EXECUTIVE CABINET

25 October 2023

Commenced: 1pm		**Terminated: 1.37pm**
Present:	**Councillors Cooney (Chair), Choksi, Feeley, Naylor, North, Taylor, Ward and Wills**	
In Attendance:	**Sandra Stewart**	**Chief Executive**
	Gemma McNamara	**Assistant Director of Finance (Deputy s151)**
	Allison Parkinson	**Interim Director of Children's Services**
	Julian Jackson	**Director of Place**
	Debbie Watson	**Director of Population Health**
	Stephanie Butterworth	**Director of Adult Services**
	Ben Middleton	**Assistant Director for Strategic Property**
	Emma Varnam	**Assistant Director of Operations & Neighbourhoods**
Apologies for Absence	**Councillors Fairfoull, Kitchen and Jackson**	

59 DECLARATIONS OF INTEREST

There were no declarations of interests.

60 MINUTES

RESOLVED
That the Minutes of the meeting of Executive Cabinet held on 27 September 2023 be approved as a correct record.

61 PERIOD 5 2023/24 FORECAST OUTTURN – REVENUE AND CAPITAL.

Consideration was given to a report of the First Deputy (Finance, Resources & Transformation) / Director of Resources. This was the Period 5 monitoring report for the current financial year, which showed the forecast outturn position.

The report reviewed the financial position for the General Fund revenue budget, the Dedicated Schools Grant (DSG) and the Capital budget. The underlying revenue position was £13.021m at Period 5, this was an adverse movement of £1.347m from Period 4 (where it was £11.674m). The adverse movement was primarily driven by forecast increases in Adult Services care home placements. Compensatory management actions had been put in place to deliver a forecast balanced position.

There was a forecast deficit on the DSG of £5.317m, which was an adverse movement from Period 4 (where it was £2.540m). This had been driven by an unprecedented growth over the summer term of Education, Health and Care Plans (EHCP).

The Capital programme was forecasting an underspend in-year, with subsequent reprofiling of budgets to future years, of £12.909m. This was due to programme rephasing at major projects including Godley Green and Hawthorn's Special School.

RESOLVED
That Executive Cabinet APPROVES:

(i) The proposed contingency budget virements as part of rotine financial management.
   i. Corporate buildings energy costs, £0.819m. As a result of national energy cost rises.

(ii) The acceptance of £0.130m grant funding from the Department of Health and Social Care to support the streamlining of local authority Adult Social Care Assessments that was announced on 29 March 2023. The funding is to be allocated to the Adult Services 2023/24 revenue budget. The supporting proposals on use of the grant award will be included in a separate report for approval.

(iii) The acceptance of £0.027m grant funding from the Department of Health and Social Care to support expenditure relating to a review and assessment of Adult Social Care functions by the Care Quality Commission that was announced on 21 September 2023. The funding is to be allocated to the Adult Services 2023/24 revenue budget. The supporting proposals on use of the grant award will be included in a separate report for approval.

(iv) The allocation of £0.560m to the Adult Services 2023/24 revenue budget via the Council's earmarked reserve to support Adult Social Care and NHS integration initiatives. The funding is to support the forecast additional cost of the support at home model when compared to the standard home care model that is included as part of the mitigating actions figure in the Adult Services period 5 forecast.

(v) The transfer of £0.250m from the Transformation Earmarked reserve to fund the commissioning of IMPOWER to support the development of the transformation programme to deliver the savings requirements within the MTFS.

(vi) The acceptance of £0.150m grant funding from GMCA Local Authority Grant Programme to deliver work to alleviate barriers to work, skills and education and to promote digital inclusion for adults across the borough. This will continue to fund 3 staff in post and funded through previous grant awards in both 2021/22 and 2022/23 financial years.

(vi) The acceptance of £0.088m Know your neighbourhood grant to deliver the project aimed at increasing volunteering and reducing loneliness In Tameside.

That Executive Cabinet NOTES:

(i) The forecast General Fund revenue budget position of an underlying pressure of £13.021m, which is an adverse movement of £1.347m from Period 4 reporting.

