

## EXECUTIVE CABINET

**Day:** Wednesday  
**Date:** 27 April 2022  
**Time:** 1.00 pm or at the rise of Strategic Commissioning Board, whichever is the later  
**Place:** Committee Room 2, Tameside One, Market Square, Ashton-Under-Lyne, OL6 6BH

Item No.	AGENDA	Page No
1.	<b>APOLOGIES FOR ABSENCE</b> To receive any apologies for the meeting from Members of the Executive Cabinet.	
2.	<b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest from Members of Executive Cabinet.	
3.	<b>MINUTES</b>	
a)	<b>EXECUTIVE CABINET</b> To consider the Minutes of the Executive Cabinet held on 23 March 2022.	1 - 18
b)	<b>STRATEGIC COMMISSIONING BOARD</b> To receive the Minutes of the meeting of the Strategic Commissioning Board held on 23 March 2022.	19 - 28
c)	<b>EXECUTIVE BOARD</b> To receive the Minutes of the meetings of Executive Board held on 9 March 2022.	29 - 40
d)	<b>ENVIRONMENT AND CLIMATE EMERGENCY WORKING GROUP</b> To consider the Minutes of the meeting of the Environment and Climate Emergency Working Group held on 16 March 2022.	41 - 46
4.	<b>MONTH 11 INTEGRATED FINANCE REPORT</b> To consider the attached report of the Executive Member, Finance and Economic Growth / CCG Co-Chair / Director of Finance.	47 - 58
5.	<b>ADULT SOCIAL CARE REFORM WHITE PAPER IMPLICATIONS</b> To consider the attached report of the Executive Member, Adult Social Care and Health / Director of Adult Services.	59 - 74

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From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Carolyn Eaton, Principal Democratic Services Officer, to whom any apologies for absence should be notified.

Item No.	AGENDA	Page No
6.	<b>SENDIASS SERVICE REVIEW UPDATE</b> To consider the attached report of the Executive Member, Lifelong Learning, Equalities, Culture and Heritage / Assistant Director, Children's Services.	75 - 100
7.	<b>REVISED GAMBLING ACT STATEMENT OF PRINCIPLES 2022 - 2025</b> To consider the attached report of the Executive Member, Neighbourhoods, Community Safety and Environment / Director of Place.	101 - 168
8.	<b>REVISED STATEMENT OF LICENSING POLICY – LICENSING ACT 2003</b> To consider the attached report of the Executive Member, Neighbourhoods, Community Safety and Environment / Director of Place.	169 - 214
9.	<b>OUTCOME OF CONSULTATION TO ESTABLISH A TEN PLACE RESOURCE BASE AT CORRIE PRIMARY AND NURSERY SCHOOL</b> To consider the attached report of the Executive Member, Lifelong Learning, Equalities, Culture and Heritage / Director of Children's Services.	215 - 222
10.	<b>SUPPORTING FAMILIES GRANT</b> To consider the attached report of the Deputy Executive Leader / Assistant Director, Children's Services.	223 - 230
11.	<b>URGENT ITEMS</b> To consider any additional items the Chair is of the opinion shall be dealt with as a matter of urgency.	
12.	<b>DATE OF NEXT MEETING</b> To note that the next meeting of the Executive Cabinet is scheduled to take place on Wednesday 22 June 2022.	

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From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Carolyn Eaton, Principal Democratic Services Officer, 0161 342 3050 or [Carolyn.eaton@tameside.gov.uk](mailto:Carolyn.eaton@tameside.gov.uk), to whom any apologies for absence should be notified.

## EXECUTIVE CABINET

23 March 2022

Commenced: 1.55pm

Terminated: 3.30pm

<b>Present:</b>	<b>Councillors Warrington (Chair), Cooney, Feeley, Kitchen, Ryan and Wills</b>	
<b>In Attendance:</b>	<b>Ashwin Ramachandra</b>	<b>Co-Chair, Tameside &amp; Glossop CCG (part meeting)</b>
	<b>Steven Pleasant</b>	<b>Chief Executive &amp; Accountable Officer</b>
	<b>Sandra Stewart</b>	<b>Director of Governance &amp; Pensions</b>
	<b>Kathy Roe</b>	<b>Director of Finance</b>
	<b>Ian Saxon</b>	<b>Director of Place</b>
	<b>Stephanie Butterworth</b>	<b>Director of Adults Services</b>
	<b>Alison Stathers-Tracey</b>	<b>Director of Children's Services</b>
	<b>Jess Williams</b>	<b>Director of Commissioning</b>
	<b>Tim Bowman</b>	<b>Director of Education (Tameside and Stockport)</b>
	<b>Sarah Threlfall</b>	<b>Director of Transformation</b>
	<b>Gregg Stott</b>	<b>Assistant Director, Investment, Development and Housing</b>
	<b>Emma Varnam</b>	<b>Assistant Director, Operations and Neighbourhoods</b>
	<b>Caroline Barlow</b>	<b>Assistant Director of Finance</b>
	<b>James Mallion</b>	<b>Interim Assistant Director of Population Health</b>
	<b>Simon Brunet</b>	<b>Head of Policy, Performance and Intelligence</b>
<b>Apologies for absence:</b>	<b>Councillors Bray, Fairfoull and Gwynne who participated in the meeting virtually</b>	

### 145. DECLARATIONS OF INTEREST

There were no declarations of interest submitted by Cabinet Members.

### 146. MINUTES OF EXECUTIVE CABINET

#### RESOLVED

That the Minutes of the joint meeting of Overview Panel and Executive Cabinet held on 9 February 2022 be approved as a correct record.

### 147. MINUTES OF STRATEGIC COMMISSIONING BOARD

#### RESOLVED

That the Minutes of the meeting of the Strategic Commissioning Board held on 9 February 2022 be noted.

### 148. MINUTES OF EXECUTIVE BOARD

#### RESOLVED

That the Minutes of the meetings of Executive Board held on 17 February and 2 March 2022 be noted.

## **149. STRATEGIC PLANNING AND CAPITAL MONITORING PANEL**

Consideration was given to the minutes of the meeting of the Strategic Planning and Capital Monitoring Panel meeting held on 14 March 2022. Approval was sought of recommendations of the Strategic Planning and Capital Monitoring Panel arising from the meeting.

### **RESOLVED**

- (a) The minutes of the meeting of the Strategic Planning and Capital Monitoring Panel held on 14 March 2022 be noted; and**
- (b) That the following recommendations be approved:**

### **2021/22 CAPITAL MONITORING REPORT – MONTH 10**

**That EXECUTIVE CABINET be RECOMMENDED to NOTE:**

- (i) the forecast outturn position for 2021/22 as set out in Appendix 1;**
- (ii) the funding position of the approved Capital Programme as set on page 9 of Appendix 1;**
- (iii) the changes to the Capital Programme as set out on page 10 in Appendix 1; and**
- (iv) the updated Prudential Indicator position set out on pages 11-12 of Appendix 1, which was approved by Council in February 2021.**

**That Executive Cabinet be recommended to APPROVE the re-profiling of budgets into 2022/23 as set out on page 4 of Appendix 1.**

### **CAPITAL PROGRAMME – OPERATIONS AND NEIGHBOURHOODS (PLACE DIRECTORATE)**

### **RESOLVED**

**That EXECUTIVE CABINET be RECOMMENDED to NOTE:**

- (i) The progress with regard to the Flood Prevention and Consequential Repairs;**
- (ii) The progress with regard to the Slope Stability Programme and potential additional works required;**
- (iii) The progress with regard to the replacement of Cremators and Mercury Abatement, Filtration Plant and Heat Recovery Facilities;**
- (iv) The progress of capital schemes in section 2.18-2.25;**
- (v) The progress of the Walking and Cycling infrastructure schemes set out in section 3 of the report; and**
- (vi) The progress on the external grant funded schemes in section 4 of the report.**

### **EDUCATION CAPITAL PROGRAMME**

### **RESOLVED**

**That EXECUTIVE CABINET be RECOMMENDED to APPROVE:**

- (i) The proposed changes to add £30,000 of Basic Need funding to the programme as detailed in paragraph 2.2;**
- (ii) The proposed changes to add £33,000 of School Condition funding to the programme as detailed in paragraph 2.5;**
- (iii) The proposed estimate of the School Condition Grant for 2022/23 is added to the programme as detailed in paragraph 4.29. The final amount of grant will be updated on receipt of the final confirmation of the grant;**
- (iv) The addition of £95,000 school contributions to the capital programme in 2022/23 as detailed in paragraph 4.50, subject to the confirmation of School Condition Grant as per recommendation 3;**
- (v) The addition of £35,000 developer contribution to the capital programme in 2022/23 to fund works at Whitebridge College as detailed in paragraph 4.48;**
- (vi) The 2022/23 School Condition grant is allocated to the projects detailed in the table at paragraph 4.51;**
- (vii) That the Director of Education be authorised to vire amounts between schemes within**



- the total amount of School Condition Grant received;
- (viii) A grant agreement for a £663,023 with St Anselm's Catholic Multi Academy Trust to enable All Saints Catholic College to accommodate additional school places from September 2021. The capital scheme focusses on remodelling and refurbishing five science labs and the associated prep room along with remodelling of the existing changing rooms and gym as set out in paragraph 3.9; and
  - (ix) Commissioning the LEP to move the Hawthorns programme to the next stage to develop detailed designs up to tender stage – RIBA Stage 4 and include the planning submission fee. Initial ecology work is also required as part of this work. It is requested £236,000 be allocated from within the provisional budget previously approved.

## **CHILDREN'S SOCIAL CARE CAPITAL SCHEMES UPDATE REPORT**

That EXECUTIVE CABINET be RECOMMENDED to NOTE the progress update in the report.

## **ADULTS CAPITAL PLAN**

That EXECUTIVE CABINET be RECOMMENDED to:

- (i) note the progress updates, and
- (ii) extend the Moving with Dignity programme for a further two years at a cost allocation of £385k from DFG funding.

## **PLACE CAPITAL PROGRAMME UPDATE REPORT - PROPERTY, DEVELOPMENT AND PLANNING**

That EXECUTIVE CABINET be RECOMMENDED to:

- (i) Note that £243,593 of Corporate Landlord Capital Expenditure financed from the approved Statutory Compliance budget has been spent as detailed in Appendix 7; and
- (ii) Approve the inclusion of additional grant budget of £60,782 to the Decarbonisation of the Public Estate scheme in the Capital Programme, which would revise the current budget to £2,344,386.

## **150. PERIOD 10 INTEGRATED FINANCE REPORT**

Consideration was given to a report of the Executive Member, Finance and Economic Growth / Lead Clinical GP / Director of Finance, which detailed actual expenditure to 31 January 2022 (Month 10) and forecasts to 31 March 2022.

It was reported that the forecast outturn position for the council continued to look more positive for 2021/22, with a £458k improvement reported since last month, taking year-end projected overspend to £701k. The overall improvement was largely due to non-recurrent, pandemic related funding streams which would not be available next year. The 2022/23 budget was approved at Full Council on 22 February 2022, this included additional funding for both Children's and Adults Social Care, but cost and demand pressures were expected to continue to increase.

The CCG reported position at Month 10 showed a forecast overspend of £3,376k, all of which was reimbursable. Once appropriate allocations had been received, a break even position was effectively being reported, which included full achievement QIPP. Work was in progress on national planning returns for 2022/23 with allocations published at an ICB level.

The Trust was forecasting a breakeven financial position for 2021/22 in line with plan. Restoration plans had been established within the Trust and the Trust continued to aspire to deliver nationally prescribed activity targets, which for H2 was to deliver 89% of the completed Referral to Treatment pathways relative to 2019/20. The Trust continued to report good levels of performance against restoration targets. However, the Trust continued to experience significant pressures within Urgent Care, Non-elective and COVID positive admissions and as a result, there had been a small reduction

in the number of elective and day cases versus plan this month.

Further detail on the financial position and key headlines was reported in Appendix 1 to the report. Appendix 2 provided more detailed analysis of all Directorate areas.

The latest forecast for the Collection Fund in 2021/22, together with collection performance, was summarised in Appendix 3 to the report.

In 2020/21 the deficit on Dedicated Schools Grant (DSG) increased from £0.557m to £1.686m mainly due to funding the overspend on the High Needs Block. If the 2021/22 projections materialised, there would be a deficit of £3.713m on the DSG reserve by 31 March 2022. Under DfE regulations a deficit recovery plan was required to be produced, which will be submitted to the DfE outlining how this deficit was expected to be recovered and spending managed and would require discussions and the agreement of the Schools Forum. The position would be closely monitored throughout the year and updates would be reported to Members. Further detail was set out in Appendix 4 to the report.

Appendix 5 to the report detailed the write-off of irrecoverable debts for the period 1 October to 31 December, which Members were asked to approve.

Members were informed that, since the update to Cabinet in December, the position on savings delivery had improved overall across the Council. Overall, the total forecast savings to be delivered in 2021/22 had increased to £9.137m which exceeded the original target of £8.930m. However, it was noted that this total included just over 1m of mitigating savings that were one-off in nature and not expected to be available in 2022/23.

During 2021/22 the public sector and especially the NHS had continued to mobilise at pace and scale to address the ongoing impacts of the COVID-19 pandemic. NHS England and Improvement (NHSEI) had, therefore, continued with the 'command and control' financial regime introduced in 2020/21 during the response to the first wave of the pandemic.

This atypical financial regime had resulted in financial plans for 2021/22 being managed at a GM level for which the finalisation and submission of STP level plans were May 2021 (for H1 period April - Sept) and November 2021 (for H2 period Oct – March). This was significantly later than usual which, in turn, had hindered the CCG and its partners with being able to progress its strategic intentions for the Tameside and Glossop populations.

As the organisation had entered the final quarter of 2021/22, the certainty of budgets and plans meant that the CCG's financial outturn position could be forecast with a greater degree of confidence. This put the CCG in the position of being able to provide additional support to the locality's strategic aims by meeting a greater proportion of the health-related costs for some of the transformation programmes being delivered in 2021/22 through the Section 75 pooling arrangements it had with Tameside Metropolitan Borough Council.

It was intended that this situation would enable the CCG to increase its funding to the Section 75 (S75) pooled budget whilst the Council reduced its contribution in 2021/22 thereby releasing some non-recurrent savings for the Council which, in turn, would facilitate ongoing financial sustainability across the economy and support the transformation schemes for locality priorities such as in Children's and Learning Disability/Adult Mental Health services which were facing significant demand pressures as reported at length in previous reports.

It was proposed that the Council should reduce its contribution to the S75 pool by £3.5m in 2021/22 whilst the CCG increased its contribution to fund health-related costs in 2021/22 by the same amount.

## **RESOLVED**

- (i) That the forecast outturn position and associated risks for 2021/22 as set out in Appendix 1 to the report, be noted;**
- (ii) That the detailed analysis of budget forecasts and variances set out in Appendix 2 to the**

- report, be noted;
- (iii) That the forecast position on the Collection Fund in respect of Council Tax and Business Rates as set out in Appendix 3 to the report, be noted;
- (iv) That the forecast position in respect of Dedicated Schools Grant as set out in Appendix 4 to the report, be noted;
- (v) That the write-off of irrecoverable debts for the period 1 October to 31 December 2021 as set out in Appendix 5 to the report, be approved; and
- (vi) That the proposals for the CCG increasing its contribution to the Section 75 pooled fund (and the Council reducing its contribution by the same value) in accordance with the Integrated Commissioning Fund risk share agreement as set out in section 7 of the report, be approved.

## **151. SEND WRITTEN STATEMENT OF ACTION**

The Executive Member, Lifelong Learning, Equalities, Culture and Heritage / Director of Education (Tameside and Stockport) submitted a report, which explained that between 18 and 22 October 2021, Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of the local area of Tameside to judge the effectiveness of the area in implementing the special educational needs and/or disabilities (SEND) reforms as set out in the Children and Families Act 2014.

The outcome of the inspection was that a Written Statement of Action (Written Statement of Action) was required because of significant areas of weakness in the area's practice. HMCI had also determined that the local authority and the area's clinical commissioning group(s) (CCG) were jointly responsible for submitting the written statement to Ofsted. The Written Statement of Action must be submitted for approval no later than April 12.

The report outlined the actions that had been taken to draft the Written Statement of Action. A draft Written Statement of Action was included as Appendix A to the report. In addition the report outlined what further investments were required to deliver the plan.

### **RESOLVED**

It be agreed that:

- (i) The draft Written Statement of Action be shared with DfE and NHS Improvement Advisors for final comment;
- (ii) An additional investment of £275k, as outlined in section 4.5 of the report, be approved noting that £156k of this will not be required until 2023/24;
- (iii) A report be presented to the Strategic Commissioning Board seeking permission for an additional investment of £820k to provide adequate therapy provision and address waiting times for services including physiotherapy, occupational health and speech and language;
- (iv) A further report be provided to the Strategic Commissioning Board following the submission of the Written Statement of Action outlining what, if any, further resource commitment is required to deliver the plan; and
- (v) Final sign-off of the Written Statement of Action be delegated to the relevant Executive Members, Councillor Feeley and Fairfoull, in consultation with the Director of Children's Services and CCG Accountable Officer.

## **152. POVERTY STRATEGY AND APPROACH RESPONSE TO THE COST OF LIVING**

Consideration was given to a report of the Executive Leader / CCG Co-Chairs / Director of Transformation proposing that work commence to review the current response to poverty and develop a refreshed approach including a long-term poverty strategy and a financial vulnerability plan to provide timely assistance to residents, whilst also addressing the long-term root causes of poverty. The strategy and plan would be informed by extensive analysis of data, benchmarking with best practice and engagement with those affected by poverty and those working with people living in

poverty.

## **RESOLVED**

**That the content of the report be noted and it be agreed that:**

- (i) A refreshed long-term strategy to tackle poverty be developed alongside the Corporate Plan as a place based response to the systemic issues of deprivation;**
- (ii) A refreshed operational approach to financial vulnerability be developed particularly in light of the cost of living crisis and the socio-economic and wellbeing impacts of the Covid-19 on families and communities;**
- (iii) Work required to deliver recommendations (1) and (2) will include a detailed needs assessment underpinned by data, feedback from people with lived experience of poverty, mapping of existing pathways; benchmarking of best practice within and without Tameside and feedback from the Tameside Poverty Truth Commission;**
- (iv) Tameside Council will consult with local partners in the public, private and third sectors in order to work together on the development of the long term poverty strategy and financial vulnerability response to ensure both are holistic place based approaches and address systemic challenges;**
- (v) Tameside Council notes that the socio-economic duty part of the draft Equality Act 2010 has yet to be enacted by parliament and commits to continuing to have due regard to the need to reduce the inequalities of outcome resulting from socio-economic disadvantage and wherever possible addressing transparently in all decision making;**
- (vi) It is proposed that the Discretionary Energy Rebate Scheme (announced in addition to the mandatory energy rebate scheme) will provide support as part of the overarching response to the cost of living crisis. The funding in Tameside is £530k, and guidance suggests that this funding should be used to provide payments to other households who are energy bill payers but not covered by the Council Tax Rebate as set out in section 5.20. Specific provision and support will be put in place Care Leavers struggling with the cost of living crisis; and**
- (vii) Where possible and subject to sufficient funding being identified the existing approach to crisis grants and holiday hunger post (currently supported by the Household Support Fund) be continued post 31 March 2022.**

## **153. APPROVAL OF REVISED NON-RESIDENTIAL CHARGING POLICY**

The Executive Member, Adult Social Care and Health / Director of Adults Services submitted a report seeking approval of the updated revised Non-Residential Charging Policy 2022, which had been produced expediently following approval by Members at the last meeting of the Executive Cabinet on the 9 February 2022 to update the previous policy dated 25 March 2015 to take effect from 1 April 2022 to include:

- The Minimum Income Guarantee level would remain at the level the Council currently used;
- The level of income disregarded be changed to disregard the difference between DLA care higher and middle rate and PIP daily living allowance enhanced and standard rate; and
- An annual fee for managing non-residential self-funders' accounts of £95 be implemented, with an annual review of the level which would apply only to non-residential packages of care created from this date, rather than existing packages.

The policy, as appended to the report, had been redrafted with a view to making it simpler to understand.

## **RESOLVED**

**That the Executive Cabinet agree the Policy attached at Appendix 1 to the report, in line with their decision of the 9 February 2022.**

## **154. ENGAGEMENT UPDATE**

A report was submitted by the Executive Leader / CCG Co-Chairs / Director of Transformation providing an update on the delivery of engagement and consultation activity from June 2021 to date.

It was explained that much of the work was undertaken jointly – coordinated through the Tameside and Glossop Partnership Engagement Network (PEN) – by NHS Tameside and Glossop Clinical Commissioning Group, Tameside Council and Tameside and Glossop Integrated Care NHS Foundation Trust. However, it was noted that each of the three agencies undertake work individually where necessary and appropriate for the purposes of specific projects.

It was further explained that the onset of the Covid-19 pandemic had also meant that different ways to engage local communities had to be identified. The report set out some examples of the ways in which this had been achieved, including the establishment of both the Community Champions programme and Tameside & Glossop Inequalities Reference Group.

The Director of Transformation highlighted the key headlines from June 2021 to date:

- Facilitated 16 thematic Tameside and/or Glossop engagement projects
- Received 3,957 engagement contacts<sup>1</sup> (excluding attendance at virtual events)
- Supported 7 engagement projects at the regional and Greater Manchester level
- Promoted 7 national consultations where the topic was of relevance to and/or could have an impact on Tameside and/or Glossop
- Established the Community Champions Network to provide residents and workforces with the coronavirus information they need to lead the way in their community, with over 270 members now registered and a networking event on 1 March 2022.
- The Tameside & Glossop Inequalities Reference Group, established in response to how the coronavirus pandemic, and the wider governmental and societal response to this, continues to bring equalities and inequalities into focus. Two reports have been produced for two areas of focus, making recommendations on how to address inequality. These are: Digital Inclusion and Community Cohesion.
- Delivered three virtual Partnership Engagement Network (PEN) conferences attended by over 130 delegates in total.
- Retained 'Green Star' top rating for public and patient engagement as part of the CCG Improvement and Assessment Framework (IAF).

Further information was also provided in respect of:

- Community Champions Network;
- Tameside & Glossop Inequalities Reference Group
- Partnership Engagement Network (PEN) Update; and
- Other engagement work.

## **RESOLVED**

**That the content of the report be noted and future engagement and consultation activity with the communities of Tameside and Glossop, as detailed in the report, be supported.**

## **155. ESTABLISHMENT OF A TRANSFORMATION TEAM**

Consideration was given to a report of the Executive Leader / Director of Transformation, which set out plans for the establishment of a Transformation Team.

It was explained that the financial challenges that the Organisation faced had been well documented. The Organisation faced a significant budget gap beyond 2021/22, and this budget gap would increase if planned reductions in spending were not delivered. The Organisation must ensure a relentless focus on delivery of savings to close the gap in future years. Budgets had been balanced through the use of reserves over the last few years, to provide services with the time to improve, but this was not

sustainable in the long run and the Organisation needed to ensure robust and transparent management of these services to ensure the delivery of the improvement plans and transformation.

There was a need to put in place dedicated capacity and skills to drive the focus on budget reductions and to support service areas to consider improvements and alternative delivery models. To that end, it was proposed to implement a Transformation Team for 2 years. Previously allocated budget for service improvement bids would be utilised to fund the team.

Members were advised that the Transformation Team would work in partnership with services, providing enabling capacity to implement improvement work and drive forward change. The focus would be to help services continue to transform to create better outcomes for residents with a view that financial savings would follow.

The remit will expand cover all Directorates but it is recognised that the priority must be afforded in the first instance to the area of highest risk, namely Children's Services. Subsequent focus and a detailed Transformation Programme would be developed in partnership with external specialists following an Organisation wide and service level diagnostic exercise.

#### **RESOLVED**

- (i) That the creation of a Transformation Team primarily resourced through the deployment of existing members of the workforce and recruitment to temporary roles for a 2 year period, be approved;**
- (ii) That the governance arrangements for the Transformation Team, as detailed in the report, be approved;**
- (iii) That the initial areas for focus identified in the Transformation Programme overview be approved and it be acknowledged that these priorities will be of utmost priority across the Organisation; and**
- (iv) That the creation of a £5m Transformation Fund be approved, utilising earmarked reserves already identified and agreed within the MTFP.**

#### **156. REVISED GRANT LIMITS WITHIN THE HOUSING FINANCIAL ASSISTANCE POLICY 2018-2023**

Consideration was given to a report of the Executive Member for Finance and Economic Growth / Director of Place seeking approval for an increase on certain discretionary grant limits within the current Housing Financial Assistance Policy 2018-2023, thereby enabling applicants to continue to obtain the assistance they need in order to maintain independence, reduce hospital admissions and to reduce further calls on other social care services.

Members were advised that in 2019, Executive Cabinet approved the Housing Financial Assistance Policy 2018-2023 (the new Policy) (appended to the report), which replaced the previous Policy adopted in 2003. The new Policy increased the number and type of discretionary grants available to disabled and vulnerable residents. A significant aspect of the new Policy was to remove the need for some applicants to undergo a test of resources (means test) if the cost of the works could be met within a set grant limit of £5,000. All the grants under the new Policy were discretionary grants. A complete review of the new Policy was due to begin in late 2022 with a view to implementation during 2023.

The report detailed the effects of the Covid-19 Pandemic and Brexit on referrals received, processing of adaptations, the contractors delivering adaptations and the supply of materials adaptations. In August 2021, an Executive Decision was supported for a rate rise for contractors in the Adaptations Contract, as appended to the report at Appendix 3.

The proposed changes to the Policy did not change any criteria, were not significant or detrimental to the Policy or to those applicants who wished to apply for assistance. The changes to the grant limits would not materially change the grant offer; it would maintain the status quo for all applicants, returning the Policy to its original intention when adopted in 2019.

The proposal to increase the grant limits would affect the following discretionary grants:

• Minor Adaptations	current limit £1,000 – raise to £1,500
• Grant for Adaptation	current limit £5,000 – raise to £7,000
• Tenant relocation grant	current limit £2,000 – raise to £2,500
• Hospital Discharge Grant	current limit £6,000 – raise to £7,000
• Stay Put Scheme	current limit £6,000 – raise to £7,000
• Home Repair Assistance	current limit £6,000 – raise to £7,000
• Safety Net Assistance	current limit £6,000 – raise to £7,000

The report detailed the reasons for the new grant limits. It was explained that Minor Adaptations were a non-means tested grant with no application forms and the increase would prevent many smaller adaptations from becoming formal applications taking longer to process and affect staff resource. Further, the Grant for Adaptations was introduced with the new Policy and this change in the limit would allow the rate rise to be accommodated along with a rise in costs for any non-contracted items. The change in grant level would prevent disabled people being subject to and failing a means test with the resulting fall back onto council services.

It was highlighted that the increase in other grant limits will allow them to keep pace with the rate rise agreed previously and to increase the limit on those grants where failing the means test could have serious implications for the applicant and on council services. The new grant limits should be able to absorb any future increases. It was not clear at this time what would happen with regard to future material costs and supplies.

#### **RESOLVED**

**That an increase in the maximum discretionary grant limits on certain forms of assistance within the existing Housing Financial Assistance Policy 2018-2023, as detailed in section 5.4 of the report, be approved.**

### **157. COUNCIL FLEET REPLACEMENT STRATEGY**

Consideration was given to a report of the Executive Member for Neighbourhoods, Community Safety and Environment / Assistant Director for Operations and Neighbourhoods, which provided background to the current position and set out the Council's current fleet requirements and the length of their safe and efficient operation before they needed to be replaced.

It was explained that the Council operated a large and varied fleet of vehicles and equipment some 239 made up of 146 vehicles and 93 plant items to enable it to provide core services to the citizens of the Borough. Through the works of the Strategic and Operational Transport Group, the transport fleet had reduced by 33% from 220 vehicles to 146 since 2011. The fleet was made up of vehicles of mixed ages and types, on an agreed programme of annual replacements.

The report, with the strategy appended to the report, provided the case for a longer term strategy which would assist the Council in planning for fleet replacement. The proposed Fleet Replacement Strategy would ensure that the fleet replacement process continued to be compliant, efficient and that the fleet requirements of the Council were met. Fleet Services and Finance had identified that the current fleet replacement process, made on a per report basis, could be made more efficient. This was achieved by separating the up-front financial cost of procurement from the need to confirm and justify the requirement to replace vehicles. The Strategy would allow for more targeted reporting for fleet replacement authorisations and support the Council's medium/longer-term financial planning.

#### **RESOLVED**

**That the adoption of the Council's Fleet Replacement Strategy, as detailed in Appendix 1 to the report, be approved, including:**

- (i) **An updated process to approve the Fleet Replacement programme, subject to annual review, that separates the up-front financial cost of procurement from the need to confirm and justify the requirement to replace vehicles; and**



- (II) To delegate authority to the Director of Place and the Director of Finance the procurement of replacement vehicles to the fleet in line with the strategy.**

## **158. COUNCIL TAX BILLING AND ENERGY REBATE**

The Executive Member, Finance and Economic Growth / Assistant Director, Exchequer Services submitted a report detailing the impact of the payment of the one-off £150 energy rebate via the Council tax system.

It was explained that on 3 February 2022 central government announced that households in council tax bands A-D, would receive a £150 rebate. The energy rebate would be administered by local authorities from April and would not need to be repaid. In addition there would be discretionary funding of £144 million provided nationally to support vulnerable people and individuals on low incomes that did not pay council tax, or that paid council tax for properties in Bands E-H.

Guidance was received on 23 February 2022 and set out scheme eligibility, payments, fraud risk management, council tax billing, communication with households, monitoring and reporting. The guidance also detailed allocations to be provided to each billing authority in March for the council tax rebate and the discretionary fund. The amounts for Tameside were £530,400 in respect of the discretionary fund and £14,545,050 for the non-discretionary £150 payments.

Guidance made clear that with rising energy bills people needed to receive monies quickly to alleviate hardship and, while these rising costs would affect most households across the country, they were more likely to disproportionately affect those on lower incomes, who tended to spend a higher proportion of their income on utility bills. Eligibility was based on the following:

- Property must be in Bands A – D
- Must be a sole or main residence
- It is a chargeable dwelling
- The person is liable to pay Council tax (including those with a nil liability), not be a local authority, or corporate body ie a housing association
- Eligibility is based on position as at 01 April 2022.
- Payment must be made by end of September 2022.

Properties not eligible were:

- No permanent resident or property is a second home
- An unoccupied property

Members were advised that payments would be made per household, regardless of number of occupants or number of liable council tax payers, via a person's bank where direct debit details were held by the Council for the purpose of paying council tax. The Council must be assured that payment was made into the correct bank account.

The report gave details of issues arising from the payment of any monies which were not directly connected to the administration of council tax, yet the council tax system was being used for that purpose, including:

- Number of eligible accounts to receive the payments
- Payment into bank accounts
- Timing and resources
- Systems and processes
- Discretionary scheme

## **RESOLVED**

**That the discretionary policy, as detailed in the report, be approved.**



## **159. VULNERABLE PERSONS ACCOMMODATION**

Consideration was given to a report of the Executive Leader / Director of Transformation, which set out a framework for securing a pipeline of accommodation for the most vulnerable residents. It proposed that the Council agreed mechanisms for securing accommodation directly to meet a growing need for accommodation for vulnerable young people and those currently housed in temporary accommodation.

It was explained that, currently many vulnerable young people and homeless households in the Borough were placed in temporary accommodation which was not meeting their needs and which was putting significant financial pressure on the Council. A number of time limited, exceptional measures were required to transition to a more stable position whereby better use of existing stock and reduced demand met requirements.

This report sets out proposals to use funding available to the Council along with opportunities that S106 Affordable Housing contributions could make, along with leasehold and freehold acquisitions with private investors to acquire property for use as affordable housing in a range of locations across the Borough. The report also proposed that on occasion (where it met the specific needs of care leavers) property may be secured outside of the Borough's boundaries.

The report gave details of:

- The case for change;
- Securing additional provision;
- Re-purposing existing assets; and
- Key considerations.

### **RESOLVED**

**That, in principle, subject to the necessary governance for each individual decision demonstrating value for money and any other legal and financial considerations:**

- (i) The acquisition of long leasehold / freehold interest of property be approved;**
- (ii) That the capital investment from future estimated commuted S106 contributions is made to allow the acquisition, adaptation and fit out of appropriate properties in Tameside, be approved;**
- (iii) That the Framework and Policy for Planning Obligations Commuted Sums and Monitoring Fees as set out at Appendix 1, to the report, be approved;**
- (iv) That the long-term leases (usually 10 year with a break clause at five years) with private landlords or social landlords can be entered into utilising existing revenue budgets, be approved;**
- (v) That, where appropriate, the Director of Finance recommends to Council the use of reserves or borrowing to match homes England grants for an appropriate building;**
- (vi) It be agreed that the authority enters into an agreement with Greater Manchester to participate in the Greater Manchester House Project at a cost of £206k over 3 years;**
- (vii) It be agreed that the authority enters into a contract with Jigsaw Housing Group to provide 30 additional placements for young people through the Jigsaw Supports services for a period of 12 months;**
- (viii) To seek to repurpose existing estates and land for the accommodation of vulnerable young people and for those in temporary accommodation; and**
- (ix) It be agreed that a budget of £200,000 be created from the Transformation Fund to undertake feasibility studies in existing estate to create additional accommodation options.**

## **160. PROPOSAL TO CREATE A LIMITED TIME CHILDREN'S SAFEGUARDING TEAM**

A report was submitted by the Deputy Executive Leader, Children's Services / Director of Transformation / Director of Children's Services setting out proposals as an interim measure, to engage with a specialist recruitment agency already procured by AGMA who could, within a short

timescale, provide a self-contained social work team to address a significant capacity issue.

It was explained that the capacity issue had arisen as a result of ongoing increases in demand at the social care front door, which had caused a bottleneck in assessment and significantly impacted on timeliness of assessments for Children in Need as well as increased vacancy rates not back filled by agency staff.

The project team would focus on completing Children & Family Assessments coming through the Multi-agency Safeguarding Hub (MASH). This would allow current teams to complete ongoing case work whilst also actively recruiting to existing vacancies. The project team would consist of a Project Manager and five project social workers for a six-month duration from the 1 April 2022.

The additional capacity would come at a cost of £250k and budget would be provided from ring-fenced reserves. The provision of additional capacity would ensure that timely outcomes and support for children and families was provided and risk was appropriately managed. A time-limited injection of capacity would ensure that cases did not escalate, and outcomes for families did not worsen.

It was anticipated that the impact of the pandemic would be long term and families would be under increased pressure, it would appear that this was presenting in the form of increased contacts and referrals into children's social care. This was further impacted by high vacancy rates in Neighbourhood Duty & Assessment Teams. As this was an acute issue which was placing significant pressure on the system a short, six-month project to provide additional assessment capacity, fully aligned with existing teams and structures was an appropriate response. The team would also provide support to newly qualified social workers and AYSE to build skills, knowledge and capacity.

By positioning the project team to undertake new children & family assessments progressing from the MASH would cause the least disruption in work flow and allow for a planned safe exit. Joint working and ensuring proper integration preventative support services and schools would be a key focus throughout the contract.

#### **RESOLVED**

**That the proposal to draw down funding from reserves of £250k to bring additional capacity into the organisation via the Reed contract for a six-month period to deal with an increase in referrals and associated assessments, be approved.**

### **161. TAMESIDE TOWN CENTRES FRAMEWORK – CONSULTATION DRAFT**

Consideration was given to a report of the Executive Member, Finance and Economic Growth / Director of Place, setting out the proposed Tameside Town Centres Framework and sought approval for public consultation to inform preparation of a final draft for adoption by the Council.

It was explained that Tameside Council recognised that its main town centres, Ashton-Under-Lyne, Denton, Droylsden, Hyde, Mossley, and Stalybridge were crucial components to the economic, environmental and social wellbeing of the Borough. Each town centre provided a unique but complementary offer, where Tameside's residents and visitors should be able to easily access a range of facilities and services; and locations where businesses could grow and reach their full potential.

It was proposed that a Tameside Town Centres Framework be produced to cover each town centre within the Borough and to act as a strategic 'umbrella' to co-ordinate future development and regeneration activity. The Framework was intended to complement Tameside's Corporate Plan and support delivery of the Tameside Inclusive Growth Strategy (2021). It would also align with existing and future studies and strategies for the town centres.

A draft Tameside Town Centres Framework, appended to the report, had been prepared for consultation prior to a final draft being brought back to Executive Cabinet for adoption. The Framework would help to provide the direction of travel to create more prosperous and investable

locations which met local needs and ensured that each town centre had the right offer of retail, food and drink, leisure, commercial, community and residential uses, as well as supporting infrastructure required. It would be important that the activity within each centre was tailored to meet local need and harness individual strengths and distinctiveness to help set them apart from their competitors.

The ambition was to create improved town centre environments where businesses felt that they could start up, grow or invest. Moreover, they should also be places where residents could access the facilities and services they needed, and provide a strong sense of place which the community were proud of and engage with.

The Framework identified a number of priority themes for improvement within the town centres, which were summarised in the report.

#### **RESOLVED**

- (i) That the work undertaken to date in respect of the Tameside Town Centres Framework, be noted; and**
- (ii) That approval be given for public consultation on the proposed Tameside Town Centres Framework and it be noted that a further report be brought back to the Executive setting out the results of the consultation and a final draft of the Framework.**

#### **162. FUTURE DEVELOPMENT OF UNION STREET SITE, HYDE**

The Executive Member, Finance and Economic Growth / Director of Place submitted a report, which set out plans for the future development of Union Street site, Hyde.

It was explained that it was understood that Hyde Library was opened on the Union Street site in February 1899. In an effort to reduce costs and protect the library service, in September 2014, the Council announced plans to relocate the library function into Hyde Town Hall. The library service successfully transferred into the refurbished space in Hyde Town Hall in February 2015.

Despite the fact that the building closed a number of years ago and had suffered as a result of substantial amounts of theft and vandalism since this time, the former library remained an important structure which both the residents and Council were keen to protect.

Given the condition, the viability of refurbishing and converting the former library building in its entirety could be marginal. Due to its significance and in an attempt to ensure that a scheme remained financially viable, rather than advertising the former Library building in isolation, the Council were looking to include the adjoining land, including Union Street car park, in the opportunity for potential redevelopment.

In addition to this, whilst exploring a range of disposal options, officers would continue to monitor the availability and use of grant funding, via the Evergreen and Brownfield Homes Funds which potentially, would allow any future scheme to maximise the benefit and positive impact on the Borough.

The wider strategy for Hyde Town Centre and the options that would need to be considered by the Authority to achieve the best delivery outputs, which would safeguard the property in the long-term, were also detailed in the report.

Discussion ensued with regard to the future development of the Union Street site and all the options available as detailed in the report. Members strongly agreed that demolition of the former Library building was not an option, particularly given its likely consideration as a non-designated heritage asset by the Planning Authority and a building identified as having a degree of significance.

#### **RESOLVED**

- (i) It be agreed that that the Council proceed to market the subject site immediately via informal tender, using the services of Knight Frank as specialist agent. The basis of the**

- tender is set out in section 5 of the report; and
- (ii) It be agreed that the demolition of the former Library building is not an option for consideration.

### **163. GREATER MANCHESTER TOWN OF CULTURE 2022**

A report was submitted by the Executive Member, Lifelong Learning, Equalities, Culture and Heritage / Assistant Director, Operations and Neighbourhoods setting out the bid submitted to the Greater Manchester Combined Authority for Stalybridge to be the Town of Culture for 2022. Following the successful award the report detailed the current programme and the proposals for developing this further over the coming weeks. It detailed the overall budget requirements to enhance the programme and that it was a significant and important opportunity for celebrating Stalybridge and the start of developing a sustainable cultural offer unique to Stalybridge and Tameside.

#### **RESOLVED**

- (i) That the Stalybridge Town of Culture proposal and the awarded £50,000 to deliver the programme in 2022, be noted;
- (ii) That the proposed current programme of activity be noted and that a more developed programme be determined over the coming weeks;
- (iii) That the Council's contribution to support the enhanced delivery of Town of Culture be noted; and
- (iv) Consideration be given to the potential for Stalybridge to achieve Purple Flag status, as a part of the Greater Manchester Night Time Economy Strategy.

### **164. STALYBRIDGE DEVELOPMENT UPDATE AND NEXT STEPS**

Consideration was given to a report of the Executive Member, Housing, Planning and Environment / Executive Member, Finance and Economic Growth / Director of Place. The report provided an update on the work undertaken in the Town Centre and sought approval for resubmission of a Stalybridge Town Centre bid to Round 2 of the national Levelling Up Programme and for delivery of the next steps in the programme around the emerging initial Masterplan footprint, which would focus initially on the sites as outlined within the report and building upon the Evergreen work already undertaken (as appended to the report at Appendices A & B).

Details were given of the commencement of a programme of work to produce a development prospectus, next stage planning and delivery strategies and the undertaking of a Soft Market Test around the development opportunity in Stalybridge on the emerging and initial Masterplan footprint, as follows;

- a Development Prospectus - to support the Development Prospectus, necessary work to be undertaken including all relevant due diligence and development work around next stages including taking relevant development plots to RIBA Stage 2, and possibility of an outline planning application to assist with bringing the plots to market. On completion of the next stage works, a comprehensive Planning & Development Strategy will be brought back to Executive Cabinet for decision.
- prepare documentation and undertake an initial soft market test exercise working directly with STAR and the appointed Multi-Disciplinary Team for the delivery of the project against the emerging Masterplan for Stalybridge, building on the Evergreen work. This to focus initially on the development potential and sites contained within this report.
- Working in parallel with the soft market test, a detailed level Commercial, Investment & Delivery Strategy to be developed around the emerging Masterplan of the Evergreen work.
- The detailed Commercial, Investment & Delivery Strategy (informed by the soft market test) will be brought back to Executive Cabinet with recommendations for a decision on options to progress to a formal and full market exercise to secure a Strategic Partner(s) for the delivery of the Stalybridge Masterplan.
- To undertake further detailed Open Space & Public Realm design work across the emerging

Masterplan footprint and the common areas in Stalybridge Town Centre.

## **RESOLVED**

**That the work delivered and planned in Stalybridge Town Centre be noted and:**

- (i) That the resubmission of a Stalybridge bid application as part of the national Levelling Up Programme Round 2 with the bidding process due to be announced in spring 2022, be agreed;**
- (ii) It be agreed to incur expenditure of up to £40,000 associated with the resubmission of the Levelling Up bid including the appointment of a multidisciplinary team to support the bid as set out in sections 4 and 5 of the report and the Director of Place to manage the programme of works and services;**
- (iii) It be agreed to undertake an initial public consultation on the emerging Masterplan as produced under the Evergreen Phase 1 Work and as contained within this report. To note, that further and full consultation(s) with the public and key stakeholders will be held throughout 2022;**
- (iv) It be agreed to undertake the necessary procurement exercises (via STAR) and to appoint a Multi-Disciplinary Team to take forward the wider supportive studies building upon the Evergreen Phase 1 funded work around the emerging and initial Masterplan footprint as identified in paragraph 1.3 of this report;**
- (v) It be agreed to incur total expenditure of up to £290,000 (subject to external funding bids and successful awards) associated with the wider supportive studies as set out in paragraph 1.3 and section 5 of the report. The Director of Place to manage the whole programme of works and services as set out within the report and to bid for funding, drawdown and incur all expenditure related to the delivery within the Council's financial and legal framework. For the avoidance of doubt this means the Director will need to approve Executive Decisions for the expenditure;**
- (vi) It be noted that Council owned sites as set out in section 3 (excluding the GMPF sites) of the report to now go through the Corporate Strategic Asset Management process to declare sites as surplus to requirements; and**
- (vii) It be noted that all on-going performance and reporting be provided as necessary relating to the works/services contained within the report.**

## **165. PUBLIC SECTOR DECARBONISATION SCHEME FUNDING ROUND THREE**

Consideration was given to a report of the Executive Member, Neighbourhoods, Community Safety and Environment / Director of Place, which gave details of the Public Sector Decarbonisation Scheme funding, round three.

It was explained that the Public Sector Decarbonisation Scheme round three (PSDS3) was open for funding to support Tameside, taking a GMCA consortium approach once again, to further decarbonise public buildings in the borough. Round three was different to previous rounds in that there was a requirement for the council to match fund for certain components. The report outlined the facts of the current PSDS3 bid application and underlined the need to pursue this work.

Six sites had been identified where heating plant and associated equipment was at the end of its viable life. With escalating fuel costs as well as the commitment to respond to the climate emergency, refitting the sites with low-carbon alternatives was both morally and financially prudent. After adjustment from GMCA in late February 2022, the cost of the works was now projected at £2,971,808. Members were advised that the grant total that the Council could apply for was £1,918,258 (65% of the total programme cost) requiring a match funding sum of £1,053,550 (35%) via the Council. Revenue savings were calculated at £912,560 over the twenty year lifecycle of the programme (this being a conservative estimate as energy prices had become so volatile, savings could be significantly more).

The amount of carbon proposed to be eliminated was calculated to be 6,802tonnes CO<sub>2</sub>e, once again over the twenty year projected lifecycle.

Regarding both revenue costs and carbon emissions, it was likely the proposed investment would, in reality, continue to deliver savings beyond that twenty-year threshold.

## **RESOLVED**

- (i) It be agreed, in principal, that the Council enters into a contract with the Greater Manchester Combined Authority subject to the necessary due diligence for the purposes of disbursement of funding in relation to the PSDS award, based on submission of invoices for completed individual measures. The governance required to enter into this contract will be subject to an Executive Decision (ED) at a later date;
- (ii) That it be agreed that the delivery of design works and installation of measures will be undertaken via the Council's arrangement with the LEP (via Robertson) and the associated supply chain utilising the Tameside Additional Services Contract (TAS);
- (iii) That the inclusion of the phase 3 Decarbonisation programme be approved (estimated total cost of (£2,971,808) within the Council's approved capital programme as set out in Appendix 1 to the report. Any subsequent variance to the estimated cost and funding of the programme will be subject to separate governance at a later date;
- (iv) That the allocation of £599,000 be approved to support the match funding required to finance the phase 3 Decarbonisation programme. The sum to be allocated via the Planned Preventative Maintenance capital budget allocation of £1,896,000 that was approved at the Executive Cabinet on 29 September 2021, (agenda Item 7, Capital Programme and Financing Update report refers); and
- (v) It be noted that works will be expected to be completed by 31 March.

## **166. LEVELLING UP FUND: DENTON BID**

A report was submitted by the Executive Member, Finance and Economic Growth / Director of Place, which sought approval for the preparation of a bid to the Levelling Up Fund for Denton Town Centre and approval for the procurement of specialist external consultancy support for the preparation and submission of a bid by Tameside Metropolitan Borough Council.

It was explained that Denton Town Centre had benefited from significant investment in recent years, including delivery of the Tameside Wellness Centre, new housing development and the growth of the evening economy. Despite this investment, the Town Centre had been negatively impacted by national market trends in the retail sector, increasing vacancy rates, the poor condition and/or underutilisation of prominent buildings, varying quality of public realm and a disconnection between key assets.

It was proposed that a bid to the Fund and specific interventions be prepared for Denton Town Centre in the context of an emerging wider strategic vision for the Town, consistent with the Council's emerging Tameside Town Centres Framework, supporting existing and planned investment. This would in turn help to deliver a catalytic economic and social impact to the local community. Interventions for the bid would be developed to provide public realm improvements, walking and cycling facilities, enabling infrastructure and support for heritage and townscape enhancements. This would help the Town Centre to reach its full potential and deliver further comprehensive regeneration, attracting additional investment.

It was explained that there would be significant competition for the Fund across England and funding requests would be far in excess of funding availability. It was imperative that any bids that were submitted were the strongest they could be, including on delivery certainty. Bids would be assessed as part of Green Book process/appraisal criteria. In order to ensure a competitive submission, it would be necessary to bring in additional resource, capacity and independent and professional advice/input.

It was estimated that a budget of up to a maximum sum of £50,000 was required to support a robust bid for Denton Town Centre.

