

# Public Document Pack

## Chief Executive

**THE CIVIC MAYOR, CHAIR OF  
COUNCIL BUSINESS AND ALL  
MEMBERS OF THE COUNCIL**

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Date	date not specified

Dear Councillor,

You are hereby summoned to attend an **ORDINARY MEETING** of the Tameside Metropolitan Borough Council to be held on **Tuesday, 9th October, 2018 at 5.00 pm** in the Conference Room, Guardsman Tony Downes House, Droylsden when the undermentioned business is to be transacted.

Yours faithfully,



**Steven Pleasant  
Chief Executive**

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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.

Item No.	AGENDA	Page No
1.	<b>CIVIC MAYOR'S ANNOUNCEMENTS</b>  The Civic Mayor to make any appropriate announcements.  <b>At this juncture the Civic Mayor will retire from the Chair and the Chair of Council Business shall assume the Chair for the remaining business.</b>	
2.	<b>MINUTES</b>  That the Minutes of the proceedings of the Meeting of Council held on 24 July 2018 be approved as correct records and signed by the Chair of Council Business (or other person presiding) (Minutes attached).	1 - 6
3.	<b>DECLARATIONS OF INTEREST</b>  To receive any declarations of interest from Members of the Council.	
4.	<b>COMMUNICATIONS OR ANNOUNCEMENTS</b>  To receive any announcements or communications from the Chair of Council Business, the Executive Leader, Members of the Executive Cabinet or the Chief Executive.	
5.	<b>COUNCIL BIG CONVERSATION</b>  To consider any questions submitted by Members of the public in accordance with Standing Orders 31.12 and 31.13.	
6.	<b>MEETING OF EXECUTIVE CABINET</b>  To receive the minutes of the meeting of the Executive Cabinet held on 29 August and 19 September 2018.	7 - 16
7.	<b>MEETING OF OVERVIEW (AUDIT) PANEL</b>  To receive the minutes of the meeting of the Overview (Audit) Panel held on 30 July and 10 September 2018.	17 - 26
8.	<b>MEETING OF DEMOCRATIC PROCESSES WORKING GROUP</b>  To receive the minutes of the Meeting of the Democratic Processes Working Group held on 1 October 2018.	27 - 30
9.	<b>MEMBERSHIP OF COUNCIL BODIES</b>  To consider any changes to the membership of Council bodies.	

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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.

## 10. NOTICES OF MOTION

To consider the following motions:

### **Motion in the name of Councillor Warrington**

That this Council believes that:

- Everyone is equal irrespective of their race or religion;
- That all forms of hate crime must be condemned; and
- Cross-party support for combating anti-Semitism in all its forms is to be welcomed;

Council subsequently note with great concern the rise in anti-Semitism in recent years across the UK.

In recognising that anti-Semitism continues to be a problem in our Country, Council agrees to formally adopt the working definition of anti-Semitism agreed by the International Holocaust Remembrance Alliance and adopted by the UK Government, the Labour Party, Scottish and Welsh Governments, the Greater Manchester Combined Authority and numerous other Councils across the country.

This Council therefore agrees to adopt the following definition of anti-Semitism:

*“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities”*

### **Motion in the name of Councillor Cartey**

That this Council notes although Slavery was abolished in the UK in 1833, there are more slaves today than ever before in human history. Figures from the International Labour Organisation suggest that there are more than 40 million people in modern slavery across the world, with nearly 25 million held in forced labour. There were 3805 victims of modern slavery identified in the UK in 2016. A rising number but still well below the 10,000 and 13,000 potential victims estimated by the Home Office.

Modern Slavery is happening nationwide. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhuman treatment. This can include sexual and criminal exploitation.

This Council believes that action needs to be taken to raise awareness of modern slavery and the fact that it is happening all over the UK. That the current support for victims is not sufficient and needs to go beyond the 45 days they are currently given by the government. That councils have an important role to play in ensuring their contracts and supplies don't contribute to modern day slavery and exploitation.

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Tameside Council will:

1. Ensure those involved in corporate procurement understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.
2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
7. Review its contractual spending regularly to identify any potential issues with modern slavery.
8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
10. Report publicly on the implementation of this policy annually.

#### **Motion in the name of Councillor Buglass**

That this council resolves to:

1. Incorporate the issue of use of plastics by contractors, suppliers and third parties, into existing environmental considerations for the decision-making process regarding the granting or renewing of contracts, in particular working with Authorities involved in the STAR procurement scheme to incorporate that consideration into that procurement policy.
2. Pledge to end council use of single use and non-recyclable plastics by identifying existing plastic use and switching to alternatives either as soon as possible or when contracts come up for renewal.
3. Work with and lobby local manufacturers, retailers and supermarkets with a view to encouraging them to reduce and ideally eliminate their use of single use and non-recyclable plastics including with a media campaign, working closely with the Artisan markets and promoting a water bottle refill scheme.
4. Promote an education drive for residents that promotes the primacy of individual responsibility for reducing residual (in particular plastic) waste

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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.

including:

- The pivotal role and effectiveness of consumer power and advice on changing purchasing habits to reduce household plastic waste and put pressure on manufacturers/retailers.
  - The importance to the environment of reducing plastic waste.
  - The importance to council taxpayers of reducing residual/plastic waste
  - Tips for reducing the volume of household residual waste (reduce, reuse, crush etc.) to help families who find it harder to fit their waste into the residual bin.
5. Write to the Environment Secretary acknowledging policy changes in regard to banning microbeads in cosmetics, proposals to ban plastic straws and the creation of the UK Plastics Pact as steps forward, but stating that much more must be done including: (a) introducing a nationwide ban on single use plastics and non-recyclable packaging by 2025 and (b) further commitments to tackle microplastic pollution in UK waterways including:
- Regular monitoring of microplastic levels in UK waterways.
  - New regulation to end microplastics in effluent from industrial sources.
  - Action to reduce microfibre from clothing entering waterways including improving wastewater treatment, introducing filters on washing machines and banning clothing materials that generate the most plastic fibres.
  - Using new technology to clean up existing microplastic pollution in UK waterways.
  - Exploring ways to reduce the generation of microplastics from vehicle tyres.

### **Motion in the name of Councillor. A Holland**

That this Council states its opposition to the closure of high-street banks throughout the UK and especially in Tameside.

Last month, the Royal Bank of Scotland announced the closure of 54 branches in January, 2019, with the loss of 258 jobs. This news came only months after RBS said it would shut 162 banks and shed 792 jobs. In Tameside, it means there will be no RBS presence on our high streets after the Droylsden branch closes next year.

Across the country, nearly 3,000 banks and building society branches have shut since 2015 – a rate of almost 60 a month.

The banking corporations need to understand the importance banks play within our communities. It is unrealistic to ask traders to travel to neighbouring towns to deposit their takings. Many people, especially the elderly, are uncomfortable with internet banking. There are times when face-to-face

meetings are necessary for advice or to carry out business.

This Council calls on the banks to end their programme of branch closures and to reinvest in the communities they are supposed to serve. It also calls on them to recognise the limitations of online banking, especially in light of scams and well-publicised systems failures.

**11. QUESTIONS**

To answer questions (if any) asked under Standing Order 17.2, for which due notice has been given by a Member of the Council.

**12. URGENT ITEMS**

To consider any other items which the Chair of Council Business (or other person presiding) is of the opinion shall be dealt with as a matter of urgency.