(ii) The management actions being taken of £12.839m, which have been monitored for delivery, are currently on track, and will be reported back to Cabinet on a regular basis.

(iii) That there is a projected overall underspend of £0.036m, following the application of management actions, as outlined in Table 2.

(iv) The forecast deficit on the DSG of £5.317m, which is an adverse movement of £2.777m from Period 4 reporting.

(v) The Capital programme position of projected spend of £46.321m, following Cabinet approval to reprofile project spend of £12.909m to 2024/25.

(vi) The indicative grant sum award to the 2023/24 Adult Services revenue budget of £0.541m from the Department of Health and Social Care to support urgent and emergency care during the 2023/24 winter period. Proposals for use of the funding are to be submitted to the Department by 29 September 2023 with approval due by 13 October 2023. A recommendation to accept the approved sum will be included in a subsequent report once confirmed

62 MEDIUM TERM FINANCIAL STRATEGY UPDATE

Consideration was given to a report of the Frist Deputy (Finance, Resources & Transformation) / Director of Resources. The report presented an update to the Council's Medium Term Financial Strategy (MTFS).

It was reported that the position had improved since the previous report in June 2023 due to the submission of budget reduction proposals from all service areas along with a 2% reduction in the prevailing rate of Consumer Price Index (CPI) inflation. The rate of CPI released in September 2023 was 6.7%.

The MTFS was part of the financial framework for the Council. A key purpose of the MTFS was to ensure that future budgets would be balanced. It was a statutory requirement for the Council to set a legally balanced budget for the immediate financial year ahead, and it was best practice to have a medium-term view over a 3-5 year period.

The current MTFS had an imbalance of resources to expenditure of £33.819m to 2028/29, with £9.651m still required to be found for 2024/25. In the last update, the MTFS imbalance was £39.783m to 2028/29, with £12.889m required to be found for 2024/25.

The “budget gap” in the MTFS as a percentage of the 2023/24 net expenditure requirement of £221.397m is 4.4% for 2024/25 and 15.3% to 2028/29. The thinktank Localis were running events on local government finance at all political party conferences this year, with their findings suggesting many authorities in the UK were planning for budget reductions of up to 15%. This was in line with the Council’s current MTFS gap.

The Council’s budget monitoring report for Month 5 was also presented to this Executive Cabinet and it contained significant levels of risk in services with activity-driven costs such as social care, homelessness and highway maintenance. The current forecast out-turn for 2023/24 was £0.036m underspent. The underlying risk was £13.021m. The worst case scenario was that the full risk value converts to an overspend, requiring the use of reserves to balance the General Fund position. Within the MTFS position, there was an assumption of pressures requiring funding based on activity and demand in 2023/24, however there was an expectation that services proactively work on demand management and “flattening the curve”, and this was assumed within the MTFS.

In was reported that in the worst case scenario, where demand management fails and no budget reductions were delivered and the Council had to support a balanced budget through reserves use, the Council would exhaust its reserves in 2027/28. For the avoidance of doubt, that was 4 years from the date of this report to Executive Cabinet.

As reserves fall, it would become more and more difficult for the Section 151 Officer to fulfil their statutory duties and confirm that budget estimates were robust and that reserves and balances were suitable and appropriate to maintain fiscal sustainability.

It was explained that the scale of the challenge the Council was facing to set a legally balanced budget in the face of rising demand for social care and homelessness services, inflation against the backdrop of over a decade of reducing financial envelopes since 2010 (the Council has delivered over £180m of reductions in that time) was as acute as it was in the period 2010-2013.

RESOLVED
That Executive Cabinet APPROVE:
(i) The recommendation to not pool Business Rates across Greater Manchester for 2024/25 and authorises the Section 151 Officer to respond to the Department for Levelling Up, Housing and Communities to that effect.
(ii) The updated MTFS for 2024/25 to 2028/29.
That Executive Cabinet NOTE:
(i) The impact of additional inflationary and demand pressures on the MTFS from 2024/25 to 2028/29.
(ii) The impact of the proposed budget reductions on the MTFS from 2024/25 t0 2028/29.