## **RESOLVED**

- (i) It be agreed that a bid to the Levelling Up Fund for Denton Town Centre be prepared for submission and referred back for consideration prior to the bid submission date (once

- confirmed);
- (ii) That the procurement and appointment of Specialist external support through STAR to assist in the preparation and submission of a bid to the Levelling Up Fund for Denton Town Centre, be agreed; and
  - (iii) That a budget of up to £50,000 be approved (via £125,000 grant awarded to the Council from the Department for Levelling Up Housing and Communities (DLUHC) in October 2021 to support Round 2 funding bids) to appoint the aforementioned external support. This budget is approved for all professional fees and costs associated with the preparation and submission of a bid to the Levelling Up Fund for Denton Town Centre.

#### **167. URGENT ITEMS**

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

#### **168. DATE OF NEXT MEETING**

##### **RESOLVED**

It be noted that the next meeting of the Executive Cabinet is scheduled to take place on Wednesday 27 April 2022.

**CHAIR**

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## STRATEGIC COMMISSIONING BOARD

23 March 2022

Comm: 1.00pm

Term: 1.50pm

**Present:** Ashwin Ramachandra – Tameside & Glossop CCG (Chair)  
Councillor Brenda Warrington – Tameside MBC  
Councillor Warren Bray – Tameside MBC  
Councillor Gerald P Cooney – Tameside MBC (part meeting)  
Councillor Bill Fairfoull – Tameside MBC  
Councillor Leanne Feeley – Tameside MBC  
Councillor Joe Kitchen – Tameside MBC  
Councillor Oliver Ryan – Tameside MBC  
Councillor Eleanor Wills – Tameside MBC  
Steven Pleasant – Tameside MBC Chief Executive & Accountable Officer  
Dr Asad Ali – Tameside & Glossop CCG  
Dr Christine Ahmed – NHS Tameside & Glossop CCG  
Dr Kate Hebden – NHS Tameside & Glossop CCG  
Dr Vinny Khunger – NHS Tameside & Glossop CCG  
Carol Prowse – Tameside & Glossop CCG

<b>In Attendance:</b>	Sandra Stewart	Director of Governance & Pensions
	Kathy Roe	Director of Finance
	Ian Saxon	Director of Place
	Steph Butterworth	Director of Adults Services
	Alison Stathers-Tracey	Director of Children's Services
	Jess Williams	Director of Commissioning
	Tim Bowman	Director of Education (Tameside and Stockport)
	Sarah Threlfall	Director of Transformation
	Gregg Stott	Assistant Director, Investment, Development and Housing
	Emma Varnam	Assistant Director for Operations and Neighbourhoods
	Caroline Barlow	Assistant Director of Finance
	Simon Brunet	Head of Policy, Performance and Intelligence

**Apologies for absence:** Councillor Allison Gwynne

*Further to the decision of Tameside Metropolitan Borough Council (Meeting of 25 May 2021), to enable the Clinical Commissioning General Practitioners to take part in decisions of the Strategic Commissioning Board, whilst they continue to support the NHS in dealing with the pandemic that all future meetings of the SCB remain virtual until further notice with any formal decisions arising from the published agenda being delegated to the chair of the SCB taking into the account the prevailing view of the virtual meeting and these minutes reflect those decisions.*

### 83. CHAIR'S INTRODUCTORY REMARKS

The Chair welcomed everyone to the meeting and explained that to enable the Clinical Commissioning General Practitioner to take part in decisions of the Strategic Commissioning Board, whilst they continued to support the NHS in dealing with the pandemic, the meeting would be a hybrid of remote and physical presence.

As a physical presence was required to formally take decisions, any formal decisions arising from the published agenda have been delegated to the Chair, taking into the account the prevailing view of the virtual meeting.

The only people in the room were the Executive Members, the Chief Executive and Accountable Officer, Monitoring Officer, Democratic Services Officer and the Chair.

#### **84. DECLARATIONS OF INTEREST**

There were no declarations of interest submitted by Board members.

#### **85. MINUTES OF THE PREVIOUS MEETING**

##### **RESOLVED**

**That the minutes of the meeting of the Strategic Commissioning Board held on 9 February 2022 be approved as a correct record.**

#### **86. MINUTES OF THE EXECUTIVE BOARD**

##### **RESOLVED**

**That the Minutes of the meetings of the Executive Board held on 17 February and 2 March 2022 be noted.**

#### **87. CONSOLIDATED 2021/22 REVENUE MONITORING STATEMENT AT 31 JANUARY 2022**

Consideration was given to a report of the Executive Member, Finance and Economic Growth / Lead Clinical GP / Director of Finance, which detailed actual expenditure to 31 January 2022 (Month 10) and forecasts to 31 March 2022.

It was reported that the forecast outturn position for the council continued to look more positive for 2021/22, with a £458k improvement reported since last month, taking year-end projected overspend to £701k. The overall improvement was largely due to non-recurrent, pandemic related funding streams which would not be available next year. The 2022/23 budget was approved at Full Council on 22 February 2022, this included additional funding for both Children's and Adults Social Care, but cost and demand pressures were expected to continue to increase.

The CCG reported position at Month 10 showed a forecast overspend of £3,376k, all of which was reimbursable. Once appropriate allocations had been received, a break even position was effectively being reported, which included full achievement QIPP. Work was in progress on national planning returns for 2022/23 with allocations published at an ICB level.

The Trust was forecasting a breakeven financial position for 2021/22 in line with plan. Restoration plans had been established within the Trust and the Trust continued to aspire to deliver nationally prescribed activity targets, which for H2 was to deliver 89% of the completed Referral to Treatment pathways relative to 2019/20. The Trust continued to report good levels of performance against restoration targets. However, the Trust continued to experience significant pressures within Urgent Care, Non-elective and COVID positive admissions and as a result, there had been a small reduction in the number of elective and day cases versus plan this month.

Further detail on the financial position and key headlines was reported in Appendix 1 to the report. Appendix 2 provided more detailed analysis of all Directorate areas.

The latest forecast for the Collection Fund in 2021/22, together with collection performance, was

summarised in Appendix 3 to the report.

In 2020/21 the deficit on Dedicated Schools Grant (DSG) increased from £0.557m to £1.686m mainly due to funding the overspend on the High Needs Block. If the 2021/22 projections materialised, there would be a deficit of £3.713m on the DSG reserve by 31 March 2022. Under DfE regulations a deficit recovery plan was required to be produced, which will be submitted to the DfE outlining how this deficit was expected to be recovered and spending managed and would require discussions and the agreement of the Schools Forum. The position would be closely monitored throughout the year and updates would be reported to Members. Further detail was set out in Appendix 4 to the report.

Appendix 5 to the report detailed the write-off of irrecoverable debts for the period 1 October to 31 December, which Members were asked to approve.

Members were informed that, since the update to Cabinet in December, the position on savings delivery had improved overall across the Council. Overall, the total forecast savings to be delivered in 2021/22 had increased to £9.137m which exceeded the original target of £8.930m. However, it was noted that this total included just over 1m of mitigating savings that were one-off in nature and not expected to be available in 2022/23.

During 2021/22 the public sector and especially the NHS had continued to mobilise at pace and scale to address the ongoing impacts of the COVID-19 pandemic. NHS England and Improvement (NHSEI) had, therefore, continued with the 'command and control' financial regime introduced in 2020/21 during the response to the first wave of the pandemic.

This atypical financial regime had resulted in financial plans for 2021/22 being managed at a GM level for which the finalisation and submission of STP level plans were May 2021 (for H1 period April - Sept) and November 2021 (for H2 period Oct – March). This was significantly later than usual which, in turn, had hindered the CCG and its partners with being able to progress its strategic intentions for the Tameside and Glossop populations.

As the organisation had entered the final quarter of 2021/22, the certainty of budgets and plans meant that the CCG's financial outturn position could be forecast with a greater degree of confidence. This put the CCG in the position of being able to provide additional support to the locality's strategic aims by meeting a greater proportion of the health-related costs for some of the transformation programmes being delivered in 2021/22 through the Section 75 pooling arrangements it had with Tameside Metropolitan Borough Council.

It was intended that this situation would enable the CCG to increase its funding to the Section 75 (S75) pooled budget whilst the Council reduced its contribution in 2021/22 thereby releasing some non-recurrent savings for the Council which, in turn, would facilitate ongoing financial sustainability across the economy and support the transformation schemes for locality priorities such as in Children's and Learning Disability/Adult Mental Health services which were facing significant demand pressures as reported at length in previous reports.

It was proposed that the Council should reduce its contribution to the S75 pool by £3.5m in 2021/22 whilst the CCG increased its contribution to fund health-related costs in 2021/22 by the same amount.

#### **RESOLVED**

- (i) That the forecast outturn position and associated risks for 2021/22 as set out in Appendix 1 to the report, be noted;**
- (ii) That the detailed analysis of budget forecasts and variances set out in Appendix 2 to the report, be noted;**
- (iii) That the forecast position on the Collection Fund in respect of Council Tax and Business Rates as set out in Appendix 3 to the report, be noted;**
- (iv) That the forecast position in respect of Dedicated Schools Grant as set out in Appendix 4 to the report, be noted;**
- (v) That the write-off of irrecoverable debts for the period 1 October to 31 December 2021**

- as set out in Appendix 5 to the report, be approved; and
- (vi) That the proposals for the CCG increasing its contribution to the Section 75 pooled fund (and the Council reducing its contribution by the same value) in accordance with the Integrated Commissioning Fund risk share agreement as set out in section 7 of the report, be approved.

## **88. APPROVAL OF REVISED NON-RESIDENTIAL CHARGING POLICY**

The Executive Member, Adult Social Care and Health / Director of Adults Services submitted a report seeking approval of the updated revised Non-Residential Charging Policy 2022, which had been produced expediently following approval by Board Members at the last meeting of the **Strategic Commissioning Board** on the 9 February 2022 to update the previous policy dated 25 March 2015 to take effect from 1 April 2022 to include:

- The Minimum Income Guarantee level would remain at the level the Council currently used;
- The level of income disregarded be changed to disregard the difference between DLA care higher and middle rate and PIP daily living allowance enhanced and standard rate; and
- An annual fee for managing non-residential self-funders' accounts of £95 be implemented, with an annual review of the level which would apply only to non-residential packages of care created from this date, rather than existing packages.

The policy, as appended to the report, had been redrafted with a view to making it simpler to understand.

### **RESOLVED**

**That Strategic Commissioning Board agree the Policy attached at Appendix 1 to the report, in line with their decision of the 9 February 2022.**

## **89. SEND WRITTEN STATEMENT OF ACTION**

The Executive Member, Lifelong Learning, Equalities, Culture and Heritage / Director of Education (Tameside and Stockport) submitted a report, which explained that between 18 and 22 October 2021, Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of the local area of Tameside to judge the effectiveness of the area in implementing the special educational needs and/or disabilities (SEND) reforms as set out in the Children and Families Act 2014.

The outcome of the inspection was that a Written Statement of Action (Written Statement of Action) was required because of significant areas of weakness in the area's practice. HMCI had also determined that the local authority and the area's clinical commissioning group(s) (CCG) were jointly responsible for submitting the written statement to Ofsted. The Written Statement of Action must be submitted for approval no later than April 12.

The report outlined the actions that had been taken to draft the Written Statement of Action. A draft Written Statement of Action was included as Appendix A to the report. In addition the report outlined what further investments were required to deliver the plan.

### **RESOLVED**

**It be agreed that:**

- (i) The draft Written Statement of Action be shared with DfE and NHS Improvement Advisors for final comment;**
- (ii) A recommendation be made to Council for an additional investment of £275k outlined in section 4.5 of the report be approved noting that £156k of this will not be required until 2023/24;**
- (iii) A report be presented to the Strategic Commissioning Board seeking permission for an additional investment of £820k to provide adequate therapy provision and address waiting times for services including physiotherapy, occupational health and speech and**

language;

- (iv) **A further report be provided to the Strategic Commissioning Board following the submission of the Written Statement of Action outlining what, if any, further resource commitment is required to deliver the plan; and**
- (v) **Final sign-off of the Written Statement of Action be delegated to the relevant Executive Members, Councillor Feeley and Fairfoull, in consultation with the Director of Children's Services and CCG Accountable Officer.**

## **90. ADULT SOCIAL CARE FEES 2022-23**

Consideration was given to a report of the Executive Member, Adult Social Care and Health / Director of Adults Services outlining proposals in relation to revised prices to meet the increasing cost of providing adult social care services for 2022-23.

It was explained that, the Council and CCG, as had been reported over a number of years, continued to face significant financial pressures in the coming years. The budget report, as in previous years, for 2022/23 proposed a balanced budget, subject to the delivery of identified savings on Council Budgets, and an increase in Council Tax. The response to the Covid pandemic had created significant additional pressures and costs along with impacts on the Council's income budgets.

The CCG was currently working on the practicalities of its incorporation into the GM Integrated Care Service (ICS), due to go live in July 2022, with discussions on funding available locally ongoing. The CCG was party to a number of joint contracts with the Council, primarily in relation to support at home/home care and care homes with respect to the nursing element, and agreement had been in place with regards to contract uplifts that any reasonable or unavoidable uplifts should be agreed in line with the proposed increases included in the Council's budget.

Members were advised that much work had been done over the past few years to radically change the way that services were provided, and there had been a focus placed on reducing the costs of services to support management of the overall budget reductions of the last decade. At the same time as managing reductions in financial resources, demand for service provision had been rising - the increasing number of older people and younger adults with complex and life limiting conditions and disabilities continued to add further pressure to services provided. The period of the Covid Pandemic had seen increasing numbers of people requiring care and support – seen most acutely in services supporting people to remain living in their own homes. The rise in the demand for care and support had not been matched by an increased ability to attract sufficient numbers of staff to keep pace with the demand for support.

The report set out proposals for costs that would constitute the minimum requirements to meet the specific cost pressures imposed on providers across the health and social care sector in the following areas:

- Care Homes;
- Support at Home/Home Care;
- Extra Care Housing;
- Supported Accommodation including LD Respite;
- Other Social Care Contracts;
- Direct Payments;
- Wilshaw House – Dementia Day Centre;
- Day Service Options;
- Shared Lives;
- Out of Borough Placements; and
- Charges for services.

## **RESOLVED**

- (i) That the proposed new rates for care home placements as detailed in Section 4 of the report in line with the agreed cost of care framework detailed in Appendix 1, be approved;
- (ii) That the proposed new rates for Support at Home at £19.22 per hour (Appendix 2) and Standard Home Care at £17.73 per hour (Appendix 3), be approved;
- (iii) That the spot purchase rates for sleep-in at rates of £110.63 per night, and £147.48 per night for waking nights, be approved;
- (iv) That the proposed 6.6% uplift on the core contract prices at the four Extra Care Schemes and the proposed revised rate for additional hours commissioned in Extra Care of £16.71 per hour (Appendix 4), be approved;
- (v) That the proposed uplift by 5.3% of Adult Social Care contract prices highlighted in Section 2 and 4 of this report, be approved;
- (vi) That the revised Direct Payment rates as detailed in section 4 of the report, be approved;
- (vii) That the 5.3% uplift in the annual contract price for the Dementia Day Service at Wilshaw House, be approved;
- (viii) That the revised contract price for the Day Service Options Contract Lead Provider, Active Tameside, at the value of £1,395,728 for 2022-23 as detailed in section 4 of the report, be approved;
- (ix) That the rate increases for Shared Lives Carer payments detailed in Section 4 of the report, be approved;
- (x) That the offer to increase younger adults out of borough placements by 5.3 % with flexibility to approve a higher rate where providers evidence a higher rate is required as detailed in Section 4 of the report, be approved; and
- (xi) That all the proposed new rates becoming effective from 1 April 2022, be approved.

## **91. POVERTY STRATEGY AND APPROACH RESPONSE TO THE COST OF LIVING**

Consideration was given to a report of the Executive Leader / CCG Co-Chairs / Director of Transformation proposing that work commence to review the current response to poverty and develop a refreshed approach including a long-term poverty strategy and a financial vulnerability plan to provide timely assistance to residents, whilst also addressing the long-term root causes of poverty. The strategy and plan would be informed by extensive analysis of data, benchmarking with best practice and engagement with those affected by poverty and those working with people living in poverty.

## **RESOLVED**

**That the content of the report be noted and it be agreed that:**

- (i) A refreshed long-term strategy to tackle poverty be developed alongside the Corporate Plan as a place based response to the systemic issues of deprivation;
- (ii) A refreshed operational approach to financial vulnerability be developed particularly in light of the cost of living crisis and the socio-economic and wellbeing impacts of the Covid-19 on families and communities;
- (iii) Work required to deliver recommendations (1) and (2) will include a detailed needs assessment underpinned by data, feedback from people with lived experience of poverty, mapping of existing pathways; benchmarking of best practice within and without Tameside and feedback from the Tameside Poverty Truth Commission;
- (iv) Tameside Council will consult with local partners in the public, private and third sectors in order to work together on the development of the long term poverty strategy and financial vulnerability response to ensure both are holistic place based approaches and address systemic challenges;
- (v) Tameside Council notes that the socio-economic duty part of the draft Equality Act 2010 has yet to be enacted by parliament and commits to continuing to have due regard to the need to reduce the inequalities of outcome resulting from socio-economic disadvantage and wherever possible addressing transparently in all decision making;

- (vi) **It is proposed that the Discretionary Energy Rebate Scheme (announced in addition to the mandatory energy rebate scheme) will provide support as part of the overarching response to the cost of living crisis. The funding in Tameside is £530k, and guidance suggests that this funding should be used to provide payments to other households who are energy bill payers but not covered by the Council Tax Rebate as set out in section 5.20. Specific provision and support will be put in place Care Leavers struggling with the cost of living crisis; and**
- (vii) **Where possible and subject to sufficient funding being identified the existing approach to crisis grants and holiday hunger post (currently supported by the Household Support Fund) be continued post 31 March 2022.**

## **92. ENGAGEMENT UPDATE**

A report was submitted by the Executive Leader / CCG Co-Chairs / Director of Transformation providing an update on the delivery of engagement and consultation activity from June 2021 to date.

It was explained that much of the work was undertaken jointly – coordinated through the Tameside and Glossop Partnership Engagement Network (PEN) – by NHS Tameside and Glossop Clinical Commissioning Group, Tameside Council and Tameside and Glossop Integrated Care NHS Foundation Trust. However, it was noted that each of the three agencies undertake work individually where necessary and appropriate for the purposes of specific projects.

It was further explained that the onset of the Covid-19 pandemic had also meant that different ways to engage local communities had to be identified. The report set out some examples of the ways in which this had been achieved, including the establishment of both the Community Champions programme and Tameside & Glossop Inequalities Reference Group.

The Director of Transformation highlighted the key headlines from June 2021 to date:

- Facilitated 16 thematic Tameside and/or Glossop engagement projects
- Received 3,957 engagement contacts<sup>i</sup> (excluding attendance at virtual events)
- Supported 7 engagement projects at the regional and Greater Manchester level
- Promoted 7 national consultations where the topic was of relevance to and/or could have an impact on Tameside and/or Glossop
- Established the Community Champions Network to provide residents and workforces with the coronavirus information they need to lead the way in their community, with over 270 members now registered and a networking event on 1 March 2022.
- The Tameside & Glossop Inequalities Reference Group, established in response to how the coronavirus pandemic, and the wider governmental and societal response to this, continues to bring equalities and inequalities into focus. Two reports have been produced for two areas of focus, making recommendations on how to address inequality. These are: Digital Inclusion and Community Cohesion.
- Delivered three virtual Partnership Engagement Network (PEN) conferences attended by over 130 delegates in total.
- Retained 'Green Star' top rating for public and patient engagement as part of the CCG Improvement and Assessment Framework (IAF).

Further information was also provided in respect of:

- Community Champions Network;
- Tameside & Glossop Inequalities Reference Group
- Partnership Engagement Network (PEN) Update; and
- Other engagement work.

### **RESOLVED**

**That the content of the report be noted and future engagement and consultation activity with the communities of Tameside and Glossop, as detailed in the report, be supported.**



### **93. BETTER CARE FUND**

The Executive Member, Adult Social Care and Health / Director of Adults Services / Director of Finance providing an update in respect of the Better Care Fund for 2021/22.

It was explained that, given the ongoing pressures in systems, there had been minimal change made to the Better Care Fund (BCF) this year. The 2021/22 BCF policy framework was designed to build on progress made during the COVID-19 pandemic by strengthening the integration of commissioning and delivery of services and delivering person-centred care, as well as continuing to support system recovery from the pandemic.

The non-elective admissions metric had been replaced by a metric on avoidable admissions. This reflected better the focus of joint health and social care work to support people to live independently in their own home and prevent avoidable stays in hospital. Wider work on the metrics for the BCF programme would continue during the year to take into account improvements to data collection and to allow better alignment to national initiatives such as the Ageing Well programme.

The national conditions for the BCF in 2021/22 were:-

- a jointly agreed plan between local health and social care commissioners, signed off by the HWBB;
- NHS contribution to adult social care to be maintained in line with the uplift to CCG minimum contribution;
- invest in NHS commissioned out-of-hospital services; and
- a plan for improving outcomes for people being discharged from hospital.

Following the 2020 spending round the national CCG contribution to the BCF had risen in actual terms by 5.3% to £4,263 billion. Minimum contributions to social care had also increased by 5.3%.

There was a mandated overall increase of 5.05% to the CCG contribution to TMBC and 4.83% to Derbyshire County Council. This resulted in a contribution by the CCG to TMBC of £18,427k and Derbyshire of £2,622k for the BCF in 2021/22.

A return was completed in November 2021 setting out a detailed breakdown of the schemes being funded by the CCG contribution in 2021/22. A summary of the income and expenditure for the BCF for Tameside was appended to the report. The key metrics for Tameside were also included in an appendix to the report. A breakdown of the individual schemes funded by the BCF for Tameside was appended to the report.

A summary of the BCF income reported by Derbyshire was detailed, which highlighted the CCG contribution of £2,662k. In addition the breakdown of the major schemes funded in Derbyshire (spend >£500k) was detailed and highlighted the CCG contribution of £534k, which directly supported the Glossopdale Neighbourhood scheme. The remaining £2,128k helped support other schemes and services across Derbyshire, which Glossop residents would benefit from.

### **RESOLVED**

**It be noted that the Health and Wellbeing Board has approved the plan.**

### **94. URGENT ITEMS**

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



**95. DATE OF NEXT MEETING**

**RESOLVED**

It be noted that the next meeting of the Strategic Commissioning Board is scheduled to take place on 27 April 2022.

**CHAIR**

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## BOARD

9 March 2022

**Present:**

<b>Elected Members</b>	<b>Councillors Fairfoull (In the Chair), Bray, Feeley, Gwynne, Kitchen, and Wills</b>
<b>Chief Executive</b>	<b>Steven Pleasant</b>
<b>Borough Solicitor</b>	<b>Sandra Stewart</b>
<b>Deputy Section Officer</b>	<b>151 Caroline Barlow</b>

**Also in Attendance:** **Simon Brunet, Ilys Cookson, Dr Asad Ali, Dr Ian Saxon, Alison Stathers-Tracey, Sarah Threlfall, Trevor Tench, Emma Varnam, and Debbie Watson.**

**Apologies for Absence:** **Councillors Warrington and Cooney**

### 228 DECLARATIONS OF INTEREST

There were no declarations of interest.

### 229 MINUTES OF PREVIOUS MEETING

The minutes of the Board meeting on the 2 March 2022 were approved a correct record.

### 230 HS2 PHASE 2B PETITIONING REPORT

Consideration was given to a report of the Executive Leader / Director of Governance and Pensions / Director of Place. The report sought Full Council approval for Tameside Metropolitan Borough Council (the Council) to object to the High Speed Rail (Crewe-Manchester) Bill.

It was stated that this report was concerned with a procedural matter, specifically, seeking Full Council approval for Tameside Metropolitan Borough Council (the Council) to object to the High Speed Rail (Crewe-Manchester) Bill. This related to Phase 2b of High Speed Rail 2 (HS2).

The report set out the Government's High Speed Rail (Crewe-Manchester) Bill, which was deposited in Parliament to the House of Commons on the 24 January 2022.

It was explained that notwithstanding the Council's overall support for HS2, the Council would need to ensure that any necessary provisions were included in the Bill and/or seeking assurances/undertakings from the promoters to maximise benefits and minimise negative impacts of HS2 on the Borough. Officers would work closely with HS2 Ltd and representatives from the Department of Transport (DfT) to ensure that necessary provisions were provided and would seek to negotiate agreements accordingly; if agreement could not be reached on specific matters it may be necessary to petition the Bill during a specific window, with authority to do so the subject of this report. The Council has identified a number of areas, which it considers to be critical in maximising benefits and minimising negative impacts of HS2 on the Borough.

It was essential that the construction methodology for the HS2 infrastructure be focused on limiting disruption to Metrolink operations. The Bill as currently drafted included provision for the full closure of the Metrolink Ashton Line for a circa two year period. To address this, the Bill should be amended to enable the construction of a new depot at Ashton Moss to enable a tram shuttle service to operate between Ashton and New Islington instead of the full closure of the Ashton Line and the provision of ancillary works, to enable the Ashton Metrolink line to remain open throughout the construction of HS2. The Council required that the existing Metrolink Ashton Line should be kept

connected to the remainder of the Metrolink network for as long as practicable during construction of the HS2 station and modified Metrolink infrastructure and, when the line had to be disconnected from Piccadilly, trams were able to operate as far into Manchester city centre as possible, with bus services provided to bridge the gap.

## **AGREED**

**That Council be recommended to resolve:**

- (i) That it is expedient for Tameside Council to oppose the High Speed Rail (Crewe to Manchester) Bill (“the Bill”);**
- (ii) That, subject to the above, that authority is delegated to The Leader, in consultation with the Chief Executive, to take all such steps as may be necessary or expedient to carry the above resolution into effect including all those steps required for the Council to submit any petition and thereafter to maintain and if considered appropriate withdraw its petition in respect of the Bill and to instruct the Director of Governance and Pensions accordingly; and**
- (iii) Authorises the corporate seal of the Council being affixed to any documents required to be sealed in connection with the submission of its petition and the subsequent opposition to the Bill.**

## **231 PERIOD 10 INTEGRATED FINANCE REPORT**

Consideration was given to a report of the Executive Member, Finance and Economic Growth / Lead Clinical GP / Director of Finance, which detailed actual expenditure to 31 January 2022 (Month 10) and forecasts to 31 March 2022.

It was reported that the forecast outturn position for the council continued to look more positive for 2021/22, with a £458k improvement reported since last month, taking year-end projected overspend to £701k. The overall improvement was largely due to non-recurrent, pandemic related funding streams which would not be available next year. The 2022/23 budget was approved at Full Council on 22 February 2022, this included additional funding for both Children’s and Adults Social Care, but cost and demand pressures were expected to continue to increase.

The CCG reported position at Month 10 showed a forecast overspend of £3,376k, all of which was reimbursable. Once appropriate allocations had been received, a break even position was effectively being reported, which included full achievement QIPP. Work was in progress on national planning returns for 2022/23 with allocations published at an ICB level.

The Trust was forecasting a breakeven financial position for 2021/22 in line with plan. Restoration plans had been established within the Trust and the Trust continued to aspire to deliver nationally prescribed activity targets, which for H2 was to deliver 89% of the completed Referral to Treatment pathways relative to 2019/20. The Trust continued to report good levels of performance against restoration targets. However, the Trust continued to experience significant pressures within Urgent Care, Non-elective and COVID positive admissions and as a result, there had been a small reduction in the number of elective and day cases versus plan this month.

Further detail on the financial position and key headlines was reported in Appendix 1 to the report. Appendix 2 provided more detailed analysis of all Directorate areas.

The latest forecast for the Collection Fund in 2021/22, together with collection performance, was summarised in Appendix 3 to the report.

In 2020/21 the deficit on Dedicated Schools Grant (DSG) increased from £0.557m to £1.686m mainly due to funding the overspend on the High Needs Block. If the 2021/22 projections materialised, there would be a deficit of £3.713m on the DSG reserve by 31 March 2022. Under DfE regulations a deficit recovery plan was required to be produced, which will be submitted to the DfE outlining how this deficit was expected to be recovered and spending managed and would require discussions and the agreement of the Schools Forum. The position would be closely

monitored throughout the year and updates would be reported to Members. Further detail was set out in Appendix 4 to the report.

Appendix 5 to the report detailed the write-off of irrecoverable debts for the period 1 October to 31 December, which Members were asked to approve.

Members were informed that, since the update to Cabinet in December, the position on savings delivery had improved overall across the Council. Overall, the total forecast savings to be delivered in 2021/22 had increased to £9.137m which exceeded the original target of £8.930m. However, it was noted that this total included just over 1m of mitigating savings that were one-off in nature and not expected to be available in 2022/23.

During 2021/22 the public sector and especially the NHS had continued to mobilise at pace and scale to address the ongoing impacts of the COVID-19 pandemic. NHS England and Improvement (NHSEI) had, therefore, continued with the 'command and control' financial regime introduced in 2020/21 during the response to the first wave of the pandemic.

This atypical financial regime had resulted in financial plans for 2021/22 being managed at a GM level for which the finalisation and submission of STP level plans were May 2021 (for H1 period April - Sept) and November 2021 (for H2 period Oct – March). This was significantly later than usual which, in turn, had hindered the CCG and its partners with being able to progress its strategic intentions for the Tameside and Glossop populations.

As the organisation had entered the final quarter of 2021/22, the certainty of budgets and plans meant that the CCG's financial outturn position could be forecast with a greater degree of confidence. This put the CCG in the position of being able to provide additional support to the locality's strategic aims by meeting a greater proportion of the health-related costs for some of the transformation programmes being delivered in 2021/22 through the Section 75 pooling arrangements it had with Tameside Metropolitan Borough Council.

It was intended that this situation would enable the CCG to increase its funding to the Section 75 (S75) pooled budget whilst the Council reduced its contribution in 2021/22 thereby releasing some non-recurrent savings for the Council which, in turn, would facilitate ongoing financial sustainability across the economy and support the transformation schemes for locality priorities such as in Children's and Learning Disability/Adult Mental Health services which were facing significant demand pressures as reported at length in previous reports.

It was proposed that the Council should reduce its contribution to the S75 pool by £3.5m in 2021/22 whilst the CCG increased its contribution to fund health-related costs in 2021/22 by the same amount.

## **AGREED**

**That Executive Cabinet be recommended to:**

- (i) Note the forecast outturn position and associated risks for 2021/22 as set out in Appendix 1.**
- (ii) Note the detailed analysis of budget forecasts and variances set out in Appendix 2.**
- (iii) Note the forecast position on the Collection Fund in respect of Council Tax and Business Rates as set out in Appendix 3.**
- (iv) Note the forecast position in respect of Dedicated Schools Grant as set out in Appendix 4.**
- (v) Approve the write-off of irrecoverable debts for the period 1 October to 31 December 2021 as set out in Appendix 5.**
- (vi) Note the progress with delivery of Council savings targets for 2021/22 as set out in Appendix 6.**
- (vii) Approve the proposals for the CCG increasing its contribution to the Section 75 pooled fund (and the Council reducing its contribution by the same value) in accordance with the Integrated Commissioning Fund risk share agreement as set out in section 7.**

## **232 COUNCIL TAX BILLING AND ENERGY REBATE**

The Executive Member, Finance and Economic Growth / Assistant Director, Exchequer Services submitted a report detailing the impact of the payment of the one-off £150 energy rebate via the Council tax system.

It was explained that on 3 February 2022 central government announced that households in council tax bands A-D, would receive a £150 rebate. The energy rebate would be administered by local authorities from April and would not need to be repaid. In addition there would be discretionary funding of £144 million provided nationally to support vulnerable people and individuals on low incomes that did not pay council tax, or that paid council tax for properties in Bands E-H.

Guidance was received on 23 February 2022 and set out scheme eligibility, payments, fraud risk management, council tax billing, communication with households, monitoring and reporting. The guidance also detailed allocations to be provided to each billing authority in March for the council tax rebate and the discretionary fund. The amounts for Tameside were £530,400 in respect of the discretionary fund and £14,545,050 for the non-discretionary £150 payments.

Guidance made clear that with rising energy bills people needed to receive monies quickly to alleviate hardship and, while these rising costs would affect most households across the country, they were more likely to disproportionately affect those on lower incomes, who tended to spend a higher proportion of their income on utility bills. Eligibility was based on the following:

- Property must be in Bands A – D
- Must be a sole or main residence
- It is a chargeable dwelling
- The person is liable to pay Council tax (including those with a nil liability), not be a local authority, or corporate body ie a housing association
- Eligibility is based on position as at 01 April 2022.
- Payment must be made by end of September 2022.

Properties not eligible were:

- No permanent resident or property is a second home
- An unoccupied property

Members were advised that payments would be made per household, regardless of number of occupants or number of liable council tax payers, via a person's bank where direct debit details were held by the Council for the purpose of paying council tax. The Council must be assured that payment was made into the correct bank account.

The report gave details of issues arising from the payment of any monies which were not directly connected to the administration of council tax, yet the council tax system was being used for that purpose, including:

- Number of eligible accounts to receive the payments
- Payment into bank accounts
- Timing and resources
- Systems and processes
- Discretionary scheme

### **AGREED**

**That Executive Cabinet be recommended to agree that the discretionary policy be approved.**

## **233 GODLEY GREEN GARDEN VILLAGE - PROJECT UPDATE**

Consideration was given to a report of the Executive Member for Housing, Planning and Employment / Executive Member for Finance and Economic Growth. The report provided an update on the Godley Green Garden Village scheme in Hyde.

Members of the Board were provided an update on the delivery of the Garden Village at Godley Green. An update was provided on each of the elements of the delivery programme. It was explained that the award of a £10,000,000 Housing Infrastructure Fund award from Homes England endorsed the view that the site was suitable, deliverable and available and that the Council's approach to engagement with landowners has provided greater assurance on the deliverability of the site.

The work of the project team would now focus on critical path of programme activity and the detailed work taking place across the targeted work streams. Efforts of the Project Steering Group will now also be focussed on moving through the stages of the delivery programme.

**AGREED**

**That the report be deferred for consideration at a future meeting of Board and Executive Cabinet.**

**234 TAMESIDE TOWN CENTRE FRAMEWORK – CONSULTATION DRAFT**

Consideration was given to a report of the Executive Member for Finance and Economic Growth / Director of Place / Assistant Director for Investment, Development & Housing.

The report proposed that a Tameside Town Centres Framework be produced to cover each town centre within the borough and to act as a strategic 'umbrella' to coordinate future development and regeneration activity. The Framework was intended to complement Tameside's Corporate Plan and support delivery of the Tameside Inclusive Growth Strategy (2021). It would also align with existing and future studies and strategies for the town centres. The Framework would help to provide the direction of travel to create more prosperous and investable locations which met local needs and ensure that each town centre has the right offer of retail, food and drink, leisure, commercial, community and residential uses, as well as supporting infrastructure required.

**AGREED**

**That Executive Cabinet be recommended to:**

- (i) Note the work undertaken to date in respect of the Tameside Town Centres Framework;**
- (ii) Give approval for public consultation on the proposed Tameside Town Centres Framework and notes that a further report will be brought back to the Executive setting out the results of the consultation and a final draft of the Framework.**

**235 FUTURE DEVELOPMENT OF UNION STREET SITE, HYDE.**

The Executive Member, Finance and Economic Growth / Director of Place submitted a report, which set out plans for the future development of Union Street site, Hyde.

It was explained that it was understood that Hyde Library was opened on the Union Street site in February 1899. In an effort to reduce costs and protect the library service, in September 2014, the Council announced plans to relocate the library function into Hyde Town Hall. The library service successfully transferred into the refurbished space in Hyde Town Hall in February 2015.

Despite the fact that the building closed a number of years ago and had suffered as a result of substantial amounts of theft and vandalism since this time, the former library remained an important structure which both the residents and Council were keen to protect.

Given the condition, the viability of refurbishing and converting the former library building in its entirety could be marginal. Due to its significance and in an attempt to ensure that a scheme remained financially viable, rather than advertising the former Library building in isolation, the Council were looking to include the adjoining land, including Union Street car park, in the opportunity for potential redevelopment.

In addition to this, whilst exploring a range of disposal options, officers would continue to monitor the availability and use of grant funding, via the Evergreen and Brownfield Homes Funds which potentially, would allow any future scheme to maximise the benefit and positive impact on the Borough.

The wider strategy for Hyde Town Centre and the options that would need to be considered by the Authority to achieve the best delivery outputs, which would safeguard the property in the long-term, were also detailed in the report.

#### **AGREED**

**That Executive Cabinet be recommended to agree that that the Council proceed to market the subject site immediately via informal tender, using the services of Knight Frank as specialist agent. The basis of the tender is set out in section 5 of the report.**

### **236 GM TOWN OF CULTURE**

A report was submitted by the Executive Member, Lifelong Learning, Equalities, Culture and Heritage / Assistant Director, Operations and Neighbourhoods setting out the bid submitted to the Greater Manchester Combined Authority for Stalybridge to be the Town of Culture for 2022. Following the successful award the report detailed the current programme and the proposals for developing this further over the coming weeks. It detailed the overall budget requirements to enhance the programme and that it was a significant and important opportunity for celebrating Stalybridge and the start of developing a sustainable cultural offer unique to Stalybridge and Tameside.

It was stated that the successful programme hinged on it being closely linked to Stalybridge as a place, a home and a venue for celebrating its past, present and future through an ambitious 4 month programme of workshops, activities and events. The programme had been designed to enhance and amplify events already taking place in Stalybridge such as Street fest, the Stalybridge Carnival, the theatre programme within Astley Cheetham Art Gallery and Cheetham's park and the Beer Festival as well as it being closely aligned with projects happening as part of HAZ.

The Bridge was Stalybridge's cultural consortium set up as part of the HAZ programme. Their vested interest in the town and their desire to programme high quality cultural content will act as a springboard for further programming as part of ToC. Theatre, Beer Festival being expressed in these.

The community programme proposed as part of the report would enable Stalybridge to grow and develop its own talent pool for a sustainable future of cultural programming bringing with it opportunities for future funding to support the new initiatives proposed as part of the programme namely the Canal Festival and the Emergency Exit Art Commission for 2023.

Members were advised that this was an opportunity to showcase Stalybridge, to re-invent Stalybridge as a 21<sup>st</sup> century climate conscious cultural hub for adventurers and people wanting to explore the best of both town and country with easy links to Manchester and Leeds and the Pennines

#### **AGREED**

**That Executive Cabinet be recommended to agree that:**

- (i) The Stalybridge Town of Culture proposal and the awarded £50,000 to deliver the programme in 2022 is noted.**
- (ii) That the proposed current programme of activity is noted and that a more developed programme will be determined over the coming weeks.**
- (iii) The Council's contribution to support the enhanced delivery of Town of Culture is noted.**



## **237 STALYBRIDGE VACANT DEVELOPMENT SITES**

Consideration was given to a report of the Executive Member, Housing, Planning and Environment / Executive Member, Finance and Economic Growth / Director of Place. The report provided an update on the work undertaken in the Town Centre and sought approval for resubmission of a Stalybridge Town Centre bid to Round 2 of the national Levelling Up Programme and for delivery of the next steps in the programme around the emerging initial Masterplan footprint, which would focus initially on the sites as outlined within the report and building upon the Evergreen work already undertaken (as appended to the report at Appendices A & B).

Details were given of the commencement of a programme of work to produce a development prospectus, next stage planning and delivery strategies and the undertaking of a Soft Market Test around the development opportunity in Stalybridge on the emerging and initial Masterplan footprint, as follows;

- a Development Prospectus - to support the Development Prospectus, necessary work to be undertaken including all relevant due diligence and development work around next stages including taking relevant development plots to RIBA Stage 2, and possibility of an outline planning application to assist with bringing the plots to market. On completion of the next stage works, a comprehensive Planning & Development Strategy will be brought back to Executive Cabinet for decision.
- prepare documentation and undertake an initial soft market test exercise working directly with STAR and the appointed Multi-Disciplinary Team for the delivery of the project against the emerging Masterplan for Stalybridge, building on the Evergreen work. This to focus initially on the development potential and sites contained within this report.
- Working in parallel with the soft market test, a detailed level Commercial, Investment & Delivery Strategy to be developed around the emerging Masterplan of the Evergreen work.
- The detailed Commercial, Investment & Delivery Strategy (informed by the soft market test) will be brought back to Executive Cabinet with recommendations for a decision on options to progress to a formal and full market exercise to secure a Strategic Partner(s) for the delivery of the Stalybridge Masterplan.
- To undertake further detailed Open Space & Public Realm design work across the emerging Masterplan footprint and the common areas in Stalybridge Town Centre.

### **AGREED**

**That Executive Cabinet Note the work delivered and planned in Stalybridge Town Centre and be recommended to:**

- (i) Agree the resubmission of a Stalybridge bid application as part of the national Levelling Up Programme Round 2 with the bidding process due to be announced in spring 2022.**
- (ii) Agree to incur expenditure of up to £40,000 associated with the resubmission of the Levelling Up bid including the appointment of a multidisciplinary team to support the bid as set out in sections 4 and 5 and the Director of Place to manage the programme of works and services.**
- (iii) Agree to undertake an initial public consultation on the emerging Masterplan as produced under the Evergreen Phase 1 Work and as contained within this report. To note, that further and full consultation(s) with the public and key stakeholders will be held throughout 2022.**
- (iv) Agree to undertake the necessary procurement exercises (via STAR) and to appoint a Multi-Disciplinary Team to take forward the wider supportive studies building upon the Evergreen Phase 1 funded work around the emerging and initial Masterplan footprint as identified in paragraph 1.3 of this report.**
- (v) Agree to incur expenditure of up to £290,000 associated with the wider supportive studies as set out in recommendation (v) as identified in paragraph 1.3 of the report and approval for the Director of Place to manage whole programme of works and services as set out within this report and to bid for funding, drawdown and incur all expenditure related to the delivery within the Council's financial and legal framework. For the avoidance of doubt this means the Director will need to sign of Executive**

**Decisions for the spend.**

- (vi) **To note that Council owned sites as set out in section 3 (excluding the GMPF sites) of this report to now go through the Corporate Strategic Asset Management process to declare sites as surplus to requirements.**
- (vii) **To note that all on-going performance and reporting will be provided as necessary relating to the works/services contained within this report.**

## **238 PUBLIC SECTOR DECARBONISATION SCHEME FUNDING ROUND THREE**

Consideration was given to a report of the Executive Member for Neighbourhoods Community Safety and Environment / Director of Place. The report set out the sites identified for the Public Sector Decarbonisation Scheme Funding Round Three and set out the facts of the current PSD3 bid application and underlined the need to pursue this work.

It was explained that six sites had been identified where heating plant and associated equipment was at the end of its viable life. With escalating fuel costs as well as the councils commitment to respond to the climate emergency – refitting these sites with low-carbon alternatives was both morally and financially prudent. After adjustment from GMCA in late February 2022, the cost of the works was now projected at £2,971,808. The grant total that the Council can apply for was £1,918,258 (65% of the total programme cost) requiring a match funding sum of £1,053,550 (35%) via the Council.

Revenue savings were calculated at £912,560 over the twenty year lifecycle of the programme (this being a conservative estimate as energy prices had become so volatile – savings could be significantly more). The amount of carbon proposed to be eliminated was calculated to be 6,802 tonnes CO<sub>2</sub>e – again over the twenty year projected lifecycle. It was likely the proposed investment would, in reality, continue to deliver savings beyond that twenty-year threshold.

### **AGREED**

**That Executive Cabinet be recommended to:**

- (i) **Agree that in principal, the Council enters into a contract with the Greater Manchester Combined Authority subject to the necessary due diligence for the purposes of disbursement of funding in relation to the PSDS award, based on submission of invoices for completed individual measures. The governance required to enter into this contract will be subject to an Executive Decision (ED) at a later date.**
- (ii) **Agree that the Council agrees that the delivery of design works and installation of measures will be undertaken via the Council's arrangement with the LEP (via Robertson) and the associated supply chain utilising the Tameside Additional Services Contract (TAS).**
- (iii) **Approve the inclusion of the phase 3 Decarbonisation programme (estimated total cost of (£2,971,808) within the Council's approved capital programme as set out in Appendix 1. Any subsequent variance to the estimated cost and funding of the programme will be subject to separate governance at a later date.**
- (iv) **Approve the allocation of £599,000 to support the match funding required to finance the phase 3 Decarbonisation programme. The sum to be allocated via the Planned Preventative Maintenance capital budget allocation of £1,896,000 that was approved at the Executive Cabinet on 29 September 2021 — agenda item 7, Capital Programme and Financing Update report refers.**
- (v) **Note that works will be expected to be completed by 31 March 2023.**

## **239 LEVELLING UP FUND: DENTON BID**

Consideration was given to a report of the Executive Member for Finance and Economic Growth / Director of Place / Assistant Director for Investment, Development & Housing. The report sought approval for the preparation of a bid to the Levelling Up Fund for Denton Town Centre and approval for the procurement of specialist external consultancy support for the preparation and submission of

a bid by Tameside Metropolitan Borough Council.

It was stated that the Council had identified Denton Town Centre as one of its growth priorities, supporting delivery of the Tameside Inclusive Growth Strategy 2021-26 in making Tameside's town centres hubs for living, culture, employment and services supporting a sustainable retail sector.

Denton Town Centre had benefited from significant investment in recent years, including delivery of the Tameside Wellness Centre, new housing development and the growth of the evening economy. Despite this investment, the Town Centre has been negatively impacted by national market trends in the retail sector, increasing vacancy rates, the poor condition and/or underutilisation of prominent buildings, varying quality of public realm and a disconnection between key assets.

It was proposed that a bid to the Fund and specific interventions be prepared for Denton Town Centre in the context of an emerging wider strategic vision for the Town, consistent with the Council's emerging Tameside Town Centres Framework, supporting existing and planned investment. This would in turn help to deliver a catalytic economic and social impact to the local community. Interventions for the bid would be developed to provide public realm improvements, walking and cycling facilities, enabling infrastructure and support for heritage and townscape enhancements. This would help the Town Centre to reach its full potential and deliver further comprehensive regeneration, attracting additional investment.

The bid to the Fund would be designed to be an economic driver that delivers a genuine levelling up opportunity supporting national, GM and Tameside strategic policies. Contributions would accrue from enhancing sustainable travel and the continued regeneration of Denton as a modern hub that more effectively serves its local catchment.

There was now potential for a strong LUF bid to be compiled for Denton particularly focussing on public realm and active travel to further strengthen the links across the town centre. This would also ensure all of the benefits from the significant new investment and development that was taking place in Denton such as new residential and the Denton Wellness Centre to name a few were captured.

It was explained that in order to ensure a competitive submission it would be necessary to bring in additional resource, capacity and independent and professional advice/input. This would also give the bid further weight and justification of having sought external advice and as a normal course of any major bid preparation. The Council would utilise its own internal capacity and expertise to facilitate and drive the bids but it would be necessary to ensure the internal team have access to the resource and independence as required to ensure both a robust bid was put together but also one that can address all technical and compliance requirements.

It was estimated that a budget of up to a maximum sum of £50,000 was required to support a robust bid for Denton Town Centre. The budget would be used to support bid preparation and associated due diligence required to prepare a robust bid for submission to the Fund.

#### **AGREED**

**That Executive Cabinet be recommended to :**

- (i) Agree that a bid to the Levelling Up Fund for Denton Town Centre is prepared for submission and referred back for consideration prior to the bid submission date (once confirmed).**
- (ii) Agree on the procurement and appointment of Specialist external support through STAR to assist in the preparation and submission of a bid to the Levelling Up Fund for Denton Town Centre.**
- (iii) Approve a budget of up to £50,000 (via business rates 100% retention funding which is allocated to support economic growth within the borough) to appoint the aforementioned external support and this budget is approved for all professional fees and costs associated with the preparation and submission of a bid to the Levelling Up Fund for Denton Town Centre. Budget to be taken from the Government's Levelling**

**Up Fund allocation already provided to TMBC for purposes of submitting Levelling Up Fund bids and as outlined within this report.**

## **240 ENGAGEMENT UPDATE**

A report was submitted by the Executive Leader / CCG Co-Chairs / Director of Transformation providing an update on the delivery of engagement and consultation activity from June 2021 to date.

