

**EXECUTIVE CABINET**

**26 August 2015**

**Commenced: 2.00pm**

**Terminated: 2.30pm**

**Present:** Councillor K. Quinn (Chair)  
Councillors J. Fitzpatrick, Robinson, Taylor, Travis and Warrington.

**Apology for Absence:** Councillors Cooney, Kitchen and Gwynne.

**11. DECLARATIONS OF INTEREST**

There were no declarations of interest to report at this meeting.

**12. MINUTES**

**(a) Executive Cabinet**

Consideration was given to the minutes of the meeting of Executive Cabinet held on 24 June 2015.

**RESOLVED**

**That the Minutes of the Meeting of Executive Cabinet held on 24 June 2015 be taken as read and signed by the Chair as a correct record.**

**(b) Strategic Planning and Capital Monitoring Panel**

Consideration was given to the minutes of the Strategic Planning and Capital Monitoring Panel held on 13 July 2015.

**RESOLVED**

**That the minutes of the Strategic Planning and Capital Monitoring Panel held on 13 July 2015 be received and the following recommendations be approved:**

**Asset Management Update**

- (1) That the list of disposals identified in the appendix to the report be approved.**
- (2) That the allocation of £2,967,875 to invest in school buildings be approved as detailed in the report.**
- (3) That approval be given to the issue of formal variation to the Facilities Management Agreement with the TIP and the rebasing of the contract with effect from 1 July 2015.**

**Education Capital Update**

- (4) That the amendment of the Education Capital Programme as detailed in the report to reflect the outcome of the review of commitments at 31 March 2015 be approved.**
- (5) That the allocation of £3,769,818 to undertake works detailed in the report for various building refurbishment / fabric repairs be approved.**
- (6) That the procurement of the identified work through the Tameside Investment Partnership, with the achievement of local spend and other value added outcomes being reported within future reports to Strategic Planning and Capital Monitoring Panel, Executive Board and Executive Cabinet be approved.**

- (7) That all academies and maintained schools to seek the Council's consent for work to be carried out prior to commissioning the work to ensure that building regulations, planning requirements and all health and safety issues as well as any impact on capacity are complied with before work on site commenced.

#### **Transport Fleet Replacement**

- (8) That approval be given for the procurement of 58 vehicles identified in the report via a competitive EU tendering process to be funded by Prudential Borrowing and relevant service areas to be recharged an annual rental to cover purchase, borrowing and maintenance costs covering the relevant borrowing period.
- (9) That approval be given to a review being undertaken of the whole fleet to determine the Council's service needs over the next 3 to 5 years to support the delivery of those identified services in the most effective manner.
- (10) That approval be given to a cost benefit analysis being undertaken for the remaining fleet (maximum 94 vehicles) in conjunction with the above review to determine the most appropriate vehicle strategy going forward for the next 3 to 5 years.

#### **Engineering Capital Programme 2015/16 and Beyond**

- (11) That the Engineering Capital Programme for 2015/16 as detailed in the Appendix to the report be approved.
- (12) That approval be given to the temporary Corporate Funding of £0.167m towards the Denton Link Road scheme until the approval to vire the monies from the ITB Minor Works Budget had been granted by Transport for Greater Manchester.

#### **Tameside Interchange Land Assembly Governance Arrangements**

- (13) That Option 1 as detailed in the report be approved as the most appropriate way forward.

#### **Land Transferred for Affordable Housing – Early Repayment of Capital Receipt from New Charter Housing Trust**

- (14) That the valuation of the early repayment of the capital receipt of £549,689 in respect of the sites at Kynder Street, Katherine House and Cavendish Street be approved, to release the restrictive covenant in favour of the Council and give New Charter House Limited an unencumbered title.

#### **(c) Enforcement Co-ordination Panel**

Consideration was given to the minutes of the meeting of the Enforcement Co-ordination Panel held on 29 July 2015.

#### **RESOLVED**

**That the Minutes of the Enforcement Co-ordination Panel held on 29 July 2015 be approved.**

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

Consideration was given to a report of the Executive Leader and Chief Executive, which informed Members of the issues considered at the AGMA Executive Board meetings and the Greater Manchester Combined Authority held on 29 May 2015 and 26 June 2015.

#### **RESOLVED**

**That the minutes be noted.**

**(e) Forward Plan of Strategic Decisions for the GMCA and AGMA Executive**

Consideration was given to the Forward Plan of Strategic Decisions for the GMCA and AGMA Executive held on 31 July 2015.