63 DELIVERING BETTER VALUE IN SEND

Consideration was given to a report of the Deputy Executive Leader / First Deputy (Finance, Resources & Transformation) / Director of Children's Services. The report sought approval to accept and spend a Department for Education (DfE) Delivering Better Value (DBV) in SEND grant in the sum of up to 1m to support the implementation of change to manage and mitigate identified cost drivers within the SEND high needs system.

It was reported that over recent years, rising demand and other pressures have contributed to many local authorities accruing deficits on their Dedicated Schools Grant (DSG) and the Covid pandemic had exacerbated these issues. The overspend on Tameside's DSG High Needs Block budget had been increasing year-on-year to the point at which it had become unsustainable. The High Needs Block in-year deficit for the last three years was as follows:

- 2020-21 - £1,821,981
- 2021-22 – £1,972,933
- 2022-23 - £1,017,794

Early monitoring of the 2023-24 High Needs Block deficit position indicated that the deficit position was accelerating with the in-year deficit estimated to be £5.876m.

The DfE was running a range of intervention programmes to assist local authorities with deficits to achieve High Needs spend sustainability. Tameside was invited to participate in the DfE's Delivering Better Value in SEND support programme. The implementation of the DBV plan would look to maximise the reduction in High Needs Block costs, however, the demand and costs within the system continued to outstrip forecasts and a significant cumulative deficit of between £39.4m and £68.1m was estimated at the end of 2027-28.

In early August 2023, the DfE DBV Programme Board gave indicative approval to Tameside's Stage 1 DBV implementation plan and revenue funding request of £1m. DfE feedback on the plan stated that it demonstrated an aspiration to deliver significant improvements to services for children and young people with SEND alongside significant financial benefits over the next 5 years.

It was explained that feedback from Newton Europe to DFE on the projected High Needs Block deficits across DBV and Safety Valve local authorities, after mitigating actions had been taken, indicated that deficits remain extremely high over the coming years. In response, DfE introduced a new Stage 2 late in the DBV Programme. Stage 2 required local authorities to identify significant additional opportunities to achieve a sustainable in-year balanced position as soon as possible and had committed to the development of a robust DSG Management Plan to deliver these by the first quarterly monitoring meeting (December 2023).

Tameside's DBV application (stage 1 and 2) was assured by Tameside's DfE Monitoring Advisers and CIPFA before being presented to the DfE DBV Programme Board. Tameside's bid was given full approval on 15th September 2023. No specific conditions were applied to the approval of Tameside's DBV application and the Council awaits receipt of a Grant Offer Letter that would set out the standard grant conditions that apply to this grant award.

The Tameside Draft DBV Plan included some quick wins that could be spent within autumn 2023 term but the majority of workstreams would start to spend from either January 2024 or September 2024. DBV grant was required to be spent by 31 March 2025 and workstreams would be governed through the SEND Inclusion and Partnership Board.

RESOLVED
That Cabinet Approve subject to the Director of Children's Services reviewing the standard grant conditions in consultation with the Director of Recourses and the Head of Legal, the acceptance of £1m DBV grant from the Department for Education to fund the implementation of SEND system change.

64 BIODIVERSITY NET GAIN

Consideration was given to a report of the Executive Member for Planning, Transport and Connectivity / Executive Member for Climate Emergency and Environmental Services / Director of Place. The report outlined the new mandatory net gain requirement for biodiversity introduced by the Environment Act 2021 becoming a requirement that applies from January 2024 for developments in the Town and Country Planning Act 1990, unless they were exempt, and to small sites from April 2024 applying for planning permission. It further outlined a range of activities which had been undertaken in readiness for the new requirement and details the opportunities which existed to the council as a landowner.

The report explained that the mandatory requirement for new development to provide a demonstrable net gain in biodiversity will have implications for developers and the council both as local planning authority and landowner. A range of activities have been undertaken to prepare for this new requirement as detailed in this report, and work is ongoing to take advantage of the opportunities available to the council. It is expected that as preparatory work continues, notably in regard to assessing and committing council-owned land for offsetting opportunities, that this will be updated through further reporting.