It was explained that much of the work was undertaken jointly – coordinated through the Tameside and Glossop Partnership Engagement Network (PEN) – by NHS Tameside and Glossop Clinical Commissioning Group, Tameside Council and Tameside and Glossop Integrated Care NHS Foundation Trust. However, it was noted that each of the three agencies undertake work individually where necessary and appropriate for the purposes of specific projects.

It was further explained that the onset of the Covid-19 pandemic had also meant that different ways to engage local communities had to be identified. The report set out some examples of the ways in which this had been achieved, including the establishment of both the Community Champions programme and Tameside & Glossop Inequalities Reference Group.

The Director of Transformation highlighted the key headlines from June 2021 to date:

- Facilitated 16 thematic Tameside and/or Glossop engagement projects
- Received 3,957 engagement contacts (excluding attendance at virtual events)
- Supported 7 engagement projects at the regional and Greater Manchester level
- Promoted 7 national consultations where the topic was of relevance to and/or could have an impact on Tameside and/or Glossop
- Established the Community Champions Network to provide residents and workforces with the coronavirus information they need to lead the way in their community, with over 270 members now registered and a networking event on 1 March 2022.
- The Tameside & Glossop Inequalities Reference Group, established in response to how the coronavirus pandemic, and the wider governmental and societal response to this, continues to bring equalities and inequalities into focus. Two reports have been produced for two areas of focus, making recommendations on how to address inequality. These are: Digital Inclusion and Community Cohesion.
- Delivered three virtual Partnership Engagement Network (PEN) conferences attended by over 130 delegates in total.
- Retained 'Green Star' top rating for public and patient engagement as part of the CCG Improvement and Assessment Framework (IAF).

Further information was also provided in respect of:

- Community Champions Network;
- Tameside & Glossop Inequalities Reference Group
- Partnership Engagement Network (PEN) Update; and
- Other engagement work.

## **AGREED**

**Strategic Commissioning Board and Executive Cabinet are asked to note the contents of the report and support future engagement and consultation activity with the communities of Tameside and Glossop.**

## **241 ADULT SOCIAL CARE FEES 2022-23**

Consideration was given to a report of the Executive Member, Adult Social Care and Health / Director of Adults Services outlining proposals in relation to revised prices to meet the increasing cost of providing adult social care services for 2022-23.

It was explained that, the Council and CCG, as had been reported over a number of years, continued to face significant financial pressures in the coming years. The budget report, as in previous years, for 2022/23 proposed a balanced budget, subject to the delivery of identified savings on Council Budgets, and an increase in Council Tax. The response to the Covid pandemic had created significant additional pressures and costs along with impacts on the Council's income budgets.

The CCG was currently working on the practicalities of its incorporation into the GM Integrated Care Service (ICS), due to go live in July 2022, with discussions on funding available locally ongoing. The CCG was party to a number of joint contracts with the Council, primarily in relation to support at home/home care and care homes with respect to the nursing element, and agreement had been in place with regards to contract uplifts that any reasonable or unavoidable uplifts should be agreed in line with the proposed increases included in the Council's budget.

Members were advised that much work had been done over the past few years to radically change the way that services were provided, and there had been a focus placed on reducing the costs of services to support management of the overall budget reductions of the last decade. At the same time as managing reductions in financial resources, demand for service provision had been rising - the increasing number of older people and younger adults with complex and life limiting conditions and disabilities continued to add further pressure to services provided. The period of the Covid Pandemic had seen increasing numbers of people requiring care and support – seen most acutely in services supporting people to remain living in their own homes. The rise in the demand for care and support had not been matched by an increased ability to attract sufficient numbers of staff to keep pace with the demand for support.

The report set out proposals for costs that would constitute the minimum requirements to meet the specific cost pressures imposed on providers across the health and social care sector in the following areas:

- Care Homes;
- Support at Home/Home Care;
- Extra Care Housing;
- Supported Accommodation including LD Respite;
- Other Social Care Contracts;
- Direct Payments;
- Wilshaw House – Dementia Day Centre;
- Day Service Options;
- Shared Lives;
- Out of Borough Placements; and
- Charges for services.

#### **AGREED**

**That Strategic Commissioning Board be recommended to:**

- (i) Approve the proposed new rates for care home placements as detailed in Section 4 of this report in line with the agreed cost of care framework detailed in Appendix 1.**
- (ii) Approve the proposed new rates for Support at Home at £19.22 per hour (Appendix 2) and Standard Home Care at £17.73 per hour (Appendix 3)**
- (iii) Approve the spot purchase rates for sleep-in at rates of £110.63 per night, and £147.48 per night for waking nights.**
- (iv) Approve the proposed 6.6% uplift on the core contract prices at the four Extra Care Schemes and the proposed revised rate for additional hours commissioned in Extra Care of £16.71 per hour (Appendix 4)**
- (v) Approve the proposed uplift by 5.3% of Adult Social Care contract prices highlighted in Section 2 and 4 of this report.**
- (vi) Approve the revised Direct Payment rates as detailed in section 4;**
- (vii) Approve the 5.3% uplift in the annual contract price for the Dementia Day Service at Wilshaw House.**
- (viii) Approve the revised contract price for the Day Service Options Contract Lead**

**Provider, Active Tameside, at the value of £1,395,728 for 2022-23 as detailed in section 4 of this report.**

- (ix) Approve the rate increases for Shared Lives Carer payments detailed in Section 4**
- (x) Approve the offer to increase younger adults out of borough placements by 5.3 % with flexibility to approve a higher rate where providers evidence a higher rate is required as detailed in Section 4.**
- (xi) Approve that all the proposed new rates becoming effective from 1 April 2022**

## **242 FORWARD PLAN**

The forward plan of items for Board was considered.

**CHAIR**

## ENVIRONMENT AND CLIMATE EMERGENCY WORKING GROUP

16 March 2022

Commenced: 4.30 pm

Terminated: 5.55 pm

**Present:** Councillors Boyle (Chair), B Holland, Jones, Mills and Pearce

**In Attendance:**

Ian Saxon	Director, Place
Emma Varnam	Assistant Director, Place
Garry Parker	Head of Waste Management and Fleet Services
Graham Hall	Climate and Energy Manager
Christina Morton	Environmental Development Officer
Lindsay Johnson	Head of Asset Strategy

**Apologies for Absence:** Councillors Affleck, Cooper and Patrick

### 29. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 30. MINUTES

The minutes of the meeting of the Environment and Climate Emergency Working Group held on 17 November 2021 were approved as a correct record.

### 31. SUSTAINABLE PROCUREMENT

The Panel received a presentation from the Climate and Energy Manager in relation to sustainable procurement. Reducing waste and procuring sustainably formed a key part of the Council's Climate Emergency Action Plan.

Members were informed that the Council was committed to working with its procurement partner, STAR, to ensure that it procured goods and services in a sustainable manner. The Climate Manager explained that the Council was in early stage discussions with procurement partners to procure sustainably. It was highlighted that there were a number of advantages to procuring sustainably, including benefits to local employment, biodiversity net gain, carbon reduction, social value and resource and waste reduction.

A member of the STAR procurement team would attend the next meeting of the group to inform Members how they intended to ensure sustainability in the supply chain.

#### RESOLVED

- i. That the content of the presentation be noted.
- ii. That a representative from STAR procurement attend the next meeting of the Group.

### 32. DECARBONISATION OF THE PUBLIC ESTATE UPDATE

The Panel received a presentation from the Environmental Development Officer updating Members on the steps being taken by the Council to decarbonise the Tameside estate. The project formed part of the Greater Manchester Five Year Plan and a wider initiative to de-carbonise buildings across the city region.

Members were informed that Phase 1 of the Scheme had seen £1 billion of grants made to public sector bodies, including schools and hospitals, to fund both energy efficiency and low carbon heat

upgrades. It was explained that Tameside Council was initially awarded £2.5 million in funding to improve the energy efficiency and decarbonise 11 Council buildings; eight corporate and three schools. Additional funding had also been provided to support three further insulation schemes.

Details of the measures undertaken as part of Phase 1 were outlined and included insulation, draught proofing, improvements to Building Management Systems (BMS), solar PV, solar thermal, air source heat pumps and window replacements. It was expected that these measures would reduce carbon emissions by an estimated 355.86 tonnes CO<sub>2</sub>e per annum. All of the Phase 1 measures would need to be delivered by early June 2022.

The Environmental Development Officer advised the Group that applications for Phase 3 of the Public Sector Decarbonisation Scheme had opened on 6 October 2021 and closed on 3 November 2021. Members were informed that the Greater Manchester Combined Authority (GMCA) had compiled a joint bid and Tameside had put forward six buildings; two corporate, two sport's trust and two schools. These related to Stalybridge Civic Hall, Clarence Arcade, Medlock Leisure Centre, Active Hyde, St John's Primary School and Stalyhill Primary School.

Funding requirements for Phase 3 of the Decarbonisation Scheme were different to those of Phase 1 and it was explained that as part of this phase, a building's heating system had to be old and in need of replacement. There was also a match-funding requirement. The Council, as part of the GMCA bid, had applied for £3 million of funding with an eligible grant of £1.95 million (65%), requiring match funding of £1 million (35%).

Members were pleased that Tameside's recent Phase 3 bid had been successful subject to a report that was currently proceeding through the Council's governance process. The request for match funding would receive a decision at Executive Cabinet on 30 March 2022 and, subject to approval, the six schemes would need to be delivered by 31 March 2023.

## **RESOLVED**

**That the content of the presentation be noted.**

### **33. UPDATE ON ENERGY MARKETS AND PRICE INCREASES**

The Panel received a presentation from the Environmental Development Officer updating Members on the energy market and looming price increases.

Reasons for increasing energy prices were outlined to the Group and included:

- A cold start to Spring 2021 in the UK and Europe which had depleted gas storage further following a cold winter;
- Increased flows from Russia and more Liquid Natural Gas (LNG) cargo arrivals to Europe were expected, but failed to materialise;
- Unplanned outages and lack of wind to power turbines during last summer compounded existing problems;
- European storage levels entering the winter season were 15 per cent below the long-term average;
- Conflict between Russia and Ukraine led to concerns that supplies from the country would be disrupted, further pushing up prices;
- Germany halted approval of the Nordstream 2 gas pipeline; and
- The energy price cap had been raised by the regulator, Ofgem.

Members were informed that the increasing cost of energy would have a significant impact on the Council's corporate accounts and schools on contracts. In relation to gas, the Environmental Development Officer explained that the Council purchased gas through the Crown Commercial Services (CCS) framework, and had already been purchased up to 31 March 2022. This price was currently fixed and was not affected by the current market conditions.



Gas purchasing for 2022/23 had commenced in September 2021 and the Group were informed that prices were expected to rise by 105 per cent in April 2022 compared to April 2021.

In relation to electricity, the Council purchased through the Yorkshire Purchasing Organisation (YPO) framework and this had already been purchased up to 31 March 2022 and was not currently affected by the current market conditions. The purchasing of electricity for 2022/23 had begun up to a year in advance and it was expected that electricity costs for the Council would increase by 50 per cent for the period 1 April 2022 to 31 March 2023. It was advised that these figures were based on information available today and were therefore subject to change.

Information was then provided in relation to the help available for the borough's residents to cope with the increasing cost of energy bills. The assistance currently available included:

- All domestic electricity customers receiving £200 off their energy bills from October 2022;
- The Warm Home Discount that provided a one off discount of £140 over the winter period; and
- Cold Weather Payments that paid out £25 for each seven day period that average temperatures in the area were zero degrees or below.

In addition to financial help from Government, residents would be encouraged to make their homes warmer through insulation and draught proofing and ensure that their bills were accurate by having a smart meter installed. Other smaller measures including turning down the thermostat by one degree, which could save the average household £55 annually.

Details of two schemes that could help the borough's most vulnerable residents were highlighted, the Local Energy Advice Partnership (LEAP) and the Green Homes Grant Local Authority Delivery Scheme. The LEAP was available to residents who were struggling to heat their homes and a visit from an outreach worker could suggest small measures, including switching energy supplier, benefits and debt advice, applying for the Warm Home Discount and a referral for a free boiler in certain circumstances.

Members were informed that the Green Homes Grant Local Authority Delivery Scheme was still running and referrals were being taken until the end of March for an end of June completion date. The scheme was targeted at those residents with a combined gross annual household income of less than £30,000 and an EPC rating of band E, F or G who could then qualify for free energy saving measures. Energy efficiency measures included insulation, low carbon heating, replacement of single glazed windows and installation of solar PV panels.

In order to promote the schemes and funding available to residents, Members were keen that the Council's Communication's Team highlighted them through the various social media channels. It was also requested that a member of the Environmental Development team address local groups to detail the help available to those individuals who did not necessarily use the internet or social media.

Concerning the increasing energy costs faced by the Council, Members sought clarity on what the authority was doing to try to improve its energy sustainability. The Environmental Development Officer advised that as part of the Go Neutral Scheme the Council was working to identify sites on its estate that could incorporate renewable energy solutions. Further information on Go Neutral and the potential sites across the estate would be brought to the next meeting of the Group.

#### **RESOLVED**

- i. That the content of the presentation be noted.**
- ii. That a presentation on the Go Neutral Scheme be brought to the next meeting of the Group.**

### **34. STATEMENT FROM UNITED UTILITIES**

The Group received a written statement from the Head of Stakeholder Relations at United Utilities in relation to Member concern about discharge of micro-plastics and sewage into the River Tame. Members had requested that United Utilities address the Group in relation to their concerns but the water company had suggested that this meeting take place after April 2022 to allow new, verified data concerning environmental performance across the North West to be made available.

#### **RESOLVED**

- i. That the content of the statement be noted.**
- ii. That a representative from United Utilities attend the next meeting of the Group to address Member concerns regarding the discharge of micro-plastics and sewage into the River Tame.**

### **35. WASTE AND RECYCLING UPDATE**

The Panel received a presentation on waste and recycling from the Head of Waste Management and Fleet Services.

Members were informed that from 31 January 2022, the Council had launched a change in bin collection frequency across the borough. Despite some minor teething problems, it was advised that all rounds had been completed with very little service failure. After 12 weeks, a review of the new collection pattern would be undertaken, checking tonnage levels and any complaints received.

The Head of Waste Management reported that the Council had now introduced charging for wheeled bins where they needed to be replaced. This was saving the Council around £5,000 per week however, hardship control measures were in place for those residents who could not afford to purchase a bin.

Regarding the borough's doorstep recycling rate, Members were advised that the current rate stood at 48 per cent. It was highlighted that this did not mean that 52 per cent of waste went to landfill as a proportion of the non-recyclable waste was sorted by a system called Aladdin and used to generate energy that the Council received an income from. Whilst the Council had achieved a peak recycling rate of 63 per cent in June 2021, often this was seasonal and reflected an increase in garden waste during the summer period.

An update was provided in relation to the Council's efforts to green its fleet of vehicles. The Fleet Replacement Strategy had gone to Board on 2 March 2022 and would then proceed to Executive Cabinet for approval. If approved, the Council would then commence replacing its older and more polluting vehicles. Currently, the Council had 106 vehicles and as part of its strategy to introduce ultra-low emission vehicles, it would also look to reduce its fleet size.

The Group were informed that introducing fully electric lifting systems on refuse vehicles would result in a seven per cent fuel saving for the Council. In relation to replacing refuse vehicles, it was explained that a standard vehicle cost £190,000 compared to around £400,000 for a fully electric truck. Each new vehicle was expected to last eight years and 32 would be required in total. Whilst a standard diesel vehicle did two miles to the gallon, it was emphasised that a fully electric vehicle would be more efficient and cost effective over the longer term.

A new car leasing scheme had been launched by the Council on 1 March 2022 and all vehicles available under the scheme would have a maximum emission of 120g/Km. In addition, the new mayoral car would be a hybrid/electric vehicle.

The Chair and Assistant Director of Place informed Members that Garry Parker, Head of Waste Management and Fleet Services would be leaving Tameside to take up an Assistant Director position at Bolton Council. They extended their thanks to Garry for his hard work and support at the Group and Members echoed these comments.

**RESOLVED**

**That the content of the presentation be noted.**

**36. UPDATE FROM TASK GROUPS**

The Group received a presentation from the Climate and Energy Manager updating Members on the work being undertaken by the Climate Change and Environment task groups. The task groups comprised both elected Members and officers with each meeting four times since the last meeting of the Group in November 2021.

The five task groups comprised influencing others; homes, buildings & workspaces; travel & transport; greenspace; and reducing waste and procuring sustainably. The Climate Manager highlighted that there was overlap between the five groups and that they were designed to work collaboratively rather than in silos. Each task group would consult the Council's Climate Emergency Action Plan; monitor the progress of activity against it and feedback to the Environment and Climate Emergency Working Group. Work would also be undertaken outside of this Group to progress the aims outlined in the Action Plan.

A RAG chart detailing the activity of each group against the Action Plan had been devised. The vast majority of activities across the five groups were rated as either amber or green indicating that progress was being made and the Climate Manager thanked Members for their positive contributions to each group.

Details of the activities from the five task groups would be relayed at Member briefing sessions. This would ensure that all Members were aware of the action being taken by the Council to achieve its environmental and climate targets following the declaration of a Climate Emergency in February 2020.

**RESOLVED**

**That the content of the presentation be noted.**

**37. URGENT ITEMS**

There were no urgent items.

**CHAIR**

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<b>Report To:</b>	<b>EXECUTIVE CABINET</b>
<b>Date:</b>	27 April 2022
<b>Executive Member / Reporting Officer:</b>	Councillor Oliver Ryan – Executive Member (Finance and Economic Growth) Dr Ash Ramachandra – Lead Clinical GP Kathy Roe – Director of Finance
<b>Subject:</b>	<b>STRATEGIC COMMISSION AND NHS TAMESIDE AND GLOSSOP INTEGRATED CARE FOUNDATION TRUST FINANCE REPORT</b> <b>CONSOLIDATED 2021/22 REVENUE MONITORING STATEMENT AT 28 FEBRUARY 2022</b>
<b>Report Summary:</b>	<p>This is the financial monitoring report for the 2021/22 financial year reflecting actual expenditure to 28 February 2022 (Month 11) and forecasts to 31 March 2022.</p> <p><b>APPENDIX 1</b> summarises the integrated financial position. Overall the Strategic Commission is reporting a total forecast overspend of £2.907m for the year ending 31 March 2022. This includes a £2.285m reported deficit on CCG budgets which is expected to be offset with allocation adjustments before year end, resulting in a break even position for the CCG. There is a net forecast deficit of £0.622m on Council budgets but this includes £4.233m of ongoing demand pressures in Children's Social Care, offset by non-recurrent additional funding streams for 2021/22 only.</p>
<b>Recommendations:</b>	Members are recommended to note the forecast outturn position and associated risks for 2021/22 as set out in <b>Appendix 1</b> .
<b>Policy Implications:</b>	Budget is allocated in accordance with Council/CCG Policy
<b>Financial Implications:</b> <b>(Authorised by the Section 151 Officer &amp; Chief Finance Officer)</b>	<p>This report provides the 2021/22 consolidated financial position statement at 28 February 2022 for the Strategic Commission and ICFT partner organisations. The Council set a balanced budget for 2021/22 which included savings targets of £8.930m whilst also being reliant on a number of corporate financing initiatives to balance.</p> <p>Despite this, a significant pressure is currently forecast, which will need to be addressed within this financial year. A new financial turnaround process is being implemented across all budget areas to address financial pressures on a recurrent basis.</p> <p>With the outbreak of COVID-19 in 2020, emergency planning procedures were instigated by NHSE and a national 'command and control' financial framework was introduced. While some national controls have been relaxed over time, normal NHS financial operating procedures have still not yet been fully reintroduced.</p> <p>CCG plans were approved by NHS England in mid November and allocations have now been transacted. As a result of this, full year budgets are now in place across the NHS. It should be noted that the Integrated Commissioning Fund (ICF) for the Strategic</p>

Commission is bound by the terms within the Section 75 and associated Financial Framework agreements.

**Legal Implications:  
(Authorised by the Borough  
Solicitor)**

The Local Government Act 1972 (Sec 151) states that “every local authority shall make arrangements for the proper administration of their financial affairs...”

Revenue monitoring is an essential part of these arrangements to provide Members with the opportunity to understand and probe the council’s financial position.

Members will note that the current outturn position is currently predicting that the CCG will break even whilst there is a forecast net deficit of £0.622m on Council budgets

The council has a legal duty to deliver a balanced budget by the end of the financial year. Failure to deliver a balanced budget can result in intervention by the Secretary of State.

Members therefore need to be content that there are robust plans in place to ensure that there is a balanced budget by the end of the financial year.

**Risk Management:**

Associated details are specified within the presentation.

Failure to properly manage and monitor the Strategic Commission’s budgets will lead to service failure and a loss of public confidence. Expenditure in excess of budgeted resources is likely to result in a call on Council reserves, which will reduce the resources available for future investment. The use and reliance on one off measures to balance the budget is not sustainable and makes it more difficult in future years to recover the budget position.

**Background Papers:**

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

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## **1. BACKGROUND**

- 1.1 Monthly integrated finance reports are usually prepared to provide an overview on the financial position of the Tameside and Glossop economy.
- 1.2 The report includes the details of the Integrated Commissioning Fund (ICF) for all Council services and the Clinical Commissioning Group. The gross revenue budget value of the ICF for 2021/22 is reported at £1.002 billion.
- 1.3 Please note that any reference throughout this report to the Tameside and Glossop economy refers to the three partner organisations namely:
  - Tameside and Glossop Integrated Care NHS Foundation Trust (ICFT)
  - NHS Tameside and Glossop CCG (CCG)
  - Tameside Metropolitan Borough Council (TMBC)

## **2. FINANCIAL SUMMARY (REVENUE BUDGETS)**

- 2.1 At M11 the CCG is reporting an overspend of £2.285m, all of which is reimbursable through national schemes, meaning that once M12 allocations have been transacted the position will be balanced on an in year, non recurrent basis. The same is true of the ICFT position where the trust is forecasting a breakeven position for 2021/22.
- 2.2 For the Council budgets an overspend of £0.622m is currently forecast. This represents an improvement of £0.079m compared to month 10 (made up of adverse movements in two areas, offset by the release of contingencies), but more work is still required to balance the position before year end.
- 2.3 The Council budget includes a small contingency, which is released throughout the year to offset expected pressures. A further £0.327m of contingency has been released at month 11, leaving an unallocated contingency budget of £0.100m, which will be released in Month 12 if not required.
- 2.4 Looking forward, the long term financial position within the locality remains a cause for concern as we contend with the aftermath of the pandemic at the same time as addressing an underlying financial deficit and implementing comprehensive organisation change across the NHS.
- 2.5 2022/23 financial plans for the Council have been agreed, while the new ICB is in the final stages of planning for health budgets. This will be discussed in more detail in the months to come, but significant work will be required in order to recurrently balance budgets across the system in 2022/23 and beyond.
- 2.6 Further detail on the financial position and key headlines can be found in **Appendix 1**.

## **3. RECOMMENDATIONS**

- 3.1 As stated on the front cover of the report.

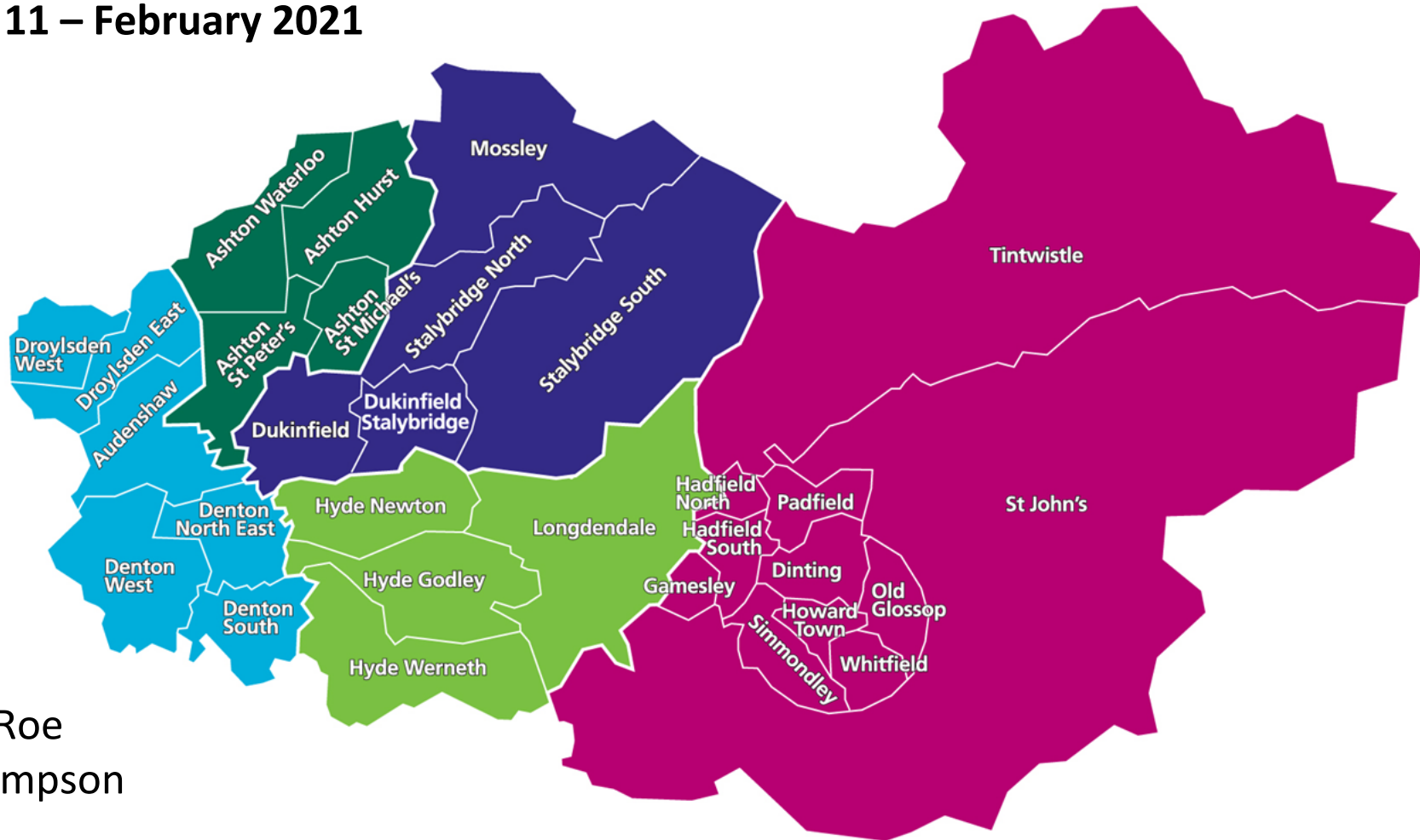
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# Tameside and Glossop Strategic Commission

## Finance Update Report Financial Year 2021-22 Month 11 – February 2021

Page 51



Kathy Roe  
Sam Simpson

## Period 11 Finance Report

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*This report covers the Tameside and Glossop Strategic Commission (Tameside & Glossop Clinical Commissioning Group (CCG) and Tameside Metropolitan Borough Council (TMBC)) and Tameside & Glossop Integrated Care Foundation Trust (ICFT). It does not capture any Local Authority spend from Derbyshire County Council or High Peak Borough Council for the residents of Glossop.*

# Finance Update Report – Executive Summary

## Message from the DOFs:

As we enter the final few weeks of this financial year, we still have more work to do in order to balance the financial position for 2021/22.

At M11 the CCG is reporting an overspend of £2,285k, all of which is reimbursable through national schemes. Meaning that once M12 allocations have been transacted we are on track to balance the position on an in year, non recurrent basis. The same is true of the ICFT position where the trust is forecasting a breakeven position for 2021/22.

For the Local Authority an overspend of £622k is currently forecast. This represents an improvement of £79k compared to month 10 (made up of adverse movements in two areas, offset by the release of contingencies). But more work is still required to balance the position before year end.

The Council budget includes a small contingency which is released throughout the year to offset expected pressures. A further £327k of contingency has been released at month 11, leaving an unallocated contingency budget of £100k which will be released in Month 12 if not required.

Looking forward, the long term financial position within the locality remains a cause for concern as we contend with the aftermath of the pandemic at the same time as addressing an underlying financial deficit and implementing comprehensive organisation change across the NHS.

Financial plans for the Council have been agreed, while the new ICB is in the final stages of planning for health budgets. This will be discussed in more detail in the months to come, but significant work will be required in order to recurrently balance budgets across the system in 2022/23 and beyond.

## TMBC Financial Position

**£79k**

Overall improvement in financial position since M10.

## Children's Social Care

**(£4,233k)**

Forecast overspend against full year budget. A deterioration of £87k on the M10 position..

## CCG Financial Position

**£0k**

While the CCG is reporting an over spend of £2,285k at M11. This is all reimbursable through the M12 allocation process. Meaning an effective break even position is forecast.

## ICFT Forecast Position

**£0k**

The Trust is forecasting a breakeven financial position for 2021/22 in line with plan.

Forecast Position £000's	YTD Position			Forecast Position			Variance	
	Budget	Forecast	Variance	Budget	Forecast	Variance	Previous Month	Movement in Month
CCG Expenditure	412,366	413,457	(1,091)	453,509	455,794	(2,285)	(3,376)	1,091
TMBC Expenditure	182,835	168,164	14,671	194,494	195,116	(622)	(701)	79
Integrated Commissioning Fund	595,201	581,622	13,579	648,003	650,909	(2,907)	(4,077)	1,171

# Integrated Commissioning Fund Budgets

Forecast Position £000's	YTD Position (Net)			Forecast Position (Net)			Net Variance		Gross Position (full year)	
	Budget	Actual	Variance	Budget	Forecast	Variance	Previous Month	Movement in Month	Expenditure Budget	Income Budget
Acute	210,357	209,922	435	229,355	228,836	519	509	10	229,355	0
Mental Health	41,320	41,218	102	45,424	45,275	149	224	(75)	45,424	0
Primary Care	85,097	85,257	(160)	95,396	96,487	(1,091)	(1,212)	121	95,396	0
Continuing Care	13,385	12,663	722	14,769	13,936	833	865	(31)	14,769	0
Community	39,097	39,655	(558)	42,415	43,242	(828)	(1,652)	825	42,415	0
Other CCG	18,768	20,504	(1,736)	21,360	23,282	(1,922)	(2,109)	187	21,360	0
CCG TEP Shortfall (QIPP)	0	0	0	0	0	0	0	0	0	0
CCG Running Costs	4,342	4,239	103	4,790	4,735	55	0	55	4,790	0
Adults	36,908	36,923	(15)	40,264	39,369	895	895	0	90,872	(50,608)
Children's Services - Social Care	47,958	53,630	(5,673)	53,314	57,546	(4,233)	(4,146)	(87)	64,961	(11,648)
Education	8,043	4,069	3,975	7,435	7,064	372	372	0	33,224	(25,788)
Individual Schools Budgets	5,099	(499)	5,598	0	0	0	0	0	124,462	(124,462)
Population Health	13,327	11,415	1,912	14,538	13,641	897	897	0	15,941	(1,403)
Place	58,067	59,264	(1,197)	61,581	62,343	(762)	(762)	(0)	124,215	(62,634)
Governance	10,820	10,258	562	9,083	9,656	(573)	(412)	(161)	71,470	(62,387)
Financials	7,963	8,105	(142)	8,326	7,523	803	803	0	10,153	(1,827)
Quality and Safeguarding	131	29	102	142	142	0	0	0	383	(241)
Capital and Financing	(912)	(1,159)	247	4,775	4,270	505	505	0	8,964	(4,189)
Contingency	3,520	(5,233)	8,753	3,841	3,241	600	273	327	4,597	(756)
Contingency - COVID Costs	0	19,593	(19,593)	0	26,639	(26,639)	(26,639)	0	0	0
Corporate Costs	4,612	4,437	175	5,051	4,890	161	161	0	5,352	(301)
LA COVID-19 Grant Funding	(12,701)	(30,017)	17,315	(13,856)	(38,310)	24,454	24,454	0	(5,239)	(8,617)
Other COVID contributions	0	(2,650)	2,650	0	(2,898)	2,898	2,898	0	0	0
Integrated Commissioning Fund	595,201	581,622	13,579	648,003	650,909	(2,907)	(4,077)	1,171	1,002,864	(354,861)

Forecast Position £000's	YTD Position			Forecast Position			Variance		Gross Position (full year)	
	Budget	Forecast	Variance	Budget	Forecast	Variance	Previous Month	Movement in Month	Expenditure Budget	Income Budget
CCG Expenditure	412,366	413,457	(1,091)	453,509	455,794	(2,285)	(3,376)	1,091	453,509	0
TMBC Expenditure	182,835	168,164	14,671	194,494	195,116	(622)	(701)	79	549,355	(354,861)
Integrated Commissioning Fund	595,201	581,622	13,579	648,003	650,909	(2,907)	(4,077)	1,171	1,002,864	(354,861)

A: Section 75 Services	322,871	322,244	627	354,710	355,334	(624)
B: Aligned Services	205,207	196,726	8,481	220,081	222,525	(2,443)
C: In Collaboration Services	67,124	62,652	4,472	73,212	73,051	161
Integrated Commissioning Fund	595,201	581,622	13,579	648,003	650,909	(2,907)

# Integrated Commissioning Fund Key Messages

## Children's Social Care

The forecast outturn for Children's Social Care is £4,233k overspent, compared to £4,146k at month 10, an adverse movement of £87k.

Whilst the number of cared for children continues to reduce (at the end of February the number of cared for children was 664, a decrease of 11 from the previous month) the cost of external placements continues to increase. The adverse movement in the forecast at period 11 is due to an increase in external placement costs.

## Governance

Within the Governance Directorate, an adverse movement of £71k in Exchequer Services combined with a £90k adverse movement on Policy and Communications budgets, has resulted in an overall forecast outturn position of £573k compared to £412k at month 10.

The movement in Exchequer services budgets relates to a reduction in the amount of Housing Benefit expenditure eligible for subsidy at the end of February compared to January.

In Policy and Communications, there is a proposal to make a contribution to reserves from the Communications Budget staffing underspends to fund a two year post supporting various development and growth projects across the borough

## CCG Reported Position

The reported position at M11 shows a forecast overspend of (£2,285k). Which is £1,091k less than last month following receipt of M11 allocations for Hospital Discharge Programme and Winter Access Fund. As reported in previous months all of this reported variance is reimbursable, but in line with national reporting guidance needs to be shown as an overspend until appropriate allocation changes are transacted in March:

**(£853k) Hospital Discharge Programme.** In total we have spent £2,940k against the Hospital Discharge Programme in the first 11 months of the year, with full year forecast expenditure of £3,217k, which is broadly consistent with last month. Claims for Q3 were settled in February, taking total funding received for HDP in 21/22 to £2,365k. After adjusting for claims which have already been reimbursed, we are reporting a total variance of £853k in relation to Q4. We anticipate receipt of an allocation to match this variance in March, resulting in an effective breakeven position after reimbursement has been approved and transacted.

**(£788k) GP Additional Roles & Responsibilities.** £3.2m of ARR's funding has been made available by NHS England, against which our Primary Care Networks can claim in 2021/22. Based on current PCN forecasts, we anticipate claiming a total of £2,571k (80% of the maximum allowed). This is lower than reported last month because of slippage against PCN plans. CCG baseline allocations include £1,785k of ARR's funding and we are able to reclaim any spend in excess of this, hence the reported variance (i.e. ARR's is cost neutral to the CCG position).

**(£644k) Primary Care Winter Access Fund.** £250m of additional funding has been allocated nationally this year to help improve access to GP services and increase the number of patient appointments available over the winter. In T&G we anticipate total spend of £1,046k, all of which will ultimately be funded nationally. Funding of £402k has already been received, meaning that we need to forecast an overspend of £831k at M11 in anticipation of final allocations in March.

# Finance Summary Position – T&G ICFT

	Month 11			YTD		
	Plan £000's	Actual £000's	Variance £000's	Plan £000's	Actual £000's	Variance £000's
<b>Total Income</b>	<b>£23,180</b>	<b>£25,467</b>	<b>£2,287</b>	<b>£253,093</b>	<b>£258,790</b>	<b>£5,697</b>
Employee Expenses	(£16,295)	(£17,811)	(£1,516)	(£174,056)	(£176,291)	(£2,235)
Non Pay Expenditure	(£5,975)	(£6,058)	(£83)	(£70,432)	(£73,565)	(£3,133)
<b>Total Operating Expenditure (excl. COVID-19)</b>	<b>(£22,270)</b>	<b>(£23,869)</b>	<b>(£1,599)</b>	<b>(£244,488)</b>	<b>(£249,856)</b>	<b>(£5,368)</b>
Income - COVID-19	£30	£30	£0	£151	£287	£136
Employee Expenses - COVID-19	(£739)	(£823)	(£84)	(£7,774)	(£7,968)	(£194)
Non Pay Expenditure - COVID-19	(£142)	(£182)	(£40)	(£1,922)	(£1,567)	£355
<b>Total Operating Expenditure - COVID-19</b>	<b>(£851)</b>	<b>(£975)</b>	<b>(£124)</b>	<b>(£9,545)</b>	<b>(£9,248)</b>	<b>£297</b>
<b>Total Operating Expenditure</b>	<b>(£23,121)</b>	<b>(£24,844)</b>	<b>(£1,723)</b>	<b>(£254,033)</b>	<b>(£259,104)</b>	<b>(£5,071)</b>
<b>Net Surplus/ (Deficit) before exceptional Items</b>	<b>£59</b>	<b>£623</b>	<b>£564</b>	<b>(£940)</b>	<b>(£314)</b>	<b>£627</b>
Trust Efficiency Programme	£846	£1,107	£261	£5,782	£6,080	£298
Capital Expenditure	(£1,237)	(£2,227)	(£990)	(£6,612)	(£6,080)	£532
Cash and Equivalents		£39,158				



## Trust Financial Summary – Month 11

The Trust is planning to breakeven, in line with national guidance. In month 11 the Trust reported an in month variance against plan of c.£564k favourable and a YTD position of c.£627k favourable.

The in month actual position is a reported surplus of c.£623k. This represents a favourable movement of c.£255k compared to the previous month, predominantly due to the receipt of funding in month 11. Total COVID expenditure incurred in month equated to c.£975k against planned spend of c.£851k which is an adverse variance against plan of c.£124k. This is largely due to impact of the Omicron variant on staffing sickness levels and increased instances of isolation as well as increased Critical Care spend. Total YTD spend for COVID is c£9.248m against a plan of c.£9.545m which represents an underspend of £297k.

The Trust is forecasting a breakeven financial position for 2021/22 in line with plan.

## Activity and Performance:

Restoration plans have been established within the Trust and the Trust continues to aspire to deliver nationally prescribed activity targets, which for H2 is to deliver 89% of the completed Referral to Treatment pathways relative to 2019/20. The Trust continues to report good levels of performance against restoration targets and activity remains broadly in line with plan. However, the Trust continues to experience significant pressures within Urgent Care and Non-elective activity.

## Efficiency target:

The Trust has set an efficiency target for H2 of 3% in line with national guidance. This equates to c£4.381m for H2 and c£7.472m for the financial year 2021/22.

The Trust has delivered efficiencies equating to c. £1.107m in month 11 and c.£6.080m YTD, of which c59% have been delivered recurrently, predominantly achieve through productivity improvements and income generation schemes.

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**Report to:** EXECUTIVE CABINET

**Date:** 27 April 2022

**Executive Member:** Councillor Eleanor Wills – Executive Member (Adult Social Care and Health)

**Clinical Lead:** Dr Asad Ali – Clinical Lead (Living Well)

**Reporting Officer:** Stephanie Butterworth - Director of Adult Services

**Subject:** **PEOPLE AT THE HEART OF CARE: ADULT SOCIAL CARE REFORM WHITE PAPER AND IMPLICATIONS FOR TAMESIDE COUNCIL**

**Report Summary:** The Government published its adult social care system reform white paper, 'People at the Heart of Care' on 1 December. The white paper sets out a 10-year vision for care and support in England and is based around three key objectives:

- People have choice, control and support to live independent lives
- People can access outstanding quality and tailored care and support
- People find adult social care fair and accessible

Proposals are backed by the new Health and Social Care Levy announced in September this year, of which £5.4 billion is being invested into adult social care over the next 3 years. Beyond the next 3 years, an increasing share of funding raised by the levy will be spent on social care in England.

The spending review in October 2021 confirmed the investment will be used for the following areas and duties are outlined in the white paper:

- £3.6 billion to pay for the cap on care costs, the extension to means test, and support progress towards local authorities paying a fair cost of care, which together will remove unpredictable care costs
- £1.7 billion to improve social care in England, including at least £500 million investment in the workforce

This report outlines the implications for Tameside Council and partners, indicating the key priorities and next steps.

**Recommendations:**

- (i) That Strategic commissioning Board be recommended to note that:
  - (a) The People at the Heart of Care: Adult Social Care Reform White Paper places new burdens on the council that are far reaching and will affect a number of functions across the council as outlined in sections 2 - 6 of this report.
  - (b) The indicative funding allocations for 2022-2025 for Tameside Adult Care are noted as outlined in section 8 of this report.
- (ii) That Strategic commissioning Board be recommended to:

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- (a) Agree the key priorities for implementation of the Adult Social Care Reform in Tameside as identified in section 9 of this report.
- (b) Accept the allocation of £779,000 implementation support fund for 2022/23 and approve that this allocation be utilised in full for the preparatory work as described in section 9 of this report subject to the business case and necessary internal governance required.
- (c) Agree to the development of an Adult Care Strategy and associated medium term financial strategy (MTFS) for 2022-2025 aligned to the white paper and recovery of local activity following the pandemic.

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

<b>Budget Allocation (if Investment Decision)</b>	£3.6bn Nationally over 3 years directly to local government for the cap, means test and fair cost of care. Anticipate TMBC will receive: <ul style="list-style-type: none"> <li>• £0.8m 22/23 – Fair cost of Care implementation support costs.</li> <li>• £6.72m 23/24 Fair Share.</li> <li>• £9.61m 24/25 Fair Share.</li> </ul>
<b>CCG or TMBC Budget Allocation</b>	TMBC
<b>Integrated Commissioning Fund Section – s75, Aligned, In-Collaboration</b>	S75
<b>Decision Body – SCB Executive Cabinet, CCG Governing Body</b>	SCB
<b>Value For money Implications – e.g. Savings Deliverable, Expenditure Avoidance, Benchmark</b>	This report covers the cost implications and risks associated with the added burden council's will come under to implement and manage a fair cost of care and care account system that aligns to the white paper ambitions. No savings are expected from this implementation.

#### **Additional Comments**

The White Paper sets out an ambitious programme of reform for how people in England will pay for their care.

The proposals are a significant step to fully reforming adult social care, backed by the new Health and Social Care Levy, announced in September 2021. The announcements will generate investment in adult social care of £5.4bn nationally over the next 3 years, of which £3.6bn will come directly to local authorities to fund the new cap on care costs, and support implementation so local authorities can shape the market and pay a fair price for care. A further £1.7bn has been funded to improve the wider social care system in England.

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There are 2 significant elements of the White Paper:

- The Cap on Care
- Market Sustainability and Fair Price for Care

The White Paper also introduces the requirement for local authorities to arrange care for those who currently 'self-fund' their care. This means that everyone will be entitled to a Care Act Assessment and access to Local Authority commissioned rates. This is where the increase in capacity across all functions, e.g. finance, systems, care assessment, contracting and market management and others, will be required.

Additional risks that are yet to be quantified is the impact self-funders having access to council contract rates will have on the wider market sustainability. i.e. where self-funders currently pay a premium to providers, allowing favourable rates to the Council, then the removal of that could drive up all care package rates.

There are key risks to the organisation's ability to respond to the substantial challenges of the White Paper.

Currently Financial Management, Client Finance and Adult Social Care operate within separate directorates. The Adult Social Care White Paper gives us the opportunity to revisit this approach, to create dedicated client finance resource and additional capacity and for the services to work in a more integrated way.

The initial £0.8m in 22/23 will go directly to supporting increased capacity required in adult care management functions and in order to shape the market and fund a fair cost of care for the first cohort from October 2023 and subsequent years.

The further £1.7bn identified nationally has been made available to improve the wider social care system in England, some of which will cover a central support offer for workforce and information and advice, along with funding to support innovation and test models of care before setting out national guidance. It is not yet known how the £1.7bn will be distributed as this was not included in the provisional settlement. Some of these elements are expected to be distributed to, or managed by Local Authorities. It could also be likely that as local authorities we need to bid for some elements.

The challenges set out in "The People at the Heart of Care: Adult Social Care Reform White Paper", are expected to be covered in full, by the announcements of additional grant funding. However, the implementation programme planning, system development and impact on demand for the council is still in its early stages of scoping and not yet fully understood. This could lead to a gap between the real cost to the council and the level of funding available.

**Legal Implications:**  
**(Authorised by the Borough Solicitor)**

The White Paper sets out a 10-year vision for social care highlighting investments in housing and home adaptations, technology and digitisation, workforce training and wellbeing support and support for unpaid carers and innovation. These proposals were originally set out in the government's paper

Build Back Better: Our Plan for Health and Social Care, which included details of the new Health and Social Care Levy. The White Paper sets out how support and care in England will be transformed focusing on three key themes:

1. People have choice, control, and support to live independent lives
2. People can access outstanding quality and tailored care and support
3. People find adult social care fair and accessible

The White Paper sets out a range of policies to be implemented over the next three years, which are detailed in the main body of the report. The implementation of those policies will require the council to undertake the necessary due diligence particularly in relation to budgetary implications, governance and decision-making. Members do not set staffing structures although they set resource budgets and there are other internal processes to approve staffing.

**How do proposals align with Health & Wellbeing Strategy?**

The proposals align with the Living Well, Working Well and Aging Well programmes for action.

**How do proposals align with Locality Plan?**

The service links into the Council's priorities:

- Help people to live independent lifestyles supported by responsible communities.
- Improve Health and wellbeing of residents
- Protect the most vulnerable

**How do proposals align with the Commissioning Strategy?**

The proposals follow the Commissioning Strategy principles to:

- Empower citizens and communities
- Commission for the 'whole person'
- Take a 'place-based' commissioning approach to improving health, wealth and wellbeing
- Target commissioning resources effectively

**Recommendations / views of the Health and Care Advisory Group:**

Not yet been consulted.

**Public and Patient Implications:**

The White Paper lays out a 10 year strategy to include all those who interact with social care not just those accessing direct services that have been identified as having eligible needs under the Care Act 2014 or assessed as requiring preventative services to delay eligibility and entrance to eligible services. It also includes new burdens on local authorities for those who currently self-fund their care and support needs. These people are not currently known to services and will be entitled to financial and care assessments.

**Quality Implications:**

These services support quality outcomes for people to be able to continue living well in their own homes and local communities.

**How do the proposals help to reduce health inequalities?**

The proposals recognise the inequalities that have been further exposed during the pandemic and seeks to ensure fair access to and fair charging for care and support, thus aiming to reduce inequalities.

**What are the Equality and Diversity implications?**

Whilst the White paper is seeking to reduce inequalities in access to care and support it does present challenges. The Care Cap as it has been outlined at the time of writing this report will mean that some people could still be left with, what are to them, catastrophic care costs for which they may need to sell their home.

**What are the safeguarding implications?**

There are no safeguarding implications with this report.

**What are the Information Governance implications?**

Central government is currently consulting on operational guidance to implement a lifetime cap on care costs which once understood will lead to local DPIA's being carried out.

**Has a privacy impact assessment been conducted?**

As above.

**Risk Management:**

A complementary programme plan will be established following the approval of this report. This will include a risk management log, which will also be reflected in the corporate risk register. However early indications are clear financial and workforce risks in delivering the requirements of the white paper within the budget allocated.