**RESOLVED**

**That the Forward Plan of Strategic Decisions for the GMCA and AGMA Executive held on 31 July 2015 be noted.**

**13. FINANCIAL MONITORING**

**(a) Revenue Monitoring**

Consideration was given to a report of the First Deputy (Performance and Finance) and the Assistant Executive Director (Finance) detailing the overall net projected outturn revenue position for 2015/16 which was £12.7m over budget and recovery plans were included in the report to address the position. This forecast was set in the context of challenging savings targets of £24m for 2015/16 and a further £14.1m and £15.4m planned for 2016/17 and 2017/18 respectively. Strong budget management was required across the Council to ensure the Council achieved its financial plans and higher than budgeted spending would need to be addressed.

In particular, the position for Children's Services would need to be tackled through a combination of efficiency improvements and a review of the base budget and plans for improved efficiency had been approved by Council in February 2015. The position for Adults Services would require remedial action to be taken by the service within the year and ongoing budget deficits unaddressed at year end would be carried forward to be resolved in future years.

With regard to the Business Rates and Council Tax, Executive Cabinet was advised that income was slightly under targeted collection rates. Both areas would be monitored during the financial year and it was anticipated that all target income could be collected within 2015/16.

In conclusion, it was stated that the summary of the annual accounts during the last financial year, as detailed at **Appendix 5**, would be published with the Council's annual Statement of Accounts for 2014/15.

**RESOLVED**

- (i) That the projected budget outturn position be noted.**
- (ii) That the detail for each service area be noted.**
- (iii) That the changes to the revenue budgets as outlined be approved.**
- (iv) That the Summary Annual Accounts 2014/15 as detailed in Appendix 5 be noted.**

**(b) Capital Monitoring Report**

Consideration was given to a report of the First Deputy (Performance and Finance) and the Assistant Executive Director (Finance) summarising the capital monitoring position as at 30 June 2015, which showed that, at present, £53.991m of investment was £15.992m less than the current budget. It was proposed therefore, that the capital investment programme be re-profiled to reflect current information and the re-phasing of £15.390m into the next financial year would reduce this variation to £0.602m.

Details of the projected outturn capital expenditure at June 2015 by service area was detailed in the report and explanations provided for capital projects with a projected variation of £0.100m or above over the life of the project. Schemes with an in-year variation in excess of £0.100m were highlighted and approval was being sought to re-profile the capital expenditure of these projects.

The report also incorporated an update on Compulsory Purchase Orders, indemnities and potential liabilities.

#### **RESOLVED**

- (i) That the current capital budget monitoring position be noted.**
- (ii) That the resources currently available to fund the capital programme be noted.**
- (iii) That the re-phasing to reflect up-to-date investment profiles be approved.**
- (iv) That the current position for Compulsory Purchase Orders and Indemnities be noted.**
- (v) That the capital receipts position be noted.**
- (vi) That the Prudential Indicator position be noted.**

### **13. CABINET OUTCOMES**

Consideration was given to a report of the First Deputy (Performance and Finance) and the Executive Director (Governance and Resources) which presented the Tameside Council Cabinet Outcomes document for approval. Tameside Council Cabinet Outcomes 2015 was a key part of the Council's framework for delivering key projects and programmes and set out publically, by Cabinet Deputy portfolio, achievements to date, ongoing challenges and future projects.

#### **RESOLVED**

- (i) That the Tameside Council Cabinet Outcomes 2015 document be approved.**
- (ii) That the document be published on the Council's website from September 2015.**

### **14. CUSTOMER SERVICES EXCELLENCE – OUTCOME OF ASSESSMENT**

Consideration was given to a report of the Deputy Executive Leader, First Deputy (Performance and Finance), the Chief Executive and the Executive Director (Governance and Resources) advising Members on the outcomes of the recent Customer Service Excellence Assessment and the recommendations submitted and ratified by the Centre for Assessment – Accredited Body for the Cabinet Office.

Executive Cabinet was advised of the process for the 2015 accreditation, which commenced some months ago, including an initial pre assessment allowing assessors to check evidence against the Standard's criteria. This was followed by a 5 day onsite visit where assessors met with elected members, staff, partners and customers.