## COUNCIL

24 July 2018

**Commenced:** 5.00pm

**Terminated:** 6.10pm

**Present:**

Councillors Kitchen (Chair), Affleck, Bailey, Bell, Billington, Bowden, Bowerman, Boyle, Bray, Cartey, Chadwick, Choksi, Cooney, Cooper, Dickinson, Drennan, Fairfoull, Feeley, J Fitzpatrick, P Fitzpatrick, Fowler, Gosling, Gwynne, A Holland, B Holland, J Homer, S Homer, Jackson, D Lane, J Lane, Lewis, McNally, Mills, Newton, Patrick, Reid, Ricci, Robinson, Ryan, Sharif, M Smith, T Smith, Sweeton, Taylor, Ward, Warrington, Welsh, Wild and Wills

**Apologies for Absence:** Councillors Buglass, Glover, Pearce, Peet, Quinn, Sidebottom and Whitehead

## 22 CIVIC MAYOR'S ANNOUNCEMENTS

### *Tribute to Councillor Cath Piddington*

It was with great sadness that the Civic Mayor advised of the recent death of Councillor Cath Piddington and she invited the Executive Leader to say a few words in tribute.

The Executive Leader said that Cath had represented Waterloo Ward for almost 30 years and would best be remembered for being a tireless champion for Ashton, highlighting her passion for her work and her highly effective leadership on environmental matters. She became a Cabinet Deputy in 1999 and also served as the first female chair of the Greater Manchester Waste Disposal Authority.

Cath would be greatly missed by her constituents, many friends and colleagues at Tameside Council and those in attendance stood in silence as a mark of respect

### **Announcements**

The Civic Mayor was delighted to report that in the Queen's Birthday Honours, Mike Neild from Mossley had been awarded an MBE for services to mountain rescue and the Greater Manchester community. Kevin Taylor from Hyde and who now lived in Denton had been awarded the British Empire Medal for services to charity. Members were informed that Kevin runs Hyde Fundraisers to raise money for local and national charities. Members joined the Civic Mayor in extending sincere congratulations to Mike and Kevin, a fantastic achievement and well deserved.

Congratulations were also extended to Hyde's Stacey Copeland for becoming Britain's first ever female Commonwealth boxing champion.

## 23 MINUTES

### **RESOLVED**

**That the Minutes of the Annual Meeting and Special Meeting of Council held on 28 May 2018 be approved and signed by the Chair of Council Business as correct records.**

## 24 DECLARATIONS OF INTEREST

There were no declarations of interest submitted by Members of the Council.

## 25 COMMUNICATIONS OR ANNOUNCEMENTS

The Executive Leader took the opportunity to update those in attendance on the progress made on the Council's key priorities including joining colleagues, stakeholders and budding entrepreneurs at Ashton Old Baths, to celebrate the first anniversary of the reopening of the famous building. As somebody who had closely followed the renovation from its earliest days, the Executive Leader was delighted to see how the building had been given a new purpose and lease of life.

The Executive Leader made reference to the signing of the contract with Robertson Construction Group for Vision Tameside, securing the completion of the Joint Service Centre following the collapse of Carillion at the beginning of the year. In addition, Ashton bus station had been partially closed to allow construction of the new transport interchange to begin. Construction was due to be finished by spring 2020 offering a state-of-the-art gateway not just in and out of Ashton but also to Tameside's other towns and further afield.

The Executive Leader announced that she had been asked by the Mayor of Greater Manchester, Andy Burnham, to take up the position of Vice Chair of the Combined Authority, a role that she would share with Sir Richard Leese. The issues being faced as a city region were issues that involved every part of Greater Manchester. Air pollution nationally was believed to contribute, in one form or another, to 40,000 deaths every year and the Executive Leader was confident that Tameside would play a leading role within Greater Manchester to finding a solution.

At the start of June, the former Olympic athlete, Chris Boardman visited Tameside to discuss a comprehensive plan of work to encourage people to cycle, walk and use public transport in Greater Manchester. The plan, named 'Made to Move' contained a number of ambitious projects including the investment of £1.5 billion over 10 years into a ring-fenced walking and cycling infrastructure fund. However, there were also a number of improvements being carried out now without the need for major works or spending such as adding cycling racks in town centres and marking lanes and crossings on roads.

In addition, Tameside had taken the lead in this year's Clean Air Day on 21 June 2018 as residents, led by council staff and Russell Scott Primary School, came together to declare what they would pledge to do to reduce air pollution. She also intended for Tameside to hold its own Green Summit later in the year, modelled on the Greater Manchester event, to bring together experts, partners and residents to discuss how best to meet goals on air pollution and with wider environment.

The Executive Leader made reference to the series of moorland fires earlier this month above Stalybridge and Mossley and declaration of a major emergency. She paid tribute to the hard work of council officers, emergency services, the armed forces and local communities who had proved beyond any doubt their resilience and bravery. A regimental plaque had been presented to the Council by the soldiers of the 4<sup>th</sup> Battalion, Royal Regiment of Scotland, in recognition of the work and support the Council had provided.

Councillor Cooney was pleased to advise that the Greater Manchester Pension Fund's Private Markets Investment Team had been awarded the Fund Selection Team of the Year by the Institutional Investor Institute. He congratulated all those involved on the significant achievement.

Councillor Feeley highlighted that Tameside Primary Schools had once again increased the number of pupils achieving well at Key Stage 2. The provisional Key Stage 2 results for 2018 showed that 63% of Tameside pupils achieved the expected standard in reading, writing and mathematics which was an increase of 3% on 2017. These provisional results represented a lot of hard work and dedication from children, teaching staff, governors and parents and congratulations were extended to all.



Councillor Ryan was delighted to report that three of Tameside's children's homes, looking after the borough's most vulnerable young people in care, had been rated as 'outstanding' by Ofsted highlighting improved outcomes and positive experiences for the children living in the homes.

## **26 COUNCIL BIG CONVERSATION**

The Chair reported that there were no questions submitted by members of the public in accordance with Standing Orders 31.12 and 31.13.

## **27 MEETING OF EXECUTIVE CABINET**

Consideration was given to the Minutes of the meeting of Executive Cabinet held on 20 June 2018. It was moved by Councillor Warrington and seconded by Councillor Fairfoull that the Minutes of the meeting of the Executive Cabinet held on 20 June 2018 be received and the recommendations contained therein be approved.

### **RESOLVED**

**That the Minutes of the meeting of the Executive Cabinet held on 20 June 2018 be received and the following recommendations approved:**

**Minute 3(a) – Tameside and Glossop Community Services Contract Arrangements with the Tameside and Glossop Integrated Care Foundation Trust**

- (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 would 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 Clinical Commissioning Group, Integrated Care Foundation Trust and the Council, otherwise through a separate agreement.**

**Minute 6 – Future Provision of Procurement Support**

- (i) That Tameside join STAR procurement as a fourth and equal member in the shared service.**
- (ii) That £150,000 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 be carried forward.**
- (iii) A £55,000 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 £150,000 of savings achieved from the delivery of procurement savings be utilised to establish the necessary recurrent base budget to fund the Council's contribution to STAR membership in 2019/20.**
- (v) That the business case that prudently predicts the delivery of annual recurred savings of £1 million per annum be noted.**
- (vi) An extension to the existing arrangements to a maximum cost of £120,000 to August 2018 to be met from existing budgets.**
- (vii) That Councillor 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.**

**Minutes 9 – Devolution of Adult Education Budget to Greater Manchester Combined Authority**

That Council consent to the Order attached to the Executive Cabinet report know as Greater Manchester Combined Authority (Adult Education Functions) Order 2018 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 Greater Manchester Combined Authority.

#### **Minute 12 – Food Safety and Food Standards Service Plan 2018/19**

That the Food Safety and Food Standards Service Plan 2018/19 be approved.

#### **Minute 14 – Vision Tameside Phase 2 9Tameside One) Completion Plan**

- (i) That 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 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 approval be given to 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 the Greater Manchester Combined Authority.
- (iii) That a provisional risk and insurance budget of up to £1.100 million be agreed to manage any residual contact 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.

