVE DATA Q4 2017/18

MFT in partnership with PAHT

STT INTEGRATED SEXUAL HEALTH SERVICE - Tameside

1. What is the average time between a referral being made and service delivery?

- The service is walk-in / self-referral.
- Letter(s) from GP rare.
- Target is 48 hour access.

2. Have you identified any unmet needs across the locality as a result of your work?

- Plans to provide / support LARC in primary care. Dr Jane Harvey exploring service arrangement within Neighbourhood scheme in Hattersley.

3. Have MFT made any changes to service delivery based on established unmet need or learning?

- On-line home testing offer implemented July 2017
- New staffing structure implemented September 2017
- Service delivery changes ie structure, model, timetables etc to be implemented w/c 6th November 2017
- Introduction of IMPACT Prep trial November 2017
- New processes for management of safeguarding patients January 2018
- Plan to roll out HPV vaccination to MSM <45Y – Q1 2018/19

4. Please describe any trend analysis including trends relating to safeguarding.

Key Indicators		Period	Local count	Local value	Eng. value	Eng. worst / lowest	Range	Eng. best / highest
Syphilis diagnostic rate / 100,000		2016	25	11.3	10.6	127.9		0.0
Gonorrhoea diagnostic rate / 100,000		2016	118	53.2	64.9	596.4		11.7
Chlamydia detection rate / 100,000 aged 15-24 (PHOF indicator 3.02)		2016	668	2593	1882	813		4,938
Chlamydia proportion aged 15-24 screened		2016	5,496	21.3	20.7	9.4		50.0
New STI diagnoses (exc chlamydia aged <25) / 100,000		2016	1,031	726	795	3,288		344
HIV testing coverage, total (%)		2016	3,323	66.3	67.7	26.7		86.3
HIV late diagnosis (%) (PHOF indicator 3.04)		2013 - 15	15	50.0	40.1	75.0		12.5
New HIV diagnosis rate / 100,000 aged 15+		2015	16	8.9	12.1	62.9		0.0
HIV diagnosed prevalence rate / 1,000 aged 15-59		2015	225	1.73	2.26	14.60		0.35
Population vaccination coverage – HPV vaccination coverage for one dose (females 12-13 years old) (PHOF indicator 3.03xii)		2015/16	1,231	95.3	87.0	68.4		97.3
Under 25s repeat abortions (%)		2015	109	29.7	26.5	37.3		11.1
Abortions under 10 weeks (%)		2015	733	84.3	80.3	67.5		88.0
Total prescribed LARC excluding injections rate / 1,000		2015	2,317	55.1	48.2	11.4		85.7
Under 18s conception rate / 1,000 (PHOF indicator 2.04)		2015	95	25.1	20.8	43.8		5.7
Under 18s conceptions leading to abortion (%)		2015	49	51.6	51.2	28.9		82.4
Sexual offences rate / 1,000 (PHOF indicator 1.12iii)		2015/16	397	1.8	1.7	0.9		3.5

5. Please demonstrate how you have adhered to the social value outcomes outlined in your bid/application?

- Links across sexual health services are well established regionally with The Greater Manchester Sexual Health Network and nationally through high profile leadership of our professionals within BASHH, FSRH and BHIVA;
- Partnership Innovation Forum – to scope efficacy of home testing kits for partner organisations;
- Nursing Assistant apprenticeships;
- Enhanced surveillance for PHE;
- Providing ‘clinical’ governance and expertise to BHA for GM PaSH programme:
 - Co-authored PaSH SOP with pathology input from MFT;
 - Sept 2017 – provided training to PaSH staff (BHA, GHT, LGBTF) for implementation of community HIV testing programme;
- We work closely with third sector partners to ensure we are providing services to meet the needs of all high risk groups.
- Free STIF training places provided to third sector partners.

6. What progress has CMFT made towards its duty under the Equalities Act 2010 and has an EIA been completed?

- Your welcome – all sites;
- Hearing loop;
- Disabled access – all sites;
- Translation services – accessible at all sites;
- We accommodate people with special needs and will allocate staff to provide extra resource where needed;
- Access to learning disability and mental health services for support and advice;
- Open access to all, with specific services to LGBT, BME communities;
- Wide stakeholder representation on the Partnership Innovation Forum;
- A seamless pathway to HIV services is in place in all sites;
- Recruitment is delivered in line with EA 2010;
- EIAs completed for changes to service delivery.

7. Have you received any feedback from clients during this reporting period (compliments and complaints)? If so, please describe and explain how complaints have been handled.

- Yes, the service continues to receive compliments throughout Q4.
- 0 x formal complaints received Q4.
- PALS leaflets are available clinic venue(s).
- Formal complaints are investigated by a senior nurse and/or clinical lead, and where necessary statements requested from those involved. They are either dealt with/de-escalated by PALS or a formal written response is required and is provided by the Matron, or other manager; reviewed by QA and signed-off by the Chief Executive – as per the CMFT formal complaint process.

8. Have there been any clinical risk incidents? If so, please explain the outcome.

Clinical risk incident(s) logged for Tameside in Q4:
➤ Nil to report.

9. Please list the training sessions held for both clinicians and frontline staff.

- **15 March 2018**
 - Mandatory Fire training session (all staff to attend)
 - INFORM and coding updates –Dr Nicky Waddell.

- **14 February 2018**
 - IMPACT trial and PrEP coding – Chris Ward
 - Male survivors – Duncan Craig, Survivors Manchester
- **16 January 2018**
 - ACE morning cancelled by the Trust due to winter pressures

10. Please outline the sexual health training offered and delivered to other professionals in the wider community?

Dr Ward has provided Obs & Gynae teaching at Tameside General Hospital to junior doctors as part of their postgraduate education program.

11. Please provide a breakdown of the staffing including the vacancies for each area and any volunteers recruited.

CMFT - Tameside				
Group	Band/Role	ACTUAL	BUDGET	Variance
Medical	Consultant	0.80	1.54	-0.74
	Non consultant	1.50	1.00	0.50
Nurse	7	1.40	1.40	0.00
	6	6.45	6.42	0.03
Sen. Nurse Ass.	3	4.20	4.11	0.09
Non-clinical OR	4	1.00	1.00	0.00
A&C	4	0.98	1.07	-0.09
	3	1.00	1.00	0.00
	2	1.40	2.38	-0.98
Counsellor	6	0.00	0.00	0.00
Grand Total		18.73	19.92	-1.19

12. Please describe your involvement in regional and national audit completion of an audit plan (standard: all providers of services managing STIs).

Nil to report

13. Please describe how the online offer has reduced demand on the clinics in each area – please include number of online self-assessments, number of kits posted out / returned, number of kits collected / returned per area.

Data and report to follow

14. Please provide details of promotional campaign involvement.

Nil to report

15. Please detail the number of outreach sessions delivered.

Nil to report

16. Are there any other issues relating to contract delivery e.g. changes to clinical pathways etc.?

Nil to report

Report To:	EXECUTIVE CABINET
Date:	25 July 2018
Executive Member/Reporting Officer:	Councillor Bill Fairfoull - Executive Member Performance and Finance Tom Wilkinson – Assistant Director Finance
Subject:	REVIEW AND REPRIORITISATION OF THE CAPITAL PROGRAMME
Report Summary:	To review the existing capital programme in light of cost overruns on the Vision Tameside programme, other emerging cost pressures on key schemes and delays to the realisation of key capital receipts.
Recommendations:	<p>That Executive Cabinet recognise the capital pressures that are facing the Council and recognise that to ensure the efficient allocation of these scarce resources that the capital programme needs to be reprioritised to enable it to be delivered within available resources.</p> <p>Recognise that capital receipts fund a large proportion of the current capital programme, and that the size of the capital programme is dependent of the level of capital receipts released.</p> <p>Produce a revised capital receipts schedule to allow the achievement of the £55m required to fund the programme.</p>
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)	These are the subject of the report.
Legal Implications: (Authorised by the Borough Solicitor)	<p>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.</p> <p>It is important to keep the capital programme under review to ensure deliverable and it needs to be considered in light of revenue because where the Council fails to keep within its income it has been necessary to use reserves to balance the budget – this in turn affects the capital programme and the ability to borrow.</p> <p>It is worth noting that English councils are set to face six tests under a proposed new “traffic light” scheme rating their financial resilience, including changes in reserve levels and the ratio of government grants to net revenue expenditure. The Chartered</p>

Institute of Public Finance and Accountancy (CIPFA) launched a consultation on its proposed new resilience index this week. The institute proposed that other criteria used to compile the index would relate to expenditure, Ofsted ratings for social care, and an auditor's value for money judgement. The institute is proposing to rank councils within all six of the criteria, before combining the scores to give an overall rank. The six criteria, and their level of weighting in calculating the overall rank, are proposed as follows:

- The level of total reserves, excluding schools and public health, as a proportion of net revenue expenditure. (0.25)
- The percentage change in reserves, excluding schools and public health, over the past three years. (0.25)
- The ratio of government grants to net revenue expenditure. (0.1)
- Proportion of net revenue expenditure accounted for by children's social care, adult social care and debt interest payments. (0.15)
- Ofsted's overall rating for children's social care. (0.15)
- Auditor's VFM judgement. (0.1)

CIPFA emphasised that the resilience index is not proposed as "a performance table of service outcomes, or quality, and is not a comment on the quality of leadership in councils".

However, the institute said the aim was to create "an authoritative measure" of financial resilience, using publicly available information, intended to provide an early warning system. CIPFA believes local government and external auditors could use the information to assist their work.

The consultation on the financial resilience index is open until 24 August. CIPFA said it expects the first edition to be published in the early autumn.

Risk Management:

There are significant risks around the delivery of schemes on budget, and the realisation of capital receipts.

Access to Information:

The background papers relating to this report can be inspected by contacting Tom Wilkinson.



Telephone: 0161 342 3802



e-mail: tom.wilkinson@tameside.gov.uk

1. BACKGROUND

- 1.1. The capital programme budget of £174m was set in October 2017 to run through until March 2020. Between October 2017 and April 2018 a number of additional schemes were added to take the value of the programme to £189m.

Table 1 – Approved Capital Programme

Capital Programme	£000
Programme approved in October 2017	174,153
Changes during 2017/18:	
Manchester Airport Investment	11,300
Children's Playgrounds	600
Additional Grants and Contributions	3,687
Total Proposed Expenditure April 2018	189,740

- 1.2. The programme is made up of two main elements, approved and earmarked schemes. Approved schemes are those for which a business case has been produced and which are already in progress. Earmarked schemes are those that are approved in principle but require further business case development, to demonstrate they represent value for money and are aligned with the Council's priorities. All new schemes added to the programme in October 2017 were added as earmarked schemes. Since October 2017 a number of schemes have sought full approval and a number remain as earmarked. Further analysis of earmarked and approved schemes is set out in section 5 below.
- 1.3. When the £174m programme was approved in October 2017, it was acknowledged that the budget for earmarked schemes exceeded the identified available resources of £173m. At the time of approval, resources identified to fund the programme consisted of the following:

Table 2: Expected funding sources 2017 – 2020

	2017/18 £000	2018/19 £000	2019/20 £000	Total
Grants and Contributions	23,637	1,600	1,600	26,837
Revenue Contributions	731	0	0	731
Forecast Capital Receipts	46,307	4,762	2,414	53,483
Reserves	41,416	22,923	4,871	69,210
Prudential Borrowing	16,423	6,524	0	22,947
Total	128,514	36,509	8,185	173,208

- 1.4. Executive Cabinet approved the use of additional reserves to fund the investment in Manchester Airport and forecasts for capital receipts have increased since October. The revised forecast for financing the capital programme is set out in Table 3 below. The majority of the funding sources are already in place and the funds readily accessible. The capital receipts are the main key variable, act to balance the programme, and are budgeted to fund a third of the programme. However, only £7.6m of £59m forecast have been achieved to date, and to balance the capital programme over 90% of the assets on the receipts list have to be sold for their estimated price. This is a considerable risk to the affordability and sustainability of the programme.

Table 3: Current forecast for Capital Financing (April 2018)

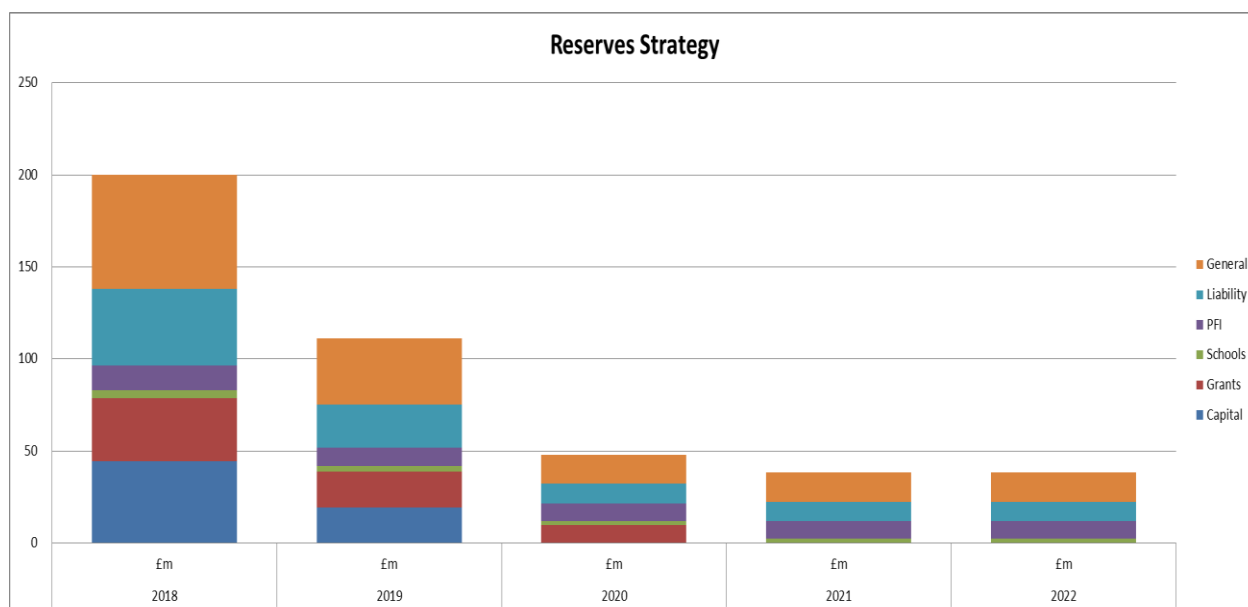
Current Planning Capital Financing	
Prudential borrowing	22,241
Contributions	1,778
Grants	26,507
Specific Receipts	844
Reserves	80,510
Budgeted receipts	59,000
Total Resources	190,880

- 1.5. The schemes funded from borrowing were designed as invest to save schemes where the capital expenditure would allow additional income to be earned or revenue savings be generated to cover the interest and repayment costs of the borrowing. Failure of these schemes to deliver income or savings will have a direct impact on the Council's revenue budget and result in further budget pressures on top of the funding cuts from central government. The annual cost of borrowing the £22.2m in the programme means the Council committing itself to £1.8m a year of repayment and interest costs for the next 25 years, so it is important that these compensating income streams and savings are delivered.
- 1.6. Grants and contributions, usually come from central government and developers, and as such are directed to specific schemes, and therefore cannot be spent at the discretion of the Council. They are mainly in relation to providing additional school places and for highways maintenance and development.
- 1.7. The Council does have maximum discretion over the use of its reserves and capital receipts, in terms of how they are spent, and which receipts are raised.

2. THE RESERVES POSITION

- 2.1. As at 31 March 2017, Council Reserves stood at £220m. It was acknowledged that the prudent accumulation of these reserves, during a time of great financial uncertainty was the right approach for the Council during the early part of austerity. It was also acknowledged as part of the 2017/18 budget process that it was now the right time to utilise these reserves and deliver an ambitious capital programme to invest in the fabric of the borough.
- 2.2. A detailed review of reserves took place in 2016/17 and £69m (32%) were earmarked to deliver the capital programme. In February 2018, Executive Cabinet approved a further use of £11.3m of reserves to fund an investment in Manchester Airport, bringing total planned use of reserves for Capital Investment to £80m (42% of total reserves). With all things being equal this would bring the reserves position down to £140m. The capital reserves currently stand at £51m, and assuming there are no further capital receipts, and based on current spending profiles they will stand at £11m by 31 March 2019; and be fully used by 31 March 2020.
- 2.3. However, revenue budget cost pressures and some reserves earmarked for specific purposes, means that the reserves position is expected to reduce significantly including:
 - £23m of reserves planned to allow the revenue budget to be balanced. This is to address the pressures in Children's Social Care;
 - £15m has been earmarked for the care together risk share;
 - £20m further resources is likely to be needed to fund overspends, non-achievement of savings and delays to the reduction of the Children's services pressures;

- £35m of grants currently held in reserves will be spent (or returned).



2.4. This has the impact of reserves being reduced to less than £50m in under 4 years which is clearly unsustainable.

3. COST PRESSURES

3.1. It has been well documented that the Council is facing significant cost pressures on the Vision Tameside phase 2 (VT2) project following the collapse of Carillion in January 2018. The anticipated shortfall on this scheme is £9.4m (including contingencies). However, there are other cost pressures coming through on other strategically important schemes. Total cost pressures are highlighted in Table 4.

Table 4: Capital Scheme Cost Pressures

Potential Capital Cost Pressures	£000
Vision Tameside Phase 2	9,400
Ashton Old Baths	1,100
Ashton Town Hall	3,300
ICT Devices	3,000
Replacement of Cremators	1,000
Hyde Pool	88
Total	17,888

3.2. Apart from the VT2 project and Hyde Pool, the other schemes are earmarked schemes in the programme and have not yet got final approval. However, Ashton Old Baths is the designated site for the Council's data centre and Ashton Town Hall is a grade 2 listed building which the Council has a duty to maintain. The ICT devices scheme will bring forward the IT technology required for a modern organisation operating out of multiple sites and will need to be incurred within the next 2 years regardless. Regarding the replacement of cremators, £1.5m has already been earmarked for their replacement, but this was an initial estimate and costs are expected to be in the region of £2 - £2.5m. The crematorium is a cash generator for the Council and a failure to replace will result in a net

loss of income of around £1.4m per annum which would have to be replaced from other savings or income generation.

- 3.3. In addition to the above, the Tameside Highways Asset Management Plan for 2017-2021 identified proposals to invest £20m in the Council's highways over a four year period from 2017/18 to 2021/22. The Strategic Planning and Capital Monitoring Panel in March 2017 supported the principle of additional investment in Highways subject to a further report alongside all other requests for funding. The October 2017 capital programme considered the relative priorities and agreed to fund £13.250m of the original £20m identified in the Highways Asset Management Plan, on the grounds that annual Highways Maintenance grant funding of £2-3m per year is anticipated. Against the £13.250m, approvals for expenditure totalling £8m have been sought for the two year period 2017/18 to 2018/19. A residual earmarked sum of £5.250m is included in the Capital Programme for 2019/20.
- 3.4. Total Capital Expenditure in 2017/18 was £51.385m. Once the additional pressures have been added to the Capital Programme and the 2017/18 actual expenditure removed, the revised three year programme is £161m.

Table 5: Revised Capital Programme June 2018

Total Capital Programme	2017/18 £000s	2018/19 £000s	2019/20 £000s	2020/21 £000s	TOTAL £000s
Updated Capital Programme (April 2018 - Table 1 above)	132,201	48,009	9,530	0	189,740
2017/18 Actual Expenditure	-51,385				-51,385
Budget Re-profiling	-80,816	79,301	1,515		0
Additional Grant Funded Schemes		5,094			5,094
Pressures:					
Vision Tameside		9,400			9,400
Hyde Pool		88			88
Refurbishment of Ashton Town Hall		3,300			3,300
Ashton Old Baths		1,100			1,100
Replacement of Cremators		1,000			1,000
ICT Devices		3,000			3,000
Revised Total including pressures	0	150,292	11,045	0	161,337

- 3.5. The planned financing of the capital programme has been updated to reflect additional grant allocations and the financing of capital expenditure in 2017/18. The revised financing plan is as follows:

Table 6: Revised financing for the 2018/19 – 2020/21 Capital Programme

	Proposed October 2017	Changes 2017/18	Revised plan April 2018	Financing of 2017/18 Actuals	Changes in 2018/19	Planned 2018/19 - 2020/2021
	£000s	£000s	£000s	£000s	£000s	£000s
Grants and Contributions	26,837	-418	26,419	13,292	10,084	23,211
Revenue Contributions	731	1,135	1,866	1,325	0	541
Forecast Capital Receipts	53,483	5,057	58,540	7,732	0	50,808
Reserves	69,210	11,300	80,510	29,036	0	51,474
Prudential Borrowing	22,947	-706	22,241	0	0	22,241
Total	173,208	16,368	189,576	51,385	10,084	148,275

- 3.6. With the total demands on the capital programme now exceeding £161m (as per table 5 above), this leaves a shortfall in financing of £13m. This shortfall assumes that all the forecast capital receipts can be realised and that the planned borrowing is still taken up (with the associated revenue costs).

4. OPTIONS TO CLOSE THE GAP

- 4.1. Since the programme was approved a number of potential schemes have become unfeasible and can be removed from the programme. Some of these have revenue implications and have been highlighted in Table 7, and are reflected in the latest budget monitoring report.

Table 7 – Schemes no longer possible

Schemes to remove	£000	Revenue Impact £000	Notes
Plantation purchase	-5,397	-220	Remove as no longer purchasing Plantation
Improvements to Plantation	-1,400		Remove as no longer purchasing Plantation
Refurbishment of Concord Suite	-450		On hold - is it needed for recant on VT2
	-7,247	-220	

- 4.2. By removing these schemes from the programme, the £7.25m released can be used to close the £17.9m gap to £10.7m. There is an ongoing revenue budget impact of £220k per annum, which has arisen by not being able to purchase the Plantation Estate.
- 4.3. It may also be possible to change the way that some schemes are financed to free up capital receipt or reserve funding that was earmarked for those schemes. These will also

have a potential revenue impact, albeit not ones that have been budgeted for. Table 8 summarises those schemes.

Table 8 – Alternative Funding Sources

Schemes with potential alternative funding	Revenue Impact		Notes
	£000	£000	
Investment and Development Fund	-11,500		No proposals have been forthcoming. Alternative funding sources could be considered.
Fleet Replacement	-500		Use Fleet Replacement Reserve
Godley Green	-200		Potentially move to revenue/grant funding
	-12,200		

- 4.4. By removing schemes or switching funding, £12.2m could be released to fund the budget pressures.
- 4.5. The Investment and Development Fund was set up to allow a more commercial approach to be taken in relation to property assets. The fund would seek property returns from its investment in the form of rental yield and capital growth. No plans have yet been received for this, but some schemes could be taken forward on a case by case basis on individual business cases. If they were sufficiently lucrative then alternative funding sources could be considered as an invest to save project.
- 4.6. The Fleet Replacement scheme of £500k could be funded from the Fleet Replacement Reserve, which has more than £2.4m in it. The whole of the fleet replacement strategy needs to be reviewed as it appears there may be multiple funding sources, including existing revenue budgets as well as reserves.
- 4.7. The Godley Green development could be funded from revenue reserves, development grant, or one off from the collection fund surplus as it will facilitate the increase in housing stock and therefore the council tax collected.
- 4.8. In addition, following a detailed review of the balance sheet, a sum of £2.038m of unspent Adults Capital Grants can be released to fund the Capital Programme. This balance can be used to fund the Oxford Park and 4C Community Centre Projects, with the balance available to fund other earmarked schemes that support Adults priorities.