The informal recommendation by the lead assessor was that the Council should be awarded the standard with 100% compliance against all criteria. In addition, the lead assessor also recommended that the Council be awarded eight new areas of compliance plus, which was a tremendous achievement.

The recommendations as a whole had been ratified by the Customer Service Excellence Panel and a copy of the full assessment was appended to the report. As well as the excellent overall impression, the assessors also highlighted particular areas of strength, for example, the Council's record of communicating with customers particularly those who were considered to be hard to reach. Communications with employees, elected member and communities was planned to publicise the outcome of the assessment.

#### **RESOLVED**

**That the award of the Customer Service Excellence standard achieved for the whole of the Council be noted.**

## 15. NEXT STEPS FOR CUSTOMER SERVICE

Consideration was given to a report of the Executive Member (Neighbourhoods and Health) and the Head of Stronger Communities explaining that the way in which people accessed Council Services was changing and it was necessary to consider the future face to face Customer Service offer to ensure it continued to meet demand whilst being affordable and cost effective to deliver. Following an Executive Decision on 14 May 2015, a public consultation exercise had been undertaken via the Council's Big Conversation on 3 potential options for future service provision detailed in the report and summarised as follows:

- Option 1 – providing level 2 customer services at all Libraries and retention of Ashton Customer Services on current opening hours at its new location of Clarence Arcade;
- Option 2 – providing level 2 customer services at all Libraries and reduction in opening hours at Hyde, Stalybridge and Stalybridge customer service provision;
- Option 3 – as Option 2, however, provision at Hyde would be further reduced.

Attention was drawn to the current provision, the reasons for reduction in demand, the cost to provide the service, the results of the public consultation and addressing the concerns of the survey responders set out in the report.

Taking all relevant factors into consideration it was proposed that Option 1 would provide an offer suitable to meet the majority of residents' needs whilst also being affordable to the Council. This would provide Level 2 customer service at all Libraries and general enquiries including verification of housing benefit documents. Ashton was the most used Customer Service Centre, which had only seen a very small reduction in visits during the last 12 months. Ashton Customer Services would be retained in its current format and the opening hours remain as currently provided.

Whilst some customers would be affected, if Option 1 was implemented, the majority of the survey respondents could still access the service they required in their local town at a library. As three quarters of respondents indicated that they would access services by alternative methods it was not felt that Option 1 would cause a significant detrimental impact on residents.

### **RESOLVED**

- (i) That Option 1 be approved and implemented as the future face to face Customer Service model.**
- (ii) That the service be kept under review to ensure it continued to meet demand whilst being affordable and cost effective.**

## 16. CORPORATE EQUALITY SCHEME

Consideration was given to a report of the Executive Member (Adult Social Care and Wellbeing) and Executive Director (Governance and Resources), which explained that Tameside's Corporate Equality Scheme 2015-19 was the second scheme since the introduction of the Equality Act 2010.

It detailed how the Council would fulfil its legal obligations under the Public Sector Equality Duty and building on the achievements and developments made since the introduction of the first Corporate Equality Scheme 2011-15 which was produced following the Equality Act 2010 becoming law.

The Corporate Equality Scheme consisted of three parts, detailed in the appendix to the report as follows:

- Part 1 outlined the Council's approach to the equality and diversity agenda, achievements to date and introduced the overarching themes of the forward looking equality objectives for 2015-19;
- Part 2 contained the Council's objectives and explained the five high level themes; and

- Part 3 summarised the legislative context of the Scheme and provided further more detailed information on the Equality Act 2010 and the public sector equality duty.

## **RESOLVED**

**That the Corporate Equality Scheme 2015-19 be approved.**

### **17. SCHOOL ADMISSIONS**

Consideration was given to a report of the Executive Member (Learning, Skills and Economic Growth) and the Assistant Executive Director (Education) explaining that on 24 June 2015, Executive Cabinet had approved a consultation on amending the determined admission arrangements for community high schools for entry in September 2016 to replace the current criterion 4 with specified feeder schools linked to each community secondary school. In addition, any viable alternative put forward would be considered to ensure the Council had fair admission arrangements compliant with the School Admissions Code, whilst managing the statutory duty to ensure the local authority was able to provide a place for every Tameside resident of school age.

