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EXECUTIVE CABINET

Day: Wednesday
Date: 29 June 2016
Time: 2.00 pm
Place: Lesser Hall - Dukinfield Town Hall

Item No.	AGENDA	Page No
1.	APOLOGIES FOR ABSENCE To receive any apologies for the meeting from Members of the Executive Cabinet.	
2.	DECLARATIONS OF INTEREST To receive any declarations of interest from Members of Executive Cabinet.	
3.	MINUTES	
a)	EXECUTIVE CABINET To consider the minutes of the last meeting of the Executive Cabinet held on 24 March 2016.	1 - 12
b)	SINGLE COMMISSIONING BOARD To receive the minutes of the meeting of the Single Commissioning Board held on 20 April 2016.	13 - 20
c)	ENFORCEMENT CO-ORDINATION PANEL To consider the minutes of the last meeting held on 11 April 2016.	21 - 26
d)	ASSOCIATION OF GREATER MANCHESTER AUTHORITIES/GREATER MANCHESTER COMBINED AUTHORITY To consider the minutes of the AGMA Executive Board and Greater Manchester Combined Authority held on 29 April 2016 and 27 May 2016.	27 - 58
4.	REVENUE MONITORING QUARTER 4 To consider the attached report of the First Deputy (Performance and Finance)/Assistant Executive Director (Finance).	59 - 86
5.	SMART TAMESIDE - DIGITAL INFRASTRUCTURE To consider the attached report of the First Deputy (Performance and Finance)/ Assistant Executive Director (Digital Services).	87 - 98

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Robert Landon on robert.landon@tameside.gov.uk or 0161 342 2146, to whom any apologies for absence should be notified.

Item No.	AGENDA	Page No
6.	VISION TAMESIDE PHASE 2 To consider the attached report of the First Deputy (Performance and Finance)/Assistant Executive Director (Development and Investment).	99 - 142
7.	TAMESIDE DOMESTIC ABUSE STRATEGY To consider the attached report of the Deputy Executive Leader/Head of Stronger Communities.	143 - 188
8.	FOSTER CARE PAYMENTS To consider the attached report of the Executive Member (Children and Families)/Assistant Executive Director (Children's Services).	189 - 216
9.	STATEMENT OF COMMUNITY INVOLVEMENT To consider the attached report of the Deputy Executive Leader/Assistant Executive Director (Development and Investment).	217 - 266
10.	HOUSING ALLOCATION SCHEME To consider the attached report of the Executive Member (Healthy and Working)/Head of Stronger Communities.	267 - 326
11.	DEVOLUTION GOVERNANCE To consider the attached report of the Executive Leader/Chief Executive.	327 - 334
12.	LOCAL DEVELOPMENT SCHEME To consider the attached report of the Deputy Executive Leader/Assistant Executive Director (Development and Investment).	335 - 348
13.	EXCLUSION OF PRESS AND PUBLIC That under Section 100A of the Local Government Act 1972 (as amended) the public be excluded for the following item of business on the grounds that it involves the likely disclosure of exempt information as defines in paragraph 3 of Schedule 12A to the Local Government Act 1972. Information relating to the financial or business affairs of the parties (including the Council) has been provided to the Council in commercial confidence and its release into the public domain could result in adverse implications for the parties involved. Disclosure would be likely to prejudice the Council's position in negotiations and this outweighs the public interest in disclosure.	
14.	PURCHASE OF SHARES IN INSPIRED SPACES To consider the attached report of the First Deputy (Performance and Finance)/Assistant Executive Director (Development and Investment).	349 - 360
15.	URGENT ITEMS To consider any additional items the Chair is of the opinion shall be dealt with as a matter of urgency.	

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Robert Landon on robert.landon@tameside.gov.uk or 0161 342 2146, to whom any apologies for absence should be notified.

MEETING OF EXECUTIVE CABINET

24 March 2016

Commenced: 2.00 pm

Terminated: 3.10 pm

Present: Councillor K. Quinn (Chair)
Councillors Cooney, J. Fitzpatrick, Gwynne, Ricci, Robinson, Taylor, L Travis and Warrington

Apology for Absence: Councillor M Smith and the Chief Executive

42. DECLARATIONS OF INTEREST

Members	Subject Matter	Type of Interest	Nature of Interest
Councillor Taylor	Item 12 – Active Tameside	Prejudicial	Chair of the Tameside Sports Trust

* Councillor Taylor left the room during consideration of this item and took no part in the voting/decision thereof.

43. MINUTES

(a) Executive Cabinet

Consideration was given to the Minutes of the meeting of Executive Cabinet held on 10 February 2016.

RESOLVED

That the Minutes of the meeting of Executive Cabinet held on 10 February 2016 be taken as read and signed by the Chair as a correct record.

(b) Strategic Planning and Capital Monitoring Panel

Consideration was given to the Minutes of the Strategic Planning and Capital Monitoring Panel held on 14 March 2016.

RESOLVED

That the Minutes of the Strategic Planning and Capital Monitoring Panel held on 14 March 2016 be received and the following recommendations approved:

Vision Tameside Phase 2

- (i) **That the budget for the Ashton Market Square re-development project be revised to £5,560,726 and it be noted that it remained within the funding envelope within the Ashton Town Centre capital scheme.**

Asset Management Update

- (ii) **That the list of disposals identified in Appendix 1 to the report be approved;**
(iii) **That the allocation of £134,847 to undertake building condition replacement/repair projects as detailed at paragraph 3.2 of the report, be approved;**

- (iv) That £92,500 be allocated to facilitate the commissioning of emergency generators relocated to Tame Street depot.

Proposal for Alternative Use of Capital Funding Allocation

- (v) That approval be given to the alternative use of £0.912 million previously approved by the Strategic Capital Panel in 2008 (to fund a replacement of Boyds Walk with a new and expanded building) to purchase three properties to support the implementation of the new residential provision service model within Children's Services, be approved subject to the revenue costs of borrowing being met from the service revenue budget.

Developer Agreements, Contributions and Section 106 Agreements

- (vi) That funds be released from developer contributions as follows:
- For Assheton Avenue Surfacing, Audenshaw (£10,000);
 - For War Memorial Cleansing and Maintenance, various wards across Tameside (£20,000); and
 - For Tree Planting Programme, various wards across Tameside (£40,000).

Smart Tameside – Digital By Design

- (vii) That Capital funding for projects identified below be approved:

Description of Project	2016/17	2017/18
Webchat Software	27,700	0
Website Content Management System	19,700	0
Refuse in Cab App & technology	10,290	8,250
Contact Centre System Upgrade	10,000	0
Capital Connect Citizen portal	29,625	0
Capita Revs and Bens eForms	27,000	9,000
	124,315	17,250

Smart Tameside – Town Centre Wifi

- (viii) That Capital funding for the phase 2 expansion of the free to use public Wi-Fi network into Audenshaw, Denton, Stalybridge, Hyde, Hattersley/Longdendale, Dukinfield and Mossley of £134,951 be approved.

Refuse Collection Vehicles – Replacement

- (ix) That approval be given to purchase the Refuse Collection vehicles, using the best value funding option, Option 2 (as detailed), via Prudential Borrowing, use of reserves and residual values; and
- (x) That the new borrowing/hire costs be met by Waste Service revenue budget over the 8 year period via vehicle rentals issued through Transport Services, charging as outlined in Option 1 (as detailed) and any saving that materialises by funding using Option 2 be added to the Vehicle Replacement Reserve.

Hyde Leisure Phase 2 – Synthetic Football Pitch

- (xi) That the Scheme, as set out in the report, be supported;
- (xii) That the Council enters into a community use agreement with Hyde United Football Club in a form to be approved by the Borough Solicitor, which will include a performance regime with deductions for non-availability or non-delivery under the agreement;
- (xiii) That a capital budget of £0.415m be established in 2016-17 Capital Programme; and

- (xiv) That the former Leigh Primary School site be disposed of subject to the necessary planning consents and the receipt be used to fund the proposed scheme.
- (c) Association of Greater Manchester Authorities / Greater Manchester Combined Authority

Consideration was given to a report of the Executive Leader and Chief Executive which informed Members of the issues considered at the AGMA Executive Board and Greater Manchester Combined Authority held on 29 January and 26 February 2016 and the Forward Plan of Strategic Decisions of the Greater Manchester Combined Authority and AGMA Executive.

RESOLVED

That the report be noted.

44. LOCAL GOVERNMENT CHRONICLE COUNCIL OF THE YEAR

The Executive Leader informed Members of the Council's success in being named Local Government Chronicle Council of the Year. He said the award was testament to the hard work and commitment of Elected Members and staff and he stated that the judges had paid tribute to Tameside as a bold and creative authority that showed influence, realism and courage. He added that the judges had praised the Council's current ambition as the culmination of years of hard work.

45. INTEGRATED CARE ORGANISATION BUDGET

Consideration was given to a report of the First Deputy (Performance and Finance)/Executive Member (Adult Social Care and Wellbeing)/Executive Member (Children and Families)/Executive Member (Healthy and Working)/Executive Director (People)/Director of Public Health/Assistant Executive Director (Finance), which set out the key principles required to establish a joint (single) fund between the Council and the CCG managed by a Single Commissioning Board.

The report provided an update on progress made and sought approval from the Tameside Council Executive Cabinet and the Tameside and Glossop Clinical Commissioning Group Governing Body to consolidate the value of pooled resources via an Integrated Commissioning Fund agreement from 1 April 2016. It was explained that the same report had been presented to the Governing body of the CCG on 23 March 2016. The Tameside & Glossop Care Together Single Commissioning Board would be required to manage all resources within the Integrated Commissioning Fund and comply with both organisations statutory functions from the single fund.

RESOLVED

- (i) That it be noted that an identical report was presented to the Tameside and Glossop CCG Governing Body on 23 March 2016.
- (ii) That approval be given to the inclusion of 2016/2017 Tameside Council service budgets as stated in Appendix 1 to the report within the existing section 75 joint finance pooled agreement (currently in existence for the Better Care Fund).
- (iii) That approval be given to the inclusion of 2016/2017 Tameside Council service budgets as stated in Appendix 1 to the report within an aligned partnership agreement. The section 75 agreement and aligned partnership agreement will formulate an overall Integrated Commissioning Fund (ICF) for the Tameside and Glossop economy.
- (iv) That it be noted that the CCG have also included budget allocations within the section 75 agreement, aligned partnership agreement and in addition services in collaboration agreement. Services in collaboration refer to services which cannot be included within a section 75 agreement and which the CCG co-commission with NHS England

for the Tameside and Glossop economy. The details were set out in Appendix 1 to the report. The governance arrangements for managing, and the accountability for delivering, statutory duties from the single fund will be undertaken by a statutory joint committee of both organisations known as the Tameside & Glossop Care Together Single Commissioning Board.

- (v) That it be acknowledged that the decisions taken by the Single Commissioning Board (joint committee) relating to the Integrated Commissioning Fund are binding on the Council
- (vi) That approval be given to the principle that during 2016/2017 each organisation will be responsible for the management of their own deficit arising within the level of resources which they contribute to the Integrated Commissioning Fund as stated in Appendix 1 to the report.
- (vii) That Tameside Council continue to be the host organisation for the existing Section 75 pooled fund agreement.
- (viii) That it be noted that the terms of the financial framework, which will support the Integrated Commissioning Fund are to be approved by both the Council and CCG by 31 March 2016 and authorise the Executive Director for Governance & Resources to agree this.
- (ix) The terms to be approved will include :
 - Financial regulations
 - Risk management and audit
 - Treatment of over and underspends
 - Reporting on financial and operational performance
 - Conditions of entry to and exit from the ICF
 - Exit strategy
- (x) That the level of resources within Appendix 1 be reviewed during 2016/2017 and updated accordingly in recognition of national funding decisions of the Government and associated Agencies together with funding decisions taken by the Council and CCG.
- (xi) That the the inclusion of Greater Manchester Transformation Funding within the Integrated Commissioning Fund be endorsed subject to award confirmation.
- (xii) That endorsement be given to the intent to commence joint financial reporting and stringent monitoring in shadow form on the Integrated Commissioning Fund stated in Appendix 1 to the Executive Cabinet and the Tameside & Glossop Care Together Single Commissioning Board from 1 April 2016 on a monthly basis or as appropriate within the 2016/2017 reporting governance schedule and agree the approach with both organisations external auditors.

46. CORPORATE PLAN

Consideration was given to a report of the First Deputy (Performance and Finance) and the Executive Director (Governance and Resources) detailing the refreshed Corporate Plan for the period 2016-2021 and the associated programme of key growth and reform projects.

It was reported that the key projects of the Corporate Plan provided the delivery vehicle for the aims and objectives of the plan. Furthermore, the development of the Council's strategic approach had been informed by a number of factors including the following:-

- Greater Manchester Strategy;
- Greater Manchester Devolution Agreement;
- Public Service Reform;
- Medium Term Financial Strategy and budget engagement 2015/16;

- Tameside Council Budget Engagement 2016/2017 into 2017/2018;
- Vision Tameside;
- Care Together;
- Taking Charge (Greater Manchester Health and Social Care Devolution); and
- Greater Manchester Pension Fund Investment Strategy.

RESOLVED

That the refreshed Corporate Plan be approved.

47. PLEDGES 2016

Consideration was given to a report of the Executive Leader and the Executive Director (Governance and Resources), which provided an update on the Tameside Pledges 2016 which had been announced at Full Council on 23 February 2016. The report asked Executive Cabinet to formally adopt the Tameside Pledges 2016 as Tameside Council policy.

Members were reminded that the Tameside Pledges 2016 were:

- **Honour Our Fallen** – we will name new streets constructed in Tameside after local service men and women who lost their lives in service.
- **Pothole Buster** – we will invest £1m again this year in bringing our roads up to scratch.
- **Lots More Lighting** – we will continue the roll out of super-efficient LED street lighting to cut running costs and our carbon footprint.
- **Big Clean Up** – we will work with you to tackle 160 grot spots across Tameside through enforcement or direct action.
- **Get Tameside Growing** – we will work with the community to get Tameside growing its own food in window boxes, gardens, community space and allotments.
- **Woodland for Wildlife** – we will plant a minimum of 2016 trees to offset Tameside's carbon emissions and support greater biodiversity.
- **Keeping it Green** – we will improve recycling of non-domestic refuse with recycling bins in town centres and Council offices.
- **Refresh Tameside Works First** – we will buy services and goods from local providers as much as possible.
- **Generation Savers** – we will open a credit union account with £10 for each 11 year old starting secondary school in September.
- **Every Child a Coder** – we will facilitate coding clubs for primary school children, run by college students, to give our young people the skills they need for the twenty first century economy.
- **Get Connected** – we will rollout free WiFi across each of our town centres
- **Silver Surfers** – we will combat digital exclusion by offering a range of computer skills workshops and classes for those who want to get connected but lack the skills to do so.
- **Healthy Lives** – we will launch a health and wellbeing website for Tameside. Bringing together all of the information people need to lead healthier and happier lives.
- **Mind Your Health** – we will sign the mental health 'time to change' pledge and support national events promoting good mental wellbeing.
- **Dementia Friendly Tameside** – we will increase the number of dementia friends and dementia champions to make Tameside a dementia friendly Borough.
- **Do more Together** – we will lay on over 40,000 free family activities to support more people to be more active, more often.

RESOLVED

That the Tameside Pledges 2016 be adopted as Tameside Council policy and support be given to the communication and deliver of the Tameside Pledges 2016.

48. TAMESIDE BUSINESS SURVEY 2015

Consideration was given to a report of the Executive Member (Healthy and Working)/Assistant Executive Director (Development and Investment) which presented the findings of the Tameside Business Survey 2015 and supporting proposed actions.

It was explained that the survey had asked businesses to share their views on several key themes for which the Council would develop actions to support findings. The key themes could be grouped in the following way:

- Tameside as a place to do business
- Business growth support
- Skills and recruitment
- Corporate social responsibility

Members were informed that a focused and concise action plan would be developed, to include, but not limited to those actions and activities outlined above.

RESOLVED

- (i) That the findings from the review set out in the report and detailed in Appendix A – Full Survey Report and Appendix B – Survey Findings Action Plan Overview be noted;**
- (ii) That the proposed areas for action be supported;**
- (iii) That it be noted that this will be reviewed annually.**

49. PLAYING PITCH STRATEGY

Consideration was given to a report of the Deputy Executive Leader/Assistant Executive Director (Development and Investment) which informed Members of the completion of a Playing Pitch Strategy for Tameside comprising of two reports, an Assessment Report and a Strategy and Action Plan Report. The report outlined recommendations; key points raised by the evidence; sought the noting and adoption of the assessment work undertaken and the strategy and action plan developed.

It was explained that the Strategy recommended that the Council and its partners should adopt three broad strategic aims as a way of effectively addressing the key issues emerging from the Assessment Report, which reflected Sport England's aims and objectives for sport. The strategic aims were

1. To protect the existing supply of sports facilities where it was needed for meeting current or future needs.
2. To enhance outdoor sports facilities through working in partnership with others to improve the quality and management of sites.
3. To enable and support the provision of new outdoor sports facilities where there was current or future demand to do so.

A detailed action plan was included within the Playing Pitch Strategy which demonstrated how through a range of interventions and supportive measures Tameside could best deliver in conjunction with its partners on the recommendations.

RESOLVED

That the Playing Pitch Strategy appended to the report, encompassing the Assessment Report and Strategy and Action Plan Report, be approved.

50. PROPOSED CHANGES TO TERMS AND CONDITIONS

Consideration was given to a report of the Deputy Executive Leader and the Executive Director (Governance and Resources) which outlined the response to the consultation process undertaken with the workforce on a number of proposals to change Terms and Conditions of Service. The report outlined the recommendations for implementation of changes to the Terms and Conditions of Service to both Council and School Based support staff and the process by which to achieve these changes and to enable a reduction in workforce costs from 2016/17 onwards.

The report set out the context within which terms and conditions were being considered and the need to reduce workforce costs further. The proposals that had been consulted on were:

Option Number	Option Category	Option Detail
1	Living Wage	Pay the Living Wage Foundation rate of £8.25 for employees on Grade A and B
2	Sickness	No pay for the first 3 days of any sickness absence
3	Sickness	Reducing sick pay at 75% of your contractual sick pay
4	Sickness	Reducing Occupational Sick Pay to a maximum 3 months full pay and 3 months half pay from a maximum 6 months full pay and 6 months half pay
5	Overtime	Paying plain time rate paid for all hours overtime (no enhancements) at increased rate of 1/36 th
6	Enhanced Rates	Removal of weekend working 15% enhancement
7	Enhanced Rates	Removal of night time 1/3 rd enhancement
8	Bank Holidays	Bank holidays to be paid at double time with no additional time off in lieu
9	Christmas Closure Scheme/Leave	No Christmas enhancement for time worked over the Christmas closure period and removal of the extra paid holiday provided by the Council
10		Having 3 days mandatory unpaid leave of 3 days
11	Car Allowance	Reduction of car mileage rates for casual users to HMRC rates (max 45p mile) and removal of the car loan facility
12	Car Allowance	Removal of essential car user lump sum allowance and removal of the car loan facility
13	Pay Decrease	Reducing current pay by 1%
14	Pay Decrease	Reducing current pay by 2%
15	Pay Freeze	Freeze pay by not applying any National agreed pay increase for 1.4.2017 to 31.03.2019

The report set out in comprehensive detail the workforce and trade union consultation that had taken place together with an assessment of the feedback received and a detailed assessment of the impact of the proposals. In conclusion the report outlined how the proposals would be implemented if agreed.