5. CAPITAL RECEIPTS

- 5.1. The capital programme agreed in October 2017 was to be financed by a list of capital receipts that had been drawn up at the time. There was limited consultation on this list of receipts. In order to show transparency, there is a need to review all land and asset holdings to devise a new list that can be effectively consulted on with ward members and local communities. This list is being developed and will be published by the end of the calendar year.
- 5.2. The original capital programme was predicated on receiving almost one third of its funding from the sale of assets, however, 80% of that is reliant on 12 major sales. Table 9 shows the breakdown of the receipts by value band. In order for the October 2017 programme to be delivered and the cost pressures highlighted in Table 4 funded, an equivalent level of capital receipts will have to be generated.

Table 9 – Capital Receipts by Value Band

Property Values	Projected		Actual to end of 2017/18	
	Number of Properties	Combined Value £000	Number of Properties	Combined Value £000
10m plus	2	20,000	0	-
5-10m	1	8,000	0	-
2-5m	1	2,000	0	-
1-2m	8	11,100	0	-
0.5-1m	7	4,531	2	1,475
<0.5m	131	9,917	104	2,936
Total	150	55,548	106	4,411

- 5.3. It is important to note that receipts from the sale of land or other assets can only be used to fund capital investment or for the repayment of long term debt. Capital receipts cannot be spent on balancing the day to day revenue budget. Similarly the Council is only permitted to borrow to fund capital investment, so the use of capital receipts to repay long term borrowing is permitted and in both scenarios the Council's asset base is maintained. The sale of capital assets is akin to selling the family silver to only buy some more family silver albeit it better value or more useful silver!

6. ANALYSIS OF THE CURRENT PROGRAMME

- 6.1. As mentioned above, the programme is made up of two main elements, approved and earmarked schemes. Earmarked schemes are those that are approved in principle but require further business case development.
- 6.2. Taking into account the pressures outlined above, the programme has been categorised into the following areas:

Table 10 – Approved and Earmarked Schemes

Fully Approved Schemes	2018/19 £000s	2019/20 £000s	2020/21 £000s	TOTAL £000s
Fully Approved Schemes	87,808	0	0	87,808
<i>Including:</i>				
Vision Tameside Pressures	9,400	0	0	9,400
<i>Financed from:</i>				
Borrowing	16,979	0	0	16,979
Grants and contributions (External Funding)	23,666	0	0	23,666
Reserves	47,163	0	0	47,163
Total	87,808	0	0	87,808

Earmarked Schemes	2018/19 £000s	2019/20 £000s	2020/21 £000s	TOTAL £000s
Earmarked Schemes	43,012	11,045	0	54,057
<i>Financed from:</i>				
Borrowing	0	0	0	0
Reserves	4,811	0	0	4,811
Anticipated Receipts	38,201	11,045	0	49,246
	43,012	11,045	0	54,057

7. NEXT STEPS

- 7.1. Given the number and size of pressures facing the capital programme since the budget was set in October 2017 and the required review of the capital receipt plans, it is necessary to pause the programme. The Council is able to proceed with only those schemes which are currently in train and are of a business critical nature, subject to a full business case. A reprioritisation of the remaining programme should also take place. The earmarked programme and schemes can then be reviewed in light of the available resources, which will be restricted by the level of capital receipts anticipated.
- 7.2. Earmarked schemes that were identified as emergency or statutory compliance works, alongside those of a business critical nature will be progressed. These schemes are a priority and will take the first call on available resources, subject to a satisfactory business case being made. They are estimated to cost £12.657m and are illustrated in Table 11 below.

Table 11 – Business Critical and Statutory Compliance Schemes

Scheme	Reason	2018/19	2019/20	Total
Ashton Old Baths Annex	Business Critical – Data Centre & Revenue Savings	2,700	0	2,700
Children’s Services	Business Critical – Revenue Savings	1,000	0	1,000
LED Street Lighting Scheme for Main Roads	Business Critical – Revenue Savings	1,750	1,850	3,600
Flood Prevention and Repairs	Statutory Compliance	300	345	645
Cemetery Boundary Walls	Statutory Compliance	200	0	200
Property Assets Statutory Compliance	Statutory Compliance	812	1,000	1,812
Replacement of Cremators	Statutory Compliance	2,500	0	2,500
Woodend Mill Chimney	Statutory Compliance	200	0	200
Total		9,462	3,195	12,657

- 7.3. A formal process to enable the objective assessment of schemes that are aligned with the Council’s priorities will therefore take place between now and October 2018, with a view to establishing a revised capital programme for 2019/20 to 2023/24 in line with the Council’s revenue budget process. Proposals for currently earmarked schemes will be able to be continued and scored against the assessment process. A further report will come to Executive Cabinet outlining the proposed prioritisation approach and capital receipts strategy.

APPENDIX 1

Earmarked Schemes

<i>Pressures identified above - Business Cases in development:</i>				
Replacement of Cremators	2,500	0	0	2,500
Ashton Old Baths Annex	2,700	0	0	2,700
Refurbishment of Ashton Town Hall	10,000	0	0	10,000
ICT Devices	3,000	0	0	3,000
	18,200	0	0	18,200
<i>Other earmarked schemes - Business Cases in development:</i>				
Tameside Highways Asset Management Plan	0	5,250	0	5,250
Borough Gateways	300	0	0	300
Additional scheme - Children's Playgrounds	600	0	0	600
New Children's Home	1,000	0	0	1,000
LED Street Lighting Scheme for Main Roads	1,750	1,850	0	3,600
Flood Prevention and Repairs	300	345	0	645
Crowded Places Pedestrian Safety	250	0	0	250
Cemetery Boundary Walls	200	0	0	200
	4,400	7,445	0	11,845
<i>Earmarked Schemes - No business case developed yet:</i>				
Union Street Health Hub	4,250	1,250	0	5,500
Denton Festival Hall Health Hub	3,500	0	0	3,500
Care Together Digital Funding	3,000	0	0	3,000
Property- Refurbishment of Capital Assets	1,750	1,250	0	3,000
Hyde Indoor Market Redevelopment	2,500	0	0	2,500
Property Assets Statutory Compliance	812	1,000	0	1,812
Droylsden Library – Pension Fund Building	1,400	0	0	1,400
Hyde Town Hall Roof	1,300	0	0	1,300
A&E Streaming	700	0	0	700
Asset Management Software	500	0	0	500
Ashton Library	200	0	0	200
CCTV	200	0	0	200
Parking Enforcement System Upgrade	100	100	0	200
Woodend Mill Chimney	200	0	0	200
	20,412	3,600	0	24,012
Total	43,012	11,045	0	54,057

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Agenda Item 6

Report to:	EXECUTIVE CABINET			
Date:	25 July 2018			
Executive Member/ Reporting Officer	Cllr Fairfoull – Executive Member (Performance and Finance) Kathy Roe – Director of Finance Tom Wilkinson – Assistant Director of Finance			
Subject:	STRATEGIC COMMISSION AND NHS TAMESIDE AND GLOSSOP INTEGRATED CARE FOUNDATION TRUST – CONSOLIDATED 2018/19 REVENUE MONITORING STATEMENT AT 31 MAY 2018 AND FORECAST TO 31 MARCH 2019			
Report Summary:	<p>This report has been prepared jointly by officers of Tameside Council, NHS Tameside and Glossop Clinical Commissioning Group and NHS Tameside and Glossop Integrated Care Foundation Trust (ICFT).</p> <p>The report provides a consolidated forecast for the Strategic Commission and ICFT for the current financial year.</p>			
Recommendations:	<p>Executive Cabinet is recommended:</p> <ul style="list-style-type: none">(i) To note the report content.(ii) Acknowledge the significant level of savings required during 2018/19 to deliver a balanced recurrent economy budget together with the related risks.(iii) To approve the payment of up to £ 4.65 million to the ICFT. Up to £4.4 million relates to Delayed Transfers Of Care (DTC) and will be financed via the Council's improved Better Care Fund (iBCF) grant allocation in accordance with the associated grant allocation guidance. It is evident that since the initial DTC payment was made to the ICFT in 2017/18, there has been a significant improvement in DTC performance alongside a reduced impact on Adult Social Care services. The payment of up to £4.4 million relating to Delayed Transfers of Care (DTC) will require approval by Strategic Commissioning Board members as the budget is within the Section 75 of the Integrated Commissioning Fund.(iv) That a sum of up to £0.25 million be paid as an agreed share of the anticipated additional car parking income from the expansion of car parking around the hospital (details are referenced in section 4.1 of the report).			
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 statutory Section 151 Officer & Chief Finance Officer)	<table border="1"><tr><td>Integrated Fund Section</td><td>Commissioning</td><td>Section 75</td></tr></table>	Integrated Fund Section	Commissioning	Section 75
Integrated Fund Section	Commissioning	Section 75		

Decision Required By	Strategic Commissioning Board
Organisation and Directorate	Tameside MBC – Adult Services
Budget Allocation	£ 4.4 million
Integrated Commissioning Fund Section	Aligned
Decision Required By	Executive Cabinet
Organisation and Directorate	Tameside MBC – Operations and Neighbourhoods
Budget Allocation	£ 0.25 million
<p>Additional Comments</p> <p>This report provides the 2018/19 consolidated financial position statement at 31 May 2018 for the Strategic Commission and ICFT partner organisations.</p> <p>The report emphasises that there is a clear urgency to implement associated strategies to ensure the projected funding gap in the current financial year is addressed and closed on a recurrent basis across the whole economy.</p> <p>It should be noted that the Integrated Commissioning Fund (ICF) for the Strategic Commission is bound by the terms within the Section 75 and associated Financial Framework agreements.</p> <p>It should also be noted that the Council agrees to increase the value of Council resources within the ICF by a maximum sum of £5.0 million in 2018/2019, should this be necessary, on the condition that Tameside and Glossop Clinical Commissioning Group agrees a reciprocal arrangement in 2020/21.</p> <p>A key section of the Financial Framework agreement is the risk sharing arrangements. The associated variance to the total net budget allocation at the end of each financial year will be financed in proportion to the percentage of the net budget contribution of each organisation to the ICF. However, the variance will be initially adjusted to exclude any CCG net expenditure associated with residents of Glossop as the Council has no legal powers to contribute to such expenditure. Details of the risk sharing arrangements are provided within the financial framework and the values are additional to the £5.0 million contribution explained in the previous paragraph.</p> <p>Recommendation three to support the payment of up to £ 4.65 million to the ICFT will be financed from two funding sources. Up to £4.4 million relates to Delayed Transfers Of Care</p>	

(DTCO) and will be financed via the Council's improved Better Care Fund (iBCF) grant allocation within Adult Services. This requires approval by the Strategic Commissioning Board as the funding is within the Section 75 of the Integrated Commissioning Fund. Members should note the Council has been allocated a total improved Better Care Funding allocation of £ 10.3 million for the period 2017/18 to 2019/20. This was announced in March 2017.

In addition a sum of up to £0.25 million (within Operations and Neighbourhoods) will be paid as an agreed share of the anticipated additional car parking income from the expansion of car parking around the hospital (details are referenced in section 4.1 of the report). This payment requires approval by the Executive Cabinet of the Council as the funding is within the Aligned section of the Integrated Commissioning Fund.

Legal Implications:
(Authorised by the Borough Solicitor)

Given the implications for each of the constituent organisations this report will be required to be presented to the decision making body of each one to ensure good governance.

Risk Management:

Associated details are specified within the presentation.

Failure to properly manage and monitor the Council's budgets will lead to service failure and a loss of public confidence. Expenditure in excess of budgeted resources is likely to result in a call on reserves, which will reduce the resources available for future investment. The use and reliance on one off measures to balance the budget is not sustainable and makes it more difficult in future years to recover the budget position. The Council is facing significant risks, especially in relation to Children's Services and demographic pressures in Adults Services, which has been absorbed by using one off Government Grant funding in the short term.

Access to Information :

Background papers relating to this report can be inspected by contacting :

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1. INTRODUCTION

- 1.1 This report aims to provide an overview on the financial position of the Tameside and Glossop economy in 2018/19 at the 31 May 2018 with a forecast projection to 31 March 2019. Supporting details are provided in **Appendix 1**.
- 1.2 The report includes the details of the Integrated Commissioning Fund (ICF) for all Council services and the Clinical Commissioning Group. The total net revenue budget value of the ICF for 2018/19 is currently £581 million.
- 1.3 It should be noted that the report also includes details of the financial position of the Tameside and Glossop Integrated Care NHS Foundation Trust. This is to ensure members have an awareness of the overall Tameside and Glossop economy position.
- 1.4 Reference to Glossop solely relates to health service expenditure as Council services for Glossop are the responsibility of Derbyshire County Council.
- 1.5 Please note that any reference throughout this report to the Tameside and Glossop economy refers to the three partner organisations namely:
- Tameside and Glossop Integrated Care NHS Foundation Trust (ICFT)
 - NHS Tameside and Glossop CCG (CCG)
 - Tameside Metropolitan Borough Council (TMBC)
- 1.6 The report also requests a payment of up to £ 4.65 million from the Council to the ICFT. The rationale is provided in section 4.1 of the report.

2 FINANCIAL SUMMARY

- 2.1 Table 1 provides details of the summary 2018/19 budgets and net expenditure for the ICF and Tameside and Glossop Integrated Care NHS Foundation Trust (ICFT) projected to 31 March 2019. Supporting details of the projected variances are explained in **Appendix 1**.
- 2.2 The Strategic Commission risk share arrangements remain in place for 2018/19. Under this arrangement the Council has agreed to increase its contribution to the ICF by up to £5.0m in 2018/19 in support of the CCG's QIPP savings target. There is a reciprocal arrangement where the CCG will increase its contribution to the ICF in 2020/21.
- Any variation beyond is shared in the ratio 68 : 32 for CCG : Council. A cap is placed on the shared financial exposure for each organisation (after the use of £5.0m) in 2018/19 which is a maximum £0.5m contribution from the CCG towards the Council year end position and a maximum of £2.0m contribution from the Council towards the CCG year end position. The CCG year end position is adjusted prior to this contribution for costs relating to the residents of Glossop (13% of the total CCG variance) as the Council has no legal powers to contribute to such expenditure.

Table 1 – Summary of the ICF and ICFT – 2018/19

Organisation	Net Budget	Projected Outturn	Variance
	£'000	£'000	£'000
Strategic Commission	580,554	589,235	-8,681

ICFT	-25,668	-25,668	0
Total	554,886	563,567	-8,681

- 2.3 A summary of the financial position of the ICF analysed by directorate is provided in Table 2. The projected variance has been sub analysed into two categories : the value of savings that are projected not to be realised and the value of emerging cost pressures in 2018/19. The supporting analysis is provided within slide 5 of **Appendix 1**.

Table 2 – 2018/19 ICF Financial Position.

Service	Budget £'000	Projected Outturn £'000	Variance £'000
Acute	206,088	206,065	23
Mental Health	33,013	33,013	0
Primary Care	86,319	86,301	18
Continuing Care	15,003	17,993	-2,990
Community	30,040	30,040	0
Other	18,402	15,453	2,949
CCG TEP Shortfall (QIPP)	0	3,741	-3,741
CCG Running Costs	5,175	5,175	0
Adult Services	40,492	40,705	-213
Children's Services	47,015	50,230	-3,215
Population Health	16,298	16,210	88
Operations and Neighbourhoods	50,379	51,144	-765
Place	7,858	9,422	-1,564
Governance	9,136	9,136	0
Finance & IT	4,450	4,450	0
Quality and Safeguarding	67	67	0
Capital and Financing	9,638	9,638	0
Contingency	- 2,660	-3,389	729
Corporate Costs	3,841	3,841	0
Integrated Commissioning Fund	580,554	589,235	-8,681
CCG Net Expenditure	394,040	397,781	-3,741
TMBC Net Expenditure	186,514	191,454	-4,940
Integrated Commissioning Fund	580,554	589,235	-8,681
A: Section 75 Services	264,331	267,382	-3,051
B: Aligned Services	241,961	247,152	-5,191
C: In Collaboration Services	74,262	74,701	-439
Integrated Commissioning Fund	580,554	589,235	-8,681

- 2.4 There are estimated savings proposals of £ 5.1 million which are currently at risk of non delivery in 2018/19. Slide 8 of **Appendix 1** provides details of the key proposals unlikely to be realised.

2.5 These include :

£ 0.5 million – Darnton Road Car Park Income

2.5.1 New Car parking provision around the hospital was expected to generate additional income of £0.5million per annum. Delays in the construction of the spaces has resulted in the non delivery of the saving in 2018/19. Construction is now under way and the car parks should be fully operational shortly. The income generated in 2018/19 will offset the overall shortfall in car park income budgets.

£ 0.3 million – Re provision of Facilities Management and Estates Contract

2.5.2 The Additional Services contract with the Local Education Partnership (LEP) was due to end at the end of October 2018, it was anticipated that savings as a result of a new provision would be achievable. As a result of the collapse of Carillion the existing contract with the LEP has been extended until July 2019 to enable a full review of the Service. Savings anticipated will therefore not materialise in 2018/19.

£ 3.7 million – CCG Targeted Efficiency Plan

2.5.3 The CCG has a Targeted Efficiency Plan (TEP) also known as Quality, Innovation, Productivity and Prevention (QIPP) target for 2018/19 of £19.8 million. At this reporting period end savings of £ 4.442 million have been achieved. Significant contributors to this total include :

- **£2.000 million - Release of reserves.**

Resources set aside during budget setting to account for uncertainty in contract negotiation and other areas, which can now be released.

- **£0.608 million - Mental Health Slippage.**

There is a commitment to invest a further £2.5 million on a recurrent basis to meet five year forward view, however there will be some slippage in year as schemes are not yet fully operational.

- **£8.864 million - Running Costs.**

Full year impact of savings made in 2017/18 (e.g. New Century House, Chief Operating Officer and Shared Services).

- **£0.436 million - Budget Management.**

Ad hoc savings and slippage identified since budget setting (e.g. Air Liquide, Weight Management, VAT on wheelchairs and programme staffing).

- **£0.413 million - ICFT Contract.**

Year to date savings built into the contract as a result of neighbourhoods absorbing any demographic growth.

2.5.4 These year to date savings, together with green rated schemes which relate to savings in future months, mean there is certainty that at least £11.794 million savings will be achieved, which represents 60% of the total target.

2.5.5 If optimism bias is applied to the amber and red rated schemes, the total expected achievement in 2018/19 is £16.059 million. This leaves a gap of £ 3.741 million for savings to identify. There a number of 'emerging pipeline schemes', which are currently unquantified. These, together with new schemes identified through a series of meetings held by the Finance Director and Chief Executive with all budget holders will be used to further reduce the gap over the intervening period.

2.6 In addition there are estimated emerging cost pressures of £ 3.6 million arising in 2018/19. Slide 9 of **Appendix 1** provides details of the key emerging issues which include :

£ 3.0 million - Children's Social Care placements.

2.6.1 The rising numbers of children in care need to be viewed in the context of the National trend seen across most Local Authorities. A recent published report (13 June 2018) "Care Crisis review, A sector led review of the rise in application of care orders and the number of Children in Care" confirmed the concerns regarding the increase in numbers. The

review stated that the reasons for the rise are complex and there are no simple solutions, however some of the solutions highlighted in the report are consistent with the plans in our Successful Families – Reducing the Number of Children in Care report. This includes relationship building practice (the service plan to implement the Signs of Safety model which is underway); development of our Edge of Care service; Family Group Conferences. The review also highlights the need for additional ring fenced funding to be made available to all English Local Authorities.

2.6.2 Analysis of those children coming into care over the last 6 months in Tameside shows that decisions to accommodate are appropriate. There is greater rigour applied to ensure that children are placed within the family wherever possible and a greater emphasis is placed on the use of alternative orders such as Child Arrangements Orders (CAO) and Special Guardianship Orders (SGO's). Legal Gateway and Placement Panel have been merged to bring a consistent approach to 'gatekeeping' and decision making for both new requests for care proceedings and looked after children (LAC) placements; a review mechanism has also been built into panel. The revised panel is beginning to impact in terms of reducing the overall numbers of care proceedings which are down from 77 sets in January 2018 to 62 sets at end of May 2018.

2.6.3 A review and analysis of those children placed at home with parents has been completed and work is underway to discharge those orders where it is in the child's best interest to do so. Children have been identified who are currently placed with long term foster carers who can transfer to SGO's and the service is working towards reducing the number of children on Placement Orders that can be progressed to permanent adoption in a more timely manner.

2.6.4 There are on-going challenges due to availability of placements in particular foster carers. This again is a national problem. As a consequence there are children going into more costly residential placement due to shortage of foster carers. The service is in the process of appointing a Recruitment Officer for Fostering to help increase the number of foster carers and reduce the need to place children with external foster carers or in children's homes. It should be noted that the 2018/19 placements budget was based on the level of Looked After Children at December 2017 (585) ; the current level at mid June 2018 is 628; a resulting increase of 43 (7%). This should also be considered alongside the current average weekly cost of placements in the independent sector with residential at £ 3,682 and foster care £ 764.

£ 0.2 million – SEN Transport

2.6.5 SEN Transport Costs have increased due to the number of pupils with Education, Health, Care Plans (EHCP's) who are eligible for transport; pupils travelling out of borough to named provision; increasing levels of permanent exclusions leading to increased travel costs for pupils attending the Pupil Referral Service; more complex behaviours and conditions resulting in more taxis going to the same school to ensure the safety of pupils, escorts and drivers. A review will take place to ensure that transport is provided in the most cost effective way.

£ 0.8 million – Carillion Liquidation

2.6.6 Following the liquidation of Carillion the appointed liquidator PWC have been managing the contracts to enable the smooth transfer to other providers. The costs of this service were not budgeted for, and will continue to be incurred until everything is finalised.

£ 3.0 million – Continuing Health Care

2.6.7 Growth in the cost and volume of individualised packages of care is amongst the biggest financial risks facing the Strategic Commissioner. Expenditure growth in this area was 14% in 2017/18, with similar double digit growth rates seen over the previous two years. When benchmarked against other CCGs in GM on a per capita basis spend in Tameside & Glossop spends significantly more than average in this area. A continuation of historic growth rates is not financially sustainable and should not be inevitable that T&G is an

outlier against our peers across GM in the cost of individualised commissioning. Therefore budgets which are reflective of this and assume efficiency savings have been set for 2018/19.

2.6.8 Against core continuing health care (CHC) budgets there is a current forecast £3 million overspend in 2018/19. A financial recovery plan is now in place and progress against this is reported to the Finance and QIPP Assurance Group on a regular basis. Significant work is underway to look at potential savings and schemes which are being actively pursued include:

- Moving away from spot purchasing to block contracts for individualised commissioning packages across both the CCG and Council
- Management of fast track (end of life patients expected to live less than 90 days) placements
- Efficiencies through use of 'Broadcare' – a new IT system to manage CHC patients
- Changes to the governance of MDT meetings
- Dowry Income
- Renegotiation of contract rates

2.6.9 Further work is required to develop and realise the savings associated with these schemes. However there is clear evidence that progress is being made on fast track placements where marked reductions in both the number of active packages and the duration of each package can be seen.

£ (3.0) million – Risk Reserve

2.6.10 The £3 million movement against the risk reserve is to be considered alongside the continuing health care (CHC) pressure. The CHC pressure was anticipated during budget setting and some non-recurrent contingency was built into the overall position. However, this does not address the medium to long term risk associated with CHC, but means that the increasing CHC forecast has not resulted in a greater TEP target for 2018/19.

£ (0.7) million – Adult Social Care Grant

2.6.11 The grant has been allocated to the Council's contingency budget pending decisions on utilisation

3 2018/19 EFFICIENCY PLAN

3.1 The economy has an efficiency sum of £35.7 million to deliver in 2018/19, of which £22.9 million is a requirement of the Strategic Commissioner.

3.2 Slide 7 of **Appendix 1** provides a summary of the associated risks relating to the delivery of these savings for the Strategic Commissioner with slide 12 providing an overview for the ICFT. It is worth noting that there is a risk of under achievement of this efficiency sum across the economy at this reporting period.

3.3 It is therefore essential that additional proposals are considered and implemented urgently to address this gap on a recurrent basis thereafter.