Having carefully considered a number of options to ensure compliance with the Code, it was reported that the best option for Tameside community high schools was to implement partner schools and three models were described as follows:

- All Tameside community, voluntary controlled and Church of England voluntary aided primary schools as partner schools for all six community high schools;
- To mirror the school place planning areas and name partner schools on a wider geographical area; and
- To have a number of partner primary schools for high schools so that each primary school was a partner school for a set number of high schools.

There were advantages and disadvantages with each of these three approaches but the responsibility of the Council in setting its oversubscription criteria was to be reasonable, clear, objective, procedurally fair and compliant with all relevant legislation including equalities legislation.

The consultation on a proposal to implement a system of named partner schools for the six community high schools ran from 25 June to 6 August 2015 and details of the eight responses to the consultation were provided together with the proposed recommended changes following the consultation.

The School Admissions Code required admission authorities to consult on changes to their admission arrangements on an annual basis. It was proposed that the whole admission arrangements should be the subject of public consultation for admission in September 2017 so that parents and other interested parties had an opportunity to comment further on partner primary schools as an oversubscription criterion for community secondary schools.

## **RESOLVED**

- (i) That criterion 4 of the secondary school admission arrangements for September 2016 be amended to:**

***Children attending the named partner primary school at the time of application. Preference will be given to pupils living nearest to the school.***

***When a parent has moved from further than ½ mile to an address within ½ mile of a named partner school, whilst their child is in Year 5 or 6 and they have chosen to keep their child at their current primary school, this will be considered as an exceptional circumstance under criterion 4, provided details are given on the special circumstances form together with satisfactory evidence of the house move.***

- (ii) **That the named partner primary schools detailed in Appendix 2 were partner (feeder) schools for the purposes of the school admission arrangements for September 2016.**

## **18. MARKETS POLICY**

Consideration was given to a report of the Deputy Executive Leader and the Assistant Executive Director (Environmental Services) outlining a proposed Market Policy covering:

- Provisions available to the Local Authority for the creation of a lawful market;
- Powers available for maintaining operational control, order and public safety on markets that take place within the borough;
- Procedures for monitoring trader compliance and detailing non-compliance; and
- Definitions of Market Franchise Rights, what constituted a rival market and the disturbance of Market Rights.

Tameside had a rich heritage of markets and their economic, cultural and social benefits could not be underestimated and they contributed to a mix of retail opportunities offering an alternative to mainstream shopping options. A recent report commissioned by the Association of British Market Authorities included survey data and research from visits to Ashton Market and 5 others from around the country. This independent research along with the knowledge of the value of Tameside's markets reinforced the need to ensure there was a quality market offer across the borough.

It was reported that there had been an increase in commercial interest in the use of markets as ways to generate income from all sectors of the community and it was important that the Council could clearly demonstrate a fair, consistent and transparent policy when dealing with such interest. Maintaining public protection and shoppers' confidence was a priority within the borough. One of the main benefits of the proposed policy was to consolidate information, rules, regulations and elements of law which Tameside Markets Service already adhered to and implemented into one document that was transparent and clearly setting out what was required.

The Council had undertaken a range of consultation activities in relation to the Market Policy including how other authorities approached the control / licensing of commercial and non-commercial events / markets with their areas. In addition, a survey had been sent out to the Tameside Citizens Panel and the questions and responses were detailed.

It was explained that the introduction of the Market Policy would enable charity / community groups to receive regulatory guidance from the Authority as well as establishing a line of communication with the Markets Service. The Service was also looking to extend its offer of specialist markets and events at venues across the borough and following soft market testing to gauge potential interest from potential partners, the Service was moving towards a procurement exercise which it was hoped would be finalised by the end of the calendar year.

### **RESOLVED**

**That the Market Policy be approved for adoption by the Council.**

## **19. DEFERRED PAYMENT AND CHARGING POLICY**

The Executive Member (Adult Social Care and Wellbeing) and the Interim Assistant Executive Director (Adults Services) submitted a report which explained that the Care Act 2014 placed a number of duties and responsibilities on local councils when considering charging for adult social care services including residential and on-residential care (such as homecare, day care and respite care). The Act continued to allow the Council some discretion as to what services they could charge for and what income, savings and assets could be taken into account when calculating a person's ability to pay for their care.

Executive Cabinet was informed that the Council had a charging policy and deferred payments policy that had been in place for many years. This report followed an extensive review of the previous policies together with two consultation exercises engaging with the general Tameside population and with the current users of adult social care services to ensure they remained fair and equitable.