Members considered the representations of the Trade Unions which they believed were well put and reasoned. The Executive Cabinet unanimously commented that this was one of the most difficult decisions they had to make but in the face of significant cuts and growing costs of care for vulnerable and fail adults and children in care, which would not be met in any way by the increase in council tax they felt they had no choice but to proceed on the basis set out in the report.

Nonetheless, they noted the significant work that had been undertaken by the Trade Unions with particular thanks to Unison and GMB whilst recognising that the Unions did not agree to the cut in terms and conditions in any circumstances, which meant that that a proposition had been developed so that employees did not see a reduction in basic take home pay. Owing to the input of these two unions the members felt that whilst unpalatable to cuts terms and conditions, a

solution had been reached, which whilst not achieving the whole £1million/year on year savings was the fairest in the circumstances. Additionally they agreed to the 2 year review put forward by Unison and GMB.

RESOLVED

- (i) That the comments and feedback provided through the employee consultation process by the Council's workforce, managers and headteachers be noted;**
- (ii) That the feedback and requests made by Trade Unions in relation to any implementation of consultation proposals be noted;**
- (iii) That it be noted that the implementation of the proposals must be applied to both Council and school support staff where the Council is the employer together with the Governing Body in order to meet Equality legislation and the employment legal framework that applies to community schools.**
- (iv) That Voluntary Aided/Academy schools be advised of the changes for consideration.**
- (v) That the current voluntary severance scheme be kept in place and continue with the scheme being based on exit payments capped to 2013 pay rates for a further 12 months subject to any further budget cuts which would mean that we would need to review.**
- (vi) That the agreed approach be implemented from 1 September 2016 or as soon thereafter as possible.**
- (vii) That the Living Wage Foundation rate of £8.25 for lowest paid workers be implemented across Council workforce by way of a supplement to the rate payable for the role from 1 September 2016. That a further review of full accreditation to the Living Wage Foundation be undertaken during 2017/18.**
- (viii) That it be agreed to continue to require those working on a term time only basis in schools to attend work for 194 days per academic year, which reflects the feedback provided by Headteachers regarding the actual days needed to ensure schools operate efficiently and staff are able to access essential and necessary professional development throughout the academic year.**
- (ix) That the current maternity leave schemes in place for groups of staff be reviewed to ensure fair and equal access to a single local scheme.**
- (x) That a review of the Councils flexible working scheme, including annual purchase of leave scheme be undertaken and ensure that this is widely promoted and accessible for all eligible employees.**
- (xi) That a review be undertaken of historic working arrangements and support services to find suitable alternative working arrangements to ensure effective service delivery and fair and equal access for all, including the creation of additional apprenticeship opportunities.**
- (xii) That it be agreed that the payment of contractual/conditioned overtime for waste collection drivers and statutory registrars continue to be on the basis of time and a half with a view that reviews of working arrangements should remove the need for contractual overtime within the workforce.**
- (xiii) That a review of the current agency worker assignments and associated costs be agreed to ensure that we continue to access the most cost effective and appropriate flexible workforce.**
- (xiv) That the implementation timeline and plans be agreed as outlined within the report and a communication strategy to enable any further feedback before implementation.**
- (xv) That a two year review be undertaken.**

51. EDUCATION CAPITAL PROGRAMME

Consideration was given to a report of the Executive Member (Lifelong Learning)/Assistant Executive Director (Development and Investment) which presented proposals for the Council's Education Capital Programme for 2016/17 for approval in line with Council priorities.

It was explained that the Council's powers to provide and maintain educational facilities was set out in the Education Act 1996. The Council also had a statutory duty, under Section 14 of the Education Act 1996, to secure sufficient and suitable places for pupils in its area in primary and secondary schools across the borough.

It was stated that the Education Capital Programme 2016/17 proposed in the report would contribute to improving educational outcomes in Tameside by improving the condition, suitability and efficiency of the Council's education assets. The proposals would mean an education capital programme for 2016/2017 as set out in Section 4.1 (table 6) of the report.

RESOLVED:

- (i) That the 2016-17 capital funding allocations of £8.243m, as follows be noted:

	£m
Basic Need funding	5.946
School Condition Allocation	1.824
Devolved Formula Cap	0.473
Total	8.243

- (ii) That the pre-approved and funded existing capital programme schemes totalling £4.055m be noted. These pre-approved schemes are partly funded by grants being carried forward from 2015/16 of £2.004m which is an additional resource to the 2016/17 grants listed above;

- (iii) That with regard to the Basic Need Grant for 2016/2017:;

- a. the pre-allocation of £2.051m be noted;
- b. the allocation of £0.982m, as set out at para 2.1 and 2.2 and in Appendix A be approved;
- c. that it be noted that £2.913m of Basic Need grant for 2016/17 remains to be allocated.

- (iv) That with regard to School Condition and Capital Maintenance grants totalling £2.042m:

- a. the new 2016/17 school condition grant £1.824m be noted,
- b. the brought forward maintenance grant from 2015/16 of £0.161m (see para 2.2) be noted,
- c. the addition of £0.057m, arising from reducing the funding previously allocated to 3 projects by £0.057m be noted.

- (v) That the allocation of this £2.042m funding to support the School Condition schemes in 2016/17 as set out in Section 3 and Appendix B of the report be noted.

52. ACTIVE TAMESIDE

Councillor Taylor left the room during consideration of this item and took no part in the voting/decision thereof.

Consideration was given to a report of the Executive Member (Healthy and Working)/Director of Public Health, which stated that following previous reports to Executive Cabinet on 4 February 2015 and 16 December 2015 it had been agreed that a series of proposals relating to the Tameside Leisure Estate would be made subject to Public Consultation.

Members were informed that the consultation had run from 17 December 2015 until 11 February 2016.

The report set out proposals to ensure the provision of high quality sports and leisure facilities in Tameside, create a platform upon which to reduce Physical Inactivity, and develop a sustainable funding model in relation to Active Tameside.

The report detailed specific proposals in relation to:

- Changes to the existing Tameside Leisure Estate, including a programme of Capital Investment;
- Increasing commercially profitable activity;
- Growth in inward investment;
- Maintenance and Repairs.

It was explained that the proposals identified in the report, if accepted in full by Executive Cabinet, would enable the Council Revenue Investment in Active Tameside to be reduced from £1.865 million in 2015/16 to £0.715 million by 2019/20 (a reduction of £1.150 million or 62%), and to £0.441 million by the end of the contract in 2023/24 (a reduction of £1.424 million or 76%).

The total proposed capital investment required by the recommended proposals was £20.400million. This potentially included capital investment of £2.850 million required by Active Tameside, and which would be wholly repaid to the Council. The Council investment would be £17.550 million.

The total long term estimated cumulative savings associated with this proposed programme would be a minimum of £15.333 million.

It should be noted however that the estimated total cumulative savings would reduce to £5.333 million if the requirement to deliver annual recurrent Council savings of £0.350 million and the additional annual repair and maintenance sum of £0.050 million are included within the longer term calculation.

RESOLVED

- (i) That a programme of capital investment as per Table 3 (paragraph 14.12) be agreed;**
- (ii) That the current Active Denton facility be replaced with a new Active Denton facility, as detailed in paragraph 8.5 and preferably at the location set out in Appendix 3;**
- (iii) That the current Active Ashton site be kept open, with a view to either a refurbishment or replacement upon completion of the proposed developments at Denton, Dukinfield, Hyde and Longdendale, as detailed in paragraph 8.6 of the report.**
- (iv) That the existing Active Dukinfield site be redeveloped as a gym and fitness facility as detailed in paragraph 8.7 of the report;**
- (v) That a conventional swimming pool facility be added at the current Active Hyde site, as detailed in paragraph 8.8 of the report;**
- (vi) That support in principle be given for Active Tameside to develop an Active Play Centre at the existing Active Longdendale site during 2016/17 via the use of the Council's borrowing facility. The borrowing will be wholly repaid to the Council by Active Tameside as detailed in paragraphs 12.5 and 12.6 of the report.**
- (vii) That support in principle be given for Active Tameside to develop a commercial venture at the new Wellness Centre in Denton via the use of the Council's borrowing facility. The borrowing will be wholly repaid to the Council by Active Tameside as detailed in paragraphs 12.7 and 12.8.**
- (viii) That support in principle be given for Active Tameside to finance the fit out and equipment costs of the redeveloped Active Dukinfield site via the use of the Council's borrowing facility. The borrowing will be wholly repaid to the Council by Active Tameside as detailed in paragraph 8.7.**
- (ix) That the use of existing Public Health reserves in 2016/17 to offset the deficit between the previous proposed recurrent budget savings reduction of £0.350million 2016/17 and the new proposed budget reduction of £0.176 million for 2016/17 as set out in Table 1 (paragraph 14.2) and Table 2 (paragraph 14.4) be approved. If the officer proposals are accepted, the sum that would be required from the reserve is £0.174 million in the 2016/17 financial year. The sum thereafter to be financed from the savings realised from the reduction to the existing management fee as detailed in Table 1 paragraph 14.2.**
- (x) That it be agreed to award a long term funding agreement to Active Tameside that is commensurate with the remaining lease, with indicative values, subject to Executive**

Cabinet acceptance of these proposals, as set out in Table 1 (paragraph 14.2), and subject to annual agreement as part of the core Council budget-setting process. This funding agreement should take the form of a continuation of the existing Management Fee arrangements for 2016/17, to be replaced with an Outcome Based performance arrangement from 2017/18.

- (xi) That proposals to increase the annual Council revenue budget for maintenance and repairs by £0.050 million on a recurrent basis from 2016/17 (to a total of £0.100 million) as detailed in paragraph 13.10.2 be agreed. The additional £0.050 million to be financed via the use of existing Public Health reserves in 2016/17. The sum thereafter to be financed from the additional savings realised from the reduction to the existing management fee as detailed in Table 1 paragraph 14.2.
- (xii) That approval be given to the carry forward of any residual balance within the 2015/16 capital programme approved sum (£0.150 million) which relates to the replacement boiler scheme at the Active Copley site.
- (xiii) That a new programme of repairs and maintenance totalling £0.576 million, be agreed as per paragraph 13.10.1.

53. URGENT ITEMS

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

CHAIR

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TAMESIDE AND GLOSSOP CARE TOGETHER SINGLE COMMISSIONING BOARD

20 April 2016

Commenced: 3.00 pm

Terminated: 4.30 pm

PRESENT: Alan Dow (Chair) – Tameside and Glossop CCG
Richard Bircher – Tameside and Glossop CCG
Christina Greenough – Tameside and Glossop CCG
Graham Curtis – Tameside and Glossop CCG
Councillor Brenda Warrington – Tameside MBC
Councillor Peter Robinson – Tameside MBC
Steven Pleasant – Tameside MBC
Steve Allinson – Tameside and Glossop CCG

IN ATTENDANCE: Sandra Stewart – Tameside MBC
Angela Hardman – Tameside MBC
Stephanie Butterworth – Tameside MBC
Kathy Roe – Tameside and Glossop CCG
Michelle Rothwell – Tameside and Glossop CCG

APOLOGIES: Councillor G Cooney – Tameside MBC

1. WELCOME AND CHAIR'S OPENING REMARKS

In opening the meeting, the Chair welcomed Board Members to the Tameside and Glossop Care Together Single Commissioning Board and in doing so made reference to a number of landmark / reference papers to be discussed. He stated that there was an inevitable period of 'work in progress' as a product of old systems passing into the new, for example the report on the Public Health Grant.

Just as the Joint Commissioning function was now live after a shadow year, so was the Devolution arrangement for Greater Manchester and the Tameside Hospital Foundation Trust entered its shadow year to become an Integrated Care Foundation Trust. There remained a huge financial challenge to address a deficit £69m by 2020/21 and in addition a quality challenge involving monitoring, assuring and improving a system wide quality going forward. The update report on the assurance framework going forward demonstrated that progress was being made.

In addition, the Chair stated there was a strategic challenge in moving the balance of the locality's interventions and resources, upstream into preventive and proactive care and made reference to the new five year Commissioning Strategy and its four key priorities; tackling the wider determinants of health, healthy lifestyles, best care of long term conditions and supporting positive mental health.

2. DECLARATIONS OF INTEREST

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

3. TERMS OF REFERENCE / GOVERNANCE OF THE SINGLE COMMISSION

The Executive Director (Governance and Resources) presented a report explaining the governance and accountability framework to support the development and implementation of an integrated health and care system in Tameside. It also set out the Terms of Reference and

detailed the proposed arrangements to support the Single Commissioning Board including a Professional Reference Group ensuring that at the heart of decisions there was a strong clinical voice.

She stated that the proposals had been set within the framework of the Memorandum of Understanding and the governance and accountability arrangements agreed at Greater Manchester level where responsibility for the Greater Manchester Strategic Plan and Greater Manchester wide commissioning arrangements resided. Additionally, they must take account of and interface with the governance arrangements of individual partner organisations.

The interim arrangements for the Single Commissioning Board started in January 2016 and this included the formation of the Interim Single Commissioning Board. On 1 April 2016, this became the Single Commissioning Board operating on the basis of the Terms of Reference as set out in **Appendix 1** to the report. The governance arrangements were intended to provide a safe foundation from which decisions would be made to deliver improved services to the people of Tameside and Glossop.

Following discussion and in acknowledging that the framework for the Single Commissioning Board had been agreed at Greater Manchester level, it was felt that an early review of the Terms of Reference would be undertaken in 3 months to ensure that they best supported the Board's decision-making processes.

Consideration was also given to the draft Terms of Reference for the Professional Reference Group set out in **Appendix 2** to the report and it was proposed that membership be amended to reflect that there would be no distinction between Members and Attendees of the Group. Again, the Terms of Reference would be reviewed in 3 months time to enable further shaping / refining.

RESOLVED

- (i) That the governance arrangements including the Terms of Reference set out as Appendix 1 of the Single Commissioning Board approved by both statutory organisations and the progress being made to support effective commissioning decision-making by the Single Commissioning Board be noted.**
- (ii) That the intention to keep the Governance arrangements of the Single Commissioning Board under review to ensure fit for purpose be noted and that an early review be undertaken in 3 months.**
- (iii) That the arrangements for a Single Commissioning Board working group to be known as the Professional Reference Group be noted and the Terms of Reference agreed as set out at Appendix 2 subject to the membership being amended and a review taking place in 3 months time to enable further shaping / refining.**
- (iv) That each of the parties to the Single Commissioning Board formally receive the minutes of the Single Commissioning Board.**

4. FINANCIAL FRAMEWORK AND CURRENT POSITION

The Chief Finance Officer to the Single Commissioning Board, Tameside and Glossop CCG, presented a report setting out the key principles required to establish the joint (single) fund from 1 April 2016 between the Council and the CCG to be managed by the Tameside and Glossop Care Together Single Commissioning Board. The report was approved by the Tameside and Glossop CCG Governing Body on the 23 March 2016 and the Tameside MBC Executive Cabinet on 24 March 2016.

Considerable due diligence had been undertaken to ensure risks were mitigated and lessons observed from other organisations operating pooled funding arrangements. Both organisations had worked closely with the Greater Manchester Integrated Care Programme Office, Monitor and the DH Better Care Fund Task Force to identify the most appropriate way of doing this

acknowledging the current limitations of powers under Section 75 of the National Health Services Act 2006.

She stated that the report set out the financial framework that the Tameside and Glossop Single Commissioning Board would be required to manage all resources within the Integrated Commissioning Fund (ICF) and comply with both organisations statutory functions from the single fund. It was proposed that the pooled fund was hosted within the accounts of the Council on behalf of the Single Commissioning Board.

The Chief Finance Officer explained that **Appendix 1** to the report provided details of the 2016/17 budget allocations for inclusion in the ICF categorised into 3 distinct sections:

- Section 75 Services;
- Aligned Services; and
- In Collaboration Services.

Details of services that could be included in a Section 75 was set out in **Appendix 2**. It also provided information on those services which could not be included as determined within the existing legislation. It was noted that the ICF would be bound by the terms within the existing Section 75 agreement and associated Financial Framework agreement set out in **Appendix 3** of the report.

In conclusion, she made reference to significant progress on joint commissioning arrangements that had already been made and detailed in the report. During April 2016 the first step towards the new commissioning system would be completed. The key milestone of implementing the ICF should not be underestimated and in acknowledging that the work had been complex, it would support the future decision-making of the Single Commissioning Board. It was intended that the Single Commissioning Board would receive regular monitoring reports at future meetings.

RESOLVED

- (i) That the inclusion of the 2016/17 Tameside MBC and Tameside and Glossop CCG budgets as stated in Appendix 1 within the existing Section 75 joint finance pooled arrangement and within an aligned partnership agreement be noted.
- (ii) That the decisions taken by the Tameside and Glossop Care Together Single Commissioning Board (joint committee) relating to the Integrated Commissioning Fund binding on the Council and the CCG be acknowledged.
- (iii) To note the principal that during 2016/17 each organisation would be responsible for the management of their own deficit arising within the level of resources they contributed to the Integrated Commissioning Fund as stated in Appendix 1.
- (iv) That it be noted that Tameside Council would continue to be the host organisation for the existing Section 75 pooled fund agreement.
- (v) To note that the terms of the financial framework provided within Appendix 3 to support the Integrated Commissioning Fund had been approved by both the Council and CCG.
- (vi) To note that the level of resources within Appendix 1 be reviewed during 2016/17 and updated accordingly in recognition of national funding decisions of the Government and associated agencies together with funding decisions taken by the Council and CCG.
- (vii) That the inclusion of Greater Manchester Transformation Funding within the Integrated Commissioning Fund, subject to award confirmation, be noted.
- (viii) To note the intention to commence joint financial reporting and stringent monitoring in shadow form on the Integrated Commissioning Fund stated in Appendix 1 to the Tameside and Glossop Care Together Single Commissioning Board from 1 April 2016 on a monthly basis or as appropriate within the 2016/17 reporting governance schedule for this Board.

5. IMPACT OF CUTS TO PUBLIC HEALTH GRANT

The Director of Public Health introduced a report which explained that on 4 November 2015, the Department of Health confirmed that it would reduce its spending on public health grants to local authorities by £200m this financial year, 2015-16. This 6.2% in year cut in public health grant for Tameside amounted to £942,928.

In the November 2015 Spending Review, additional cuts in the Public Health grant were announced, which would be an average real terms cut of 3.9% each year to 2020-21. This translated into a further cash reduction of 9.6% in addition to the £200m of savings announced early in the year. For Tameside Council this would mean a confirmed reduction of £363,180 for 2016-17 and another reduction of £387,000 in 2017-18 having a very significant impact on the commissioned Public Health services.

The Director of public Health made reference to the approach being taken to respond to the 2015-16 in year Public Health grant cut, and the reduction in grant funding that would continue to 2020-21. It was noted that 85% of the Public Health grant was commissioned through contracts and confirmation of these reductions would present enormous challenge to reduce, decommission or renegotiate contracts for April 2016/17. A prioritisation framework had been implemented and a review of the total budget available for 2015/16 had been undertaken. A set of proposals against current Public Health expenditure had been developed and a summary was detailed in the report relating to the following areas:

- Starting and Developing Well Programme – total saving £197,000;
- Living and Working Well Programme – total saving £441,000;
- Ageing Well Programme – total saving of £25,000;
- Reducing staff costs and IT consumables – total saving of £36,000;
- Review of all contracts commenced – target saving of £164,928; and
- Public Health staffing redesign – identified part year saving of £79,000.