**Access to Information:**

The background papers relating to this report can be inspected by contacting the report writer Tracey Harrison.



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## 1. INTRODUCTION

- 1.1 The Government published its adult social care system reform white paper, 'People at the Heart of Care' on 1 December. The white paper sets out a 10-year vision for care and support in England and is based around three key objectives:
- People have choice, control and support to live independent lives
  - People can access outstanding quality and tailored care and support
  - People find adult social care fair and accessible
- 1.2 Proposals are backed by the new Health and Social Care Levy announced in September 2021, of which £5.4 billion is being invested into adult social care from 2022 -2025. From 2025, an increasing share of funding raised by the levy will be spent on social care in England.
- 1.3 The spending review in October 2021 confirmed the investment will be used will be targeted in the following areas and duties are outlined in the white paper:
- £3.6 billion to pay for the cap on care costs, the extension to means test, and support progress towards local authorities paying a fair cost of care, which together will remove unpredictable care costs
  - £1.7 billion to improve social care in England, including at least £500 million investment in the workforce
- 1.4 This paper outlines the implications for Tameside Council and partners indicating the key priorities and next steps for approval.

## 2. KEY ELEMENTS OF THE WHITE PAPER

- 2.1 This 10 year strategy has a key aim to strengthen how care and support is delivered in the spirit of the Care Act, and a vision that:
- Offers people choice and control over the care they receive
  - Promotes independence and enables people to live well as part of a community
  - Properly values our exemplary and committed social care workforce, enabling them to deliver the outstanding quality care that they want to provide
  - Recognises unpaid carers for their contribution and treats them fairly
- 2.2 The Strategy outlines a number of key challenges facing the sector and where improvements should be made and also describes how this should 'look and feel' for people who draw on care and support
- **core purpose** of adult social care should be to help them to maintain or gain their independence, allowing them to have control over their lives
  - **investing in preventative services** and increasing the care and support options available, including the right information and advice to allow people to plan for the future. This means we can enable people to remain in their own homes and communities for longer and achieve the outcomes that matter to them.
- 2.3 The use of 'I' statements throughout the White Paper provides a framework for us to assess impact for individuals. This is also a clear indication of the intended Care Quality Commission (CQC) assessment of how well local authorities are meeting their adult social care duties under Part 1 of the Care Act 2014.
- 2.4 The assessment framework will provide a basis on which government might exercise new legal powers to intervene where a local authority is failing or has failed to discharge its duties under Part 1 of the Care Act 2014.

3. **PROVIDING THE RIGHT CARE, IN THE RIGHT PLACE, AT THE RIGHT TIME (CHAPTER 4)**
- 3.1 The challenge set is to shift from focusing on approaches to deliver care that intervene at a time of crisis, to prevention approaches and offer support early. This has been a core aim for several years and an integral part of health and care integration in Tameside.
- 3.2 Care and support should be in a person's own home and personalised in line with their specific needs, although recognising that sometimes, specific needs are best met in a supported living or care home setting.
- 3.3 To ensure that everyone is provided with greater choice, control, and independence, the government, NHS, LAs, care providers, voluntary and community groups, and the wider sector will work together to **'make every decision about care a decision about housing'**.
- 3.4 Key outcomes for people are:
- I can live as part of a community, where I am connected to the people who are important to me, including friends and family and I have the opportunity to meet people who share my interests.
  - I lead a fulfilling life with access to support, aids and adaptations to maintain and enhance my wellbeing.
  - I can live in my own home, with the necessary adaptations, technology, and personal support as designed by me, to enable me to be as independent as possible
  - I have a good choice of alternative housing and support options, so I am able to choose where I live and who I live with, with the opportunities to plan ahead, and take up those options in a timely fashion.
- 3.5 In order to achieve this Local Authorities must:
- Agree a three year plan for embedding housing in health and care strategies
  - Boost supply of supported housing
  - Increase local expenditure in supported living
- 3.6 There is a proposal of an increased Disabled Facilities Grant (DFG) grant and a reallocation, which will benefit Tameside residents by ensuring practical support to make changes in people's homes to help maintain independence. The White Paper also proposes increasing the amount an individual can receive before hitting a means test and that the current DFG means test will be reviewed and aligned with the new Adult Social Care charging proposals. This will be subject to a national public consultation during 2022.
- 3.7 Technology is fast becoming part of daily lives to enable people to live well at home and this is recognised with £150 million of additional funding to drive greater adoption of technology and achieve widespread digitisation across social care. The 10 year vision for what digitally enabled care should look like will focus in 3 areas:
- Technology enabled care (particularly around prevention rather than detection – e.g. *prevention* of falls not just the *detection* of falls),
  - Improving the efficiency of the workforce and support to help service users
  - Supporting providers with things like e-rostering, digital shared care records
- 3.8 Targets have been set to protect those living in care homes with falls technology and by March 2024 ensure at least 80% of care providers have a digitised care record, which connects to a shared care record.
- 3.9 Additionally, each Integrated Care System (ICS) will be funded to support implementation and invest in infrastructure to ensure that social care staff have access and skills in order to use technology to its maximum benefit.

- 3.10 Furthermore, there will be national investment to help local areas innovate around the care and support they provide in new and different ways providing more options to suit individual circumstances. The new Office for Health Improvement and Disparities (OHID) gives increased focus on improving the health of the population, working across government departments to co-ordinate efforts and impact. There will be a key focus on falls and establishment of a 'deconditioning inequality innovation fund to enable local authorities to support people at particularly high risk of deconditioning'.

#### **4. EMPOWERING THOSE WHO DRAW ON CARE AND SUPPORT (CHAPTER 5)**

- 4.1 Local authorities have duties under the Care Act 2014 to ensure that information and advice services are available to their local populations. Key outcomes for people are:
- I know where to find user-friendly information and advice that is inclusive of my communication and accessibility needs to make informed and empowered decisions about my life – now and in the future.
  - I know what my rights are and can get information and advice on all the options for my health, care and housing.
  - I understand the support that is available to me in my area to maintain my own health and wellbeing and achieve the outcomes that matter to me.
  - I am provided with tailored information and advice to support the person I care for
- 4.2 To achieve this there will be a number of government led pilots and evaluations, funded centrally to create guidance and share what works, along with a national website providing information and explainers about adult social care reform.
- 4.3 There will be oversight and accountability of information and advice services and will include how local authorities empower people and enable them to make informed decisions. The 'Making it Real Framework' (TLAP) will be used as the benchmark and these functions will be inspected in the new inspection regime.
- 4.4 The refreshed vision for adult social care has recognised the invaluable contribution that unpaid carers make to their families and communities. As such, there is renewed focus on recognition and support for unpaid carers so that they are empowered to live happy, healthy, and fulfilling lives. This is to be supported by £25 million to work with the sector and improve the support provided to unpaid carers.
- 4.5 Building on the Carers Action Plan the funding will focus around three core strands and provide opportunities to identify and test a range of interventions to support unpaid carers such as respite and breaks, peer and wellbeing support. They are:
- Working with the sector to improve the services provided to support unpaid carers
  - Identifying, recognising and involving unpaid carers
  - Supporting the economic and social participation of unpaid carers
- 4.6 As a means of identifying and recognising and involving carers government will:
- Increase the voluntary use of 'unpaid carer' markers in NHS electronic health records by simplifying current approaches to data collection and registration
  - Introduce a new marker indicating the presence of a contingency plan, where one is available, that describes the actions to take if the carer is no longer able to provide care
  - Move away from aggregate data collections on carers towards client-level data, which will take place over the next three years
  - Ensure voices of carers (as well as those who access care and support) are embedded in ICSs.
  - Assess how local authorities are meeting the needs of unpaid carers
  - Ensure social prescribing for carers
  - Increase flexible working offers from employers



- Commit to introduce carers leave in response to 2020 public consultation
- Provide a new rate of carers allowance from 2022 (£69.70)

4.7 A further key element seeks to support autistic people and people with a learning disability in to employment. A means to support independence and makes connections and positive contributions in their communities. The core aim here is to ensure existing good practice for supported employment schemes is rolled out and embedded across England.

## **5. STRATEGY FOR THE SOCIAL CARE WORKFORCE (CHAPTER 6)**

5.1 The challenges faced by the whole social care workforce have been exposed during the pandemic with recognition of the vital role in enabling the independence and dignity of the people we support. £500 million will be invested in the social care workforce to ensure the right training and qualifications, and the recognition for their skills and commitment. Key outcomes for people are:

- I receive care and support that is safe, responsive to my needs and respects my rights.
- I am supported by a workforce who have the right training, qualifications and values and are concerned about what matters to me.
- I receive care from a workforce whose careers are valued and whose professional development and wellbeing are prioritised.
- Social care is a rewarding career with clear opportunities to develop and progress and where I feel valued in my role.
- I feel recognised for the important role I play in delivering high quality personalised support.
- I feel recognised for the skills I bring, and am able to develop more skills that help me tackle new challenges as I become more experienced.
- There is a culture in my workplace that supports my health and wellbeing.
- I have the confidence to use technology that supports people's needs and to free up time to deliver outstanding quality care

5.2 Therefore over the next three years government intend to develop a well-trained workforce by:

- Co-develop a universal Knowledge and Skills Framework (KSF) and career structure for the social care workforce
- Work with employers to deliver apprenticeships and traineeships; helping adults access fully funded Level 3 (A-level equivalent) qualifications in social care, if they do not already have one
- Introduce portable care certificates
- Providing a learning and development offer linked to the KSF
- Introduce a skills passport
- Providing leadership and development for registered managers
- Providing CPD for RN's, OT and other AHP's working in care sector
- Ensuring training routes for people who want to become social workers
- Providing a wellbeing and occupational health offer for the workforce

5.3 Some of the above will be delivered through a new national care workforce hub as a digital platform to allow staff to identify themselves as working in care and access development resources.

5.4 Additionally, provision has been made to support local authorities to prepare their local markets for reform, including paying providers a fair rate for care including paying the workforce the real living wage (RLW) and ensuring improved terms and conditions. Government will be working closely with local authorities and providers to produce future guidance. It is important to note here the local commitment to fund the RLW for care workers by the end of 2022/23.

- 6. SUPPORTING LOCAL AUTHORITIES TO DELIVER SOCIAL CARE REFORM (CHAPTER 7)**
- 6.1 This section of the White Paper is describing 'How' local authorities should achieve the outcomes described above. This will be the governments approach to assuring the delivery of care by local authorities and a specific focus on strengthening market shaping activity and commissioning functions. This is alongside an improved data set, which government and CQC will use to understand how local authorities perform.
- 6.2 These changes are set in a context of population increases for the number of adults aged over 85's and longer life expectancies for those living with long-term conditions. Therefore, there is also a key focus on preventative activities including adequate housing appropriate to people's needs.
- 6.3 To achieve sustainable care markets and improve quality of care government has set out plans for reform for how people pay for their care and how care should be funded. The introduction of a cap on care costs is not new and was first discussed as part of the Dilnot commission on Social Care which reported in 2011.
- 6.4 The report made several recommendations with the aim of eliminating the catastrophic care costs faced by some people. This is to be achieved by capping the maximum amount people would contribute over their lifetime. It is these recommendations that now feature in the White Paper for Adult Social Care Reform. They are:
- Reform how people in England pay for their care so no-one pays more than £86,000 for their personal care costs,
  - Amend the Upper Capital Limit (UCL), the point at which people become eligible for services to £100,000 from the current £23,250.
  - Raise the Lower Capital Limit (LCL), the threshold below which people will not have to pay anything for their care from their assets to £20,000 from a current £14,250.
  - End the unfairness where self-funders pay more for care than those funded by the local authority
  - Ensure fees are transparent to allow people make informed decisions
  - Improve information and advice to make it more user-friendly and accessible, helping people to navigate the care system and understand the options available to them.
  - Provide information and advice that is accurate, up to date and in formats that are tailored to individual needs
- 6.5 In addition, to allow people receiving means-tested support to keep more of their own income, the government will unfreeze the Minimum Income Guarantee (MIG) for those receiving care in their own homes and Personal Expenses Allowance (PEA) for care home residents, so that from April 2022 they will both rise in line with inflation.
- 6.6 The cap on personal care costs will place a limit on the costs that people will need to spend to meet their eligible care and support needs. The term 'personal care costs' refers only to the components of any care package considered to be related to personal care, not 'hotel' and/or 'accommodation' costs. This will be based on what the cost of that package is or, in the case of self-funders, would be to the local authority if it were to meet the person's eligible care and support needs.
- 6.7 It is intended that from October 2023 everyone will have a care account that will be maintained by the local authority and will keep track of their progress towards the cap. Local authorities will provide regular care account statements, and engage early with the person once they are close to approaching the cap to discuss how their needs will be met. When a person reaches the cap, the local authority becomes responsible for meeting the person's eligible care and support needs and for paying the cost of the care needed to meet those needs.

- 6.8 The data and information generated by the implementation of care accounts will give local authorities intelligence about those who fund their own care, which we do not currently have access to and can be used to improve planning and commissioning activity to ensure market sufficiency.
- 6.9 However, it should be noted that at the time of writing this report the above changes are still going through parliament and therefore not yet confirmed and therefore could be subject to change.
- 6.10 Outcomes focused care standards are already underway and, Tameside has featured as a model of good practice in the White Paper (pg79) for its Living Well Service combining strengths based approaches and providing a higher rate of pay for care workers delivering against this model. It is these examples of good practice that are to be scaled up and rolled out across England.
- 6.11 Emergency data measures taken in response to COVID-19 have given local authorities and government near real-time data to manage the pandemic and shown the benefits of using data to respond to emerging risks and issues. These are to be maintained and enhanced going forward and the following elements are underway:
- Review of current data is underway by government (market and Client Level Data Set)
  - Commitment to implement digital social care records over the next three years (Ch. 4)
  - Over the next three years, government will implement the commitments outlined in the draft Health and Social Care Data Strategy, Data Saves Lives
  - Proposals are linked to the support offered to providers to digitize and agree data architecture standards and enable data sharing
- 6.12 Better quality data, including client level data, will help us to understand more about who accesses care, how and with what impact, and therefore help us to determine who is not accessing care and the barriers or choices which may be the reason for this.
- 6.13 Finally, government is set to introduce a new assurance framework and inspection regime in 2023 to determine how local authorities are meeting their adult social care duties under part 1 of the Care Act 2014. This will identify and share good practice and support improvement. It will also provide the basis on which government might exercise new legal powers to intervene where a local authority is failing or has failed to discharge its duties. The assurance framework will include:
- Independent assessment of local authorities by the Care Quality Commission
  - Enhanced improvement support, led by the sector
  - A mechanism to intervene, as a last resort, if a local authority is failing
  - Better data

## **7 LOCAL CONTEXT**

- 7.1 In Tameside, we estimated there to be an overall population of 227,117 people in 2020. There are estimated to be 39,976 people aged 65+ in Tameside (17.6% of the total population). In the NW 18.8% of the population are aged 65+.
- 7.2 Between 2020 and 2030, the 65+ population is projected to grow by 16.7% (6,800). By 2040, the 65+ population is projected to grow by 29.1% (11,800). Projected growth in Tameside is slightly lower than across the North West at 18.6% and 32.4% respectively.
- 7.3 In 2020, it was estimated that 2,637 people aged 65+ had dementia in Tameside (approx. 6.5% of the 65+ population). This is compared to 6.9% across the NW.
- 7.4 Adult Care currently support a total of 2,729 individual service users who take up a package of care. There are 914 between 18-65, and a further 1,815 over 65. It should be noted that

a service user can have more than one service provision in place and some service users can appear in more than one category. This is a snapshot as at the end of February 2022.

- 7.5 Utilising the NHS capacity tracker which was introduced in the pandemic to track activity in the independent care sector, we have been able to draw some high level figures to indicate the current volume of self-funded care activity in the local care market.
- 7.6 The data shows that of the 2,729 individual service users accessing a package of care, 2604 are in receipt of funded care and a further 996 indicative self-funders in Tameside provision. It is important to note that more detailed work will be required to establish the exact numbers of people who self-fund their care who have not had an assessment of their needs and are therefore not known to the Council.
- 7.7 This data suggests a potential 26% increase in demand for care and financial assessments in readiness for the introduction of care accounts and fair access to care. Assessment staff hold an average caseload of 30 each, which would mean Tameside adult care, could require up to 33 additional staff in neighbourhood teams to deliver direct assessment work connected to the new burdens. In addition there will be an increase in support staff across a number of council teams.
- 7.8 We have also seen a 14% increase in requests for support from adult care services since April 2021, of which 45% require an assessment of care and support needs. There is also significant increase in demand from those we actively support within the neighbourhood teams.
- 7.9 Furthermore, at the time of writing this paper there were 153 people whose capital limits fall between £23,250 - £100k which means that if the capital limits are set as expected, they will all become funded care packages. Further work is required to determine the financial implications for the council.
- 7.10 Given the increase in demand that is predicted it will be necessary to engage in a significant transformation programme for adult care, which will include a review of current resources to ensure sufficient capacity to deliver safe services and meet statutory requirements.
- 7.11 There are also existing challenges in providing a complete dataset of adult social care activity. The LAS system needs to evolve and be developed to ensure it can provide a complete picture of the adult social care system from prevention at the front door through to service provision.

## **8. FINANCIAL IMPLICATIONS**

- 8.1 The proposals outlined in the white paper are backed by the new [Health and Social Care Levy](#) announced in September 2021, of which £5.4 billion is being invested into adult social care over the next 3 years. Beyond the next 3 years, an increasing share of funding raised by the levy will be spent on social care in England.
- 8.2 £3.6bn of the above will come directly to local authorities to fund the new cap on care costs, and support implementation so local authorities can shape the market and pay a fair price for care. A further £1.7bn has been funded to improve the wider social care system in England, some of which will cover a central support offer for workforce and information and advice, along with funding to support innovation and test models of care before setting out national guidance. See table 1 below. However it is not yet known how this additional £1.7bn will be distributed.

*Table 1: Indicative Adult Social Care funding allocations for Tameside 2022-2025*

Adult Social Care Reform Funding								
£5.4bn over 3 years on adult social care reform								
£3.6bn over 3 years directly to local government for the cap, means test, and fair cost of care			£1.7bn over 3 years to improve wider social care system					
£2.2bn over 3 years for the cap and means test 22/23: £0m 23/24: £800m 24/25: £1.4bn			Funding commitments made in the <i>People at the Heart of Care</i> adult social care reform white paper:*					
£1.4bn over 3 years for fair cost of care: 22/23: £162m 23/24: £600m 24/25: £600m			At least £300m to integrate housing	At least £150m for technology and digitisation	At least £500m for workforce training and qualifications	Up to £25m to support unpaid carers	£30m for innovation of support and care	At least £5m to help people understand care and support available
								More than £70m to improve the delivery of care and support services

- 8.3 For Tameside we anticipate we will receive in the region of:
- |         |                            |                                   |
|---------|----------------------------|-----------------------------------|
| 2022/23 | Fair cost of care          | £779k Implementation Support Fund |
| 2023/24 | Direct to local government | £6.72 million                     |
| 2024/25 | Direct to local government | £9.61 million                     |
- 8.4 In summary there are two significant elements of the White Paper, the 'Cap on Care' and 'Market Sustainability' to be achieved by paying a 'Fair Price for Care'. For example, there is a difference of £140 per week between the average cost of a self-funded residential placement and an average commissioned placement. Self-funded placements currently support the sustainability of the care market and therefore it is expected that the by meeting the 'fair cost of care' there will be an increase in commissioned care fees to ensure a single cost for placements which all service users will have access to.
- 8.5 As described throughout this report these elements also introduce the requirement for local authorities to make arrangements for those who currently 'self-fund' their care. Therefore they will be entitled to a Care Act Assessment and access to Local Authority commissioned rates. This is where the increase in capacity across all functions, e.g.: finance, systems, care assessment, contracting and market management and others, will be required to meet the new burdens within the white paper.
- 8.6 As a condition of receiving further grant funding in the two following years (2023-2025), local authorities will need to submit returns to the Department of Health and Social Care, which includes:
- A cost of care exercise to determine a sustainable fee rate for different care settings. Exercises will need to accurately reflect local costs such as staff pay and travel time, and provide for an appropriate return on capital or return on operations. Local authorities will be expected to publish the exercises,
  - A provisional market sustainability plan setting out local strategy for the next three years (2022 to 2025) this will detail how money has been allocated in order to achieve a more sustainable local market.

## 9. NEXT STEPS

- 9.1 Government has recognised that implementing the reforms will impose significant additional burdens on the local authority and accordingly has allocated £162m nationally. The initial amount for Tameside is £779,000 as highlighted in table 1.
- 9.2 Having reviewed the requirements of the White Paper the following activity and key areas of focus have been identified. This will require investment in additional capacity to help establish the increased demand we can expect in Tameside and the subsequent associated system and workforce required to manage this effectively.
- 9.3 Key activity required in 2022/23 is:
- Invest in increased capacity in programme management and key functions to secure the delivery of our aspirations locally
  - Review current offer in line with the 10 year strategy and create a transformation plan and linked financial plan for approval – by May 2022

- Refresh local vision and strategy for ASC – by May 2022
- Develop a medium term financial strategy for ASC - by May 2022

9.4 Key areas of focus in the above strategy are:

- System development (including processes) and a refreshed performance management framework
- Set up Care Accounts
- Implementation of fair cost of care and data requirements
- Develop a workforce improvement plan and secure increased capacity
- Develop an ASC prevention offer – including digital and advice and guidance
- System wide carers strategy
- Readiness for inspection plan
- Transitions from children's services to adult services

9.5 The initial resource required in 2022/23 to ensure we are ready for the new burdens is identified below, with business cases currently being developed:

Function	Post/Activity	Investment required
Understanding the cap on care and fair cost of care	1 FTE x Senior post within finance	£77k
Increasing senior capacity in ASC to determine and then lead increased workforce capacity for assessment and intervention functions	1 FTE x Head of Service for Adult Care Management	£95k
Development of ASC case management and customer portals across public, providers and partners	Review of and investment in the required digital tools to deliver the new financial assessment, Care Accounts and improved customer journey.	To be determined
Inspection preparation and ongoing social care practice improvement and workforce development (including Care Market)	1 FTE x Practice Improvement Lead (indicative Grade J) 1 FTE x Workforce Development Lead (indicative Grade J)	£130k

9.6 It should be noted that the functions identified are the immediate requirement and as outlined there will be further support required to ensure the key implementation activity is completed and therefore approval is required for the full implementation fund of £779k.

## 10 CONCLUSION

- 10.1 The introduction of a 10 year strategy for Adult Care is welcome and also reflects many of the challenges that were exacerbated by the pandemic. However, there is a risk to the local authority that the funding indicated to meet the new burdens placed on the local authority is likely to be insufficient and this will need to be built into a review of the medium term financial strategy.
- 10.2 Preparation for implementing the new burdens and new inspection regime will begin immediately to ensure we are able to meet the required timescales in line with the steps identified.
- 10.3 This report forms an initial position statement. There are significant elements of the white paper to be fully confirmed and as such there will be a series of reports presented to Strategic Commissioning Board over the next three years.

## **11. RECOMMENDATIONS**

11.1 As set out at the front of the report.

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# Agenda Item 6

<b>Report to:</b>	<b>EXECUTIVE CABINET</b>
<b>Date:</b>	27 April 2022
<b>Executive Member:</b>	Councillor Leanne Feeley – Executive Member (Lifelong Learning, Equalities, Culture and Heritage)
<b>Reporting Officer:</b>	Tony Decrop – Assistant Director (Children’s Services)
<b>Subject:</b>	<b>SENDIASS SERVICE REVIEW UPDATE</b>
<b>Report Summary:</b>	<p>The report sets out the proposals for the future delivery of SENDIASS service in Tameside, following exploration of if efficiency savings can be made and how other GM Local Authorities deliver the SENDIASS service to compare delivery/ costs and outcomes against the in-house Tameside.</p> <p>The report sets out the process undertaken which explored if co commissioning was viable with other LA and to ensure this does not compromise quality</p> <p>Consideration was also taken regarding efficiencies and further savings</p>
<b>Recommendations:</b>	<p>That Strategic Commissioning Board be recommended to agree:</p> <ul style="list-style-type: none"><li>(i) That the commissioning out of the SENDIASS to the Together Trust by way of a modification of Stockport Council’s existing contract with the Together Trust for one year and thereafter for Tameside and Stockport Council’s to procure a joint recommissioning from 1 April 2023.</li><li>(ii) That Stockport Council will be the lead authority in relation to the contract</li><li>(iii) That the necessary steps be undertaken in relation to the transfer of affected staff.</li></ul>
<b>Corporate Plan:</b>	The schemes set out in this report supports the objectives of the Corporate Plan
<b>Policy Implications:</b>	The proposal aligns to the Councils key policies in supporting the most vulnerable families in our community
<b>Financial Implications:</b> <b>(Authorised by the statutory Section 151 Officer &amp; Chief Finance Officer)</b>	<p>At present the SENDIASS service is delivered in-house. The cost of the commissioned service will be £67.5K per annum and will lead to efficiencies. If the service transfers 1 July 2022 there will be a part year efficiency for 2022/23</p> <p>If TUPE goes ahead a pension’s admissions agreement will need to be pursued.</p>
<b>Legal Implications:</b> <b>(Authorised by the Borough Solicitor)</b>	<p>The council has a statutory duty under the Children and families Act 2014 to ensure that children and young people with Special Educational Needs and Disabilities (SEND) and their parents/guardians to have access to Impartial Information, Advice and Support (IAS) services.</p> <p>The project officers have been tasked with considering alternative options for the delivery of this service in order to make savings. The outcome of those considerations are detailed in this report.</p>

It is understood that there will be no change to how the service will be delivered, merely who is delivering it, and therefore there has been no consultation with service users.

The preferred option is to join Stockport council's existing contract with the Together Trust for the Together Trust to provide the service for Tameside Council. Advice must be followed from STaR procurement to ensure that this is undertaken compliantly.

It is also understood that Stockport Council will be the lead authority in relation to the contract with the Together Trust. Such an arrangement would usually require indemnities to be provided by both council's to protect the other but the author of the report has indicated that Stockport Council isn't seeking such undertakings nor a partnership agreement or similar. It would be advisable for this position to be monitored as the contract is put in place.

As the Together Trust will be providing a statutory service on behalf of the council which is critical element of the council's delivery of SEND provisions robust monitoring and managing will be required. Failure to delivery an adequate SENDIAS could not only leave the council vulnerable to criticism and legal challenge but also have an impact on children and young people.

Also as set out in the report The Transfer of Undertakings Protection of Employment Rights 2006, as amended (TUPE) will apply to relevant staff currently delivering the service. Advice should be sought from HR in relation to managing the TUPE transfer and engagement with staff generally.

**Risk Management:**

The Council will work closely with the provider to manage and minimise any risk of provider failure consistent with the providers contingency plan

**Background Information:**

The background papers relating to this report can be inspected by contacting Lorraine Hopkins, Head of Early Help and Early Years



Telephone: 0161 342 5197



e-mail: [lorraine.hopkins@tameside.gov.uk](mailto:lorraine.hopkins@tameside.gov.uk)

## **1. INTRODUCTION**

- 1.1 Special Educational Needs & Disability Information Support and Advice Service (SENDIASS) is a statutory service that provides information, advice and support to children and young people with Special Educational Needs (SEN), and those with Disabilities, and their parents/carers (who have children/young people aged 0-25 yrs.).
- 1.2 The statutory requirements is set out by the Department for Education in the minimum standards (appendix 3) for SENDIASS, as set out in the Child and Family Act 2014 and the SEND code of Practice chapter 2.
- 1.3 Whilst SENDIASS is an impartial service, the staff are employed by the Local Authority and receive regular supervision and support from an Early Help Team Manager. This could be deemed as a risk in ensuring complete impartiality, particularly in cases involving a dispute between the family and LA.
- 1.4 SENDIASS aims to encourage and develop partnership between children, young people, parents/carers, schools, the local authority and all other partners who are involved in working to identify, assess and meet the special educational needs of children and young people.

They offer the following

- Confidential and impartial information, advice and support to children, young people and their parents/carers on Education matters and Health and Social Care matters in relation to education.
- Information, advice and support on subjects including local policy and practice, personalisation, personal budgets, preparation for adulthood, the law on SEN and Disability, Health and Social Care.
- Information, advice and support throughout the Education, Health and Care Plan (EHCP) assessment process and review process.
- Information, advice and support about SEN Support in settings, schools and further education.
- Individual casework.
- Support in preparing for and attending meetings.
- Help in filling in forms and writing letters/reports.
- Support in resolving disagreements, including Disagreement Resolution, Mediation and Tribunals.
- Signposting to other local or national sources of advice, information and support.
- Links to local parent support groups and forums.
- Information about [Tameside's Local Offer](#)

## **2. BACKGROUND**

- 2.1 Options have been explored to identify if any efficiency saving in regard to the delivery of the service can be made. This included benchmarking across North West & GM, to look at how other LA's deliver the service and compare delivery/ costs and outcomes against the in-house model we have, as set out in the points below
- 2.2 The North West Information Advice Support Programme (IASP) regional conference in November 2021 reported that over 60% of SENDIASS services were commissioned out to ensure impartiality and independence was maintained out of the LA
- 2.3 To explore if collaborations with other STAR Local Authorities is a viable option that may offer savings, ensuring this does not compromise quality of delivery and incur costs in other parts of the system for the LA.

- 2.4 Work with STAR and commissioning colleagues was undertaken to explore how neighbouring LA's deliver their SENDIASS service.
- 2.5 Models of delivery across GM was variable within authorities aligned to STAR - Oldham and Stockport currently commissioning the service externally with good outcomes.
- 2.6 Identification of savings where appropriate were explored, building on discussions with other LA's, to see if this would be a viable option for Tameside.
- 2.7 Discussions with Tameside's finance and HR services were maintained throughout the process to assess and manage any identified risks against the options explored.

### 3. PROCUREMENT ACTIVITY AND ADVICE

- 3.1 As part of the process Soft Market Testing (**appendix 2**) was undertaken, at a 10% reduction of existing budget allocation, to allow interested organisations with relevant experience to outline their views and provide information without committing themselves or the council to any potential future contract.

- 3.2 Brief information was provided, to include on the chest using the following statement.

**The Council is looking to award a contract commencing 1st July 2022. If a decision is made to tender this service the maximum annual budget is £67,500. It is further envisaged that the initial contract would be for a period of 2 years with an option to extend by 2 years. During the Soft Market Test we would like to gauge the level of interest.**

Only one response of interest was received and from the Together Trust who deliver the service for Stockport.

- 3.3 An options appraisal (**appendix 1**) was completed by STAR. This outlined the procurement routes available for the various requirements in order to deliver the councils SENDIASS service effectively and in a timely manner. It also provided a recommendation from STAR.

- 3.4 The following four options were considered.

- Open Procurement
- Deliver In-House Service
- Modify Stockport Agreement with Together Trust
- Direct award following soft market test. This would be procured via an Exemption – *'The ASO can demonstrate that there is no genuine completion can be obtained of the purchase of particular Supplies, Services or execution of Works'*

- 3.5 Taking into consideration the identified risks and benefits of each option the recommendation from STAR is as follows:

- 3.6 Working with STAR, commissioners and finance it was identified through soft market testing that a saving could be secured by working with Stockport and modify their agreement with Together Trust to include Tameside Council for one year with the ambition to procure a joint service from 1st April 2023.

- 3.7 Having undertaken an analysis on the variety of options as detailed above, STAR procurement recommend that the preferred option is to modify the Stockport Council agreement with Together Trust to include Tameside Council for one year with the ambition to procure a joint service from 1<sup>st</sup> April 2023.

- 3.8 The benefit of this is that this approach allows Tameside to compliantly contract with the provider who expressed an interest in this opportunity and also align this contract with

strategic objectives between the education departments of the two councils.

- 3.9 Additional benefits to this option of joint commissioning with Stockport to the Together Trust are the volunteer opportunities provided through an established recruitment and training offer, additional on-line digital platforms, the increase in the uptake of under-represented groups by the provision of a range of both digital and paper leaflets and information in a variety of languages. This also includes assistive technology for example; text to talk and picture board.
- 3.10 Stockport will be the lead commissioner for this contract which will be jointly monitored with Tameside through quarterly reports against the agreed performance measures. Stockport commissioners have provided data and assurance that they are satisfied with the performance of the current provider and will be looking to extend the existing contract when appropriate as a result.
- 3.11 STAR procurement confirmed that any STAR authority as outlined in the T&C's for all contracts, would allow joining at a different dates if agreed locally at no indemnity to the joining LA.
- 3.12 A PID has been completed and been submitted for authorisation

#### **4. WHERE ARE WE NOW?**

##### **4.1 Staff**

<b>Post</b>	<b>Grade</b>	<b>Headcount</b>	<b>FTE</b>
<b>SENDIASS Manager</b>	<b>H (SCP 29-31)</b>	<b>1</b>	<b>1</b>
<b>SENDIASS Support Worker</b>	<b>E</b>	<b>1</b>	<b>1</b>
<b>SENDIASS Support Worker (grant funded)*</b>	<b>E</b>	<b>1</b>	<b>0.6</b>

***\*The post holder left their employment on 14 February 2022. Grant funding ceases 31 March 2022 and post will be disestablished***

#### **5. NEXT STEPS**

- 5.1 To receive agreement to the proposal to commission jointly with Stockport which will achieve added value as outlined in section 3 and efficiencies.
- 5.2 To meet with both the core funded employees to explain the following key points:
- 5.3 Should this go ahead it would mean that the service and jobs are disestablished and individuals in them transfer to the new provider under TUPE legislation (transfer of undertaking)
- 5.4 TUPE is a matter of fact and where a service transfer occurs post holders covered by the transfer move to the new provider (subject to a TUPE consultation process)
- 5.5 However, in some situations and where possible TMBC will also look if there is any alternative employment for an employee to provide an option of alternative employment by agreement with the employees.
- 5.6 Commissioning and STAR to continue to work with Stockport MBC and the Together Trust

to agree the transfer of Tameside SENDIASS. This will be complete by 30 June 2022 at the latest and therefore achieve a part year saving for 2022/23. A PID has been completed as pt 3.1.2

- 5.7 This agreement would be for a covering period until the 31 March 2023, so aligned with the Stockport contract and then reviewed alongside Stockport with a view from Stockport to recommission.
- 5.8 Further governance will be sort should we require to extend and this will be dependant of the successful performance and monitoring of the provider alongside Stockport MBC.
- 5.9 Stockport MBC Commissioners reported that the initial phase of the contract will end 31 March 2023, but it can be extended for up to another three years to end of March 2026 subject to performance which STAR have advised is agreeable
- 5.10 Officers are assured that the Together Trust are fully compliant and Stockport have raised no concerns within the contractual performance targets and if monitoring reports continue in this way, Stockport MBC have informed they would have no good reason to go out to procure again in 2023. STAR have also verified this
- 5.11 To meet with Together Trust to agree transition plan.

## **6. RECOMMENDATIONS**

- 6.1 As set out on the front of this report

Report to:	Tameside Council
Date	23/11/2021
Report for	Information
Report of:	Bethany Symonds

Report Title
Options Appraisal Tameside Childrens SENDIASS service

Summary
<p>This options paper aims to outline the procurement routes available for the various requirements in order to deliver the councils SENDIASS service effectively and in a timely manner.</p> <p>This paper provides a recommendation from STAR.</p> <p>Further information can be found here:</p> <p>This service will need to provide information, advice and support to children and young people with Special Educational Needs (SEN), and those with Disabilities, and their parents/carers (who have children/young people aged 0-25 years). It will encourage and develop partnerships between children, young people, parents/carers, schools, the local authority and all other partners who are involved in working to identify, assess and meet the special educational needs of children and young people. Services need to begin on 1<sup>st</sup> April 2022 and the service needs to begin and the service has an indicative contract value of £67,500 per annum.</p> <p>This document comprises of a variety of options for Tameside commissioning to determine most appropriate route to market.</p>

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### 1. Overview of procurement options

There are numerous procurement options for the various requirements. Each requirement / contract shall be taken in turn with the various options listed and associated known risks / issues with that option detailed.

- **A: Open Procurement**
- **B: Deliver In-House Service**
- **C: Modify Stockport Agreement with Together Trust**

- **D: Direct award following soft market test**

## A: Open Procurement

### i. Details of Option

Open Tender following Soft Market Testing. This will be undertaken below Threshold in compliance with the Council's Contract Procedure Rules. Please see timetable below:

Activity	Dates
PID signed	8 <sup>th</sup> December
Spec and tender docs ready by	10 <sup>th</sup> December
ITT published	15 <sup>th</sup> December
Tender deadline	17 <sup>th</sup> January 2022
Evaluation and moderation period	19 <sup>th</sup> -28 <sup>th</sup> January 2022
Tender award	First week in Feb 2022
Contract commencement	1 <sup>st</sup> April 2022

### ii. Benefits of Option

- Allows for open competition and relevant value for money test.
- Compliant route to market with contract procedure rules and public contract regulations 2015.

### iii. Dis-Benefits of Option

- Service have already undertaken soft-market testing with 1 submission. Risk that going out to market may be time consuming with only 1 provider available.
- Process requires intensive resource to enable contract commencement for 1<sup>st</sup> April 2022.

## B: Deliver In-House Service

### i. Details of Option

This option would be delivered via Tameside children's services team and is the current model of delivery in place.

### ii. Benefits of Option

- Continuation of service and reduced disruption.
- Data set, service monitoring and reporting already in place.

### iii. Dis-Benefits of Option

- Unclear if this option is greater value for money than outsourcing.
- Resource intensive on internal team.

## C: Modify Stockport Agreement with Together Trust

### i. Details of Option

Stockport Borough Council have a contract in place for SENDIASS services for a further year until 1<sup>st</sup> April 2023. Stockport Councils contract is with the same organisation which expressed an interest in Tameside's SENDIASS Service. Stockport to undertake modification of service and Tameside to complete PID document to achieve collaborative value for money and align with strategic collaboration between Tameside's and Stockport Councils education service.

### ii. Benefits of Option

- Compliant route to contract which may deliver efficiencies for both councils.
- Provides potential for collaborative procurement for 1<sup>st</sup> April 2023 start date.

### iii. Dis-Benefits of Option

- No competition undertaken.

## D: Direct award following soft market test

### i. Details of Option



Negotiated procedure without competition with provider whom expressed interest via soft-market testing.

ii. **Benefits of Option**

- More efficient contracting method and allows for value for money negotiations to take place.

iii. **Dis-Benefits of Option**

- Risk of procurement challenge having not gone out to formal tender following market testing.
- Doesn't allow for competition within the market place.

## 2. Analysis of options

### Detailed analysis

	Advantage/disadvantage	Open Tender	Deliver In-House Service	Modification of Stockport contract	Direct award
Page 83 Advantages	Pre-Agreed Terms and Conditions			X	
	Pre-Identified Competent and Capable Suppliers			X	
	Less grounds for legal challenge to procurement process	X	X	X	
	Full control of specification scope	X			X
	Almost Certain Quick Route to supplier appointment			X	X
	Potentially quick route to supplier appointment	X			
	Full Market Opportunity (open to all – wide range of solutions potential)	X			
	Minimal procurement timescale (in comparison)				
Disadvantages	Restricted Market (small range of solutions potential)			X	X
	Restrictions on Scope of Specification			X	
	Risk of legal challenge to procurement may be higher				X
	Longer procurement timescale (in comparison)	X			

### 3. Next Steps

Following completion and signing off of the PID, procurement activity can commence.

Discussions between Tameside Council and STAR should occur as soon as possible in order to discuss the appetite for the various procurement routes, and the impacts this has on the options outlined.

The following is an indication of the pre-procurement timeline possible. A timeline for the procurement in question can be produced as and when the preferred procurement routes have been agreed.

Activity	Duration
Options Appraisal and Procurement Routes Agreed	2 weeks
Specification Development* and Tender Docs finalisation	2 weeks
Issue Tenders	1 Day
Tendering Time (including receiving bids and evaluating)	6 weeks
Contract Signatures	1 - 2 weeks

\*More time may be needed for this depending on complexity of requirement.

### 4. Conclusion

This options paper has outlined the procurement routes available for the various requirements in order to deliver SENDIASS services effectively and in a timely manner.

The recommendation from STAR is as follows:

Having undertaken an analysis on the variety of options as detailed above, STAR procurement recommend that the preferred option is to modify the Stockport Council agreement with Together Trust to include Tameside Council for one year with the ambition to procure a joint service from 1<sup>st</sup> April 2023. The benefit of this is that this approach allows Tameside to compliantly contract with the provider who expressed an interest in this opportunity and also align this contract with strategic objectives between the education departments of the two councils.



**TAMESIDE MBC**

# **SOFT MARKET TESTING**

**CONTRACT FOR THE COMMISSIONING OF TAMESIDE'S SENDIASS SERVICE**

Contract Period:

**1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023**

## 1. Background

We would like to take the opportunity to do some 'soft market testing' as outlined below, to determine current interest levels in the market.

## 2. Overview of service

This service will need to provide information, advice and support to children and young people with Special Educational Needs (SEN), and those with Disabilities, and their parents/carers (who have children/young people aged 0-25 years).

It will encourage and develop partnerships between children, young people, parents/carers, schools, the local authority and all other partners who are involved in working to identify, assess and meet the special educational needs of children and young people.

It will do this by providing

- Confidential and impartial information, advice and support to children, young people and their parents/carers on education matters and health and social care matters in relation to education.
- Information, advice and support on subjects including local policy and practice, personalisation, personal budgets, preparation for adulthood, the law on SEN and Disability, Health and Social Care.
- Information, advice and support throughout the Education, Health and Care (EHC) needs assessment process and review process.
- Information, advice and support about SEN Support in settings, schools and further education.
- Individual casework.
- Support in preparing for and attending meetings.
- Help in filling in forms and writing letters/reports.
- Support in resolving disagreements, including Disagreement Resolution, Mediation and Tribunals.
- Signposting to other local or national sources of advice, information and support.
- Links to local parent support groups and forums

We would be interested to know your offer in terms of:

- Numbers of staff you would envisage for the Tameside service
- Case work numbers
- Range of services offered e.g. mediation

It is anticipated that TUPE may apply to 2 staff, 1 manager and 1 case worker, both full time.

## 3. Project Timescales

Stage of the project	Anticipated deadline
Soft market testing	5 <sup>th</sup> November 2021 – 15 <sup>th</sup> November 2021
Progress to tender	December 2021

Closing date for suppliers to have submitted documents	15 <sup>th</sup> January 2022
Result of Procurement Process	28 <sup>th</sup> February 2022
Contract Start Date	1 <sup>st</sup> April 2022

## 4. Soft Market Testing

### **THIS IS NOT A CALL FOR COMPETITION**

The Soft Market Test is intended to allow interested organisations with relevant experience to outline their views and provide information with no commitment to themselves or the Council.

The Council is looking to award a contract commencing 1st April 2022. If a decision is made to tender this service the maximum annual budget is £67,500. It is further envisaged that the initial contract would be for a period of 2 years with an option to extend by 2 years. During the Soft Market Test we would like to gauge the level of interest.

**Stage 1** - Interested suppliers are required to complete the following company information form and a short questionnaire (at appendix 1). Suppliers who complete and return the questionnaire *may* be invited to meet with Council representatives to discuss its requirements.

The questionnaire should be returned via The Chest - <https://www.the-chest.org.uk/> by noon on 15<sup>th</sup> November 2021.

If Suppliers have any questions about this soft market test, such questions should be submitted to the Council using the 'Question and Answer' facility within the opportunity advertised on The Chest. A copy of the question and a copy of the written reply may be circulated to all Suppliers, with anonymity of the Supplier preserved. Suppliers must not raise questions through any other channels, including emails direct to the Council or to STAR Procurement. No questions will be responded to, other than those raised through The Chest as described above

**We encourage your participation in this soft market testing exercise, but must emphasise that your involvement in this exercise will not carry any commercial advantage in any ensuing procurement process.**

**No information provided in response to this soft market testing exercise will be used in any evaluation of any subsequent response to a procurement exercise.**

## 5. General Information

Full name of your organisation:	Together Trust
Contact Details Name:	Paul Baker
Job Title:	Head of Business Development
Address:	Together Trust Centre, Schools Hill, Cheadle, SK8 1JE
Telephone no:	0161 283 4848
Fax No:	
Mobile No:	07983 262460
Email Address:	Business.development@togethertrust.org.uk
Web Address (if any):	www.togethertrust.org.uk

## 6. Undertaking from the supplier

Name:*	Paul Baker
Signed:	Duly authorised on behalf of the Supplier 
Position:	Head of Business Development
Date:	9 November 2021

## **Appendix 1 – Questionnaire**

**Please complete the following questionnaire (questions 1 – 5) fully, highlighting any information that you consider to be commercially sensitive\***

1. Would you be interested in bidding for this proposed Project?

If Yes, why?

If No, why not?

### **Response:**

We would be interested in providing this service.

At the Together Trust, our vision is a society where people thrive because they are valued within their communities. For 150 years we've been championing and caring for people with disabilities, autism and complex health needs. And providing life-changing support for looked-after children and care-experienced people.

Today we're one of the North West's leading disability charities. We help children, adults, parents and carers, delivering individual care, support and education to thousands of people each year.

Delivery would complement a range of related services which we currently provide, whilst building upon past provision.



2. Please detail the experience your organisation has in delivering this type of service?

**Response:**

We have extensive experience of delivering 40+ high-quality, outcome-focused services predominantly across the NW including:

- Residential care and overnight short breaks
- Specialist education including children and young people with ASC, SEBD and post-16 education
- Foster care
- Clinical and therapeutic services and support
- Community based provision.

Together Trust has extensive experience of providing similar and related services to this opportunity including information, advice & guidance on behalf of children, young people with complex needs and their families over many years including:

- 'Independent Supporters' on behalf of the following local authorities; Bolton, Bury, Manchester, Tameside, Oldham, Salford
- 'Mediation & Dispute Resolution' for local authorities across the NW and beyond including: Cheshire West & Chester, Cheshire East, Rochdale, Oldham, Manchester City and St Helens (recently re-contracted to deliver this service).
- Previous experience of delivering 'Parent Partnership' services in Stockport and Bury.

In December 2020, we were contracted by Stockport MBC to deliver an 'Information, Advice, Support & Advocacy Service for SEND, Health & Social Care'.

3. Please detail how you will meet the requirements as detailed in the key aims (section 2)?

**Response:**

The service will be delivered by experienced, fully trained IASS Workers supported locally by a dedicated Service Manager - planned delivery model will be based upon previous experience delivering effective IAS services across Bury and Stockport.

At point of delivery our service will offer free, full-time, impartial, confidential information, advice, advocacy and support to parents/carers of children/young people with SEND and to the young people themselves. The service will be delivered 52 weeks a year and will be available as required by the service specification.

Our early intervention approach delivered by our experienced, specialist SEND team will include:

- 37.5 hours-a-week service, during office hours whilst maintaining flexibility, eg. meetings/telephone advice held outside office hours; digital communications, voicemail available 24/7
- Inclusive communication - face-to-face, telephone, online, assistive digital service:
- 'Information sheets', 'This is Me' (young person's booklet), 'SENDIASS leaflets in paper, digital, other languages, accessible/easy read
- Digital platforms - secure website/social media/video conferencing
- Telephone/text/voicemail/encrypted email available 24/7
- Assistive technology - 'Text to Talk'/Picture board/maker symbols
- Staff trained in Makaton/Talking Mats
- Additional support, eg. SENDIASS/advocacy
- Neutral, accessible venues meeting access/mobility needs, suitable for confidential discussions
- Mutually agreed times.

The service will encompass children/young people aged between 0 - 25 years across Education, Health and Social Care (EHC) reflecting developments in policy. We fully understand/will design provision to meet any challenges resulting from the Children and Families Act including impact on schools, colleges and those young people accessing Apprenticeships and Internships. We will support children/young people and parents/carers to ensure views are heard, understood, respected and needs foremost in planning support.