Particular reference was made to the key areas for discretion the Council had when determining a charging policy, an explanation as to why the changes were required and responses to consultation on the following:

- Charging for temporary or short term care up to the first 8 weeks as if the person was living in permanent residential care;
- Income that was disregarded from a financial assessment;
- Upper and lower capital limits;
- Charging for care and support outside of a care home setting;
- Disability related expenses – standard disregard;
- Maximum percentage of disposable income;
- Personal Independence Payments; and
- Severe Disability Premium.

In respect of deferred payments, a key element within the Care Act was to allow people to make a choice as to when they decided to pay their care costs. A person could postpone making the payment to such a time as they felt able to pay or on their death where their estate would be used to pay off any outstanding debt the person might have accrued. A number of discretionary elements had been consulted on separately and had been the subject of a key decision earlier in the year. However, there remained a few discretionary elements that had been consulted upon and these together with the responses were highlighted as follows:

- Deferring third party top-ups;
- Extending deferred payments to Supported Living Scheme; and
- Renting out a property that was subject to Deferred Payments Agreement.

## **RESOLVED**

- (i) That the proposed discretionary elements of the Charging for Adult Social Care Police and Deferred Payment Policy be approved.**
- (ii) That the Charging for Adult Services Policy be approved.**
- (iii) That the Deferred Payments Policy be approved.**
- (iv) That the policies be kept under review by the Executive Director (People) and Executive Director (Governance and Resources) and updated accordingly to ensure legal compliance should the legislation and guidance require their amendment.**

## **20. COMMUNITY RESPONSE SERVICES CHARGING AND BANDING CONSULTATION**

Consideration was given to a report of the Executive Member (Adult Social Care and Wellbeing) and the Interim Assistant Executive Director (Adult Services), which explained that as the Council faced significant budgetary challenges over the coming years new and innovative approaches to delivering services whilst reducing the cost of provision significantly were being considered. The Community Response Service currently generated income from charges of £528,000. The Council supplemented this income with core funding of £373,000, which was being reduced by £175,000 during 2015/16 and £420,000 during 2016/17.

The Community Response Service supported some of the most vulnerable citizens across the borough with a monitoring and response service through the use of a community alarm and telecare devices. There were currently 4072 clients using the service, within 3776 properties. The current charge of £5.90 per week for a 24 hour service included a wide range of telecare devices



installed to individual needs and monitored and maintained. The Service generated an income from 1,716 properties as private clients paid £5.90 per week per household.

Attention was drawn to an options appraisal that had been undertaken and, based on the current financial situation, the recommended model would be that of income generation and to introduce charges for those individuals who currently did not pay for the service. This option made the most financial sense in terms of retaining a Community Response Service locally and coupled with other efficiencies, would offer a degree of security for the sustainability of the service.

Approval was being sought from the Executive Cabinet to commence consultation using written correspondence explaining the proposed changes, a questionnaire seeking feedback on the proposed changes and meetings with key stakeholders affected by the proposals. A similar letter and questionnaire had also been drafted for Key Safe proposals. The staff in the Community Response Service and Control Centre would be fully briefed and support would be provided to individuals who might have difficulties communicating their views including those people with sensory disabilities.

Consultation would take place with New Charter Housing Trust, tenants, private and owner occupiers and registered social landlords to cease funding the Community Response Service through the Adult Services budget and charge all customers using the service offering a two tier / band service offer.

The report was also seeking approval to consult with New Charter Housing Trust regarding a charge to monitor door entries to their sheltered schemes.

In conclusion, although there appeared to be a strong justification for the change it was important that consultation take place on the proposals and for customers to be involved in the design of the service if it was to meet customer needs in the future.

#### **RESOLVED**

- (i) That approval be given to commence consultation with the 2060 customers currently receiving Community Response Services free of charge with a view to introducing the standard charge of £5.90 per week for services provided.**
- (ii) That approval be given for consultation to commence with customers and the wider public on the exploration of different service options offering different levels of provision at different levels of cost providing a greater range and choice of service options.**
- (iii) That approval be given for consultation to commence on changes to key storage arrangements whereby the customer would purchase a key safe for storage of house keys.**
- (iv) That approval be given to New Charter Housing Trust being approached to discuss charges for monitoring the door entry systems at their sheltered housing schemes across the borough.**

#### **21. URGENT ITEMS**

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

**CHAIR**