A letter from the Director of Public Health was sent to all providers in November 2015 informing them of the proposed cuts to the Public Health budget and one to one meetings had taken place throughout November / December to start the process of consultation and possible renegotiation of contracts. In addition, Public Health commissioning leads had met with all providers to look at possible funding scenarios of reductions on current contracts.

Members of the Single Commissioning Board heard that a public consultation on the Council's Big Conversation Website had taken place over a four week period commencing 4 December 2015 to 4 January 2016 where the proposals for the 2015/16 reductions were described and the public invited to comment. The structure of the consultation and responses were detailed in **Appendix 2** of the report.

In considering the proposals in the report, the Board expressed their deep concern and disappointment regarding the cuts to Public Health budgets and the detrimental impact these would have on many prevention and early intervention services. The Council had a statutory duty to provide mandatory functions such as tackling alcohol and drug misuse, smoking and obesity as well as generally promoting a healthier lifestyle. Investing in prevention ultimately saved money in other areas by reducing the demand for hospital, health and social care services. The Board also noted that the grant from 1 April 2016 would be included within the single commissioning pooled fund and would therefore be aligned and considered alongside the outcomes of the single commissioning strategy.

The Director of Public Health further advised that she intended to meeting with the Director of Public Health for Derbyshire CC to understand the impact of the cuts to the public health grant in Derbyshire, discuss system priorities going forward and how prevention programmes would be secured for residents.

RESOLVED

That the approach being adopted in the report and response to the funding situation described be noted.

6. CARE TOGETHER COMMISSIONING STRATEGY

Consideration was given to a report of the Programme Director of the Care Together Programme Board which stated that Care Together Commissioning for Reform Strategy 2016-20, appended to the report, which was based upon discussions with key members of staff from the Single Commission and Tameside Hospital Foundation Trust, Councillors and GPs, two staff workshops and a review of existing plans and strategies.

It suggested an initial focus on four key commissioning priorities. These had been identified as the areas which could have the biggest impact on improving health and wellbeing whilst reducing long term costs. Further work was required in order to develop an appropriate outcomes framework to underpin the commissioning priorities and to inform the development of an outcome based provider contract.

The report also considered the role of the Single Commission in supporting the development of the Integrated Care Organisation and the new model of care and the organisational development of the Single Commission.

Reference was also made to the key actions over the coming months set out in the Strategy and the development of the communications and engagement plan providing an early opportunity to communicate with regard to the high level ambitions and intentions. The next stage also involved an Equality Impact Assessment being undertaken to inform which stakeholders and patient groups might be affected, in order that the Strategy could be shared, initially for information and comment.

RESOLVED

That the Commissioning Strategy and the key next steps be approved and progressed subject to an Equality Impact Assessment and an appropriate communication and engagement plan being developed.

7. UPDATE ON 2016/17 COMMISSIONING CONTRACTS

The Director of Transformation presented a short update report setting out the work undertaken to produce a single database of contracts in the scope of the Single Commissioning Board. There was some outstanding information regarding a small number of CCG 2016/17 contract values, which would be updated in the next few days and Public Health 2016/17 contract values would not be finalised until end April to account for the full impact of the increase in the national living wage. There would be ongoing housekeeping and administrative work to keep the database live and accurate. For each contract it had been established:

- Name and type of provider, e.g. Acute, Any Qualified Provider, Locally Commissioned Service, Patient Ambulance Service, Local Authority, CHC, Community, Mental Health, Out of Area Treatments, Hospice;
- Whether the Local Authority and / or CCG was lead, co-ordinating, co or associate commissioner and contract holder;
- Type of contract and payment type;
- Value, length of contract, start, end dates and notice period; and
- Responsible contract and commissioning leads and monitoring process.

Further analysis would shortly commence to look at reviewing the contracts to understand for example:

- Where both Tameside MBC and the CCG commission and contract from the same provider;
- Where contacts' notice periods were due within the next 6-12 months;
- Opportunities for more outcome based / focused contracting arrangements; and
- Opportunities for efficiencies / recommissioning / decommissioning.

In addition, consideration would be given as to how the single database could be interrogated to provide easy, comprehensive summaries of contractual information for the commissioning team to use and which would give the Single Commissioning Board the assurances it required that contracts were being managed and getting best value for the residents of Tameside and Glossop. A forward plan would be produced providing details of contracts that were due to expire to assist in the future planning of the commissioning strategy.

The Board welcomed the update on commissioning contracts as it was a very positive move for the Single Commission to know how, where and on what its budget was being spent.

RESOLVED

- (i) **That progress in developing one contracts database for the Single Commissioning function and the opportunities this would bring the locality to better manage and co-ordinate services and where appropriate make contracting efficiencies be noted.**
- (ii) **That a contracts forward plan would be developed for consideration at the next meeting of the Single Commissioning Board.**

8. UPDATE ON ASSURANCE FRAMEWORK GOING FORWARD AND UPDATE ON CCG 2015/16 ASSURANCE POSITION

Consideration was given to a report of the Director of Public Health advising on the proposed GM system-wide improvement and recovery approach to the health and social care system delivery challenges, which recognised that the future of assurance on delivery would be delivered at the place level through the newly connected system and recommending that a similar local approach be adopted. The aim would be to establish a system which owned the process of assurance and performance improvement, place based and driven by the locality determined and owned priorities.

The Locality Plans, as the foundation of the GM 5 year Health and Social Care Strategic Plan – Taking Charge, articulated a strategic direction of travel to align and integrate commissioning and new provision through a range of new models of care. This new model would be connected in new ways and the current organisational focus of national assurance and regulatory processes, and local scrutiny functions might need to be reviewed in this context.

The report also provided an update on CCG assurance and performance, based on the latest published data. The January position was detailed for elective care and a March 'snap shot' in time for urgent care to provide continuing reassurance whilst a new fit for purpose approach was co-designed and consulted upon.

Additionally, attached to the report was a CCG NHS Constitution scorecard, showing CCG performance across indicators. The CCG had been Assured as Good in four of the five components in the assurance framework with Performance being the only one with Limited assurance.

In Particular, Board members were asked the note the following:

- Performance issues remained around waiting times in diagnostics and the A&E Performance;
- The number of patients still waiting for planned treatment 18 weeks and over continued to decrease and the risk to delivery of the incomplete standard and zero 52 week waits was being reduced;

- Cancer standards were achieved in January 2016;
- Endoscopy was still the key challenge in diagnostics particularly at Central Manchester;
- A&E standards were failed at Tameside Hospital Foundation Trust (THFT) and were amongst the lowest in GM.
- Attendances and non-elective admissions at THFT (including admissions via A&E) had increased on 2014 since August;
- The number of Delayed Transfers of Care recorded remained higher than planned.
- Ambulance response times were not met at a local or at North West level.

A discussion took place regarding minimising avoidable attendance at A&E and the challenge of developing intelligence and early intervention to prevent emergency or unplanned hospital admissions.

RESOLVED

- (i) That the approach described for a GM wide assurance process be noted.**
- (ii) That the development of a locally based assurance model which aligned with the GM approach and also supporting the localities ambitions be agreed.**
- (iii) That the 2015/16 CCG statutory assurance position be noted.**
- (iv) That the Board identify areas to scrutinise further as a holistic system wide assurance system was developed.**

9. URGENT ITEMS

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

CHAIR

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ENFORCEMENT CO-ORDINATION PANEL

11 April 2016

Commenced: 9.00 am

Terminated: 10.15 am

Present: Councillor S Quinn (Chair)
Councillors Bowerman, D Lane, Middleton, Robinson, Sweeton and Taylor

In Attendance: Aileen Johnson Head of Legal Services
Alan Jackson Head of Environmental Services (Highways)
Sharon Smith Head of Environmental Services (Public Protection)
Jason Dugdale Development Manager (Planning, Development and Investment)
Kevin Garside Integrated Neighbourhood Services Manager

24. DECLARATIONS OF INTEREST

There were no declarations of interest submitted at this meeting.

25. MINUTES

The Minutes of the meeting held on 3 February 2016 were approved as a correct record.

Further to Minute 17 – Environmental Services Update – the Head of Environmental Services advised that arrangements had been made for a further training session for members of the Speakers Panel (Licensing) and Speakers Panel (Liquor Licensing) to take place after the forthcoming Local Elections in May.

26. ENFORCEMENT ACTIVITIES

(a) Neighbourhood Services

Consideration was given to a report of the Head of Stronger Communities, detailing enforcement activities carried out by Neighbourhood Services over the reported period of 3 October to 31 December 2015 which showed:

- An increase in reports of anti-social behaviour;
- A reduction in reports of dog fouling; and
- An increase in reports of littering.

New powers contained within the Anti-Social Behaviour Crime and Policing Act 2014 now grant the authority the power to issue a Community Protection Notice (CPN) warning letter to control behaviours that were persistent or continuing in nature and had a detrimental effect on the local community. During the reported period, 27 CPN warning letters were issued, of these 2 had been breached resulting in Community Protection Notices being served.

In respect of environmental anti-social behaviour, 1448 complaints had been received through the Symology system during quarter 3. A total of 43 fixed penalty notices had been issued for offences of littering and breaches of Dog Control Orders and further details were contained in the report.

Fly tipping amounted to 63% of the environmental anti-social complaints and was still a major concern for the local authority and residents. Of the 800 reports of fly tipping investigated, 476 were subject to follow-up action that included issuing fixed penalty notices, warning letters or statutory notices. Members of the Panel commented favourably on the work being undertaken by Clean and Safe Officers investigating, clearing and taking appropriate action against a minority who continued to illegally dump waste.

RESOLVED

That the content of the report be noted.

(b) Planning

The Panel received a report of the Assistant Executive Director (Development, Growth and Investment) advising that the interim figures for the fourth quarter of 2015/16 showing that 66 complaints were received alleging a breach of planning and building control, of which 51 were found to be proven as breaches. This represented a level of breach of 77.27% meaning that over three quarters of the complaints received required further investigation and possibly further action. The level of breach had increased significantly from the third quarter October to December 2015 which was at 47.3%.

During the January to March 2016 period, six formal notices had been issued, including three Enforcement Notices and three Planning Contravention Notices. The Enforcement Notices related to a residential property in Denton where the owner had erected a tree house structure in the rear garden area, a residential property in Hyde where the owner had erected a single storey rear extension and a residential property in Ashton-under-Lyne where the owner had erected a raised patio structure in the rear garden area. The Planning Contravention Notices related to a residential property in Denton where the owner had carried out significant building / engineering operations in the rear garden area, a property in Denton where the owner had covered over the yard area of a hot food takeaway premise and land in Denton where a pair of new semi-detached houses had not been built in accordance with approved plans.

Enforcement action had been taken with regard to an empty residential property in Dukinfield where the Council had received regular complaints from an adjoining resident and local Councillor regarding the overgrown condition of the front, side and rear garden areas of the property. Following several unsuccessful attempts to get the owner to voluntarily tidy up the garden, a Section 215 untidy land notice was issued and served on the owner requiring improvements to be made. The owner did not appeal the notice and also failed to comply with the notice requirements and therefore direct default action was taken to improve the condition of the property. Default works were carried out in March 2015 by contractors at a cost of £1,150 and this cost was now being recharged to the owner.

Reference was also made to **Appendix 1** containing details of the current enforcement activity and where formal notice had been served and cases recently concluded and responses were provided to queries raised relating to individual cases.

RESOLVED

That the report be noted.

(c) Environmental Enforcement

Consideration was given to a report of the Assistant Executive Director (Environmental Services) summarising the key enforcement activity undertaken by the Environmental Enforcement Team during the period 1 October to 31 December 2015.

Panel Members were advised that the prosecution against a travel agent specialising in arranging Hajj and Umrah pilgrimages had now progressed to Crown Court. Between 2013 and 2014 the business was unable to obtain Visas for travel and many pilgrims lost all their money which had been paid to the company estimated at £500,000.

A waste transfer station operation based in Droylsden had been prosecuted by the Environment Agency for breaching several conditions of their permit to operate. As the site was owned by the Council, consideration was being given to terminating the lease agreement on the grounds that failing to comply with relevant environmental legislation was a condition of tenancy.

Following concerns regarding the operations of a waste disposal company based in Dukinfield, inspections by the Environment Agency had identified non-compliance and the operators permit had been suspended due to the risk of serious pollution. Members of the Panel were therefore concerned to note that an owner was now operating from another site in the area and it would be important to ensure the site was operated in accordance with the approved planning conditions for that site.

In addition, the following matters were also highlighted and discussed:

- Summary of Improvement and Prohibition Notices served;
- Voluntary closure of a takeaway and food complaint investigated;
- Investigation of a case of infectious disease (Escherichia Coli);
- Inspection of unsafe hoverboards;
- Smoke abatement notice served on a company for smoke nuisance;
- Emergency Prohibition Notice served on a private rented property;
- Details of two premises licence applications heard by Speakers Panel (Liquor Licensing) and granted;
- Details of taxi driver refusal / revocations.

Councillor Sweeton made reference to discussions at the Stalybridge Town Team regarding the litter in the town centre particularly public houses and takeaway premises including discarded cigarettes and food waste / packaging. The Head of Environmental Services agreed to ascertain if there was an opportunity to tackle this issue through conditions on a premises licence.

RESOLVED

- (i) That the content of the update report be noted.**
- (ii) That the Head of Environmental Services to ascertain if it would be possible to tackle littering in town centres with conditions on a premises licence.**

(d) Engineering Services

The Environmental Services Manager (Highways) submitted a report detailing information on enforcement activities relating to abandoned vehicles, skips, scaffolding, pay and display car parking / on-street parking, bus lane enforcement, banner permits and private drainage and utility works.

Since the abolishment of a tax disc needing to be displayed in vehicles in October 2014, the number of reports of abandoned vehicles had been on the increase. Following enquiries made, most of the vehicles were just untaxed which were subsequently reported to the DVLA. It was intended to update the Council's web page with additional information to assist members of the public in reporting these direct to the DVLA.

During the reported period, 19 banner permits had been issued and 9 illegal banners had been removed.

In relation to bus lane enforcement, the camera located on New Beech Street, Hyde, was made live in December and there was a large number of drivers initially driving through the bus lane. Numbers had now reduced and this would be reflected in the statistics for the next quarter. In February 2016, the camera on Wellington Road, Ashton-under-Lyne, was disabled due to the road being closed for the demolition of the former Council Offices. There were no plans to reactivate the camera in the future as it was intended that the area would be pedestrianised.

RESOLVED

That the update report be noted.

27. WASTE POLICY AND ENFORCEMENT STRATEGY

The Assistant Executive Director (Environmental Services) submitted an update report on the implementation of the Council's new Waste Policy and Enforcement Strategy.

Complaints were being analysed, a central recording system identified and the current Symology system was being updated and developed in order for this to be achieved. In addition, a set of service standards and work instructions was being developed to ensure complaints were effectively triaged and dealt with by the most appropriate person / method.

Training would be provided on the procedures to be followed to all staff dealing with complaints including NSL staff and operations staff where applicable. Staff would not be serving fixed penalty notices until such time as they were deemed competent and had been properly authorised by the Council.

A series of days of action had been identified to be carried out throughout 2016 involving staff from a number of different service areas and partners to address a wide range of issues. The days of action would be in addition to the routine ongoing enforcement activity taking place on a daily basis. The key issues to be covered during the days of action and calendar were detailed in Appendix 1 of the report.

The Chair requested that elected members be notified of the days of action should they wish to be involved in those taking place in their Ward.

RESOLVED

- (i) That the content of the update report be noted.**
- (ii) That elected members be notified of the days of action should they wish to be involved in those taking place in their ward.**
- (iii) That further reports be submitted to the Enforcement Co-ordination Panel providing regular updates.**

28. OFFICE OF SURVEILLANCE COMMISSIONER'S INSPECTION AND REPORT

The Head of Legal Services presented a report explaining that the Council was required to undergo an inspection by the Office of Surveillance Commissioners every three years of its arrangements for use of its powers under the Regulation of Investigatory Powers Act 2000 (RIPA).

The latest inspection was on 9 November 2015 and the outcome was reported to the Council in an Inspection Report and letter dated 14 December 2015 attached as Appendix 1 to the report. The outcome was good and the Council had complied with the three specific recommendations made from the 2012 inspection and was commended as having a 'positive' attitude to the exercise of these important powers. The one recommendation set out in Appendix 1 was as follows:

'The Council Policy document should contain more practical advice for applicants and authorising officers and advice regarding the use of social networking sites and the internet by Council employees for Council business to fully explain how such use might meet the criteria for authorisation as a cover human intelligence source or as directed surveillance.'

The need for ongoing training on the practical application of RIPA was highlighted at paragraphs 7.2 and 9.2 of Appendix 1, although it was noted that the policy and guidance regime was of a good standard and appropriate. However, Members noted the covering letter from the Chief Surveillance Commissioner also highlighted particular observations in the Inspector's report in

relation to Social Networking Sites and the Internet, and commented that if they were not heeded, the Council could find it had acted unlawfully and that training should attend to these issues.

On 14 March 2016, key Council officers attended a joint RIPA training session with officers from Bury Council presented by a barrister from Lincoln Chambers in Manchester, where practical issues were also discussed, including the use of Social Networking Sites. The Council had therefore addressed, without delay, the comments of the Chief Surveillance Commissioner around specific training.

Members were advised that it had been made clear in the Covert and Property Interference Revised Code of Practice produced by the Home Office pursuant to Section 71 of RIPA that Members should not be involved in making decisions and specific authorisations. However, the Executive Director (Governance and Resources) might want to keep members informed of the processes followed under RIPA through the Enforcement Co-ordination Panel. In any event, Elected Members should review their authority's use of the RIPA and its policy at least once a year.

In conclusion, the Head of Legal Services stated that the Inspector's report provided a timely review of the Council's use of RIPA for Members to consider, together with the Council's Policy, which the Inspector was happy with, aside from the request for practical examples to be included within it, to assist officers which, had been addressed.

Members of the Panel discussed overt surveillance which included most of the surveillance carried out by the Council, where there was nothing secretive or hidden about it, for example signposted CCTV cameras, and covert surveillance which required authorisation under RIPA and would only be used in exceptional circumstances. It was noted that there had only been one authorisation granted over the past three years.

The Panel noted that the Council's Policy had been amended to take account of practical examples, including guidance on the use of social networking sites had been addressed and this was set out in Section J of the Council's Policy.

RESOLVED

- (i) That the Council Policy attached at Appendix 2 be agreed and endorsed.**
- (ii) That the Executive Director (Governance and Resources) continue to keep the policy under review and amend from time to time in accordance with guidance from the Office of Surveillance Commissioners.**
- (iii) That the Council's use of RIPA and the Council's Policy be reviewed on an annual basis in accordance with Section A, Paragraph 11, of the Policy attached at Appendix 2.**

29. URGENT ITEMS



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

30. DATE NEXT MEETING

It was noted that the next meeting of the Enforcement Co-ordination Panel would take place on Wednesday 27 July 2016 commencing at 10.30 am.