We will help promote independence and self-advocacy for children/young people and parents by providing:

- Accurate, up to date and impartial information and advice about the law on special education needs and disability, including people's rights and choices
- Information regarding EHC plans

- Support with writing letters, completing forms
- Help in preparing for/attending meetings with the LA, school, health or social care
- Information about local services and how to access them
- Guidance with choosing appropriate schools for children with SEND
- Support in SEND school exclusions and discrimination.

Delivery methodology for the service:

Supporting parents/carers

- Ensuring parents/carers are recruited/involved in effective and meaningful participation at a level sustainable for them, in a way that develops capacity in Stockport to inform/influence services for children/young people with SEND at all levels of decision making
- Working with parents/carers to identify opportunities to develop self confidence /other areas of development
- Increasing number of under-represented groups of parents/carers e.g. male carers, BME, those with additional needs.

Accessibility for all:

- Ensuring all who have contact with the service receive same level of service
- Pitching information at pace/level appropriate to child/young person and his/her parent or carer; providing 1:1 support to parents/carers and young people as required using person-centred practices
- Providing individual casework, representation for those who need it
- Offering/providing information in an accessible, inclusive format
- Ensuring that when a young person reaches the age of 16, they are made aware of their own rights and able to participate in decision-making about their EHC plan.

Central Services support:

All managers/front-line staff responsible for delivery of services are supported by a well resourced head office based in Cheadle - central services are delivered by suitably trained, experienced staff supported by comprehensive processes and systems including:

- Finance and Contracts
- Human Resources
- Communications and Marketing
- Information Technology and IT Support.

4. When/if the Council go to tender following the soft market test, is there anything in addition to the information in this brief that suppliers would need to be advised of in order to aid in their response.

**Response:**

- comprehensive information about TUPE should this apply
- detailed information about historic and current needs and outcomes delivered; information about future requirements and expectations
- local demographics
- anticipated barriers and challenges
- clear information about social value expectations etc
- realistic budget to enable delivery of the best quality service.

5. Please can you detail a brief statement to demonstrate what added value your organisation can offer in the market?

**Response:**

Response

This service will form part of a wider existing range of community based provision, just one element of a wider, integrated range of services (40+) shaped by those people who we care for/support, including residential care, fostering, community services, specialist education, clinical/therapeutic support. Key potential examples of added value could include:

**Promotion of local skills/employment:**

- safeguarding existing jobs/recruiting new staff - for new posts, we will advertise vacancies locally/prioritise employment of local people
- staff will receive pay above “living wage”.
- training, apprenticeships, staff progression: L&D offer expands annually - includes 180+ fully funded accredited/non-accredited/81 e-learning courses. We make best use of Apprenticeship Levy; 70+ staff enrolled on vocational apprenticeships - from NVQ3 to post-graduate qualifications.

**Supporting Growth of Responsible, Regional Business: local SMEs and VCSEs:**

- Each year, we spend £3,000,000+ on goods/services – we continuously look to identify local SMEs and 3<sup>rd</sup> sector organisations which can provide these.
- We have introduced principles of fair, ethical procurement across all areas of charity, guided by our Ethical Procurement Policy.

**Environmental Sustainability:** as a charity providing social care/education to children/young people we in a heightened responsibility to ensure the world is a cleaner, greener place for them to grow up in.

Energy Savings Opportunity Scheme compliance – we undertake an energy assessment by Environment Agency every 4 years.

Actions we will take/already take to improve environmental standards with this contract/other services include:

- Limiting energy consumption:
  - energy-saving light bulbs
  - motion-sensitive lighting
  - IT Virtual Servers - reduction in cooling/energy use/costs
  - AAA appliances

- Reducing CO2 emissions:
  - Cycle to Work scheme
  - Procuring materials from sustainable sources.
- Waste reduction:
  - recycling points in each of our services
  - commercial recycling larger/bulk volumes.

All 40+ Together Trust services take account of, foster every opportunity to and provide data of the positive impact each service delivers for every person's:

- health/well-being (including mental health)
- facilitating healthy life choices about food and diet
- fitness/exercise
- peer relationships, friendship groups
- compliance to medication/care routines
- independence
- identity/cultural needs
- self-confidence
- informed decision making
- feelings of safety; positive risk taking in a safe environment.



## Minimum Standards for SEND Information, Advice and Support Services

Information Advice and Support Services (IASS) provide free impartial, confidential and accurate information, advice and support about education, health and social care for children, young people and their parents on matters relating to special educational needs and disability. The provision of information, advice and support should help to promote independence and self-advocacy for children, young people and parents. Chapter 2 of the SEND Code of Practice sets out the role and activities of an IASS, and should be read alongside these standards.

These minimum standards are based on the requirements relating to support that Information, Advice and Support Services must provide, as set out in the Children and Families Act (CFA) 2014, the SEND Code of Practice and on additional legal advice commissioned by the Information, Advice and Support Service Network. A glossary and further guidance, including links to law and guidance will be available shortly.

### **1. Commissioning, governance and management arrangements**

- 1.1** The IASS is jointly commissioned by education, health and social care in accordance with the CFA 2014. A formal agreement is set out in writing which refers directly to these Minimum Standards, whilst also considering the need for continuity and stability of the service.
- 1.2** The IASS is designed and commissioned with children, young people and parents, and has the capacity and resources to meet these Minimum Standards and local need. For smaller local authorities (LAs) this may involve commissioning across local areas.
- 1.3** The IASS provides an all year-round flexible service which is open during normal office hours and includes a direct helpline with 24-hour answer machine, call back and signposting service, including linking to the national SEND helpline.
- 1.4** There is a dedicated and ring-fenced budget held and managed by an IAS service manager located within an IASS.
- 1.5** The IASS is, and is seen by service users to be, an arm's length, confidential, dedicated and easily identifiable service, separate from the LA, Clinical Commissioning Group and/or host organisation.

- 1.6 LA and IASS ensure that potential service users, Head teachers, FE principals, SENCos, SEND Teams, children's and adult social care, health commissioners and providers are made aware of the IASS, its remit and who the service is for.
- 1.7 The Governance arrangements outline a clear management structure, encompassing a strategic manager within the IASS and a steering group or advisory body which includes representatives from service user groups and key stakeholders from education, social care and health.
- 1.8 The IASS has a development plan reviewed annually with the steering group/advisory body, which includes specific actions and improvement targets.

## **2. Strategic functions**

- 2.1 Each IASS has a manager based solely within the service, without additional LA/CCG or host body roles. They have responsibility for strategic planning, service management and delivery, and quality assurance.
- 2.2 The IASS engages with regional and national strategic planning and training and demonstrates effective working with other IASSs to inform service development.
- 2.3 The IASS works with local partners, including local parent and young people forums to inform and influence policy and practice in the local area.

## **3. Operational Functions**

- 3.1 The IASS provides;

Impartial information, advice and support (IAS) on the full range of education, health and social care as defined in the SEND Code of Practice to the following service users –

- a) children
- b) young people
- c) parents

This support is offered in a range of ways which includes face to face, a telephone helpline, email, website and social media.

- 3.2 The IASS provides branded information and promotional materials in a range of accessible formats.



**3.3** The IASS has a stand-alone service website that is accessible to all service users. The website includes;

- Contact details of the service
- Opening hours
- Response times
- Information on a range of SEND topics
- Signposting to other useful groups including parent groups and youth forums and national helplines
- Signposting to the Local Offer
- Key policies including a complaints procedure

**3.4** The IASS provides advocacy support for individual children, young people, and parents that empowers them to express their views and wishes and helps them to understand and exercise their rights in matters including exclusion, complaints, SEND processes, and SEND appeals.

**3.5** The IASS provides information, advice and support before, during and following a SEND Tribunal appeal in a range of different ways, dependent on the needs of the parent or young person. This will include representation during the hearing if the parent or young person is unable to do so.

**3.6** The IASS offers training to local education, health and social care professionals, children, young people and parents to increase knowledge of SEND law, guidance, local policy, issues and participation.

#### **4. Professional development and training for staff**

**4.1** All advice and support providing staff successfully complete all online IPSEA legal training levels within 12 months of joining the service. Volunteers who provide advice and support should complete IPSEAs Level 1 online training within 12 months.

**4.2** The service routinely requests feedback from service users and others, and uses this to further develop the work and practices of the service.

**4.3** All IASS staff and volunteers have ongoing supervision and continuous professional development.

**If you have any comments or questions about these standards or about IASS please email [iassn@ncb.org.uk](mailto:iassn@ncb.org.uk)**

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# Agenda Item 7

<b>Report to:</b>	<b>EXECUTIVE CABINET</b>
<b>Date:</b>	27 April 2022
<b>Executive Member</b>	Councilor Allison Gwynne – Executive Member (Neighbourhoods, Community Safety and Environment)
<b>Reporting Officer:</b>	Ian Saxon, Director of Place
<b>Subject:</b>	<b>REVISED GAMBLING ACT STATEMENT OF PRINCIPLES 2022 - 2025</b>
<b>Report Summary:</b>	<p>Licensing authorities are required to develop, consult on, and publish a Statement of Principles every three years that sets out the principles they propose to apply in exercising their functions under the Gambling Act 2005.</p> <p>This report presents the Council's proposed statement of principles for 2022-2025.</p>
<b>Recommendations:</b>	That Executive Cabinet recommend to Full Council to adopt the Gambling Statement of Principles set out herein.
<b>Corporate Plan:</b>	<p>The proposals contained in this report will support the delivery of the Corporate Plan;</p> <p>Starting Well – Reduce the impact of adverse childhood experiences.</p> <p>Living Well – Reduce levels of anti-social behaviour, victims of crime/fear of crime.</p>
<b>Policy Implications:</b>	There is a statutory requirement for the Council to review the policy statement every 3 years. This proposal would replace the existing Gambling Statement of Principles.
<b>Financial Implications:</b> <b>(Authorised by the statutory Section 151 Officer &amp; Chief Finance Officer)</b>	<p>There are no direct financial implications arising from the report.</p> <p>However, Members should note that the licence fees that apply to all parties which require a gambling licence to exercise their functions under the Gambling Act 2005, are approved by the Council within the annual Council budget report.</p> <p>The licence fees that apply to the 2022/23 financial year were approved at the 22 February 2022 Council meeting.</p>
<b>Legal Implications:</b> <b>(Authorised by the Borough Solicitor)</b>	The Council has reviewed its Statement of Principles in line with legislation. Members will need to consider the consultation process carried out, together with the Equality Impact Assessment before agreeing the revised Statement, in line with its equality duty, to ensure there is no challenge to its lawfulness, and the Council's duty to protect vulnerable persons. This decision is required to be made by Full Council.
<b>Risk Management:</b>	<p>This review of the Statement of Principles is a key document in relation to the Council's position in continuing to implement the Gambling Act's objectives and consideration of subsequent licensing applications.</p> <p>Failure to properly consult on these proposals could result in a legal</p>

challenge from the trade or their representatives through a judicial review. This risk has been managed by carrying out an extensive consultation as outlined in the report.

**Background Information:**

The background papers relating to this report can be inspected by contacting Sharon Smith, Head of Regulatory Services and Public Protection.



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## 1. INTRODUCTION

- 1.1 The Council as the Licensing Authority has a statutory duty to review its Statement of Principles under the Gambling Act 2005 (the Act) at least every three years. The current Statement was adopted at Full Council and came into effect on 21 May 2019 and the revised Statement will cover the period of 2022 – 2025.
- 1.2 The Act is based on the promotion of three licensing objectives:
- Preventing gambling from being a source of crime and disorder;
  - Ensuring that gambling is conducted in a fair and open way; and
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.3 The Act provides that Authorities should aim to permit gambling in so far as they think it is:
- in accordance with issued codes of practice;
  - in accordance with guidance issued by the Gambling Commission;
  - reasonably consistent with the licensing objectives; and
  - in accordance with the Policy Statement.
- 1.4 The Council will refer to its Statement, the Gambling Act 2005, promotion of the licensing objectives, and the Statutory Guidance to Licensing Authorities when considering applications in respect of the following:-
- Premises licences (this includes casinos, bingo halls, adult gaming centres, family entertainment centres, race tracks and betting shops)
  - Permits (licensed premises gaming machine permits, club permits, prize gaming permits, notifications of two or less machines)
  - Lotteries (small society lotteries, incidental non-commercial lotteries, private lotteries and customer lotteries)
  - Temporary use notices and occasional use notices for short-term gambling events).
- 1.5 The Gambling Commission is responsible for granting operating licences and personal licences to commercial gambling operators and people working in the industry. It also regulates certain lottery managers and promoters.
- 1.6 In preparing the Statement the Authority has to have regard to codes of practice and guidance issued by the Gambling Commission.
- 1.7 This Statement reflects collaboration across Greater Manchester with, for the first time, a joint Statement of Gambling Principles approved at local level. The aim of this is to provide a more consistent policy position across Greater Manchester; we have a shared aim to prevent and reduce the negative impacts of gambling on individuals, families and communities.
- 1.8 A copy of the proposed Gambling Statement of Principles is attached at **Appendix 1**.

## 2. CONSULTATION

- 2.1 A consultation exercise was carried out in accordance with the Act and Statutory Guidance. The 8 week consultation period took place between 29 November 2021 and 24 January 2022.
- 2.2 The consultation was circulated widely, national trade bodies, interested parties and all premises licence holders were written to, directing them to a consultation page on the Council's website. In addition, the Council used its social media accounts to publicise the consultation.
- 2.3 Copies of the draft Statement were made available for the public to view electronically online

and a hard copy was kept at the Licensing Office.

- 2.4 A total of three responses were received. A response was received from Greater Manchester Police which was in support of the draft Statement being approved, this is attached at **Appendix 2**.
- 2.5 Trade responses were received from Power Leisure Bookmakers Limited, this is attached at **Appendix 3** and Merkur Slots UK Limited and Merkur Bingo & Casino Entertainment UK Limited, attached at **Appendix 4**.
- 2.6 A table evaluating the consultation responses and detailing the changes to the draft Statement is attached at **Appendix 5**. An Equality Impact Assessment (EIA) has been completed showing there is no adverse impact on the community. The EIA form is attached at **Appendix 6**.

### **3. RECOMMENDATIONS**

- 3.1 As set out at the front of the report.



# **Statement of Principles**

**2022-2025**

**Gambling Act 2005**

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### **1 Foreword from Cllr Allison Gwynne, Executive Member for Neighbourhoods, Community Safety & Environment**

- 1.1 We recognise that gambling provides many jobs, as well as being a popular leisure activity enjoyed by many of our residents and visitors. However, there is a range of gambling-related harms that can be experienced across the spectrum of gambling activities. We also know from studies and research that some groups are more likely to experience problems with gambling and there are some forms of gambling that are more associated with a higher severity of gambling-related problems, putting people at risk of gambling what they can't afford. We are therefore committed to working in partnership with the trade and partners, in line with the Greater Manchester Gambling Harm Reduction Programme, to minimise this risk and ensure that appropriate support is available when and where it is required, as well as regulating when appropriate.
- 1.2 The Greater Manchester Gambling Harm Reduction Programme aims to prevent harm from arising and to ensure that the individuals, families and communities experiencing harm as a result of gambling have access to the right treatment and support.
- 1.3 In Greater Manchester we are thinking differently about gambling with a shared aim to prevent and reduce the negative impacts of gambling on individuals, families and communities. As part of our innovative public service reform and population health agenda we are working with partners across Greater Manchester to ensure that gambling is a safe and enjoyable activity for all who choose to take part. Our priorities are:
1. Developing our understanding of gambling related harms
  2. Improving access to high quality treatment and support
  3. Supporting interventions to prevent gambling from becoming a harmful activity
  4. Engaging with people and communities to co-design our work
- 1.4 Partnerships are important, and with this in mind TMBC will work closely with the Gambling Commission, the Police and the other responsible authorities named within the Act. TMBC will also provide guidance and support, where possible, to the trade, residents and businesses.
- 1.5 This policy reflects collaboration across Greater Manchester with, for the first time, a joint Statement of Gambling Principles approved at local level
- 1.6 This Statement of Policy in relation to the Gambling functions that this Authority regulates, sets out the approach that will be taken when dealing with permissions it grants and enforces thereafter
- 1.7 It also identifies how the Authority will seek to promote the licensing objectives under the Act, namely:
- Preventing gambling from being a source of crime or disorder, being associated with crime and disorder or being used to support crime.
  - Ensuring gambling is conducted in a fair and open way.
  - Protecting children and other vulnerable people from being harmed or exploited by gambling
- 1.8 All decisions in relation to gambling will be made having taken into account the three licensing objectives and each application will be dealt with on its merits.

## 2 INTRODUCTION

- 2.1 As the licensing authority, we are required to perform the following functions under the Gambling Act:
- 1) Be responsible for licensing premises where gambling activities are to take place by issuing premises licences
  - 2) Issue provisional statements where it is proposed that gambling activities will take place but a premises is not yet ready for use
  - 3) Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities by issuing club gaming permits and/or club machine permits
  - 4) Issue club machine permits to commercial clubs
  - 5) Issue permits for unlicensed Family Entertainment Centres where Category D machines may be used
  - 6) Receive notifications from premises licensed for on-sales of alcohol for use of two or fewer Category C or D gaming machines
  - 7) Issue licensed premises gaming machine permits for premises licensed for on-sales of alcohol for use of two or more Category C or D machines
  - 8) Register small society lotteries
  - 9) Issue prize gaming permits
  - 10) Receive and endorse Temporary Use Notices for temporary use of premises for gambling
  - 11) Receive Occasional Use Notices for betting at tracks
- 2.2 Gambling is defined in the Act as either gaming, betting or taking part in a lottery
- 2.3 Gaming' means playing a game for the chance to win a prize.
- 2.4 'Betting' means making or accepting a bet on:
- the outcome of a race, competition or other event
  - the likelihood of anything occurring or not occurring
  - whether anything is true or not.
- 2.5 A 'Lottery' is where participants are involved in an arrangement where prizes are allocated wholly by a process of chance.
- 2.6 The responsibility for regulating gambling is shared between the Gambling Commission and local authorities. The Gambling Commission is responsible for issuing operating licences to organisations and individuals who provide facilities for gambling and personal licences to persons working in the gambling industry. The Commission takes the lead role on ensuring that gambling is conducted in a fair and open way through the administration and enforcement of operating and personal licence requirements. The Commission is also responsible for remote gambling activities such as facilities provided via the internet, television or radio.
- 2.7 We are also required to:

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- Provide information to the Gambling Commission regarding details of licences issued
  - Maintain a register of the permits and licences that are issued under the functions above.
- 2.8 The council has a responsibility under the Gambling Act 2005 to decide whether to grant or reject applications and in the case of premises licence applications to decide any conditions to apply where the decision is taken to grant. All decisions made by the licensing authority in relation to premises licences (and some other authorisations – see specific sections for details) are based on the Act, relevant guidance, Codes of Practice, our Gambling Policy and the three licensing objectives. These objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
  - Ensuring that gambling is conducted in a fair and open way
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 2.9 In the case of premises licences (and some other authorisations – see specific sections for details), the licensing committee will permit gambling only so far as it is reasonably consistent with these three objectives.
- Publication of this Policy**
- 2.10 Licensing authorities have a requirement to develop, consult on, and publish a statement of licensing policy every three years with regards to the principles they propose to apply in exercising functions under the Gambling Act 2005.
- 2.11 The policy statement forms the licensing authority's mandate for managing local gambling provision and sets out how the licensing authority views the local risk environment and therefore its expectations in relation to operators with premises in the locality.
- 2.12 The authority is one of the 10 Metropolitan Districts of Greater Manchester. In Greater Manchester we have a shared aim reducing gambling related harms, our approach focuses on preventing gambling harms from occurring, as well as improving how we support our residents who are already experiencing harms, either directly or as a result of someone else's gambling. The renewal of licensing policies presents an opportunity for local authorities to embed these principles. Licensing leads across Greater Manchester have agreed to take a common approach to refreshing gambling licensing policies.
- 2.13 The following people and organisations have been consulted in preparing the statement:
- The Chief Officer of Police;
  - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
  - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

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- 2.14 The Authority consulted upon this Statement between 29 November 2021 and 24 January 2022. Following consultation the Statement was approved at a full Council meeting held on 24 May 2022.

### **Description of the Area**

- 2.15 The Borough of Tameside lies to the East of Greater Manchester, stretching eastwards from the urban hub of Manchester to the moors of the Peak District. Tameside shares borders with Oldham, Manchester, Stockport and the Derbyshire Borough of High Peak. Tameside covers 40 square miles and is made up of nine towns – Ashton-under-Lyne, Audenshaw, Denton, Droylsden, Dukinfield, Hyde, Longdendale, Mossley, Stalybridge. It is named after the River Tame, which flows through the borough. Tameside has a rich heritage linked to the industrial revolution, with former rural communities transformed into mill towns significant to the Cotton and Textile Industry.
- 2.16 Tameside has a population of 226,493 (ONS UK, 2019 mid-year population estimates). Of the 141 areas in Tameside, 11 of these fall within the most deprived 5% nationally and a further 18 fall within the most deprived 10% nationally.

## 3 GENERAL PRINCIPLES

- 3.1 In making decisions on premises licences, the licensing authority shall aim to permit the use of premises for gambling in so far as it thinks it:
- In accordance with any relevant code of practice issued by the Gambling Commission;
  - In accordance with any relevant guidance issued by the Gambling Commission;
  - Reasonably consistent with the licensing objectives; and
  - In accordance with the authority's statement of licensing policy
- 3.2 As the licensing authority, we will regulate gambling in the public interest, which will be reflected in this policy statement.
- 3.3 This policy statement does not undermine the right of any person to make representations on an application or to seek a review of a licence where provision has been made for them to do so.
- 3.4 This policy does not override anybody's right to make an application, make representations about an application, or apply for a review of a licence.
- 3.5 Each application will be considered on its merits in accordance with the requirements of the Gambling Act and without regard to demand.

### **Other regulatory regimes**

- 3.6 The licensing authority will avoid duplication with other regulatory regimes, so far as possible. A range of general duties are imposed on the self-employed, employers and operators of gambling premises, both in respect of employees and of the general public, by legislation governing health and safety at work and fire safety. Therefore, such requirements do not need to be included in the policy statement.

### **Responsible Authorities**

- 3.7 Responsible Authorities are generally public bodies that must be notified of all applications and who are entitled to make representations to the Council if they are relevant to one or more of the licensing objectives.
- 3.8 Section 157 of the Act defines those authorities. For this area they are:
- The Gambling Commission
  - Greater Manchester Police
  - Greater Manchester Fire and Rescue
  - The Planning Authority
  - The authority which has functions in relation to pollution to the environment or harm to human health
  - Manchester Safeguarding Partnership
  - HM Revenue and Customs
  - The Licensing Authority.

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3.9 The contact details of all the Responsible Authorities are available are set out in **Appendix 1**.

3.10 The licensing authority has designated the Local Safeguarding Children Board as the body that is competent to advise it about the protection of children from harm. The principles that have been used in making this designation is that the board is:

- responsible for the whole of the licensing authority's area
- answerable to democratically elected persons

## Public Health

3.11 While for some gambling is an enjoyable activity, it is a source of harm for many.

3.12 Research suggests that in a city-region like Greater Manchester there are approximately 39,000 people living with a gambling disorder, with a further 118,000 at risk, however we know that self-reported surveys underestimate true prevalence of harm given the unfortunately shame and stigma associated with gambling disorder. For every person who gambles, it is estimated that between six and ten people are 'affected others' and experience similar harms. These may be dependents, parents, partners, friends or colleagues.

Area	Estimate of Adult Population 2016	Estimated number of problem gamblers	Estimated number of 'at risk' gamblers
Greater Manchester	2,148,660	38,676	118,176
Bolton	216,920	3,905	11,931
Bury	145,880	2,626	8,023
Manchester	416,480	7,497	22,906
Oldham	173,900	3,130	9,565
Rochdale	164,820	2,967	9,065
Salford	192,840	3,471	10,606
Stockport	227,920	4,103	12,536
Tameside	173,960	3,131	9,568
Trafford	179,920	3,239	9,896
Wigan	256,020	4,608	14,081

3.13 Anyone who gambles is vulnerable to harm. Men, younger adults (aged 18-34) and adults from a lower socioeconomic or black and minority ethnic backgrounds are more likely to be classified as gamblers experiencing some level of harm. Gambling related harms are often described at an individual level, however these harms have a wider impact on communities and society with costs to the UK as a whole estimated at being between £260m and £1.16bn.

3.14 People living with, or at risk of developing, a gambling disorder may experience stress, anxiety and depression, financial losses, debts and exhibit compulsive behaviours, such as chasing losses. Gambling related harms may accrue over a long period of time or very quickly at a time of crisis, many harms have a lasting legacy beyond initial recovery from gambling disorder. Harms associated with gambling include poor mental health and

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wellbeing, relationship breakdown, neglect of other priorities in life, poor performance at work or school and criminal activity. It is estimated that for every day of the year, one person takes their own life as a result of gambling disorder.

- 3.15 Awareness of gambling harms as an emerging public health problem has increased in recent years, however Public Health are not a responsible authority under the Gambling Act 2005. Nonetheless, the licensing authority will consult the Director of Public Health on all premises licence applications and will advise the Director of Public Health to consider the use of the Gambling Commission's toolkit for public health and safeguarding: <https://www.gamblingcommission.gov.uk/for-licensing-authorities/Licensingauthority-toolkit/Public-health-and-Safeguarding-toolkit.aspx>
- 3.16 Greater Manchester has a Gambling Harms Reduction Programme (which aims to reduce the harms caused by gambling to the population. Licence applicants and holders will be expected to show how they are actively protecting the local population from gambling harms with their processes and operations, and consider how the location, opening hours and promotion of their activities can minimize opportunities for harm to the vulnerable groups listed above. Sections 5.30 to 5.36 of this document on protecting vulnerable groups, highlights some of the standards licence holders are expected to meet to minimise harm to customers and local residents.
- 3.17 The licensing authority recognises that local authority Public Health Teams can offer insights from those impacted by gambling harms and offer contextual information about treatment and support in the local area. They can also add value to the licensing application process where there are concerns raised about risk of harm to vulnerable groups locally.
- 3.18 Greater Manchester's Gambling Harms Reduction Programme is listening to residents with lived experience of gambling and is commissioning its own research to better understand problem gambling in the region. As findings from this research emerge, licence holders will be expected to support the delivery of recommendations to help minimize gambling harms to the local populations.

### **Determining whether a person is an interested party in relation to a premises licence, or an application for or in respect of a premises licence**

- 3.19 For the purposes of the Gambling Act, an 'interested party' is:
- a) Someone who lives sufficiently close to the premises to be likely to be affected by the gambling premises
  - b) Has business interests that might be affected by the authorised activities
  - c) Represents persons who satisfy paragraph (a) or (b)
- 3.20 Whether or not a person is an 'interested party' is ultimately the decision of the Licensing Authority which issues the licence or to which the application is made.
- 3.21 To determine who lives 'sufficiently close to the premises to be likely to be affected by the gambling premises', we will consider the following on a case-by-case basis:
- The size of the gambling premises
  - The nature of the gambling premises



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- The distance of the premises from the address of the person making the representation
  - The potential impact of the premises (number of customers, routes likely to be taken by those visiting the premises)
  - the circumstances of the person who lives close to the premises. This is not their personal characteristics, but their interests which may be relevant to the distance from the premises e.g. 'sufficiently close to be likely to be affected' could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults
  - The 'catchment' area of the premises (i.e. how far people travel to visit it).
- 3.22 Having a 'business interest' will be given the widest possible interpretation and include community and voluntary groups, schools, charities, faith groups and medical practices. The licensing authority will consider the following factors relevant when determining whether a person's business interests may be affected:
- The size of the premises
  - The 'catchment' area of the premises (i.e. how far people travel to visit it)
  - whether the person making the representation has business interests in the affected catchment area
- 3.23 In so far as who represents persons who satisfy paragraphs (a) or (b), this would include for example:
- i. Residents' associations and tenants' associations
  - ii. Trade associations and trade unions
  - iii. Any other person with written permission from somebody who satisfies paragraph (i) or (ii)
  - iv. Local councillors and MPs
- Exchange of information between the licensing authority and the Gambling Commission (s29 and s30 of GA2005), and the exchange of information between the licensing authority and other persons listed in Schedule 6 of the Act**
- 3.24 The licensing authority may share application information received in the course of processing applications with the Gambling Commission, a constable or police force, an enforcement officer, another Licensing Authority, her Majesty's Commissioners of Customs & Excise, The Gambling Appeal Tribunal, The National Lottery Commission, The Secretary of State or Scottish Ministers.
- 3.25 We will abide by the Freedom of Information Act and the General Data Protection Regulation (GDPR) in its safeguarding/release of information or data.
- 3.26 In the context of the Gambling Act, we will retain only that information which relates to the processing of applications for licences, permits, permissions and representations. Applications and representations in respect of applications are both in the public domain and are therefore available on request and may be published as part of our web register. Personal addresses/contact numbers attached with representations may also be released. Information may also be shared with other Gambling Act regulators or other parties prescribed by the Secretary of State.

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3.27 Licensing authorities have statutory duties to notify the Commission as well as the applicant and other responsible authorities of the grant/rejection of applications (new, variations, transfers etc.) as well as the revocation, surrender or lapse of a premises licence using the correct statutory forms.

3.28 We will inform the Gambling Commission without delay if:

- The Licensing Authority receives information that causes it to question the suitability of the person holding/applying to hold an operating licence
- There are persistent or serious disorder problems that an operator could or should do more to prevent, so that the Commission may consider the continuing suitability of the operator to hold an operating licence
- If it comes to our attention that: alcohol-licensed premises or clubs or institutes are playing bingo during the course of a week which involves significant stakes and prizes and makes it possible that the £2,000 in seven days is being exceeded.

3.29 The licensing authority will act in accordance with the relevant legislation and guidance from the Commission and will adopt the principles of better regulation.

**Functions of the licensing authority under Part 15 of the GA2005 with respect to the inspection of premises and the power under s346 of the Act to institute criminal proceedings in respect of the offences specified in that section.**

3.30 Our principal enforcement role under the Gambling Act is to ensure compliance with the conditions of the premises licence and legal requirements in respect of other permissions the licensing authority regulates. However, we will also ensure that any unlicensed premises which are operating illegally are dealt with appropriately to ensure compliance. Where appropriate, we will work with the Gambling Commission in our enforcement activity. The Council will adopt a risk-based inspection and enforcement programme, which will mean giving greater attention to high-risk premises and a lighter touch for low-risk premises. In all cases we will ensure our inspection and enforcement programme is operated in accordance with any codes of practice issued by the Gambling Commission, in accordance with the Government's Enforcement Concordat and the Compliance Code.

3.31 The Council will take account of the Gambling Commissions guidance document issued in February 2015 (or any subsequent amendments) 'Approach to Test Purchasing' when considering making test purchases at gambling premises. The Council will also follow its own policies and procedures regarding the use of underage test purchasers.

3.32 This licensing authority will be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:

- **Proportionate**  
Regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised
- **Accountable**  
Regulators must be able to justify decisions, and be subject to public scrutiny
- **Consistent**  
Rules and standards must be joined up and implemented fairly
- **Transparent**  
Regulators should be open, and keep regulations simple and user friendly

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- **Targeted**

Regulation should be focused on the problem, and minimise side effects

- 3.33 Where there is a Primary Authority scheme in place, the council will seek guidance from the Primary Authority before taking any enforcement action. At the time of the publication of this policy there were seven Primary Authority arrangements with host local authorities:

<b>Operator</b>	<b>Primary Authority local authority</b>
BACTA	Reading
Coral Racing	Milton Keynes
Ladbrokes	Milton Keynes
Paddy Power	Reading
Rank Group	City of Westminster
Sky Betting & Gaming	Wakefield
William Hill	Reading

- 3.34 Further information, including an index of all Primary Authority arrangements can be found at <https://primary-authority.beis.gov.uk/par>

### **Commenting on a licence application**

- 3.35 If 'interested parties' (see below for definition) or 'responsible authorities' wish to comment on an application for a premises licence relating to the licensing objectives, they can make a 'representation'. The Licensing Authority can only consider representations if made by either an 'interested party' or 'responsible authority'.

- 3.36 A representation is a statement that outlines any comments that the party making the representation wants to be taken into consideration by the Licensing Authority when determining the application. In all cases representations will need to be 'relevant'. The only representations likely to be relevant are those that meet one or more of the following criteria:

- Relate to the licensing objectives
  - Relate to relevant matters in our gambling policy
  - Relate to relevant matters in the Gambling Commission's Guidance to Local Authorities
  - Relate to relevant matters in the Gambling Commission's Codes of Practice
  - Relate to the premises that are the subject of the application
- AND**
- Are neither frivolous nor vexatious nor will certainly not influence the authority's determination of the application.

### **Factors that will not be relevant**

- 3.37 Any objections to new premises or requests for a review should be based on the licensing objectives of the Act. Unlike the Licensing Act 2003, the Act does not include the prevention of public nuisance as a specific licensing objective.

- 3.38 The licensing authority will not take into account representations that are:

- repetitive, vexatious or frivolous

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- from a rival gambling business where the basis of the representation is unwanted competition
- moral objections to gambling
- concerned with expected demand for gambling
- anonymous

3.39 Details of applications and representations referred to a licensing sub-Committee for determination will be published in reports that are made publicly available and placed on the council's website in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. Personal details will however be removed from representations in the final website version of reports

3.40 Names and addresses of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the licensing authority is specifically asked to do so.

### **Split Premises**

3.41 The Licensing Authority will always give the closest consideration to whether a sub-division has created separate premises meriting a separate machine entitlement. The Authority will not automatically grant a licence for sub-divided premises even if the mandatory conditions are met, particularly where the Authority considers that this has been done in order to sidestep controls on the number of machines which can be provided in a single premise. The Authority will consider if the sub-division has harmed the licensing objective of protecting the vulnerable. The Authority may also take into account other relevant factors as they arise on a case-by-case basis.

### **Premises "ready for gambling"**

3.42 A licence to use premises for gambling will only be issued in relation to premises:

- that the Authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use
- where they are expected to be used for the gambling activity named on the licence.

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

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

- 1) Whether the premises ought to be permitted to be used for gambling
- 2) Whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

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

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- 3.46 When dealing with a premises licence application for finished buildings, the licensing authority will not take into account:
- whether those buildings have to comply with the necessary planning or building consents;
  - fire or health and safety risks.
- 3.47 Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence.
- 3.48 It is noted that S.210 of the Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally, the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building

## **Applications and plans**

- 3.49 The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the Licensing Authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the Authority to plan future premises inspection activity.
- 3.50 It is the local authority's policy that it will expect applicants for new premises licences and variations to provide a plan showing the indicative layout of the plan including, but not limited to:
- Machines, specified by category
  - Staff counters
- 3.51 We consider that this information is appropriate, in conjunction with the premises' risk assessment, to effectively assess the provision of gambling facilities at the premises. Where this information is not provided, it is more likely that a representation will be made in order to enable the licensing authority to accurately assess the likely effect of granting the application relative to the LCCP and licensing objectives.
- 3.52 The premises plan in itself is only one means by which the licensing authority may seek reassurance that the requirements will be met. It may be that conditions attached to the premises licence regarding lines of sight between the counter and the gaming machines, staffing arrangements or security devices are a more effective method of doing so. Local circumstances and concerns and the layout of a particular premises may well determine what is most appropriate for an individual application.

## **Tracks**

- 3.53 Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises =In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent

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holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.

- 3.54 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track.
- 3.55 Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan.

## 4 DETERMINING PREMISES LICENCES

### **How the Licensing Authority decides whether to grant or refuse an application**

- 4.1 Where we receive an application for a gambling premises licence, we will aim to permit the use of premises for gambling where it is considered:
- a) In accordance with any relevant code of practice issued by the Gambling Commission
  - b) In accordance with any relevant guidance issued by the Gambling Commission
  - c) Reasonably consistent with the licensing objectives (subject to a and b) and
  - d) In accordance with this policy (subject to a – c).
- 4.2 The Licensing Authority has no discretion to either grant or refuse premises licences in circumstances that would mean departing from the above e.g. the committee cannot reject applications on moral grounds.
- 4.3 Each case will be decided on its merits.
- 4.4 The Licensing Authority will not have regard to any demand issues for the premises.
- 4.5 Where an area has known high levels of organised crime the licensing authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors.
- 4.6 Rather than reject applications outright, wherever possible the Licensing Authority will look to work with gambling premises and tackle concerns with licence conditions that uphold the licensing objectives. However, where there are reasons that granting a licence would not be consistent with (a) - (d) above, the application will normally be refused.
- 4.7 In accordance with the Guidance from the Gambling Commission, we will circulate 'clear and comprehensive' reasons for any decision to all parties. We will also cite the extent to which decisions have been made in accordance with the Council's gambling policy and the Guidance from the Gambling Commission.

### **How the licensing committee decides what conditions to apply to premises licences**

- 4.8 Premises Licences may be subject to any or all of the following:
- Conditions specified in the Gambling Act 2005
  - Conditions specified in the regulations issued by the Secretary of State
  - Conditions attached by Tameside Council's Speaker's Panel (Liquor Licensing) following a hearing (where necessary).
- 4.9 With respect to conditions, licensing authorities are able to:
- Issue licences without modifying conditions set out in the Act and by the Secretary of State
  - Exclude default conditions
  - Attach conditions where it is believed to be appropriate

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- Conditions may be general in nature (i.e. they attach to all licences of a particular premises type e.g. all casinos) or they may be specific to a particular licence.

4.10 We will ensure that any conditions we impose are:

- Proportionate to the circumstances which they are seeking to address
- Relevant to the need to make the proposed building suitable as a gambling facility
- Directly related to the premises and the type of licence applied for
- Fairly and reasonably related to the scale and type of premises
- Reasonable in all other respects.

4.11 There are also conditions, which the licensing authority cannot attach to premises licences:

- Conditions on a premises licence which make it impossible to comply with an operating licence condition
- Conditions relating to gaming machine categories, numbers, or method of operation
- Conditions that require membership of a club or body. (The Gambling Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated)
- Conditions relating to stakes, fees, winnings or prizes
- Conditions relating to demand for the premises.

4.12 Decisions about conditions will be taken on a case-by-case basis considering Gambling Commission guidance, Gambling Commission Codes of Practice, the Licensing Objectives and our policy.

### **Determining whether to review a licence**

4.13 After a licence is granted, where the day to day operation of a gambling premises is not felt to be 'reasonably consistent with the licensing objectives', a review of the premises licence can be requested at any time.

4.14 A review may be initiated by the Licensing Authority or as a result of an application for review from an interested party or responsible authority. Where it is the Licensing Authority that initiate the review, they may do this for a whole class of premises e.g. all Adult Gaming Centres or in relation to particular premises. The Licensing Authority can review a licence for any reason it thinks appropriate.

4.15 Where an application for review is received from an interested party or responsible authority, as a licensing authority we must decide whether to go ahead with the review. The application for review will be considered based on the following:

- Does the request raise issues other than those found under the Gambling Commission's Guidance, Codes of Practice, the Licensing Objectives or our gambling policy?
- Is it irrelevant, frivolous or vexatious?
- Is it so minor that the authority will certainly not wish to revoke or suspend the licence or remove, amend or attach conditions?



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- Is it substantially the same as a previous application for review relating to the same premises?
  - Is the application for review substantially the same as a representation made at the time the application for a premises licence was considered?
- 4.16 If the answer to ANY of the above questions is 'yes', the request for review may be rejected. The purpose of the review is to determine if the licensing committee should take any action in relation to the licence. If action is needed, the options are to either:
- Revoke the premises licence •
  - Suspend the premises licence for a period not exceeding three months
  - Exclude a default condition imposed by the Secretary of State (relating to, for example, opening hours) or remove or amend such an exclusion
  - Add, remove or amend a licence condition previously imposed by the Licensing Authority
- 4.17 To decide what action, if any, needs to be taken following an application for review, the licensing committee will make its determination:
- In accordance with any relevant code of practice issued by the Gambling Commission
  - In accordance with relevant guidance issued by the Gambling Commission
  - In so far as it is reasonably consistent with the licensing objectives
  - In accordance with the authority's statement of licensing policy
- 4.18 The committee will also consider any relevant representations and information given at the hearing. Codes or practice and the guidance referred to above may be obtained from the Gambling Commission.

## 5 RELEVANT FACTORS WHEN CONSIDERING APPLICATIONS AND REVIEWS

5.1 In considering applications for new gambling licences, variations to existing licences and licence reviews the licensing authority will consider the following matters:

- the location of the premises
- the Local Area Profile
- the Local Risk Assessment (LRA)
- the views of responsible authorities
- the views of interested parties
- compliance history of current management
- the hours of operation
- the type of premises
- the operation of the premises in accordance with the expectations of the licensing authority, as set out in this policy
- the physical suitability of the premises
- the levels of crime and disorder in the area
- the level of deprivation and ill health in the area

5.2 The Licensing Authority believes that this list is not exhaustive and there may be other factors which may arise that could be considered relevant. The Licensing Authority will consider the relevance of any additional factors raised on a case-by-case basis.

### **Location of the premises**

5.3 The location of the premises will be an important factor as it can impact on all three of the licensing objectives. The Licensing Authority will consider very carefully applications for premises licences that are located in close proximity to sensitive premises such as:

- Schools, including universities
- Parks, stations, other transport hubs and places where large numbers of school children might be expected
- other premises licensed for gambling
- premises licensed for alcohol
- children's and vulnerable persons' centres and accommodation
- youth and community centres
- health and treatment centres
- leisure centres used for sporting and similar activities by young persons and/or vulnerable persons
- religious centres and public places of worship

5.4 The Licensing Authority expects each premises to produce and keep on the premises a local risk assessment, covering the areas set out in this policy.

## Local risk assessments

- 5.8 Licensees are required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:
- when applying for a variation of a premises licence
  - to take account of significant changes in local circumstances, including those identified in a licensing authority's policy statement
  - when there are significant changes at a licensee's premises that may affect their mitigation of local risks.
- 5.9 Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in the licensing authority's policy statement.
- 5.10 In conducting their risk assessment, the Licensing Authority will expect operators to follow the general principles of risk assessment:
- 1) Identify hazards (think about what may cause harm using the information provided below as a guide and any other matters you consider relevant)
  - 2) Assess the risks (decide how likely it is that someone could be harmed and how serious it could be. This is assessing the level of risk). Decide:
    - i) Who might be harmed and how
    - ii) What you're already doing to control the risks
    - iii) What further action you need to take to control the risks
    - iv) Who needs to carry out the action
    - v) When the action is needed by
  - 3) Control the risks (Look at what you're already doing, and the controls you already have in place.) Ask yourself:
    - i) Can I get rid of the hazard altogether?
    - ii) If not, how can I control the risks so that harm is unlikely?
  - 4) Record your findings (record your significant findings), including:
    - i) the hazards (things that may cause harm)
    - ii) who might be harmed and how
    - iii) what you are doing to control the risks
  - 5) Review the controls. (You must review the controls you have put in place to make sure they are working.) You should also review them if:
    - i) they may no longer be effective
    - ii) Also consider a review if your workers have spotted any problems or there have been any accidents or near misses.
    - iii) to take account of significant changes in local circumstances, including those identified in this policy statement
    - iv) when there are significant changes at the premises that may affect your mitigation of local risks
    - v) Update your risk assessment record with any changes you make.
- 5.11 The Licensing Authority considers the following as significant changes at the premises that may affect your mitigation of local risks:
- Staffing changes
  - Layout of the premises

- Changes to gaming facilities provided

5.12 The Authority will expect the local risk assessment to consider the urban setting:

- The proximity of the premises to schools
- The commercial environment
- Factors affecting the footfall
- Whether the premises is in an area of deprivation
- Whether the premises is in an area subject to high levels of crime and/or disorder
- The ethnic profile of residents in the area.
- The demographics of the area in relation to vulnerable groups
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather
- The range of facilities in the local area such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.
- The proximity of churches, mosques, temples or any other place of worship

5.13 The local risk assessment must show how vulnerable people, including people with gambling dependencies, are protected through:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Arrangements in place for local exchange of anonymised information regarding self-exclusion and gaming trends.
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
- Arrangements for monitoring and dealing with underage people and vulnerable people, which may include:
  - dedicated and trained personnel
  - leaflets and posters
  - self-exclusion schemes
  - window displays and advertisements designed to not entice children and vulnerable people.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality
- The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, council community hubs, addiction clinics or help centres, places where alcohol or drug dependent people may congregate

5.14 The local risk assessment should show how children are to be protected:

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- The proximity of institutions, places or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas, etc.
- The proximity of place where children congregate such as bus stops, cafes, shops.
- Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.

5.15 Other matters that the assessment will include as appropriate:

- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of people using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those people using the premises.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

5.16 Such information may be used to inform the decision the Authority makes about whether to grant the licence, to grant the licence with special conditions, or to refuse the application.

5.17 This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

## **Local Area Profile**

5.18 The Greater Manchester Gambling Harms Reduction programme is listening to residents with lived experience of gambling and is commissioning its own research to better understand problem gambling in the region. As findings from this research emerge, license holders will be expected to support the delivery of recommendations to help minimize gambling harms to the local populations. This research and evidence will be available online at:

<https://www.greatermanchester-ca.gov.uk/what-we-do/health/gambling/understanding-gambling-related-harms>

and should be referred to in Local Risk Assessments.

## **How the premises will operate consistent with the licensing objectives**

5.19 We expect high standards from all gambling premises. Operators will be expected to demonstrate that they have given careful consideration to the licensing objectives and have appropriate measures in place to uphold them.

5.20 The following paragraphs indicate the physical and management factors that the licensing authority may take into account when considering applications for new, varied licence applications and reviews. These are not mandatory requirements but should be used as a guide to applicants and licensees as to the sort of arrangements that it should have in place and demonstrate these are in place through their bespoke risk assessment. Where

an applicant or licensee can demonstrate that these factors are not relevant, or alternative arrangements are more appropriate, the licensing authority will take these into account.

**Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime:**

- 5.21 The Gambling Commission play a leading role in preventing gambling from being a source of crime, through maintaining rigorous procedures that aim to prevent criminals from providing facilities for gambling, or being associated with doing so, as a result of the operating licence procedure.
- 5.22 However, as a Licensing Authority, we will take into account any local considerations that may impact with regard to this licensing objective, particularly in respect to the location of the premises, to ensure the suitability of the gambling premises. When considering whether a disturbance was serious enough to constitute disorder, we will have regard to the individual merits of the situation including, but not limited to, whether police assistance was required and how threatening the behaviour was to those who could see or hear it. We acknowledge that the Gambling Commission highlights in its guidance to local authorities that “disorder is intended to mean activity that is more serious and disruptive than mere nuisance”.
- 5.23 Whilst regulatory issues arising from the prevention of disorder are likely to focus almost exclusively on premises licensing, rather than on operating licences; if there are persistent or serious disorder problems that we consider an operator could or should do more to prevent, we will bring this to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence.
- 5.24 Licensees and applicants will be expected to demonstrate that they have given careful consideration to preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime.
- 5.25 In addition to the need to consult a local Crime Reduction Officer, the operators of new premises/premises undergoing a refurbishment should also engage with the police’s architectural liaison unit at the design stage to ensure crime prevention and detection.
- 5.26 We encourage that premises liaise with their Neighbourhood Policing Team to develop relationships at a local level and promote effective communication and co-operation. Additionally, operators are expected to actively support and participate in any local business partnership schemes, where any such schemes are in operation, and where such schemes are reasonably consistent with the licensing objectives.
- 5.27 The measures to be considered should include:
- The arrangements in place to control access (preventing unauthorised access shall not be limited to the provision of supervisory personnel; other options may include, but are not limited to, time-lock or maglock entrances)
  - The opening hours
  - The provision of registered door supervisors\*
  - The provision of CCTV
  - The number of staff on duty and effective staff training, especially in relation to lone working
  - The provision of toilet facilities

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- Prevention of antisocial behaviour associated with the premises, such as street drinking, litter, activity outside the premises including the management of clients leaving the premises
- Adequate lighting inside and out (appropriate to the premises in question) to ensure against robbery and other covert activity.