### **28 MEETING OF DEMOCRATIC PROCESSES WORKING GROUP**

Consideration was given to the Minutes of the meeting of Democratic Processes Working Group held on 9 July 2018. It was moved by Councillor Cooney and seconded by Councillor Warrington that the Minutes of the Democratic Processes Working Group held on 9 July 2018 be received.

#### **RESOLVED**

- (i) That the Minutes of the meeting of the Democratic Processes Working Group be received.
- (ii) That the intention to start and complete the statutory review of polling districts and polling stations before the 2019 Local Elections be noted.
- (iii) That the intention to call a by-election for Ashton Waterloo Ward for 6 September 2018 be noted.

### **29 SENIOR STAFFING PANEL**

Consideration was given to the recommendations of the Senior Staffing Panel. It was proposed by Councillor Warrington and seconded by Councillor Fairfoull that the recommendations of the Senior Staffing Panel be approved.

#### **RESOLVED**

- (i) That the role of Director of Population Health be appointed on a secondment basis at the rate of £95,000 and that Dr Jeanelle De Gruchy be appointed to this role.
- (ii) That the role of Director of Growth be established with a proposed minima / maxima salary level of £100,000 to £120,000 be approved.

- (iii) That the proposed minima / maxima salary level of £120,000 to £125,000 to appoint the Director of Children's Services be approved and that Richard Hancock be appointed to this statutory role.
- (iv) That the role of Assistant Director of Children's Services be reinstated and a permanent appointment be progressed.

### **30 MEMBERSHIP OF COUNCIL BODIES**

Consideration was given to changes to the membership of Council bodies. It was proposed by Councillor Warrington and seconded by Councillor Fairfoull that the changes be approved.

#### **RESOLVED**

- (i) That Councillor Patrick replace Councillor Welsh on the Education Attainment Improvement Board;
- (ii) That Councillors Choksi and Robinson be appointed to the Speakers Panel (Planning);
- (iii) That Councillors D Lane, Reid and Sharif be removed from the Speakers Panel (Planning);
- (iv) That it be agreed that the re-constituted Transport for Greater Manchester Committee have 23 Members and that Councillor Bray be appointed to the Committee. That Councillor Robinson be nominated to be appointed to the Committee by the Greater Manchester Combined Authority. Also, that it be noted that Councillor Dickinson be nominated as a Conservative Member of the Committee.
- (v) That the Greater Manchester Pension Fund at its Management Meeting on Friday 20 July 2018 agreed to make an interim change subject to further review to reduce its formal meetings from 68 to 60 and streamline its decision making processes so that firstly the Investment Monitoring and ESG and Alternative Investments Working Group are combined into a single working group known as Investment Monitoring and ESG Working Group with Councillor Cooney as Chair. Secondly, the Administration Working Group and Employer Funding Viability Working Group are combined into a single working group with Councillor J Fitzpatrick as Chair known as the Employer Funding, Viability and Administration Working Group.

### **31 QUESTIONS**

The Chair reported no questions had been received in accordance with Standing Order 17.2.

### **32 URGENT ITEMS**

The Chair reported that there were no urgent items of business for consideration at this meeting.

**CHAIR**

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## EXECUTIVE CABINET

29 August 2018

<b>Present:</b>	Councillors Fairfoull (in the Chair), Councillors Cooney, Gwynne, Bray, Feeley. and Ryan	
<b>In Attendance:</b>	Steven Pleasant	Chief Executive
	Sandra Stewart	Director of Governance & Pensions
	Kathy Roe	Director of Finance
	Steph Butterworth	Director of Adult's Services
	David Moore	Director of Growth
	Jeanelle De Gruchy	Director of Population Health
	Ian Saxon	Director of Operations & Neighbourhoods
	Sandra Whitehead	Assistant Director (Adult Services)
	Emma Varnam	Assistant Director (Operations and Neighbourhoods)

**Apologies for Absence:** Councillor Warrington and Kitchen

### 16. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 17. MINUTES

#### a) Meeting of Executive Cabinet

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

#### **RESOLVED**

**That the Minutes of the Meeting of Executive Cabinet held on 20 June 2018 be approved 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 25 July 2018.

#### **RESOLVED**

**That the Minutes of the Strategic Commissioning Board held on 25 July 2018 be received.**

#### c) Enforcement Co-Ordination Panel

Consideration was given to the minutes of the meeting of the Strategic Planning and Capital Monitoring Panel held on 9 July 2018.

#### **RESOLVED**

**That the Minutes of the Strategic Planning and Capital Monitoring Panel held on 9 July 2018 be received.**

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

Consideration was given to the minutes of the GM Combined Authority held on 29 June 2018.

## **RESOLVED**

**That the Minutes of the meeting of the GM Combined Authority held on 29 June 2018 be received.**

## **18. REVENUE MONITORING REPORT**

Consideration was given to a report of the Executive Member (Performance and Finance) / Director Finance providing a consolidated forecast for the Strategic Commission and NHS Tameside and Glossop Integrated Care Foundation Trust (ICFT) for the current financial year.

It was reported that the Strategic Commission is currently forecasting that expenditure for the Integrated Commissioning Fund will exceed budget by £5,848k by the end of 2018/19 due to a combination of non-delivery savings and cost pressures.

It was reported 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. The Medium Term Financial Plan for the period 2019/20 to 2023/24 identifies significant savings requirements for future years. If budget pressures in service areas in 2018/19 are sustained, this will inevitably lead to an increase in the level of savings required in future years to balance the budget.

Following the liquidation of Carillion the appointed liquidator Price Waterhouse Cooper (PwC) has 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. PwC are charging a weekly management fee which, has increased significantly since period 2, and this was reflected in the deterioration of the forecast to a cost pressure of £0.9m.

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

No alternatives were considered as not reporting on financial performance could put at risk the achievement of the Council's Medium Term Financial Plan. Effective budget management was critical to ensuring that financial resources were spent in line with the agreed budgets.

## **RESOLVED**

- (i) That the significant level of savings required during 2018/19 to deliver a balanced recurrent economy budget together with the related risks which, are contributing to the overall adverse forecast, be noted.**
- (ii) That the significant cost pressures facing the Strategic Commission, particularly in respect of Continuing Healthcare, Children's Social Care and Growth, be noted.**
- (iii) That officers work to identify and action offsetting savings and efficiencies to bring the budget back into balance.**
- (iv) That local Members of Parliament be requested to raise the issue in Parliament of the extortionate and opaque liquidation charges that Price Waterhouse Coopers are charging the local taxpayer following the collapse of Carillion.**

## **19. CUSTOMER SERVICES EXCELLENCE**

Consideration was given to a report of the Deputy Leader, Executive Member (Performance and Finance) / Chief Executive / Executive Director (Governance & Pensions), advising Executive Cabinet of the recent Customer Service Excellence Assessment and subsequent award of the Customer Service Excellence standard, which had been achieved for the whole of the Council.

Executive Cabinet were informed the aim of the Customer Service Excellence standard is to encourage, enable and reward organisations that are delivering services based on a genuine understanding of the needs and preferences of their customers and communities. Following the recent assessment, the Council had been awarded 100% compliance with ten areas being awarded the highest mark of compliance plus.

The report was submitted for information and no alternatives were therefore considered.

#### **RESOLVED**

**That the report be welcomed and thanks be expressed to all involved with achieving the Customer Service Excellence standard.**

### **20. HOUSING NEEDS ASSESSMENT**

Consideration was given to a report of the Executive Member (Economic Growth, Employment and Housing) / Head of Planning informing Executive Cabinet of the completion of the recent Housing Needs Assessment for Tameside and highlighting issues to be addressed arising from the assessment.

The Tameside Housing Needs Assessment (HNA) was carried out independently by Arc4 Consultants to provide the latest available evidence to help shape the future planning and housing policies of the Borough.

Based on current and future demand, the HNA made recommendations in relation to the diversification of the local housing offer, creating a higher value residential offer, delivering new affordable housing, the role of the local Private Rented Sector (PRS) and delivering homes for an ageing society.