CHAIR

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Report To:	EXECUTIVE CABINET
Date:	29 June 2016
Executive Member/ Reporting Officer:	Councillor Kieran Quinn, Executive Leader Steven Pleasant, Chief Executive
Subject:	AGMA EXECUTIVE BOARD MEETINGS / GREATER MANCHESTER COMBINED AUTHORITY
Report Summary:	<p>To inform Members of the issues considered at the January and February meetings of the AGMA Executive Board and Greater Manchester Combined Authority meeting. Under the AGMA Constitution there are provisions to ensure that AGMA Executive deliberations and decisions are reported to the ten Greater Manchester Councils. In order to meet this requirement the minutes of AGMA Executive Board/Greater Manchester Combined Authority meetings are reported to Executive Cabinet on a regular basis. The minutes of the following meetings of the AGMA Executive Board and the Greater Manchester Combined Authority are appended for Members information:</p> <p>GM Combined Authority: 29 April and 27 May 2016 Joint Meeting of GM Combined Authority and AGMA Executive Board: 29 April and 27 May 2016</p> <p>Also appended to the report is a copy of the Greater Manchester Combined Authority and AGMA Executive Board Forward Plan of strategic decisions.</p>
Recommendations:	That Members note and comment on the appended minutes and forward plan.
Links to Community Strategy:	The Constitution and democratic framework provides an effective framework for implementing the Community Strategy.
Policy Implications:	In line with council policies.
Financial Implications: (Authorised by the Section 151 Officer)	There are no budgetary implications other than any specific references made in the AGMA Executive Board/Greater Manchester Combined Authority minutes.
Legal Implications: (Authorised by the Borough Solicitor)	Consideration of the AGMA Executive Board/Greater Manchester Combined Authority minutes helps meet the requirements of the AGMA Constitution and helps to keep Members informed on sub-regional issues and enables effective scrutiny. The matter relating to the airport is picked up as a separate report for consideration by members.
Risk Management:	There are no specific risks associated with consideration of the minutes.
Access to Information:	The background papers relating to this report can be inspected by contacting Robert Landon, Head of Democratic Services by:  phone: 0161 342 2146  e-mail: robert.landon@tameside.gov.uk

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**DECISIONS AGREED AT THE GREATER MANCHESTER COMBINED
AUTHORITY MEETING HELD ON FRIDAY 29 APRIL 2016
AT GREATER MANCHESTER POLICE HEADQUARTERS**

GM INTERIM MAYOR	Tony Lloyd (in the Chair)
BOLTON COUNCIL	Councillor Cliff Morris
BURY COUNCIL	Councillor Mike Connolly
MANCHESTER CC	Councillor Richard Leese
OLDHAM COUNCIL	Councillor Jean Stretton
ROCHDALE MBC	Councillor Richard Farnell
SALFORD CC	Councillor David Lancaster
STOCKPORT MBC	Councillor Sue Derbyshire
TAMESIDE MBC	Councillor Kieran Quinn
TRAFFORD COUNCIL	Councillor Sean Anstee
WIGAN COUNCIL	Councillor Peter Smith

JOINT BOARDS AND OTHER MEMBERS IN ATTENDANCE

GMFRA	Councillor David Acton
GMWDA	Councillor Nigel Murphy
TfGMC	Councillor Andrew Fender

OFFICERS IN ATTENDANCE

Steven Young	Bolton Council
Mike Owen	Bury Council
Howard Bernstein	Manchester CC
Carolyn Wilkins	Oldham Council
Steve Rumbelow	Rochdale MBC
Jim Taylor	Salford CC
Eamonn Boylan	Stockport MBC
Steven Pleasant	Tameside MBC
Jill Colbert	Trafford Council
Donna Hall	Wigan Council
Andrew Lightfoot	GM Director of Public Service Reform
Rachel Pykett	GM Public Service Reform
Mark Hughes	Manchester Growth Company
Simon Nokes	New Economy

Adam Allen	Office of the Police & Crime Commissioner
Clare Regan	Office of the GM Interim Mayor
Peter O'Reilly	GM Fire & Rescue Service
Ian Hopkins	GM Police
Jon Lamonte	TfGM
Liz Treacy	GMCA Monitoring Officer
Richard Paver	GMCA Treasurer
Julie Connor	Head of GMIST
Sylvia Welsh) Greater Manchester
Kerry Bond) Integrated Support Team
Ross MacRae	GMCA Media Lead

55/16 APOLOGIES

Apologies for absence were received on behalf of Mayor Ian Stewart (Salford), Margaret Asquith (Bolton), Theresa Grant (Trafford), John Bland (GMWDA), Councillor Cath Piddington (GMWDA).

56/16 CHAIR'S ANNOUNCEMENTS AND URGENT BUSINESS

The GM Interim Mayor made the following announcements:

- i. The funeral of Derek Bowden, former Leader of Bury Council, was to be held later in the day. The thanks of the GMCA be placed on record, for the contribution Derek made as a member of Association of Greater Manchester Authorities (AGMA) and the North West Regional Assembly (NWRA) during his time as Leader of Bury Council.
- ii. The thanks of the GMCA be placed on record for the contribution GM Police made to the Hillsborough inquest, stressing the importance of ensuring the lessons learned from the tragedy are recognised and strategies implemented to ensure such an incident can never be repeated

GM Police and Crime Commissioner's Ethics Committee has been tasked with examining the ethics of the situation with a view to developing a strategy to respond to such an incident to reassure the public that GM Police is prepared.

The GM Interim Mayor also asked that all the emergency services providers within Greater Manchester undertake a similar review with a view to developing a co-ordinated strategy across emergency service providers. He also emphasised the importance of people having confidence in the Whistle Blowing structures was also highlighted.

57/16 DECLARATIONS OF INTERESTS

Councillor Kieran Quinn declared a prejudicial interest, as Chair of the GM Pension Fund, in the Evergreen Loan Book Disposal reports to be considered at Items 15 and 20 on the agenda.

58/16 MINUTES OF THE GMCA MEETING HELD ON 18 MARCH 2016

The minutes of the GMCA meeting held on 18 March 2016 were submitted for consideration.

RESOLVED/-

To approve the minutes of the GMCA meeting held on 18 March 2016 as a correct record.

59/16 FORWARD PLAN OF STRATEGIC DECISIONS OF GMCA

Consideration was given to a report of Julie Connor, Head of the Greater Manchester Integrated Support Team, which set out the Forward Plan of those strategic decisions to be considered over the next four months.

RESOLVED/-

To note the Forward Plan of Strategic Decisions as set out in the report.

60/16 GREATER MANCHESTER DEVOLUTION: UPDATED INTEGRATED IMPLEMENTATION PLAN

Tony Lloyd, GM Interim Mayor, presented a refreshed version of the Implementation Plan, which reflects the latest agreement announced as part of the March 2016 Budget Settlement and the work underway to implement Greater Manchester's previous agreements.

The plan also brings together all the elements of the four agreements to date and highlights key milestones and tasks, timescales, requirements of Government and risks.

RESOLVED/-

To endorse the GM Devolution Integrated Implementation Plan.

61/16 CLIMATE CHANGE AND LOW EMISSIONS STRATEGIES IMPLEMENTATION PLAN 2016-20

Councillor Sue Derbyshire presented a report outlining how the responses received from the Climate Change and Low Emissions Strategies' Implementation Plan (2016-2020) consultation have been taken into account in the revised Plan and to seek final approval of the Plan.

The working relationship between the public and private sector is continuing with work underway to collate and measure information provided by the sector on the metrix.

Work will to continue to build on Greater Manchester's success to realise its ambitions and access funding streams. Greater Manchester does now need to focus on measures beyond 2020 and to identify resources going forward to ensure Greater Manchester remains a world leader in the area.

There are numerous examples of good practice across Greater Manchester which does need to be shared to ensure everyone has the ability and knowledge on how to contribute to reducing low carbon emissions. Addressing the gap does need to be recognised as a priority and embedded in working practices, including building standards.

RESOLVED/-

1. To agree the Draft Climate Change and Low Emissions Strategies' Whole Place Implementation Plan for Greater Manchester, detailed at Annex 1 of the report.
2. To note the consultation feed back and how it has been incorporated into the format and content of the revised draft, detailed at Annex 2 of the report.
3. To agree to delegate authority to Councillor Sue Derbyshire, Portfolio Leader for Planning, Housing and Environment and Steve Rumbelow, Portfolio Chief Executive for Low Carbon to final amendments arising from the GMCA, and to agree the final design of the plan prior to publication,

62/16 INDUSTRY REVIEW BY SHAW AND HENDY - CP5 KEY TFGM PROGRAMMES

Councillor Richard Leese presented a report detailing Sir Peter Hendy's review on the network rail enhancement delivery programme and the recommendations arising from the review undertaken by Nicola Shaw on the future shape and financing on Network Rail.

The meeting was reminded that there needed to be a balance between increasing capacity across the conurbation as a whole and retaining and developing a level of local services and connectivity to the lines.

The two new rail franchises will include the introduction of new rolling stock, providing bigger and better quality vehicles. The rolling stock for the Transpennine franchise will be sourced from the North East of England. Greater Manchester does have supply chain for railway manufacture and

maintenance providing growth opportunities for businesses in and around the Greater Manchester area.

RESOLVED/-

1. To note the content of the Hendy consultation response.
2. To note the summary of contents from the Shaw Report.

63/16 NORTHERN TRANSPORT STRATEGY SPRING 2016 REPORT

Councillor Richard Leese introduced a report updating members on the Northern Transport Strategy: Spring 2016 Report and to focus upon specific issues relating to Greater Manchester.

Member's attention was drawn to the National Infrastructure Commission report, which was positive on the whole in relation to short terms measures, however it could have been stronger in terms of longer term investment. The potential new road link from Manchester to Sheffield and a new rail link from Liverpool via Manchester Airport across the Pennines as part of High Speed 3 proposals, which will provide intercity and local rail services were highlighted.

Work has now been concluded on the Independent Economic Review, with a meeting of Leaders and LEP chairs held earlier in the week, where there was a broad consensus of support. The Independent Economic Review will be finalised and launched together with the Northern Powerhouse Economic narrative early in June.

RESOLVED/-

To note the content of the report.

64/16 DEFINING A RAIL PLAN IN 2016

Tony Lloyd introduced a report outlining the rationale for revising the ten year TfGM Rail Plan, detailing the consultation methods which will be used throughout the course of the study. He emphasised that the rail network does need to be adequate to service the communities of Greater Manchester.

It was suggested that the review should include a review of station patronage, to reflect the growth in Greater Manchester and the requirement for increased access to local services. Potential to consider the utilisation Stockport to Manchester Victoria freight line to access capacity was also highlighted.

The meeting was reminded that rail is only part of the transport solution and does need to be considered in the context of an integrated multi model transport network, requesting partners from across the transport sector to be invited to participate in the stakeholder consultation.

RESOLVED/-

1. To note the report and approve the proposed consultation methods and timescale.
2. To agree the review of station patronage and connectivity to local rail services be addressed on the new Rail Plan.
3. To agree that partners from across the transport sector be included in the key stakeholder consultation.

65/16 HIGHWAYS REFORM UPDATE

Tony Lloyd introduced a report providing an update on the progress and achievements to date following implementation of the collaborative working arrangement in April 2015 and the next phase of work.

RESOLVED/-

1. To note the progress and achievements on Highways Reform in 2015/16 and the on-going work in 2016/17.
2. To agree that a report on Asset Management be submitted to the GMCA in October 2016.

66/16 AREA BASED REVIEW

This item was withdrawn from the agenda, a report will be submitted to the GMCA meeting scheduled for 27 May 2016.

67/16 MANCHESTER GROWTH COMPANY BUSINESS PLAN

Councillor Richard Leese introduced a report presenting the Manchester Growth Company Business Plan for the 2016-17 financial year.

Good progress has been made since 2014 to bring together Economic Solutions and the Manchester 'family' of companies (Marketing Manchester, MIDAS and New Economy) under a single management, governance and accountability framework, to provide the GMCA and the Local Enterprise Partnership with clear oversight.

The full Manchester Growth Company Business Plan was included in the report to be considered in Part B (confidential) of the agenda, due to the inclusion of commercially sensitive information, and has been approved by the Manchester Growth Company Board with input from Local Authority Chief Executive portfolio leads and chief officers. Alongside the plan was an agreed performance reporting framework to allow oversight on core Manchester Growth Company deliverables.

RESOLVED/-

1. To note the report and priorities for 2016/17.
2. To note the information contained within the Part B (confidential) report.

68/16 GREATER MANCHESTER LAND & PROPERTY UPDATE

Councillor Sue Derbyshire introduced a report providing an update on the progress on the emerging strategic approach to land and property across the conurbation, following on from the Greater Manchester Land and Estates: Delivering 'One Public Estate' at Greater Manchester Level report submitted to GMCA in December 2015.

The meeting was assured that there will be political oversight of the work by ensuring the GMCA bid to Phase 4 of the One Public Estate is considered by the Planning and Housing Commission in advance of approval by the GMCA.

It was suggested and agreed to rename the proposed GM Land and Property vehicle as Panel rather than a Board.

Councillor Sue Derbyshire undertook to circulate the One Public Estate bid to all Leaders.

RESOLVED/-

1. To approve the establishment of a Greater Manchester Land and Property Panel as described at section 2 of the report, and that this Panel reports to the GMCA via the Planning and Housing Commission to allow dissemination of information to Greater Manchester Local Authorities.
2. To agree that officers work up a range of suitable proposals for inclusion in a single GMCA bid to Phase 4 of the One Public Estate Programme for consideration by the Planning and Housing Commission in advance of consideration by the GMCA.
3. To delegate authority to Eamonn Boylan, Lead Chief Executive for Planning and Housing, in consultation with Councillor Sue Derbyshire, Portfolio Leader for Planning and Housing, to finalise and submit the GMCA bid to Cabinet Office, following agreement with the Planning and Housing Commission, Leaders and Chief Executives.
4. To approve the establishment of a two year fixed term post, fully-funded from the Greater Manchester One Public Estate grant award, as set out in section 2 of the report.

69/16 EVERGREEN LOAN BOOK DISPOSAL

Eamonn Boylan introduced a report providing an update in relation to the continuity of the North West Evergreen Fund.

A further detailed report was circulated in Part B (confidential) of the agenda providing further details.

RESOLVED/-

1. To note the report and to endorse the approach being taken to ensure continuity of investment capacity throughout 2016.
2. To note the information contained within the Part B (confidential) report.

70/16 GREATER MANCHESTER INVESTMENT FRAMEWORK AND CONDITIONAL APPROVAL

Councillor Kieran Quinn introduced a report seeking approval for a loan to Access Systems UK Limited and Harworth Estates Investments Limited (Logistics North Phase 2). The loans will be made from recycled Region Growth Fund and Growing Places monies. The report also provided an update on the Smartlife project.

A further detailed report was circulated in Part B (confidential) of the agenda giving further details of the projects.

RESOLVED/-

1. To agree that the project funding applications by Access Systems UK Limited, (loan of £900,000) and Harworth Estates Investments Limited (loan of £3,000,000) be given conditional approval.
2. To delegate authority to Richard Paver, GMCA Treasurer and Liz Treacy, GMCA Monitoring Officer, to review the due diligence information and, subject to their satisfactory review and agreement of the due diligence information and the overall detailed commercial terms of the transactions, to sign off any outstanding conditions, issue final approvals and complete any necessary related documentation in respect of the loans at 1) above.
3. To agree the changes to the commercial terms of the Smartlife funding, as contained within the Part B (confidential) report.

71/16 GREATER MANCHESTER HOUSING INVESTMENT FUND

Councillor Sue Derbyshire introduced a report seeking approval of a Greater Manchester Housing Fund loan of £3,577,000.

A further detailed report was circulated in Part B (confidential) of the agenda providing further details of the loan.

RESOLVED/-

1. To approve the loan as detailed in this and the accompanying Part B (confidential) report.
2. To agree Manchester City Council be recommended to prepare and effect the necessary legal agreements in accordance with its approved internal processes.

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**DECISIONS AGREED AT JOINT GREATER MANCHESTER COMBINED
AUTHORITY AND AGMA EXECUTIVE BOARD MEETING
HELD ON FRIDAY 29 APRIL 2016
AT GREATER MANCHESTER POLICE HEADQUARTERS.**

GM INTERIM MAYOR	Tony Lloyd (in the Chair)
BOLTON COUNCIL	Councillor Cliff Morris
BURY COUNCIL	Councillor Mike Connolly
MANCHESTER CC	Councillor Richard Leese
OLDHAM COUNCIL	Councillor Jean Stretton
ROCHDALE MBC	Councillor Richard Farnell
SALFORD CC	Councillor David Lancaster
STOCKPORT MBC	Councillor Sue Derbyshire
TAMESIDE MBC TRAFFORD COUNCIL	Councillor Kieran Quinn Councillor Sean Anstee
WIGAN COUNCIL	Councillor Peter Smith

JOINT BOARDS AND OTHER MEMBERS IN ATTENDANCE

GMFRA	Councillor David Acton
GMWDA	Councillor Nigel Murphy
TfGMC	Councillor Andrew Fender

OFFICERS IN ATTENDANCE

Steven Young	Bolton Council
Mike Owen	Bury Council
Howard Bernstein	Manchester CC
Carolyn Wilkins	Oldham Council
Steve Rumbelow	Rochdale MBC
Jim Taylor	Salford CC
Eamonn Boylan	Stockport MBC
Steven Pleasant	Tameside MBC
Jill Colbert	Trafford Council
Donna Hall	Wigan Council
Andrew Lightfoot	GM Director of Public Service

Reform
Rachel Pykett
Mark Hughes
Simon Nokes
Adam Allen
Clare Regan
Peter O'Reilly
Ian Hopkins
Jon Lamonte
Liz Treacy
Richard Paver
Julie Connor
Sylvia Welsh
Kerry Bond
Ross MacRae

GM Public Service Reform
Manchester Growth Company
New Economy
Office of the Police & Crime Commissioner
Office of the GM Interim Mayor
GM Fire & Rescue Service
GM Police
TfGM
GMCA Monitoring Officer
GMCA Treasurer
Head of GMIST
) Greater Manchester
) Integrated Support Team
GMCA Media Lead

21/16 APOLOGIES

Apologies for absence were received on behalf of Mayor Ian Stewart (Salford), Margaret Asquith (Bolton), Theresa Grant (Trafford), John Bland (GMWDA), Councillor Cath Piddington (GMWDA)

22/16 CHAIRS ANNOUNCEMENTS AND URGENT BUSINESS

There were no announcements from the Chair or any items of urgent business.

23/16 DECLARATIONS OF INTERESTS

There were no declarations of interest received.

24/16 MINUTES OF THE JOINT GMCA AND AGMA EXECUTIVE BOARD MEETING HELD ON 26 FEBRUARY 2016

The minutes of the Joint GMCA and AGMA Executive Board meeting held on 26 February 2016 were submitted for consideration.

RESOLVED/-

To approve the minutes of the Joint GMCA and AGMA Executive Board held on 26 February 2016.

25/16 FORWARD PLAN OF STRATEGIC DECISIONS OF THE JOINT GMCA AND AGMA EXECUTIVE BOARD AND AGMA EXECUTIVE BOARD

Consideration was given to a report of Julie Connor, Head of the Greater Manchester Integrated Support Team, which set out the Forward Plan of those strategic decisions to be considered over the next four months.

RESOLVED/-

To note the Forward Plan of Strategic Decisions as set out in the report.