\* Only staff directly employed by Casinos and Bingo Clubs have an exemption from SIA registration. Where door supervisors are provided at these premises the operator should ensure that any people employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a criminal records (DBS) check on potential staff and for such personnel to have attended industry recognised training.

## **Ensuring that gambling is conducted in a fair and open way**

5.28 Generally, this objective will be addressed by:

- The management of the gambling business (in conjunction with the Gambling Commission, who are responsible for issuing and enforcement of the operating licence).
- The personal licence holders proving their suitability and actions (which again is the responsibility of the Gambling Commission)

5.29 Where we suspect that gambling is not being conducted in a fair and open way, we will bring this to the attention of the Gambling Commission, for their further consideration, and work in partnership with their officers. In the case of those premises that do not hold an operating licence such as tracks, additional conditions may be required dependent on the risks outlined in the application.

## **Protecting children and other vulnerable persons from being harmed or exploited by gambling**

5.30 The Gambling Act defines 'children' as those persons under 16 years of age and 'young persons' as those persons aged 16 or 17 years of age. The term 'vulnerable persons' is not defined and what constitutes harm or exploitation will have to be considered on a case-by-case basis.

5.31 Gambling-related harms are the adverse impacts from gambling on the health and wellbeing of individuals, families, communities and society. These harms are diverse, affecting resources, relationships and health, and may reflect an interplay between individual, family and community processes. The harmful effects from gambling may be short-lived but can persist, having longer-term and enduring consequences that can exacerbate existing inequalities.

5.32 Regard will be had to current evidence in relation to vulnerability to gambling-related harm. In 2015, Manchester City Council in partnership with Westminster Council commissioned research into this issue and published a report: Exploring area-based vulnerability to gambling-related harm: Who is vulnerable? Findings from a quick scoping review by Heather Wardle, Gambling and Place Research Hub, Geofutures 13th July 2015. Similarly, In 2016 Leeds City Council commissioned Leeds Beckett University to undertake research into Problem Gambling (Problem Gambling in Leeds; Kenyon,

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Ormerod, Parsons and Wardle, 2016) looking specifically at identifying groups of the society that could be considered (more) vulnerable to problem gambling:

- Younger people, including students
- Those who are unemployed and/or with constrained financial circumstances
- Those from minority ethnic groups
- Those under the influence of alcohol or drugs
- Problem gamblers seeking treatment
- Homeless people
- Those living in areas of greater deprivation
- Those with other mental health issues and substance abuse/misuse disorders
- Those with poorer intellectual functioning
- Custodial and non-custodial offenders

5.33 Licensees and applicants will be expected to demonstrate they have carefully considered how to protect children and vulnerable persons from harm and have adequate arrangements for preventing underage gambling on their premises. The measures that should be considered where appropriate are:

- The provision of CCTV
- Location of entrances
- Restricted opening and closing times to protect residents vulnerable to harm
- Supervision of entrances
- Controlled access to the premises by children under the age of 18
- Dealing with pupils who are truanting, and policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, half term and school holidays
- Design layout/lighting/fit out to not attract children or vulnerable persons having a nationally-recognised proof of age scheme – Think 21/25
- The provision of registered door supervisors
- Clear segregation between gaming and non-gaming areas in premises frequented by children
- The provision of adequate signage and notices
- Supervision of machine areas in premises, particularly areas to which children are admitted
- Controlled opening hours
- Effective self-barring schemes
- The provision of materials for GamCare, Betknowmore UK or similar, Citizens Advice Bureau information, local public and mental health and housing/homeless associations, printed in languages appropriate to the customer base.
- Advertising local support services in the area such as Beacon Counselling Trust or the NHS Gambling Clinic.
- The number of staff on duty and effective staff training, especially in relation to the ability to effectively identify and engage with vulnerable persons, including primary intervention and escalation
- A requirement that children must be accompanied by an adult (in premises where children are allowed)
- Enhanced DBS checks of staff



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- Obscuring windows where appropriate and labelling premises so it is clear that they are gambling premises
  - Self-exclusion schemes
- 5.34 With reference to those persons with a mental impairment or mental health difficulties, operators would be well-advised to consult a suitable Mental Health Advisor and formulate a policy to protect this category of vulnerable person from being harmed or exploited by gambling
- 5.35 For multi-occupied premises consideration should be given to the arrangements for controlling access to children and the compatibility of the different uses. Separate and identifiable entrances may be required to ensure that people do not drift inadvertently into a gambling area.
- 5.36 Children are not permitted to use Category C or above machines and in premises where these machines are available and children are permitted on the premises the licensing authority will require:
- all Category C and above machines to be located in an area of the premises which is separated from the remainder of the premises by a physical barrier to prevent access other than through a designated entrance
  - adults only admitted to the area where these machines are located
  - adequate supervised access to the area where the machines are located
  - the area where these machines are located is arranged so that it can be observed by the staff or the licence holder
  - prominent notices displayed at the entrance to, and inside, any such areas there indicating that access to the area is prohibited to persons under 18

## **Expectations of operators: Staffing provision**

- 5.37 Staff in licensed gambling premises are recognised as being subject to risk in the workplace from violence and verbal abuse, especially if working alone. In addition, lone workers may not be able to sufficiently serve and supervise the customers, identify and prevent young people from gambling, protect vulnerable persons, deal with customers who may be consuming alcohol and prevent the premises being used as a source of crime or supporting crime.
- 5.38 We expect premises management to recognise and address this as part of their management arrangements, especially at times where it has been identified that there is a spike in crimes around the premises.
- 5.39 We expect there to be an adequate number of staff and managers on the premises to cover key points throughout the day, especially where premises are close to schools/colleges/universities, pubs, bars, shopping centres and stadia.

## **Expectations of operators: Data gathering and sharing**

- 5.40 Keeping track of the incidence and handling of problem gambling in the Borough of Tameside is a key part of promoting the licensing objectives. We expect all gambling premises to maintain a log and share this and other information with the Licensing Unit upon request.

5.41 We would expect that all records including time and date along with a short description of the incident and action taken. Data that we consider should be recorded and shared includes (but is not exclusive to) :

- 1) Customer interventions
- 2) Cases where persons who have decided to voluntarily exclude themselves from the premises have tried to gain entry
- 3) Mandatory exclusions needing enforcement
- 4) Attempts to enter by those underage in a calendar month
- 5) Attempts to enter by those underage in the company of adults
- 6) Attempts to enter by those underage with complicit adults
- 7) Incidents of 'at risk behaviour'
- 8) Incidents of 'behaviour requiring immediate intervention'

5.42 We expect that this application will be provided to the licensing authority annually.

5.43 A template for this information to be provided is at **Appendix 2**.

### **Expectation of applicants: Staff Training and Knowledge**

5.44 We expect all customer-facing and management staff in premises licensed under the Gambling Act 2005 to have sufficient knowledge to tackle risks associated with gambling and know how to promote responsible gambling. Amongst other elements, staff knowledge should include (where appropriate):

- 1) The importance of social responsibility (Premises may wish to seek an audit from GamCare in order to obtain a certificate of Social Responsibility)
- 2) Causes and consequences of problem gambling
- 3) Identifying and communicating with vulnerable persons: primary intervention and escalation, supported by high quality training given the challenging nature of these conversations.
- 4) Dealing with problem gamblers: exclusion (mandatory and voluntary) and escalating for advice/treatment including local treatment providers
- 5) Refusal of entry (alcohol and drugs)
- 6) Age verification procedures and need to return stakes/withdraw winnings if under age persons found gambling
- 7) Importance and enforcement of time/spend limits
- 8) The conditions of the licence
- 9) Maintaining an incident log
- 10) Offences under the Gambling Act
- 11) Categories of gaming machines and the stakes and odds associated with each machine
- 12) Types of gaming and the stakes and odds associated with each
- 13) Ability to signpost customers to support services with respect to problem gambling, financial management, debt advice etc.
- 14) Safe cash-handling/payment of winnings
- 15) Identify forged ID and bar those using forged ID from the premises
- 16) Knowledge of a problem gambling helpline number (for their own use as well as that of customers)
- 17) The importance of not encouraging customers to:
  - (a) Increase the amount of money they have decided to gamble
  - (b) Enter into continuous gambling for a prolonged period

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- (c) Continue gambling when they have expressed a wish to stop
- (d) Re-gamble winnings
- (e) Chase losses.

5.45 Above and beyond this we expect managers to have an in-depth knowledge of all of the above and be able to support staff in ensuring the highest standards with regard to protecting children and other vulnerable persons from being harmed or exploited by gambling. In so far as training, we do not intend to duplicate any existing training requirement, such as may be required by the Gambling Commission's Code of Practice.

### **Expectation of applicants: Gaming machines / layouts**

- 5.46 It is an operator's responsibility to ensure staff are able to effectively monitor gaming machine play for a number of reasons that are part of the operator's licence conditions. Age verification, customer interaction and self-exclusion policies all require operators to take into account the structure and layout of their gambling premises.
- 5.47 The Licence conditions and code of practice (LCCP) state: 'Facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times'.
- 5.48 A screen or pod around a gaming machine, designed to increase the privacy of the player, could prevent staff in a gambling premises from effectively monitoring gaming machine play.
- 5.49 Operators will be expected to be able to evidence to the licensing authority how they have considered the risk to the licensing objectives and implemented effective controls, prior to the introduction of any new machine arrangements.
- 5.50 It will be important to consider the means by which gaming machines are supervised (e.g. line of sight to counter, effective CCTV, mirrors or floor staff) and consider whether that is appropriate for that premises.
- 5.51 Whether amendments to a premises amount to a 'material change' warranting an application to vary the premises licence under s.187 of the Gambling Act is a matter for local determination and the licensing authority will adopt a common-sense approach.

## 6 PREMISES- SPECIFIC CONSIDERATIONS

### **Adult Gaming Centres**

- 6.1 Adult gaming centres (AGCs) are premises able to make category B, C and D gaming machines available to their customers. Persons operating an AGC must hold a gaming machines general operating licence from the Commission as well as a premises licence from the Council.
- 6.2 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.
- 6.3 Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls. The council will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises and that the premises is adequately supervised at all times.

### **Casinos**

- 6.4 Tameside has no licensed casino.
- 6.5 The Gambling Act states that a casino is an arrangement whereby people are given the opportunity to participate in one or more casino games whereby casino games are defined as a game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or bank at different odds to their fellow players. Casinos can also provide equal chance gaming and gaming machines.

### **‘No Casinos’ resolution**

- 6.6 This licensing authority has not passed a ‘no casino’ resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

### **Bingo premises**

- 6.7 The Gambling Act 2005 does not contain a definition of Bingo. It is to have its ordinary and natural meaning and the Act does stipulate that “bingo” means any version of that game, irrespective of how it is described. Two types of bingo may be offered:
- Cash bingo, where the stakes panel made up the cash prize that’s won; or
  - Prize bingo, where various forms of prizes is won, not directly relating to the stakes panel
- 6.8 Subject to the rules of individual operators, children and young people are allowed into bingo premises. However, they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

## APPENDIX 1

6.9 Where category C or above machines are available in premises to which children are admitted then the council will ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose a rope, floor markings or similar provision will not suffice and the council may insist on a permanent barrier of at least one metre high
- only adults are admitted to the area where the machines are located
- access to the area where the machines are located is supervised at all times
- the area where the machines are located is arranged so that it can be observed by staff
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18
- children will not be admitted to bingo premises unless accompanied by an adult.

6.10 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator's Licences. The council will take this into consideration when determining licence applications for bingo premises.

6.11 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.

### **Electronic bingo gaming machines**

6.12 Where a premises intends on providing electronic terminals to play bingo, we will expect operators (as part of their application) to provide a breakdown of the number of electronic bingo terminals that will be provided at the premises.

### **Gaming machines at bingo premises**

6.13 In addition to bingo, this premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act. Bingo premises licences authorise a maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4.

6.14 Bingo facilities in bingo premises may not be offered between the hours of midnight and 9am. However, there are no restrictions on access to gaming machines in bingo premises.

6.15 The LCCP requires (Social Responsibility Code Provision 9) that gaming machines are only made available in combination with the named non-remote activity of the operating licence. So, unless a bingo premises operator offers substantive facilities for non-remote bingo it should not make gaming machines available for use on the premises in question.

6.16 As the licensing authority, we will need to satisfy ourselves that a premises applying for or licensed for bingo is operating or will operate in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for bingo. Equally, we must ensure that a premises licensed for the purposes of providing facilities for bingo is operating as such and is not merely a vehicle to offer higher stake and prize gaming machines.

- 6.17 Therefore, we will expect operators (as part of their application) to provide information on:
- any times they intend to provide gaming machines at any times that bingo facilities are not provided
  - how the premises will be recognised as a premises licensed for providing facilities for bingo
  - A breakdown of gaming machine numbers (by category)
- 6.18 The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority will expect applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.
- 6.19 The licensing authority will use their power to restrict the circumstances in which they are available for use when appropriate by way of conditions. When considering imposing conditions, the licensing authority will take into account, among other factors:
- the size and physical layout of the premises
  - the number of counter positions and staff on the premises
  - the ability of staff to monitor the use of machines by children, young persons under the age of 18 or vulnerable people
- 6.20 The licensing authority will not seek to limit the number of gambling machines by category as this entitled provision is defined in the Gambling Act. However, we will seek to ensure that the number and provision of gaming machines are only provided in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for bingo.
- 6.21 To contain the unavoidable risk to the licensing objectives associated with gaming machines, premises which offer machines must be appropriately supervised.
- 6.22 The licensing authority will information required from an applicant for a new premises or for a variation to an existing premises in order to satisfy themselves as to the matters set out at s153 of the Act. This includes the codes of practice and the Gambling Commission's guidance to licensing authorities.
- 'Entertainment' Bingo**
- 6.23 A phenomenon over recent years has been the evolution of businesses, such as Bongo's Bingo, providing facilities for high turnover bingo (the aggregate stakes or prizes for bingo in any seven day period may exceed £2,000); typically providing equal chance gaming at pubs and nightclubs, in reliance on the alcohol licence held by the premises, and therefore doing so under the rules for exempt gaming.
- 6.24 We note that it is a condition of some such companies' operator's licence that they must notify both the Commission and the relevant LA at least 28 days before any event takes place in new premises, by providing a description of the event taking place, a copy of the premises contract and any amendment to the rules of the bingo.

- 6.25 We would encourage venues hosting such events to promote responsible gambling messaging at them.

### **Betting Premises**

- 6.26 We encourage operators to participate in the Safebet Alliance in order to help ensure the highest standards for the safety and security of staff working at betting premises. Where an operator does not participate in the scheme, it is expected that they can satisfactorily demonstrate the security measures they incorporate are adequate.
- 6.27 Licensed betting premises are only permitted to offer gambling facilities between 7am and 10pm, unless the licensing authority has granted a variation application to extend these hours. The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority also has concerns that licensed betting premises operators may seek to extend the permitted hours for the primary purpose of making gaming machines available to customers for longer.
- 6.28 As a consequence, the licensing authority is unlikely to grant variation of hours' applications unless applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.
- 6.29 The licensing authority will use their power to restrict the number of betting machines (bet receipt terminals), their nature and the circumstances in which they are available for use when appropriate by way of conditions. When considering imposing conditions, the licensing authority will take into account, among other factors:
- the size and physical layout of the premises
  - the number of counter positions and staff on the premises
  - the ability of staff to monitor the use of machines by children, young persons under the age of 18 or vulnerable people
- 6.30 Betting machines - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It is noted that that children are not able to go into premises with the benefit of a Betting Premises Licence.

### **(Licensed) Family Entertainment Centres**

- 6.31 The Act creates two classes of family entertainment centre (FEC). Licensed FEC's provide category C and D machines and require a premises licence. Unlicensed FEC's provide category D machines only are regulated through FEC gaming machine permits.
- 6.32 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only gaming machine areas. Operators should ensure that a proof of age scheme is in force.

## APPENDIX 1

- 6.33 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

### **Occasional use notices**

- 6.34 Occasional Use Notices (OUN) are designed to allow licensed betting operators to provide betting facilities at genuine sporting events, such as point-to point racecourses and golf courses for major competitions, within the boundaries of the identified venue on a specific date.
- 6.35 An OUN must be submitted for EACH day that the betting activity will be conducted on the premises. For example, four notices for four consecutive days of betting and not one notice covering the four days.
- 6.36 We will liaise with the Gambling Commission should we receive an OUN that does not relate to a genuine recognised sporting event to ensure that OUN's are not misused, for example, venues seeking to become tracks through a contrived sporting event, utilising OUNs to solely or primarily facilitate betting taking place on events occurring away from the identified venue



## 7. PERMITS AND OTHER PERMISSIONS

### **Alcohol Licensed Premises Gaming Machine Permits**

7.1 Premises licensed to sell alcohol that have a bar and the alcohol is not ancillary to food for consumption on the premises, having more than two gaming machines, will need to apply for a permit and must also notify the Licensing Authority if they have one or two machines. In considering whether to grant a permit, the licensing authority will have regard to the licensing objectives, guidance issued by the Gambling Commission and any other relevant matters. Permits will not be granted to licensees who have failed to demonstrate compliance with the Gambling Commission's Code of Practice.

7.2 In addition to the requirements of the Gambling Commission's Code of Practice, the Licensing Authority expects applicants to:

- display adequate notices and signs, advertising the relevant age restrictions
- position machines within view of the bar in order for staff to be able to monitor the machines for use by under age or misuse of the machines
- challenge anyone suspected of being under age and refuse access
- provide information leaflets and / or help-line numbers for organisations such as GamCare and Betknowmore UK.

### **Prize Gaming Machine Permits**

7.3 Prize gaming premises will appeal to children and young persons and weight will be given to child protection issues. Therefore, the licensing authority will expect the applicant to demonstrate that they are suitable to hold a permit (i.e. if the applicant has any convictions which would make them unsuitable to operate prize gaming) and the suitability of the premises.

7.4 The licensing authority expects applicants to set out the types of gaming machines that they intend to offer and be able to demonstrate that:

- they understand the limits to stakes and prizes that are set out in regulations
- that the gaming offered is within the law

7.5 The Gambling Commission website gives advice on types of permits, conditions, stakes and prizes. See <https://www.gamblingcommission.gov.uk>.

### **Unlicensed FECs (uFEC)**

7.6 Unlicensed family entertainment centres (FEC's) will perhaps be most commonly located at places such as airports and at motorway service centres, and will cater for families, including unaccompanied children and young persons. Unlicensed FEC's will be able to offer only category D machines in reliance on a gaming machine permit.

7.7 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238). As a result, it is generally not permissible for such premises to correspond to an entire shopping centre, airport, motorway service station or similar. Typically, the machines would be in a designated, enclosed area.

## APPENDIX 1

7.8 Given that the premises is likely to appeal particularly to children and young persons, when considering applications for permits we will give weight to matters relating to protection of children from being harmed or exploited by gambling and are keen to ensure that staff supervision adequately reflects the level of risk to this group. Therefore, we will generally expect such risks to be addressed through effective:

- Staff supervision and training
- Detailed plan
- Social responsibility policies
- Staff being easily identifiable
- Clear signage

7.9 As part of an application for a uFEC, it is our policy that a plan for the uFEC must be submitted.

### **Small Society Lotteries**

7.10 A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less.

7.11 To be 'non-commercial' a society must be established and conducted:

- for charitable purposes,
- for the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or
- for any other non-commercial purpose other than that of private gain.

7.12 This licensing authority will adopt a risk-based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- Submission of incomplete or incorrect returns
- Breaches of the limits for small society lotteries
- The eligibility of society as 'non-commercial'

## 8. APPENDIX 1 – RESPONSIBLE AUTHORITIES

### **Licensing Authority**

Tame Street Depot  
Tame Street  
Stalybridge  
Tameside  
SK15 1ST

### **Environmental Health**

Tame Street Depot  
Tame Street  
Stalybridge  
Tameside  
SK15 1ST

### **Greater Manchester Police**

Licensing Officer  
Ashton-under-Lyne Police Station  
Manchester Road  
Ashton-under-Lyne  
OL7 0BQ

### **Safeguarding Board**

Hyde Town Hall  
Market Street  
Hyde  
Tameside

### **SK14 1ALHM Revenue & Customs**

Excise Processing Teams  
BX9 1GL

### **Planning**

Planning & Building Control  
Tameside MBC  
PO Box 304  
Ashton-under-Lyne  
Tameside  
OL6 0GA

### **Gambling Commission**

Victoria Square House  
Victoria Square, Birmingham, B2 4BP



## 9. APPENDIX 2 – TEMPLATE FOR DATA COLLECTION

The data collection template is available as an Excel file upon request from the Licensing Unit. The screenshots below demonstrate the information to be collected.

### Gambling Premises - Data Collection Template

[illegible]

*Image: screenshot of data collection template detailing relevant actions by licensee*

[illegible]

Image: screenshot of data collection template detailing licensee interventions

## 10. APPENDIX 3 – GLOSSARY

Term	Description
ATM	Auto teller machine or cash machine.
Betting	Betting is defined as making or accepting a bet on the outcome of a race, competition or other event or process or on the outcome of anything occurring or not occurring or on whether anything is or is not true. It is irrelevant if the event has already happened or not and likewise whether one person knows the outcome or not. (Spread betting is not included within this definition).
Betting Machines / Bet Receipt Terminal	Betting machines can be described as automated betting terminals where people can place bets on sporting events removing the need to queue up and place a bet over the counter.
Bingo	There are essentially two types of bingo: cash bingo, where the stakes paid make up the cash prizes that can be won and prize bingo, where various forms of prizes can be won, not directly related to the stakes paid.
Book	Running a 'book' is the act of quoting odds and accepting bets on an event. Hence the term 'Bookmaker'.
Casino games	A game of chance, which is not equal chance gaming. Casino games includes Roulette and black jack etc.
Chip	Casinos in the UK require you to use chips to denote money. They are usually purchased and exchanged at a cashier's booth.
Coin pusher or penny falls machine	A machine of the kind which is neither a money prize machine nor a non-money prize machine
Crane grab machine	A non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's success in manipulating a device forming part of the machine so as to separate, and keep separate, one or more physical objects from a group of such objects.
Default condition	These are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the Authority.
Equal Chance Gaming	Gaming which does not involve playing or staking against a bank.
Fixed odds betting	If a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not 'gaming' see below), then it is likely to be betting at fixed odds.
Fixed Odds betting terminals (FOBTs)	FOBTs are a type of gaming machine which generally appear in licensed bookmakers. FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular.
Gaming	Gaming can be defined as 'the playing of a game of chance for winnings in money or monies worth, whether any person playing the game is at risk of losing any money or monies worth or not'.
Gaming Machine	Any type of machine allowing any sort of gambling activity including betting on virtual events but not including home computers even though users can access online gaming websites.
Licensing Objectives	The licensing objectives are three principal goals which form the basis of the Act. Stakeholders who have an interest in the Act need to try and promote these objectives. The licensing objectives are: <ul style="list-style-type: none"> <li>• Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.</li> <li>• Ensuring that gambling is conducted in a fair and open way.</li> <li>• Protecting children and other vulnerable people from being harmed or exploited by gambling.</li> </ul>
Lottery	A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part. A lottery is defined as either a simple lottery or a complex lottery. A simple lottery is one where people are required to pay to participate and one or more prizes are allocated to one or more members of a class and the prizes are allocated by a process which relies wholly on chance. A complex lottery is where people are required to pay to participate and one or more members of a class and the prizes are allocated by a series of processes where the first of those processes relies wholly on chance. Prize means money, articles or services provided by the members of the class among whom the prize is allocated. (It should be noted that the National Lottery is not included in this definition of lottery and is regulated by the National Lottery Commission).
Money prize machine	A machine in respect of which every prize which can be won as a result of using the machine is a money prize.

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Term	Description
Non-money prize machine	A machine in respect of which every prize which can be won as a result of using the machine is a non-money prize. The winner of the prize is determined by: (i) the position in which the coin or token comes to rest after it has been inserted into the machine, together with the position of other coins or tokens which have previously been inserted into the machine to pay a charge for use, or (ii) if the insertion of a single coin to pay the charge for use enables the person using the machine to release one or more tokens within the machine, the position in which such tokens come to rest after being released, together with the position of other tokens which have previously been so released.
Odds	The ratio to which a bet will be paid if the bet wins, e.g. 3-1 means for every £1 bet, a person would receive £3 of winnings.
Off-course betting operator	Off-course betting operators may, in addition to premises away from the track, operate self-contained betting premises within a track premises. Such self-contained premises will provide facilities for betting on both events taking place at the track (on-course betting), as well as other sporting events taking place away from the track (off-course betting). In essence such premises operate like a traditional high street bookmakers. They will however only normally operate on race days.
On-course betting operator	The on-course betting operator is one who comes onto on a track, temporarily, while races are taking place, and operates at the track side. On-course betting operators tend to offer betting only on the events taking place on the track that day (on-course betting).
Pool Betting	For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings: 1) Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the people betting 2) Shall be divided among the winners or 3) Shall or may be something other than money. For the purposes of the Gambling Act, pool betting is horse-race pool betting if it relates to horse-racing in Britain.
Regulations or Statutory instruments	Regulations are a form of law, often referred to as delegated or secondary legislation. They have the same binding legal effect as Acts and usually state rules that apply generally, rather than to specific people or things. However, regulations are not made by Parliament. Rather, they are made by people or bodies to whom Parliament has delegated the authority to make them, such as a minister or an administrative agency.
Representations	In the context of the Gambling Act representations are either positive statements of support or negative objections which are made in relation to a licensing application. Representations must be made in time, e.g. during a designated notice period.
Responsible authority (authorities)	Responsible authorities (RAs) are agencies which have been appointed by the Gambling Act or regulations to fulfil a designated role during the licensing process. RAs must be sent copies of all licensing applications and have the power to make representations about such applications. RAs also have the power to ask for licences to be reviewed.
Skill machine / Skill with prizes machine	The Act does not cover machines that give prizes as a result of the application of pure skill by players. A skill with prizes machine is one on which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes.
Spread betting	A form of investing which is more akin to betting, and can be applied either to sporting events or to the financial markets. Spread betting is regulated by the Financial Services Authority.
Stake	The amount pledged when taking part in gambling activity as either a bet, or deposit to the bank or house where the house could be a gaming machine.
Statement of principles document	A document prepared by the Authority which outlines the areas that applicants need to consider before applying for gaming permits.
Table gaming	Card games played in casinos.
Tote	"Tote" is short for Totaliser, a system introduced to Britain in 1929 to offer pool betting on racecourses.
Track	Tracks are sites (including horse tracks and dog tracks and stadia) where races or other sporting events take place

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## Mike Robinson

---

**From:** g.licensing@gmp.police.uk  
**Sent:** 06 January 2022 16:52  
**To:** Mike Robinson  
**Cc:** Claire.Galt@gmp.police.uk  
**Subject:** FW: CONSULTATION ON REVISED STATEMENT OF GAMBLING POLICY  
**Attachments:** Draft Gambling Policy.pdf

Good afternoon Mike.

I have read the attached Tameside MBC Statement of Principles 2022-2025 for the Gambling Act 2005. As Licensing Officer for Tameside with delegated responsibility, on behalf of the Chief Officer of Police I offer no representation to the contents of the updated policy and agree with in content.

Regards

**14627 Thorley | PC**

Delegated District Licensing Officer | Tameside 'G'

Internal **69484** Telephone **0161 856 9484** Work Mobile – **07393145364**

Email [14627@gmp.police.uk](mailto:14627@gmp.police.uk) or [g.licensing@gmp.police.uk](mailto:g.licensing@gmp.police.uk)

Address **Ashton DHQ, Manchester Road, Tameside, OL7 0BQ**



---

**From:** Mike Robinson [mailto:mike.robinson@tameside.gov.uk]  
**Sent:** 13 December 2021 09:38  
**Subject:** FW: CONSULTATION ON REVISED STATEMENT OF GAMBLING POLICY

**Mike Robinson**

**Regulatory Services Manager (Licensing)**

Environmental Services (Public Protection)

Operations and Neighbourhoods

Place

[Tameside MBC](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)

Tame Street Depot | Tame Street | Stalybridge | Tameside | SK15 1ST

Tel. 0161 342 4122

Mobile. 07971285294

Fax. 0161 342 2275

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**From:** Mike Robinson  
**Sent:** 13 December 2021 09:36  
**Subject:** CONSULTATION ON REVISED STATEMENT OF GAMBLING POLICY

Dear Sir/Madam,

Tameside Council is currently consulting in respect of a revised statement of gambling policy in accordance with the Gambling Act 2005.

The draft new policy can be viewed at <https://www.tameside.gov.uk/tbc/gamblingpolicy2022-25consultation>

Comments can also be submitted via the same link.

The consultation runs until Monday 24 January 2022.

Yours faithfully,

Handwritten signature of Mike Robinson.

**Mike Robinson**  
**Regulatory Services Manager (Licensing)**  
**Operations and Neighbourhoods**

**Mike Robinson**  
**Regulatory Services Manager (Licensing)**  
Environmental Services (Public Protection)  
Operations and Neighbourhoods  
Place

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*Thank you for your co-operation.*

## APPENDIX 3

### **Power Leisure Bookmakers Limited response to Tameside Metropolitan Borough Council's Consultation on its draft Statement of Gambling Principles 2022-2025**

Paddy Power is Ireland's biggest Bookmaker and operates both as retail business through licensed betting offices and an online/telephone business. Paddy Power is a leading national operator of betting premises with clear and proactive policies to promote the Gambling Licensing Objectives. Operators of premises licences have full authority to provide their services by the provision of an Operating Licence granted by the Gambling Commission. The UK's gambling regulator has therefore approved the measures implemented and those policies have been developed that ensure responsible trading in accordance with gambling legislation, the licensing objectives and the Licence Conditions and Codes of Practice. Of particular relevance are the obligations and requirements now placed upon operators under the social responsibility provisions of the LCCP, introduced by the Gambling Commission.

#### **Foreword**

We strongly disagree with the commentary included in the draft policy as it does not appropriately identify the permissive regime envisioned by Parliament and implemented by the Gambling Act 2005. Comments relating public health, and the imposition of additional obligations/conditions placed on operators fail to consider the extensive social responsibility provisions now contained in the governing legislation. The Authority's policy, as per section 349 of the Gambling Act 2005, should contain the principles that it proposes to apply in exercising its functions under the Act, it is therefore not an appropriate document to contain additional commentary, which is beyond the scope of the policy's function, and it should be removed.

#### **3.11 Public Health**

*'For every person who gambles, it is estimated that between six and ten people are 'affected others' and experience similar harms. These may be dependents, parents, partners, friends or colleagues.'*

*'Anyone who gambles is vulnerable to harm.'*

*'It is estimated that for every day of the year, one person takes their own life as a result of gambling disorder.'*

The above statements provide no supporting evidence and are inflammatory. We value local data that helps to identify and provide evidence of local risks of harm associated with gambling as this assists licensees to develop and apply appropriate and proportionate measures to mitigate risk and uphold the licensing objectives. Commentary must be based on current evidence rather than broad, generic statements or macro-societal trends that may have little to no relevance regarding the immediate local area.

We suggest that these sections/comments are speculative and misleading as they are based on hypothetical and unquantifiable risks that could potentially arise from gambling. Suggestions that all gambling is harmful does not consider empirical evidence that the significant majority of individuals that participate in gambling do so in a responsible manner without harm. It is not the licensing authority's role to limit gambling rather than *'aim to permit'* gambling that is in accordance with the relevant codes of practice and guidance issued by the Gambling Commission and is reasonably consistent with the Licensing Objectives.

The third licensing objective places a fundamental obligation on all operators to ensure that the appropriate policies, procedures, and safeguards are in place to mitigate any of these potential risk factors.

### **3.43 Premises ‘ready for gambling’**

Paragraph 3.40 states: *‘If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.’*

This statement requires updating following the case of R (on the application of) Betting Shops Services Limited-v-Southend-on-Sea Borough Council [2008] EWHC 105 (admin). Other than the right to occupy, there is no legal reason preventing an operator from applying for a premises licence and we therefore suggest that this section is amended to reflect this.

See also the guidance issued within the Guidance to Licensing Authorities 5th edition at paragraph 7.64: *“If faced with an application in respect of uncompleted premises which it appears are not going to be ready to be used for gambling for a considerable period of time, a licensing authority ought to consider whether – applying the two-stage approach advocated above – it should grant a licence or whether the circumstances are more appropriate to a provisional statement application. For example, the latter would be the case if there was significant potential for circumstances to change before the premises opens for business. In such cases, the provisional statement route would ensure that the limited rights of responsible authorities and interested parties to make representations about matters arising from such changes of circumstance are protected. Licensing authorities may choose to discuss with individual applicants which route is appropriate, to avoid them having to pay a fee for an application that the licensing authority did not think was grantable.”*

### **5.25 Preventing gambling from being a source of crime or disorder**

*‘In addition to the need to consult a local Crime Reduction Officer, the operators of new premises/premises undergoing a refurbishment should also engage with the police’s architectural liaison unit at the design stage to ensure crime prevention and detection.’*

Whilst operators are under an obligation to provide risk assessments for their premises and update these for any material changes that may affect the level of risk, the need to consult an officer over what may be a simple refurbishment (e.g., upgrading the premises/furniture etc). is disproportionate to what is required. Where there is no impact on the licensing objectives and changes are insignificant in that regards, it would not be rational to impose an obligation on operators to consult a Crime Reduction Officer each time any insignificant change is made.

It is incumbent that operators ensure they assess the risks, and that premises are appropriately supervised as required by the Licensing Conditions and Codes of Practice (LCCP) attached to all operating licences. Any failure to do so would be a breach of the LCCP and potentially place the operating licence and premises licence at risk.

### **6.27 and 6.28 Betting premises and Gaming machines**

*‘The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority also has concerns that licensed betting premises operators may seek to extend the permitted hours for the primary purpose of making gaming machines available to customers for longer.’*

*As a consequence, the licensing authority is unlikely to grant variation of hours' applications unless applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement'.*

This statement has no supporting evidence and cannot impose an obligation on licensees to validate their day-to-day operation. Whilst betting facilities may not be offered between the hours of 22:00 and 07:00 under the default provisions provided by the legislation, Parliament has prescribed that the number and type of gaming machines permitted by a betting premises licence is a legal entitlement. Primary gambling activity or purpose is an outdated concept and incorrect legal test. Social responsibility Code 9.1.1(2) prescribes that gaming machines may be made available for use where substantive facilities for non-remote betting are made available. It is not within an authority's power to prescribe an operator's business model or the facilities being used provided that appropriate safeguards are implemented in accordance with the legislation, regulation and Licence Conditions and Codes of Practice.

It is not within the authority's discretion to restrict the legal activities permitted by a licence without robust evidence to support any such restriction. Furthermore, the authority has offered no current or local evidence to support this statement in suggesting that gambling is more attractive to vulnerable persons at later hours of the day, or more so than at any other time, or that appropriate control measures cannot be implemented to mitigate any such risk.

Whilst the authority has every right to exercise its function in controlling where gaming machines may be played, this does not extend to a prescriptive requirement mandating all Betting premises to suspend business or provide a justification for the business activities proposed. Operators are under a requirement to uphold social responsibility and will risk assess any potential concerns that may arise from activity within their premises, including any risk that may be realised during later hours of operation. Paddy Power has effective policies and procedures to manage their premises accordingly and always ensures that there is close supervision and familiarity within their business.

Please see the Gambling Commission's Guidance to Licensing Authorities at paragraph 5.31, which directs authorities to consider conditions, where necessary and proportionate to do so, and 5.34, that provides '*In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met*'. To demonstrate requires evidence.

## **Conclusion**

We are committed to working in partnership with the Gambling Commission and local authorities to continue to promote best practice and compliance in support of the licensing objectives. We look forward to discussion on the proposed Statement of Principles with you.

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## Merkur Slots UK Limited and Merkur Bingo & Casino Entertainment UK Limited response Tameside Metropolitan Borough Council's Consultation on its draft Statement of Gambling Principles 2022-2025

The Merkur Group of companies is a leading national operator of bingo, AGC and FEC premises with clear and proactive policies to promote the Gambling Licensing Objectives. Operators of premises licences have full authority to provide their services by the provision of an Operating Licence granted by the Gambling Commission. The UK's gambling regulator has therefore approved the measures implemented and those policies have been developed that ensure responsible trading in accordance with gambling legislation, the licensing objectives and the Licence Conditions and Codes of Practice. Of particular relevance are the obligations and requirements now placed upon operators under the social responsibility provisions of the LCCP, introduced by the Gambling Commission.

### Foreword

We strongly disagree with the commentary included in the draft policy as it does not appropriately identify the permissive regime envisioned by Parliament and implemented by the Gambling Act 2005. Comments relating public health, and the imposition of additional obligations/conditions placed on operators fail to consider the extensive social responsibility provisions now contained in the governing legislation. The Authority's policy, as per section 349 of the Gambling Act 2005, should contain the principles that it proposes to apply in exercising its functions under the Act, it is therefore not an appropriate document to contain additional commentary, which is beyond the scope of the policy's function, and it should be removed.

### 3.11 Public Health

*'For every person who gambles, it is estimated that between six and ten people are 'affected others' and experience similar harms. These may be dependents, parents, partners, friends or colleagues.'*

*'Anyone who gambles is vulnerable to harm.'*

*'It is estimated that for every day of the year, one person takes their own life as a result of gambling disorder.'*

The above statements provide no supporting evidence and are inflammatory. We value local data that helps to identify and provide evidence of local risks of harm associated with gambling as this assists licensee to develop and apply appropriate and proportionate measures to mitigate risk and uphold the licensing objectives. Commentary must be based on current evidence rather than broad, generic statements or macro-societal trends that may have little to no relevance regarding the immediate local area.

We suggest that these sections/comments are speculative and misleading as they are based on hypothetical and unquantifiable risks that could potentially arise from gambling. Suggestions that all gambling is harmful does not consider empirical evidence that the significant majority of individuals that participate in gambling do so in a responsible manner without harm. It is not the licensing authority's role to limit gambling rather than *'aim to permit'* gambling that is in accordance with the

relevant codes of practice and guidance issued by the Gambling Commission and is reasonably consistent with the licensing objectives.

The third licensing objective places a fundamental obligation on all operators to ensure that the appropriate policies, procedures, and safeguards are in place to mitigate any of these potential risk factors.

### **3.43 Premises ‘ready for gambling’**

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

Paragraph 3.40 states: *‘If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.’*

This statement requires updating following the case of R (on the application of) Betting Shops Services Limited-v-Southend-on-Sea Borough Council [2008] EWHC 105 (admin). Other than the right to occupy, there is no legal reason preventing an operator from applying for a premises licence and we therefore suggest that this section is amended to reflect this.

See also the guidance issued within the Guidance to Licensing Authorities 5th edition at paragraph 7.64: “If faced with an application in respect of uncompleted premises which it appears are not going to be ready to be used for gambling for a considerable period of time, a licensing authority ought to consider whether – applying the two-stage approach advocated above – it should grant a licence or whether the circumstances are more appropriate to a provisional statement application. For example, the latter would be the case if there was significant potential for circumstances to change before the premises opens for business. In such cases, the provisional statement route would ensure that the limited rights of responsible authorities and interested parties to make representations about matters arising from such changes of circumstance are protected. Licensing authorities may choose to discuss with individual applicants which route is appropriate, to avoid them having to pay a fee for an application that the licensing authority did not think was grantable.”

### **5.25 Preventing gambling from being a source of crime or disorder**

*‘In addition to the need to consult a local Crime Reduction Officer, the operators of new premises/premises undergoing a refurbishment should also engage with the police’s architectural liaison unit at the design stage to ensure crime prevention and detection.’*

Whilst operators are under an obligation to provide risk assessments for their premises and update these for any material changes that may affect the level of risk, the need to consult an officer over what may be a simple refurbishment (e.g., upgrading the premises/furniture etc). is disproportionate to what is required. Where there is no impact on the licensing objectives and changes are insignificant to this effect, it would not be rational to impose an obligation on operators to consult a Crime Reduction Officer each time any insignificant change is made.

It is incumbent that operators ensure they assess the risks, and that premises are appropriately supervised as required by the Licensing Conditions and Codes of Practice (LCCP) attached to all

operating licences. Any failure to do so would be a breach of the LCCP and potentially place the operating licence and premises licence at risk.

#### **6.14 Gaming machines at bingo premises**

*'Bingo facilities in bingo premises may not be offered between the hours of midnight and 9am. However, there are no restrictions on access to gaming machines in bingo premises.'*

Whilst the above statement is not incorrect, this only focuses on the default hours offered and disregards an applicant's right to apply for hours beyond these times. There is no evidence to suggest that later opening hours have incurred problems and operators are already under a responsibility to ensure that all premises are effectively managed, risk assessed and supervised accordingly. We suggest this section is amended to also include where a premises licence may have excluded the default hours and therefore be outside the hours of midnight and 9am.

#### **6.18 Gaming machines at bingo premises**

*'The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority will expect applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.'*

*The licensing authority will use their power to restrict the circumstances in which they are available for use when appropriate by way of conditions.'*

This statement has no supporting evidence and cannot impose an obligation on licensees to validate their day-to-day operation. Whilst bingo facilities may not be offered between the hours of midnight and 9am under the default provisions provided by the legislation, Parliament has prescribed that there are no default restrictions regarding gaming machines (see guidance to licensing authorities' part 18). Gaming machine operation outside the default bingo hours permitted in bingo premises is an entitlement provided by the regulations and it is not within the authority's discretion to restrict the legal activities permitted without robust evidence to support any such restriction. Furthermore, the authority has offered no current or local evidence to support this statement in suggesting that gambling is more attractive to vulnerable persons at later hours of the day than any other time.

Whilst the authority has every right to exercise its function in controlling where gaming machines may be played, this does not extend to a prescriptive requirement mandating all Bingo premises to suspend business. As discussed in point 5.13, operators are under a requirement to uphold social responsibility and will have risk assessed any potential concerns that may arise from activity within their premises. Merkur has effective policies and procedures to manage their premises accordingly and always ensures that there is close supervision and familiarity within their business.

#### **Conclusion**

We are committed to working in partnership with the Gambling Commission and local authorities to continue to promote best practice and compliance in support of the licensing objectives. We look forward to discussion on the proposed Statement of Principles with you.

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## EVALUATION OF CONSULTATION RESPONSES RESPONDENT PARA COMMENTS CONSIDERATION

RESPONDENT	PARA	COMMENTS	CONSIDERATION
Power Leisure Bookmakers Limited	Foreword	We strongly disagree with the commentary included in the draft policy as it does not appropriately identify the permissive regime envisioned by Parliament and implemented by the Gambling Act 2005. Comments relating public health, and the imposition of additional obligations/conditions placed on operators fail to consider the extensive social responsibility provisions now contained in the governing legislation. The Authority's policy, as per section 349 of the Gambling Act 2005, should contain the principles that it proposes to apply in exercising its functions under the Act, it is therefore not an appropriate document to contain additional commentary, which is beyond the scope of the policy's function, and it should be removed.	Policy amended to include Para's 1.2 – 1.5 which give context.
	3.11	<p><i>'For every person who gambles, it is estimated that between six and ten people are 'affected others' and experience similar harms. These may be dependents, parents, partners, friends or colleagues.'</i></p> <p><i>'Anyone who gambles is vulnerable to harm.'</i></p> <p><i>'It is estimated that for every day of the year, one person takes their own life as a result of gambling disorder.'</i></p> <p>The above statements provide no supporting evidence and are inflammatory. We value local data that helps to identify and provide evidence of local risks of harm associated with gambling as this assists licensees to develop and apply appropriate and proportionate measures to mitigate risk and uphold the licensing objectives. Commentary must be based on current evidence rather than broad, generic statements or macro-societal trends that may have little to no relevance regarding the immediate local area.</p> <p>We suggest that these sections/comments are speculative and misleading as they are based on hypothetical and unquantifiable risks that could potentially arise from gambling. Suggestions that all gambling is harmful does not consider empirical evidence that the significant majority of individuals that participate in gambling do so in a responsible manner without harm. It is not the licensing authority's role to limit gambling rather than 'aim to permit' gambling that is in accordance with the relevant codes of practice and guidance issued by the Gambling Commission and is reasonably consistent with the Licensing Objectives.</p> <p>The third licensing objective places a fundamental obligation on all operators to ensure that the appropriate policies, procedures, and safeguards are in place to mitigate any of these potential risk factors.</p>	Comments noted.

	3.43	<p>Paragraph 3.40 states: <i>'If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.'</i></p> <p>This statement requires updating following the case of R (on the application of) Betting Shops Services Limited-v-Southend-on-Sea Borough Council [2008] EWHC 105 (admin). Other than the right to occupy, there is no legal reason preventing an operator from applying for a premises licence and we therefore suggest that this section is amended to reflect this.</p> <p>See also the guidance issued within the Guidance to Licensing Authorities 5th edition at paragraph 7.64: "If faced with an application in respect of uncompleted premises which it appears are not going to be ready to be used for gambling for a considerable period of time, a licensing authority ought to consider whether – applying the two-stage approach advocated above – it should grant a licence or whether the circumstances are more appropriate to a provisional statement application. For example, the latter would be the case if there was significant potential for circumstances to change before the premises opens for business. In such cases, the provisional statement route would ensure that the limited rights of responsible authorities and interested parties to make representations about matters arising from such changes of circumstance are protected. Licensing authorities may choose to discuss with individual applicants which route is appropriate, to avoid them having to pay a fee for an application that the licensing authority did not think was grantable."</p>	Policy amended – due regard has been given to this comment and the word 'made' has been replaced with 'considered'.
	5.25	<p><i>'In addition to the need to consult a local Crime Reduction Officer, the operators of new premises/premises undergoing a refurbishment should also engage with the police's architectural liaison unit at the design stage to ensure crime prevention and detection.'</i></p> <p>Whilst operators are under an obligation to provide risk assessments for their premises and update these for any material changes that may affect the level of risk, the need to consult an officer over what may be a simple refurbishment (e.g., upgrading the premises/furniture etc). is disproportionate to what is required. Where there is no impact on the licensing objectives and changes are insignificant in that regards, it would not be rational to impose an obligation on operators to consult a Crime Reduction Officer each time any insignificant change is made.</p> <p>It is incumbent that operators ensure they assess the risks, and that premises are appropriately supervised as required by the Licensing Conditions and Codes of Practice (LCCP) attached to all operating licences. Any failure to do so would be a breach of the LCCP and potentially place the operating licence and premises licence at risk.</p>	Comments noted
	6.27 & 6.28	<p><i>'The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority also has concerns that licensed betting premises operators may seek to extend the permitted hours for the primary purpose of making gaming machines available to customers for longer.'</i></p>	Comments noted – the policy does not preclude an applicant applying to vary hours, factors will be taken into account

		<p><i>As a consequence, the licensing authority is unlikely to grant variation of hours' applications unless applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement'.</i></p> <p>This statement has no supporting evidence and cannot impose an obligation on licensees to validate their day-to-day operation. Whilst betting facilities may not be offered between the hours of 22:00 and 07:00 under the default provisions provided by the legislation, Parliament has prescribed that the number and type of gaming machines permitted by a betting premises licence is a legal entitlement. Primary gambling activity or purpose is an outdated concept and incorrect legal test. Social responsibility Code 9.1.1(2) prescribes that gaming machines may be made available for use where substantive facilities for non-remote betting are made available. It is not within an authority's power to prescribe an operator's business model or the facilities being used provided that appropriate safeguards are implemented in accordance with the legislation, regulation and Licence Conditions and Codes of Practice.</p> <p>It is not within the authority's discretion to restrict the legal activities permitted by a licence without robust evidence to support any such restriction. Furthermore, the authority has offered no current or local evidence to support this statement in suggesting that gambling is more attractive to vulnerable persons at later hours of the day, or more so than at any other time, or that appropriate control measures cannot be implemented to mitigate any such risk.</p> <p>Whilst the authority has every right to exercise its function in controlling where gaming machines may be played, this does not extend to a prescriptive requirement mandating all Betting premises to suspend business or provide a justification for the business activities proposed. Operators are under a requirement to uphold social responsibility and will risk assess any potential concerns that may arise from activity within their premises, including any risk that may be realised during later hours of operation. Paddy Power has effective policies and procedures to manage their premises accordingly and always ensures that there is close supervision and familiarity within their business.</p> <p>Please see the Gambling Commission's Guidance to Licensing Authorities at paragraph 5.31, which directs authorities to consider conditions, where necessary and proportionate to do so, and 5.34, that provides 'In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met'. To demonstrate requires evidence.</p>	when determining the application.
Merkur Slots UK Limited and Merkur Bingo & Casino Entertainment UK Limited	6.14	<p><i>'Bingo facilities in bingo premises may not be offered between the hours of midnight and 9am. However, there are no restrictions on access to gaming machines in bingo premises.'</i></p> <p>Whilst the above statement is not incorrect, this only focuses on the default hours offered and disregards an applicant's right to apply for hours beyond these times. There is no evidence to suggest that later opening hours have incurred problems and operators are already under a responsibility to ensure that all premises are effectively managed, risk assessed and supervised accordingly. We suggest this section is amended to also include</p>	Comments noted - Current text sufficiently describes the restrictions of hours. There is no legal basis to amend.

		where a premises licence may have excluded the default hours and therefore be outside the hours of midnight and 9am.	
	6.18	<p><i>'The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority will expect applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.</i></p> <p><i>The licensing authority will use their power to restrict the circumstances in which they are available for use when appropriate by way of conditions.'</i></p> <p>This statement has no supporting evidence and cannot impose an obligation on licensees to validate their day-to-day operation. Whilst bingo facilities may not be offered between the hours of midnight and 9am under the default provisions provided by the legislation, Parliament has prescribed that there are no default restrictions regarding gaming machines (see guidance to licensing authorities' part 18). Gaming machine operation outside the default bingo hours permitted in bingo premises is an entitlement provided by the regulations and it is not within the authority's discretion to restrict the legal activities permitted without robust evidence to support any such restriction. Furthermore, the authority has offered no current or local evidence to support this statement in suggesting that gambling is more attractive to vulnerable persons at later hours of the day than any other time.</p> <p>Whilst the authority has every right to exercise its function in controlling where gaming machines may be played, this does not extend to a prescriptive requirement mandating all Bingo premises to suspend business. As discussed in point 5.13, operators are under a requirement to uphold social responsibility and will have risk assessed any potential concerns that may arise from activity within their premises. Merkur has effective policies and procedures to manage their premises accordingly and always ensures that there is close supervision and familiarity within their business.</p>	Comments noted - Current text sufficiently describes the restrictions of hours. There is no legal basis to amend.