Executive Cabinet were requested to consider the need to seek a level of affordable housing. Furthermore, to request that future development focus on delivering to address identified mismatches, to reflect household aspirations and to take account of density and making the best use of land.

No alternatives were considered as the National Planning Policy Framework states that local planning authorities should 'use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for market and affordable housing'.

#### **RESOLVED**

- (i) That the outcomes of the Tameside Housing Needs Assessment be noted.**
- (ii) That the Council expects all new development to meet the Council's aspirations of 20% affordable housing but will not accept anything less than 15% except in exceptional circumstances.**
- (iii) That the identified need for older person's accommodation is taken in to account as part of any new development proposal.**
- (iv) That sustainable construction and energy efficiency opportunities are a material consideration in any future planning applications for housing**

### **21. SCHOOL STRATEGY**

Consideration was given to a report of the Executive Member (Lifelong Learning) / Deputy Executive Leader / Director (Children's Services) / Assistant Director (Finance), setting out the role of local authority leadership in a system of school-led improvement and the strategic aims in relation to academisation and seeking approval for obtaining external legal advice in relation to academisation of PFI schools.

Executive Cabinet were advised that on the 24 May 2018, representatives from the Council's legal, finance and education services had met with the DfE, Academies Regional Delivery Group, and the Chief Executive, Victorious Academies Trust, and Headteacher of Arundale Primary School to discuss the potential conversion of Pinfold and Arundale PFI Schools to academy status and to join the Trust. The Council had sought clarification on a number of residual risks remaining with the Council in light of the risks previously highlighted by the Council's external auditor.

Alternatively Executive Cabinet could approve an academisation strategy without due consideration to the risks raised by the external auditor in relation to on-going contract payments.

**RESOLVED**

- (i) That the overall strategic approach and the specific objective of working towards having a smaller number of larger, more sustainable locally led Multi-Academy Trusts, be noted and referred to a future meeting of the Executive Cabinet subject to further legal advice on academisation of PFI schools.**
- (ii) That legal advice be sought on the risks that would be retained by the Council on academisation of PFI schools in light of the external auditors concerns, with the cost of such legal advice being met by the Victorious Academies Trust.**

**CHAIR**



## **EXECUTIVE CABINET**

**19 September 2018**

**Present:** Councillors Warrington (in the Chair),  
Councillors Bray, 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	Director of Growth
Jeanelle De Gruchy	Director of Population Health
Ian Saxon	Director of Operations & Neighbourhoods
Sandra Whitehead	Assistant Director (Adult Services)
Emma Varnam	Assistant Director (Operations and Neighbourhoods)

**Apologies for Absence:** Councillor Cooney

### **22. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **23. MINUTES**

#### **a) Meeting of Executive Cabinet**

Consideration was given to the Minutes of the Meeting of Executive Cabinet held on 29 August 2018

#### **RESOLVED**

**That the Minutes of the Meeting of Executive Cabinet held on 29 August 2018 be approved 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 29 August 2018.

#### **RESOLVED**

**That the Minutes of the Strategic Commissioning Board held on 29 August 2018 be received.**

#### **c) Carbon and Waste Reduction Panel**

Consideration was given to the minutes of the meeting of the Carbon and Waste Reduction Panel.

#### **RESOLVED**

**That the Minutes of the Strategic Planning and Capital Monitoring Panel held on 6 September 2018 be received.**

#### **d) Strategic Planning and Capital Monitoring Panel**

Consideration was given to the minutes of the Strategic Planning and Capital Monitoring Panel held on 3 September 2018 and the recommendations contained therein.

Members received the recommendations in relation to the Capital Monitoring report for period 4 2018/19 which showed projected capital investment in 2018/19 of £74.798m by March 2019.

Members received the recommendations in relation to the Local Full Fibre Network seeking approval of the development of a bid to DCMS LFFN, which sought to join together similar open fibre infrastructures across the North of England.

Members received the recommendations in relation to the Asset Management (Capital repair spend on the Council's property) seeking approval of £9,718.70, associated with statutory compliance capital repairs for the period June 2018.

Members received the recommendations in relation to the proposed changes to the Education Capital Programme.

#### **RESOLVED**

- (i) That the Minutes of the meeting of the Strategic Planning and Capital Monitoring Panel held on 3 September 2018 be received.**
- (ii) That the re-profiling of £16.753m into future year(s) to match expected spending profile and to reflect up to date investment profiles be approved.**
- (iii) That the changes to the Capital Programme as detailed within the submitted report be approved.**
- (iv) That the updated Prudential Indicator position as detailed in Appendix 5 of the submitted report be approved.**
- (v) That the development of a bid to DCMS LFFN be approved.**
- (vi) That the spend of £9718.70, associated with statutory compliance capital repairs for the period June 2018, be approved.**
- (vii) That the proposed changes to the Education Capital Programme as outlined in Appendix 1 (Basic Need Funding Schemes) and Appendix 2 (School Condition Allocation Funding Schemes) of the submitted report, be approved.**

#### **18. REVENUE MONITORING REPORT**

Consideration was given to a report of the Deputy Executive Leader / Director of Finance that provided a consolidated forecast for the Strategic Commission and NHS Tameside and Glossop Integrated Care Foundation Trust (ICFT) for the current financial year.

It was reported that the Strategic Commission was currently forecasting that expenditure for the Integrated Commissioning Fund will exceed budget by £4.061 million by the end of 2018/19 due to a combination of non-delivery savings and cost pressures.

It was reported that there was a clear urgency to implement associated strategies to ensure the projected funding gap in the current financial year was addressed and closed on a recurrent basis across the whole economy. The Medium Term Financial Plan for the period 2019/20 to 2023/24 identifies significant savings requirements for future years. If budget pressures in service areas in 2018/19 were sustained, this would inevitably lead to an increase in the level of savings required in future years to balance the budget.

Following the liquidation of Carillion the appointed liquidator Price Waterhouse Cooper (PwC) had been managing the contracts to enable the smooth transfer to other providers. The costs of this service were not budgeted for, and would continue to be incurred until everything is finalised. PwC

were charging a weekly management fee which, has increased significantly since period 2, and this was reflected in the deterioration of the forecast to a cost pressure of £0.9m.

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

No alternatives were considered as not reporting on financial performance could put at risk the achievement of the Council's Medium Term Financial Plan. Effective budget management was critical to ensuring that financial resources were spent in line with the agreed budgets.

#### **RESOLVED**

- (i) That the significant level of savings required during 2018/19 to deliver a balanced recurrent economy budget together with the related risks which, are contributing to the overall adverse forecast, be noted.**
- (ii) That the significant cost pressures facing the Strategic Commission, particularly in respect of Continuing Healthcare, Children's Social Care and Growth, be noted.**
- (iii) That officers work to identify and action offsetting savings and efficiencies to bring the budget back into balance.**
- (iv) That it be noted the Strategic Commissioning Board (SCB) has been asked to authorise the use of headroom in the ICF risk share to increase the CCG surplus in 2018/19. This will enable drawdown of cumulative surplus in 2019/20 and improve the future financial position.**

#### **19. COUNCIL TAX SUPPORT SCHEME**

Consideration was given to a report of the Deputy Executive Leader / Assistant Director (Exchequer Services), which set out the procedural requirement for deciding if changes were required to the Council Tax Support scheme to become effective from April 2019. The Welfare Reform Act 2012 abolished Council Tax Benefit from 31 March 2013 and all Local Authorities, including Tameside Council, were required to design and run their own scheme with less money available due to cuts by national government. Tameside's Council Tax Support Scheme (CTS) was introduced from 1 April 2013. The scheme still provided financial assistance to some Council Tax charge payers on a low income whether they rent or own their home, or live rent-free. The effect of receiving Council Tax Support is a reduction in the amount of Council Tax they have to pay.