4 ICFT INVESTMENT

4.1 A payment is proposed of up to £ 4.65 million to the ICFT. Up to £ 4.4 million relates to delayed transfers of care (DTOC) and will be financed via the Council's improved Better Care Fund (iBCF) grant allocation in accordance with the associated grant allocation guidance. It is evident that since the initial DTOC payment was made to the ICFT in 2017/18, there has been a significant improvement in DTOC performance alongside a

reduced impact on Adult Social Care services. A payment of up to £ 0.25 million relates to the ICFT's agreed share of the anticipated additional car parking income from the expansion of car parking around the hospital. The car parking income arrangements were agreed as part of the budget process on a non recurrent basis, however, the slow progress on the laying of the car park will mean that this funding is unlikely to be achieved. The amount has been agreed as part of the contract. Members should note the Council has been allocated a total improved Better Care Funding allocation of £ 10.3 million for the period 2017/18 to 2019/20. This was announced in March 2017.

- 4.2 The payment of up to £4.4 million relating to Delayed Transfers of Care (DTC) will require approval by Strategic Commissioning Board members as the budget is within the Section 75 of the Integrated Commissioning Fund.
- 4.3 The payment of up to £0.25 million relating to car park income will require approval by the Council's Executive Cabinet members as the budget is within the Aligned section of the Integrated Commissioning Fund.

5 RECOMMENDATIONS

- 5.1 As stated on the report cover.

Agenda Item 7

Report To:	EXECUTIVE CABINET
Date:	25 July 2018
Executive Member/Reporting Officer:	Councillor Fairfoull – Executive Member – Performance and Finance Tom Wilkinson – Assistant Director of Finance
Subject:	TREASURY MANAGEMENT ACTIVITIES
Report Summary:	<p>The report sets out the Treasury Management activities for the financial year 2017/18.</p> <p>As 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 overall interest saving of £0.404m.</p> <p>At year-end the total investment balance was £127m and total long term borrowing was £112m. Investment income was £1.521m.</p>
Recommendations:	<p>The Executive Cabinet is asked to note:</p> <ul style="list-style-type: none">(i) The treasury management activities undertaken on behalf of both Tameside MBC and the Greater Manchester Metropolitan Debt Administration Fund (GMMDAF) are noted.(ii) That approval will be sought for the Outturn position for the prudential indicators in Appendix A.
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)	<p>The achievement of savings on the cost of financing the Council's debt through repayment, conversion and rescheduling, together with interest earned by investing short term cash surpluses, is a crucial part of the Council's medium term financial strategy. This has to be carefully balanced against the level of risk incurred.</p> <p>The financial implications are determined by:</p> <ul style="list-style-type: none">1. The value and timing of any borrowing undertaken (if any)2. The amount of cash available for investment and the return achieved on this investment <p>By not taking up any borrowing in year, a saving on interest payments of £0.404m was achieved against the 2017/18 budget. Borrowing and investment rates will continue to be monitored in order to ensure any borrowing is taken up at the optimum time.</p> <p>The investment returns for 2017/18 were £0.256m greater than</p>

the London Interbank Bid Rate (LIBID) benchmark.

**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, and the reasons for the same, before making their decision.

Risk Management:

Financial investments are inherently risky and a number of Local Authorities lost significant investments as part of the financial crisis in 2009. Through the Council's Treasury Management Advisers, a robust investment framework is used which aims to limit counterparty risk by only investing with high rated, institutions, placing limits on the size of investments with any one institution, and restricting the length of time that investments can be held with any one institution. Advice is also provided on the timing of any borrowings to try to minimise the rates paid. 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 2017/18. 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 2018; and
- d) To set out the outturn position of the Council's prudential indicators.

2. TREASURY MANAGEMENT

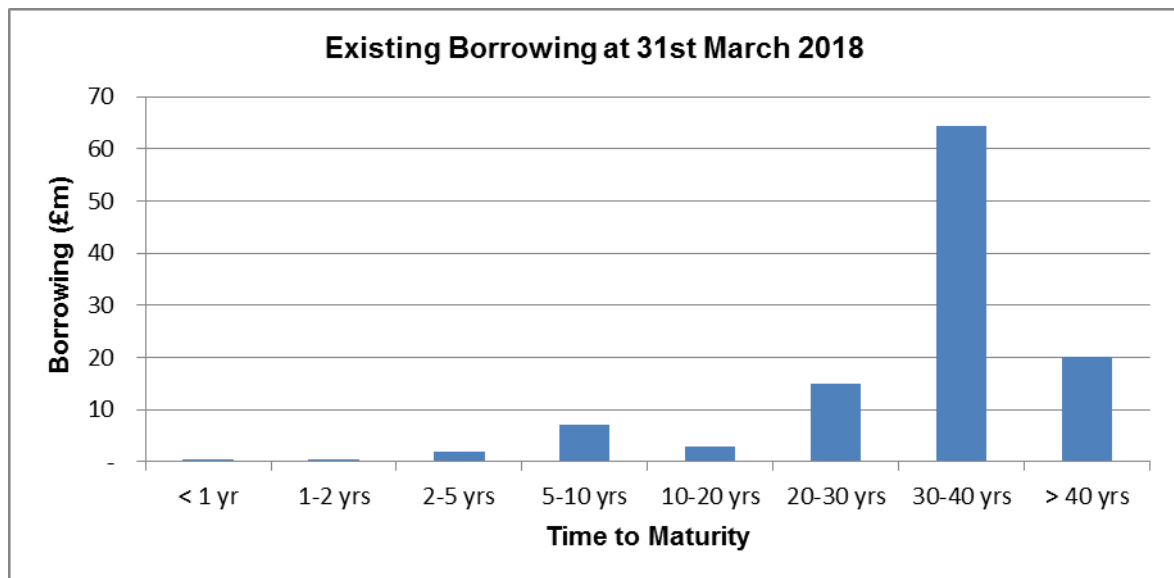
- 2.1 Treasury Management is defined as:

"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. LONG TERM BORROWING

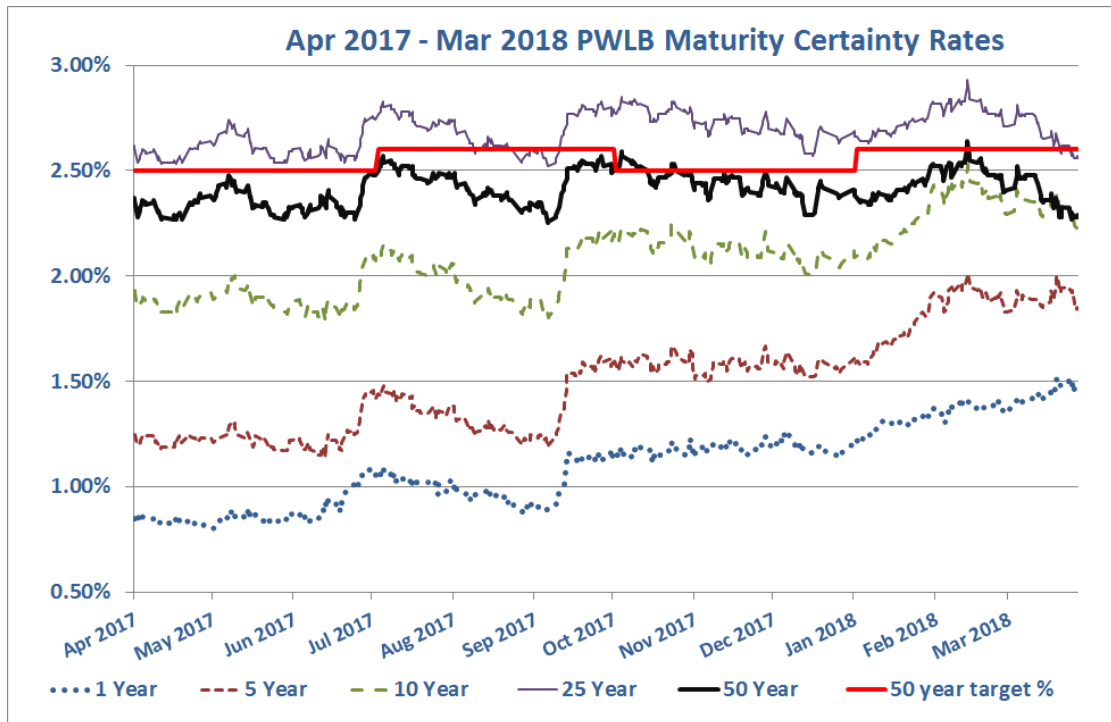
- 3.1 The long-term debt of the Council reflects capital expenditure financed by loans, which are yet to be repaid. Total borrowing at the start of the year was £118.5m, reducing to £112.0m by 31 March. This reduction was purely a result of scheduled maturities and no rescheduling was undertaken. Of this borrowing £40m is market loans at an average interest rate of 4.27% and the remainder is from the PWLB at an average interest rate of 4.95%. The maturity profile is as follows:



- 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 The Council's MRP policy for 2017/18 was set out in the Budget Report. The MRP charge for 2017/18 was £3.898m
- 3.5 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 waived their right to change the rate on their LOBO. This essentially converted that loan into a standard fixed rate loan with no risk of any increase in rate.
- 3.6 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.
- 3.7 Short term borrowing and lending are 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. No short term borrowing was taken up in year.

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 During the calendar year of 2017, there was a major shift in expectations in financial markets in terms of how soon the Bank of England Base Rate would start on a rising trend. After the UK economy surprised on the upside with strong growth in the second half of 2016, growth in 2017 was disappointingly weak in the first half of the year which meant that growth was the slowest for the first half of any year since 2012. The main reason for this was the sharp increase in inflation caused by the devaluation of sterling after the EU referendum, feeding increases into the cost of imports into the economy. This caused a reduction in consumer disposable income and spending power as inflation exceeded average wage increases. Consequently, the services sector of the economy, accounting for around 75% of GDP, saw weak growth as consumers responded by cutting back on their expenditure.
- 4.5 Growth did pick up modestly in the second half of 2017. Consequently, market expectations during the autumn rose significantly that the Monetary Policy Committee would be heading in the direction of imminently raising Base Rate. The minutes of the Monetary Policy Committee meeting of 14 September indicated that the Monetary Policy Committee was likely to raise Base Rate imminently. The 2 November MPC quarterly Inflation Report meeting duly delivered by raising Base Rate from 0.25% to 0.50%.
- 4.6 The 8 February 2018 the Monetary Policy Committee meeting minutes then revealed another sharp hardening in MPC warnings on a more imminent and faster pace of increases in Base Rate than had previously been expected. However; on the 10 May 2018 the Monetary Policy Committee, the Base Rate remained at 0.50% and the expectation is now that there will be no further increases until November 2018 at the earliest.
- 4.7 Market expectations for increases in Base Rate, therefore, shifted considerably during the second half of 2017-18 and resulted in investment rates from 3 – 12 months increasing sharply during the spring quarter. These rates have since reduced following the May MPC meeting.
- 4.8 PWLB borrowing rates increased correspondingly to the above developments with the shorter term rates increasing more sharply than longer term rates. In addition, UK gilts have moved in a relatively narrow band this year, (within 0.25% for much of the year), compared to US treasuries. During the second half of the year, there was a noticeable trend in treasury yields being on a rising trend with the Fed raising rates by 0.25% in June, December and March, making six increases in all from the floor. The effect of these three increases was greater in shorter terms around 5 year, rather than longer term yields.
- 4.9 The major UK landmark event of the year was the inconclusive result of the general election on 8 June 2017. However, this had relatively little impact on financial markets.
- 4.10 The table shown below (published by Link) shows the comparative Public Works Loan Board interest rates available during 2017/18, for a range of maturity periods.



5. ACTIVITIES 2017/18

Borrowing

5.1 The Council is entitled to borrow in order to finance capital expenditure that is not funded by other means such as grants and contributions. The Council has elected not to take up this borrowing due to unfavourable differences between borrowing and investment rates alongside existing large cash balances. This gave a potential borrowing requirement for the year of £81.029m based on initial assumptions around capital spend and financing.

5.2 The actual amount of long term borrowing which was required due to Council activity was £68.709m as outlined below: -

	£m
Loan financed capital expenditure:	
outstanding for 2017/18	nil
outstanding for 2016/17	(2.790)
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	6.466
	72.607
Less MRP repayments (excluding PFI)	(3.898)
Net under borrowed position	68.709

- 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 £68.709m 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 £68.709m 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, Link. The need to borrow could be accelerated by the reduction of the Council's reserves due to cost pressures and other planned use. This situation, along with the interest rate environment, will be monitored closely to ensure borrowing is taken up at the optimum time.
- 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 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 has significantly 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 2017, the net movement for the year, and the final position at 31 March 2018.

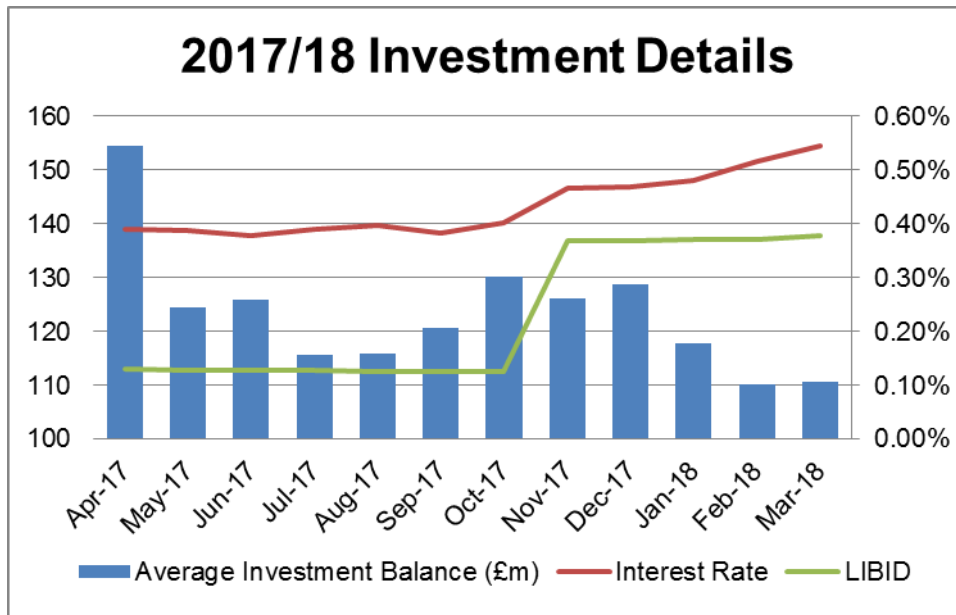
	Debt Outstanding 01/04/17	Cash Movement in Year	Debt O/S 31/03/18
Principal Amounts	£000	£000	£000
PWLB - fixed interest	76,855	(5,397)	71,584
PWLB - variable interest	0		0
Market Loans	40,000		40,000
* Manchester Airport	1,622	(1,069)	533
Temp Loans / (Investments)	(151,806)	43,612	(108,195)
Trust Funds, Contractor Deposits etc.	145	3	148
Net loans outstanding	(33,184)	(37,149)	3,964

- 5.11 The amount of gross external loans outstanding (£112.0m) represents 20% of the Council's total long term assets (£558.5m) as at 31 March 2018
- 5.12 In addition, the Council temporarily utilised internal funds, balances and reserves including Insurance Funds and capital reserves, to finance capital expenditure rather than borrow externally.

** Manchester Airport reflects debt taken over from Manchester City Council on 31 March 1994, which had been lent on to Manchester Airport. 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 (£8.667m). This is on a maturity basis and is due to be repaid in 2055. The underlying debt, shown above, is due to mature in 2027*

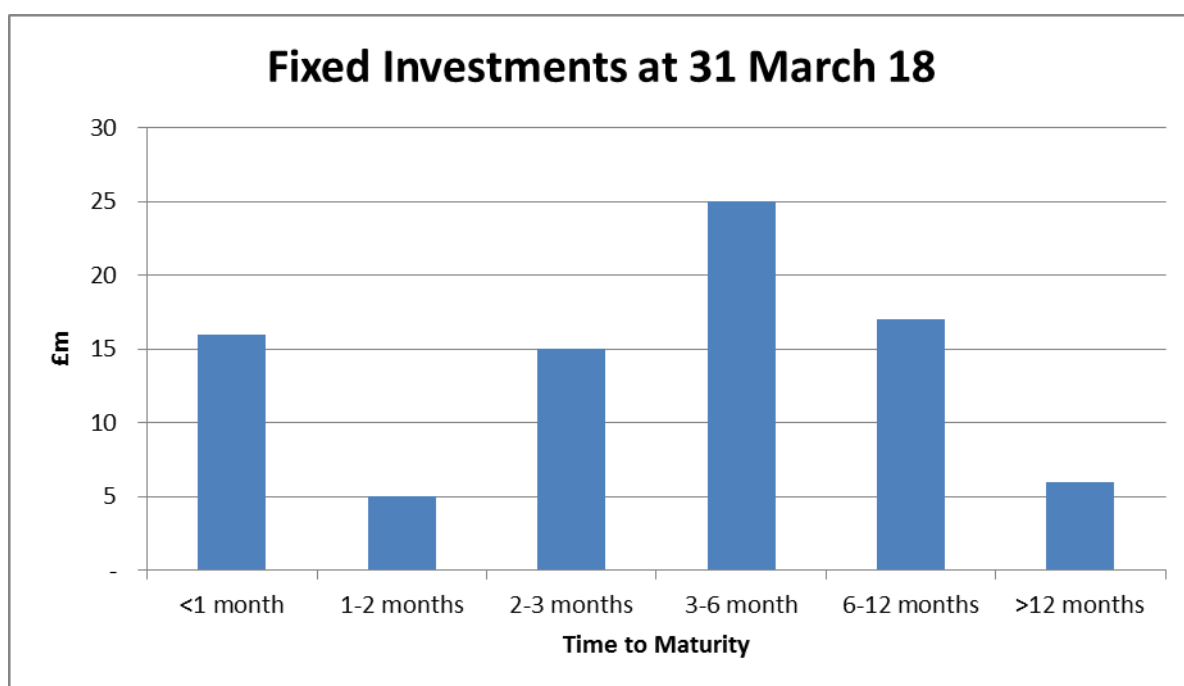
Investments – managing cash flow

- 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. The following table shows the average investment balances by month, along with the interest rate earned and the LIBID benchmark for comparison.



- 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 2017/18 stated that at least 50% of our investments would be “specified”.
- 5.16 The Council’s counterparty list mirrors that of the Council’s advisors, Link Asset Services. The Link 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 were in line 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 0.43% on the average weekly investment of £123.4m, against a benchmark LIBID rate of 0.22%. This equated to a gain of £265k. 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. As per the table at 5.25, the income achieved was in line with budget.

- 5.20 The annual turnover for investments was £589m. A total of 143 individual investments were made, 22 of which were fixed term deals with banks and other Local Authorities.
- 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.
- 5.22 As at 31 March 2018 the total investment portfolio was £127m. This consisted of £33m of Money Market Fund investments at an average rate of 0.47%, a £10m notice deposit with the Council's bankers, Barclays, and £84m of fixed term investments at an average interest rate of 0.65%. The maturity profile of the fixed investments was as follows:



Interest payable and receivable in the year

- 5.23 As detailed above, the £68.709m 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.
- 5.24 The overall result of the various activities undertaken during the year was that net interest charge was £0.404m less than the original estimate.
- 5.25 Interest payments associated with the above activities were:-

	Budget	Actual	Variation
	£m	£m	£m
External Interest			
Paid on Loans etc	6.481	6.088	(0.393)
Early repayment Discounts	(0.105)	(0.102)	0.003
Less received on Investments	(1.520)	(1.521)	(0.001)
Net external Interest paid	4.856	4.465	(0.391)
Internal Interest Paid	0.130	0.117	(0.013)
Total Interest Paid	4.986	4.582	(0.404)

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 (Link Asset Services).

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 to date.

6.3 The Council operated a Local Authority Mortgage Scheme to help first time buyers in the area, which involved the Council placing a deposit of £1m with Lloyds Bank for 5 years. This deposit was deemed to be a policy investment, rather than a treasury management investment and as such is separate to the above criteria. The scheme came to an end in February 2018 and the £1m deposit was returned to the Council.

7. GREATER MANCHETSER METROPOLITAN DEBT ADMINISTRATION FUND (GMMDAF) ACTIVITIES

7.1 Tameside Council is the lead council responsible for the administration of the debt of the former Greater Manchester County Council, on behalf of all ten Greater Manchester Metropolitan Authorities. All expenditure of the fund is shared by the authorities on a population basis.

7.2 The GMMDAF incurs no capital expenditure, and therefore the total debt outstanding reduces annually by the amount of debt repaid by the constituent authorities. However, further loans are taken out to replace loans that mature during the year. In addition, short term loans and investments are required to optimise 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.

7.3 During 2017/18 the debt outstanding reduced by £17.024m. The debt will be fully repaid by 31 March 2022.

7.4 The following table sets out the position at 1 April 2017, the net repayments and the final position at 31 March 2018.

Principal Amounts	Debt O/S 01/04/17	Debt Maturing	New Loans/ Investments	Debt O/S 31/03/18
	£000	£000	£000	£000
PWLB	67,963	(3,000)	0	64,963
Pre 1974 Transferred Debt	191	(30)	0	161
Temp Loans / (Investments)	24,356	(15,240)	0	9,116
Other Balances	1,057	0	1,246	2,303
	93,567	(18,270)	1,246	76,543

- 7.5 No long term borrowing was required for 2017/18. The timing of any future borrowing will be carried out in consultation with our treasury management advisors, when interest rates are deemed favourable.
- 7.6 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, Link Asset Services, no rescheduling opportunities were identified in 2017/18. 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.
- 7.7 During the year, the fund made overall interest payments of £4.334m. This equated to an average "pool rate" of 4.74%, against the original estimate of 4.90%, and compares with 5.09% in 2016/17.
- 7.8 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 2017/18

1. Ratio of Financing Costs to Net Revenue Stream

Limit/Indicator	Limit	Actual
	%	%
Ratio of financing costs to net revenue stream	5.2	5.1

- This ratio represents the total of all financing costs e.g. interest payable and minimum revenue provision (MRP) that are charged to the revenue budget as a percentage of the amount to be met from Government grants and taxpayers (net revenue stream).

2. Capital Financing Requirement (CFR)

Limit/Indicator	Limit	Actual
	£000	£000
Capital Financing Requirement	185,355	181,457

- The Capital Financing Requirement is aimed to represent the underlying need to borrow for a capital purpose and is calculated from the aggregate of specified items on the balance sheet.
- The CFR increases by the value of capital expenditure not immediately financed (i.e. borrowing) and is reduced by the annual MRP repayment.

3. Capital Expenditure

Limit/Indicator	Limit	Actual
	£000	£000
Capital expenditure	128,514	51,386

- This is the total capital expenditure incurred (from all funding sources).

4. Incremental Impact of Capital Investment Decisions

Limit/Indicator	Limit	Actual
	£	£
For the Band D Council Tax	3.14	nil

- This is the estimate of the net incremental impact of the capital investment decisions, based on the level of borrowing set out in the report and reflects the total cost of this additional borrowing (interest payments and minimum revenue provision), as a cost on Council Tax.
- The actual cost will depend on final funding. For every £1 increase on Band D properties, approximately £0.061m would be raised.

5. Operational Boundary and Authorised Limit on External Debt and Other Long Term Liabilities

Limit/Indicator	Limit	Actual
	£000	£000
Operational Boundary for external debt	212,872	131,185
Authorised Limit for external debt	232,872	131,185

- The Authorised Limit for External Debt sets the maximum level of external borrowing on a gross basis (i.e. excluding investments) for the Council.
- The operational boundary for External Debt comprises the Council's existing debt plus the most likely estimate of capital expenditure/financing for the year. It excludes any projections for cash flow movements. Unlike the authorised limit breaches of the operational boundary (due to cash flow movements) are allowed during the year as long as they are not sustained over a period of time.
- These limits include provision for borrowing in advance of the Council's requirement for future capital expenditure. This may be carried out if it is thought to be financially advantageous to the Council.