## Tameside & Glossop Strategic Commission Equality Impact Assessment (EIA) Form

<b>Subject / Title</b>	Gambling Statement of Principles 2022-2025
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<b>Team</b>	<b>Department</b>	<b>Directorate</b>
Licensing	Environmental Services	Place

<b>Start Date</b>	<b>Completion Date</b>
10 October 2021	24 May 2022

<b>Project Lead Officer</b>	Mike Robinson
<b>Contract / Commissioning Manager</b>	Sharon Smith
<b>Assistant Director/ Director</b>	Emma Varnam / Ian Saxon

<b>EIA Group</b> (lead contact first)	<b>Job title</b>	<b>Service</b>
Emma Varnam	Assistant Executive Director	Operations and Neighbourhoods
Sharon Smith	Head of Public Protection	Public Protection
Mike Robinson	Regulatory Services Manager (Licensing)	Licensing

### **PART 1 – INITIAL SCREENING**

*An Equality Impact Assessment (EIA) is required for all formal decisions that involve changes to service delivery and/or provision. Note: all other changes – whether a formal decision or not – require consideration for an EIA.*

*The Initial screening is a quick and easy process which aims to identify:*

- *those projects, proposals and service or contract changes which require a full EIA by looking at the potential impact on, or relevance to, any of the equality groups*
- *prioritise if and when a full EIA should be completed*
- *explain and record the reasons why it is deemed a full EIA is not required*

*A full EIA should always be undertaken if the project, proposal and service / contract change is likely to have an impact upon, or relevance to, people with a protected characteristic. This should be undertaken irrespective of whether the impact or relevancy is major or minor, or on a large or small group of people. If the initial screening concludes a full EIA is not required, please fully explain the reasons for this at 1e and ensure this form is signed off by the relevant Contract / Commissioning Manager and the Assistant Director / Director.*

## Tameside & Glossop Strategic Commission Equality Impact Assessment (EIA) Form

<b>1a.</b>	<b>What is the project, proposal or service / contract change?</b>	Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles that they propose to apply when exercising their functions under the above legislation. The statement must be published at least every three years
<b>1b.</b>	<b>What are the main aims of the project, proposal or service / contract change?</b>	The Gambling Act 2005 requires the Council, to update the existing statement of principles in order to keep the policies relevant and up-to-date.

<b>1c. Will the project, proposal or service / contract change have either a direct or indirect impact on, or relevance to, any groups of people with protected equality characteristics?</b> <b>Where there is a direct or indirect impact on, or relevance to, a group of people with protected equality characteristics as a result of the project, proposal or service / contract change please explain why and how that group of people will be affected.</b>				
Protected Characteristic	Direct Impact/Relevance	Indirect Impact/Relevance	Little / No Impact/Relevance	Explanation
Age			✓	
Disability			✓	
Ethnicity			✓	
Sex			✓	
Religion or Belief			✓	
Sexual Orientation			✓	
Gender Reassignment			✓	
Pregnancy & Maternity			✓	
Marriage & Civil Partnership			✓	
<b>Other protected groups determined locally by Tameside and Glossop Strategic Commission?</b>				
Group (please state)	Direct Impact/Relevance	Indirect Impact/Relevance	Little / No Impact/Relevance	Explanation
Mental Health			✓	

### Tameside & Glossop Strategic Commission Equality Impact Assessment (EIA) Form

Carers			✓	
Military Veterans			✓	
Breast Feeding			✓	
<b>Are there any other groups who you feel may be impacted by the project, proposal or service/contract change or which it may have relevance to?</b> <i>(e.g. vulnerable residents, isolated residents, those who are homeless)</i>				
<b>Group (please state)</b>	<b>Direct Impact/Relevance</b>	<b>Indirect Impact/Relevance</b>	<b>Little / No Impact/Relevance</b>	<b>Explanation</b>
Low or no income groups			✓	

*“Low or no income groups” should be included as a key consideration when assessing the impact of your project, proposal, policy or service/contract change.*

*Wherever a direct or indirect impact or relevance has been identified you should consider undertaking a full EIA or be able to adequately explain your reasoning for not doing so. Where little / no impact or relevance is anticipated, this can be explored in more detail when undertaking a full EIA.*

1d.	Does the project, proposal or service / contract change require a full EIA?	Yes	No
			✓
1e.	What are your reasons for the decision made at 1d?	<p>The changes proposed in the revised Gambling Act policy are not anticipated to impact on protected characteristic groups or the wider community.</p> <p>The policy itself is intended to have an overall positive impact on the area and its residents, supporting the safe operation of licensed premises in the Tameside.</p>	

*If a full EIA is required please progress to Part 2.*

**Tameside & Glossop Strategic Commission  
Equality Impact Assessment (EIA) Form**

**PART 2 – FULL EQUALITY IMPACT ASSESSMENT**

<b>2a. Summary</b>
Not required

<b>2b. Issues to Consider</b>
N/A

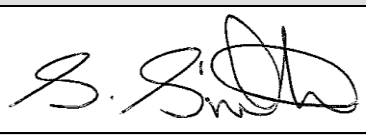
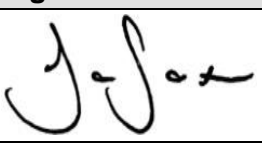
<b>2c. Impact/Relevance</b>
N/A

## Tameside & Glossop Strategic Commission Equality Impact Assessment (EIA) Form

<b>2d. Mitigations</b> <i>(Where you have identified an impact/relevance, what can be done to reduce or mitigate it?)</i>	
N/A	

<b>2e. Evidence Sources</b>
N/A

<b>2f. Monitoring progress</b>		
Issue / Action	Lead officer	Timescale
N/A	N/A	N/A

Signature of Contract / Commissioning Manager	Date
	14 April 2022
Signature of Assistant Director / Director	Date
	14 April 2022

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<b>Report to:</b>	<b>EXECUTIVE CABINET</b>
<b>Date:</b>	27 April 2022
<b>Executive Member:</b>	Councillor Allison Gwynne – Executive Member (Neighbourhoods, Community Safety and Environment)
<b>Reporting Officer:</b>	Ian Saxon, Director of Place
<b>Subject:</b>	<b>REVISED STATEMENT OF LICENSING POLICY – LICENSING ACT 2003</b>
<b>Report Summary:</b>	<p>Licensing authorities are required to prepare, consult on, and publish a Statement of Licensing Policy every five years. The policy details how the Council will administer and enforce the provisions of the Licensing Act 2003.</p> <p>This report presents the Council's proposed Statement of Licensing Policy for 2022-2027.</p>
<b>Recommendations:</b>	That Executive Cabinet recommend to Full Council to adopt the Licensing Policy set out herein.
<b>Corporate Plan:</b>	<p>The proposals contained in this report will support the delivery of the Corporate Plan;</p> <p>Starting Well – Reduce the impact of adverse childhood experiences.</p> <p>Living Well – Reduce levels of anti-social behaviour, victims of crime/fear of crime.</p>
<b>Policy Implications:</b>	There is a statutory requirement for the Council to review the Statement of Licensing Policy every five years. This proposal would replace the existing Statement of Licensing Policy.
<b>Financial Implications: (Authorised by the statutory Section 151 Officer &amp; Chief Finance Officer)</b>	<p>There are no direct financial implications arising from the report.</p> <p>However, Members should note all related licence fees that apply to the policy are approved by the Council within the annual Council budget report.</p> <p>Licence fees that apply to the 2022/23 financial year were approved at the 22 February 2022 Council meeting</p>
<b>Legal Implications: (Authorised by the Borough Solicitor)</b>	<p>Under Licensing Act 2003, licensing authorities are required to prepare and consult on a statement of licensing policy (SLP), setting out their strategic approach to local licensing, every five years.</p> <p>The licensing policy will be a material consideration when the Council is considering applications and reviewing licenses under the statutory code.</p> <p>The revised Licensing Policy reflects recent changes in legislation including the Immigration Act 2016, which states that Licensing Act 2003 applicants must have a right to work check and provide evidence of your entitlement to work in the UK.</p> <p>There is an absolute duty to consult on any changes given the implications for individual's livelihoods. All the legal requirements as to consultation must be followed. Failure to properly consult on</p>

these proposals could result in a legal challenge from the trade or their representatives through a judicial review.

Members will need to consider the consultation process carried out and the removal of the Cumulative Impact Policies before agreeing the revised Policy, in line with its equality duty, to ensure there is no challenge to its lawfulness and the Council's duty to protect vulnerable persons.

Failure to agree the revised licensing policy would leave the Authority vulnerable to challenge and would prohibit the Licensing committee making any decisions. The Authority would also have failed to comply with the duty imposed on it by Section 5 of the Licensing Act 2003.

**Risk Management:**

This review of the Statement of Licensing Policy is a key document in relation to the Council's position in continuing to implement the Licensing Act's objectives and consideration of subsequent licensing applications.

Failure to properly consult on these proposals could result in a legal challenge from the trade or their representatives through a judicial review. This risk has been managed by carrying out an extensive consultation as outlined in the report.

**Background Information:**

The background papers relating to this report can be inspected by contacting Sharon Smith, Head of Regulatory Services and Public Protection



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## **1. INTRODUCTION**

- 1.1 The Council is under a duty to keep its Statement of Licensing Policy under review every five years and a review of the Council's Cumulative Impact Policy.
- 1.2 The Licensing Policy sets out the principles that the authority will apply to promote the licensing objectives when making decisions on applications for licences made under the Act for the subsequent five years and on the Authority's expectations of licence holders in promoting the licensing objectives:
  - The prevention of crime and disorder;
  - Public safety;
  - The prevention of public nuisance and;
  - The protection of Children from harm.
- 1.3 Tameside Council's Statement of Licensing Policy was last revised in January 2016. Due to the impact of the coronavirus pandemic a full review of the Licensing Policy was unable to take place, therefore the policy was extended for a period 12 months in May 2021.
- 1.4 The revised draft policy reflects recent changes to legislation including the Immigration Act 2016. The most significant change is the proposed removal of the Cumulative Impact Policies (in Stalybridge town centre and Ashton-under-Lyne town centre).
- 1.5 A copy of the proposed Statement of Licensing Policy is attached at **Appendix 1**.

## **2. CUMULATIVE IMPACT**

- 2.1 In its previous Statement of Licensing Policy, Tameside Council adopted two cumulative impact policies in relation to premises licensed to sell alcohol for consumption on the premises in Stalybridge town centre and Ashton-under-Lyne town centre.
- 2.2 When the policy was published in January 2016 cumulative impact was a concept introduced in the Government's Section 182 Guidance issued under the Licensing Act 2003. The Policing and Crime Act 2017, with effect from 6 April 2018, introduced cumulative impact policies into law so that they now have a legal footing.
- 2.2 A Cumulative Impact Assessment may be published by the Licensing Authority to help limit the number or type of applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. Cumulative impact relates to new premises and club premises certificates and variations. The assessment must be reviewed every three years.
- 2.3 A Cumulative Impact Assessment must include a statement saying that the Licensing Authority considers that the number of premises in the identified area is causing a cumulative impact. The statement must encompass that if the cumulative impact is not put in place then it will impact on the ability of the Licensing Authority to uphold the Licensing Objectives. The cumulative impact once identified must relate to licensable activities.
- 2.3 The supporting evidence for both Cumulative Impact Policies has now expired. Therefore, the revised policy proposes to remove both Cumulative Impact Policies that are currently in place. Applications for premises licence will continue to be assessed on their individual merit by the responsible authorities to ensure the licensing objectives are promoted.

### **3. CONSULTATION**

- 3.1 In accordance with Government Guidance, a full consultation process was undertaken between 29 November 2021 and 24 January 2022.
- 3.2 The consultation was circulated widely, national trade bodies, interested parties and all premises licence holders were written to, directing them to a consultation page on the Council's website. In addition, the Council used its social media accounts to publicise the consultation.
- 3.3 Copies of the draft policy were made available for the public to view electronically online and a hard copy was kept at the Licensing Office.
- 3.4 Only one response was received from Greater Manchester Police which was in support of the draft policy being approved, this is attached at **Appendix 2**.
- 3.5 An Equality Impact Assessment (EIA) has been completed showing there is no adverse impact on the community. The EIA form is attached at **Appendix 3**.

### **4. RECOMMENDATIONS**

- 4.1 As set out at the front of the report.



**TAMESIDE  
METROPOLITAN  
BOROUGH COUNCIL**

**Statement of Licensing Policy  
2022 - 2027**

**Foreword from Cllr Allison Gwynne, Executive Member for Neighbourhoods,  
Community Safety and Environment**



This is the Council's fifth statement of licensing policy and covers the period from March 2022 to March 2027. It provides an opportunity to develop the Council's approach to administering the Licensing Act 2003, taking into account other related policies and strategies.

The policy reflects the increasingly innovative approach taken by Tameside Council in addressing issues related to licensable activities and in particular the sale, supply and consumption of alcohol.

The council recognises that Tameside is nationally ranked very highly as an area which suffers from alcohol related harm, especially health-related harms and crime & disorder. This policy reflects the work already being carried out by the council in building partnerships with other agencies and working collectively to tackle alcohol-related harms.

It also demonstrates that the council is willing to work creatively and innovatively by making full use of all available powers and legislation in its approach to administering licences and licensed premises within the borough.

In addition, the policy is also designed to encourage operators and licence holders to remain compliant and to run businesses which make a positive contribution to the local area and towards improving the lives of Tameside residents.

This statement of licensing policy not only outlines how the Licensing Authority will act to promote the four current licensing objectives, but it also demonstrates how it will promote the protection and improvement of public health across the borough, as well as supporting Tameside Council's vision:

To maximise the wellbeing of the people of the borough by:

- Supporting economic growth and opportunity
- Increasing self-sufficiency and resilience of individuals and families
- Protecting the most vulnerable.

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## **Background to this Statement of Licensing Policy**

- 1.1 Section 5 of the Licensing Act 2003 requires each licensing authority to publish a statement of its licensing policy at least every five years. It is designed to set out the council's ambitions, strategies and policies relating to licensing for the next five years.
- 1.2 The previous statement of licensing policy set out the procedures in which the council would consider applications for licences. This new statement of licensing policy also covers applications for licences, but in addition, sets out the council's requirements and expectations for existing licence holders and licensed businesses and the actions it expects such businesses to take in order to promote the licensing objectives. It also sets out the council's approaches to ensuring such businesses remain compliant with their licences and the action it will take – in partnership with other organisations and responsible authorities – when licensing and other legislation is breached.
- 1.3 The policy also recognises that public health – and the effect of alcohol consumption on public health – is of serious concern and that Tameside is ranked very highly, both regionally and nationally, in terms of alcohol-related health harms. Although public health is not currently a licensing objective, the policy recognises the recent introduction of public health bodies as a responsible authority, and outlines the positive steps it expects the holders of premises licences to undertake in order to promote public health.

### **1.4 Licensable Activities**

For the purpose of the 2003 Act, and therefore for the purposes of this statement of licensing policy, the following are licensable activities:

- The sale by retail of alcohol;
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- The provision of regulated entertainment; and
- The provision of late night refreshment.

### **1.5 Authorisations or permissions**

The 2003 Act provides for four different types of authorisation or permission, to which this statement of licensing policy also relates, as follows:

- Premises licence – to use premises for licensable activities;
- Club premises certificate – to allow a qualifying club to engage in qualifying club activities as set out in section 1 of the Act;
- Temporary event notice – to carry out licensable activities at a temporary event; and

- Personal licence – to sell or authorise the sale of alcohol from premises in respect of which there is a premises licence.

## 1.7 Licensing Objectives

In exercising its functions, the licensing authority will have regard to the licensing objectives as set out in section 4 of the Act, and will carry out its functions under the Act with a view to promoting these objectives. The licensing objectives are:

### **The prevention of crime and disorder**

### **Public safety**

### **The prevention of public nuisance**

### **The protection of children from harm**

- 1.8 In addition to these four existing licensing objectives, the licensing authority also expects holders of premises licences or other permissions which allow the sale or supply of alcohol for consumption on or off the premises to carry out their activities with a view to promoting:

### **The Protection and Improvement of Public Health**

## 1.9 Home Office Guidance

The statement of licensing policy takes into account guidelines issued under section 182 of the Licensing Act 2003.

## 1.10 Corporate Objectives

The statement of licensing policy is designed to support Tameside Council's vision, as described in the corporate plan:

### **To maximise the wellbeing of the people of the borough by:**

- *Supporting economic growth and opportunity*
- *Increasing self-sufficiency and resilience of individuals and families*
- *Protecting the most vulnerable.*

## 1.11 Functions within the Council

The Council has a number of different functions under the Act, including acting as both the Licensing Authority and as a number of different responsible bodies. For this reason, the Licensing Policy refers to the Council as the Licensing Authority and individual responsible bodies by their departmental names, notwithstanding they are also part of the same Council.

- 1.12 A summary of the scheme of delegation is attached at **Appendix 1**.

#### **1.13 Limitations of the Statement of Licensing Policy**

This statement of policy does not undermine the right of any person to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its individual merits.

1.14 In addition, the statement of policy does not override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act.

1.15 The council is clear that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from a licensed premise and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town centres.

#### **1.16 Conditions**

The council accepts that licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act; and conditions attached to various authorisations will be focused on matters which are within the control of individual licence holders and others with relevant authorisations, i.e. the premises and its vicinity.

#### **1.17 Planning etc.**

Planning permission, building control approval and licensing regimes are properly separated to avoid duplication and inefficiency. Planning and licensing regimes involve consideration of different (albeit related) matters. The council's Speaker's panel (Liquor Licensing) is not bound by decisions made by the Speaker's panel (Planning), and vice versa.

1.18 There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant or licence holder must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. The council's planning function is, however, a responsible authority under the Licensing Act and by working in partnership with officers from the Licensing Department, the council will aim to ensure that the planning and licensing regimes avoid any possible conflict between the two regulatory regimes.

#### **1.19 Promotion of Equality**

It is recognised that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.



1.20 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

1.21 In order to ensure compliance with this legislation, an equality impact assessment will be conducted.

**1.22 Partnership Working**

The Council is keen to work closely with existing partner agencies and to build working relationships with new partners with a view to promoting the licensing objectives.

1.23 Regular meetings are held with partners to ensure that any problem premises or other emerging issues are identified early and to enable strategies to be implemented quickly to prevent issues from developing.

**1.24 Enforcement & Compliance**

The Council is working closely with all 9 other Greater Manchester authorities to develop a joint enforcement and compliance guide. This guide will outline all available enforcement and compliance options available to local authorities and will ensure a consistent approach to these issues across Greater Manchester.

1.25 As such, this statement of licensing policy does not outline in detail the council's approach to enforcement and compliance issues. When the joint guide is complete, it will be included as an appendix to this policy.

**1.26 Late Night Levy / Early Morning Restriction Orders**

In April 2012, the Licensing Act 2003 was amended by the Police reform and Social Responsibility Act 2011. There were a number of changes included in the amendments, including the opportunity for Local Authorities to introduce Early Morning Restriction Orders (EMROs) and a Late Night Levy.

1.27 Both of these options were considered by the council and although it was felt that an EMROs were not currently suitable for Tameside, the Council took the decision to consult on the question of introducing a Late Night Levy.

1.28 The Levy is a financial contribution towards policing the night-time economy from those alcohol licensed premises which are licensed until the early hours of the morning. The amount paid depends on the rateable value of the premise. Those paying the lowest level of business rates would pay £299 per year, whereas the largest businesses would pay around £1500 per year.

1.29 Following a full public consultation, the question as to whether the Council should introduce a levy was put to the full Council on 16 September 2014. The decision of the Council was that it would not introduce a Late Night Levy in Tameside at that time, but the Council did resolve that:

*"The Council would introduce a late night levy if the legislation allowed us to confine it to town centres rather than having to have a blanket policy across the whole borough"*

### 1.30 **Alcohol Delivery Services**

There are considerable risks associated with the provision of “to the door” alcohol delivery services and these types of businesses are particularly difficult to regulate.

- 1.31 The Licensing Authority recognises that alcohol can be delivered safely and appropriately to households as part of a wider grocery delivery or similar service. Equally, however, the Authority also recognises that businesses which operate solely with the intention of delivering alcohol to home addresses, often at unsocial hours or at times when other alcohol retail outlets are closed, bring with them a significant risk of undermining the licensing objectives.
- 1.32 As such, any applications for premises licences which would allow the home delivery of alcohol will be scrutinised very closely by the licensing authority and must contain sufficient measures within the operating schedule to satisfy the authority that the business will operate fully within the conditions of their licence, and in a way which promotes the licensing objectives.
- 1.33 In particular, the policy of the council will be to refuse any applications for “alcohol only” delivery services (and services whereby a limited supply of other goods is available alongside alcohol). Such businesses are extremely difficult to regulate and the authority takes the view that – unless the applicant can demonstrate to a very high degree that their business will actively promote the licensing objectives – the general policy will be to refuse such applications.

## **Prevention of Crime & Disorder**

### **2.1 Introduction & Partnership Working**

The licensing authority looks to the police as the main source of advice on crime and disorder, but where appropriate, we will also seek to involve the local Community Safety Partnership (CSP). Tameside Licensing Department has built close links with Greater Manchester Police and other partner organisations such as HMRC and the Home Office Immigration Authority. We will continue to build on these existing partnerships, and to forge new partnerships in order to ensure that all available compliance and enforcement powers are used where appropriate, and to ensure that all relevant information from partner organisations and responsible authorities are taken into account when making licensing decisions.

### **2.2 The Security Industry Authority**

In the exercise of its functions, the licensing authority seeks to co-operate with the Security Industry Authority ("SIA") as far as possible and will consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

### **2.3 Conditions**

Conditions will be targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that crime or disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

- 2.4 When addressing crime and disorder, an applicant for a premise licence should initially identify any particular issues (having regard to their particular type of premises and/or activities), which are likely to adversely affect the promotion of the crime and disorder objective. Such steps, as are required to deal with these identified issues, should be included within the applicant's Operating Schedule, and will be translated into appropriate, enforceable conditions by the licensing officer.

2.5 A comprehensive list of potential conditions is attached at **Appendix 2**.

## 2.6 **CCTV**

In partnership with Greater Manchester Police, Tameside Council has developed a comprehensive and detailed CCTV condition which will ensure, where appropriate, that any CCTV system installed at a licensed premise will provide sufficient coverage and provide images of a suitable quality. The condition also ensures that footage is stored for an appropriate time period, that the CCTV system is regularly tested and that footage can be provided – immediately if necessary – to police and other responsible authorities on request. This CCTV condition can be viewed at **Appendix 2** on page 30.

2.7 Although it is not the policy of the Council to impose blanket conditions on all licensed premises, the benefits of good CCTV systems in licensed premises are clear and such systems have proved invaluable in both preventing crime and disorder, and in helping to detect crimes, ranging from minor shoplifting through to murder. All applicants for new premises licences to allow the sale or supply of alcohol by retail for consumption on or off the premises are therefore encouraged to consider installing a CCTV system and where appropriate, such applicants will be encouraged to add the Council's CCTV condition to their licence.

2.8 In addition, where incidents of crime and/or disorder have occurred at licensed premises, the Licensing Department, together with Greater Manchester Police and other partners, may request a premises licence holder to amend their premises licence by way of a minor variation to add the CCTV condition if it is felt it is appropriate. The use of minor variation as an alternative to a review of a premises licence will be offered in some circumstances where officers from responsible authorities have sufficient evidence to apply for a review of the premises licence, but the premises licence holder is willing to negotiate an appropriate outcome such as the addition of conditions to the licence, reduction of licensed hours etc.

## 2.9 **Door Supervision**

Conditions relating to the provision of door supervisors and security teams are valuable in town centre locations and premises operating after 9.00pm in:

- preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
- keeping out excluded individuals (subject to court bans or imposed by the licence holder or local Pubwatch scheme);
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- maintaining orderly queuing outside of venues prone to such queuing.

2.10 Where door supervisors conducting security activities are to be a condition of a licence, conditions may also need to deal with the number of such supervisors, the displaying

of name badges, the carrying of proof of registration, where and at what times they should be stationed on the premises, and whether at least one female supervisor should be available (for example, if female customers are to be the subject of body searches). Door supervisors also have a role to play in ensuring public safety.

#### **2.11 Glass Control**

Glass can be a major factor in disturbances around licensed premises and the Council may impose special conditions on certain types of venue in relation to glass control both within the premises, at disposal points and through unauthorised removal of glass from the premises.

2.12 In particular, the Authority may consider it appropriate to ensure licensed premises have regular glass collection services in certain types of venue and keep control of waste bottles & glasses.

2.13 It should be noted that the use of plastic, polycarbonate or paper drinks containers and toughened glass may also be relevant as measures appropriate to promote the reduction of crime and disorder and public safety.

#### **2.14 Pubwatch**

Tameside Council recognises that voluntary schemes can be an effective alternative method of reducing crime and disorder and improving the collective licensed trade within particular localities.

2.15 Pubwatch schemes have been introduced in several Tameside towns and they continue to grow in popularity and attendance. The licensed trade in Droylsden in particular have developed an extremely well-attended and effective Pubwatch scheme which has helped to dramatically reduce crime and disorder, helped to effectively tackle organised crime groups and drug dealing and generally improve the image of the licensed trade within Droylsden.

2.16 The Council will continue to actively encourage holders of premises licences and designated premises supervisors to attend their local Pubwatch groups, and to set up such groups where they do not currently exist. Members are encouraged to take a “barred from one, barred from all” approach in dealing with disruptive customers. Pubwatch members will also be encouraged to subscribe to the Pubwatch online service which allows members to share photographs and information about barred members whilst remaining compliant with data protection legislation.

#### **2.17 Drugs**

All Licensed premises within Tameside are expected to adopt a “zero tolerance” policy in respect of the sale, supply and use of illegal drugs. Operators of premises which are licensed to sell or supply alcohol for consumption on the premise are expected to be aware of any drug activity which may be taking place within their premises and to take appropriate action to stop such activity, and prevent it from taking place.

- 2.18 Steps which licensees are expected to take include regular checks of the toilet areas, monitoring of suspicious behaviour and the display signage which makes clear that drug use will not be tolerated within the premises.
- 2.19 Operators of premises which are licensed to sell or supply alcohol for consumption off the premises must also adopt a zero tolerance approach towards the sale, supply and use of illegal drugs. In particular, the Council does not expect any licensed premises to sell, supply or advertise any drug-related paraphernalia such as bong pipes, grinders and small plastic “snap” bags commonly used for the supply of drugs.
- 2.20 Premises licence holders, designated premises supervisors and any other staff employed at licensed premises within Tameside are expected to report any instances of drug supply or use within or in the vicinity of their premise to the police or the local authority as soon as practicable.
- 2.21 **New Psychoactive Substances (Legal Highs)**
- 2.22 The Council’s policy is that no licensed premises will be allowed to sell, supply, advertise or keep as stock any type of “new psychoactive substances” (NPS) commonly known as “legal highs”. This includes any substance which mimics the effects of illegal drugs, irrespective of whether the substance is labelled as “not for human consumption” and also includes nitrous oxide in any form
- 2.3 In addition, any other substance, item or other thing which may, from time-to-time be identified as having an intoxicating effect by the police or local authority must not be sold, supplied, advertised or kept in stock at any licensed premise. Where appropriate, conditions in respect of NPS will be attached to premises licences.
- 2.24 **Supply of Illegal, Illicit, Smuggled or Counterfeit Alcohol**
- The supply of illegal, illicit, smuggled and counterfeit alcohol puts the public at risk of serious harm and is linked to serious and organised criminal gangs. The Council expects the holders of premises licences which permit the sale and supply of alcohol by retail to have strong policies and procedures in place to prevent such activity.
- 2.25 In particular, premises licence holders, designated premises supervisors and anyone else employed at licensed premises must ensure that alcohol sold or supplied to the public has only been obtained from legitimate sources.
- 2.26 As a minimum, the council expects such stock to only be purchased from legitimate and recognised suppliers, and for premises to keep a record of where they have obtained the stock and to retain all receipts for such stock and produce them for inspection by any responsible authority on request.
- 2.27 Stock must not be purchased from any unidentified individuals travelling from premise-to-premise selling alcohol from a vehicle.
- 2.28 Where appropriate, conditions in respect of such activity will be attached to premises licences.

## 2.29 **Employment of illegal immigrants**

The Council expects holders of premises licences, designated premises supervisors and anyone else associated with the management of licensed premises to have sufficient policies and procedures in place to ensure that no person who is unlawfully in the UK, or who cannot lawfully be employed as a result of a condition on their leave to enter, is employed at a licensed premise.

- 2.30 Section 36 of and Schedule 4 to the Immigration Act 2016 made a number of amendments to the Licensing Act 2003 to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 6 April 2017. The intention of these changes is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.
- 2.31 The statutory prevention of crime and disorder licensing objective in the Licensing Act 2003 includes the prevention of immigration crime and the prevention of illegal working in licensed premises. The Council will work with the Home Office (Immigration Enforcement) as well as the police, in respect of these matters.
- 2.32 Section 36 of and Schedule 4 to the Immigration Act 2016 (the 2016 Act) amended the 2003 Act to provide that in England and Wales:
- Premises licences to sell alcohol or provide late night refreshment and personal licences cannot be issued to an individual who does not have permission to be in the UK, or is not entitled to undertake work relating to the carrying on of a licensable activity;
  - Licences issued to those with limited permission to be in the UK will lapse when their permission to be in the UK and work in a licensable activity comes to an end;
  - Immigration offences, including civil penalties, are 'relevant offences' as defined by the 2003 Act;
  - The Home Secretary (in practice Home Office (Immigration Enforcement)) was added to the list of responsible authorities in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences) and applications to transfer premises licences, and in some limited circumstances personal licence applications, and permits Home Office (Immigration Enforcement) to make appropriate representations and objections to the grant of a licence; and
  - Immigration officers are permitted to enter premises which they have reason to believe are being used to sell alcohol or provide late night refreshment, to investigate whether immigration offences are being committed in connection with the licensable activity.
- 2.33 The Licensing Authority will have regard to any guidance issued by the Home Office in relation to the immigration related provisions now contained in the Licensing Act 2003.
- 2.34 The Licensing Authority will also work in partnership with the Home Office (Immigration Enforcement) and Greater Manchester Police with a view to preventing illegal working in premises licensed for the sale of alcohol and/or late-night refreshment.



## **Public Safety**

### **3.1 Fire Safety**

Fire precautions and means of escape from licensed premises are particularly important. Large numbers of people, some of whom may be under the influence of alcohol, must be safely contained, managed and, if necessary, evacuated from premises. The attachment of conditions to a premises licence or club premises certificate will not in any way relieve employers of the statutory duty to comply with the requirements of other legislation including the Health and Safety at Work etc. Act 1974, associated regulations and especially the requirements under the Management of Health and Safety at Work Regulations 1999 and the Regulatory Reform Fire Safety Order 2005 to undertake risk assessments. Employers should assess the risks, including risks from fire, and take measures necessary to avoid and control these risks.

### **3.2** Consideration should be given to conditions which deal with Living accommodation attached to or accessed via Licensed Premises, such as:

- ensuring that sufficient fire safety arrangements are in place to detect and warn occupants and all other relevant persons
- ensuring adequate fire separation and means of escape is provided between the mixed use premises.

### **3.3 Risk Assessments**

When addressing public safety, an applicant or licence holder should initially identify any particular issues (having regard to their particular type of premises and/or activities), which are likely to adversely affect the promotion of the public safety objective. Such steps as are required to deal with these identified issues should be included within the applicant's Operating Schedule.

### **3.4** It is also recognised that special issues may arise in connection with outdoor and large scale events. Risk assessment must be used to assess whether any measures are necessary in the individual circumstances of any premises.

### **3.5 Disability**

Consideration should be given to conditions that ensure that:

- when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency; and
- disabled people on the premises are made aware of those arrangements.

### **3.6 Special Effects**

The use of special effects in venues of all kinds being used for regulated entertainment is increasingly common and can present significant risks. Any special effects or



mechanical installation should be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff. Special effects which should be considered include:

- dry ice machines and cryogenic fog;
- smoke machines and fog generators;
- pyrotechnics, including fireworks;
- real flames;
- firearms;
- motor vehicles;
- strobe lighting;
- lasers (see HSE Guide The Radiation Safety of lasers used for display purposes [HS(G)95] and BS EN 60825: Safety of laser products), and;
- explosives and highly flammable substances.

3.7 It may be appropriate to require that certain special effects are only used with the prior notification of the licensing authority or the fire authority.

### 3.8 **Transport**

Consideration should be given to conditions that deal with:

- the adequacy of transportation arrangements to ensure customers are able to travel safely to and from the premises (including procedures for preventing people from consuming excess alcohol and driving);
- ensuring that any arrangements or advertising of taxis and private hire vehicles only relate to such vehicles licensed by the Authority;

### 3.9 **Hypnotism**

If an applicant or licence holder wishes to host any performance of stage hypnotism at any time this should be detailed in the Operating Schedule. In the event of any performance of stage hypnotism the council will normally require written request for consent in accordance with section 1 of the Hypnotism Act 1952. Where consent is given for this type of entertainment the council will impose specific licence conditions.

## The Prevention of Public Nuisance

### 4.1 Introduction

The Licensing Act 2003 covers a wide variety of premises which require licences, including cinemas, concert halls, theatres, nightclubs, public houses, cafes, restaurants, fast food outlets and takeaways. Each of these premises presents a mixture of risks, with many common to most premises and others unique to specific operations. It is important that premises are constructed or adapted and maintained so as to acknowledge and safeguard occupants and neighbours against these risks as far as is practicable.

- 4.2 When addressing public nuisance an applicant should initially identify any particular issues (having regard to their particular type of premises and/or activities), which are likely to adversely affect the promotion of the public nuisance objective. Such steps as are required to deal with these identified issues should be included within the applicant's Operating Schedule.
- 4.3 If relevant representations are received, the Authority may impose conditions to prevent nuisance, noise, disturbance, light pollution, noxious smells, vermin and pest infestations and accumulations of rubbish and litter.
- 4.4 A comprehensive list of potential conditions is attached at **Appendix 2**
- 4.5 The following options should be considered as measures which, if appropriate, would promote the prevention of public nuisance.
- 4.6 Noise or vibration should not emanate from the premises so as to cause a nuisance to nearby properties. This might be achieved by a simple requirement to keep doors and windows at the premises closed, or to use noise limiters on amplification equipment used at the premises.
- 4.7 Prominent, clear and legible notices should be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- 4.8 The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas are restricted (particularly ensuring that firework parties are not managed by persons consuming alcohol), that adequate safety precautions are in place, that fireworks are not set off between 2300hrs and 0700hrs (except on 31st December/1st January).
- 4.9 Conditions may include restrictions on the times when music or other licensable activities may take place and may include technical restrictions on sound levels at the premises.
- 4.10 The council is particularly keen to encourage responsible business owners to deal with waste and litter effectively and responsibly. In particular, it expects that the responsible

person ensures that the areas outside of premises are kept clean, tidy and free from litter and the premise provides sufficient litter/cigarette bins.

- 4.11 In addition, holders of premises licences and club premise certificates are expected to fully comply with all legal requirements in relation to the disposal of their trade waste and to ensure they have an appropriate trade waste contract with an approved disposal company.

## **Protection of Children from Harm**

### **5.1 Introduction**

The protection of children from harm is a key licensing objective and one which Tameside Council seeks to promote rigorously. Holders of premises licences, club premises certificates and other permissions under the licensing act are expected to ensure that their activities are always carried out with the intention of protecting children from harm.

### **5.2 The council particularly expects licensed businesses to work actively to prevent:**

- Child sexual exploitation;
- The sale or supply of alcohol to persons under the age of 18;
- The sale or supply of alcohol to adults seeking to purchase on behalf of persons under the age of 18;
- The sale or supply of any other age restricted products to underage persons;
- Access by children to gambling activities;
- Access by children to any entertainment of a sexual nature.

### **5.3 Child Sexual Exploitation**

Child sexual exploitation involves children being groomed and then sexually abused. Tameside Council recognises that child sexual exploitation is a major child protection issue both locally and across the UK.

### **5.4 The council takes a strict “zero tolerance” approach in respect of child sexual exploitation and expects licensed businesses to do the same. Applicants for premises licences and other permissions are expected to make reference to child sexual exploitation in their operating schedules and to adopt licence conditions protect children from abuse and grooming.**

### **5.5 Measures designed to prevent underage sales and other harmful activities will have the secondary effect of preventing child sexual exploitation by reducing or removing opportunities for abusers to groom children for sexual purposes.**

### **5.6 Underage Sales & Age Verification**

The council expects licenced businesses to work rigorously to prevent the sale or supply of alcohol to children. The mandatory licence conditions include a condition which requires all premises which are licensed to sell or supply alcohol to adopt an age verification policy whereby those who appear to be under 18 will be asked to provide photographic i.d. to prove their age before selling or supplying them with alcohol.

### **5.7 The council requires licensed businesses to go further than the requirements of the mandatory conditions and expects premises which are licensed for the sale or supply**

of alcohol to adopt the voluntary “challenge 25” scheme. This scheme requires members of staff who carry out sales of alcohol to request photographic i.d. from anyone who appears to be under the age of 25 years. This does not preclude anyone over the age of 18 from purchasing alcohol, but does provide a much clearer framework for staff members in deciding when to ask for i.d.

5.8 Applicants for premises licences or other permissions to sell or supply alcohol are expected to include the challenge 25 scheme within their operating schedules and it will be included as a condition where appropriate.

5.9 Holders of premises licences and other permissions to sell or supply alcohol and their designated premises supervisors must ensure that all staff employed at their premises receive regular training. Training must include child protection issues and the prevention of underage sales and proxy sales. Where appropriate this policy will be added as a condition to premises licences or other permissions.

5.10 When asking for photographic i.d. the council expects licensed businesses and their staff to only accept the following forms of identification:

- Passport;
- Photocard driving licence, or;
- PASS accreditation system, which aims to approve and accredit various ‘proof of age’ schemes which are in existence

5.11 **Access to Premises by Children**

Under the Licensing Act, a wide variety of licensable activities can take place at various types of premises and at different times of the day and night. Whilst it may be appropriate to allow children unrestricted access at particular times and when certain activities are not taking place, the council will consider a range of conditions which can be tailored to a particular premises where appropriate. These could include:

- The times during which age restrictions should and should not apply. For example, the fact that adult entertainment may be presented at premises after 8.00pm does not mean that it would be necessary to impose age restrictions for earlier parts of the day;
- Types of event or activity in respect of which no age restrictions may be needed, for example family entertainment or non-alcohol events for young age groups, such as under 18s dances;
- Similarly, types of event or activity, which give rise to a more acute need for age restrictions than normal, for example; during “Happy Hours” or on drinks promotion nights.

5.12 **Display of Films etc.**

In the case of premises giving film exhibitions, the licensing authority expects the holders of premises licences or other permissions to include in their operating schedules arrangements for restricting children from viewing age-restricted films.

## **The Protection and Improvement of Public Health**

### **6.1 Introduction**

Tameside Council recognises that the instances of alcohol-related health harms across the borough are disproportionately high and that Tameside ranks very highly both regionally and nationally in respect of alcohol-related health harms.

6.2 Since the adoption of the previous statement of licensing policy, the Police Reform and Social responsibility Act 2011 amended the Licensing Act by adding local directors of public health to the list of responsible authorities, meaning that local public health bodies are now consulted in respect of every licensing application processed by the local authority.

6.3 Although the Government did not go as far as introducing a 5<sup>th</sup> licensing objective of “promoting public health”, the introduction of public health as a responsible authority went some way towards starting to reduce alcohol-related health harms through use of licensing legislation.

### **6.4 Promotion of Public health**

In view of the extremely high levels of alcohol-related health harms across the borough, Tameside Council expects applicants for premises licences (and other permissions which allow the sale or supply of alcohol) to include statements in their operating schedules as to how they will actively promote the protection and improvement of public health.

6.5 Current holders of premises licences and other permissions which allow the sale or supply of alcohol are also expected to promote the protection and improvement of public health.

### **6.6 Possible Measures**

Some of the possible measures which licensed businesses should consider are listed below:

#### **6.7 Reducing the Strength or Responsible Retailing of High Strength Products**

The council recognises the significant harm caused by the sale of very cheap, very strong alcoholic drinks – specifically high strength lagers and ciders with an abv (alcohol by volume) over 6.5%.

6.8 Holders of premises licences and other permissions which allow the sale or supply of alcohol are asked to consider implementing the principles of the “reduce the strength” campaign by removing from sale lagers and ciders with an abv of 6.5% and above, and stopping selling these products.

6.9 Where licence holders choose to continue selling such products, the council encourages them to take a responsible approach to how these items are displayed and

sold. For example, they should consider reducing the size of their display for these items and possibly place them out of reach to the general public, so that they can only be purchased by asking a member of staff.

#### **6.10 Intervention and Brief Advice**

Applicants and Licensed businesses should consider obtaining training for their staff in “intervention and brief advice”. This training – usually available free of charge from local public health bodies – teaches staff members how to recognise when people may have a drinking problem, and how to give them brief advice.

#### **6.11 Voluntary Self Exclusion**

Where a voluntary self-exclusion scheme is in operation, licensed businesses are encouraged to participate in accordance with any advice or instructions given to them by the local authority or police.

## **Cumulative Impact**

### **7.1 Introduction**

Cumulative impact is a term used to describe the potential impact on the promotion of the licensing objectives where there are significant numbers of licensed premises concentrated in one area.

7.2 Licensing Authorities can adopt special policies in relation to cumulative impact where evidence is produced by one or more responsible authorities that the impact of a number of licensed premises in a specific geographical area is having an adverse effect on the promotion of the licensing objectives.

7.3 The effect of a special policy is to reverse the rebuttable presumption that the licensing authority will grant a premises licence or other permission for the sale or supply of alcohol. If a responsible authority submits a representation in which they provide evidence that the granting of a licence or permission (or an application to vary a licence or permission to allow longer hours for the sale/supply of alcohol) is likely to add to the existing cumulative impact of licensed premises, then the Licensing Authority will refuse that application unless the applicant can demonstrate that they will not add to the cumulative impact.

7.4 In simple terms, applicants must submit applications to a very high standard with sufficient measures in place to demonstrate that their premise will not add to the existing problems in that area.

7.5 The absence of a CIA does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives, However, in each case it would be incumbent on the person making the representation to provide relevant evidence of cumulative impact.(The Secretary of State's Guidance – April 2018)



Delegation of Functions		
Application	Speakers Panel (Liquor Licensing) Sub-Committee	Officers
Application for personal licence	If objection notice submitted	If no objection notice submitted
Application for personal licence with relevant unspent convictions	All cases	
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If police objection submitted	If no police objection submitted
Application for new premises licence or club premises certificate	If relevant representation(s) submitted	If no relevant representations submitted
Application for a provisional statement	If relevant representation(s) submitted	If no relevant representations submitted
Application for a full variation of a premises licence or club premises certificate	If relevant representation(s) submitted	If no relevant representations submitted
Application to change a designated premises supervisor	If police objection submitted	If no police objection submitted
Application for an interim authority notice	If police objection submitted	If no police objection submitted
Application for a review of a premises licence or club premises certificate	All cases	
Decisions on the relevance and validity of representations or applications for review		All cases
Determination of a representation in relation to a standard temporary event notice	All cases	
Determination of a representation in relation to a late temporary event notice		All cases

Application for a minor variation of a premises licence or club premises certificate		All cases
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## **List of Potential Conditions to be Considered by Applicants for Premises Licences and Other Permissions Associated With the Licensing Act 2003**

### **1. Crime & Disorder**

#### **1. CCTV**

A tamper-proof digital colour CCTV system must be installed and maintained at the premises to the satisfaction of Greater Manchester Police.

The system must run and record continuously for 24 hours a day, 7 days per week and recorded footage must be stored for a minimum of 28 days.

The system must provide a clear head and shoulders view to an evidential quality on every entry/exit route and within any other vulnerable areas as identified by Greater Manchester Police.

Recorded footage must be provided to a representative of any responsible authority on request. Such footage must be provided in an immediately viewable format and must include any software etc. which is required to view the footage. Any discs, portable drives or other storage media onto which footage is transferred must be provided by the premises and sufficient stock of such storage media must be kept on the premises at all times.

A member of staff who is trained to operate the system and supply footage must be present at the premises at all times when licensable activities are taking place.

The Designated Premises Supervisor must ensure that the CCTV system is checked at least once every week by a suitably trained member of staff. This check must include the operation of the cameras, the recording facilities, the facilities for providing footage and the accuracy of the time & date. A written record of these checks must be kept, including a signature of the person carrying out the check. This written record must be kept on the premises at all times and made available to a representative of any responsible authority on request.

Suitable signage informing customers that a CCTV system is in operation must be placed in prominent positions within the premises, including information on the Data Protection Act and the Human Rights act.

#### **2. Door Staff**

A minimum of 2 SIA registered door supervisors shall be employed at the premises on Friday and Saturday nights and also New Years Eve from 9.00 pm until 20 minutes after the premises closes. Door supervisors will wear high visibility armbands.

### **3. Door Staff Policy**

The management shall produce and implement a Door Supervisor Policy which includes details of disciplinary procedures, and the management's expectations as to the behaviour and professionalism of the door staff. This policy will be submitted to GMP and the Licensing Manager on first implementation and following any subsequent changes to the policy.