It was explained that overall scheme costs and claimant numbers had continued to decline and support for claimants remained in place. It was stated that there appeared to be no adverse equality impact arising from the quarterly reviews that took place and further guidance, which may have a bearing on the scheme, from the Department for Communities and Local Government was not expected.

Executive Cabinet were requested to approve the undertaking of a consultation exercise in accordance with the scheme setting procedural requirements to amend the CTS to include:

- Proposal A - Award a 2 week run on for claimants moving from benefit into work
- Proposal B - Apply an earnings disregard to self-employed claimants

Members was informed that consideration had been given to the effects of Universal Credit as the Council Tax Support scheme was based on Universal Credit guidelines therefore, it was important that the scheme aligned where possible. Awarding a 2 week run on for claimants moving from Housing Benefit to Universal Credit had been introduced into the Universal Credit scheme from 11 April 2018. Awarding an additional 2 weeks CTS to any working age claimant that starts work after being in receipt of what is known as a 'passported' benefit such as Job Seekers Allowance or Income Support adheres to CTS scheme guidance to provide a work incentive. If implemented this is estimated to affect no more than 25 working age claimants per week and cost £41k based on current Council Tax levels.

It was reported to mitigate the impact on the most vulnerable, funding will be set aside to continue to support a local discretionary scheme. This money could be available to award discretionary payments to support people who are suffering severe financial hardship as a result of the changes to the Council Tax Support Scheme.

Consulting on the Council Tax Support Scheme was a statutory requirement and therefore no alternatives were considered. Members could choose to propose alternative measures however, this must be considered as part of the overall budget setting process and the legal requirement to set a balanced budget.

#### **RESOLVED**

- (i) That the Council Tax Support Scheme be recommended to be amended to include the award a 2 week run on for claimants moving from benefit into work and the application an earnings disregard to self-employed claimants.**
- (i) That a public consultation exercise on the proposed changes to the Scheme be undertaken between 19 September 2018 and 22 November 2018,**
- (ii) A report be brought to the Executive Cabinet meeting to be held on 12 December 2018 advising of the result of the consultation exercise.**

#### **20. BANDING PAYMENT SYSTEM AND AGE POLICY CHANGE FOR SHARED LIVES PLACEMENTS**

Consideration was given to a report of the Executive Leader / Director of Adult Services which sought permission to introduce a banding payment system for Shared Lives carers to reflect the complexity of need of those cared for, and also change the age of entry into Shared Lives from 18 years of age to 16 years of age to improve transition and continuity of care for young people.

The Shared Lives Scheme is regulated under Health and Social Care Act 2008 and The Care Act 2014, which now provides a single legal framework for charging for care and support under sections 14 and 17 supplemented by The Care and Support (Charging and Assessment of Resources) Regulations 2014.

It was reported that the proposed banding payment system for Shared Lives carers, ensures the payment made to carers is reflective of the levels of need of the service users in their care, and providing a choice to carers of the amount of assistance they want to, or can, provide at a certain cost. The proposed new framework is intended to make charging fairer and more clearly understood by everyone.

Consultation on the proposals had been undertaken by Shared Lives staff and managers, supported by Policy and Communications Team. Thirty people had responded to the consultation with twenty of those responding to the banding element of the proposal. Overall the majority felt the proposals would make the system fairer and more equitable for carers.

Members considered the alternative options of retaining the existing system but this was discounted on the grounds that this would not improve access to Shared Lives for people with more complex needs and young people coming through transition.

#### **RESOLVED**

- (i) That the introduction of a new banding payment system for Shared Lives carers, be approved.**
- (ii) That the age of entry to Shared Lives be changed from 18 to 16 years in the Shared Lives Policy.**
- (iii) That the existing Shared Lives arrangements be protected if the banding for an existing service user is assessed as being Band 1.**
- (iv) That the new a banding system be implemented by 1 April 2019.**

- (v) Where an emergency placement is made that this initially be paid at the higher rate until an assessment is completed.**

## **21. OFSTED INSPECTION UPDATE**

Consideration was given to a report of the Executive Member for Children and Families / Director of Children's Services updating Executive Cabinet on the findings of the sixth Ofsted monitoring visit which was undertaken between 22<sup>nd</sup> and 23<sup>rd</sup> August 2018.

It was reported by Ofsted that in too many areas of the service for children looked after; the pace of progress has been slow. The quality of social work practice, supervision and management oversight, and challenge by independent reviewing officers (IROs) still require significant improvement to ensure that practice improves and delivers good outcomes for children looked after. Inspectors found some evidence of improving performance in the timeliness of statutory requirements, such as reviews, completion of health assessments and personal education plans.

### **RESOLVED**

- (i) That the report be noted.**

**CHAIR**

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## OVERVIEW (AUDIT) PANEL

30 July 2018

**Commenced:** 2.00 pm

**Terminated:** 3.05 pm

**Present:** Councillors Ricci (Chair), Homer (Deputy Chair), Bailey, Bell, Fairfoull, Glover, Pearce, Peet and T Smith

**In Attendance:**

Sandra Stewart	Director of Governance and Pensions
Paddy Dowdall	Assistant Director of Pensions (Local Investments and Property)
Tom Wilkinson	Assistant Director of Finance
Heather Green	Finance Business Partner
Wendy Poole	Head of Risk Management and Audit Services
Simon Brunet	Policy Manager

**Apologies for Absence:** Councillor Warrington

### 1. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 2. MINUTES

The Minutes of the meeting of the Overview (Audit) Panel held on 11 September 2017 were agreed and signed as a correct record.

### 3. REVENUE MONITORING

The Deputy Executive Leader / Director of Finance submitted a report detailing the Council's revenue outturn position for 2017/18, which was £3.342 million under budget. This overall position reflected the prudent planning taken when setting the 2017/18 budget.

It was reported that there had been some savings challenges across Council services including an overspend of £8.655 million due to the demand on service provision in Children's Social Care. The pressures within Children's Services were expected to continue beyond 2018/19, which would be strongly managed. The overspend in service areas was counterbalanced by an underspend in Governance, Finance and IT and corporate costs resulting in the final underspend of the revenue budget outturn position for 2017/18.

It was noted that the Medium Term Financial Plan had been updated and presented at Council in February 2018 alongside the proposed balanced budget for 2018/19. Following a review of the current demand pressures facing Children's Services there would be additional investment in Children's Services over the period 2018/19 to 2020/21 to drive the required improvements.

Details were given of Council Tax and Business Rates and the Care Together programme, including the Integrated Commissioning Fund risk share agreement, in addition to risks and emerging financial pressures such as demographic pressures that were increasing the demand for Adults and Early Intervention Services, the liquidation of Carillion in January 2018 and some material risks in relation to the Vision Tameside capital programme.

Members acknowledged the underspend for 2017/18 and thanked Council staff for their hard work in achieving this. They stressed the need to closely monitor the situation going forward in light of the pressures that had been outlined.

**RESOLVED:**

- (i) That the revenue outturn position be noted;**
- (ii) That the detail for each service area be noted;**
- (iii) That the position on the Integrated Commissioning Fund, including the transaction of the risk share be noted; and**
- (iv) That the emerging risks and financial pressures be noted.**

#### **4. CAPITAL MONITORING**

The Deputy Executive Leader / Director of Finance submitted a report summarising the 2017/18 capital expenditure outturn position at 31 March 2018.

The report showed actual capital investment of £51.385 million at 31 March 2018. This was significantly less than the original budgeted capital investment for 2017/18 and was in part due to project delays following the liquidation of Carillion. Re-profiling requests of £3.449 million into future years to match expected spending profiles had been requested. Once the re-profiling had been taken into account, the capital outturn position was £0.530 million less than the capital budget for this year.