6. Upper and lower limits on Interest Rate Exposures

Limit/Indicator	Limit	Actual
	£000	£000
Upper limit for fixed interest rate exposure	185,355	(28,698)
Upper limit for variable interest rate exposure	61,779	(81,585)

- These limits are in respect of our exposure to the effects of changes in interest rates.
- The limits reflect the net amounts of fixed/variable rate debt (i.e. fixed/variable loans less fixed/variable investments).

7. Upper Limit for Total Principal Sums Invested for Over 364 Days

Limit/Indicator	Limit	Actual
	£000	£000
Upper limit for sums invested over 364 days	30,000	6,000


- This limit is in respect of treasury investments made for a duration longer than one year.

8. Maturity structure for fixed rate borrowing

Indicator	Limit	Outturn
Under 12 months	0% to 15%	0.29%
12 months and within 24 months	0% to 15%	0.30%
24 months and within 5 years	0% to 30%	1.73%
5 years and within 10 years	0% to 40%	6.20%
10 years and above	50% to 100%	91.49%

- This indicator is in respect of all of the Council's fixed rate borrowing with PWLB or other market lenders.

Agenda Item 8

Report To:	EXECUTIVE CABINET
Date:	25 July 2018
Executive Member/Reporting Officer:	Councillor Brenda Warrington – Executive Leader Sandra Stewart – Statutory Section 5 Monitoring Officer
Subject:	RESPONSE TO RECOMMENDATIONS MADE BY THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN (THE OMBUDSMAN)
Report Summary:	The report describes the action taken in response to the recommendations made by the Local Government and Social Care Ombudsman hereinafter referred to as 'the Ombudsman' following the death of a resident at a local residential home.
Recommendations:	That Executive Cabinet : (i) note the content of the report (ii) note the actions that have been taken and the actions that are proposed to be taken.
Links to Community Strategy:	Supportive Tameside/ Safe Tameside
Policy Implications:	Safeguarding Policy is being reviewed at present and will be rolled out once agreed with partners.
Financial Implications: (Authorised by the Section 151 Officer)	The recommendations within the Ombudsman report should be complied with. The payment of £ 1,500 as stated in section 3.2 of the report has been financed by the Adult Services revenue budget.
Legal Implications: (Authorised by the Borough Solicitor)	As set out in the report.
Risk Management:	The risks identified in the LGSCOs investigation have been acknowledged and addressed by the Council.
Access to Information:	The background papers relating to this report can be inspected by contacting Sandra Stewart, Director of Governance & Pensions Telephone: 0161 342 3028  e-mail: sandra.stewart@tameside.gov.uk

1. PURPOSE OF REPORT

- 1.1 To report to Members as the Council's Monitoring Officer and in accordance with section 5A of the Local Government and Housing Act 1989 (the 1989 Act) on a report by the Local Government and Social Care Ombudsman ('the Ombudsman') regarding an adult services matter
- 1.2 To advise Members of the actions already taken by the Council.
- 1.3 To advise Members of the actions still to be taken by the Council.

2. LEGAL POSITION

- 2.1 The Ombudsman has made a series of findings of fault on the part of the Council. Her report is attached at **Appendix 1**, the contents of which are self-explanatory. Members will note that the names used in the report are not the real names of the people and place concerned, the protection of which is a statutory legal requirement.
- 2.2 In essence, 2 Acts of Parliament govern the actions the Council must now take in response to the LGO's report. They are the Housing and Local Government Act 1989 (the 1989 Act), which sets out the Monitoring Officer's responsibility to report and the Executive Cabinet's corresponding duties, and the Local Government Act 1972 (the 1972 Act) which addresses the duty to advertise and other related matters.
- 2.3 A copy of the report must be sent to all Members of the Council as required by the 1989 Act.
- 2.4 The Ombudsman has also said he will publish a copy of its report on its website on or after 31 July 2018 and the Council will also issue a notice within 14 days of the publication of the Ombudsman's report, and will do so in the Tameside Advertiser and the Tameside Reporter, attached at **Appendix 2** in accordance with s 30 of the Local Government Act 1972.
- 2.5 As required by the 1989 Housing and Local Government Act, Executive Cabinet must now formally consider this report, and note that the recommendations have been agreed and are in the process of being complied with
- 2.6 The requirements set out in this report cover the statutory responsibilities of both Executive Cabinet and the Statutory Officers.
- 2.7 As Statutory Officers of the Council, the Chief Executive, Director of Finance and the Director of Adults Services have been consulted and agree with the views of the Director of Governance and Pensions in her capacity as the statutory Monitoring officer
- 2.8 As required by the 1989 Act, Cabinet must now formally consider this report, and as soon as practicable prepare a report which specifies:
 - a) what action (if any) it proposes to take in response to the LGO's report;
 - b) if it proposes to take any action in response to the LGO's report, when it proposes to take that action; and
 - c) the reasons for taking the action specified in the LGO's report, or, the reasons for taking no action.
- 2.9 As soon as practicable after Cabinet has prepared a report in accordance with the above, Cabinet shall arrange for a copy of it to be sent to each Member of the Council and to the statutory Monitoring Officer.

2.10 Should the LGO not be satisfied with Cabinet's response, he may serve a Notice on the Council, with reasons, requiring Cabinet to further respond, with reasons, which is also subject to statutory advertising requirements.

3. OMBUDSMAN FINDINGS AND RECOMMENDATIONS

3.1 The background is covered in the Ombudsman's report.

3.2 Officers have agreed with the findings of the LGO's report and have already complied with the following recommendations:

(a) Payment of £1,500 to Mrs J – A payment of £1,500 was made to Mrs J on 27 June 2018. A letter of apology, dated 18 June 2018, has also been sent to Mrs J to apologise for the additional upset caused by the Council's stage 1 response to the complaint raised.

(b) Review of Safeguarding Policy – Tameside Adult Safeguarding Partnership Board produce the safeguarding Policy that all partners accept and adhere to. The Policy is reviewed on regular basis and is currently being reviewed in accordance with that cycle. Any adjustments to the policy will be considered at the October Board later this year and then a refresh of training for staff will be rolled out across all organisations.

(c) Refresh Staff understanding of how to handle safeguarding concerns - Following on from the Ombudsman decision a memorandum has been sent out to all staff reminding them of their responsibilities under the Care Act and under the Safeguarding Policy. The memorandum points out the importance of recognising the need for a safeguarding investigation rather than or as well as a complaint investigation when the need arises.

(d) Signpost staff to the CQC guidance on seeking medical advice – a number of approaches have been taken to communicate this requirement to care homes:

- An email communication was sent to all care home providers on 19 June 2018 which instructed all homes to ensure that management and staff were aware of CQC guidance;
- The need to signpost managers and staff to the CQC guidance was discussed at the Care Home Provider Forum on Tuesday 5 June 2018;
- A clause has been included in the Pre-Placement agreement that directs providers to the CQC guidance. The clause states:

“Contract Specific Outcomes; 2 Service Users receive the support that they need to promote and manage their health; 3 The Provider will be aware of and act in accordance with the Regulator's Guidance to seek appropriate medical/health advice in a timely manner.”

Guidance is defined as “any applicable health or social care guidance, guidelines, direction or determination, framework, code of practice, standard or requirement to which the Commissioners and/or the Provider have a duty to have regard (and whether specifically mentioned in this Contract or not), to the extent that the same are published and publicly available or the existence or contents of them have been notified to the Provider by the Co-ordinating Commissioner and/or any relevant Regulatory or Supervisory Body”.

(e) Requirement for care homes to agree with residents' families the level of notification they would like about changes in their condition, and record this in the resident's care plan – A clause in the Pre-Placement Agreement that requires care home providers to

agree the level of communication families requires regarding their relative's health and changes in their health has been updated. The clause states:

'The Provider routinely involves and informs relatives and friends in communications about the Service User (as agreed with the Service User). This will include when to contact the relatives and friends when the Service User's condition changes.'

Providers were also advised of this requirement at the Care Home Provider Forum on 5 June 2018.

(e) Training for adult social care staff on handling complaints – Training for adult social care managers was arranged by the statutory Monitoring Officer and facilitated by the Ombudsman on 11 April 2018. The training was well received and managers have reported that this has improved their understanding and confidence when responding to complaints.

(f) Share the Ombudsman report with staff at Oakwood Care Centre – The Ombudsman report was emailed to the owner of Oakwood care centre on 26 April 2018. The owner advised that the manager of the home would be sharing the report with the staff team at their team meeting at the end of May 2018. The manager of the home has confirmed that the report and its findings were shared with the staff team on 29 May 2018.

3.3 The Ombudsman's decision is that the Council is at fault for failing to act in accordance with the law and relevant government guidance, and that the Council should comply with all its recommendations.

4. VIEWS OF THE STATUTORY MONITORING OFFICER

4.1 The recommendations should be complied with.

5. RECOMMENDATIONS

5.1 As stated on the report cover

**Report by the Local Government and Social Care
Ombudsman**

**Investigation into a complaint against
Tameside Metropolitan Borough Council
(reference number: 17 012 757)**

3 April 2018

The Ombudsman's role

For 40 years the Ombudsman has independently and impartially investigated complaints. We effectively resolve disputes about councils and other bodies in our jurisdiction by recommending redress which is proportionate, appropriate and reasonable based on all the facts of the complaint. Our service is free of charge.

Each case which comes to the Ombudsman is different and we take the individual needs and circumstances of the person complaining to us into account when we make recommendations to remedy injustice caused by fault.

We have no legal power to force councils to follow our recommendations, but they almost always do. Some of the things we might ask a council to do are:

- > apologise
- > pay a financial remedy
- > improve its procedures so similar problems don't happen again.

Section 30 of the 1974 Local Government Act says that a report should not normally name or identify any person. The people involved in this complaint are referred to by a letter or job role.

Key to names used

Mrs C	The complainant
Ms J	Her granddaughter and representative
Mrs H	Mrs C's daughter, and Ms J's mother

Report summary

Adult care services

Ms J complains about the actions of a care home at the time of the death of her grandmother, Mrs C, whose placement there had been commissioned by the Council. She also complains about the Council's handling of her concerns after Mrs C's death.

Finding

Fault found, causing injustice, and recommendations made.

Recommendations

We recommend the Council should:

- pay Ms J £1500 to recognise the distress she and her family has suffered;
- ensure that it has published clear guidance for care home staff on when to notify next of kin, in the event of a resident's deterioration in health;
- ensure that it has published clear guidance for care home staff on when to seek medical advice, in the event of a resident's deterioration in health, and especially where there is a possibility of contagion;
- share this report with staff at Oakwood Care Centre; and
- ensure that all relevant staff have a clear understanding of how to handle safeguarding concerns.

The Council must consider the report and confirm within three months the action it has taken or proposes to take. The Council should consider the report at its full Council, Cabinet or other appropriately delegated committee of elected members and we will require evidence of this. (*Local Government Act 1974, section 31(2), as amended*)

DRAFT

The complaint

1. The complainant, to whom we will refer as Ms J, represents her late grandmother, to whom we will refer as Mrs C. Mrs C passed away in Oakwood Care Centre in April 2016, and Ms J complains about the way this was handled by the care home.
2. Specifically, Ms J says that:
 - Oakwood did not inform the family that Mrs C's condition was deteriorating, and did not make serious efforts to inform them that she had died. This meant that the news was broken to them by the police;
 - Oakwood showed a lack of urgency in seeking medical advice while Mrs C was deteriorating, and failed to ask a visiting GP to examine her;
 - carers performed cardio-pulmonary resuscitation (CPR) on Mrs C, despite the existence of 'do not attempt CPR' instruction;
 - Mrs C's end-of-life care plan was not followed, which meant that carers moved her downstairs to the lounge just before she died, rather than making her comfortable in bed;
 - the family raised safeguarding concerns with the Oakwood immediately after Mrs C's death, relating to observations they had made at the care home over several months, but they were treated as a normal complaint;
 - Oakwood has lost important records; and
 - that the Council's complaint handling was generally poor.

Legal and administrative powers

3. We investigate complaints about 'maladministration' and 'service failure'. In this report, we have used the word 'fault' to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. We refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1), as amended*)
4. We investigate complaints about councils and certain other bodies. Where an individual, organisation or private company is providing services on behalf of a council, we can investigate complaints about the actions of these providers. (*Local Government Act 1974, section 25(7), as amended*)
5. We cannot investigate late complaints unless we decide there are good reasons. Late complaints are when someone takes more than 12 months to complain to us about something a council has done. (*Local Government Act 1974, sections 26B and 34D, as amended*)
6. When a council commissions another organisation to provide services on its behalf it remains responsible for those services and for the actions of the organisation providing them. So, although we found fault with the actions of Oakwood Care Centre, we have made recommendations to the Council.

How we considered this complaint

7. We have produced this report following the examination of relevant files and documents.

Findings

8. Mrs C entered Oakwood in March 2012, and became a permanent resident in June 2012. Her placement there was commissioned by the Council, and so the care home constituted a contracted service.
9. On 26 January 2015, a 'do not attempt CPR' instruction was agreed with Mrs C's GP. In June 2015, the Council undertook an assessment of her care needs, which involved Mrs C's daughter (Ms J's mother), Mrs H, who is a nurse. The assessment determined that Mrs C's needs were being met at that time, and a reassessment was scheduled in a year's time.
10. On 17 April 2016, Mrs C's family visited her at Oakwood. She was well at this point.
11. But on 18 April, Mrs C's condition began to deteriorate rapidly. She stopped eating and drinking, began to vomit frequently and was suffering diarrhoea.
12. In the evening of 19 April, a carer called the out-of-hours GP for advice. The carer advised that Mrs C had a 'do not attempt CPR' instruction and an end-of-life care plan in place. The GP asked the carer to wait for a call back with further advice.
13. The GP called back and said that, due to Mrs C's 'do not attempt CPR' instruction, there was little they could do, but told Oakwood to call again if Mrs C became "restless" and they would visit.
14. At this point, the carers recorded that Mrs C had vomited in bed and that her breathing had become rapid. They decided to move her downstairs to the lounge so they could monitor her.
15. At approximately 12.35am on 20 April, Mrs C stopped breathing. Oakwood called an ambulance. When the ambulance arrived, the paramedics confirmed that she had died.
16. Oakwood called Mrs H on her mobile to inform her of the situation. Mrs H missed this call. It is disputed whether this call was shortly before, or shortly after, Mrs C died.
17. The police attended Oakwood to take statements shortly after Mrs C died. The police then broke the news of her death to Mrs H.
18. Mrs H wrote a letter of complaint to Oakwood on 24 May, and informed the Council that she had done so. The manager of the care home responded initially on 10 June, and then more formally on 25 July.
19. Ms J complained to the Council in March 2017. She included a list of safeguarding concerns in her letter.
20. The Council responded at Stage 1 on 21 July. It explained that there were various records missing from Oakwood, and that the care staff involved had since left post. It upheld some of Ms J's complaint, and explained that it undertaken Safe and Wellbeing checks on the residents at the care home.
21. Ms J requested a Stage 2 response in August. The Council responded on 20 October. It upheld further elements of the complaint, and confirmed that Oakwood's record-keeping had now been referred to the Care Quality Commission (CQC).

Analysis

22. There are several different aspects to the complaint, which we will address in turn.

Communication with family

23. Ms J says that she and other family members visited Mrs C at Oakwood on 17 April. The carers did not inform them of any concerns about Mrs C's condition at this point, and made no attempt to contact the family again until the failed call to Mrs H's mobile, by which point Ms J says that Mrs C had already died. The police informed the family of Mrs C's death, which was the first they knew about her deterioration.
24. Oakwood's day diary records that Mrs C was visited by family members on 16 April. It also says that Mrs C had "visitors" (whom it does not identify) on 17 April. It is not clear whether there is confusion in the date which Ms J visited, or that different family members visited on each day.
25. However, it is clear from the day diary that Mrs C had not yet showed any signs of deterioration on 16 or 17 April. We have reviewed the diary from 19 March, and there is no significant difference in the description of Mrs C's condition each day until 18 April. There does not appear to have been any reason for the carers to have raised concerns with the family during their visit(s).
26. Mrs C's rapid deterioration began on the morning of 18 April. It is recorded in the diary that she vomited twice during the day, and three times overnight, although she apparently still ate and drank well through the day.
27. The night diary for 18/19 April also records that Mrs C's vomit was "black-brown".
28. On the morning of 19 April, the diary describes Mrs C as "confused and un-cooperative". She apparently ate and drank well during the early part of the day, but did not look or feel well. In the afternoon and evening, it was recorded that Mrs C had remained in bed, had not eaten or drunk and was suffering diarrhoea and vomiting.
29. There is an element of professional judgement for care staff in deciding when to notify family members that a person has become unwell. We would not criticise carers for failing to advise of every small change in a person's condition.
30. But Mrs C's frequent vomiting through the day and night of 18/19 April, and the fact that it was apparently 'black-brown', should have been indicators to the carers that she was seriously unwell. We consider that the family should have been notified of this by the morning of 19 April at the latest, which would have given them a reasonable opportunity to attend the care home, and see Mrs C before she died.
31. There is a dispute about the exact timing of the call to Mrs H's mobile, and on the evidence available, we cannot say whether it was shortly before or after Mrs C's death. But either way, we do not consider it to have been appropriate to wait this long to attempt to contact the family.
32. It is unfortunate that Mrs H missed this call, which was due to her phone being muted. The night diary records that, after Mrs C died, the police attended Oakwood to take statements. It appears that this is why the death notification came from them, rather than the care home.
33. We cannot say it was wrong for Oakwood to have failed to continue in its efforts to contact them after the police arrived. But even accepting this, the family should

have been notified of Mrs C's deterioration much earlier. Had this happened, they would have had the opportunity to be at Oakwood with Mrs C when she passed away, and the police would not have needed to notify them.

34. The Council has acknowledged that the family should have been notified sooner of Mrs C's deterioration. It apologised in its Stage 2 response for the failure to do so.
35. While we welcome the Council's apology, the family was denied an opportunity to say goodbye to Mrs C, and it is clear that this has caused them significant distress.

Lack of urgency in seeking medical advice

36. Ms J says Oakwood waited until 10pm on 19 April before contacting the out-of-hours GP. She also says that a GP from Mrs C's surgery visited Oakwood coincidentally during the day of 19 April, but the carers did not ask him to examine Mrs C or give him any indication that she was unwell.
37. As a result of the lack of medical assistance, no cause of death could be established, which meant that a post-mortem had to be conducted, despite the family's express wish for this to be avoided.
38. The day diary notes that the out-of-hours GP said they would call back "within the hour (9pm)", indicating that the carer had called at approximately 8pm. The GP called back at 10.45pm. Ms J believes the carers did not call until approximately 10pm, but it appears possible that this is due to confusion over the fact that the GP called Oakwood back.
39. In either case, there is no record that Oakwood sought medical advice before 8pm on the evening of 19 April. This is despite noting early on 18 April that Mrs C appeared unwell, and despite the events of the night of 18/19 April, where Mrs C vomited several times and it was described as 'black-brown'.
40. Ms J says that, during the day of 19 April, a GP from Mrs C's surgery visited Oakwood to see another resident. The GP was not notified of Mrs C's deterioration.
41. The Council says there is nothing in the Oakwood's records to indicate that a GP visited on 19 April, but agreed that it would have been a good opportunity to gain some medical advice about Mrs C if this had happened.
42. Ms J has provided us with a copy of Mrs C's medical notes from the GP's surgery. There are two entries from a GP on 20 April. First:
- "So sorry to hear that [Mrs C] passed away. I saw her yesterday in the lounge having her lunch, when I was visiting Oakwood. I was not informed of any concerns, but she did not look unwell."*
43. And, later:
- "I spoke to [name] from the Coroner's office ... I explained to [name] that family do not wish to proceed with a post mortem; however, [name] informs me that, as there is no established cause of death, this may be unavoidable."*
44. It is therefore accurate that a GP visited Oakwood on 19 April. It is concerning that the home could not confirm this.
45. Mrs C's 'do not attempt CPR' instruction and care plan cannot be located by Oakwood, and so we cannot say exactly what medical intervention would have

been appropriate at this point. It may be that the most which could have been done for her would be to help make her comfortable.

46. Even accepting this, though, we agree that the Oakwood should have sought medical advice sooner than it did. Apart from Mrs C's own wellbeing, there was a possible health risk to other residents and to staff, given the apparent lack of explanation for her sudden symptoms.
47. Oakwood also missed an obvious opportunity to have Mrs C examined by the GP. This is especially so, when considering that he actually saw her during his visit.
48. Ms J says that the failure to seek medical advice directly contributed to the fact that a post-mortem was required.
49. When a death is reported to a Coroner, the role of the Coroner is to:
- decide whether the cause of death is clear;
 - if not, request a post-mortem to find out how the person died; and
 - after the post-mortem, hold an inquest if the cause of death is still unknown, or if the person possibly died a violent or unnatural death, or died in prison or police custody.
50. It is evident that Mrs C underwent a post-mortem because her cause of death was not clear. But it would be speculative to say that earlier medical advice, or an examination by the GP during his visit, would have prevented the need for a post-mortem. It is possible that her symptoms might have remained unexplained, even after examination by a doctor, and that the post-mortem would still have been necessary.
51. We appreciate that the need for a post-mortem caused additional distress to Ms J and the family, and we do not seek to minimise this. But on the evidence available, we cannot say that it was because of fault by Oakwood.
52. But, even putting this to one side, there is significant fault in the care home's failure to seek medical advice earlier.
53. The Council has told us that, since Mrs C's passing, it has undertaken work to improve communication between care homes and GPs. It says that there is now greater integration between the Council and local NHS Trust, and that it has introduced technology to care homes, including Mrs C's, to allow staff to contact hospitals via Skype (internet video calling) to gain advice.
54. These are positive steps. However, in this case, the issue appears to relate more to how care home staff assessed the need to seek medical advice, not that they experienced obstacles in obtaining it. This is highlighted by the failure to consult the GP during his visit.
55. For this reason, the Council should demonstrate what guidelines there are for care staff to follow in determining whether to seek medical advice, and that there are safeguards in place to ensure that the guidelines are being followed.

Attempt at CPR

56. When Ms J originally complained to the Council, Oakwood's night records could not be located. At that time, the Council said there was no evidence that CPR had been performed.

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57. However, the night diary has now been located. There is an entry which is hand-written, but appears to read:
- “[Mrs C] was sat in a wheelchair [at time of death]. Paramedic asked for her DNR. It was dated February 2015. She said it was out of date so start CPR. In the meantime [illegible] paramedics turned up and said it was OK to stop CPR, as they have changed and no longer last 72hrs and that they [sic] are no on going DNRs.”*
58. This entry is confusing and contradictory. The staff employed by Oakwood at the time of Mrs C’s death are no longer in post, and so it is not possible to clarify it with them.
59. But we are satisfied that it demonstrates that CPR was attempted on Mrs C after the 999 call was made.
60. It is difficult to understand the reason for this. It is clear that the carer told the 999 call operator that there was a ‘do not attempt CPR’ instruction in place. It also appears that the out-of-hours GP was given this information.
61. The diary entry indicates that it was a paramedic who told the carers to attempt CPR. But it also suggests that this was before the arrival of paramedics, who then told the carers to stop.
62. It may be that there were two sets of paramedics, one arriving earlier than others. Or it may be because Oakwood received a call from the paramedics while en route. The poor quality of the entry means that this is unclear.
63. There also appears to have been some confusion over the validity of Mrs C’s ‘do not attempt CPR’ instruction. Without being able to examine the document, we cannot determine the reasons for this.
64. We have also reviewed the paramedics’ report. It gives no indication that CPR was attempted, nor does it shed any light on why the care home was instructed to do so.
65. The only thing which we can say with some certainty is that the staff attempted CPR because of an instruction from a paramedic.
66. In isolation, we would not criticise the staff for this. They had made it clear when summoning the paramedics that there was a ‘do not attempt CPR’ instruction in place, but it appears they then received an instruction to start CPR anyway. While we cannot determine why the paramedic gave this instruction, we would not consider it appropriate for staff to question the paramedic’s judgement, especially in a life-or-death situation.
67. It may be that the paramedic made an error of judgement. If so, this would fall outside of the Ombudsman’s jurisdiction. Alternatively, it may be that the details of the ‘do not attempt CPR’ instruction were communicated wrongly to the paramedic. If so, this may be the care home’s fault, but since it cannot now be located, we are unable to draw a conclusion on this.
68. The poor record-keeping by Oakwood forms a separate element of this complaint, which we will address at a later point in this statement. But with regard specifically to the fact that CPR was attempted, the evidence indicates that the staff were following the advice of a paramedic, and, in isolation, we do not consider this to be fault.