26/16 MINUTES OF THE JOINT GMCA AND AGMA SCRUTINY POOL MEETING HELD ON 8 APRIL 2016

RESOLVED/-

To note the minutes of the Joint GMCA and AGMA Scrutiny Pool meeting held on 8 April 2016.

27/16 MINUTES OF THE JOINT GMCA AND AGMA AUDIT COMMITTEE MEETING HELD ON 15 APRIL 2016

RESOLVED/-

1. To note the minutes of the Joint GMCA and AGMA Audit Committee held on 15 April 2016.
2. To approve the Audit Committees recommendation to delegate authority to Richard Paver, GMCA Treasurer the power to pursue any restructuring, rescheduling or redemption opportunities available, including if it requires changes to the Treasury Management Strategy. Any changes required to the Strategy will be reported to members at the earliest opportunity.

28/16 GMCA AND AGMA NOMINATIONS AND APPOINTMENTS 2016/17

RESOLVED/-

To note that letters will be sent to all Chief Executives in early May requesting nominations from their respective Local Authority, to the GMCA and AGMA Executive, Statutory Bodies, Committees and outside bodies for 2016/17.

Tony Lloyd presented a report setting out the role of the newly established Greater Manchester Reform Board and providing a summary of key reports considered at the first meeting of the Board. The report also sought approval of a specific funding request to support the continued development of the GM Leadership and Workforce Development workstream.

He emphasised that the delivery of reform across Greater Manchester, including health, was critically important.

Members were supportive of the proposals but the point was made that Public Service Reform is primarily a Local Authority function and that this should be reflected in the terms of reference for the new Reform Board. Some of the language within the terms of reference also needs to be reviewed for the same reasons.

Going forward the membership of the Board should be reviewed to include political representation. It was suggested and agreed that that a committee of Local Authority Lead members with responsibility for Reform could be established to meet alongside the Board to provide political oversight of the progress of work.

It was also suggested the Board be renamed as the Greater Manchester Reform Partnership Board to reflect that the successful delivery of Reform across Greater Manchester can only be achieved with all partners working together.

Engagement with the Trade Unions and workforce does need to continue to ensure buy-in of the ethos of reform.

It was also suggested that Eamonn Boylan, Lead Chief Executive for Housing and Planning should be included as a member of the Board to provide a link to Greater Manchester's growth priorities, particularly in connection with the One Public Estate initiative.

RESOLVED/-

1. To note the report.
2. To approve the Reform Framework and support its implementation alongside the roll-out place-based integration across Greater Manchester.
3. To approve the funding request for £222k from the GM Development Fund to support the GM Leadership and Workforce Development workstream.

4. To agree that the terms of reference for the new Board be reviewed to reflect that responsibility for the delivery of reforming public services remains with Local Authorities.
5. To agree the new Board be called the Greater Manchester Reform Partnership Board.
6. To agree that a Committee of Local Authority Lead members with responsibility for Public Service Reform Executive Members be established to meet alongside the Greater Manchester Reform Board.
7. To agree that Eamonn Boylan, Lead Chief Executive of Planning and Housing, as a member of the Greater Manchester Reform Board.

30/16 REVIEW OF SERVICES FOR CHILDREN

Councillor Cliff Morris presented a report providing an update on the Review of Services for Children which forms part of the Greater Manchester Devolution Agreement.

The GM Interim Mayor, on behalf of members, thanked Councillor Cliff Morris, portfolio Leader and Jim Taylor, lead Chief Executive for the Services for Children, for the good progress made with the review.

RESOLVED/-

1. To note the progress made on the Greater Manchester Services for Children review since the last report to the Board.
2. To agree the key proposals and opportunities that have been identified through the development of the Business Cases and the proposed Target Operating Model which will support the delivery.
3. To note the next steps for the review including the proposals to draw down government funding at a GM level fund in order to support the implementation of the proposals.
4. To agree to place on record thanks for the work and progress made on the review of children's services.

31/16 GREATER MANCHESTER SPATIAL FRAMEWORK

Councillor Sue Derbyshire Portfolio presented a report, providing an update on the recent consultation and the ongoing work to develop a Greater Manchester Spatial Strategy, emphasising the timeline, to ensure districts are compliant with Government requirements, highlighting the importance of addressing resource issues. Councillor Derbyshire reminded the meeting that Planning and Housing Executive members are invited to attend each Planning and Housing Commission meetings.

RESOLVED/-

1. To note the report.
2. To agree the approach to assessing development viability of existing supply set out in Section 5 of the report.
3. To agree the approach to developing the spatial strategy outlined in Section 6 of the report.
4. To agree the resourcing proposals in Section 8 of the report.
5. To agree that a further report be submitted to members in May outlining the preferred growth option, the implications for land supply and the draft consultation report.

32/16 BROWNFIELD LAND REGISTER PILOT

Councillor Sue Derbyshire Portfolio presented a report detailing the scope, aim and timescales of the pilot for the eight constituent Local Authorities of the second round brownfield land register pilot.

Councillor Derbyshire assured members that planning permission principles will enable Local Authorities to retain oversight of planning applications, the Government pilot will help show how processes will work.

RESOLVED/-

1. To agree to accept funding from DCLG on behalf of the eight Greater Manchester Local Authorities and fund the Commission for New Economy Ltd and Salford City Council's ICT team to deliver the project.

2. To agree that a further report be submitted to the Joint GMCA and AGMA following completion of the Pilot.

33/16 IAN STEWART AND COUNCILLOR MIKE CONNOLLY

The GM Interim Mayor reminded the meeting that Ian Stewart would be retiring from his position as City Mayor of Salford and that Councillor Mike Connolly was standing down as the Leader of Bury Council, to take up the position of Mayor. As Ian Stewart could not attend the meeting the GM Interim Mayor passed on to members a written message he had sent. He thanked both Ian Stewart and Mike Connolly on behalf of himself and members for the work and commitment to GMCA and AGMA.

RESOLVED/-

1. To place on record thanks to Ian Stewart for his work as a member of the GMCA and as portfolio lead for Business Support and Business Finance.
2. To place on record thanks to Mike Connolly for his work as a member of the GMCA and the Chair of the Police and Crime Panel.

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**DECISIONS AGREED AT THE GREATER MANCHESTER COMBINED
AUTHORITY MEETING HELD ON 27 MAY 2016 AT STOCKPORT TOWN HALL**

GM INTERIM MAYOR	Tony Lloyd (in the Chair)
BOLTON COUNCIL	Councillor Linda Thomas
BURY COUNCIL	Councillor Rishi Shori
MANCHESTER CC	Councillor Richard Leese
OLDHAM COUNCIL	Councillor Jean Stretton
ROCHDALE MBC	Councillor Richard Farnell
SALFORD CC	City Mayor Paul Dennett
STOCKPORT MBC	Councillor Alexander Ganotis
TAMESIDE MBC	Councillor Kieran Quinn
TRAFFORD COUNCIL	Councillor Sean Anstee
WIGAN COUNCIL	Councillor Peter Smith

JOINT BOARDS AND OTHER MEMBERS IN ATTENDANCE

GMFRA	Councillor David Acton
GMWDA	Councillor Nigel Murphy
TfGMC	Councillor Andrew Fender

OFFICERS IN ATTENDANCE

Margaret Asquith	Bolton Council
Mike Owen	Bury Council
Geoff Little	Manchester CC
Carolyn Wilkins	Oldham Council
John Searle	Rochdale MBC
Jim Taylor	Salford CC
Eamonn Boylan	Stockport MBC
Steven Pleasant	Tameside MBC
Theresa Grant	Trafford Council
Donna Hall	Wigan Council
Andrew Lightfoot	GM Director of Public Service Reform
Mark Hughes	Manchester Growth Company
Simon Nokes	New Economy
Adam Allen	Office of the Police & Crime Commissioner
Paul Argyle	GM Fire & Rescue Service
Ian Pilling	GM Police
Jon Lamonte	TfGM

Liz Treacy
Richard Paver
Julie Connor
Sylvia Welsh
Paul Harris
Bridget Aherne
Ross MacRae

GMCA Monitoring Officer
GMCA Treasurer
Head of GMIST
) Greater Manchester
) Integrated Support Team
GMCA Head of Communications
GMCA Communications

72/16 APOLOGIES

Apologies for absence were received on behalf Councillor Cliff Morris (Councillor Linda Thomas attending) Sir Howard Bernstein (Geoff Little attending) and Steve Rumbelow (John Searle attending).

73/16 CHAIR'S ANNOUNCEMENTS AND URGENT BUSINESS

Order of Business

The Chair suggested that the Area Based Review at item 9 on the agenda be deferred pending consideration of the Part B Area Based Review report at Item 17 on the Agenda.

RESOLVED/-

To agree to defer considerations of the Area Based Review at item 9 pending consideration of the Part B Area Based Review report later on the agenda.

74/16 GMCA CHANGE IN MEMBERSHIP

The Chair highlighted changes to the GMCA membership and extended a welcome to new members Councillors Rishi Shori (Bury), Alex Ganotis (Stockport) and the City Mayor (Salford), Paul Dennett.

RESOLVED/-

To note the following changes in membership as appointed by the Local Authorities:

Local Authority	Member	Substitute
Bury	Councillor R Shori	Councillor J Lewis
Salford	Mr P Dennett	Councillor J Merry
Stockport	Councillor A Ganotis	Councillor W Wild

75/16 DECLARATIONS OF INTERESTS

There were no declarations of interests regarding any item on the agenda made.

76/16 MINUTES OF THE GMCA MEETING HELD ON 29 APRIL 2016

The minutes of the meeting of the GMCA held on 29 April 2016 previous meeting were submitted for consideration.

RESOLVED/-

To approve the minutes of the GMCA meeting held on 29 April 2016 as a correct record.

77/16 FORWARD PLAN OF STRATEGIC DECISIONS OF THE GMCA

Consideration was given to a report setting out those strategic decisions that are to be considered by the GMCA over the upcoming four months.

RESOLVED/-

To note the Forward Plan of Strategic Decisions, as set out in the report.

78/16 GREATER MANCHESTER LOCAL ENTERPRISE PARTNERSHIP – MINUTES OF THE MEETING HELD ON 18 MAY 2016

The Minutes of the Greater Manchester Local Enterprise Partnership (GMLEP) meeting which took place on 18 May 2016 were submitted for information

RESOLVED/-

To note the minutes of the GMLEP meeting held on 18 May 2016.

79/16 GREATER MANCHESTER COMBINED AUTHORITY ORDER CONSULTATION

Tony Lloyd, GM Interim Mayor introduced a report providing members with an update on the public consultation undertaken regarding the GMCA governance review and scheme (Phase 1) and an analysis of the responses received.

RESOLVED/-

1. To note the process undertaken with regard to the GMCA governance review consultation and the analysis of the responses received, as set out in the report.
2. To agree that the GMCA Monitoring Officer be authorised to finalise the report for submission to the Secretary of State, subject to consultation with the Interim GM Mayor.

80/16 AREA BASED REVIEW

Further to Minute 73/16 above, consideration of this item was deferred until later in the Agenda. Minute 88/16A below refers.

81/16 ATLANTIC GATEWAY INFRASTRUCTURE PRIORITIES

Councillor Richard Leese introduced a report presenting members with the criteria for selection of Greater Manchester infrastructure priorities in relation to the Atlantic Gateway. In addition, a small number of Greater Manchester priorities within the context of Atlantic Gateway were identified and it was noted that these will be reflected in the draft Atlantic Gateway Infrastructure Priorities that will be considered by the Atlantic Gateway Board, subject to individual Greater Manchester Local Enterprise Partnership (GM LEP) or joint GM LEP and GMCA agreement.

Members noted that the Atlantic Gateway Board has an agreed list of infrastructure priorities that it is looking to update. The process to update this included the development of an agreed set of criteria to identify GM LEP area priorities relevant to the Atlantic Gateway.

Members also noted that GM LEP at its meeting on 16th May 2016 supported the recommended infrastructure projects.

Councillor Leese also informed members that he had been reassured that the Atlantic gateway Board still played an important strategic role in supporting the development of proposals for the Gateway.

RESOLVED/-

To agree that the Greater Manchester Strategy priorities identified in the context of Atlantic Gateway are appropriately reflected in the draft Atlantic Gateway Infrastructure Priorities as set out in the appendix to the report.

82/16 GREATER MANCHESTER HOUSING PROVIDERS CONTRIBUTION TO PUBLIC SERVICE REFORM AND MEMORANDUM OF UNDERSTANDING

Eamonn Boylan introduced a report on the role the Housing the Providers Group play in developing new approaches to growth, public service reform and the management of Place as the GMCA's strategy is rolled out and the development of a Memorandum of Understanding between GMCA and the GM Housing Providers Group.

Cath Green, Chief Executive, First Choice Homes Oldham, on behalf of Greater Manchester Housing Providers provided the meeting with an overview of the role of GM Housing Providers in supporting Public Service Reform and the overall aims of the Memorandum of Understanding.

Members welcomed the report and highlighted the need to be mindful of the language and terminology used relating to social housing and residents, with a reminder that the focus does need to be on improving standards of service.

Housing affordability and the availability of finance are a key issues for Greater Manchester's residents and the growth agenda.

It was suggested an agreed that 6 monthly updates be submitted to the GMCA.

RESOLVED/-

1. To note the progress that has been made across the GM Housing Providers Group in agreeing a coordinated position in supporting the achievement of the GM Strategy.
2. To approve the Memorandum of Understanding (MoU) between the GMHP and GMCA, subject to appropriate amendments to language.
3. To agree that local integration arrangements coordinated by each local authority incorporate local Housing Providers.
4. To agree that six monthly updates be submitted to the GMCA.

83/16 GREATER MANCHESTER INVESTMENT FUND – STATUS OF FUNDS

Councillor Kieran Quinn, presented a report providing Members with an update on the detail on the Greater Manchester Investment Funds.

RESOLVED/-

To note the report.

84/16 GREATER MANCHESTER HOUSING FUND ANNUAL REPORT 2015/16

Eamonn Boylan introduced a report informing members of the outturn position of the Greater Manchester Housing Fund for 2015/16 and the position in relation to the indemnity entered into by each Local Authority in relation to the GM Housing Fund.

The report discharged the semi-annual reporting obligations under the indemnity for the period 1 November 2015 to 31 March 2016.

The Chair commented that the mix of tenures, including social housing and affordable properties does need to be reviewed across Greater Manchester.

Members were advised that work continues to progress Greater Manchester's Strategy, together with discussion with Her Majesty's Treasury, via the Greater Manchester Land Programme and the development of opportunities to bridge the funding gap.

RESOLVED/-

1. To note the outturn position of the Greater Manchester Housing Fund for 2015/16 and note that there has been no requirement for the Greater Manchester Local Authorities to account for any impairment as a result of the performance of the Fund.
2. To agree that a further report be brought to a future meeting of the GMCA which will identify specific housing requirement and opportunities.

85/16 GREATER MANCHESTER HOUSING INVESTMENT APPROVAL RECOMMENDATIONS

Eamonn Boylan, provided a report which sought GMCA approval of a GM Housing Fund loan of £1,374,323 to The Brickworks (Bury) Ltd for the construction of 24 three and four bedroom houses on the former Walmerley brickworks site in Bury

A further detailed report was circulated in Part B (confidential) of the agenda providing further details of the loan.

RESOLVED/-

1. To approve the loan as detailed in this and the accompanying Part B report.
2. To agree to recommend to Manchester City Council that it prepares and effects the necessary legal agreements in accordance with its approved internal processes.

86/16 EXCLUSION OF PRESS AND PUBLIC

RESOLVED/-

That, under section 100 (A)(4) of the Local Government Act 1972 the press and public should be excluded from the meeting for the following item of business on the grounds that this involves the likely disclosure of exempt information, as set out in paragraph 3, Part 1, Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

87/16 AREA BASED REVIEW

Councillor Sean Anstee introduced a report providing members with an update on the likely final stages of the Area Based Review (ABR).

Members requested that the meeting be adjourned at the conclusion of this item before moving back into Part A of the agenda to discuss the public Area Based Review Report.

RESOLVED/-

To note the report

MEETING ADJOURNED

RECONVENED GMCA MEETING

88/16A AREA BASED REVIEW (ITEM 9) PART A

Following consideration of reports providing an update on the Area Based Review process and likely outcomes, it was :-.

RESOLVED/-

The Greater Manchester Combined Authority notes the proposed outcomes of the Area Based Review process for Greater Manchester. Throughout this Government led process, GMCA has been trying to ensure that the future needs of the Greater Manchester economy and GM learners are met, rather than just a focus on institutional architecture. The review has focused only on FE Colleges and Sixth Form Colleges, and mainly on SFA funding, rather than on the whole post 16 learning architecture in GM and GM's overall aspirations around both Growth and Reform.

On this basis the GMCA remains to be convinced that some of the proposed outcomes deliver the integrated learning infrastructure that is needed, taking GM as a whole, rather than focusing institution by institution. GMCA welcomes the aspiration in some of the proposals, feels others do not go far enough and has concerns that some will deliver short term solutions, but may not be viable in the future to address the needs of individuals and the economy. There are still significant questions to be answered about the curriculum offer across the proposed outcomes, which will need to be addressed both in the short term, and via the longer term commissioning role that GMCA will have in relation to the devolved Adult Education Budget.

We welcome the fact that GMCA will have a leadership role in the implementation phase but request that the Secretary of State gives GMCA, working with Government, the power to make further changes to these proposals should it become clear, in the implementation phase, that the current options cannot deliver a GM wide learning infrastructure that meets needs, in high performing and financially viable institutions which are embedded within the overall Greater Manchester strategy and will help with the Government's productivity agenda to grow the economy and deliver more holistic support to individuals and communities.

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**DECISIONS AGREED AT THE JOINT GMCA AND AGMA EXECUTIVE BOARD
MEETING HELD ON FRIDAY 27 MAY 2016 AT STOCKPORT TOWN HALL**

GM INTERIM MAYOR	Tony Lloyd (in the Chair)
BOLTON COUNCIL	Councillor Linda Thomas
BURY COUNCIL	Councillor Rishi Shori
MANCHESTER CC	Councillor Richard Leese
OLDHAM COUNCIL	Councillor Jean Stretton
ROCHDALE MBC	Councillor Richard Farnell
SALFORD CC	City Mayor Paul Dennett
STOCKPORT MBC	Councillor Alexander Ganotis
TAMESIDE MBC	Councillor Kieran Quinn
TRAFFORD COUNCIL	Councillor Sean Anstee
WIGAN COUNCIL	Councillor Peter Smith

JOINT BOARDS AND OTHER MEMBERS IN ATTENDANCE

GMFRA	Councillor David Acton
GMWDA	Councillor Nigel Murphy
TfGM	Councillor Andrew Fender

OFFICERS IN ATTENDANCE

Margaret Asquith	Bolton Council
Mike Owen	Bury Council
Geoff Little	Manchester CC
Carolyn Wilkins	Oldham Council
John Searle	Rochdale MBC
Jim Taylor	Salford CC
Eamonn Boylan	Stockport MBC
Steven Pleasant	Tameside MBC
Theresa Grant	Trafford Council
Donna Hall	Wigan Council
Andrew Lightfoot	GM Director of Public Service Reform
Mark Hughes	Manchester Growth Company
Simon Nokes	New Economy
Adam Allen	Office of the Police & Crime Commissioner
Paul Argyle	GM Fire & Rescue Service
Ian Pilling	GM Police
Jon Lamonte	TfGM
Liz Treacy	GMCA Monitoring Officer
Richard Paver	GMCA Treasurer

Julie Connor
Sylvia Welsh
Paul Harris
Bridget Aherne
Ross MacRae

Head of GMIST
) Greater Manchester
) Integrated Support Team
GMCA Head of Communications
GMCA Communications

34/16 APOLOGIES

Apologies for absence were received on behalf Councillor Cliff Morris (Councillor Linda Thomas attending) Sir Howard Bernstein (Geoff Little attending) and Steve Rumbelow (John Searle attending).