RESOLVED
That Executive Cabinet:
(i) Note the impending requirement for biodiversity net gain for most new development and the consequential demand this will create for biodiversity offsetting;
(ii) Note the process required to bring Tameside owned sites forward to be ready to provide potential biodiversity offset locations as set out within Section 3 of this report;
(iii) Note the outcomes of the supply and demand work as set out in Appendix 1;
(iv) Endorse the approach of assessing our own land with the principal that this be used as a potential offset site, subject to further member reporting.

65 OPTIONS FOR REDUCING STREET LIGHTING ENERGY CONSUMPTION.

Consideration was given to a report of the Executive Member for Planning, Transport and connectivity / Assistant Director of Operations & Neighbourhoods. The report considered options for the council to reduce energy consumption for street lighting. The council sought to decrease its energy consumption to achieve its commitment to ‘Net Zero’ by 2038. Options were presented to ‘dim and trim’ or turn off lighting on the public highway or public realm.

It was explained that the need for street lighting varies by location. It was generally accepted that urban and residential areas should be provided with street lighting. However, the level and standard of lighting provided will be dependent upon a number of factors.

Councils did not legally have to provide street lighting, however, once provided, the local authority does had a duty to maintain the system in a safe condition. The standards for street lighting were laid down in British Standard: BS 5489 and European Standard BS EN 13201; lighting to these standards is considered best practice, and reasonable justification should be provided if not achieved. Any decisions to implement dimming, trimming or switching off of Street Lighting need to consider whether standards are being met, and any deviation from these standards will need to be justified.

In regards to energy costs, energy costs had significantly increased in the past 18 months due to a volatile electricity supply market. It was imperative that the council reduces its electricity consumption in order to reduce costs. The impact of trimming and dimming would reduce the amount of energy used to light the highway. In financial year 21/22 the council spent £1.113m (8.04300p/kWh) to provide energy to our general street lighting network. The unprecedented energy cost rise had caused significant pressure to the council’s energy budget, in 22/23 the energy cost rose to £1.592m (22.40996p/kWh). An increase of £0.480m compared to the previous year, this equates to a 30.15% increase on 21/22 on energy used only). Further increases in the electricity tariff were expected in the 2023/24 (31.5590p/kWh) financial year this will increase the energy by another 29.02% to £2.243m (estimated).

The Council had looked at a variety of options for reducing energy consumption, with the main road and side road assets separated to provide more flexibility to try and achieve affordable options within an acceptable "payback period". Appendix 1 provided further detail on the options that had been considered. The recommended Option C2, dimming and trimming on the main roads:

Main Road Lanterns	**Savings at 22/23 prices**	**Cost to implement**	**Payback at current rate**
Trimming – slightly increased darkness switch on/off & dimming to 75% light output 00.00-06.00	**£73,614 per annum**	**£284,200**	**£284,200 ÷ £73,614 = 3.9 years**

Energy savings **Main Road Lanterns**	**Current energy consumption per kWh**	**Energy savings per kWh**	**Energy savings per column**
Number of columns- 8,120	2,454,805.63	**328,454**	**40.45 kWh**

RESOLVED
That Executive Cabinet APPROVES:
The implementation of option C2 in principle, to trim and dim the lighting provisions on the council's main road lanterns, subject to:
(i) options to finance the capital investment of £0.284m required to carry out improvements to the street lighting columns to facilitate dimming and trimming, and this be delegated to the Director of Place in consultation with the Section 151 Officer.
(ii) Progress reporting to on the programme forming part of the regular report to Strategic Planning and Capital Monitoring Panel meetings.

66 UK SHARED PROSPERITY FUND UPDATE

Consideration was given to a report of the Executive Member for Inclusive Growth, Business & Employment / Director of Place. The report provided an update on the UK Shared Prosperity Fund (UKSPF) for all three investment priorities including Communities & Place, Local Business & People & Skills.