It was reported that a review of the full three year Capital Programme would take place in summer 2018 due to a number of pressures facing the programme, which meant that demand for capital resources was now expected to significantly exceed available resources.

Details of the projected outturn capital investment were shown by service area and Section 4 of the report referred to the most significant scheme variations. Reference was also made to the changes to the capital receipts and prudential indicators.

**RESOLVED:**

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

#### **5. TREASURY MANAGEMENT**

The Deputy Executive Leader / Director of Finance submitted a report setting out the Treasury Management activities for the financial year 2017/18. As investment 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 £0.404 million. At year-end the total investment balance was £127 million and total long term borrowing was £112 million. Investment income was £1.521 million.

Details were also given of the following:-

- Long term borrowing;
- Interest Rates;
- Activities 2017/18;
  - Borrowing
  - Rescheduling



- Year-end position
- Investments – managing cash flow
- Interest payable and receivable in the year;
- Current Activities;
- Greater Manchester Metropolitan Debt Administration Fund; and
- Prudential Limits.

**RESOLVED:**

- (i) **That the treasury management activities undertaken on behalf of both Tameside MBC and the Greater Manchester Metropolitan Debt Administration Fund (GMMDAF) be noted; and**
- (ii) **The outturn position for the prudential indicators, as appended to the report, be approved.**

**6. AUDIT FINDINGS REPORT (ISA260) - TAMESIDE MBC AND GREATER MANCHESTER PENSION FUND 2017/18**

The Deputy Executive Leader / Director of Finance submitted a report highlighting the key matters arising from Grant Thornton's audit of the 2017/18 financial statements of both Tameside MBC and Greater Manchester Pension Fund, which Grant Thornton was required to report under the Audit Commission's Code of Audit Practice and the International Standard of Auditing. The report also incorporated the annual Value for Money conclusion.

It was explained that, the external audit of the Council's accounts was substantially complete and subject to conclusion of some areas of work. Grant Thornton anticipated issuing an unqualified audit opinion by the deadline of 31 August 2018. There were two amendments to the financial statements, which were not material and did not have a fundamental impact on the financial position of the Council. A number of other presentational amendments had been agreed, which improved the overall quality and presentation of the Statement of Accounts.

With regard to the external audit of the Pension Fund accounts, it was reported that it was substantially complete and subject to clearance of outstanding queries. Grant Thornton anticipated issuing an unqualified audit opinion following the Overview (Audit) Panel meeting. There were no amendments to the financial statements. A number of presentational amendments had been agreed, which improved the overall quality and presentation of the Statement of Accounts.

The report contained copies of the letters of representation for both Tameside MBC and Greater Manchester Pension Fund, which would be signed following the meeting and forwarded to Grant Thornton. The report detailed the value for money conclusion, which was set out in the Audit Findings Report as appended to the report.

Members thanked the Grant Thornton representatives and asked for their thanks to be extended to all staff that had been involved in the external audit.

**RESOLVED:**

- (i) **That the content of the report be noted;**
- (ii) **That the adjustments and presentational changes to the accounts, as detailed in the Audit Findings report as appended to the report be agreed;**
- (iii) **That the value for money conclusion included in the Audit Findings report, as appended to the report, be noted; and**
- (iv) **That confirmation be given that the Council has complied with all matters set out in the Letter of Representation and ensure that a signed copy is forwarded to the External Auditor.**

## **7. AUDITED STATEMENT OF ACCOUNTS 2017/18**

The Deputy Executive Leader / Director of Finance submitted a report, detailing the Audited Statement of Accounts for Tameside MBC and Greater Manchester Pension Fund for the year ending 31 March 2018. The accounts were prepared in accordance with the CIPFA Code of Practice for Local Authority Accounting, which was based on International Financial Reporting Standards. The full financial statements were appended to the report.

The Panel were notified that the draft Statement of Accounts had been certified by the Director of Finance on 30 May 2018 and publication was required by 31 May 2018, one month earlier than the previous year. The audit was required to be completed by 31 July 2018, two months earlier than the previous year.

The Tameside MBC Statement of Accounts 2017/18 had been amended in line with the Audit Findings Report (ISA 260). The amendment impacted the Balance Sheet and Comprehensive Income and Expenditure Statement of the Council, relating to the disposal of assets for Academy Schools. This amendment was not material to the financial statements. Due to the ongoing audit there was a small risk that the accounts could be further amended but any changes were likely to be minor. The Greater Manchester Pension Fund Statement of Accounts 2017/18 had been adjusted, as recommended by the auditors and agreed by management.

The Chair thanked Grant Thornton for their hard work and support over the years and welcomed Karen Murray, Mazars LLP who would be auditing the accounts of Tameside Metropolitan Borough Council for the five years from 2018/19.

### **RESOLVED:**

- (i) That the findings of external audit as detailed in the report be noted; and**
- (ii) That the audited Statement of Accounts for 2017/18, including the core statements, notes to the accounts and supplementary financial statements be approved.**

## **8. ANNUAL GOVERNANCE STATEMENT 2017/18**

The Director of Finance submitted the Annual Governance Statement for 2017/18, which was a requirement of Regulation 6 of the Accounts and Audit Regulations 2015. It required authorities to 'conduct a review at least once in a year of the effectiveness of its system of internal control' and 'following the review, the body must approve an annual governance statement prepared in accordance with proper practices in relation to internal control'.

The Annual Governance Statement, which covered both Tameside MBC and the Greater Manchester Pension Fund, was based on the following:-

- AGS Self-Assessment Checklists and signed Assurance Statements;
- Head of Risk Management and Audit's Annual Report;
- Medium Term Financial Plan / Budget Report;
- Review of System of Internal Audit;
- Annual Audit Letter;
- Role of the Chief Financial Officer;
- Role of the Head of Internal Audit;
- Corporate Plan; and
- Statutory Inspections.

It was reported that the Draft Annual Governance Statement was presented to the Single Leadership Team on 8 May 2018 and Audit Panel on 29 May 2017. The Statement had been submitted to External Audit for review and there had been consultation with Executive Members during June 2018. All comments received had been incorporated into the document and the final

version was appended to the report. The statement would be signed following the meeting and forwarded to Grant Thornton.

**RESOLVED:**

**That the Annual Governance Statement for 2017/18 be approved.**

## **9. EFFECTIVENESS OF LOCAL AUTHORITY OVERVIEW AND SCRUTINY**

The Director of Governance and Pensions submitted a report that provided a summary of a report published by the Communities and Local Government Committee into the Effectiveness of Local Authority Overview and Scrutiny Committees. Findings had been used to undertake a self-assessment of Tameside's Scrutiny function including Organisational Structure and Culture, Member Training and Skills and The Role of the Public.

It was reported that since its creation from the Local Government Act 2000, scrutiny in Tameside had developed a strong reputation both within the Council and across partner organisations. A review of the Council's scrutiny function was last undertaken in 2013/14, when at that time, there was a need to create a more flexible and responsive model for general activity along with in-depth reviews. Tameside had dedicated officer support to scrutiny and the position was now located within Policy, Performance and Communications where there was greater access to performance information and resource to enhance the way scrutiny activity was both planned and delivered.

There was an opportunity for scrutiny to evolve and develop and a number of improvements were proposed as follows:-

- That any future updates and changes to guidance for local authority scrutiny arrangements be fully incorporated within local structure and delivery.
- To introduce quarterly meetings between scrutiny chairs and cabinet members to improve awareness of priorities, to share information and inform scrutiny activity.
- To position scrutiny as an integral part of the Council and CCG performance, engagement and consultation activities.
- That scrutiny becomes a more effective 'critical friend' to the Executive and used to undertake timely research on areas of concern to inform future work and decision making.
- That options be explored for the timely procurement for the training and development of scrutiny members.
- To improve public engagement and raise awareness of scrutiny activity through social media.