Failure to follow care plan

69. Ms J says that Oakwood failed to follow Mrs C's end-of-life care plan, by moving her downstairs from her bedroom to the lounge, where she died.
70. We can see from the night diary that staff decided to take Mrs C downstairs at approximately 11pm on 19 April, "in her best interests [and] to keep an eye on her". The diary then indicates that Mrs C passed away in a wheelchair.
71. As stated, we do not have a copy of the care plan, and so we cannot independently verify whether the decision to move Mrs C contravened the plan. But we accept that it appears to have meant that she died in less comfortable circumstances than if she had been allowed to remain in her bed.
72. Putting the specifics of the care plan to one side though, we are concerned about the staff's reasoning for moving Mrs C.
73. The staff wrote that it was in Mrs C's "best interests" for her to move downstairs, but entirely failed to elaborate on this. There is certainly no obvious reason why it would be in Mrs C's best interests to move from her bed, to a wheelchair in the lounge, when she was obviously very unwell.
74. There is also no indication of how staff moved Mrs C downstairs, which in itself was potentially risky, given her condition.
75. The staff recorded that they moved Mrs C to the lounge so they could monitor her. It is not clear why she could not be successfully monitored in her room, unless it was to allow staff to undertake other duties at the same time.
76. We appreciate that care home staff may have conflicting responsibilities at any one time. But we note that, during the conversation with the GP, Mrs C's 'do not attempt CPR' instruction, and the limitations this placed on medical intervention, were discussed. This suggests strongly that the staff considered that Mrs C was likely to be approaching death.
77. Given this fact, we consider that it would have been more appropriate for at least one member of staff to be dedicated to remaining at Mrs C's side. This would mean that she would not have had to be moved downstairs.
78. Although we cannot say whether the movement downstairs directly contravened the care plan, we still consider this to be fault, for the reasons given. Again, it is clear that the fact that Mrs C was not comfortable when she died has caused distress to her family.

Treatment of safeguarding concerns

79. Ms J complains that safeguarding concerns she raised with the Council were treated as a normal complaint.
80. Ms J wrote a letter to the Council on 7 March 2017. In addition to the points of complaint which we have investigated here, she provided a list of issues with Mrs C's treatment at Oakwood before her death. She wrote that the family had raised these issues with the care home at the time, and that they had wished to move her to a different home, but had decided against it because she was too frail.
81. The Council responded to Ms J's concerns under its normal complaint procedure. At Stage 2, it acknowledged that this should not have happened, and that a safeguarding concern should have been raised instead. But it says that its

investigation of the issues (as a complaint) followed the same lines as a proper safeguarding investigation, and that there was therefore no substantive difference in the outcome.

82. The Stage 2 response also says that the Council had now raised the safeguarding concerns to the CQC.
83. We cannot investigate Oakwood's handling of any safeguarding concerns which were raised before Mrs C's death. This is because it has been more than 12 months since these events.
84. Much of Ms J's letter dealt with the family's complaints, as we have investigated here, and it may be that this led to the whole letter being treated as a complaint. But Ms J specifically wrote that she and the rest of the family had serious safeguarding concerns about Oakwood.
85. Under section 42 of the Care Act 2014, a council must make necessary enquiries if it has reason to think a person may be at risk of abuse or neglect, and has needs for care and support which mean he or she cannot protect himself or herself. It must also decide whether it or another person or agency should take any action to protect the person from abuse or risk.
86. It was a fault that this part of the letter was not handled separately under safeguarding protocols. While it was sadly too late for concerns specifically about Mrs C to be investigated, the issues raised in Ms J's letter may have equally applied to other residents at Oakwood.
87. The Council has accepted this error in its Stage 2 response to Ms J. But it says that its investigation of the complaint followed the same lines of enquiry as a safeguarding investigation – for example, by undertaking Safe and Wellbeing checks on the residents at the home. The Council subsequently referred the matter of poor record-keeping to the CQC.
88. Once our investigation began, the additional information about poor record-keeping has led to a further referral to the CQC.
89. We accept the Council's point here. Safeguarding investigations have a statutory structure, and we would generally expect a safeguarding inquiry to be more robust than a normal complaint investigation.
90. But, in this case, the complaint investigation ultimately established areas of serious concern about Oakwood, in particular its poor record-keeping, which resulted in the home's referral to the relevant authority.
91. It appears likely that a proper safeguarding investigation would have led the Council to the same course of action. So, in this instance, it does not appear that anything was lost by the failure to handle Ms J's safeguarding concerns appropriately.
92. But it is still important for the Council to show that it has taken remedial steps, to ensure that a similar error will not recur.
- Loss of records**
93. During the Council's complaint investigation, Oakwood was unable to locate several important records about Mrs C. This included its night diary from the time of her death, her end-of-life care plan, and the 'do not attempt CPR' instruction.

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94. During the initial stages of our investigation, the night diary was located by Oakwood. But Mrs C's care plan and 'do not attempt CPR' instruction are still missing.
95. This is significant fault. Adequate record-keeping is a legal requirement for care homes. This is especially so when considering that the missing records relate to a death. If, for example, there had subsequently been a dispute that a valid 'do not attempt CPR' instruction was in place, its loss could have extremely serious consequences.
96. Even with the records which are available, there are clear inadequacies. For example, the entry in the night diary quoted previously is confusing and contradictory. Given that it represents a key record about a death, it is not acceptable for it to fail to give the reader a clear indication of what had occurred.
97. We also note, as mentioned previously, that Oakwood apparently has no record of the GP's visit on 19 April.
98. There is a consistent theme of inadequate record-keeping through the different elements of this complaint. This suggests a systemic problem at Oakwood.
99. The Council says that, since Mrs C's death, it has undertaken visits to Oakwood. It says that the care home, which is now under new management, has demonstrated improvements in its record-keeping. But, given the additional concerns which have come to light since our investigation began, it has referred the concerns about Oakwood's record-keeping to the CQC.
100. Although we have serious concerns about this matter, we consider the CQC referral to be the appropriate response. And so we do not consider there is further action for the Council to take at the current time.

The Council's complaint handling

101. Ms J complains that the Council's investigation of her complaint has been inadequate. She was particularly dissatisfied with the Council's Stage 1 response, which she found to be insensitive.
102. Mrs H originally complained directly to Oakwood in May 2016, and notified the Council that she did so. There appears to have been some missed communications between Oakwood and Mrs H after this, although the reasons for this are unclear.
103. Ms J took responsibility for handling the family's complaints in March 2017. This was the letter in which she also raised her safeguarding concerns.
104. The Council made its Stage 1 response on 21 July. It explained that there had been difficulty investigating Ms J's complaints, due to the various missing records and the fact that the relevant staff were no longer in post. This included the question of whether CPR had been attempted, which was not recorded in any of the (then) available records.
105. But the Council agreed that it was unacceptable that Oakwood had not contacted the family to inform them of Mrs C's deterioration.
106. The Council also explained that, in response to Ms J's safeguarding concerns, it had conducted Safe and Wellbeing checks with each of the residents at Oakwood. This had not triggered any further concerns.

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107. Ms J requested a Stage 2 complaint response on a date which is not recorded, but which the Council said it received on 29 August. She and Mrs H raised several points about the initial response which they considered inadequate. These included that a breach of data protection had occurred (we assume this relates to the lost records), the failure to conduct a safeguarding investigation, and the failure to ask the GP to examine Mrs C during his visit on 19 April.
108. The Council made its Stage 2 on 20 October. It explained that the loss of records had now been referred to the CQC, and although it could not confirm that the GP had visited, it agreed that this would have been an opportunity to have Mrs C examined if it had happened.
109. The Council also apologised for the failure to notify the family of Mrs C's deterioration, and that they had been notified by the police of her death. It also acknowledged that it was wrong for Ms J's letter not to have raised a safeguarding investigation, but explained that its complaint investigation had ultimately led to a similar outcome to any likely safeguarding investigation.
110. We appreciate why Ms J and her mother were dissatisfied with the Stage 1 response. It failed to address some key points they had raised, and left some important questions unanswered.
111. We do understand the difficulty the Council encountered in investigating the complaint, given the various important documents which were missing. There was, for example, no way of objectively confirming the CPR attempt at that stage.
112. But, as Ms J says, the Council appears to have regarded the loss of records simply as unfortunate, rather than something on which formal action was needed. The Council should, for example, have referred this matter to the CQC as soon as it was aware of it. It would also have been best practice to refer it to the Information Commissioner's Office (ICO), which the family had to do instead.
113. We consider there to be fault in the poor response the family received at Stage 1. The Council did not recognise how serious its own findings were, nor did it appear to recognise the distress the family had experienced because of Oakwood's failings.
114. We do consider the Council's Stage 2 response to be of a notably better standard. Although its findings were still hampered by the loss of records at this stage, it accepted that there were serious problems in what had occurred at Oakwood. It said that it was referring matters to the CQC, and made efforts to acknowledge how the family felt about what had happened.
115. However, the Stage 1 response was such that it appears to have added to the family's already considerable distress.

Conclusions

116. There were several areas of significant fault surrounding Mrs C's death.
117. Oakwood made no serious effort to inform Mrs C's family of her deterioration, nor of her death. This meant that the family did not have an opportunity to say goodbye to her, and that the first they knew of the situation was when the police notified them that she had died. This caused them a considerable amount of avoidable distress.
118. Oakwood did not seek medical advice about Mrs C's deterioration until a few hours before she died. The home also missed an obvious opportunity to have her

examined by the GP during his visit. It is not clear that this ultimately made any material difference to Mrs C's situation, but is an example of poor practice.

119. Care staff moved Mrs C downstairs shortly before her death, with no apparent justification. On the balance of probabilities, this meant that she was not in comfort when she died.
120. The Council failed to treat safeguarding concerns properly, dealing with them instead through its normal complaints process. It appears that this led to the same outcome anyway, but is a further example of poor practice.
121. Oakwood has lost several important records. This is a serious fault in its own right, and also meant that several areas of Ms J's complaint could not properly be investigated. This means the family have been denied a full response to their complaints.
122. The Council's Stage 1 response was inadequate, failing to recognise both the severity of its findings, and also the distress caused to the family. This caused them additional avoidable distress.



Recommendations

123. To remedy the injustice identified in this report, we recommend the Council should:
- pay Ms J £1000 to recognise the distress she and her family has suffered because of the loss of opportunity to say goodbye to Mrs C, and a further £300 because of the additional distress caused by the poor response to their Stage 1 complaint, and £200 for the failure to maintain full records of these events, which have prevented the family from receiving a full response to their complaints;
 - ensure that it has published clear guidance for care home staff on when to notify next of kin, in the event of a resident's deterioration in health;
 - ensure that it has published clear guidance for care home staff on when to seek medical advice, in the event of a resident's deterioration in health, and especially where there is a possibility of contagion;
 - share this report with staff at Oakwood Care Centre; and
 - ensure that all relevant staff, both at the Council and at Oakwood Care Centre, have a clear understanding of how to handle safeguarding concerns.
124. The Council must consider the report and confirm within three months the action it has taken or proposes to take. The Council should consider the report at its full Council, Cabinet or other appropriately delegated committee of elected members and we will require evidence of this. (*Local Government Act 1974, section 31(2), as amended*)

Decision

125. Subject to further comments by Ms J and the Council, we intend to complete our investigation.

Agenda Item 9

Report to:	EXECUTIVE CABINET
Date:	25 July 2018
Executive Member / Reporting Officer:	Councillor Leanne Feeley – Executive Member for Lifelong Learning Councillor Oliver Ryan – Executive Member for Children & Families James Thomas – Director of Children’s Services (DCS)
Subject:	CHILDREN’S GOVERNANCE REVIEW
Report Summary:	The report sets out a review of children’s governance arrangements and should be read in conjunction with the report to Board in respect of proposals for revised Local Safeguarding Children’s arrangements.
Recommendations:	Executive Cabinet is asked to note the content of the report and approve the recommendations: <ul style="list-style-type: none">• To initiate a new Starting Well Board as a sub-group of the Health & Wellbeing Board• To initiate four new Children’s Partnership Workshops, one in each neighbourhood
Links to the Corporate Plan:	The Corporate Plan outlines the priorities for improving the borough of Tameside including the quality of life for children and families.
Financial Implications: (Authorised by Section 151 Officer)	There are no direct financial implications arising from this report.
Legal Implications: (Authorised by Borough Solicitor)	These arrangements need to go to Cabinet and Council so there is absolute clarity as to how decisions are made and assurance provided.
Risk Management:	Contained in the body of the report.
Access to Information :	The background papers relating to this report can be inspected by contacting the report writers James Thomas  Telephone: 0161 342 3354  e-mail: james.thomas@tameside.gov.uk

1 INTRODUCTION

- 1.1 The needs of children and families are complex, encompassing an enormous diversity of issues across the life course from pre-birth to 25, from those only needing the support of universal health and education services to those children with special needs and disabilities to those in need of protection from abuse and neglect, and necessarily including the needs of the parents and carers who are the key to children's development and their welfare.
- 1.2 Consequently, the range of services that meet those needs is necessarily a diverse and complex one. There are both statutory and voluntary services. There are services targeted at particular age groups and others which work with every age you could find within a family. There are those focused upon the whole of Tameside, whilst others work to a particular neighbourhood patch, or indeed to a wider footprint than our borough. There are those meeting one level of need and those which meet all levels of need.
- 1.3 So it is hardly a surprise that ensuring that effective governance arrangements are in place is so challenging. There will always be a risk of duplication – just as needs and services do not sit in neat separate boxes – so governance boards and groups will have overlapping areas of responsibility. There is of course also a risk that there are gaps and that some areas of need and service have no proper oversight. And there will always be a risk of ineffectiveness, where there may be a significant amount of activity but less evidence of added value or impact.
- 1.4 Whilst there have been a some specific triggers to carry out this review, which are outlined in the section below on context and developments, the inter-connected nature of all that we are dealing with means that it is not possible to have a narrow look at one part of our system without looking at the whole. This does not mean we need to think about changing things where they are working well, but does mean we need to look at the whole system.
- 1.5 Whilst we aim to ensure that our structures are the optimal ones to ensure the delivery of effective services, of course good structures alone are not sufficient, and we will need to pay just as much attention to the ways of working that are key to the delivery of effective leadership and governance. Ofsted's 2015 report on effective leadership and governance provides a useful summary:
- Open, honest and collaborative
 - Strong moral base informed by solid professional knowledge
 - Modelling behaviour, setting clear expectations
 - Leaders who are visible and credible
 - Culture of support and challenge
 - Effective lines of accountability – scrutiny of both soft and hard data for deeper understanding
 - Boards and partnerships – mature, strong relationships, mutual understanding of roles and responsibilities, differences dealt with appropriately, challenge seen as helpful and constructive, positive view of impact of collaboration; common language; shared data sets; escalation as positive step to resolution
 - Members – roles and responsibilities clearly understood, their understanding of the issues, passion and lead roles ensuring understanding by all members

2 CURRENT ARRANGEMENTS

- 2.1 This report will not detail the overarching political and corporate governance arrangements under which Children's governance sits within the Council and CCG, rather will focus upon those arrangements specific to children.

- Local Safeguarding Children Board (LSCB)**
- 2.2 The current statutory requirement is for a LSCB to be independently chaired and engage membership from a set of prescribed partner agencies. This will change as the Children & Social Work Act is enacted with revised statutory guidance expected by the end of June 2018. The current LSCB has been judged by Ofsted to Require Improvement, and the appointment of a new Independent Chair from February 2018 has re-energised the Board as we prepare to be an Early Adopter of new local safeguarding arrangements. A set of Sub-Groups reports into the LSCB. Work is underway to strengthen the co-ordination of children's safeguarding work with that of both adult safeguarding and community safety arrangements.
- Improvement Board**
- 2.3 This Board was initiated early in 2017 as a response to the Inadequate Ofsted judgement from late 2016. Independently chaired and with a membership including the Leader, Lead Member and Chief Executive, the Board provides both support and challenge to the work of the Children's Team in driving the agreed Improvement Plan, as well as a means to manage the external scrutiny of the DfE. The expectation is that this is a time limited Board to see Tameside through to its next full inspection and an improved judgement, although clearly the confidence with which the Board will then be wound up will also depend upon the robustness of the ongoing governance arrangements.
- Education Attainment Improvement Board (EIAB)**
- 2.4 The EAIB is an established member led council committee with a wide remit to support and challenge educational attainment in the borough. The EIAB has a direct reporting line from the SEND Strategic Steering Group, and a link to the statutory Schools Forum which provides financial governance over schools funding, and to Headteachers and their own organisation through TAPH and TASH.
- Health & Wellbeing Board & Strategic Commissioning Board**
- 2.5 The statutory member led partnership committee with a wide remit to support and challenge health and wellbeing for all ages across the borough. There is currently consideration to the potential benefits of the H&WB Board being strengthened through being positioned as the Tameside Reform Board. Children's issues currently form a sub-set of the overall agenda. The Strategic Commissioning Board provides the means for the Council and the CCG to take joint commissioning decisions, including where this related to children, and SCB has a direct reporting line from two sub-groups which also cover children's health services.
- Corporate Parenting Board**
- 2.6 The member led group with responsibility for driving the council's corporate parenting agenda and ensuring we all fulfil our corporate parenting responsibilities. A strong focus upon the Voice of Children in Care in particular through linking with the Children in Care Council.
- Youth Offending Management Board**
- 2.7 Statutory requirement to have clear partnership governance over the Youth Offending Team. Recently the Board membership and agenda has been re-energised and current engagement is positive.
- Youth Council and Children in Care Council**
- 2.8 The two primary groups where children and young people are able to give their views directly and as representatives of other young people. The Children in Care Council has a direct line to the Corporate Parenting Board.
- Integrated Care & Wellbeing Scrutiny Panel**
- 2.9 The effective delivery of children's services is a core focus of the Integrated Care & Wellbeing Scrutiny Panel, which will also be able to maintain a rigorous focus upon the

extent to which the Voice of the Child is at the heart of service delivery and service improvement.

3 KEY CONTEXTUAL DEVELOPMENTS

- 3.1 GM governance arrangements continue to evolve, with the recent formation of the GM Children's Board – led by the ten local authorities rather than the GMCA and the core membership is based upon the ten lead members and DCS's. The Board will pull together reporting lines from the specific children's focused GM boards, in particular the GM Education & Employability Board, the GM Children's Health & Wellbeing Board, and the GM Safeguarding Standards Board.
- 3.2 Safeguarding Reform – a separate paper sets out the proposed new local children's safeguarding arrangements.
- 3.3 Strategic Neighbourhood Forums and Integrated Neighbourhood Working
 - An opportunity to align the new local member forums with the developing neighbourhood model of partnership and service delivery for children and families
 - Proposals being developed for a neighbourhood model for Children & Families in Tameside to complement the Care Together neighbourhood model for health and adult social care, and the INS for policing and community safety.
 - Consultation with partners being conducted as a joint exercise along with local safeguarding arrangements.
 - Proposal is for four neighbourhoods which enable more effective partnership working on the ground.

4 KEY ISSUES TO ADDRESS

Gap in Governance

- 4.1 The absence of dedicated board for the wider children's agenda since the demise of the Children's Trust has left a gap which the existing governance arrangements are not covering entirely satisfactorily. Recent examples include that the drive for an Early Help Strategy and reporting of the Early Help Strategy Sub-group has come from the Improvement Board although this can only be a time limited solution; and that the drive for a Voice of the Child Strategy has come from the LSCB despite recognising that its safeguarding remit limits its ability to ensure the strategy is promoted across all services. There are other partnership groups which currently do not have any effective reporting line upwards, such as for Early Years and CAMHS Transformation.

Joining the Dots

- 4.2 There is a need to strengthen the join up of varying partnership and governance arrangements through the rigour of reporting arrangements and co-ordination of action. Examples would include the need to strengthen reporting of the Corporate Parenting Group to Cabinet; the need to co-ordinate strategic planning between the TSCB, Adult Safeguarding Board and Community Safety Partnership; the need to strengthen the proportionate links between GM and Tameside; and for clearer reporting lines for some groups currently operating without these (eg Early Help Strategy Sub-Group) and for some that will need to provide dual reporting (eg Domestic Abuse Strategy Group).

The Neighbourhood Opportunity

- 4.3 The widespread partner support for a neighbourhood model of working demonstrates the opportunity this presents for much stronger engagement with those partners at an operational level on the ground, to complement the work being done in strategic boards at the centre.

5 PROPOSALS

NEW - Executive Children's Safeguarding Partnership

- 5.1 The proposals for a revised approach to Local Safeguarding Arrangements are drafted in a separate paper.

Improvement Board

- 5.2 No change proposed following recent revision of the Board's TOR and membership.

Education Attainment Improvement Board

- 5.3 No change proposed.

NEW – Starting Well Board as Sub-group of the Health & Wellbeing Board

- 5.4 The Early Help Strategy Sub-Group should morph into a Children & Families Sub-Group of the H&WB Board, with terms of reference that specify the scope to provide partnership governance over the range of children's health issues and early help. This new Sub-Group would have direct reporting lines from: the Early Years Delivery Group, CAMHS Transformation Group, Family Nurse Partnership Board; would link to HCAG and the Youth Council; and would drive the Voice of the Child Strategy. To be chaired by the DCS.

Corporate Parenting Group

- 5.5 No change proposed. To strengthen the discipline of reporting to Cabinet and Council every six months, and the links with the refreshed Children in Care Council.

NEW – Partner Engagement through the Neighbourhood Model

- 5.6 Each of the four proposed neighbourhoods to convene a Children's Neighbourhood Partnership Workshop three times a year, as part of our new statutory local safeguarding arrangements as well as a focus on the wider Successful Families agenda. Dual reporting up to the Executive Children's Safeguarding Partnership and the Starting Well Board, as well as the opportunity to align and work closely with members at the local level through the new Strategic Neighbourhood Forums.



Strengthened Governance through more Systematic Ways of Working

- 5.7 The knowledge and experience brought to bear by officers, members and partners in each of these groups to be enhanced by a more systematic approach to the evidence upon which strategic decisions are made which always takes into account three core sources of information:
- Data – with the most accurate possible single version of the truth provided by the corporate performance team
 - Quality Assurance findings – from formal and systematic audit and other forms of QA
 - Voices of children, young people, parents and families – gathered on a systematic basis to inform our understanding of their experiences and what works – it will be good practice to start all key strategic discussions with a focus upon what our children and families are telling us.