The report detailed the £1.979m of funding for Tameside against the UK Shared Prosperity Fund (UKSPF) Communities and Place investment priorities. The submission was designed to be an economic driver that delivers genuine levelling up opportunities across Tameside supporting national, GM and Tameside strategic policies. Progress to date on the current projects funded through the UKSPF were set out in Table 1 in Appendix A. There were 16 projects which were all considered to have low risk of non-delivery. Table 2 in Appendix A showed active projects within this investment priority including budget allocation and spend to the end of August in this financial year.

The report also detailed the progress to date on the projects within the UKSPF Support Local Business funding of £1,215m that was awarded to the Council. Progress to date on the current projects within this investment priority were detailed in Table 3 in Appendix B. Overall, there were 2 projects, all considered to have low risk of non-delivery. Table 4 in Appendix B showed proposed spend for the supporting local business investment priority and actual spend to date.

As part of the Grant Funding Agreement, the Council was required to submit a formal reporting template every quarter to support Greater Manchester Combined Authority (GMCA) reporting requirements to DLUHC.

From September 2023, GMCA would require a full contract to date reconciliation and review to be undertaken. In the development of the GM Investment Plan, it was agreed that a number of cross-cutting themes would underpin the delivery of UKSPF in GM to demonstrate the added value of place-based programmes in the realisation of the Greater Manchester Strategy. These are;

- Environment; Contribution to GM's 2038 net zero ambitions.
- Equalities; Contribution to reducing inequalities.
- Social Value; Embedding social value.

Local Authorities were asked to set out their approach to delivering "ways of working" to these cross-cutting themes through the UKSPF interventions and were considered in the original proposals. Greater Manchester Combined Authority (GMCA) could reduce the funding allocation, overall or for a specific year if there was a failure to comply with the UKSPF performance monitoring requirements and / or if progress on project delivery is unsatisfactory.

RESOLVED
That Executive Cabinet NOTE the update on UKSPF delivery in Tameside and progress to date.

67 CONTRACT FOR THE PROVISION OF AN E-CONTRACT PERFORMANCE SYSTEM

Consideration was given to a report of the Executive Member for Adult Social Care, Homelessness & Inclusivity / Director of Adult Services. The report sought approval for the procurement of the Provider Assessment and Market Management System, as a call of contract to be procured via the Government Cloud.

It was explained that the Commissioning & Home for All Team currently uses a contracts performance process which uses electronic tools, but cannot be used to easily produce reports. This was both time consuming and can be prone to errors as data is manually transferred. Any necessary service improvement actions from each visit also needs to be identified separately and some may be overlooked when service development improvements plans are being developed. Further the existing process did not allow the provider to challenge the outcome of the performance visit and, as a result of this potential lack of transparency/approval from the provider, the outcome of the visit was not shared publicly. In addition, there was a lack of consensus across Greater Manchester as to a preferred quality assurance and market management tool, albeit three GM Councils have adopted the PAMMS system (Bolton, Oldham and Salford).

It was further explained that Tameside needed to move to an eContracts Quality Assurance/Performance process to ensure that accurate reports could be easily run, as well as to help manage risk within the sector. There were two systems in the G-Cloud that seemed to focus on the social care market (Adam & PAMMS), both of which were now owned by The Access Group, and Adam had been absorbed by PAMMS. Therefore, the report proposed a direct award to The Access Group (who own and operate PAMMS).

The implementation of PAMMS would have several benefits to the Commissioning and Homes for All Team this included:

- Provide information on the outcomes of visits in a more timely, less resource intensive manner.
- Reduce potential inaccuracies in copying data to provide reports.
- Assist to provide appropriate evidence to the Care Quality Commission that the Council had robust systems/procedures in place to ensure providers were delivering the appropriate care and support to the people who needed the service.
- Allow for the sharing of information between Commissioners, some of whom may be funding people in care homes in Tameside.
- Allow for publishing the outcomes of the Council's contracts performance process, which could be viewed alongside the CQC ratings, to give prospective residents a better understanding of the service.