The Policy Manager was pleased to report that a meeting had already taken place between the scrutiny chairs and cabinet members and training for all scrutiny members would take place by September 2018.

A wide ranging discussion ensued and Members welcomed the training opportunities especially in light of newly elected members and those who were new to chairing. It was commented that the remits of the two scrutiny panels were vast and there was a need to work in a different way with a greater emphasis on short task and finish groups.

In response to Members concerns it was confirmed that scrutiny chairs met with the relevant Executive Member to discuss the recommendations that arose from scrutiny reviews. The Overview (Audit) Panel acted as a mechanism to allow for dialogue between Executive and Scrutiny and was the most effective and efficient way to ensure that any recommendations remained current.

**RESOLVED:**

- (i) That the report be noted; and**
- (ii) That the future development actions listed above be noted.**

## **10. SCRUTINY ANNUAL WORK PROGRAMME 2018/19**

The Director of Governance and Pensions, submitted a report detailing the work programmes of the Council's Scrutiny Panels to cover the municipal years 2018/19 and 2019/20.

It was reported that the work programmes of the Council's scrutiny panels had been developed to reflect priority issues across the Council, Strategic Commission and external partners. The programme supported the approach to improve the flexibility, responsiveness and reporting methods of the panels and had been designed as a two year working document.

Scrutiny activity would continue to be undertaken outside of the six formal meetings and both panels would monitor and evaluate outcomes from previous reviews undertaken and the implementation of past recommendations. In order to further develop scrutiny activity, plans were in place to ensure panel members were able to contribute and respond to a range of engagement and consultation activity taking place within the Council and across partners.

Tables detailing a list of topics for the Integrated Care and Wellbeing Scrutiny Panel and Place and External Relations Scrutiny Panel to choose from were included in the report in addition to information on monitoring past recommendations and cross panel activity. The list of topics had been agreed at the June 2018 scrutiny meetings and were a combination of service and performance updates, input to formal consultations and areas for in-depth review.

### **RESOLVED:**

**That the Scrutiny Work Programmes and planned activities be noted.**

## **11. SCRUTINY REPORT - APPROACH TO COMMUNITY SAFETY PARTNERSHIP WORKING**

A report was submitted by the Chair of the Place and External Relations Scrutiny Panel, which commented on the Executive response made to the Scrutiny Review 'The Approach to Community Safety Partnership Working', which was concluded in April 2018.

### **RESOLVED:**

**That the recommendations detailed in Section 8 of Appendix 2 to the report be noted.**

## **12. URGENT ITEMS**

There were no urgent items.

**CHAIR**

## OVERVIEW (AUDIT) PANEL

10 September 2018

**Commenced: 2.00 pm**

**Terminated: 2.35 pm**

**Present:** Councillors Ricci (Chair), Bell, Buglass, Fairfoull, Glover, Kitchen, Pearce, Peet and Warrington

**In Attendance:** Tom Wilkinson Assistant Director of Finance  
Simon Brunet Policy Manager

**Apologies for Absence:** Councillors Bailey, Homer and T Smith

### 13. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 14. MINUTES

The Minutes of the meeting of the Overview (Audit) Panel held on 30 July 2018 were agreed and signed as a correct record.

### 15. SCRUTINY UPDATE

The Assistant Director (Policy, Performance and Communications) submitted a report that summarised the work that had been undertaken by the Council's two Scrutiny Panels for the period June to September 2018.

It was reported that both the Integrated Care and Wellbeing Scrutiny Panel and the Place and External Relations Scrutiny Panel had held three formal meetings in June, July and September 2018. Work programmes had been developed and approved for the period 2018 to 2020 and panel members had identified a number of priorities for the first half of the municipal year.

The work that had been undertaken by the scrutiny panels was outlined as follows:-

- The Integrated Care and Wellbeing Scrutiny Panel had considered the new NHS England guidance to reduce the future prescribing of over-the-counter medicines for minor and self-limiting conditions. They had also been consulted at a local level on the subject by Tameside and Glossop Clinical Commissioning Group as part of a 12 week period of engagement and a formal response to the consultation had been drafted for sign-off by the panel.
- The Place and External Relations Scrutiny Panel had received a detailed overview of air quality impacts from a health and environmental perspective. Tameside was part of the Greater Manchester Clean Air Plan and the panel had an ongoing role to input to the development and engagement of plans. A working group had been established to look at the complexity of issues and possible solutions to improving local and regional air quality.

The Panel were informed that North West Employers had held two 'Shaping Successful Scrutiny' training sessions that had been attended by 80% of panel members. The training was designed to deliver a refresh on scrutiny fundamentals, processes and councillors becoming effective

scrutineers. Feedback was very positive from both new and long standing members of the scrutiny panels.

Following discussion members of the Overview (Audit) Panel commented that it was imperative that all members of the scrutiny panels be trained and requested that arrangements be put in place for the 20% of members who had not attended the training sessions. In response to queries it was confirmed that scrutiny panel members received an introduction and background information to topics prior to commencing an in-depth review

**RESOLVED:**

- (i) That the content of the report be noted; and**
- (ii) That a standard agenda item named 'Scrutiny Update' be added to all future meetings of the Overview (Audit) Panel in order to receive timely reporting of scrutiny activity and outcomes for assurance.**

## **16. THE EFFECTIVENESS OF LOCAL AUTHORITY COMPLAINT HANDLING**

The Assistant Director (Policy, Performance and Communications) submitted a report that provided a summary of the annual Local Government and Social Care Ombudsman report on complaints received about local authorities and other social care organisations.

It was reported that the Local Government and Social Care Ombudsman was the final stage for complaints and information was published on complaints, enquiries and decisions that had been made on individual local authorities in July for the preceding financial year. It was important to note that high volumes of complaints did not necessarily indicate the quality of a council's performance but instead could be a sign of an open, learning organisation.

The number of complaints about Tameside Council was in line with Greater Manchester and slightly lower than the national average. Complaints about Tameside Council had remained consistent over the past two years (78 in 2016-17 and 79 in 2017-18) with an increase of over a third from 57 complaints received in 2015-16. There was no clear driver for the increase however, complaints relating to Environmental Services increased significantly in 2017 before falling in 2018 and there had been a gradual increase in complaints relating to Planning and Development over a three year period. The percentage of Tameside Council complaints that had been upheld was lower than the Greater Manchester and national average.

The report outlined the four key national complaint themes, which were as follows, and a summary was provided on Tameside's position against the themes:-

1. Mental Capacity and Deprivation of Liberty
2. Bin Complaints
3. Education, Health and Care Plans
4. Bed and Breakfast Accommodation

Members commented that scrutiny could assist with the four national themes and requested that an analysis of internal complaints be provided to give scrutiny panels an opportunity to examine areas of local concern.

**RESOLVED:**

**That the report be noted.**

## **17. APPROACH TO ENGAGEMENT AND CONSULTATION**

The Assistant Director (Policy, Performance and Communications) submitted a report that detailed the approach to engagement and consultation for Tameside and Glossop Strategic Commission.

It was reported that when undertaking a change in service provision targeted work was required to ensure that the decision was supported by an evidence base that had regard to the law and impact on equalities, quality and the public, patients and service users. There were three strands to engagement and consultation all of which needed to be supported by an assessment of impact by protected characteristic group:-

1. Strategic Engagement
2. Thematic Engagement
3. Consultation

A Partnership Engagement Network was established in 2017 in order to deliver a strategic approach to engagement and consultation across Tameside and Glossop. It allowed for ongoing conversation with the public and stakeholders and created an opportunity for people and organisations to have their voices heard and to contribute to the development of public sector programmes and work. Three conferences had been held in October 2017, February 2018 and June 2018 that consisted of presentations and facilitated workshops, which were attended by over 300 participants. In addition, three forum meetings had been held in November 2017, February 2018 and May 2018.

