

EXECUTIVE CABINET

20 JUNE 2018

Commenced: 2.30pm

Terminated: 3.45pm

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

In Attendance:

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

1. DECLARATIONS OF INTEREST

There were no declarations of interest submitted for this meeting.

2. MINUTES

a) Meeting of Executive Cabinet

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

RESOLVED

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

b) Strategic Commissioning Board

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

RESOLVED

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

c) AGMA Executive Board Meetings / Greater Manchester Combined Authority

Consideration was given to a report of the Executive Leader and Chief Executive, which informed Members of the issues considered at the Greater Manchester Combined Authority on 25 May 2018 and the Forward Plan of Strategic Decisions of the Greater Manchester Combined Authority and AGMA Executive Board.

RESOLVED

That the content of the report be noted.

3. RECOMMENDATIONS OF THE STRATEGIC COMMISSIONING BOARD

(a) Community Services Contract

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

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

RESOLVED

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

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

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

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

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

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

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

RESOLVED:

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

(c) EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

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

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

(d) Domestic Abuse Service

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

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

RESOLVED

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

4. REVENUE MONITORING

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

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

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

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

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

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

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

RESOLVED:

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

5. CAPITAL MONITORING

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

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

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

The report summarised the financial position as follows:

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

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

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

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

RESOLVED:

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

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

6. STAR PROCUREMENT

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

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

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

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

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

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

RESOLVED:

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

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

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

7. CHILDREN'S SERVICES OFSTED INSPECTION

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

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

The key specific findings in their overview summary were that:

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

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

RESOLVED:

That the update be noted.

8. ADULT COMMUNITY EDUCATION OFSTED INSPECTION 2018 OUTCOME

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

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

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

RESOLVED:

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

9. ADULT EDUCATION BUDGET

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

RESOLVED:

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

10. EQUALITY SCHEME

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

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

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

RESOLVED:

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

11. MAKING WALKING AND CYCLING SAFER – AN INVESTMENT STRATEGY

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

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

RESOLVED:

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

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

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

RESOLVED:

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

13. HOMELESSNESS

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

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

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

RESOLVED:

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

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

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

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

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

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

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

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

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

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

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

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

RESOLVED:

That the approach outlined in the report be agreed and:

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

CHAIR