RESOLVED
To approve the procurement of the Provider Assessment and Market Management System (PAMMS), as a call off contract, to be procured via the Government Cloud (G-Cloud). G-Cloud is a UK government initiative to ease procurement of cloud services by government departments and promote government-wide adoption of cloud computing.

68 ADULT SERVICES HOUSING AND ACCOMMODATION WITH SUPPORT. PRIVATE RENTED SECTOR OPPORTUNITIES

Consideration was given to a report of the Executive Member for Adult Social Care, Homelessness & Inclusivity / Director of Adult Services. The report for Adult Services to progress accommodation options through the private rented sector, to increase capacity in the borough for the provision of supported accommodation for adults with care act eligible needs to live in their own homes.

It was explained that there were currently 55 people on the waiting list held in Adult Services by its Accommodation Options Group (AOG), and there were 8 people identified for transition in the next two years from Children's Services requiring 24-hour support who needed to be planned for. In addition, the number of people with a learning disability or mental health needs living in costly out of borough places had increased recently, primarily due to the lack of supported accommodation capacity locally to meet need. There was a real concern that without increasing capacity such costly placements would very quickly become long term and the opportunity to return people to supported living in the borough at a reduced cost would be lost. The report outlined a range of accommodation schemes needed over the coming 3-5 years to meet current and future need across all adult groups.

The properties being offered by Private Sector Landlords were in line with the range of accommodation identified in the SCB report and would provide quality accommodation to meet the needs of a group of service users that are currently placed in out of borough placements realising a potential cost saving to the authority.

The properties would be for the housing of a younger adults currently supported in an out of borough placement whose care package is currently costing the Council £2.307m per annum. Once the individuals were settled after a period of transition the service was working towards the cost of support being reduced to realise a saving of £0.533m per annum.

In supporting the progression of this provisions the Council was making a strong commitment to meeting the needs of people with an eligible need by prioritising the continuation of the provision of 24 hour supported living services locally.

RESOLVED

(i) That approval is given for Adult Services to progress accommodation options through the private rented sector, to increase capacity in the borough for the provision of supported accommodation for adults with care act eligible needs to live in their own homes.

(ii) That authority is given to the Director of Adult Services to agree terms, in consultation with the Head of Legal to enter agreements to secure property to deliver 24 hour supported accommodation for individuals with care act eligible needs.

(iii) That authority is given to the Director of Adult Services to agree, in consultation with the Head of Legal and Director of Resources, the delivery of the care and support through the in house homemaker service at each property given the complex needs of the people identified for resettlement, thereby delivering best value for the Council.

69 FORMER ACTIVE TAMESIDE SITES – ASHTON SWIMMING POOL AND LONGDENDALE RECREATION CENTRE

Consideration was given to a report of the First Deputy (Finance, Resources & Transformation) / Head of Estates. The Council had agreed to accept a surrender of the lease of Ashton Swimming Pool and Longdendale Recreation Centre from the existing lease agreement between the Council and Active Tameside. As part of that approval, the report sought approval to declare both sites surplus to Council requirements in accordance with the Council's disposal policy, and to sought approval to demolish both existing buildings. Accordingly, this report was seeking approval to progress with the surplus declaration process together and approval to demolish both existing buildings. This report also addresses the petition received 22 August 2023 to save the Active Ashton Centre.

It was reported that in regards to Ashton Swimming Pool, the current rateable value was £100,000, which would represent an annual rates payable liability to the Council of £51,200. The Council would become liable for the payment of the business rates after expiry of the initial 3 months relief. The property was transferred back to the Council on the 15 September 2023. In addition, there would be the costs of management, security and maintenance. The building had reached the end of its economic life, requiring significant levels of investment to keep it operational. A condition survey undertaken in 2021 which identified £0.610m of backlog maintenance was required and the building condition had significantly deteriorated since then.

High level estimates for demolition had now been received, with an estimated cost of demolition of £0.964m, but these costs could be capitalised and financed from a future capital receipt if demolition was considered to enhance the future value of the site.