A Tameside and Glossop Engagement Strategy had been created and was appended to the report and considered by the Panel. A table listing the 46 recent and upcoming engagement and consultation activities was detailed in the report. A monthly email containing information on upcoming consultations would be circulated to Members and shared at Strategic Neighbourhood Forum meetings.

**RESOLVED:**

- (i) That the content of the report be noted;**
- (ii) That a monthly email containing information on live consultations be circulated to Members; and**
- (ii) That details of live consultation activity be shared with the Strategic Neighbourhood Forums for consideration as potential agenda items.**

**18. URGENT ITEMS**

There were no urgent items.

**CHAIR**

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## DEMOCRATIC PROCESSES WORKING GROUP

1 OCTOBER 2018

Commenced: 4.00pm

Terminated: 4.30pm

**Present:** Councillors Cooney (In the Chair), Billington, J. Fitzpatrick, Kitchen, M Smith, Ward and Warrington

**Apologies:** Councillor Fairfoull

### 5. MINUTES OF PREVIOUS MEETING

#### RESOLVED:

**That the minutes of the meeting of the Working Group held on 9 July 2018 be approved as a correct record.**

### 6. PROTECTING THE DEBATE: INTIMIDATION, INFLUENCE AND INFORMATION - CON

Consideration was given to a report of the Executive Director (Governance and Pensions) which informed Members of the Cabinet Office consultation seeking views on proposed changes to electoral law aimed at improving political debate. It was explained that the consultation document covered:

- A new electoral offence of intimidation of candidates and campaigners;
- Intimidation of voters - undue influence;
- Digital campaigning – use of imprint.

It was explained that earlier this year the Committee on Standards in Public Life (CSPL) had published a review of the impact of intimidation in public life, with a focus on the role of social media. The Committee made recommendations for social media, political parties, police and local government and suggested the government consult on ways in which electoral law could be changed to protect candidates and their supporters.

Members considered the consultation document which reviewed the following recommendations and issues from the CPSL's review:

- Section 1: the Government should consult on the introduction of a new offence in electoral law of intimidating Parliamentary candidates and party campaigners;
- Section 2: consolidation and clarification of the electoral offence of undue influence;
- Section 3: the Government should extend electoral law requirements for an imprint on campaigning materials to electronic communications.

In its response the Government had taken a wider view than the CPSL (which was entirely concerned with parliamentary elections). The scope of the Government's consultation covers candidates and campaigners at all polls, not just General Elections, and would cover local elections and be extended to campaigners in referendum campaigns

The CSPL recommended consultation on a new offence that applied specific electoral sanctions in cases of intimidation of candidates and their campaigners during a parliamentary election period.

The consultation document sets out how this recommendation can be implemented, by:

- creating a new electoral offence which would apply appropriate electoral sanctions to existing criminal offences of intimidation where committed against a candidate or relevant campaigner during an election period;

- and which would be classified as a corrupt practice for the purposes of electoral law (and so carry specific additional sanctions).

Members were informed that the aim was that the additional electoral sanctions would work to deter intimidatory behaviour during the election period, allowing those engaging in the electoral process to participate peacefully.

Members were informed that the issue of intimidation of voters was not considered by the CSPL, but had already been raised for possible reform as a result of recommendations made by Sir Eric Pickles in his report on voter fraud and having been considered in depth by the Law Commissions in a major Report on electoral law (February 2016). The consultation focused on

- Clarifying the offence
- Intimidation at polling stations.

In outline, the consultation proposed:

- the element of the offence in relation to physical acts of violence or threat of violence would not be materially changed;
- any act that inflicted or threatened to inflict damage, harm or loss, whether done lawfully or not, should be prohibited when carried out in order to make a person vote, or vote in a particular way, or deter them from voting;
- that the scope of the offences continued to protect voters from victimisation by including actions which are carried out both before and after elections

The third element of the consultation focused on the expansion of social media and the information available during elections and referendums. It was important that voters were aware of who was targeting them online to preserve the integrity of the electoral system.

Members discussed the content of some social media and whether it constituted an offence. It was made clear that the consultation did not cover the content of digital material, nor intimidation and abusive material merely the inclusion of an imprint. After considering the current state of knowledge and practice, it concluded with practical and technical questions about how imprints can be included in the wide range of online communications.

It was stated that election material was already defined in UK law, as any material which can reasonably be regarded as intended to promote or procure electoral success at any relevant election for a registered party or candidate (section 143A Political Parties, Elections and Referendums Act 2000 (PPERA)). It extends to political parties, third party campaigners and referendum campaigners.

The basic requirement from the consultation document was for printed election material to contain certain details (referred to as an “imprint”) to show who is responsible for its production. Printed material such as leaflets and posters must include the name and address of the printer, the promoter (the person who has authorised the material to be printed) and any person on behalf of whom the material is being published.

#### **RESOLVED:**

**That the consultation document be noted**

## **7. UPDATE ON ELECTION AND ELECTORAL REGISTRATION MATTERS**

Consideration was given to a report of the Executive Director (Governance and Pensions) that provided Members with an update on:

- the Annual Canvass of electors and possible changes to the way the annual canvass will be conducted in future;
- Parliamentary Boundary Review;
- 2018/2019 Review of Polling Districts and Polling Stations;

Members were informed that the original Household Enquiry Forms (HEF) had been sent out on 1 August 2018 and first reminders had been sent out on 21 September. Response rates to the original HEF forms totalled 59.7% so around 40,000 reminder HEFs have been sent out. A breakdown of this information by polling district was appended to the report.

It was explained that the Cabinet Office would shortly be publishing a policy statement on the future of the Annual Canvass. Following a number of pilots for alternative models of updating the register of electors the following were the key findings:

- 57% to 83% of households were no change
- Alternative pilot models all cost less than the usual canvass
- Data can be used to effectively target households that do need to report a change;
- Combining different contact methods (email, post and household visits) captures relatively more changes.

Following the pilots it now appeared likely that the Cabinet Office would propose a new approach to the annual canvass very similar to the approach taken in the first year of Individual Electoral Registration in 2015. This approach would involve sharing electoral register data with the Department for Work and Pensions who would data match this information against their records to determine if there was sufficient evidence to confirm that the information we hold is correct, if so the data would come back as 'green' meaning that no further action is required other than to write to the property stating who will be on the electoral register. If the DWP had insufficient evidence to confirm elector this would come back as 'red' meaning that it would necessary to communicate with the electors to verify if they should remain on the register (this would be a mixture of email, post and household visits). When a similar approach was taken in 2015 82% of electors were 'green' meaning no further action was required, at that time we then had to communicate with around 30,000 electors. This approach, if agreed, is likely to see a significant reduction in the amount of officer time spent on the canvass and significant reductions in printing and postage costs.

With regard to the review of Parliamentary Constituencies Members were informed that the Boundary Commission's proposals for revised constituency boundaries had been laid before Parliament. It was for the Government to produce the necessary statutory instrument to put the proposal into effect. The Statutory Instrument would need to be agreed by both Houses of Parliament before coming into effect. Once the proposals were agreed the changes would come into effect at the following general election. If the proposals are not agreed the next election would be fought on the existing boundaries.

Members were informed that it was necessary to undertake a statutory review of polling districts and polling stations every five years. The next review must be stated and completed between 1 October 2018 and 31 January 2020. The intention was to complete the review before the local elections in 2019. It was intended to bring more details about the review and areas requiring change to the next meeting of the Working Group in December.

**RESOLVED:**

**That the update be noted**

## **6. ELECTORAL COMMISSION BULLETINS**

Consideration was given to a report of the Executive Director (Governance and Pensions) that provided Members with recent copies of the Electoral Commission news bulletin which set out current issues affecting the democratic framework for local government.

**RESOLVED:**

**That the report be noted.**

**CHAIR**

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