35/16 CHAIRS ANNOUNCEMENTS AND URGENT BUSINESS

There were no announcements from the Chair or any items of urgent business.

36/16 DECLARATIONS OF INTERESTS

There were no declarations of interest received.

37/16 AGMA EXECUTIVE BOARD CHANGE IN MEMBERSHIP

RESOLVED/-

To note the following changes in membership as nominated by districts:

Local Authority	Member	Substitute	2 nd Substitute
Bury	Councillor R Shori	Councillor J Lewis	Councillor T Holt
Salford	Mr P Dennett	Councillor J Merry	Councillor P Boshall
Stockport	Councillor A Ganotis	Councillor W Wild	Councillor K Butler

38/16 MINUTES OF THE JOINT GMCA AND AGMA EXECUTIVE BOARD MEETING HELD ON 29 APRIL 2016

The minutes of the Joint GMCA and AGMA Executive Board meeting held on 29 April 2016 were submitted for consideration.

RESOLVED/-

To approve the minutes of the Joint GMCA and AGMA Executive Board held on 29 April 2016 as a correct record.

39/16 FORWARD PLAN OF STRATEGIC DECISIONS OF JOINT GMCA AND AGMA EXECUTIVE BOARD

Consideration was given to a report setting out those strategic decisions that were to be considered by the GMCA over the upcoming four months.

RESOLVED/-

To note the Forward Plan of Strategic Decisions, as set out in the report.

40/16 UPDATE ON GREATER MANCHESTER SERVICES FOR CHILDREN REVIEW

Jim Taylor presented a report providing Members with an update on the latest position on the GM Services for Children Review.

RESOLVED/-

To note the progress of work and the next steps for the Greater Manchester Services for Children Review, in particular the discussions with Department for Education regarding resources.

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Report To:	EXECUTIVE CABINET
Date:	29 June 2016
Executive Member/ Reporting Officer:	Cllr J M Fitzpatrick - First Deputy (Performance and Finance) Ian Duncan – Assistant Executive Director (Finance)
Subject:	REVENUE MONITORING – QUARTER 4 2015/16
Report Summary:	<p>This report shows that at Quarter 4 the overall net outturn revenue position for 2015/16 was £204.663 million. This includes additional dividend from Manchester Airport Group of £2.25 million and the agreed in-year change to the Council's debt repayment policy which resulted in a reduction of £3.7 million in the charge to revenue. After allowing for these variations the overall spend is within budget by £0.713 million. This is after movements to reserves to assist with future years' financial challenges, in particular the forecasted financial deficit in the health and social care economy in Tameside and Glossop which will see the creation of a ground-breaking Integrated Care Organisation to help address the situation.</p> <p>These financial results should be seen as just one, albeit important, step in the transformation journey to deliver financial sustainability be the end of the current Comprehensive Spending Review (CSR) period i.e. by 2020.</p>
Recommendations:	<ol style="list-style-type: none">1) That the revenue outturn position is noted.2) That the detail for each service area is noted;3) That movements to reserves are approved as outlined in Appendix 3;4) that the treatment of year end balances as outlined in Appendix 3 is approved5) That the changes to revenue budgets as set out at Appendix 1 are approved.6) That the capital outturn position is noted;7) That a transfer of £2.300m from reserves, and consequent payment to Tameside Hospital Foundation Trust, is approved as outlined in Section 7 to support Care Together.
Links to Community Strategy:	Budget is allocated in accordance with the Community Strategy.
Policy Implications:	Budget is allocated in accordance with Council Policy.
Financial Implications: (Authorised by the Section 151 Officer)	<p>The Council has managed its financial resources within the overall budget provision approved by the Council in February 2015. It is important that the Council continues to maintain a strong control of its financial resources in future years so it can confidently plan its way through the remaining years of austerity.</p> <p>The report includes recommended transfers to reserves, the most significant of which are to support the acceleration of the creation of the Integrated Care Organisation (ICO), supporting social care in the short term and providing some non-recurrent assistance in</p>

Care Together. The investment in Care Together is already producing tangible results with Tameside and Glossop being named as one of the most improved locations in the country for urgent care.

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

There is a statutory duty to ensure the Council sets a balanced budget and that it is monitored to ensure statutory commitments are met.

Risk Management:

Failure to properly manage and monitor the Council's budgets will lead to service failure and a loss of public confidence.

Access to Information

The background papers relating to this report can be inspected by contacting the report writer, Ian Duncan, Assistant Executive Director (Finance) by:



Telephone: 0161 342 3864



e-mail: ian.duncan@tameside.gov.uk

1 INTRODUCTION

- 1.1 This is the final revenue monitoring report of the 2015/16 financial year. The report provides a financial update and summarises the revenue outturn position of the Council as at the 31 March 2016.
- 1.2 Details of the various sections and Appendices within the report are shown below:
- **Section 2:** a summary of the budget and revenue financial position of the Council.
 - **Section 3:** updated performance position against the agreed savings is presented as an additional report
 - **Section 4:** treatment of balances to be carried forward
 - **Section 5:** Business Rates and Council Tax collection performance.
 - **Section 6:** Capital Outturn summary.
 - **Section 7:** Support to the Acute Trust
 - **Section 8:** the recommendations of this report.

 - **Appendix 1:** a summary of the budget position and changes since quarter 3, presented for approval at this meeting.
 - **Appendix 2:** details for each Directorate showing the revenue outturn position, and:
 - an explanation of significant variations to budget;
 - analysis of expenditure and income.
 - **Appendix 3:** summary of balances to be carried forward.
 - **Appendix 4:** analysis of the Council Tax and Business Rates collection performance from April 2015 to December 2015.
 - **Appendix 5:** summary of the Capital outturn position.
- 1.3 This report details the Council's final revenue outturn position for 2015/16 against budgets for the year and shows the net of income and expenditure as a variation to budget.
- 1.4 Separate tables, which break down the budgets into elements of expenditure and income, are included in **Appendix 2**, to show how Directorates are utilising their allocated funding.
- 1.5 The report also shows the final capital outturn position. A detailed capital report will be presented to the next Strategic Planning and Capital Monitoring Panel.

2 SUMMARY FINANCIAL POSITION, BUDGET AND KEY ISSUES

- 2.1 This report shows that at Quarter 4 the Council's overall net revenue service expenditure for the 2015/16 financial year is to be £6.663m less than the updated budget.
- 2.2 The summary of the annual budget, outturn and variation to budget for each Directorate provides an analysis of the £6.663m variation and is set out below.

Table 1 – Summary Financial Position

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
<u>DIRECTOR OF PEOPLE</u>			
Childrens			
Childrens Social Care	19,477	24,408	4,931
Strategy and Early Intervention	2,237	1,746	(491)
Education	3,393	2,983	(410)
	25,107	29,137	4,030
Adult and Early Intervention Services			
Adult Social Care	49,750	55,317	5,567
Adults and Early Intervention	1,356	1,196	(160)
	51,106	56,513	5,407
Stronger Communities	7,141	8,388	1,247
TOTAL DIRECTOR OF PEOPLE	83,354	94,038	10,684
<u>DIRECTOR OF PUBLIC HEALTH</u>	16,329	16,329	0
<u>DIRECTOR OF PLACE</u>			
Asset and Investment Partnership Management	3,641	3,815	174
Environmental Services	45,854	45,125	(729)
Development Growth and Investment	3,183	3,021	(162)
Digital Tameside	1,875	1,814	(61)
TOTAL DIRECTOR OF PLACE	54,553	53,775	(778)
<u>RESOURCES</u>			
Director of Governance and Resources*	12,384	10,081	(2,303)
Corporate Costs	8,420	5,417	(3,003)
TOTAL RESOURCES	20,804	15,498	(5,306)
Capital and Financing	20,296	11,398	(8,898)
Other Cost Pressures and Funding*	15,990	13,625	(2,365)
TOTAL	211,326	204,663	(6,663)

*After transfer to reserves

2.4 For each Directorate, explanations of the variations to budget over £1m are included in Table 2 below. The Council is actively developing ways to deliver services differently, but is also continuing to provide necessary services.

Table 2 – outturn revenue position for 2015/16

Directorate	Service	2015/16 Budget £000	Outturn £000	Variation to Budget £000	Explanation
People	Childrens Social Care	19,477	24,408	4,931	Additional recurrent funding of £5.1m was allocated to the service following a budget review during 2015/16. However, whilst savings have been delivered during the year within the service, they were not to the levels originally proposed. In addition a combination of unexpected and more complex placements during the year have also contributed to the variation to the available budget.
People	Strategy and Early Intervention	2,237	1,746	(491)	
People	Education	3,393	2,983	(410)	
People	Adult and Early Intervention Services	51,106	56,513	5,407	A combination of external cost pressures in demand led services such as homecare and care home placements together with savings to be identified have resulted in a budget deficit for 2015-16.
People	Stronger Communities	7,141	8,388	1,247	Work undergone throughout year on delivering savings which began to materialise following robust governance processes. Savings now allocated against services and full year effects to follow in 16/17 to create a balanced budget.
	Total Director of People	83,354	94,038	10,684	
Place	Asset and Investment Partnership Management	3,641	3,815	174	

Place	Environmental Services	45,854	45,125	(729)	Savings as a result of vacant posts not being filled and efficiencies across the service.
Place	Development Growth and Investment	3,183	3,021	(162)	Savings realised as a result of vacant posts and service re-design
Place	Digital Tameside	1,875	1,814	(61)	
	Total Director of Place	54,553	53,775	(778)	
Public Health	Director of Public Health	16,329	16,329	0	
Governance and Resources	Director of Governance and Resources	12,384	10,081	(2,303)	Ongoing restrictions in expenditure, vacant posts and savings as a result of severance, increased income and previous balances brought forward. £2m has been transferred to the budget strategy reserve to provide necessary resource to pump prime further service redesign and efficiencies.
Other	Corporate Costs and Capital and Financing	28,716	16,815	(11,901)	Additional income from airport dividend. Savings from reduced borrowing assumptions and a change in policy for the minimum revenue provision as agreed by Council during the year.
Other	Other Cost Pressures and Funding	15,990	13,625	(2,365)	Risk Provision was made to ensure in entirety the overall position of the council was managed. The outturn includes £12.8m transferred to reserves. £12m of which is to provide some protection to care services in 2016/17 whilst the Council moves to its ground-breaking Integrated Care Organisation (ICO) with Health Services in Tameside & Glossop.
	Total	211,326	204,663	(6,663)	

2.5 The overall net position is expenditure less than budget and is a combination of variances, both over and under budget, for service areas as summarised above.

- 2.6 Children's services will need to be managed in 2016/17 through a combination of efficiency improvements and on-going monitoring following a review of the base budget.
- 2.7 The ongoing position for Adults services will also require ongoing monitoring to be taken by the service in 2016/17.
- 2.8 The revenue position reported needs to be considered in the context of the Council's Medium Term Financial Strategy (MTFS). Below is a summary taken from the current MTFS which sets out £24 million savings planned for 2015/16 now being reported on, plus the requirement of a further £65 million through to 2019/20.
- 2.9 The targets for 2016/17 and future years are the current estimated position before any mitigating actions are put into place. They take account of known funding reductions and anticipated demand and cost increases. These assumptions are constantly under review.

Table 3 Summary Current Approved Medium Term Financial Strategy

	2016/17	2017/18	2018/19	2019/20
	£000	£000	£000	£000
Total Spending Plans	174,024	176,997	182,317	193,911
Total Resources	(174,024)	(162,368)	(151,591)	(147,084)
	0	14,628	30,726	46,827
Savings Already Allocated	14,100			
Savings Not Yet Allocated (Annual)	0	(14,628)	(16,098)	(16,101)
Savings Not Yet Allocated (Cumulative)	0	(14,628)	(30,726)	(46,827)

3 SAVINGS

Savings targets were allocated in line with consideration of the Council's core purpose, policy priorities, and assessed risks. The Council agreed a savings target of £24 million for 2015/16 as part of a two year budget plan. Detailed savings proposals were drawn up for 2015/16 and agreed by Full Council in February 2015. A specific report providing progress against these targets has been reported on a monthly ongoing basis to the Senior Management Team and Executive Board.

4 BALANCES TO BE CARRIED FORWARD

- 4.1 The treatment of service budgets that have outturned either more than or less than the allocated budgets needs to be considered. As services are required to manage their budget within a budget envelope, overs and unders have traditionally been carried forward into the following year unless there has been specific circumstances not to. Within the current financial climate and following detailed review of budgets it is appropriate to agree the treatment of carry forwards.
- 4.2 The considered treatment is as follows:
- 4.2.1 Where services have an outturn position in excess of budget, these balances will not be carried forward to 2016/17. This may be considered not to be offering the right incentive for services to manage within their approved budget. However it is only being recommended because we wish to keep the focus of Directors on achieving ongoing recurrent savings without a supplementary non-recurrent savings plan to

recover the previous year's adverse budget position. It is only because of the Council overall strong financial management that this is possible.

4.2.2 Where service areas wish to carry forward surplus balances into 2016/17, justification must be provided. **Appendix 3** shows a summary where services are requesting that balances be carried forward into 2016/17.

5 COUNCIL TAX AND BUSINESS RATES

5.1 The Business Rates Retention Scheme means that variations in the level of Business Rates income collected has a direct impact on Council resources. The level of Council Tax income collected remains an important area for the Council as any shortfall in the level of Council Tax income also has a direct impact on Council resources.

5.2 At quarter 4 both the level of Business Rates and Council Tax income are slightly under targeted collection rates due to the current economic climate. Both areas will be closely monitored during the financial year and continue to target income collection. **Appendix 4** includes two tables that show how the Council is performing against target collection rates in both Business Rates and Council Tax. Any arrears at 31 March 2016 will continue to be pursued vigorously in 2016/17.

6 CAPITAL OUTTURN

6.1 The Capital outturn position is detailed in **Appendix 5**. It shows expenditure less than the budget of £6.411 million this is after identified slippage was taken into account at quarter 3. The detail of the variances will be included within the Capital outturn report which will be presented at the next Strategic Planning and Capital Monitoring Panel.

7 CARE TOGETHER

7.1 In order to help address the significant pressures in our urgent care system and to alleviate potential regulatory intervention, the Council has agreed to consider offering one off support to Tameside Hospital Foundation Trust (THFT). It has been made clear through the recent contract negotiations, that any offer of support would be contingent on THFT delivering a plan by the end of June 2016 that would outline how the urgent care system will transform from the current working arrangements to the new urgent care village being developed through the model of care work stream by April 2017.

7.2 The delivery of this new system should not be underestimated and Tameside Hospital Foundation Trust has submitted an initial plan totalling £2.3 million for the full year effect of achieving this. Initially, the Council is requested to consider support of £0.750m immediately and the balance after receipt of a robust transition plan. The Single Commissioning Board will monitor the use of this investment and the outcomes derived from it.

These investments are already producing tangible results with Tameside and Glossop being named as one of the most improved locations in the country for urgent care.

8 RECOMMENDATIONS

8.1 The recommendations at the front of the report are approved.

APPENDIX 1

Budget changes Quarter 4 – for approval

	Director of People £000	Director of Place £000	Public Health £000	Governance and Resources £000	Corporate Budgets, Capital Financing and Corporate Pressures £000
Feb 2015 Budget Report:	78,105	51,248	17,155	11,363	50,769
					208,640
Budget Changes Approved:					
Quarter 1	146	4,344	0	671	(1,839)
Quarter 2	2,981	(176)	(943)	0	(2,805)
Quarter 3	1,762	984	72	285	(2,778)
					211,343
Quarter 4 Changes - To Be Approved					
Levy charge increase		2			(2)
Severance - Jan/Feb 16	127	19	45	65	(256)
Catering - Additional budget for legal fees		59			(59)
ESG Correct allocation					(18)
Decant costs		49			(49)
CCTV Transfer to Adults	233	(233)			
Capital Disposal Costs		185			(185)
Accounting Adjustments in respect of PFI		(1,928)			1,928
Revised Budget - March 2016	83,354	54,553	16,329	12,384	44,706
					211,326

DIRECTOR OF PEOPLE

1. CHILDREN SERVICES

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Children's Social Care	19,477	24,408	4,931
Strategy and Early Intervention	2,237	1,746	(491)
Education	3,393	2,983	(410)
TOTAL	25,107	29,137	4,030

a. Overview

Children's services has exceeded its overall budget by £4.030m in 2015/16. Although plans are in place to deliver the specific savings proposals in future years, remaining within the annual budget has proved more difficult due to a combination of additional demand for the service and greater complexity of placements. Also, whilst the service delivered savings during 2015/16 they were not to the level originally projected. The corporate review of the budget position was completed during the year which resulted in £5.1m additional budget support being provided. The service is committed to reducing placement costs, for example through renegotiating prices and via a revised fostering payment scheme.

Reasons for the significant variations to budget:

	£000
<u>Children's</u>	
Savings not achieved	4,446
Staffing - Net Variation due to Severance scheme and Vacant posts being held within the service	(80)
Net External Residential/External Fostering/16 + placements	209
External Residential/External Fostering/16 + placements - relating to 14/15	100
Remand Costs Increase	18
Fostering/Adoption professional Services increase	43
Cash Grants (Section 17 Payments) - Allowances, Fees, Set Up	82
Safeguarding LAC	22
Transport Related Expenditure	8
Minor variation across Childrens Social Care service	82
Children's Total	<u>4,930</u>

£000

Strategy and Early Intervention

Expenditure is below budget on employee costs due to the Head of Service being seconded to the Public Services Reform Team for 3 years from June 2015 (£0.057m) and a substantive post (£0.045m) being funded by the Early Help Investment. The funding from the Early Help Investment is due to cease in September 2016 and therefore will not be an ongoing saving. (102)

Expenditure is below budget on employee costs due to a number of part year (192)

vacancies within the Early Help Teams and Children's Centre Service. This is a one off In year saving.