The current rateable value of Longdendale Recreation Centre was £47,000, which represented an annual rate liability of c£23,000. When the property was surrendered from the lease, the Council would become liable for the business rates after expiry of the initial 3 months empty rates allowance, the property was transferred back to the Council on 15 September 2023. In addition, there would be the costs of management, security and maintenance. A condition survey undertaken in 2021 identified a backlog maintenance liability of £0.290m.

In terms of mitigating the empty building costs liability post-surrender, the aim was to reduce the Council's liability and maximise the value of any capital receipt, it was proposed to undertake a marketing exercise inviting offers to purchase and develop this site along with the larger adjacent council owned car park, which should prove attractive for residential development.

The demolition costs for both these buildings were a high-level estimate based upon the costs of demolishing the former Denton Baths, with an allowance for inflation and contingency, and an allowance had been made for the removal of asbestos, however, the final cost for each building was dependent upon intrusive surveys, which it has only been possible to undertake recently.

The report explained that a petition with 7,000 signatures was lodged with the Council on 22 August 2023, requesting the Council to consider keeping the Active Ashton Pool building open. Additionally, there have been numerous other similar correspondence seeking the same.

The Council had carefully considered this request as part of this report and had taken account of a number of issues before reaching its conclusion. Active Tameside's proposal to close these facilities was of course disappointing for everyone especially Active Tameside. Active are an independent, not-for-profit charity, and provide some of the best health and wellbeing services across Tameside. However, there are a number of issues, which have to be taken into account when reviewing the building's future. The Ashton leisure centre was constructed over 50 years ago, it was highly inefficient, and with rising energy costs and inflation, was being run at a considerable financial loss to Active Tameside. As highlighted earlier in this report, the building had reached the end of its economic life, requiring significant levels of investment to keep it operational. A condition survey undertaken in 2021 identified £0.610m backlog maintenance was required and the building condition has significantly deteriorated since then. The closure of this building along with the Longdendale and Etherow centres was made to enable Active Tameside to sustain their current business model and secure the future of the whole leisure offer through the remainder of their estate.

It was explained that the Council's finances means that it is not in a position to pay more for the services and Active have not until now been able to access any government support to deal with the excessive energy costs. With the ongoing increased running costs, and the Ashton facility being past its end of life and requiring significant investment, it is no longer feasible to keep this building open.

It was further explained that in considering need, it had been confirmed that all the group activities, which took place in Ashton swimming pool, such as school swimming lessons and swimming clubs were still being delivered within the Borough and had all been successfully relocated and accommodated within the four remaining Tameside Active Swimming Pools. These are detailed in the table in Appendix 3, and the alternative locations are identified on the plan in Appendix 4. All were located within 3.6 miles from Ashton Swimming Pool. These being: Active Copley, 2.8miles; Active Hyde, 3.6miles; Active Medlock, 3.4miles and the Tameside Wellness Centre (Denton), 2.7miles from Active Ashton. The Council would continue to seek assurances and clarification from Active on the clubs and school swimming lessons to ensure that they continue to be delivered and would support Active Tameside like the council would any other organisation to ensure the best outcome possible for residents.

Consequently, the Council was unable to support the Petition received to keep Ashton Swimming Pool open as it had insufficient capital to repair and maintain in a safe condition and insufficient revenue to manage the day to day running costs.

RESOLVED
That Executive Cabinet:

(i) Having considered carefully the petition to save Active Ashton and other correspondence of a similar nature, the costs required to address the condition and health and safety of the pool together with ongoing revenue costs including utility costs and declare the former Ashton Swimming Pool and Longdendale Recreation Centre sites, and adjacent Council owned car park at Longdendale, as surplus to the Councils operational requirements. This is consistent with the Cabinet decision made in 2016

(ii) Approve the proposed demolition of the existing buildings on each site based on the estimated costs of £1.771m in this report.

(iii) Approve the creation of a capital budget of £2.000m for the demolition of the existing buildings in the capital programme to cover demolitions estimates and contingency.