6 RECOMMENDATIONS

- 6.1 As stated on the report cover

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Report to:	EXECUTIVE CABINET
Date:	25 July 2018
Executive Member Reporting Officer:	/ Councillor Leanne Feeley – Executive Member for Lifelong Learning Councillor Oliver Ryan – Executive Member for Children & Families James Thomas – Director of Children’s Services (DCS)
Subject:	NEIGHBOURHOOD WORKING FOR TAMESIDE
Report Summary:	The report sets out the strategic proposals for Tameside in relation to the development of a consistent approach to neighbourhood working.
Recommendations:	Executive Cabinet is asked to note the content of the report and approve the strategic approach outlined, and the specific recommendations for: <ul style="list-style-type: none">• A single vision for neighbourhood working• An outcomes framework reporting at neighbourhood level• Alignment with members’ Strategic Neighbourhood Forums• Work to be taken forward to ensure effective joint working across service areas
Links to the Corporate Plan:	The Corporate Plan outlines the priorities for improving the borough of Tameside including the quality of life for children and families.
Financial Implications: (Authorised by Section 151 Officer)	There are no direct financial implications arising at this stage relating to the report. Associated implications will be referenced as appropriate as the neighbourhood working model is developed.
Legal Implications: (Authorised by Borough Solicitor)	The Council is required to deliver efficient and effective services otherwise value for money within a balanced budget. To achieve this, services need to be joined up and effectively communicated to all stakeholders including staff and partners and importantly the public.
Risk Management:	Contained in the body of the report.
Access to Information :	The background papers relating to this report can be inspected by contacting the report writers James Thomas and Tom Wilkson  Telephone: 0161 342 3354  e-mail: james.thomas@tameside.gov.uk

1 INTRODUCTION

- 1.1 There are currently three discrete neighbourhood models in operation and development for service delivery within Tameside:
- Care Together – Integrated Neighbourhood Teams and Framework for Health & Adult Social Care;
 - Integrated Neighbourhood Services – Police and Operations & Neighbourhoods;
 - Successful Families - Children’s Integrated Neighbourhood Model – Children’s Services & Partners.
- 1.2 Currently these have been developed separately and there is a lack of an overarching strategic vision or planning to ensure a single approach to neighbourhood working within which discrete services can deliver their services effectively. Of course our residents do not have needs that sit discretely in service blocks, and our approach will be most effective when we are fully joined up, flexible and responsive.
- 1.3 This paper sets out how we can move to a single neighbourhood approach, and develop effective operational links where it is effective to do so. There are many good reasons why the work to date has developed along three paths, as each area of work does address quite differing sets of needs and different groups of services and partnerships. Indeed there are major risks in a simplistic approach that thinks it is possible to fully integrate all services for all ages. So our working assumption is that there will continue to be a need for three models, but all can benefit from an approach that is aligned to become three modules within a single Tameside model.
- 1.4 This evolution of neighbourhood service delivery will be closely aligned with the Leader’s initiation of Strategic Neighbourhood Forums, and gives an opportunity to ensure that members can be consulted upon key service developments at the local level.

2 NEIGHBOURHOOD WORKING

Vision & Principles

- 2.1 It is instructive that the vision and principles for each of the three models demonstrate close alignment but each uses slightly different language as they have each been developed separately. So there are no obstacles here to a shared overarching vision and set of principles which articulate the common focus upon:
- Improving outcomes for our residents
 - Local services responsive to local need
 - Partners responding with an integrated and flexible approach
 - Building upon the assets of the community and intervening early

Proposal One : Single Vision and Set of Principles

- 2.2 Members should agree a single vision and set of principles to which applies to all our neighbourhood working.

Proposal Two : Focus on Outcomes

- 2.3 The Policy and Performance Team should review the current approach to outcome reporting for each of the three neighbourhood models and make recommendations for any purposeful alignment, and for those performance measures where it is sensible to report at a neighbourhood level.

Proposal Three : Members’ Engagement

- 2.4 Members should consider the alignment of our neighbourhood model with the Strategic Neighbourhood Forums and how this can ensure effective local consultation on service developments.

Proposal Four : Mapping Overlaps and Planning Joint Working

- 2.5 The three respective operational leads should map out the extent to which residents' needs currently overlap across the three models, and plan effective joined up ways of working where this is necessary.

Next Stages

- 2.6 If Members approve the approach and the proposals, then these will be taken forwards:
- Initially with the core partners involved – ICFT and GM Police
 - And subsequently with the wider partnership network

3 RECOMMENDATIONS

- 3.1 As stated on the report cover

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- Report to:** EXECUTIVE CABINET
- Date:** 25 July 2018
- Executive Member/Reporting Officer:** Councillor Oliver Ryan – Executive Member (Children and Families)
Gill Gibson – Director Of Safeguarding and Quality
- Subject:** BRIEFING REPORT ON FUTURE LOCAL SAFEGUARDING ARRANGEMENTS
- Report Summary:** The Department for Education has sought expressions of interest from local areas that wish to be considered as an early adopter of revised local safeguarding arrangements for children and to implement their new safeguarding arrangements at an earlier date. Tameside has applied to be considered as an early adopter and therefore has set out its safeguarding arrangements. This report sets out for consideration the proposed arrangements for safeguarding children in Tameside.
- Recommendations:** Executive Cabinet is asked to agree
- (i) That following agreement of proposed arrangements by statutory partners, the statutory partners have conducted wider engagements across all partners through a series of workshops, which elicited views on Partnership membership and sub group proposals, effective scrutiny and the chairing of local safeguarding arrangements. This report reflects the outcome of engagement and it is recommended that these proposals are adopted.
 - (ii) That a review of the funding arrangements for the Children’s Safeguarding Executive is undertaken to ensure that statutory requirements are met.
 - (iii) That following agreement by statutory partners and consultation and the publishing of Working Together, finalise safeguarding arrangements for Tameside for implementation in the autumn subject to approval by all relevant bodies.
 - (iv) That each of the three statutory safeguarding partners will need to finalise arrangements for internal governance and oversight of the new local safeguarding arrangements; for Tameside MBC and the CCG it is proposed that this is fulfilled by the leads for the three partners reporting regularly to the Leader, Lead Member, Chief Executive and Chief Operating Officer, as well as reports to Cabinet or full Council as relevant;
 - (v) That strategic co-ordination of the 4 people facing Boards – Safeguarding Children, Safeguarding Adults, Community Safety and Health & Wellbeing Board, through an agreed annual cycle of business planning, and joint programme of work where relevant, including shared Task & Finish Groups and data sets as follows:-
 - Common performance data set where relevant.
 - Quarterly meetings – Chairs included twice a year, otherwise Business Managers/Relevant Directors.

- Alignment of business planning process – to identify common priorities and co-ordinate, and ensure nothing falling between the gaps.
- Joint work plans where appropriate, including joint Policy Development Groups e.g. Complex Safeguarding

Links To The Corporate Plan: This report links with the deliverables of the Corporate Plan to ‘deliver new safeguarding children arrangements in line with The Children and Social Work Act 2017.

Financial Implications: There are no direct financial implications arising from the report at this stage.

(Authorised by the statutory Section 151 Officer & Chief Finance Officer)

Associated implications will be confirmed once the outcome of the funding arrangements review for the Children’s Safeguarding Executive (as stated in recommendation 3) is known.

Legal Implications:

(Authorised by the Borough Solicitor)

The Children and Social Work Act 2017 requires the Secretary of State to establish a Child Safeguarding Practice Review Panel to which the Local Authority must report known abuse or neglect where a child dies or is seriously injured in either the Local Authority’s area or outside England if the child is normally resident there.

Section 16E of the Act requires local arrangements by safeguarding partners to be made in order to ensure compliance with the above and to hold local child safeguarding practice reviews, and publish outcomes. Partners are defined as the Local Authority, the CCG and the Chief Officer of Police for that area. Relevant agencies must also be involved, and they are as specified in regulations or have extensive functions in the area in relation to children.

Members will need to satisfy themselves that the proposals put forward adequately cover the above legal requirements and are properly resourced, and that effective consultation has taken place.

Risk Management:

All risks will be managed during transition from old arrangements through to new arrangements by the relevant Executive Boards.

Access to Information:

The background papers relating to this report can be inspected by contacting Gill Gibson, Director, Quality and Safeguarding



Telephone: 0161 342 5611



e-mail: gill.gibson@nhs.net

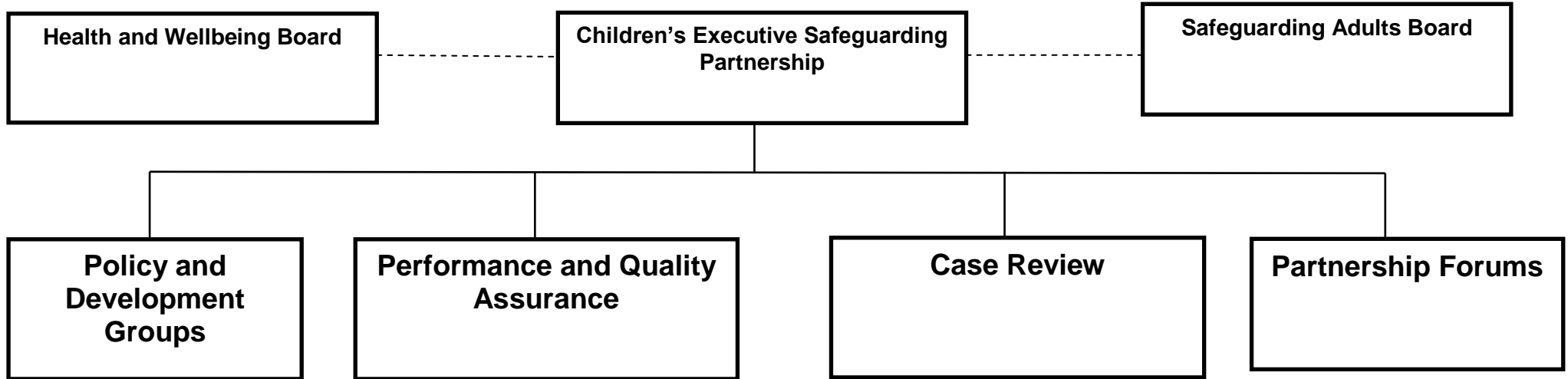
1 BACKGROUND/LEGISLATIVE CHANGE

- 1.1 The Children and Social Work Act (2017) set out provisions which will replace Local Safeguarding Children Boards (LSCB) with new flexible local safeguarding arrangements led by 3 safeguarding partners (local authorities, chief officers of police, and clinical commissioning groups), and places a duty on those partners to make arrangements to work together and with any relevant agencies for the purpose of safeguarding and promoting the welfare of children in their area.
- 1.2 Under the new legislation, the responsibility for Serious Case Reviews (SCRs) will also change. Responsibility for case reviews will move to a two tier system of national and local reviews. The National Child Safeguarding Practice Review Panel will commission and publish reviews of serious child safeguarding cases which it thinks raise issues that are complex or of national importance. Local safeguarding partners will still be required to complete local reviews where the partners believe there are lessons to be learned.
- 1.3 The Department for Education (DfE) expects the revised Working Together guidance to be enacted on 29 June 2018. Safeguarding partners will then have up to 29 June 2019 to publish their local arrangements and must notify the Secretary of State for Education when they have done so. Safeguarding partners will have up to end of September 2019 to implement their local safeguarding arrangements.
- 1.4 This report sets out for consideration the proposed arrangements for safeguarding children in Tameside, subject to the detail of the final published statutory guidance.

2 REPORT PURPOSE

- 2.1 The Department for Education has sought expressions of interest from local areas that wish to be considered as an early adopter of revised local safeguarding arrangements for children and to implement their new safeguarding arrangements at an earlier date. Tameside has applied to be considered as an early adopter and therefore has set out its safeguarding arrangements. This briefing paper sets out for consideration the proposed arrangements for safeguarding children in Tameside.
- 2.2 Taking into account the national and local picture the proposed safeguarding arrangements are developed with the following principles in mind:-
 - The rights and interests of children need to be at the heart of the arrangements.
 - The arrangements exist to improve outcomes for children and all measures of success should be toward that goal.
 - The responsibility for effective safeguarding lies with each partner agency, it does not lie with the Tameside Safeguarding Children's Board (TSCB) or with the future governance body for our local safeguarding arrangements. The TSCB and the future governance arrangements are responsible for holding each partner individually to account for their safeguarding work, which includes their responsibility for effective multi-agency working.
- 2.3 An Executive Group will carry out the primary function of holding each other and all relevant partners to account, and for developing the local arrangements which make clear the shared vision and objectives for Tameside's children. The need for improvement will be informed and driven by the input from service users and practitioners.

Proposed Safeguarding Arrangements for Tameside



3 PROPOSAL

3.1 It is proposed that a Children's Safeguarding Executive Partnership is established. The partnership would consist of the three statutory partners, Clinical Commissioning Group (CCG), Police and Local authority (LA). In addition, the statutory partners will invite the following agencies to be represented on the partnership:-

- Tameside & Glossop Integrated Care Foundation Trust
- Action Together
- Chair of Primary Heads
- Chair of Secondary Heads
- Core Partner – primacy of the Voice of the Child
- Pennine Care Foundation Trust

3.2 The remit of the partnership is to provide the strategic oversight and scrutiny of safeguarding children across Tameside by holding partners to account in the delivery of safeguarding priorities across the Borough. It is envisaged that the group would meet four times per year.

3.3 The Executive would reserve the right to invite other agencies to join the partnership.

3.4 To ensure the voice of children and young people are central to the new arrangements an independent children's advocate will be appointed to the Children's Executive Safeguarding Partnership to ensure primacy of the Voice of the Child. The advocate is there to ensure the Executive's business always maintains a primary focus upon children's experience.

3.5 The three statutory partners have agreed that the employment of an Independent Chair to oversee and provide independent scrutiny to the executive is essential to ensure transparency and facilitate collective decision making where differences of opinion may be apparent.

3.6 This arrangement will ensure Tameside Children's Safeguarding Executive is compliant with the draft Working Together which states:-

"In situations that require a clear, single point of leadership, all three safeguarding partners are responsible for determining who should take the lead on issues including implementation and compliance. Where there is failure to reach agreement, or where those providing independent scrutiny consider that the leadership arrangements are weak or malfunctioning, action should be taken to resolve the dispute. The escalation route for any dispute should be set out in the arrangements."

4 ESCALATION AND DISPUTE RESOLUTION

4.1 All agencies in Tameside remain subject to the Greater Manchester Safeguarding Procedures and its Resolving Professional Disagreements/Escalation Policy. This sets out the general principles of resolution as well as the specific processes to be followed. There will be no substantive differences to this policy, and the role of the LSCB will simply be taken up by the new Children's Safeguarding Executive Partnership.

4.2 When a disagreement arises between members of the Children's Safeguarding Executive Partnership, then the general principles of resolution will still apply, in particular:-

- Where the disagreement is between two agencies, then they should seek to meet and find a satisfactory resolution;

- Where the disagreement cannot be resolved, or involves a more complex set of partner agencies, then it will be for the full Children’s Safeguarding Executive Partnership to seek a resolution;
 - Where necessary, the three statutory safeguarding partners have primacy in determining the resolution to a disagreement;
 - Where there is disagreement between the statutory safeguarding partners, then the Independent Chair of the Executive Partnership should be asked to mediate and negotiate a satisfactory solution
 - Where necessary, the statutory safeguarding partners may escalate to the Leader of the Council, the Chair of the CCG and the Chief Constable of GM Police; and in the final resort to the relevant Secretary of State.
- 4.3 Whistleblowing Procedures provide an additional important route for staff to raise concerns in a safe process that protects their position, if this is a concern. The Children’s Safeguarding Executive Partnership will promote effective whistleblowing procedures within each agency in the borough.

5 INDEPENDENT SCRUTINY/PEER REVIEW

- 5.1 It is a condition of statutory safeguarding arrangements under the new legislation that there is independent scrutiny of both the safeguarding arrangements themselves and the effectiveness of those arrangements. The annual published report both needs to be subject to independent scrutiny and to set out what the arrangements for that scrutiny are.
- 5.2 The GM Children’s Board and its Lead Members and Directors of Children’s Services have agreed in principle that the new proposed Safeguarding Standards Board should provide a consistent model of independent scrutiny for all GM authorities and local safeguarding arrangements. It is planned that this will consist of sympathetic scrutiny of an agreed outcomes and performance data set; review of annual reports an annual programme of peer review along the lines developed by the local Government Association Programme; any other specifically required elements of independent scrutiny.
- 5.3 Stockport, as our strategic improvement partner, may be considered necessary to provide any additional independent scrutiny functions that may be required.
- 5.4 The three statutory partners will also be held to account by The Leader of the Council and the Executive Member for Children and Families bi-annually.

6 A NEW NEIGHBOURHOOD MODEL OF PARTNERSHIP ENGAGEMENT

- 6.1 It is proposed that safeguarding partnership workshops are established. The remit of these workshops would be to implement the children’s safeguarding agenda and strategic plan. The workshops would require senior representation of each partner agency to ensure effective contribution and commitment. The workshops would have an operational remit in which to ensure that there is clear multi agency delivery of safeguarding duties within Tameside. That there is clarity on the implementation of statutory duties to all partners in their contribution to safeguarding and improving outcomes for children and young people. Partnership workshops would report to the Executive on the effectiveness of single and multi-agency work. Performance would be measured against a set of pre-determined outcome measures or service standards. The workshops also provide the opportunity for partners to feed up or escalate issues of concern to the Executive Partnership. The

Safeguarding Executive group would be the mechanism, by which the statutory partners receive assurance on safeguarding arrangements.

- 6.2 The model proposes that the partner agencies, take responsibility for leading, developing and delivering against the safeguarding aims and objectives. The detailed work on performance and quality improvements in operational safeguarding arrangements will be fulfilled by either existing partnership groups, or task and finish group arrangements. It is essential that the views and wishes of children and young people are central to informing the work of all these groups. We need to ensure that the safeguarding partnership is informed by the views of children. The Children's Safeguarding Executive will hold partners to account to ensure the views of children are embedded practice. The Executive will require partners to report on children and parents' views and feedback, and that they are changing practice as a consequence. The Executive will ensure that any detailed review of an area of need or service brings together service user feedback with performance data and quality audit findings – and that our culture will be to start discussions with the voices of children and families.

7 PROVISOS AND PARAMETERS

The proposed safeguarding arrangements outlined here assume the following key points.

- 7.1 That they are an outline of the proposed arrangements and offer a view on a streamlined structure. They do not include detail in relation to how the specific functions such as case reviews will be carried out, this will be further developed.
- 7.2 All three partners must be consulted on them and agree to them at their appropriate governance and accountability boards and the feedback from each partner will be valued and considered equally.
- 7.3 They are subject to change in line with amendments to the Working Together to Safeguard Children Guidance when published in spring 2018.
- 7.4 They will be independently scrutinised and challenged by the TSCB Independent Chair in early 2018.
- 7.5 All agencies in Tameside remain subject to the Greater Manchester safeguarding procedures including the resolving Professional Disagreement/Escalation Policy.

8 SUB GROUP ARRANGEMENTS

- 8.1 It is proposed that there are two standing sub groups that report into the Children's Safeguarding Executive Group, the Performance and Quality Assurance Group and the Case Review Group.

9 PERFORMANCE AND QUALITY ASSURANCE

- 9.1 This is where the Board's resources should be concentrated, to ensure that the Board has clear, accurate and detailed understanding of our safeguarding system, what is working well and what is not. The group will develop a fit for purpose quality and performance framework, and support partners in ensuring that reporting mechanisms are strong. The Board's personnel will bring research and best practice into this group to inform safeguarding arrangements in the borough. The group is not about building capacity to do partners' work for them but in bringing together intelligence to inform how the system is working.

- 9.2 It is important that we ensure all relevant agencies can demonstrate effective quality audit practice.

10 CASE REVIEW GROUP

- 10.1 Within the draft Working Together there is a significant shift away from automatic triggers for serious case reviews.
- 10.2 Safeguarding partners must make arrangements to identify serious child safeguarding cases which raise issues of importance in relation to the area, commission and oversee the review of those cases, where they consider it appropriate for a review to be undertaken. The purpose of a local child safeguarding practice review is to identify any improvements that should be made locally to safeguard and promote the welfare of children (both collectively and individually). This means that learning must be at the heart of all reviews and should seek to prevent or reduce the risk of recurrence of similar incidents.
- 10.3 The Case review group will be responsible for scrutinising cases of serious and significant concern and making recommendations to the executive group on those cases that either require referral to the national case review group or that a local review is commissioned. This group will then coordinate the local case review process and ensure lessons learned from both local and national reviews are implemented by agencies. Reporting through to the Executive group who will oversee the process and provide assurance to the safeguarding statutory members on implementation and completion of arising actions.

11 REMIT OF CHILDREN'S SAFEGUARDING EXECUTIVE IN TAMESIDE

- 11.1 It is proposed that safeguarding children's arrangements in Tameside cover the scrutiny of partners in their statutory duties in child protection, and early help as defined in Working Together. Therefore the focus of the partnerships scrutiny is around ensuring there are sound thresholds for intervention and that these are implemented in a consistent manner, and that there are effective pathways to ensure an early help response for children, young people and families. The review of Children's Governance and recommendations is being taken through the governance process for TMBC and then with partners and will make clear the proposed arrangements for the wide agenda of children's health and wellbeing and how this is synchronised with local safeguarding arrangements.

12 FURTHER CONSIDERATIONS / DEVELOPMENTS

Budget Review

- 12.1 A review of funding for the safeguarding children arrangements will be undertaken. The Children's Safeguarding Executive will specify required budget contributions from those it determines to be relevant agencies, on the basis that these will be equitable and proportionate.

Independent Scrutiny

- 12.2 There are three elements of the Children's Safeguarding Executive functions that will require Independent Scrutiny. The areas laid out below highlight the body that will carry out these functions:-

- Local arrangements – GM Standards Board
- Annual report – GM Standards Board
- Decisions on local case reviews – Chair of Tameside Children's Safeguarding Executive

- Whilst the GM Standards Board is in development, independent scrutiny will be provided by the current Independent Chair of Tameside Safeguarding Children's Board and Joint Improvement Partnership

A detailed proposal on how the Greater Manchester Safeguarding Standards Board will fulfil its scrutiny functions is in development.

Partnership Workshop Membership & Relevant Agencies

- 12.3 The Tameside Children's Safeguarding Executive will finalise list of relevant agencies in Tameside who will be required to co-operate, and who will sit on the safeguarding children's workshop group following consultation. These agencies must cooperate and are aware of specific expectations upon them. They should be consulted and they can be required to make an equitable financial constitution.

The following relevant partners will need to be considered:-

- Health – Designated Professionals
- Health Providers (ICFT, PCFT)
- All Schools (including academies and private schools)
- 3rd Sector
- Children's social care
- Probation
- Early Years providers

- 12.4 The Executives will make clear how information will be shared with relevant agencies and how the local arrangements will be aware of their practice and performance. The review of relevant agencies will be carried out annually.

13 ANNUAL REPORT ARRANGEMENTS

- 13.1 Revise Annual report arrangements to ensure focus is on the analysis of the strengths, weaknesses and effectiveness of safeguarding arrangements within the borough. This would be required at the end of each year in March.

14 CHILDREN'S GOVERNANCE

- 14.1 The Director of Children's services has reviewed Tameside governance arrangements regarding children's services with a particular focus on early help. The review of governance has culminated with proposals for a Starting Well Board as a sub-group of the Health & Wellbeing Board, taking responsibility for the wider agenda of children's needs and sharing dual reporting to and from the Neighbourhood Workshops/Forums.