Further employee savings have been identified due to severance. (38)

Expenditure is below budget on other expenditure due to the cessation of the Action for Children Contract from December 2015 (£0.032m), contracts with Stockport NHS (£0.030m) now being funded by Public Health and Community and Voluntary Action Tameside (£0.050m) being funded by the Early Help Investment. The funding from the Early Help Investment is due to cease in September 2016 and therefore will not be an ongoing saving. (112)

The contract for Step Up, Step Out Funding with Community and Voluntary Action Tameside was ceased at the end of quarter 2. (96)

Other Minor Variations 76

Grants and Contributions – Minor Variations 28

Sales, Fees & Charges – Minor Variations (6)

Other Income – Minor Variations (3)

Use of One Off Monies (46)

Strategy and Early Intervention Total (491)

Education

Expenditure is below budget on employee costs due to in year vacancies and staff leaving as part of the severance initiative. (305)

Special Education transport: Minor variations under £0.05m 21

Other Expenditure is below budget due to: spend being less than anticipated within both the Schools Causing Concern Budget (£0.84m) and the Contingency for Schools budget (£0.46m), and Governors Services spend being less than expected in relation to Governor Courses due to the use of internal staff rather than external consultants (£0.67m). (197)

Grants & Contributions: Minor Variations under £0.05m (9)

Non-Academy Schools Income: Minor Variations under £0.05m (47)

Income is greater than the budget for Academy Schools due to an increase in the buy in from Academies for traded services. (73)

Sales, Fees & Charges: Minor variations under £0.05m (6)

Other Income: Minor Variations under £0.05m (5)

Use of one-off monies is below budget due to : spend being less than anticipated within the Schools Causing Concern Budget (£0.89m) and some other minor variations 117

Education Total (410)

b. Budget Analysis

An analysis of expenditure and income for each service within Children's is detailed below:

Children's Social Care

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Childrens Social Care 2015/2016 - Quarter 4			
Employee Expenses	8,735	8,451	(284)
External Agency Placements - Residential/Fostering	7,522	7,609	87
Internal Carer Payments	5,769	5,778	9
Direct Payments	470	520	50
Placements 16+	1,025	1,562	537
Transport Related Expenses	92	106	14
Transport Related - Car Mileage	177	107	(70)
Other Expenditure	2,301	2,450	149
Savings to be achieved	(4,451)	0	4,451
EXPENDITURE	21,640	26,583	4,943
Grants and Contributions	(203)	(194)	9
Sales, Fees and Charges	(546)	(536)	10
Other Income	(405)	(417)	(12)
External Placements Residential	(248)	(280)	(32)
Government Grant Income	(761)	(748)	13
INCOME	(2,163)	(2,175)	(12)
TOTAL	19,477	24,408	4,931

Strategy and Early Intervention

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Employee Expenses	2,979	2,647	(332)
Other Expenditure	1,764	1,632	(132)
EXPENDITURE	4,743	4,279	(464)
Grants and Contributions	(793)	(765)	28
Sales, Fees and Charges	(1)	(7)	(6)
Other Income	(706)	(709)	(3)
INCOME	(1,500)	(1,481)	19
Use of one-off monies	(1,006)	(1,052)	(46)
Savings being planned	0	0	0
TOTAL	2,237	1,746	(491)

Education – Core Services

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Employee Costs	3,274	2,969	(305)
Special Education Transport	1,254	1,275	21
Other Expenditure	4,898	4,700	(197)
EXPENDITURE	9,425	8,944	(481)
Grants and Contributions	(423)	(432)	(9)
Dedicated Schools Grant (DSG)	(2,201)	(2,201)	0
Non-Academy Schools Income	(2,429)	(2,382)	47
Academy Schools Income	(250)	(323)	(73)
Sales, Fees & Charges	(321)	(327)	(6)
Other Income	(170)	(175)	(5)
INCOME	(5,795)	(5,841)	(46)
B/fwd from 2014/15	4	4	0
Use of one-off monies	(270)	(153)	117
TOTAL	3,364	2,954	(410)

Education - DSG Specific Services

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Employee Costs	1,718	1,648	(70)
Special Education Transport	0	0	0
Other Expenditure	10,171	11,234	1,063
EXPENDITURE	11,889	12,881	992
Grants and Contributions	(139)	(269)	(131)
Dedicated Schools Grant (DSG)	(11,300)	(11,689)	(390)
Non-Academy Schools Income	(144)	(156)	(12)
Academy Schools Income	(150)	(143)	7
Other Income	0	(340)	(340)
INCOME	(11,733)	(12,598)	(865)
Use of one-off monies	(128)	(255)	(127)
TOTAL	29	29	0
OVERALL EDUCATION TOTAL	3,393	2,983	(410)

2. ADULT AND EARLY INTERVENTION SERVICES

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Adult Social Care	49,750	55,317	5,567
Adults and Early Intervention	1,356	1,196	(160)
TOTAL	51,106	56,513	5,407

a. Overview

£000

Adult Social Care

A combination of external cost pressures in demand led services such as homecare and care home placements and also savings to be identified have resulted in a budget deficit for 2015-16. This has been factored into the wider work being carried out with NHS colleagues and work is ongoing to address the collective health and social care economy funding gap. 5,567

Adult Social Care Total

5,567

Adults and Early Intervention

Expenditure is below budget on employee costs due to staff leaving and severance. (69)

Other Expenditure: below budget due to the spend on carers grants being less than anticipated. (70)

Grants and Contributions: Minor variation under £0.05m (19)

Sales, Fees and Charges: Minor variation under £0.05m 6

Other Income: Minor variation under £0.05m (8)

Adults and Early Intervention Total

(160)

b. Budget Analysis

An analysis of expenditure and income for each service within Adult and Early Intervention Services is detailed below:

Adult Social Care

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Employee Expenses	19,877	19,222	(655)
Residential and Nursing Care	23,178	23,498	320
Residential and Nursing Care - FNC	1,327	1,374	47
Direct Payments	3,242	2,660	(582)
Homecare	6,200	6,136	(64)
Transport Related Expenditure	1,088	911	(177)
Other Expenditure	22,819	24,880	2,061

Savings to be identified	(5,749)	0	5,749
EXPENDITURE	71,982	78,679	6,699
Grants and Contributions	(3,280)	(3,400)	(120)
Sales, Fees and Charges	(8,472)	(8,952)	(480)
Residential and Nursing Care inc Property Income & CHC	(9,066)	(9,570)	(504)
Residential and Nursing Care - FNC	(1,300)	(1,327)	(27)
Other Income	(114)	(115)	(1)
INCOME	(22,232)	(23,364)	(1,132)
TOTAL	49,750	55,315	5,567

Adults and Early Intervention

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Employee Expenses	607	538	(69)
Other Expenditure	873	803	(70)
EXPENDITURE	1,480	1,341	(139)
Grants and Contributions	(87)	(106)	(19)
Sales, Fees and Charges	(37)	(31)	6
Other Income	0	(8)	(8)
INCOME	(124)	(145)	(21)
TOTAL	1,356	1,196	(160)

3. STRONGER COMMUNITIES

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Stronger Communities	7,141	8,388	1,247
TOTAL	7,141	8,388	1,247

a. Overview

Stronger Communities has exceeded its budget by £1.247m. The reasons for the service being over budget are:

£000

As a result of expenditure in excess of budget in 2014/15 the budget was reduced by £80k. Work has continued throughout the year on delivering ongoing savings, however this reduction in budget has not been able to be recovered.

80

Savings Identified - work undergone throughout year on delivering savings which have begun to materialise following robust governance processes. Savings now allocated against services and full year effects to follow in 16/17 to create a balanced budget.

1,167

Stronger Communities Total

1,247

b. Budget Analysis

	2015/16 Budget £000	Projected Outturn £000	Variation to Budget £000
Employee Expenses	5,538	4,907	(631)
Other Expenditure	5,705	4,967	(738)
EXPENDITURE	11,243	9,874	(1,369)
Grants and Contributions	(373)	(411)	(38)
Sales, Fees and Charges	(894)	(1,075)	(181)
INCOME	(1,267)	(1,486)	(219)
B/fwd from 2013/14	(80)	0	80
Savings Planned and Savings to be Identified	(2,755)	0	2,755
TOTAL	7,141	8,388	1,247

DIRECTOR OF PUBLIC HEALTH

4. DIRECTOR OF PUBLIC HEALTH

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Director of Public Health	16,329	16,329	0
TOTAL	16,329	16,329	0

a. Overview

Public Health has delivered a balanced budget after managing the 7% (£942,000) in-year reduction to the Public Health grant.

£000

Due to the in year nature of the reduction, £308,000 that had been allocated to re-negotiating current contracts will not fully materialise until 2016/17. 308

Early Years additional reduction in programme spend (144)

In year efficiencies from voluntary severance (76)

Additional in year efficiencies (88)

Public Health Total **0**

b. Budget Analysis

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Employee Expenses	1,480	1,358	(122)
Other Expenditure	15,377	15,568	191
EXPENDITURE	16857	16,926	69
Sales, Fees and Charges	(528)	(597)	(69)
INCOME	(528)	(597)	(69)
TOTAL	16,329	16,329	0

DIRECTOR OF PLACE

5. ASSET AND INVESTMENT PARTNERSHIP MANAGEMENT

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Asset and Investment Partnership Management	3,641	3,815	174
TOTAL	3,641	3,815	174

a. Overview

£000

Corporate Landlord

Employee Expenses - Vacant posts within the service as a result of staff leaving and as a result of a restructure to the Estates function. (180)

Other Expenditure - Costs in excess of budget as a result of necessary works arising as a result of the TAC decant, and general building maintenance expenditure 661

Sales, Fees and Charges Minor variation 40

Other Income - Income in excess of budget generated as a result of additional works undertaken on behalf of service areas for estates. (219)

Capital Items & Movements to/from Earmarked Reserves - Minor variation (2)

Corporate Landlord Total 300

Catering

Efficiencies made within the catering service (126)

Catering Total (126)

b. Budget Analysis

	2015/16 Budget £000	Projected Outturn £000	Variation to Budget £000
Employee Expenses	3,231	2,705	(526)
PFI & FM Contract costs	20,333	20,245	(88)
Other Expenditure	11,038	12,260	1,222
EXPENDITURE	34,602	35,210	608
Grants and Contributions	(14,383)	(14,383)	0
Sales, Fees and Charges	(3,217)	(3,081)	136
Other Income	(13,065)	(13,984)	(919)
INCOME	(30,665)	(31,448)	(783)
Movements to/from Earmarked Reserves	(296)	53	349
Savings to be identified	0	0	0

NET	3,641	3,815	174
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6. ENVIRONMENTAL SERVICES

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Environmental Services	45,854	45,125	(729)
TOTAL	45,854	45,125	(729)

a. Overview

£000

Savings relating to employee costs across the service arising as a result of vacant posts not being filled. In addition there has been less expenditure than anticipated on employee costs for the Bin Swap scheme; this is as a result of the utilisation of existing employees and secondments.

(729)

Environmental Services Total

(729)

b. Budget Analysis

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Employee Expenses	14,784	14,054	(730)
Passenger Transport Levy	15,854	15,854	0
Land Drainage Levy	106	106	0
GMC Waste Disposal Levy	16,519	16,519	0
Other Expenditure	19,757	19,857	100
Recharge Expenditure	2,178	2,263	85
EXPENDITURE	69,198	68,653	(545)
Grants and Contributions	0	(145)	(145)
Sales, Fees and Charges	(15,320)	(16,203)	(883)
Other Income	(4,535)	(3,631)	904
Recharge Income	(2,645)	(4,531)	(1,886)
INCOME	(22,500)	(24,510)	(2,010)
B/fwd from 2014/15	0	0	0
Movements to/from Reserves	(1,111)	982	2,093
Savings being planned	267	0	(267)
TOTAL	45,854	45,125	(729)

7. DEVELOPMENT GROWTH AND INVESTMENT

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Development Growth and Investment	3,183	3,021	(162)
TOTAL	3,183	3,021	(162)

a. Overview

Development growth and investment has an outturn variation to budget of (£0.162m).

£000

Expenditure below budget for Employee costs as a result of vacant posts across the service and service re-design not yet fully complete in all areas. (210)

Professional Consultancy - external assistance for Building Control due to inability to fill vacant posts 32

Shortfall in Building Control Income as a result of vacant posts 149

Shortfall Ground Rental Income 39

Previously anticipated contribution from New Economy towards YES Pledge, now expected during 2016/17 45

Additional contribution for work being completed by Employment and Skills team funded via DWP (63)

Other minor variations across Development, Growth and Investment (154)

Development Growth and Investment Total (162)

b. Budget Analysis

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Employee Expenses	3,132	2,922	(210)
British Waterways Levy	79	79	0
Other Expenditure	2,307	2,456	149
EXPENDITURE	5,518	5,457	(61)
Grants and Contributions	(1,032)	(901)	131
Sales, Fees and Charges	(1,293)	(1,288)	5
Other Income	(100)	(247)	(147)
INCOME	(2,425)	(2,436)	(11)
B/fwd from 2014/15	83	0	(83)
Movements to/from Reserves	0	0	0

Savings being planned	7	0	(7)
TOTAL	3,183	3,021	(162)

8. DIGITAL TAMESIDE

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Digital Tameside	1,875	1,814	(61)
TOTAL	1,875	1,814	(61)

a. Overview

Digital Tameside has spent less than budget by £0.061m. The reasons for this variation are:

	£000
Employee Expenses – Minor Variation	37
Supplies & Services Expenses	(86)
Sales, Fees and Charges Minor variation	(46)
Recharge Income - Minor variation	34
Digital Tameside Total	(61)

b. Budget Analysis

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Employee Expenses	1,377	1,414	37
Supplies & Services Expenses	1,165	1,078	(87)
EXPENDITURE	2,542	2,492	(50)
Sales, Fees and Charges	(162)	(208)	(46)
Recharge Income	(504)	(470)	34
INCOME	1,875	1,814	(61)

DIRECTOR OF GOVERNANCE AND RESOURCES

9. DIRECTOR OF GOVERNANCE AND RESOURCES

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Director of Governance and Resources	12,384	10,081	(2,303)
TOTAL	12,384	10,081	(2,303)

a. Overview

	£000
Vacant posts and savings as a result of severance have resulted in expenditure less than budget	(2,198)
Ongoing restrictions in expenditure	(1,305)
Amount earmarked for use in 2016/17 and future years for investment in service redesign and efficiencies	2,000
Cost of Collection surplus for Business Rates	(433)
Increased income received across the service area	(87)
Previous years balances brought forward	(280)
Director of Governance and Resources Total	<u>(2,303)</u>

b. Budget Analysis

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Employee Expenses	12,477	10,279	(2,198)
Housing Benefit Payments	89,236	89,236	0
Other Expenditure	4,131	2,826	(1,305)
EXPENDITURE	105,844	102,341	(3,503)
Grants and Contributions	(869)	(980)	(111)
Sales, Fees and Charges	(3,612)	(4,050)	(438)
Housing Benefit Subsidy	(88,929)	(88,929)	0
Other Income	(330)	(301)	29
INCOME	(93,740)	(94,260)	(520)
B/fwd from 2014/15	280		(280)
Transfer to Reserve	0	2,000	2,000
TOTAL	12,384	10,081	(2,303)

10. CORPORATE COSTS

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Corporate Costs	8,420	5,417	(3,003)
TOTAL	8,420	5,417	(3,003)

a. Overview

Corporate Costs include a range of central functions including Insurance, AGMA and Coroners costs and the cost of Democracy. The achievement of efficiencies and the receipt of additional income have resulted in an outturn position of spending below budget of £3.003m, as detailed below:

£000

Other Services - efficiencies achieved as a result of the insurance review.	(364)
Efficiencies in the cost of Democracy	(224)
Additional Manchester Airport Dividends	(2,245)
Additional Income Received	(170)
Corporate Costs Total	<u>(3,003)</u>

b. Budget Analysis

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Employee Expenses (incl. employee insurance)	6,647	6,543	(104)
Other Expenditure	4,656	4,171	(485)
EXPENDITURE	11,303	10,714	(589)
Grants and Contributions	(17)	(32)	(15)
Sales, Fees and Charges	(1,856)	(2,017)	(161)
Other Income	(1,010)	(3,249)	(2,239)
INCOME	(2,883)	(5,298)	(2,415)
B/fwd from 2014/15	0		0
TOTAL	8,420	5,417	(3,003)

11. CAPITAL AND FINANCING

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Capital and Financing	20,296	11,398	(8,898)
TOTAL	20,296	11,398	(8,898)

12. OTHER COST PRESSURES AND FUNDING

	2015/16 Budget £000	Outturn £000	Variation to Budget £000
Other Cost Pressures and Funding	15,990	825	(15,165)
Transfer to reserves	0	12,800	12,800
TOTAL	15,990	13,625	(2,365)

a. Overview

This is budget provision for risk and cost pressures that have been identified and reported in service areas. It is proposed that £12.8m will be transferred to reserves, £12m of which is to provide some protection to care services in 2016/17 whilst the Council moves to its ground-breaking Integrated Care Organisation (ICO) with Health Services in Tameside & Glossop.

APPENDIX 3

Directorate	Service	2015/16 Budget £000	Outturn Variation £000	Proposed reserve movement £000	C/Fwd £000
People	Childrens Social Care	19,477	4,931		No
People	Strategy and Early Intervention	2,237	(491)		No
People	Education	3,393	(410)		Yes ¹
People	Adults Social Care	49,750	5,567		No
People	Adults Early Intervention	1,356	(160)		No
People	Stronger Communities	7,141	1,247		No
	Total People	83,354	10,684		
Public Health	Director of Public Health	16,329	0		
Place	Asset and Investment Partnership Management	3,641	174		No
Place	Environmental Services	45,854	(729)		Yes ²
Place	Development, Growth & Investment	3,183	(162)		Yes ³
Place	Digital Tameside	1,875	(61)		Yes ⁴
	Total Place	54,553	(778)		
Governance	Director of Governance and Resources	12,384	(4,303)	2,000	Part ⁵
Other	Corporate Costs	8,420	(3,003)		No
Other	Capital Financing	20,296	(8,898)		No
Other	Other Cost Pressures and Funding ⁶	15,990	(15,165)	12,800	No
		57,090	(31,369)	14,800⁶	
	Total	211,326	(21,463)		

Notes:

1. £135k to support Denominational School bus passes, £40k for asbestos surveys in council maintained schools and £115k to support the shortfall in funding, primarily as a result of increases in the cost of mandatory National Insurance and Pension contributions.
2. It is anticipated that this will be utilised in 2016/17 to support the Leaders' pledges.
3. It is anticipated that this will be utilised in 2016/17 to support the Leaders' pledges and other highway and infrastructure related unbudgeted works required to support the economic growth of the borough.
4. This is a commitment to be used against the Tameside Digital investment.
5. It will be utilised to offset the ongoing reduction in Housing Benefit admin grant, and invest to save initiatives e.g. system improvements. This will allow the service to continue to manage their budgets within increasingly financial restraints.
6. Proposed transfers to reserve requiring approval

APPENDIX 4

The tables below detail how the Council is performing against target collection rates in both Business Rates and Council Tax. Arrears are pursued and recovery of current year arrears will continue in future years.