(iv) Approve the use of un-earmarked reserves, noting this will reduce the available capital reserves to support risk smoothing, transformation and other Corporate Priorities and that the costs of the demolition works will need be capitalised as part of a wider programme of works to deliver enhancements to Ashton Town Centre.

(v) That the Council accept the Sport England funding award and administer the payment to Active Tameside subject to the Council's S151 officer and Head of Legal Services being satisfied that the terms and conditions of the grant do not create any additional risks for the Council and noting that the grant awarded can only be used to provide revenue support towards the utility costs at Active Copley and Active Hyde and no other venue or centre.

(vi) Approve the submission of a bid by the 17 October 2023 for Phase 2 funding as outlined in Section 6 to reduce future revenue costs at Denton Wellness Centre and Active Copley.

70 LAND AT GRAFTON STREET, HYDE - DISPOSAL

Consideration was given to a report of the First Deputy for Finance Resources & Transformation / Assistant Director of Strategy Property. The report sought approval to declare the plots of land detailed on the plan at Appendix 1 as surplus to the requirements of the Council and available for disposal and approve the disposal on the terms provisionally agreed subject to them being in line with the independent Red Book valuation.

It was reported that the Council owns four plots of land that previously formed part of a larger area used to support a series of highway schemes. Following completion of the schemes, the Council had retained the surplus plots, shown edged red on the attached plan at Appendix 1. These areas were now maintenance liabilities with potential costs but did not generate any revenue.

Plot 1, measured approximately 45 square metres, and had in the last few years, been landscaped by the owners of the adjoining site to form an attractive area of hard landscaping. More recently, signage had been introduced onto the land, which represents an encroachment which would be resolved by the proposed disposal.

Plots 2 and 3 were two areas of naturalised land, which wrap around the former residential properties known as 54-58 Clarendon Street that were acquired and demolished by a third party (possibly the

Highways Agency) approximately 20 years ago. The Council land was largely indistinguishable from the third party owned land and the two plots measure 28 square metres and 102 square metres respectively.

Plot 4 was also an area of landscaped land that was largely naturalised, with several unmaintained trees covering the site. The land appeared to have been in this state, for a number of years although, judging from a wall that wraps around part of the property, the land was previously developed as a building or yard area, perhaps prior to the construction of the nearby M67. This site is approximately 450 square metres.

The report detailed that the Council had been approached by an agent acting on behalf of a fast food restaurant and take away provider, who had agreed terms to acquire the freehold and leasehold interests from the freehold owner of the adjacent site who was seeking to sell the site as a redevelopment opportunity. The Council's Grafton St plots are of interest to a fast food restaurant and take away provider, who are ideally seeking to develop a 'Drive Thru' restaurant on the combined sites have advised that they require the adjoining plots owned by the Council in order to develop a 'Drive Thru' restaurant.

Following this initial approach, and given the fact that, in isolation and in the absence of any comprehensive redevelopment proposals for the Council land, this report is seeking approval to declare the four plots owned by the Council surplus to requirements and seeking approval to a disposal of the freehold interests to the fast food restaurant and take away provider, which will be conditional upon planning permission being granted to construct a 'Drive Thru'.

This approach would maximise the potential for the Council to generate a capital receipt for the Council to support the Capital Programme. It was recommended that the Council's freehold interest in the 4 plots shown edged red on the plan are declared surplus, as detailed on the plan in Appendix 1, and approval is granted to sell the freeholds of the four plots on the terms detailed in Appendix 2 to a fast food restaurant and take away provider, thus generating a valuable capital receipt, for this underutilised asset. The completed development would also create new employment opportunities in the Borough. The disposal price would be supported by an independent external RICS "red book" valuation as required by valuation protocols.

RESOLVED

(i) To declare the four plots of land outlined on the plan attached (Appendix 1) surplus to the requirements of the Council and available for disposal.

(ii) To approve the disposal of the four plots of land detailed in Appendix 1, on the terms provisionally agreed subject to them being in line with the independent Red Book valuation.

71 URGENT ITEMS

There were no urgent items.

CHAIR