15 RECOMMENDATIONS

- 15.1 As stated on the report cover

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Agenda Item 12

Report To:	EXECUTIVE CABINET
Date:	25 July 2018
Executive Member/Reporting Officer:	Councillor Allison Gwynne – Executive Member (Neighbourhood Services) Emma Varnam – Assistant Director (Operations & Neighbourhoods)
Subject:	REQUEST FOR PERMISSION TO CONSULT ON REVIEW OF GAMBLING POLICY
Report Summary:	Cabinet is asked to approve a period of consultation in respect of the introduction of a revised statement of gambling policy
Recommendations:	Cabinet is asked to agree the period of public consultation recommended in the report.
Links to Community Strategy:	The licensing of Gambling activities contributes towards the Community Strategy theme of providing a safe environment
Policy Implications:	Any changes to Licensing policies will be subject to full consultation and Council approval.
Financial Implications:	Any costs incurred during the consultation period will be met from the existing service budget.
(Authorised by the Borough Treasurer)	
Legal Implications:	Consultation is a statutory requirement for this policy review and it is important that an Equality impact assessment undertaken of consultation process and policy.
(Authorised by the Borough Solicitor)	
Risk Management:	Failure to review policies and procedures exposes the Council to risk of challenge through the courts and Local Government Ombudsman with potential financial and reputational consequences.
Access to Information:	The background papers relating to this report can be inspected by contacting the report writer, John Gregory by:

 Telephone: 0161 342 3520

 e-mail: john.gregory@tameside.gov.uk

1. INTRODUCTION

- 1.1 Licensing Authorities are obliged to review and revise their licensing policies on a regular basis. Regular reviews ensure that policies are kept up-to-date with any changes to legislation and that policies accurately reflect the aims, ambitions and working practices currently employed by the Authority.
- 1.2 The Gambling Act 2005 requires Licensing Authorities to publish a revised “Statement of Gambling Policy” at least every three years.
- 1.3 The introduction of an amended gambling policy will require an element of consultation prior to its adoption by the Council.
- 1.4 It is important that the process of adopting the policy is transparent and subject to sufficient governance. A further report will be submitted to Cabinet at the conclusion of the consultation periods highlighting the key consultation responses and any suggested amendments, which should be made to the policy before it is put to full Council for approval.

2. REPORT

- 2.1 The Gambling Act 2005 is the primary legislation whereby Licensing Authorities issue licences to, and regulate licensed premises which are used for gambling activities, such as bookmakers, bingo premises, adult gaming centres etc.
- 2.2 The Gambling Act requires Licensing Authorities to publish a “Statement of Gambling Policy” every three years. The statement must outline the Authority’s policy in respect of the grant of licences, how the Licensing Authority will promote the three gambling licensing objectives, and on the Authority’s expectations of licence holders in promoting the licensing objectives:
 - *Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;*
 - *Ensuring that gambling is conducted in a fair and open way, and;*
 - *Protecting children and other vulnerable persons from being harmed or exploited by gambling.*
- 2.3 The existing Statement of Gambling Policy will expire in February 2019 and the intention is for a new policy to be agreed and adopted by the full Council prior to the expiry of the existing policy.
- 2.4 The draft new statement of gambling policy is attached at **Appendix 1**.
- 2.5 The intention is to carry out a full public consultation for a period of 12 weeks between July 2018 and October 2018. Following any amendments and further approval by Cabinet, the policy will then be put to full Council for a decision on adoption.

3. CONCLUSION

- 3.1 Cabinet are requested to recommend that permission be given for consultation exercised to be held in respect of both the revised statement of gambling policy and the common minimum standards for the taxi & private hire trade.



Statement of Principles

2019-2022

Gambling Act 2005

Introduction

This statement of Policy in relation to the Gambling functions regulated by Tameside Metropolitan Borough Council (TMBC), outlines the approach that will be taken when dealing with the permissions it grants and enforces thereafter.

This Policy also identifies how the Authority will seek to promote the licensing objectives under the Act, namely:-

- **Preventing gambling from being a source of crime or disorder, being associated with crime and disorder or being used to support crime.**
- **Ensuring gambling is conducted in a fair and open way.**
- **Protecting children and other vulnerable people from being harmed or exploited by gambling.**

Partnerships are important, and with this in mind TMBC will work closely with the Gambling Commission, the Police and the other responsible authorities named within the Act. TMBC will also provide guidance and support, where possible, to the trade, residents and businesses.

All decisions in relation to gambling will be made having taken into account the three licensing objectives and each application will be dealt with on its merits.

This policy will come into effect on 31 January 2019 and will be reviewed no later than 31 January 2022.

In carrying out its gambling functions, TMBC will have regard to its Policy and the Guidance issued by the Gambling Commission.

An equalities impact assessment has been conducted in relation to this Policy and is available upon request.

Tameside Metropolitan Borough Council

POLICY STATEMENT

Under Section 349 of the Gambling Act 2005

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PART A
POLICY STATEMENT

1. The Licensing Objectives

1.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by Gambling

1.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

1.3 This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority’s statement of licensing policy

Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published.

It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

2. Declaration

2.1 In producing the final statement, this licensing authority will have regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

3. Responsible Authorities

3.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

3.2 In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Local Safeguarding Children Board for this purpose.

3.3 The contact details of all the Responsible Authorities under the Gambling Act 2005 are available at **Appendix A**.

4. Interested parties

4.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)"

4.2 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

4.3 Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities at 8.11 to 8.18. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices. If in the particular circumstances of the application the licensing authority departs from the guidance it will explain its reasons for doing so.

4.4 Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

4.5 If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Panel dealing with the licence application. If there are any doubts then please contact the licensing section at Tame St Depot, Tame St, Stalybridge SK15 1ST or on 0161 342 4262.

5. Exchange of Information

5.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under

section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

5.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that neither the Data Protection Act 1998, nor the General Data Protection Regulations (GDPR) 2018 will be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission to local authorities, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

5.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

6. Enforcement

6.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

6.2 This licensing authority's principles are that:

It will be guided by the Gambling Commission's Guidance for local authorities and will endeavor to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

6.3 As per the Gambling Commission's Guidance for local authorities this licensing authority will endeavor to avoid duplication with other regulatory regimes so far as possible.

6.4 This licensing authority has adopted and implemented a risk-based inspection program, based on;

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Gambling Commission, in particular at Part 36
- The principles set out in this statement of licensing policy

6.5 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licenses and other permissions which it authorises. The Gambling Commission is the enforcement body for the issue of operating and personal licenses. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but should be notified to the Gambling Commission.

6.6 This licensing authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

6.7 Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements will be available upon request to the licensing section at the Licensing Office Tame St Depot, Tame St, Stalybridge SK15 1ST or e-mail: licensing@tameside.gov.uk

Our risk methodology is also available upon request.

6.8 Reference will also be made to the Councils Enforcement Policy when considering enforcement action.

7. Licensing Authority functions

7.1 As a Licensing Authority we are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licenses
- Issue Provisional Statements
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permit
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centre's
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and Endorse Temporary Use Notices
- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licenses issued (see section above on 'information exchange')
- Maintain registers of the permits and licenses that are issued under these functions

7.2 These functions will be carried out in accordance with the Scheme of Delegation.

7.3 It should be noted that local licensing authorities are not to be involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licenses.

PART B

PREMISES LICENCES

8. General Principles

8.1 Premises licenses are subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

Decision-making

8.2 This licensing authority is aware that in making decisions about premises licenses it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

8.3 It is appreciated that as per the Gambling Commission's Guidance for local authorities, moral objections to gambling are not a valid reason to reject applications for premises licenses and also that unmet demand is not a criterion for a licensing authority.

8.4 The Licence Conditions and Code of Practice (LCCP) issued by the Gambling Commission places further onus on premises to complete a risk assessment based on code 8, the social responsibility code. The council will have regard to this code when considering applications. This is covered in detail in Part 4 of this statement.

8.5 **Definition of premises** - In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

8.6 The Gambling Commission states in the fourth edition of its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises."

8.7 This licensing authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities which states that: licensing authorities should take particular care in

considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

8.8 The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates?
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

8.9 This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

8.10 The Gambling Commission’s relevant access provisions for each premises type are reproduced below:

8.10.1:

Casinos

- The principal access entrance to the premises must be from a street (as defined at 7.24 of the Guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (as per paragraph 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

8.11 Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

8.12 Premises "ready for gambling"

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied is going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of circumstances in which such a licence may not be granted can be found at paragraphs 7.60 – 7.67 of the Guidance.

8.13 It should also be noted that an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling is constructed. The Gambling Commission has advised that reference to "the premises" is to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued in relation to a premise which is ready to be used for gambling. This authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the

building to be complete ensures that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

8.14 Location - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives is relevant to its decision making. As per the Gambling Commission's Guidance to local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

8.15 Planning:

The Gambling Commission's Guidance to Licensing Authorities states:

– In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.

This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance:

- When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

8.16 Duplication with other regulatory regimes - This licensing authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning and the fire service. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

8.17 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

8.18 Licensing objectives - Premises licenses granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

8.19 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime - TMBC is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective.

Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behavior was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

8.20 Ensuring that gambling is conducted in a fair and open way - TMBC has noted that the Gambling Commission states that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licenses. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section.

8.21 Protecting children and other vulnerable persons from being harmed or exploited by gambling - TMBC has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

8.22 TMBC will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.

8.23 Section 7 of the Gambling Commission Guidance to Local Authorities sets out considerations that an operator must make in order to protect children and young people from accessing gambling premises. The Licence Conditions and Codes of Practice (LCCP) issued in 2015 prescribe how operators must prevent children from using age restricted gaming or gambling activities, particularly where gaming machines are licensed.

In particular operators must ensure that:

- all staff are trained,
- that all customers are supervised when on gambling premises
- they have procedures for identifying customers who are at risk of gambling related harm.

8.24 The Council will expect all operators to have policies and procedures in place as required by the LCCP codes on social responsibility to cover all aspects of the code, in particular staff training records and self-exclusion records.

8.25 Further provisions with regard to self-exclusion and marketing are included in the social responsibility code. The council will take all conditions and codes into account when considering applications or performing enforcement activities. See Part 4 of this policy statement for further details and on the council's requirements in relation to the LCCP.

8.26 As regards the term "vulnerable persons" it is noted that the Gambling Commission does not seek to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." This licensing authority will consider this licensing objective on a case by case basis. Should a practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.

8.27 **Conditions** - Any conditions attached to licenses will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

8.28 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc.

There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

8.29 This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licenses. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

8.30 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- physical barriers to segregate areas should not impede the escape routes from that or other areas

8.31 These considerations will apply to premises including buildings where multiple premises licenses are applicable.

8.32 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

8.33 It is noted that there are conditions which the licensing authority cannot attach to premises licenses which is:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;

- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- conditions in relation to stakes, fees, winning or prizes.

8.34 **Door Supervisors** - The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence to this effect.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance, Part 33).

9. Adult Gaming Centres

9.1 TMBC will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

9.2 Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls, the council will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises and that the premises is adequately supervised at all times.

9.3 This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes.
- CCTV.
- Supervision of entrances / machine areas.
- Physical separation of areas.
- Location of entry.
- Notices / signage.
- Specific opening hours.
- Self-barring schemes.
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

10. (Licensed) Family Entertainment Centres

10.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

10.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- CCTV.
- Supervision of entrances / machine areas.
- Physical separation of areas.
- Location of entry.
- Notices / signage.
- Specific opening hours.
- Self-barring schemes.
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the Premises.

10.3 This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

10.4 TMBC will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licenses covering the way in which the area containing the category C machines should be delineated. TMBC will also make itself aware of any mandatory or default conditions on these premises licenses, when they have been published.

11. Bingo premises

11.1 TMBC notes that the Gambling Commission's Guidance states:

Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

TMBC also notes the Guidance at paragraph 18.5 regarding the unusual circumstances in which the splitting of pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate eight categories B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use, these must be separated from areas where children and young people are allowed.

12. Betting premises

12.1 *Betting machines* - TMBC will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

13. Tracks

13.1 TMBC is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

13.2 TMBC will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

13.3 TMBC will expect applicants to offer their own measures to meet the licensing objectives; however appropriate measures / licence conditions may cover issues such as:

- Proof of age schemes.
- CCTV.
- Supervision of entrances / machine areas.
- Physical separation of areas.
- Location of entry.
- Notices / signage.
- Specific opening hours.
- Self-barring schemes.
 - Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

13.4 *Gaming machines* - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

13.5 *Betting machines* - TMBC will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

13.6 *Applications and plans* - The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities, paragraph 20.28).

13.7 Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. (See Guidance to Licensing Authorities, paragraph 20.29).

13.8 Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises (See Guidance to Licensing Authorities, paragraph 20.31).

13.9 In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined. (See Guidance to Licensing Authorities, paragraph 20.32).

13.10 TMBC appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track.

Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan. (See Guidance to Licensing Authorities, paragraph 20.33).

14. Travelling Fairs

14.1 TMBC is responsible for deciding whether, where category D machines and /or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

14.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

14.3 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighboring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded. In any event neighboring authorities will be consulted to ensure best practice and consistency is applied.

15. Provisional Statements

15.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

15.2 S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

15.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

15.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

15.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant’s circumstances.

15.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premise has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

16. Reviews

16.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of principles.

16.2 The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence or whether it is substantially the same as previous representations or requests for review.

16.3 The licensing authority can also initiate a review of a particular premises licence on the basis of any reason which it thinks is appropriate.

16.4 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

16.5 The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

16.6 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-

- (a) add, remove or amend a licence condition imposed by the licensing authority;
- (b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months; and
- (d) revoke the premises licence.

16.7 In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

16.8 In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

16.9 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- the licence holder.
 - the applicant for review (if any)
 - the Commission.
 - any person who made representations.
 - the chief officer of police or chief constable; and
 - Her Majesty's Commissioners for Revenue and Customs.

PART C

PERMITS/TEMPORARY & OCCASIONAL USE NOTICES

17. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

17.1 Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

17.2 The Gambling Act 2005 states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance for local authorities also states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits....., licensing authorities will want to give weight to child protection issues." (24.6)

17.3 Guidance also states..."An application for a permit may be granted only if the licensing Authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief of police has been consulted on the application..... Licensing authorities might wish to consider asking applicants to demonstrate:

- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- That the applicant has no relevant convictions (those set out in schedule 7 of the Act; and
- That staff are trained to have a full understanding of the maximum stakes and prizes (24.7)

It should be noted that a licensing authority cannot attach conditions to this type of permit.

17.4 **Statement of Principles** TMBC will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

18. (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1)) Automatic entitlement: 2 machines

18.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority and pay the prescribed fee. The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

Permit 3 or more machines

18.2 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant.”

18.3 This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only, gaming machines. Measures which will satisfy the authority that there will be no access, may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

18.4 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

18.5 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

18.6 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

19. Prize Gaming Permits

19.1 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.

19.2 TMBC has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law.
- Clear policies that outline the steps to be taken to protect children from harm.

19.3 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance (Gambling Act 2005, Schedule 14 paragraph 8(3)).

19.4 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

20. Club Gaming and Club Machines Permits

20.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D)

Commercial clubs may not site category B3A gaming machines offering lottery games in their clubs

20.2 Members Clubs and Miner's welfare institutes (But not commercial clubs) may apply for a Club Machine Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). Equal chance gaming and games of chance as set out in forthcoming regulations.

TMBC notes that the Gambling Commission's Guidance states:

25.46 The LA has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. In doing so it will take account a number of matters as outlined in sections 25.47-25.49 of the Gambling Commission's Guidance. These include the constitution of the club, the frequency of gaming, and ensuring that there are more than 25 members.

The club must be conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

20.3 The Commission Guidance also notes that "licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfill the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;

- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

20.4 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Commercial clubs cannot hold club premises certificates under the Licensing Act 2003 and so cannot use the fast-track procedure. As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

20.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

21. Temporary Use Notices

21.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

21.2 The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

21.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

21.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place".

21.5 In considering whether a place falls within the definition of "a set of premises", the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

21.6 TMBC expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

22. Occasional Use Notices

22.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice. This licensing authority will also ensure that no more than 8 OUNs are issued in one calendar year in respect of any venue.

23. Small Society Lotteries

23.1 TMBC will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- submission of incomplete or incorrect returns
- breaches of the limits for small society lotteries

Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by, or on behalf of, a charity or for charitable purposes.
- to enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact this Licensing Authority on 0161 342 4262 within working hours to seek further advice.

PART 4

Licence Conditions & Codes of Practice (LCCP)

24. The Code

24.1 The Gambling Commission released an LCCP in February 2015 with a commencement date of May 2015. The code strengthened the social responsibility code (SR) requirements. Details regarding the LCCP and SR code can be accessed via the Gambling Commission website at www.gamblingcommission.gov.uk

24.2 The code requires operators;

- To supervise customers effectively on gambling premises and identify customers who are at risk of gambling related harm.
- With effect from April 2016 to have in place schemes to allow customers to self-exclude themselves from all operators of a similar type in the area where they live and work.
- To have a range of measures with regard to marketing to ensure social responsibility that are transparent and not misleading.
- With effect from April 2016 to produce a risk assessment on individual premises, and have policies and procedures and control measures in place to mitigate local risks to the licensing objectives.

25. Risk Assessments

25.1 Such risk assessments are required from new applicants, and from existing premises licensees seeking to vary a licence and are to be presented to the licensing authority upon application. The code requires all operators of; Casino's, AGC's, Bingo Premises, FEC's, Betting shops and remote betting intermediaries to assess local risks to the licensing objectives, and to have policies, procedures and control measures in place to mitigate those risks.

25.2 Operators are required by the SR code to make the risk assessment available to licensing authorities when an application is submitted either for new premises licence or variation of a premises licence, or otherwise on request, and this will form part of the council's inspection regime and may be requested when officers are investigating complaints.

25.3 The code requires the Council to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this council expects the following matters to be considered by operators when making their risk assessment:

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may reflect benefit payments
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall,
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.

25.4 TMBC expects the following matters to be considered by operators when making their risk assessment:

Matters relating to children and young persons, including;

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas etc.
- Any premises where children congregate including bus stops, café's, shops, and any other place where children are attracted,
- Areas which are prone to issues of youths participating in anti-social behaviour, including such activities as graffiti/tagging, underage drinking, etc.
- Recorded incidents of attempted underage gambling

Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.

25.5 Other issues that may be considered could include:

Matters of faith, including all religious or faith denominations. Including proximity to churches, mosques, temples or any other place of worship.

This list is not exhaustive and other factors not in this list that are identified can be taken into consideration.

26. Local Area Profile

26.1 TMBC has considered the local area profile and feels the main issues will be covered by the risk assessments required under the LCCP.

**APPENDIX A
RESPONSIBLE AUTHORITIES**

Any application must be sent to:

**Licensing Department
Tameside MBC
Licensing Office
Tame St Depot
Tame St
Stalybridge
SK15 1ST**

Copies of the application must also be sent to the following responsible authorities:

**Watch Commander Fire Protection
Tameside Borough HQ
Hyde Fire Station
Railway Street
Hyde
SK14 1DF**

**HM Customs and Revenue
National Registration Unit
21 India Street
Glasgow G2 4PZ**

**Social Services
Conference and Review Section
QA Unit
Hyde Town Hall
Hyde
SK14 1AL**

**Environmental Health (Environmental Protection)
Tame St Depot
Tame St
Stalybridge
SK15 1ST**

**Chief Superintendent
Greater Manchester Police
Tameside Partnership Team (Licensing)
Manchester Road
Ashton-Under-Lyne
OL7 0BG**

**Planning and Building Control
Clarence Arcade
Stamford Street
Ashton-under-Lyne
Tameside
OL6 7PT**

**Gambling Commission
Victoria Square House
Victoria Square,
Birmingham B2 4BP**

APPENDIX B

TAMESIDE METROPOLITAN BOROUGH COUNCIL SCHEME OF DELEGATION

Matter to be dealt with	Full Council	Sub-committee of licensing committee	Officers
Final approval of three year licensing policy	x		
Policy not to permit casinos	x		
Fee setting (when appropriate)			X
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Review of a premises licence		x	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		x	
Application for other permits			x
Cancellation of licensed premises gaming machine permits			x
Consideration of temporary use notice			x
Decision to give a counter notice to a temporary use notice		x	

Report To:	EXECUTIVE CABINET
Date:	25 July 2018
Executive Member/Reporting Officer:	Councillor Allison Gwynne, Neighbourhood Services Emma Varnam, Assistant Executive Director for Operations and Neighbourhoods
Subject:	DEVELOPMENT OF AN EVENTS PANEL. Civic Events calendar 2018: <ul style="list-style-type: none">- Christmas arrangements and support- Centenary commemorations of end to WW1- Centenary celebrations for Women's Suffrage Future arrangements for Civic Events
Report Summary:	<p>The Council continues to develop and support a vibrant and affordable events programme which is generally free at the point of delivery. Integral parts of this annual programme are Whit Friday Brass Band Contests, Armed Forces Day and the borough's Christmas celebrations. Where agreed this programme is complimented by nationally significant events which the borough opts to commemorate or celebrate. 2018 marks two such significant events: Women's Suffrage and Battles End – 100 years since the end of World War 1. The new development of the Council's Events Panel will oversee these events ensuring they are corporately agreed and also suggest significant events to be marked going forwards. This report sets out a vision for key events in 2018. The development of an Events Panel and its remit. The proposed model takes into account the financial and organisational challenges facing the Council and the lessons learnt from staging/supporting civic events in the past.</p>
Recommendations:	<p>It is recommended that:</p> <ul style="list-style-type: none">• The Events Panel will set key civic events and lead the response to other significant national commemorations and/or celebrations.• The proposal relating to Town Christmas events 2018 is agreed• The proposal relating to Tameside's Christmas Celebration event 2018 is agreed• The programme of activities and events relating to this year's WW1 and Women's Suffrage are agreed.• The Events Panel have an overview of the Cultural and Social Impact Funded activity within the Borough
Links to Community Strategy:	<p>The civic events proposals and the development of the Events Panel positively contribute to the following themes of the Corporate Plan;</p>

Excellent Health & Care – we want all our residents to have access to high quality joined up health and care services that help our residents to live longer and healthier lives.

Successful Lives – we want our young people to live in a safe and supportive environment where they have the opportunity to reach their full potential.

Vibrant Economy- we want to provide greater access to jobs and opportunities, attract more businesses to the area and improve connectivity.

Stronger Communities – we want to build stronger communities that look out for one another, take a pride in the area they live in and have access to quality homes.

Digital Future – we want to provide everyone with the opportunity to get on-line to access services, learning and information

Policy Implications:

It is essential that any proposals demonstrate value for money and make a clear contribution to Council priorities.

Financial Implications:

(Authorised by the Section 151 Officer)

There is an existing revenue budget within Arts and Engagement of £236k, of which £158k relates to staffing costs. The remaining budget is available for other costs relating to events and has previously been used for events including Christmas Celebrations, Whit Friday Band Contests, Armed Forces Day and Remembrance Day. This budget continues to be available to fund events within the borough. As mentioned in the report, there is a further £18k available within the wider Operations & Neighbourhoods budget to fund the Christmas Lights Switch On packages.

Where possible, the service should investigate and utilise other external sources of funding available to support specific events and ensure that any costs incurred by the council do not exceed the revenue budget available.

Legal Implications:

(Authorised by the Borough Solicitor)

We all know that regular physical activity and cultural stimulation contributes positively to emotional and mental wellbeing by preventing and reducing stress, anxiety and depression. So it is important that we make the most of the borough's cultural, physical and sports assets to help local people live healthier, happier lives. We need to plan to make sure the provision of cultural services in the borough is financially sustainable because any expenditure is discretionary we need to ensure that any expenditure reduces the need for more expensive statutory intervention services.

Risk Management:

Outdoor events come with organisational and significant risk due to adverse weather conditions. This can require last minute decisions to cancel or alter events to ensure these are safe for audiences, performers and equipment alike.


Risk to raising funds for community groups to deliver Christmas Switch On events – the report proposes that a basic Christmas

Switch On package be available to all town Switch On events.

Insuring community events can be costly for community groups; the report proposes that Christmas events are insured through the Council where these comply with the expectations set out in the report.