### **4. Door Staff Log**

A Door Supervisor Log shall be correctly maintained at the premises. This will include the following details:

- (i) The door staff names, dates of birth and home addresses;
- (ii) Full details, name, address and contact number of employment agency used

And for each individual period of trading:

- (iii) The name of the individual member of door staff
- (iv) His/Her Security Industry Authority licence number
- (v) The time and date He/She starts and finishes duty
- (vi) The time of any breaks taken whilst on duty
- (vii) Each entry shall be signed by the door supervisor, DPS or nominated person

### **5. Incident Book**

An incident book (with the pages numbered sequentially) must be kept on the premises and be made available for inspection by responsible authorities. The incident book must be used to record the following:

- (i) Any incident of violence or disorder on or immediately outside the premises
- (ii) Any incident involving controlled drugs (supply/possession/influence) on the premises
- (iii) Any other crime or criminal activity on the premises
- (iv) Any refusal to serve alcohol to persons who are drunk (On sale and off sale premises only)
- (v) Any refusal to serve alcohol to under 18's or anyone who appears to be under 18
- (vi) Any call for police assistance to the premises
- (vii) Any ejection from the premises
- (viii) Any first aid/other care given to a customer

### **6. Drug Policy**

The management of the premises must introduce a strict "zero tolerance" policy in respect of the use and/or supply of illegal drugs on the premises. The policy to include checks of the toilet areas every half-hour whilst the premises are open and suitable signage to be placed in prominent areas within the premises.

## **7. Use of Polycarbonate Glassware**

All glassware used in the premises must be of Polycarbonate type. Any drinks served in bottles must be in plastic bottles only. All drinks from glass bottles to be decanted into polycarbonate containers.

## **8. Nitenet Radio**

Where available, the premises must subscribe to the Nitenet Radio Service.

## **9. Last Entry to Premise**

There shall be no new entries to the premises by members of the public between 3am and 11am daily.

## **10. Legal Highs**

The premise must not sell, supply, advertise or keep as stock any type of “new psychoactive substances” (NPS) commonly known as “legal highs”. This includes any substance which mimics the effects of illegal drugs, irrespective of whether the substance is labelled as “not for human consumption” and also includes nitrous oxide in any form.

In addition, any other substance, item or other thing which may, from time-to-time be identified as having an intoxicating effect by the police or local authority must not be sold, supplied, advertised or kept in stock.

## **11. Paraphernalia**

The premise must not sell, supply, advertise or keep as stock any drug or NPS paraphernalia, including grinders, bong pipes, pipes, or any other item which is designed to assist with the use, consumption or production of illegal drugs or NPS.

## **2. Public Safety**

### **1. Occupancy Limit**

The total occupancy of the premises must not exceed \*\*\* persons, including staff.

### **2. Event Management Plan**

An Event Management Plan must be produced and forwarded to the Licensing Office for circulation to the responsible authorities a minimum of 21 days before the date of the activity.

### **3. Use of Polycarbonate Glassware**

All glassware used in the premises must be of Polycarbonate type. Any drinks served in bottles must be in plastic bottles only. All drinks from glass bottles to be decanted into polycarbonate containers.

### **4. Glass Collection**

In order to minimise the risk of persons becoming injured by broken glass, the designated premises supervisor must ensure that empty glasses, bottles and other containers are collected and disposed of regularly and at least every half-hour whilst the premise is open.

## **3. Prevention of Public Nuisance**

### **1. Noise Limiter**

A noise limiting device must be installed, fitted and maintained in such a manner as to control all sources of amplified music at the premises. The noise limiting device must be set and maintained at a level to be agreed with Tameside MBC.

### **2. Doors & Windows**

To prevent noise nuisance, all windows and doors at the premise must be kept closed at any time when regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) is being performed at the premise, except to allow people to enter or exit.

### **3. Entertainment to be Inaudible**

Noise generated by regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) must be inaudible at the nearest noise sensitive location.

### **4. Perimeter Inspections**

The Designated Premises Supervisor must ensure that perimeter inspections are undertaken every hour when regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) is taking place. These inspections must be recorded in a book which must be made available for inspection to Local Authority Officers and Greater Manchester Police on request.

### **5. Notices to Customers**

Notices requesting customers to leave quietly must be displayed in a prominent position next to each entrance/exit. The Designated Premises Supervisor must ensure that customers are encouraged to keep noise to a minimum when leaving the premise.

### **6. Litter Control**

The Designated Premises Supervisor must ensure that a member of staff collects all litter from the curtilage of the premises every day at the conclusion of trading. A written log must be kept of the areas checked and made available to responsible authorities for inspection on request.

### **7. No Drinks Outside**

The Designated Premises Supervisor must ensure that no drinks are taken or consumed outside the premises nor glasses/bottles removed from the premises by patrons when leaving.

## **4. Protection of Children from Harm**

### **1. Challenge 25**

The premises must operate a "Challenge 25" scheme at the premise in relation to age verification for alcohol sales and other age-restricted products. Signs and/or posters must be displayed in prominent positions inside the premise to inform customers of this condition.

### **2. Refusals Book**

A refusals book must be kept at the premises and must be used to record all refusals to sell alcohol for any reason. Where other age restricted products are sold at the premise, any refusals to sell such items to underage persons or persons who appear underage must be recorded. The details to be recorded must be as follows:

- (i) Time, day & date of refusal
- (ii) Item refused
- (iii) Name & address of customer (if given)
- (iv) Description of customer
- (v) Details of i.d. offered (if shown)

The refusals book must be made available for inspection by responsible authorities on request.

### **3. List of Agreed Products**

A list of all items not to be offered for sale will be agreed with the Premises Licence Holder and the responsible authorities, including Trading Standards, and Greater Manchester Police. This list can be subject to further amendment and agreement between the parties. Once the list is agreed, items on the list must not be sold or supplied by the premises.

### **4. Proxy Notices**

The premise must display, in a prominent position, a notice or notices explaining that it is an offence for adults to purchase alcohol and then supply it to persons under 18.

### **5. Door Age Policy**

No persons under the age of 18/21/25 to be allowed entry to the premises at any time when it is open and operating/after \*\*.\*\*.hrs.



## **5. All 4 Licensing Objectives**

### **1. Staff Training**

Any staff employed at the premises will receive training by the Designated Premises Supervisor on first appointment and at least every three months thereafter. Training will include input on preventing underage sales, sales of alcohol to people who are drunk, application of the drugs policy and any other relevant matters. A written record will be kept of all training carried out. This record must be kept on the premises and made available for inspection by any responsible authority.

### **2. Personal Licence Holder to be on Premise at All Times**

A Personal Licence Holder must be present at the premises at all times licensable activities, live music (amplified or unamplified), recorded music or any other types of entertainment (amplified or unamplified) are taking place.

### **3. List of Authorised Persons**

The Designated Premises Supervisor must maintain a written record of all members of staff who are authorised to sell alcohol. This record must include a photograph of the relevant members of staff to be kept on the premises at all times and be made available to a representative of any responsible authority on request.

### **4. Pubwatch**

Where such a scheme is in operation, the Designated Premises Supervisor must be an active member of a local Pubwatch scheme or equivalent.

### **5. Purchasing policy**

A purchasing of alcohol and tobacco policy must be implemented at the premises by the designated premises supervisor.

### **6. Purchasing records to be kept.**

All purchases of alcohol and tobacco products must be made from reputable wholesalers and all purchases must be recorded. These records must be made available on request to the police or authorised officer

### **7. Restaurant Condition**

The supply of alcohol for consumption on the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

The sale of alcohol shall only be by waiter service to seated customers, and there shall be no sales of alcohol at the bar

## List of Responsible Authorities

Tameside Metropolitan Borough Council  
Licensing Department  
Tame Street Depot  
Stalybridge  
SK15 1ST



[licensing@tameside.gov.uk](mailto:licensing@tameside.gov.uk)

Chief Superintendent  
Greater Manchester Police  
Licensing - 2<sup>nd</sup> Floor, Police Station  
Manchester Road  
Ashton -under-Lyne  
OL7 0BQ



[g.licensing@gmp.police.uk](mailto:g.licensing@gmp.police.uk)

Tameside Metropolitan Borough Council  
Trading Standards  
Tame Street Depot  
Tame Street  
Stalybridge  
SK15 1ST



[publicprotection-es@tameside.gov.uk](mailto:publicprotection-es@tameside.gov.uk)

Tameside Metropolitan Borough Council  
Environmental Protection  
Tame Street Depot  
Tame Street  
Stalybridge  
SK15 1ST



[publicprotection-es@tameside.gov.uk](mailto:publicprotection-es@tameside.gov.uk)

Tameside Metropolitan Borough Council  
Head of Planning  
PO Box 304  
Ashton-under-Lyne  
OL6 0GA



[planningmail@tameside.gov.uk](mailto:planningmail@tameside.gov.uk)

Tameside Metropolitan Borough Council  
Social Services  
Conference and Review Section  
Union Street  
Hyde  
SK14 1ND



[Conference&Review@tameside.gov.uk](mailto:Conference&Review@tameside.gov.uk)

Public Health  
Level 3  
Tameside One  
Market Place  
Ashton-under-Lyne  
OL6 6BH



[publichealth.enquiries@tameside.gov.uk](mailto:publichealth.enquiries@tameside.gov.uk)

Watch Commander Fire Protection  
Tameside Borough HQ  
Hyde Fire Station  
Railway Street  
Hyde  
SK14 1DF



[FireSafetyStockportTameside@manchesterfire.gov.uk](mailto:FireSafetyStockportTameside@manchesterfire.gov.uk)

## Mike Robinson

---

**From:** g.licensing@gmp.police.uk  
**Sent:** 06 January 2022 16:46  
**To:** Mike Robinson  
**Cc:** Claire.Galt@gmp.police.uk  
**Subject:** FW: CONSULTATION ON REVISED STATEMENT OF LICENSING POLICY  
**Attachments:** Draft Licensing Policy.pdf

Good afternoon Mike.

I have read the attached draft Tameside MBC Statement of Licensing Policy 2022 - 2027  
As Licensing Officer for Tameside on behalf of the Chief Officer of Police I offer no representation to the contents of the updated policy and agree that it is both suitable and relevant.

Regards

**14627 Thorley | PC**

Delegated District Licensing Officer | Tameside 'G'

Internal **69484** Telephone **0161 856 9484** Work Mobile – **07393145364**

Email [14627@gmp.police.uk](mailto:14627@gmp.police.uk) or [g.licensing@gmp.police.uk](mailto:g.licensing@gmp.police.uk)

Address **Ashton DHQ, Manchester Road, Tameside, OL7 0BQ**



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**From:** Mike Robinson [mailto:mike.robinson@tameside.gov.uk]  
**Sent:** 13 December 2021 10:00  
**Subject:** CONSULTATION ON REVISED STATEMENT OF LICENSING POLICY

Dear Sir/Madam

Tameside Council is currently consulting in respect of a revised Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.

The draft new policy can be viewed at <https://www.tameside.gov.uk/tbc/licensingpolicy2022-27consultation>.  
Comments can also be left via the same link.

The consultation runs until Monday 24 January 2022.

Yours faithfully,

**Mike Robinson**  
**Regulatory Services Manager (Licensing)**  
**Operations and Neighbourhoods**

**Mike Robinson**

**Regulatory Services Manager (Licensing)**

Environmental Services (Public Protection)

Operations and Neighbourhoods

Place

[Tameside MBC](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)

Tame Street Depot | Tame Street | Stalybridge | Tameside | SK15 1ST

Tel. 0161 342 4122

Mobile. 07971285294

Fax. 0161 342 2275

***This email was sent at a time & date convenient to the sender; please do not feel under any pressure to respond immediately if this is outside your normal working hours.***

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You can also connect with us on:

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- Twitter: [www.twitter.com/gmpolice](http://www.twitter.com/gmpolice)
- Instagram: [www.instagram.com/gtrmanchesterpolic](http://www.instagram.com/gtrmanchesterpolic)
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To find out what is happening in your area, visit [www.gmp.police.uk/a/your-area](http://www.gmp.police.uk/a/your-area) where you will be able to follow local social media accounts.

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*Thank you for your co-operation.*

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## Tameside & Glossop Strategic Commission Equality Impact Assessment (EIA) Form

<b>Subject / Title</b>	Statement of Licensing Policy 2022-2027
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<b>Team</b>	<b>Department</b>	<b>Directorate</b>
Licensing	Environmental Services	Place

<b>Start Date</b>	<b>Completion Date</b>
10 October 2021	24 May 2022

<b>Project Lead Officer</b>	Mike Robinson
<b>Contract / Commissioning Manager</b>	Sharon Smith
<b>Assistant Director/ Director</b>	Emma Varnam / Ian Saxon

<b>EIA Group</b> (lead contact first)	<b>Job title</b>	<b>Service</b>
Emma Varnam	Assistant Executive Director	Operations and Neighbourhoods
Sharon Smith	Head of Public Protection	Public Protection
Mike Robinson	Regulatory Services Manager (Licensing)	Licensing

### **PART 1 – INITIAL SCREENING**

*An Equality Impact Assessment (EIA) is required for all formal decisions that involve changes to service delivery and/or provision. Note: all other changes – whether a formal decision or not – require consideration for an EIA.*

*The Initial screening is a quick and easy process which aims to identify:*

- *those projects, proposals and service or contract changes which require a full EIA by looking at the potential impact on, or relevance to, any of the equality groups*
- *prioritise if and when a full EIA should be completed*
- *explain and record the reasons why it is deemed a full EIA is not required*

*A full EIA should always be undertaken if the project, proposal and service / contract change is likely to have an impact upon, or relevance to, people with a protected characteristic. This should be undertaken irrespective of whether the impact or relevancy is major or minor, or on a large or small group of people. If the initial screening concludes a full EIA is not required, please fully explain the reasons for this at 1e and ensure this form is signed off by the relevant Contract / Commissioning Manager and the Assistant Director / Director.*

### Tameside & Glossop Strategic Commission Equality Impact Assessment (EIA) Form

<b>1a.</b>	<b>What is the project, proposal or service / contract change?</b>	<p>Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its Licensing Policy, reviewed every five years. Such a policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the Licensing Act 2003.</p> <p>The policy sets out the general approach to make licensing decisions whilst remaining consistent with the provisions of the Licensing Act 2003.</p>
<b>1b.</b>	<b>What are the main aims of the project, proposal or service / contract change?</b>	<p>The Licensing Act 2003 requires the Council, to update the existing statement of licensing policy in order to keep the policies relevant and up-to-date.</p>

<b>1c. Will the project, proposal or service / contract change have either a direct or indirect impact on, or relevance to, any groups of people with protected equality characteristics?</b> <b>Where there is a direct or indirect impact on, or relevance to, a group of people with protected equality characteristics as a result of the project, proposal or service / contract change please explain why and how that group of people will be affected.</b>				
Protected Characteristic	Direct Impact/Relevance	Indirect Impact/Relevance	Little / No Impact/Relevance	Explanation
Age			✓	
Disability			✓	
Ethnicity			✓	
Sex			✓	
Religion or Belief			✓	
Sexual Orientation			✓	
Gender Reassignment			✓	
Pregnancy & Maternity			✓	
Marriage & Civil Partnership			✓	
<b>Other protected groups determined locally by Tameside and Glossop Strategic</b>				



## Tameside & Glossop Strategic Commission Equality Impact Assessment (EIA) Form

Commission?				
Group (please state)	Direct Impact/Relevance	Indirect Impact/Relevance	Little / No Impact/Relevance	Explanation
Mental Health			✓	
Carers			✓	
Military Veterans			✓	
Breast Feeding			✓	
<b>Are there any other groups who you feel may be impacted by the project, proposal or service/contract change or which it may have relevance to?</b> <b>(e.g. vulnerable residents, isolated residents, those who are homeless)</b>				
Group (please state)	Direct Impact/Relevance	Indirect Impact/Relevance	Little / No Impact/Relevance	Explanation
Low or no income groups			✓	

*“Low or no income groups” should be included as a key consideration when assessing the impact of your project, proposal, policy or service/contract change.*

*Wherever a direct or indirect impact or relevance has been identified you should consider undertaking a full EIA or be able to adequately explain your reasoning for not doing so. Where little / no impact or relevance is anticipated, this can be explored in more detail when undertaking a full EIA.*

<b>1d.</b>	<b>Does the project, proposal or service / contract change require a full EIA?</b>	<b>Yes</b>	<b>No</b>
			✓
<b>1e.</b>	<b>What are your reasons for the decision made at 1d?</b>	<p>The changes proposed in the revised Statement of Licensing policy are not anticipated to impact on protected characteristic groups or the wider community.</p> <p>The policy itself is intended to have an overall positive impact on the area and its residents, supporting the safe operation of licensed premises in the Tameside.</p>	

*If a full EIA is required please progress to Part 2.*

**Tameside & Glossop Strategic Commission  
Equality Impact Assessment (EIA) Form**

**PART 2 – FULL EQUALITY IMPACT ASSESSMENT**

<b>2a. Summary</b>
Not required

<b>2b. Issues to Consider</b>
N/A



<b>2c. Impact/Relevance</b>
N/A

**Tameside & Glossop Strategic Commission  
Equality Impact Assessment (EIA) Form**

<b>2d. Mitigations</b> <i>(Where you have identified an impact/relevance, what can be done to reduce or mitigate it?)</i>	
N/A	N/A

<b>2e. Evidence Sources</b>
N/A

<b>2f. Monitoring progress</b>		
<b>Issue / Action</b>	<b>Lead officer</b>	<b>Timescale</b>
N/A	N/A	N/A

<b>Signature of Contract / Commissioning Manager</b>	<b>Date</b>
	14 April 2022
<b>Signature of Assistant Director / Director</b>	<b>Date</b>
	14 April 2022

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# Agenda Item 9

<b>Report to:</b>	<b>EXECUTIVE CABINET</b>
<b>Date:</b>	27 April 2022
<b>Executive Member:</b>	Councillor Leanne Feeley – Executive Member (Lifelong Learning, Equalities, Culture and Heritage)
<b>Reporting Officer:</b>	Ali Stathers- Tracey - Director, Children's Services
<b>Subject:</b>	<b>OUTCOME OF CONSULTATION TO ESTABLISH A TEN PLACE RESOURCE BASE AT CORRIE PRIMARY AND NURSERY SCHOOL</b>
<b>Report Summary:</b>	To inform Executive Cabinet of the outcome of a school organisation consultation to establish, with effect from 1 September 2022, a designated resource base at Corrie Primary and Nursery School to enable up to 10 pupils aged 5 – 11 with cognition and learning and/ or communication and interaction and / or social, emotional and mental health needs to be supported. The report outlines the consultation process, the responses received and makes a recommendation for the decision makers.
<b>Recommendations:</b>	The Executive Cabinet be recommended to approve the proposal to establish a designated resource base at Corrie Primary and Nursery School to enable up to 10 pupils aged 5 – 11 with cognition and learning and/ or communication and interaction and / or social, emotional and mental health needs without modification from 1 September 2022;
<b>Corporate Plan:</b>	The proposals contained within this report will support the delivery of the Community Strategy, through the delivery of sufficient and suitable places to meet anticipated demand in 2023/24
<b>Policy Implications:</b>	Not applicable
<b>Financial Implications: (Authorised by the statutory Section 151 Officer &amp; Chief Finance Officer)</b>	<p>The proposals within this report provide more cost effective model to support pupils in borough, the cost of the base is £141,800 which will be funded from the High Needs Dedicated Schools Grant (DSG). Without sufficient places in borough we would need to place pupils out of borough that provision is would cost on average between £370,000 and £490,000 dependant on the type of setting. The proposal avoids potential cost up to £348,000 on the High Needs DSG, which is expected to be £3.2m overspent by the end of this financial year.</p> <p>Also some pupils placed may be eligible for home to schools transport the cost would be on average £59.47 per day per child placed out of borough as opposed to £27.46 for a child place in borough. The additional costs would increase pressure on council general fund budgets as well of up to £4,500 per pupil per year.</p>
<b>Legal Implications: (Authorised by the Borough Solicitor)</b>	<p>When considering proposals of nature the Council is required to follow the Department of Education Statutory Guidance in relation to consulting on the proposal which falls within the definition of a prescribed alteration.</p> <p>The consultation should be for a period of 4 weeks, preferably in term time. As part of the consultation period was outside of term</p>

time the consultation period was extended as set out in the guidance.

The council now has a period of 2 months to make a decision in relation to this proposal otherwise the decision will fall to the Schools Adjudicator.

Members must carefully consider the outcomes from the consultation as set out in the main body of the report in order to ensure that they are making a robust and informed decision.

The costs are revenue as any capital costs have already been met.

**Risk Management:**

Failure to provide sufficient places for children with additional needs in the borough will result in additional costs for the Council through more expensive specialist placements and lead to children learning in inappropriate settings.

**Background Information:**

The background papers relating to this report can be inspected by contacting Catherine Moseley, Head of Access Services



Telephone: 0161 342 3302



e-mail: [catherine.moseley@tameside.gov.uk](mailto:catherine.moseley@tameside.gov.uk)

## **1. BACKGROUND**

- 1.1 School place planning is a statutory duty of the local authority. The Executive Cabinet receives an annual report on school place planning as part of the annual determination of admission arrangements report. The last report was received at the 26 January 2022 meeting of the Executive Cabinet.
- 1.2 The school place planning report outlined the need to develop additional specialist places to meet the needs of young people with Education, Health and Care Plans (EHCPs). Executive Cabinet agreed to commence a consultation on a proposal to establish a ten place resource base at Corrie Primary and Nursery School for children with cognition and learning and/or communication and interaction and / or social, emotional and mental health needs.

## **2. THE NEED FOR ADDITIONAL SPECIALIST PROVISION**

- 2.1 Tameside currently maintains 2140 Education Health and Care Plans (EHCPs). The number of plans maintained has been rising steadily since 2017. The number of EHCPs in Tameside has more than doubled since 2017, when the Local Authority maintained 828 plans. Tameside is now more in line with our statistical neighbours, with EHCPs representing approximately 3.64% of the population.
- 2.2 The recent growth in EHCP's was appropriate and necessary. It has however, placed significant additional strain on specialist providers and resource bases across Tameside. The rapid rate of the growth in EHCPs in Tameside has been such that it was never going to be possible to plan and deliver provision sufficiency at the same rate. This has inevitably created pressure on placements for children with EHCPs, and particularly across the specialist sector, where all schools are currently oversubscribed. This is also true of our specialist resource bases. Work to establish additional SEND capacity is underway, but recently acquired data demonstrates the ongoing imperative to create additional SEND provision in Tameside, in order to appropriately accommodate our most vulnerable learners in line with future growth.
- 2.3 An over reliance on out of area provision, is undoubtedly a contributing to current budget pressure. It is therefore vital that we take a strategic approach to planning provision driven by need, and invest available capital funding towards the creation of more local places, where necessary and appropriate.
- 2.4 In response to the challenge this growth poses, and in order to ensure that we have appropriate quality provision for Tameside children and young people with SEND, a comprehensive SEND Sufficiency Strategy 2021-2031 is now being developed. This strategy builds on key pieces of work (such as the SEND Forward Plan 2019-22) undertaken over the past 3 years and is written with the benefit of newly acquired data. This has provided us with reliable SEND data, regarding population growth, trends and patterns for the next 10 years.
- 2.5 Between now and 2031, by far the fastest growing area of need will be across Social, Emotional and Mental Health (SEMH), where we anticipate growth of 138.9% (additional actual growth of 611) across all age ranges. In mainstream settings, EHCP numbers in SEMH will grow by 130% (additional actual growth 250) across all age ranges. In mainstream, between years R-6 we anticipate growth of 45% (actual 45) and between year 7-14 we are expecting 220% growth (actual additional growth of 205). In specialist settings, numbers in SEMH will grow by 130% (additional actual growth 306) across all age ranges. In years R-6 we anticipate growth of 75% (actual 54) and between year 7-14 we are expecting 156% growth (actual additional growth of 252).
- 2.6 This next fastest growing area of need is communication interaction (CI) difficulties (comprised of both autism and speech, language and communication difficulties), where we anticipate growth of 70.7 % (additional actual growth of 359) across all age ranges. In mainstream

settings, EHCP numbers in CI will grow by 87.8% (additional actual growth 203) across all age ranges. In mainstream, between years R-6 we anticipate growth of 64.5% (actual 92) and between year 7-14 we are expecting 125% growth (actual additional growth of 111). In specialist settings, numbers in CI will grow by 54.6% (additional actual growth 146) across all age ranges. In years R-6 we anticipate growth of 37% (actual 44) and between years 7-14 we are expecting 68.9% growth (actual additional growth of 101).

- 2.7 The SEND Forward Plan identifies the need to develop additional resourced provision across the borough to meet the needs of pupils identified as requiring enhanced provision but not a special school place.
- 2.8 Targeted provision is provision that is more specialist than mainstream schools, providing a higher level of support for children and young people with SEND, but not a special school. This may be shorter term provision to support a child into the most appropriate provision, or a longer term placement attached to a mainstream school. Tameside resource bases do not all provide a longer term option for placement, which means that children and young people may move straight from mainstream to special school when their needs could be met in a longer term targeted mainstream placement. This is a gap in the borough's provision.
- 2.9 The Forward Plan identifies that the Council will begin to commission new targeted mainstream provision model with a greater emphasis on highly supported resource based provision for a small number of children. This will:
- Be related to the level and type of need in different neighbourhoods across the Borough.
  - Be small group focused provision, for both boys and girls, attached to mainstream schools.
  - Be provided for primary and secondary pupils.
  - Include a higher level of specialist staffing to meet need, linked with social care and health provision where appropriate.
  - Prioritise the two greatest areas of need: Communication and Interaction (including autism) and SEMH, (however, consideration needs to be given to lower levels of need that are currently in Special Schools in order to free up places.).
- 2.10 A number of schools came forward to be part of this exciting new provision and host resource bases and Corrie Primary and Nursery School was one of those schools. Corrie has dedicated space for the resource base and over the summer of 2021, internal and external works were carried out to make the space fit for purpose.

### **3 THE PROPOSAL**

- 3.1 As outlined above, there is an urgent need to develop additional specialist places in the borough for pupils with an Education, Health and Care Plan. The resource base at Corrie Primary and Nursery School opened on a pilot basis in September 2021 and had some capital investment to support the opening.
- 3.2 This proposal is that, with effect from 1 September 2022, the resource base provision at Corrie Primary and Nursery School is formalised with a designated resource base to enable up to 10 pupils aged 5 – 11 with cognition and learning and/ or communication and interaction and / or social, emotional and mental health needs to be supported.

### **4 CONSULTATION**

- 4.1 Statutory guidance has been published by the Department for Education with regard to School organisation regulations (<https://www.gov.uk/government/publications/school-organisation-maintained-schools>). Local authorities must have regard to the guidance when making a significant change to a school, known as a prescribed alteration.
- 4.2 The guidance states that prescribed alterations to schools must be the subject of a consultation



with the publication of statutory proposals. The consultation document is attached at Appendix 1.

4.3 The consultation ran for a total of five weeks (four school weeks due to February half term) from 27 January 2022 until 3 March 2022. The consultation was available on the Council's website and through the Corrie Primary School. A public notice was published in the Tameside Reporter newspaper on 27 January 2022. An online feedback form (Appendix 2) was available for responses to be submitted as well as through email or by completing a paper copy of the response form. Meetings were offered to any individual wanting further information. A letter giving information on the consultation was sent to:

- Elected members in all Denton wards
- The MP for Denton and Reddish
- All primary schools in Denton
- All Special Educational Needs Schools in Tameside
- Head and Chair of Governors at Corrie Primary School
- The parent forum – Our Kids Eyes

## 5 CONSULTATION RESPONSES

5.1 A total of six responses were received to the consultation.

5.2 Of the six responses received, four were in favour of the proposal and two were against as set out below:

	Respondent type	Are you in favour of the proposal?	Comments received
1	Governor	Yes	Tameside should provide excellent education provision to meet the needs of all children. Local provision is essential to meet local need. Corrie Primary school provides a safe learning environment where children can flourish. Our team at Corrie can support the family and ensure needs are met. Our very recent Ofsted report demonstrates the we meet the needs of children including their emotional health and well-being. The school is led by an excellent Senior Management team, they are reflective practitioners who will actively support this initiative.
2	Member of staff	Yes	So local children with additional needs can attend a local school and build support within their own community
3	Parent	No	No comments provided
4	Parent	Yes	My son has been placed on the Sen register by Corrie primary school and they have done an amazing job with meeting his needs. I think any child placed in the department would greatly benefit
5	Not specified	Yes	My granddaughter started attending the base, the last week of the winter term, after a disastrous couple of weeks in a local reception class. The improvement in her has been amazing and a credit to the staff in the base, using the correct support for her needs. It needs to continue for the sake of the growing group of young children who need the extra structured support now.
6	Not specified	No	My granddaughter started attending the base, the last week of the winter term, after a disastrous couple of weeks in a local reception class. The improvement in her has been

	Respondent type	Are you in favour of the proposal?	Comments received
			amazing and a credit to the staff in the base, using the correct support for her needs. It needs to continue for the sake of the growing group of young children who need the extra structured support now.

5.3 As can be seen, response number 5 is exactly the same as response number 6 apart from the response to the question are you in favour of the proposal where response 6 replies 'no'. However, the narrative does not support the 'no' response.

5.4 All the narrative responses are in favour of the proposal including the parent and grandparent of children who has been involved in the pilot project.

## 6 REVENUE IMPLICATIONS

6.1 The financial implications for a resource £10,000 per place for the number of places that have been commissioned in that academic year. On top of that for each place funded there is a general top up rate of £4,180 per place agreed and commissioned. The total yearly cost of a place is £14,180.

6.2 As outlined in the report if the pupil is placed outside of the borough due to insufficiency in places locally, the average cost of a place Non Maintained Special School place is £37,000 or in an Independent Special school or setting is £49,000. The proposal is not only in line with the SEND Forward Plan but provides better value for money. The 10 place unit avoids potential additional costs of up to £348,200 to the DSG High Needs budget, which is expected to be £3.2m in deficit by the end this financial year.

6.3 Also some pupils placed may be eligible for home to schools transport the cost would be on average £59.47 per day per child placed out of borough as opposed to £27.46 for a child place in borough. The additional costs would increase pressure on council general fund budgets as well of up to £4,500 per pupil per year.

## 7 DECISION MAKING

7.1 Tameside Council is the decision-maker in all cases except where a proposal is 'related' to another proposal that must be decided by the Schools Adjudicator. That does not apply in this case.

7.2 Executive Cabinet as decision-makers will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and full consideration has been given to all the responses received.

7.3 The DfE guidance states that decision-makers should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s).

7.4 Decisions must be made within a period of two months of the end of the representation period or they must be referred to the Schools Adjudicator. The two month period expires on 3 My 2022.

7.5 When issuing a decision, Executive Cabinet can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted the Governing Body; or
- approve the proposal, with or without modification – subject to certain conditions (such as the granting of planning permission) being met.

- 7.6 Within one week of making a decision the Local Authority must publish their decision and the reasons for it, on the website where the original proposal was published and send copies to:
- the Schools Adjudicator (where the Council is the decision-maker);
  - the Governing Body;
  - the trustees of the school (if any);
  - the local Church of England diocese;
  - the local Roman Catholic diocese; and
  - any other body that they think is appropriate (e.g. other relevant diocese or diocesan board, faith organisation and any affected educational institutions in the area).

## **8 CONCLUSION**

- 8.1 There is a clear need to develop additional resourced provision in the borough. The pilot project has been successfully received by governors and staff at Corrie Primary and Nursery School and parents as can be seen by the responses to the consultation.
- 8.2 The proposal is in line with the SEND Forward Plan and provides better value for money. The 10 place unit avoids potential additional costs of up to £348,200 to the DSG High Needs budget, which is expected to be £3.2m in deficit by the end this financial year.

## **9 RECOMMENDATION**

- 9.1 As set out at the front of the report

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**Report to:** EXECUTIVE CABINET

**Date:** 27 April 2022

**Executive Member:** Councillor Bill Fairfoull – Deputy Executive Leader

**Reporting Officer:** Tony Decrop – Assistant Director (Children’s Services)

**Subject:** SUPPORTING FAMILIES GRANT

**Report Summary:** This report provides an update following the confirmation of continued funding from the **Supporting Families Programme Grant**, its amount and the proposed financial allocation of monies. Early Help Services are currently funded from TMBC core budget funding and other grants, one of which is Supporting Families, which is the subject of this report.

The government have confirmed the continuation of this grant for a further 3 years with £1,194,683 being allocated for 2022/2023. This is an increase in previous years, of £390,600 and it is proposed to continue to fund existing services with an opportunity to develop and expand further services.

The Strengthening Families Programme grant currently funds the following services and posts as set out in the table (appendix A) and as described in section 3.

The report sets out proposals to agree the spending for the continued Supporting Families Grant, which has been allocated to the Local Authority via Greater Manchester Combined Authority (GMCA) (Earned Autonomy) for 2022 to 2025.

The Supporting Families Programme grant is a continuation of the established grant Tameside has received for 8 years as identified in previous reports.

**Recommendations:** That Executive Cabinet be recommended:

- (i) To continue to fund the current arrangements with Action Together, Domestic Abuse services and HomeStart.

Provider	Amount per year	Type of Arrangement
HomeStart	£50,000	Service Contract
Action Together	£65,000	Grant Agreement
Domestic Abuse Services	£152,443	Services Contract

- (ii) To agree to the extension of the Inspire Family Intervention service contract delivered by Jigsaw for a further 6 months till 30 September 2022, then this contract will cease.
- (iii) The current commissioned Family Intervention service provided by Jigsaw, Inspire services is put out to tender for a 2.5 year period

Year 1(6 months) Sept 2022 – March 2023	£108,000
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Year 2 April 2023 – March 2024	£216,000
Year 3 April 2024 – March 2025	£216,000

- (iv) To approve spend of £207,358 budgeted from the Supporting Families grant that will be used to obtain more resources to support wider service delivery and strategic leadership to build capacity within Early Intervention over the next 3 years on fixed term contracts as outlined in 3.32.

**Corporate Plan:**

Supporting low income households, particularly low income families with children links to all of the priorities within the Corporate Plan which are impacted upon by Covid.

**Policy Implications:**

The proposal aligns to the Councils key policies in supporting the most vulnerable families in our community

**Financial Implications:**

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

GMCA announced on 10 February 2022 that Tameside Council would receive £1,194,684 for the Supporting Families Programme grant for 2022/23; an increase of £390,601 from the 2021/22 funding allocation. The funding allocation for 2023/24 and 2024/25 is still unknown; however GMCA have indicated the funding allocation should remain at a similar level.

The Supporting Families Programme, previously known as Troubled Families has been established since 2015. A number of posts have been in existence for some years; however this report details a number of new posts to be created. The spend plan for 2022/23 is within the overall grant allocation and is included in Appendix A.

**Legal Implications:**

**(Authorised by the Borough Solicitor)**

This report provides the proposals for utilising the funding from the Supported Families Programme Grant to continue to fund existing services and increase staffing support within the Council.

The project officers are working on the basis that the grant has been agreed for a further three years although currently the amount of the grant has only been provided for year one and so assumptions have been made for years two and year three. Therefore, it would be advisable to review whether the commitments being sought in the recommendations should be for the full three years as with Action Together just for the one year. Finance may wish to comment on this to advise whether there is sufficient funding for the three years.

The ongoing provision of the services are being achieved via grant agreements, new procurement exercises or extensions to current contractual arrangements. The project officers need to ensure that the use of grant agreements is appropriate, as grant agreements are not able to specific service provision in the way that contracts are able.

Advice and support should also be sought from STaR procurement which provides procurement advice to the Council to ensure that compliant processes are undertake where the provision of existing services are being extended or terminated and that compliant procurement exercises are followed with all

relevant issues being addressed including staffing issues and Transfer of Undertakings Protection of Employment Rights Regulations (TUPE)

With regards to the proposals in relation to Council, staffing provisions advice should be sought from Human Resources to ensure that appointments are made to appropriate contracts given that the roles appear to be reliant on external funding and therefore it is likely that fixed term contracts would be appropriate in these circumstances. Project officers also need to take advice on any potential redundancy implications even if fixed term contracts are being used to ensure sufficient reserves are retained.

The Council has many competing duties – to deliver a balanced budget, to deliver services efficiently and effectively, to actively reduce inequalities. Accordingly, going forward such reports need to be far clearer about how it is delivering or achieving these statutory duties and delivering the Council's priorities, what success looks like (reducing inequalities), how this compares/benchmarks across UK (value for money) – there needs to be clear qualitative measures.

**Risk Management:**

The Council officers will work closely with commissioning to ensure that the grant is spent in accordance with any conditions attached and ensuring the delivery of services is in an effective and cost effective way

**Background Information:**

The background papers relating to this report can be inspected by contacting Lorraine Hopkins, Head of Early Help and Early Years



Telephone: 0161 342 5197



e-mail: [lorraine.hopkins@tameside.gov.uk](mailto:lorraine.hopkins@tameside.gov.uk)

## 1 INTRODUCTION

- 1.1 In November 2021, the government announced as part of the spending review that the Supporting Families Programme grant funding will continue for a further 3 years – 2022 to 2025
- 1.2 The Council will receive next year's grant as a single allocation of funding through the Greater Manchester Combined Authority (GMCA) in line with the existing agreement between GMCA and Department for Levelling Up, Housing and Communities (DLUHC). The level of funding Tameside can expect to receive in 2022/23 is **£1,194,683**.
- 1.3 The level of funding for the subsequent 2 years has not been confirmed. However, it has been indicated through GMCA that at this stage as the programme continues to expand the 23/24 and 24/25 funding will be similar if not above this year's investment
- 1.4 The **Supporting Families Programme** grant allocation has been an integral part of Tameside's ambitious Early Help Offer and is one of several programmes and interventions that are embedded in our holistic Successful Family centred approach to service delivery.
- 1.5 The **Supporting Families** Programme grant has been a key driver within Tameside in terms of our successful family approach and public service reforms. Over the years the Council used the grant to focus on working with partners and families to embed new ways of working, align resources and ensure sustainability.
- 1.6 Funding has been received for a number of years and since 2017 GMCA have earned autonomy and allocate the budgets to each of the 10 Local Authorities
- 1.7 Tameside have utilised the Supporting Families Programme grant since 2014 to fund services and posts both internally and externally to support the development of the Early Help offer across the Borough.

## 2. CONDITION OF GRANT

- 2.1 Payments will be made by the Greater Manchester Combined Authorities (GMCA) to the Local Authority as a single allocation for the 2022 – 2023 financial year

## 3. PROPOSED ALLOCATION OF STRENGTHENING FAMILIES FUNDING 2022 - 2025

- 3.1. **Action Together - is the infrastructure organisation for the voluntary, community, faith and social enterprise (VCFSE) sector in Oldham, Rochdale, and Tameside.** This is a continuation of the existing grant award agreement of **£65,000** to be paid annually until 2025 to Action Together. There is no increase to this payment from previous years. Action Together are the voluntary and community sector support agency and have an established role supporting the third sector. It is proposed to continue the current grant arrangements which fund Action Together, to coordinate and work across the Voluntary sector in providing support around the Early Help offer in each neighbourhood. This is a full time post that is collocated and aligned to the Early Help Access Point as outlined in the funding plan. This support's capacity building in the 3<sup>rd</sup> sector and enabling partners and families to realise the potential of the community, faith and voluntary sector as key deliverers of services. This has been very successful with support and advice for professionals and families in accessing local, neighbourhood services, therefore supporting sustainability and reducing demand on more costly intensive services.
- 3.2 **HomeStart – a one to one early intervention peer support programme for families with children under 5 years.** The Supporting Families grant currently pays a contribution of



**£50,000** per annum for this programme via the Public Health Directorate. The Peer Support Service has moved from a grant to a contract, commencing from 1 April in 2022 for 3 years agreed at Strategic Commissioning Board August 2021. It is intended to continue to contribute £50,000 funding from Supporting Families Programme grant towards this contract advice has been sought from STaR procurement to ensure that this is undertaken compliantly

- 3.3 HomeStart Oldham, Stockport and Tameside (HOST) is a long-standing partner of the Council with a unique, tried and trusted peer support model, with a successful track record of grass roots community volunteering, valued by volunteers and professionals alike.
- 3.4 HomeStart provides one-to-one peer support for families via a team of dedicated and supervised volunteers, who visit families for a couple of hours per week and tailor support to meet the individual needs of the family. The trusted relationship that is developed between a parent and volunteer often leads powerful change within the family, as well as enabling the family to grow in confidence for accessing the wider community and universal early years offer. The Tameside Peer Support Programme will support families with children aged between 0-5 years. The families supported through the Peer Support Programme, may be families who have recently stepped down from Family Intervention Services, or families who need early support to prevent needs from escalating. As such families support should be either in Level 1 or 2 of the help, harm model outlined in the Early Help Strategy.
- 3.5 HomeStart has been a significant partner in the development of the Early Help Offer, regularly attending panel meetings and providing a crucial pathway and intervening early to prevent family breakdown. They have adapted their service delivery and aligned to new ways of working, including asset based and relational approaches using Signs of Safety methodology. HomeStart are champions and deliver interventions supporting early attachment, infant feeding, child development and school readiness, which all have strong evidence of effectiveness and return on investment.
- 3.6 **Domestic Abuse** - Supporting Families Programme grant has contributed to funding domestic abuse services since 2019 and it is intended to continue to contribute in total annually **£152,443** to the following services: Bridges (**£41,500 per year**); Childrens Independent Domestic Abuse Advocates (**£80,100 per year**) and Women's Centre (**£26,843 per year**) .Advice has been sought from STaR procurement to ensure that an appropriate procurement route has been followed. .
- 3.7 Bridges allocation – this is a resource for women and their family to access services to support families experiencing Domestic Abuse
- 3.8 Childrens Independent Domestic Abuse Advocates allocation – To continue the provision of 2 full time Children's Independent Domestic Violence Advocates. This service provides interventions for children experiences domestic abuse.
- 3.9 Women's Centre allocation – To continue to fund a key worker to deliver accessible, local services across each of the four neighbourhoods in Tameside for families to access where they are experiencing Domestic Abuse.
- 3.10 **Single Point of Access (SPOA) £55,070** – To continue to contribute funding for multi-agency mental health team which are collocated within the Early Help Access Point (EHAP) and the Multi-agency Safeguarding Hub (MASH).
- 3.11 The SPOA is a Child and Adolescent Mental Health Services (CAMHS) team which is part funded with Health core funding through the grant. The funding allocation is paid direct to Pennine Care and funds two part time workers to be based in the Early Help Access Point to support referrals at the earliest point.

- 3.12 All referrals come through the multi-agency request for service in line with the MASH and EHAP, taking referrals in this way ensures there is access to good quality multi-agency information ensuring that the child/young person receives the most appropriate support that best meet their individual needs at the point of referral.
- 3.13 **Strengthening Tameside's Approach to Repeat Separation (STARS) £76,081** - This was a two year pilot part funded from a Greater Manchester Combined Authority innovation grant which has now ceased. It is now intended to extend this pilot supported with funding through the Supporting Families Programme grant and Early Help core budget to continue with the approach and continue to fund two staff within the team.
- 3.14 The aim of the pilot was to: improve the quality of life for the child and family, by providing coordinated intensive early help support to pregnant women (and their unborn babies) subject to a pre-birth assessment, who have at least one child removed previously; and ultimately reduce to number of repeat child removals across the borough'.
- 3.15 This is an innovation project supported through Greater Manchester with Salford and is evidenced as a cost saving approach.
- 3.16 The data to date has evidenced some significant impact with 17 families engaged in the service. 11 babies have been born and 8 remain at home.
- 3.17 Based on Greater Manchester costs, this gives us an estimated saving to children's of £421,408 by supporting families to remain at home and not go into the cared for system. *(these costs are based on GM cost of a child living in care per year @£52,676)*
- 3.18 **Family Intervention Services – Commissioned Service**
- 3.19 Currently Jigsaw Housing Association are commissioned via a contract to provide family intervention through their 'Inspire' team. This has a value **£216,000** per annum.
- 3.20 Advice from STAR procurement in has been taken in relation to the current the current procurement arrangements with Jigsaw. Jigsaw have had extensions yearly to the contract for 4 years due to funding previously being allocated on a yearly basis. It is proposed that now allocation of grant has been secured for 3 years, this will now go out across the market through tender process with a new updated specification for 3 year period. This is in line with procurement advice .
- 3.21 The provider has received notification of the intentions and are currently working with commissioning and STaR procurement aligning with the procurement timeframes. The provider has also agreed to continue to provide the current provision for a period of 6 months whilst the procurement exercise is undertaken so as to ensure the continuation of the service.
- 3.22 **New Posts**
- 3.23 It is proposed to establish additional posts funded through the increased grant to build support and capacity across Early Intervention. It will be necessary to recruit to fixed term contracts for the posts for three years funded through the Supporting Families Grant. If further funding is not secured the fixed term contracts will terminate.

1.0FTE Senior Parenting Worker	New	37,800
0.83FTE EY SEND Coordinator	New	36,558
1.0FTE Assistant Director	New	133,000

- 3.24 To fund an **Assistant Director post for Early Help and Partnerships** within the Children's Directorate to provide greater strategic leadership and management for the service along with being a member of the wider senior leadership team.
- 3.25 To establish a **Parenting Senior role**, as identified within the financial plan, to support the implementation and roll out of the parenting offer and support partnership engagement and sustainability.
- 3.26 The parenting offer has significantly increased in Tameside with the introduction of a number of new programmes to include Riding the Rapids and Reducing Parental conflict.
- 3.27 The demands on capacity to deliver parenting programmes has increased, with more referrals through the Early Help Access point being received.
- 3.28 This role will include building capacity within the team to support training and delivery of all evidence based programmes supporting Tameside's approach to early intervention. This will be implemented through a 'Train the Trainer' approach.
- 3.29 It is proposed to establish an **Early Years (EY) Special Educational Needs & Disabilities (SEND) Coordinator role**, as outlined within the financial plan, within the Children Centre team to focus on babies and children 0 – 3 years.
- 3.30 This role will support, signposts and work closely with health colleagues, early year's teams, voluntary sector, leisure providers to ensure the right provisions are available and accessible for families with babies and toddlers under statutory school age.
- 3.31 This role will be a key navigator to ensure that early years children and their families access services they need at the very earliest opportunities, interventions are identified so children will access statutory education with appropriate support and plans.
- 3.32 Evidence as outlined in the document '1001 critical days' is that when a child reaches the age of 2 years, this can be too late. These 1,001 days are a critical time for development, but they are also a time when babies are at their most vulnerable. Some babies have a disability diagnosed and some have a developmental need identified. This is likely to develop into a special educational need once they enter compulsory education if earlier support and special provision are not made.

#### **4. RECOMMENDATIONS**

- 4.1 As set out on the front of this report.

## APPENDIX A

Post	New/Existing Post	2022/23 (£)
1.0FTE Service Unit Manager		73,369
1.0FTE Analyst		36,851
1.0FTE Parent Co-Ordinator		33,947
1.0FTE STARS Senior Family Intervention Worker	*	40,430
1.0FTE STARS Family Intervention Worker		34,651
2.5FTE Family Intervention Workers		85,278
1.0FTE Project Officer	*	33,944
1.0FTE Business Support Lead	*	29,992
1.83FTE Family Information and Guidance Officers	*	52,497
1.0FTE Senior Parenting Worker	New	37,800
0.83FTE EY SEND Coordinator	New	36,558
1.0FTE Assistant Director	New	133,000
Young Carers acting-up		2,075
<b>Total Staffing Costs</b>		<b>630,392</b>

\* posts are currently established but funded from another grant which will cease 31/03/22

Description		2022/23 (£)
Contract to support Domestic Abuse, Homestart, and Family support		479,443
License and Software		7,000
Training		10,000
Supervision for STARS		1,000
Printing and mileage		3,000
<b>Total non-pay expenditure</b>		<b>500,443</b>

<b>Total Expenditure</b>		1,130,835
<b>Total Income</b>		<b>(1,194,684)</b>
<b>Funds remaining to be allocated</b>		<b>(63,849)</b>