Access to Information:

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

 Telephone:0161 342 4144

 e-mail: marie.hollan@tameside.gov.uk

1. INTRODUCTION

- 1.1 The Council continues to develop and support a vibrant and affordable events programme which is generally free at the point of delivery. Key civic events such as Whit Friday Brass Band Contests, Armed Forces Day and Christmas celebrations are an integral part of the Council's annual events offer and are generally welcomed and supported by residents engendering a sense of community, wellbeing and civic pride.
- 1.2 Christmas celebrations in Tameside have historically comprised a number of small to medium sized "Switch On" events (approx. eight) with one larger corporate event staged in Ashton. Generally, these have been based on a standard format; outdoors, in the evening, with music, entertainment from local groups and a countdown to the Christmas lights being switched on. Since 2013 the main corporate event has been supported by a large scale, highly successful, lantern parade through the streets of Ashton with between 1500/2000 participants.
- 1.3 However, 2017 saw a number of Christmas events occurring on the same dates adding extra strain on staffing and budgets. In response to this an Events Panel has been developed to support and oversee the Borough's key civic events to ensure the best value for money whilst still maintaining the high quality of events.
- 1.4 The Events Panel has agreed the Terms of Reference (Appendix 1) which will see the Panel coordinate the Council's response to key annual civic events. It will be the Panel's remit to propose the Council's response to other nationally significant events which the Council opts to celebrate or commemorate where appropriate. The Panel includes the Chair for each Neighbourhood Forum, the Executive Member for Lifelong Learning, Skills and Employment and relevant Council officers.
- 1.5 This report sets out the Events Panel's vision for Christmas 2018 celebrations in the Borough. The proposed model takes into account the financial and organisational challenges facing the Council and the lessons learnt from staging/supporting Christmas celebrations in the past. Noticeably the Panel is proposing that the corporate Christmas event takes place in Denton in 2018 to allow for the completion of the landscaping to Ashton Market square. The Panel is making this proposal based on the Health and Safety of visitors and participants of the event as set out in this report.
- 1.6 Additionally 2018 marks two nationally significant events which the Events Panel is suggesting the Council observes: Women's Suffrage which celebrates the centenary since women were first allowed to vote. Battles End commemorates the 100 years since the end of the First World War. The Panel is proposing a series of activities and events which will mark these important occasions as set out in this report.

2 EVENTS PANEL

- 2.1 2017 saw a number of duplications on event days which resulted in stretched services, additionally incurred costs and an unnecessary competition for audiences. Simultaneously the Council continues to face increased scrutiny over budgets and how events are funded whilst still maintaining the quality and breadth of the Borough's annual civic events calendar. Consequently an Events Panel has been developed which comprises of the Chair of each Neighbourhood Forum, Member representatives and key council officers involved in programming and delivering the Borough's key civic events. The Events Panel will ensure the best value for money and a vibrant and sustainable civic events calendar. The Panel is chaired by Executive Member for Neighbourhoods, Councillor Allison Gwynne with support from the Assistant Director for Operations and Neighbourhoods Emma Varnam.

- 2.2 On the 13 June 2018 the Events Panel agreed its Terms of Reference (see Appendix 1) consisting of four key areas. Firstly the main aim of the Panel is to coordinate the Council's response to the annual key civic events: Tameside Whit Friday Brass Band Contest, Armed Forces Day, Remembrance Day, and Tameside Christmas Celebrations.
- 2.3 Secondly the Events Panel will advise and lead on nationally significant events which require a corporate response. On such occasions the Panel will put forward the plans for celebrations or commemorations. It will do so in a timely fashion where the response relates to historical events such as this year's centenary marking the end of the First World War and the 100 years since women were allowed to vote. However there may be occasions where an immediate situation requires the Council to respond either to celebrations or commemorations and on such occasions the Panel will advise and lead accordingly.
- 2.4 Thirdly the Events Panel will be the corporate point through which the Greater Manchester Combined Authority's (GMCA) cultural aspirations are monitored and the associated benefits are assessed. As such it will keep an overview of how the GMCA Cultural and Social Impact Fund delivers cultural activity in the Borough through the Fund's supported Greater Manchester Cultural organisations.
- 2.5 Finally the Events Panel welcomes the broad and varied range of cultural events which the Borough is known for; from outdoor events such as Summer Theatre to the Tour of Tameside. From its popular annual Open Art exhibition to its participation in the Summer Reading Challenge. The Borough has a rich and diverse community as it does community events and activities, the role of the Panel is to support where it can and to act as the advocate for the continued cultural opportunities for all residents. As such the Panel recognises that the above mentioned events are not the only activities the Council supports or organises, nor that it is the Panel's remit to oversee all cultural events in the Borough.

3 CHRISTMAS CELEBRATIONS 2018

- 3.1 The programme of Christmas events from the corporate Tameside Christmas event to the town based switch ons are significant and key events on the events calendar. They are very well attended and are the most high profile events the Council either organises or supports. Reports on Tameside Christmas events were presented to Executive Board in 2015, 2016 and 2017. Lessons learnt from previous years have resulted in the following proposals for 2018.
- 3.2 Traditionally the Council has organised one central Christmas event taking place in Ashton. Due to the development of Vision Tameside phase 2 the central Ashton Market Square will not be sufficiently landscaped to allow for the Tameside Christmas celebrations to take place in this space in 2018. The lack of clear entrance and exit routes means that if the Council staged such an event it wouldn't be able to safely guard the audience or the parade's participants adequately in line with national event management Health and Safety guidelines. It is therefore an appropriate response to move the event to another town. Taking the infrastructure and the opportunities for staging a highly impactful event into account, this year Denton has been identified as a suitable location.
- 3.3 It is proposed that Tameside's central event takes place outdoors in Denton Civic Square on Saturday 8 December 2018 from 6 - 8pm. The event will be managed and coordinated by Operations and Neighbourhoods (Cultural Services) and produced by the Borough's own international carnival organisation Global Grooves with support from community groups.
- 3.4 A large scale event such as this, which is unique to Tameside, will attract inward investment and has attracted £11,000 from the Arts and Culture sector. An 'Awards for All'

application will be submitted to ensure additional support in creating and developing the performance. In 2018 it is expected that the Council will commit £33K towards the central celebration also.

- 3.5 Town Christmas Switch On events have historically been arranged by community groups, Town Teams, Town Councils and charities with some support from the Council. The local organising teams are encouraged to fully fund their own events through sponsorship etc. Any funding shortfall is not automatically met by the Council but in kind support is available through staffing, marketing, technical and event management support. However, in exceptional circumstances consideration may be given to requests for financial or technical support by the Executive Director for Operations and Neighbourhoods. In 2017 the Council supported eleven events, in some areas providing substantial management and operational support to ensure a safe, compliant and fully insured public event.
- 3.6 Community Christmas Switch On events in 2018 will follow the same model to 2017 with two marked differences. To ensure all events are adequately insured, safe and financially balanced the Events Panel recognises the need for additional support which the current staffing and funding levels cannot fulfill.
- 3.7 Accordingly the Events Panel proposes that a Community Events Officer be appointed to support Community Switch On events. It will be the Community Event Officer's role to advise on what additional support may be required for event organisers which could otherwise inhibit the delivery of a successful and safe event. This means that there will be guaranteed yearly support for Community Christmas Celebrations to continue to thrive and be an important part of the Borough's annual calendar of events.
- 3.8 The Events Panel also proposes a free basic Christmas Switch On package be made available to all town Christmas Switch On celebrations. The package covers the following elements and £18K has been put aside to cover the cost, assuming all ten identified towns or locations take up the offer:
- A 20 ft. Christmas tree installed and removed once Christmas is over
 - Christmas tree lights installed and removed once Christmas is over
 - Barriers around the tree
 - Engineer support to switch on tree lights at event
 - An Events Manager on the day of the event
 - Basic PA system
 - Insurance of Event
- 3.9 To take up this offer the event organisers must submit an Events Management plan by the 1 September 2018 and adhere to the Christmas dates put forward in this report. If there are any additionalities added to the basic package event organisers must raise the funds themselves to achieve this. If event organisers opt for additional entertainment it may no longer be possible for the Council to provide an Events Manager or insure the events. In addition each event will also have the following support independent of whether they opt in to the basic Christmas Switch On package:
- Community Events Officer appointed to liaise with all events organisers, support with forms, advise on events management and be present if possible and required.
 - Insurance advice where required
 - Marketing support with posters, adverts, banners, press releases, social media
 - Stewarding support
 - Ensure Christmas dates for 2019 are set by December 2018
- 3.10 2017 saw a significant duplication of dates for Christmas celebrations which put additional pressure on staffing. This has been an issue identified by all event organisers and whilst it

is accepted that a level of duplication is inevitable a careful consideration of dates has gone into the planning process for 2018. The dates for Christmas Celebrations 2018 are as follows:

Date	Town
17 November	Droylsden
17 November	Stalybridge
23 November	Dukinfield
23 November	Audenshaw
23 November	Micklehurst
24 November	Ashton
24 November	Mossley
24 November	Hollingworth
1 December	Hyde
8 December	Denton

4 ANNUAL CIVIC EVENTS

4.1 The Council delivers and supports a number of key civic events annually: Whit Friday Brass Band Contests, Armed Forces Day, Remembrance Services and Christmas celebrations. These are all well attended, bring communities together and help foster a greater sense of belonging and community cohesion. The events bring investment into the Borough as well as providing opportunities for local businesses to be involved.

Tameside Whit Friday Brass Band Contest

4.2 Tameside Whit Friday Brass Band Contest 2018 took place Friday 25 May. The event totalled 11 competitions spread across the borough with 48 bands taking part and attracted an audience of over 11,000. This year saw an increased focus on social media and the marketing of the events with support from Manchester Metropolitan University's Masters Students in Event Management. A total of 36 prizes were presented with the Council's contribution to prize money set at £7,350 and split across 12 prizes. Tameside Whit Friday Brass Band Contest will take place Friday 14 June 2019 and may consist of an additional two venues.

Armed Forces Day

4.3 Armed Forces Day is a national opportunity for the country to show its support for the men and women who make up the Armed Forces community: from currently serving troops to Service families, veterans and cadets. Tameside has traditionally celebrated this day with a family fun day in Victoria Park, Denton. Additionally the Council has invited veterans and their families to a civic lunch with the Civic Mayor of Tameside. This year the event took place on Saturday 30 June 2018 in line with national recommendations. The event started with the civic lunch at midday followed by the official opening of the day with brass band, fanfare and colours. The Civic Mayor of Tameside officially opened the event and the afternoon included live music on the bandstand, arts activities, rolling theatre, archery and face painting amongst other things. The day also provided an opportunity for support organisations to promote their services. Next year's Armed Forces Day event will take place 29 June 2019.

Remembrance Services

4.4 Remembrance Services take place annually across the Borough on the 11 November. Traditionally these are organised by the Royal British Legion with support from the Council where required. 2018 marks the end of the First World War. Several national suggestions have been made for how to commemorate this occasion adequately. Remembrance Services will take place in the usual manner but it is expected there will be additional audiences and that additional staffing may be required to safely manage the events.

5 NATIONALLY SIGNIFICANT EVENTS

- 5.1 Different years will occasionally have additional significant events which the Council wishes to celebrate or commemorate. 2018 is unique in that there are two significant events which the Council will be observing. 2018 marks the one hundred years since the First World War ended. This will have a national as well as local focus with the Council working together with partners to celebrate and commemorate Battles End on the 11 November 2018.
- 5.2 It is also one hundred years since women were given the right to vote. Known as 'Women's Suffrage' the Council and other organisations will be marking this momentous occasion throughout the year.
- 5.3 Looking forward to 2019 the Peterloo Massacre is something the Council will be commemorating. These are expected events rooted in history; however there may also be significant events which arise out of the present and on such occasions the Events Panel will lead on the Council's response.

Battles' End – Centenary of the End of the First World War

- 5.4 On the 11 November 2018 it will be 100 years since the end of the First World War. The Council will be commemorating this momentous event in many ways; from school projects enabling local pupils to investigate local War Memorials to national initiatives such as the Peel of the Bells and displaying the Royal British Legion's Silent Soldier silhouettes across the Borough. The list below details some of the initiatives, activities and events which the Cultural Services team will be delivering and sometimes in partnership with Tameside Armed Services Community (TASC). However it should be noted that other community groups are planning events and activities to commemorate Battles End. Friends of Hollingworth War Memorial have for instance successfully bid for HLF money to restore their Memorial, create a poppy trail highlighting the homes of fallen First World War soldiers.

Silent soldier silhouettes

Tameside will be supporting the Silent Soldier campaign in honour of British troops who fought and died in the First World War 100 years ago. 9 near life-size silhouettes of a First World War 'Tommy' will be placed across the Borough in partnership with TASC.

11 mini memorials

One unveiled each day from 1 -11 November decals in eleven selected locations across the Borough in partnership with TASC.

Series of WW1 documentary films

showed at venues across Tameside

Light up the dark

A selection of Town Hall windows will display poppy decals in each window the night of the 11 November each window has a LED candle.

November daily WW1 poem

New poetry competition launched: with the 11 best read out by celebrity / veteran / author of poem.

Peel of bells

A national initiative inviting all church bells to ring out at 7.05pm to celebrate the end of World War 1. All church bells to ring on 11 November 2018.

Remembrance Services

To take place across the borough on the 11 November 2018.

Women's Suffrage – Centenary for Women getting the Vote

- 5.5 2018 is a significant year for Britain as a democratic country, the year marks the centenary for women being permitted to vote and take up official political roles. In 2017 a Cross Party Group was set up locally to oversee the planned events and additionally an Officers' Working Party was set up to deliver and coordinate the Council's response which started with International Women's day on the 8 March 2018 and culminates in a public event on Sunday 16 September 2018 in Stalybridge Armentieres Square. Below is a list of key activities which will be happening across the borough in 2018.
- 5.6 The full programme of events is detailed in **Appendix 2**.

Women's Suffrage Centenary Celebration. Sunday 16 September 2018 Tameside celebrates all Tameside women and their achievements. A special event day including music, theatre, pop-up archives, local history and a special artisan market in Armentieres Square, Stalybridge.

Trailblazers Special exhibitions and events throughout the year in our museums, archives and libraries.

Tameside Tied Together A community arts project allowing all to commemorate and celebrate the women who meant something to them; from historical figures to present day role models. The names are added to ribbons which will be woven together on the 16 September 2018.

6 BUDGET

- 6.1 The Community Christmas Switch On events proposal relies upon a Community Events Officer being appointed to support "switch on" events across the authority with support from Operations and Neighbourhood staff as well as other identified key staff members. Operations and Neighbourhoods will fund the additional post through their allocated revenue funding. An additional £18,000 has been allocated from Operations and Neighbourhood's revenue budget to allow for the implementation of the Basic Christmas Switch On Package.
- 6.2 The existing revenue budget of £33K from Arts and Engagement, allocated to support the corporate Christmas event, is being used as a match funding contribution towards the cost of the Tameside Christmas Event. An additional £11K of external funding has already been secured.
- 6.3 Other than detailed above no budget provision is available to deliver additional activity at the local "switch on" events. It is envisaged that each event will either be funded, insured and event managed by the Council or funded, insured and managed by local organising groups/committees.
- 6.4 With regard to the proposed programmes of events relating to Battles End and Women's Suffrage these have all been created and scaled to ensure that these can be funded through Operations and Neighbourhoods revenue funding – in particular the revenue budget within Cultural Service's Arts and Engagement Team.

7 RISK

- 7.1 Outdoor events can and do pose significant organisational and technical challenges due to their location, occasionally unkind weather conditions and large crowd numbers often involving a significant number of children. If an event is not properly organised and managed due in part to a lack of experience or expertise then there is a risk to public safety and ultimately the reputation of the Council should an accident or incident occur.

- 7.2 There is a risk that a number of Town Christmas organising groups will not be able to raise the required funding to stage the event. In order to mitigate the risk the Council will work with the event organisers to ensure the budget matches the event.
- 7.3 The Events Panel recognises that sufficient insurance to cover Town Christmas Switch On events can be a significant cost for community groups to incur. The Panel proposes that the Council can step in and support with insurance if event organisers opt in to the basic Christmas Switch On package.

8 CONCLUSION

- 8.1 The Council's annual key civic events programme is widely welcomed and enjoyed by residents of Tameside. With an increased focus on the Council's finances and the desire to continue to deliver events which are vibrant, safe and affordable an Events Panel has been developed to oversee key civic events from Tameside Whit Friday Brass Band Contest, Armed Forces Day, Remembrance Services, to the Borough's flagship Christmas celebration and its Town Christmas Switch On events.
- 8.2 The Panel fully recognises that these by no means are the sole cultural activities in the Borough and whilst it will not spearhead all activities it will support where required and where gaps are identified. Equally as different years bring different commemorations and celebrations the Panel will lead and advise on the Council's response to these.
- 8.3 2018 is exceptional in that it delivers two additional nationally significant events which the Council wishes to mark; Battles End marks the end of the First World War and a programme of events has been put forward in this report. Additionally 2018 also celebrates the centenary for Women's Suffrage and a programme of events has also been put forward in this report.
- 8.4 Significantly the report also includes the proposed plans for the corporate 2018 Christmas celebration. Whilst this event has traditionally taken place in Ashton the Panel is proposing that it is relocated to Denton in 2018 to allow for the completion of the landscaping to Ashton Town Hall Square.
- 8.5 With regard to the Borough's Town Christmas Switch On events the Panel is recommending one significant difference; the creation of a new post. A newly appointed Community Events Officer will enable the Town Christmas Switch Ons to continue to be delivered in a safe and affordable manner whilst also highlighting the Council's commitment to supporting community events where possible.
- 8.6 Going forward the Events Panel will submit a yearly Civic Events report detailing the programme of key civic events as mentioned above and including that year's Christmas arrangements with dates included. The Events Panel proposes that the creation of the Panel will enable the Council to continue to deliver and support high impact Cultural events in an affordable and safe manner.

9 RECOMMENDATIONS

- 9.1 As detailed on the front of this report.

Name of group: Events Panel

Terms of Reference 2018

Background: Tameside Metropolitan Borough Council's Events Panel was established in 2018. The Panel recognises that a community with a vibrant and varied cultural programme is not only an attractive place to live; it is a community which prospers, feels stronger and is a place where all residents thrive socially and economically.

Across GMCA innovative and engaging cultural events and activities are happening. These are often led by Greater Manchester Museums Group, Greater Manchester Archives and Local Studies Partnership, Greater Manchester Libraries and GMArts. The Panel believes it is time to recognise these contributions locally.

A GMCA Cultural Strategy is being produced this year and the Panel is committed to ensuring that Tameside delivers not only on TMBC's strategic priorities but that our Culture and Leisure offer is linked to the GMCA Strategy: Our People Our Place

The GMCA Cultural and Social Impact Fund has funded a number of cultural organisations across Greater Manchester. The Panel is committed to ensuring that this translates into cultural activity happening in Tameside.

Key aim: The Panel will oversee and coordinate civic events whilst also offering support and advice to other relevant events which reflect Tameside's communities. The Panel will act as a forum for feedback and updates from relevant partnerships. The Panel will ensure that high quality standards are maintained and that the events offer provides increased engagement and participation.

Objectives:

- To promote and advocate for a rich and diverse programme of events
- To oversee events scheduled in the Council's calendar
- To coordinate the plans for civic events, including Christmas event and the festive markets
- To offer advice and support to Town Council events
- To offer advice and support to community events organised on Council land
- To agree an annual calendar of events within the borough
- To ensure events are safe well managed and compliant with legislation

APPENDIX 1

- To monitor and respond to GMCA's Culture and Social Impact Fund and other cultural initiatives
- To develop a Cultural Strategy for the borough
- To receive updates from relevant GM partnerships
- To ensure linkages are made with the Council's other strategic objectives such as social care and health, economic growth, green and sustainable initiatives and community cohesion

Membership: Core membership of the group will include representation from the following areas:

- Elected Members – Chairs of each Neighbourhood Forum (North, West, South and East)
- Cultural and Customer Services
- Arts and Engagement
- Licensing
- Marketing and Communications
- Director/ Assistant Director from Operations and Neighbourhoods

Members will have the following responsibilities:

- To attend and participate in meetings or send an appropriate representative
- To ascertain the views of key partners and other staff where appropriate
- To share information and good practice with others
- To support and provide others with advice relevant to the group's objectives
- To contribute to any sub-groups established to pursue specific objectives and events
- Members are responsible for bringing relevant information to the attention of the Chair and organiser no less than 3 weeks prior to the next meeting

Chair:

- Executive Member (Clean and Green) Cllr Allison Gwynne will chair the committee. The Chair will elect a Deputy and minute taker

The chair has the following responsibilities:

- To liaise with the Head of Cultural and Customer Services/Arts and Engagement manager on the agenda for each meeting
- To approve the minutes of the meeting
- To effectively chair the meetings, allowing all views to be heard fairly

APPENDIX 1

- To represent the interests of the group at other key forums and meetings
- To approve reports commissioned or written by the group

The Head of Cultural and Customer Services/Arts and Engagement Manager has the following responsibilities:

- To organise the meetings of the group in appropriate venues on behalf of the Chair
- To ensure all members receive timely notification of meetings
- To ensure all members have access to agendas, papers, minutes and reports via a range of mechanisms.

Frequency of meetings: Quarterly

Format of meetings:

- The Chair will set the agenda
- Information submitted for the agenda but be received by organiser three weeks prior to the meeting
- Agenda and relevant papers will be circulated two weeks prior to the meeting in electronic format
- Minutes will be issued no less than two weeks after the relevant meeting
- Small sub-group meetings may be required upon the Chair's request
- Non-members may be invited to the group where appropriate and with the Chair's consent
- The secretariat for the group will be managed by the Arts and Engagement Team

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Women's Suffrage Centenary Events and Activities

4 June

Junior History Club: Votes for Women!

We will be making sashes and learning more about the fight for women's votes
Local Studies and Archives Centre. 2-4pm

18 June – 2 July

EqualiTeas

Join us to share debate and celebrate our right to vote, over a cup of tea and slice of cake!
It's a UK-wide celebration of our democratic equality, with tea parties taking place all over the country.

Check www.tameside.gov.uk/libraries for details of venues and timings

July to December 2018

Exhibition: Votes for Women

What happened next? The museum's old street looks at the changing role of women as the First World War neared the end. How did the war affect women? How did women get the vote and what role did suffragettes play locally?

Portland Basin Museum

1-29 September

Exhibition: Women of Tameside

Exhibition in the atrium of women of Tameside who made a difference
Local Studies and Archives Centre

1-29 September

Display: Extraordinary Women

Want to read about extraordinary women or read books by extraordinary women? Tameside libraries will guide you through the bravery and brilliance of female protagonists and authors with their new displays – Tell us who your heroine is and win a book

Tameside libraries, see website for more detail www.tameside.gov.uk/libraries

5 September

Talk: Women's Suffrage

Gary Hart, Parliament community outreach and engagement officer will come and talk to us about Women's Suffrage.

Local Studies and Archives Centre. 2-3pm

15 September

Family theatre: Suffragette/Sufragist?

Scallywags theatre bring their family friendly approach to the theme with a promenade interactive performance for families

Portland Basin Museum 11am & 1pm

16 September

Women's Suffrage Event Day

Special event day including music, theatre, pop-up archives, local history and a special artisan market.

Armentieres Square Stalybridge

19 September

APPENDIX 2

Talk: Hannah Mitchell

Michael Herbert joins us to talk about Hannah Mitchell, the well-known English suffragette and socialist who for a time made Ashton-under-Lyne her home.

Local Studies and Archives Centre 2-3pm

20 September

Walk & Talk: Women's Suffrage

A historical walk around Manchester highlighting the places of interest relating to women's history and a visit to the Pankhurst Centre.

Manchester 2pm

25 September

Making Friends with the Archives: Political Figures of Tameside

A collection of archives highlighting the political figures of Tameside including women who made a difference.

Local Studies and Archives Centre 2-3pm

10 October

Talk: Margaret Ashton

Alison Ronan historian and author will speak about Margaret Ashton the first female councillor in Manchester

Local Studies and Archives Centre 2-3pm