Council Tax In-year Collection Performance 2015/16				
	Cash Collected £m	Cash Collected %	Cash Target %	Variation %
April 2015	9.208	10.60	10.40	+0.20
May 2015	16.695	19.17	19.50	-0.33
June 2015	24.608	28.24	28.40	-0.16
July 2015	32.619	37.42	37.60	-0.18
August 2015	40.160	46.00	46.20	-0.20
September 2015	48.247	55.10	55.50	-0.40
October 2015	56.012	64.13	64.50	-0.37
November 2015	63.867	73.14	73.20	-0.06
December 2015	71.263	81.59	81.80	-0.21
January 2016	78.634	89.96	90.10	-0.14
February 2016	80.664	92.26	92.90	-0.64
March 2016	82.324	94.17	94.20	-0.03

Business Rates In-year Collection Performance 2015/16				
	Cash Collected £m	Cash Collected %	Cash Target %	Variation %
April 2015	6.679	10.88	9.90	+0.98
May 2015	11.629	18.98	20.90	-1.92
June 2015	17.543	28.96	30.40	-1.44
July 2015	23.289	38.44	39.40	-0.96
August 2015	28.353	46.85	47.20	-0.20
September 2015	33.553	55.20	55.80	-0.40
October 2015	38.746	63.69	65.00	-1.31
November 2015	44.016	72.24	73.70	-1.46
December 2015	48.456	79.60	81.90	-2.30
January 2016	53.886	88.39	89.60	-1.21
February 2016	56.330	92.82	93.30	-0.48
March 2016	58.284	96.10	96.30	-0.20

APPENDIX 5

CAPITAL MONITORING STATEMENT - 2015/16 OUTTURN			
	Annual Budget	Actual	Outturn Variation
	£000	£000	£000
<u>PEOPLE</u>			
Children	16,550	14,662	(1,888)
Community Services	251	160	(91)
Public Health	1,034	965	(69)
<u>PLACES</u>			
AIPM	9,107	8,044	(1,063)
Development & Investment	6,780	6,076	(704)
Digital Tameside	2,150	1,252	(898)
Engineering Services	8,924	7,477	(1,447)
Environmental Health	72	74	2
Operations	404	151	(253)
Transport	1,206	1,205	(1)
Subtotal	46,478	40,067	(6,411)
Unallocated (see below)	1,061		
Total	47,539		

CAPITAL FUNDING STREAMS - UNALLOCATED TO PROJECTS	
	Annual Budget
Development & Investment Resources	259
	802
Total Funding Streams	1,061

RESOURCES	£000
Capital Grants	22,282
Unsupported Borrowing	7,742
Revenue Contributions	780
Capital Receipts	7,719
Capital Contributions	516
Corporate Resources	1,030
Total	40,067

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Agenda Item 5

Report To:	EXECUTIVE CABINET
Date:	29 June 2016
Executive Member/Reporting Officer:	Councillor Jim Fitzpatrick – First Deputy (Performance and Finance) Tim Rainey – Assistant Executive Director, Digital Services
Subject:	SMART TAMESIDE: DIGITAL INFRASTRUCTURE
Report Summary:	<p>For the last 3 years the Council has been installing a fibre optic digital infrastructure in and around Ashton Town Centre. At present this network provides data and telecommunications connectivity to 20 different buildings supporting the Council, Tameside College, Ashton Sixth Form College, Tameside General Hospital and Pennine Care Mental Health Trust services, with work ongoing to connect New Charter Housing Trust and Greater Manchester Pension Fund.</p> <p>Alongside supporting the public sector reform agenda the infrastructure also enable other services to be layered on top. SWIFT – Town Centre Wi-Fi for Tameside will utilise the dark fibre network across Ashton and Droylsden Town Centre's to provide the connective backbone that means over 30 external Wi-Fi hot spots can be installed to create a high density free to use public Wi-Fi network.</p> <p>There is also an opportunity lever the investments being made in the digital infrastructure to support and grow the digital economy in Tameside. This sector is thriving across Greater Manchester due in part to the BBC relocation to Media City. Tameside has a strong but relatively small digital economy but with the advent of the Ashton Old Baths development alongside the digital infrastructure there is a real opportunity to stimulate and significantly grow this increasingly important sector.</p> <p>A key development in the dark fibre network is the installation of fibre optic cables in ducting alongside the Metrolink track from Ashton Town Centre to Piccadilly. When this work is complete in late summer it will enable the network to be directly connected into the Northern Internet Peering Point located in the Manchester Science Park, and in so doing open up super high speed internet connectivity at a fraction of the costs of commercial available services.</p> <p>Transport for Greater Manchester who operate the Metrolink Network require the Council to sign a letter of intent which details the arrangements and associated costs for use of their ducting. It also requires the Council to provide them with indemnity for any potential costs related to State Aid matters.</p>
Recommendations:	<p>That Members:</p> <ol style="list-style-type: none">(1) authorise the Borough Solicitor to negotiate with TfGM with regard to the terms and conditions detailed in the Letter of Intent and to sign on behalf on the Council.(2) That Members approve providing the appropriate indemnity to TfGM with regard to State Aid matters in the form

required by TfGM and set out at **Appendix 1**.

Links to Sustainable Community Strategy:

The initiative supports the delivery of the Sustainable Community Strategy Prosperous Tameside aim.

Policy Implications:

n/a

**Financial Implications:
(Authorised by the Section 151)**

The installation of dark fibre cables is being funded from existing Council budgets, which are monitored as part of the Councils quarterly monitoring procedure. In addition other public sector partners are investing in the network, including the Greater Manchester Pension Fund (GMPF), Tameside College, Ashton Pioneer Homes and the Pennine Care Trust. A report on this was taken to Executive Board on the 8 December 2015.

The cable installation fee is £95,000, which will be part funded by Greater Manchester Pension Fund (GMPF) of £37,294 and Manchester City Council £30,000 both of these need to be agreed, the remaining amount will be funded by the savings which will be realised by not renting expensive data circuits from our existing commercial telecommunications providers these savings are estimated to start in the summer of this financial year 2015/16. If these savings are delayed then the existing revenue budget would be impacted upon and would need to be funded within the Digital Tameside existing funding envelope. The Cable Installation Fee is not a fixed price and in the event of a cost increase being incurred in respect of the installation of the Fibre Cable any cost increase has also to be met by TMBC within the Digital Tameside revenue funding envelope.

The annual rent of approximately £8,600, which is based on the total distance from the start to the end, which will be agreed once completed will also be funding by the savings which will be realised by not renting expensive data circuits from our existing commercial telecommunications providers as mentioned above.

It is also noted that there is also the potential for additional costs to be incurred as TMBC has to meet the full cost of the Fibre Cable and its installation and also any associated legal and other costs associated with the Project, which will also have to be funded within the Digital Tameside existing funding envelope.

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

It will be important that there is careful monitoring of the costs and benefits being achieved through this project to ensure costs do not start to outweigh any benefits to be achieved. Whilst the Digital network is used only by publically funded or educational bodies and others exempted under state aid rules there are no risks. The risks arise when it can be argued that public funding has been used to give a company a benefit i.e. state aid so that it is no longer competing with those in the same business on a level footing.

It will be necessary to obtain Council consent to an indemnity as only Council can grant.

Whilst this report touches upon potential future uses of the Fibre Cable, it is at present only authorising the installation and

operation by the Council – not a third party operator – and for use by public sector bodies, not the private sector. It will be necessary to keep arrangements under review to ensure that they do not fall foul of State Aid rules.

Risk Management:

See section 3 in body of report.

Access to Information:

The background papers relating to this report can be inspected by contacting Tim Rainey, Assistant Executive Director, Digital Services:-



Telephone:0161 342 3299



e-mail: tim.rainey@tameside.gov.uk

1. BACKGROUND

- 1.1. The Council has a both a responsibility and vested interest in the economic wellbeing of the borough and promoting and supporting digital inclusion of both residents and local businesses.
- 1.2. Digital technologies are becoming vital to all forms of business and in all areas of life, but a thriving digital economy, including parts of the creative, IT and high end engineering sectors, is an area that could be nurtured and actively developed.
- 1.3. Tameside is fortunate to be part of a city region where the digital sector is strong and growing. The Manchester city region is particularly strong in areas like creative, media and marketing – and Tameside can take part in and benefit from that strength.
- 1.4. The Council aims to use digital technology to transform public services, offering new and superior service at lower cost. It also sees digital technology as a driver for economic growth, directly through the development of digital sector and related businesses, and indirectly through the impact on productivity in the wider economy
- 1.5. Tameside has a strong technical, manufacturing and industrial heritage, and linking in with the Vision Tameside programme it can develop its own special role, as a centre for the industrial application of digital technology in areas such as software, digital networks and high end engineering.
- 1.6. The borough is not particularly well served with the kind of digital infrastructure that would allow real and rapid progress in pursuit of these objectives. Upgrades to Internet access services from the main suppliers, while welcome, offer only incremental change and create few opportunities for local business to innovate and add value.
- 1.7. There are no plans by any major investor to introduce truly transformational digital infrastructure on a par with cities like Stockholm and Amsterdam. When such a transformation finally comes to the UK and Greater Manchester, Tameside will not be at the top of the list.
- 1.8. Because of this the Council took the opportunity to work with partners to create a new open infrastructure. By creating a new, open, application-neutral infrastructure, the main aim is not so much to offer incrementally improved services as to open up the opportunity for new disruptive services which can transform how public and private sector work.
- 1.9. The smart city concept is not new. A smart city uses digital technologies to enhance quality and performance of urban services, to reduce costs and resource consumption, and to engage more effectively and actively with its citizens. Smart Tameside is the local manifestation of this concept. Tameside is a place with ambitions to develop a strong digital sector but to do so we must firstly have the right digital infrastructure.
- 1.10. The key role of that infrastructure is not to provide the services that help businesses work efficiently and reach new markets – although that is an important benefit. Rather it is to create a new space to try new things – to transform the opportunities open to people and businesses.
- 1.11. To this end an Executive Decision was taken by the Deputy Leader on 28 March 2013 which authorized the installation of the Digital Infrastructure in Ashton Town Centre.
- 1.12. Tameside Metropolitan Borough Council has now installed and is using this new digital technology infrastructure. Alongside the Council using the new infrastructure to link 7 of its sites in Ashton Town Centre, dark fibre is also being installed into the Ashton Old Baths development and it will be used to provide connectivity to the businesses based there.
- 1.13. In addition other public sector partners are also investing in the network. Greater Manchester Pension Fund have agreed funding to help extend the fibre network into their new HQ in Droylsden and Tameside College have funded an extension of the network to link its Beaufort Road site with their new Ashton Town Centre facility and Enterprise Centre. The Pennine Care Trust has also recently commissioned a link into their St Petersfield HQ

and work to connect Tameside General Hospital, Ashton 6th Form and New Charter Housing are underway.

- 1.14. The route of the Metrolink runs directly outside the new Greater Manchester Pension Fund administration building. Work to extend the Tameside Digital Infrastructure down the track side to Droylsden means that in future the Pension Fund, Droylsden Library, Concorde Suite and the Council's wide areas Network link between Droylsden BT Exchange and Ashton BT Exchange will be delivered over the dark fibre instead of paying our current network providers for high speed circuits.
- 1.15. At the same time as installing dark fibre cables from Ashton to Droylsden it is also intended to install fibre cables along the entire route of the 3B extension to Piccadilly in the City Centre. From there the Tameside Digital Infrastructure will be linked into the Northern Internet Peering point in Williams House, and in doing so provide the Tameside Digital Infrastructure with a direct route onto the internet.
- 1.16. Having a direct link into the Internet would enable huge bandwidths in excess of 1Gbps to be delivered to businesses linked to the Digital Infrastructure. The availability of such services in the UK is very limited and in Tameside the cost would be around the tenth of the normal commercially available price. This would provide significant opportunities and savings for the Council and other partners connected to the infrastructure.

2. TRANSPORT FOR GREATER MANCHESTER (TFGM) LETTER OF INTENT.

- 2.1. The proposed fibre connections to New Charter Housing Trust HQ, Greater Manchester Pension Fund HQ and the Concorde Suite in Droylsden require the use of TfGM tram side ducting. During the original construction of the Metrolink specific ducting for fibre optic cables was installed along the entire Ashton to Piccadilly route. For this first phase of connections ducting from the Ashton Terminus to Droylsden Town Centre would be utilized.
- 2.2. The second phase of work would see cable installed from Droylsden through to Sheffield Street near to Piccadilly Train Station and from there routed to the Northern Internet Peering point in Williams House at Manchester Science Park. Manchester City Council (MCC) have expressed interest in also installing fibre optic cable along the Tram Side from their boundary with Tameside at Openshaw and through to Piccadilly and are actively working with the Council and TfGM to this end.
- 2.3. A PSO Waiver was taken on 2/10/16 which authorised TMBC to place an order with TfGM for the installation of fibre optic cables from Ashton, through Droylsden and onward to Piccadilly using an existing TfGM Call off contract. The value of this work was estimated to be £85k and is to be funded through saving which would be realised by not renting expensive data circuits from commercial telecommunications providers.
- 2.4. TfGM now require the Council to sign a Letter of Intent before they progress with the fibre optic cable installation. A copy of the draft letter of intent is attached at Appendix 1. In essence this letter details a number of important issues defining the extent of the fibre install work and the ongoing arrangements for its use.
- 2.5. **Consents/easements:** The route of the Metrolink from Ashton to Piccadilly crosses land owned by various organisations both public and private. Whilst work to tidy up land ownership issues along the route is currently being pursued by TfGM there are certain parcels of land in third party ownership where specific consents will be needed before the Council could legally use the fibre optic cable. In order not to delay the cable installation and increase costs TfGM has agreed to install and own the fibre optic cable in the first instance. Once the appropriate consents have been put in place TfGM will transfer ownership of the cable to the Council. The Council's Estates team are actively pursuing consents for the phase 1 route (Ashton to Droylsden) and phase 2 (Droylsden to Piccadilly). Manchester City Council have confirmed that they should they join in the fibre installation

project they would equally share the costs of any legal and easement fees associated with phase 2.

- 2.6. **Project Agreement:** The lease or license to use the TfGM ducting will be for 20 years and TfGM will charge the Council a rental based on the BT regulated standard which at present is £0.86p per metre per year. This represents a total annual rental of around £8,600 per year for the stretch from Ashton to Piccadilly. This annual rental would also be jointly funded by Manchester City Council on a pro-rata basis should they join in with the fibre project.
- 2.7. **State Aid Indemnity:** TfGM are also seeking full indemnity with regard to any State Aid matters. The installation and operation of the cable by the Council and use by public sector partners will not give rise to State Aid implications. The potential future operation of the cable by a third party and use of the cable by the private sector will have State Aid implications and is the reason for TfGM requiring the indemnity now. On the face of it the request from TfGM for the indemnity appears reasonable to protect against the intended future use. The Council will need to continually monitor and review the operation and use of the cable to ensure that it does not fall foul of State Aid rules. .

3. RISKS

- 3.1. There are various risks that need to be considered:
- Consents and Easement costs from 3rd party land owners are prohibitively expensive.
 - Legal challenge with regard to State Aid.
- 3.2. **Consents and Easement Costs:** Whilst the vast majority of the Tram route from Ashton Town Centre to Sheffield Street, Piccadilly is on land owned by either Tameside Council, Manchester City Council or TfGM there are some packets of land that are in third party ownership. The existing third party easements permit TfGM to install and use fibre optic cable in the tram side ducting for Metrolink operation. In order for Tameside (and Manchester) to install and operate fibre in the ducting these easements must be amended/re-negotiated.
- 3.3. The costs relating to these consents/easements varies from land owner to land owner. Typically the cost they demand relate to the costs that would be incurred should an alternate route have to be provided for. i.e. dig a separate ducting around the parcel of land. Work to finalise the easements for phase 1 are nearing successful completion and work on phase 2 will be undertaken with Manchester City Council. If a mutually agreeable arrangement cannot be obtained an alternative route would be identified and ducting installed.
- 3.4. **State Aid Legal Challenge:** In the “Digital Infrastructure” Executive Decision taken on 28 March 2013 the issue of whether the council investing and development a digital infrastructure in Tameside could be considered as non-permissible state aid leading to a legal challenge was raised. The report went on to say that this issue would be fully considered and where possible any risks would be mitigated. At this stage the Council is seeking to install and potentially operate the cable itself, so there are no State Aid issues at present. The position will need to be continually reviewed as plans for the operation and end use of the cable are progressed.

4. RECOMMENDATIONS

- 4.1 As set out on the front of the report.

APPENDIX 1

Draft Letter from Transport for Greater Manchester

Our Ref: DG/N261

Date 17 March 2016

Dear Sandra

Tameside Digital Infrastructure Project “the Project”

In this letter the following words have the following meanings:

Ashton Moss Consent means the consent of Stanley Development Limited (registered number 01269120) whose registered office is at the Estates Office Enville near Stourbridge West Midlands BY7 5HD to the Project as required under the Plot 1001 Deed of Easement and Covenant Dated 1 August 2013 and the Pond Deed of Easement and Covenant Date 1 August 2013 and title MAN213477

CABLE Installation Fee means £95,000 (ninety five thousand pounds)

Canal and River Trust Consent means the consent of the Canal & River Trust (company number 07807276 Charity Number 11467920) acting as Trustees of the Waterways Infrastructure Trust (charity number 1146792-2) whose principal office is at Canal and River Trust, First Floor North, Station House, 500 Elder Gate, Milton Keynes, MK9 1BB as required under the Lease dated 27 November 2013 and as required under the Transfer dated 27 November 2013 noted in paragraph C1 of the Charges Register of title number MAN203242 (being land lying to the Ashton Canal Manchester) and the Restriction noted at paragraph p3 of the Proprietorship Register of the same title

Consents means the Phase 1 and the Phase 2 consents

Fibre Cable means the electronic communication cables to be laid in the Subduct

Long Stop Date means the 31 March 2017

MCC Consents means under the consent of the Council of the City of Manchester to the Project as required under claim 12.2.2 of the Transfer dated 8 August 2006 noted at paragraph c2 of the Charges Register of the title MAN47925 (being the land and the buildings on the north west side of Pollard Street) and as required under clauses 4.8, 4.19 and any other relevant clause of the Lease (as applicable) dated 30 March 1990 made between the Council of the City of Manchester and Iwelt Limited as varied by the Deed of Variation dated 13 September 2001 between the same parties

Phase 1 means Ashton to Droylsden

Phase 2 means Droylsden to Sheffield Street to the rear of Manchester Piccadilly Station in Manchester City Centre

Phase 1 Consents means the Ashton Moss Consent and the PTVC Pension Trustee Consent and any other consents which are identified and notified to Tameside as being relevant to Phase 1.

Phase 2 Consents means the RG Securities Consent, the Canal and River Trust Consents and the Manchester City Council Consents and any other consents which are identified and notified to Tameside as being relevant to Phase 2.

Pre-approved Connections means the old Greater Manchester Pension Fund building at Concord Suite Manchester Road Droylsden M43 6SF and new Greater Manchester Pension Fund building at Guardsman Tony Downes House 5 Manchester Road Droylsden M43 6SF

Project means the Installation of a Fibre Cable within the tram side ducting in the identified Subduct owned by TfGM

Project Agreements means the Phase 1 Project Agreement and the Phase 2 Project Agreement

PTVC Consent means the consent required under the Restriction set out in paragraph P2 of the Proprietorship Register of title GM816357 being the freehold land known as 418 Manchester Road Droylsden M43 6QX

RG Securities Consent means the consent of RG Securities (No 2) Limited (Company Number 02232530) of 7-11 Nelson Street, Southend-On-Sea SS1 1EH under the Restriction set out in paragraph p2 of the Proprietorship Register of title number MAN69094 (being the freehold land and buildings on the north west side of Pollard Street) and the Restriction set out in Paragraph p3 of the Proprietorship Register of title number MAN47925 (being land and buildings on the north west side of Pollard Street) and in respect of the restrictive covenant set out in clause 13.4.1 of the Transfer of Part dated 24 August 2006

Subduct means Subduct 'X'

Tameside mean Tameside Metropolitan Borough Council

TfGM Consent means the consent of the TfGM required pursuant to section 10(1) (xxiii) of the Transport Act 1968 as set out in the GMCA Constitution Part 3 Section B II paragraph 1.1 (o)

Background

- 1.1 The Parties are negotiating a Project Agreement in phases (incorporating an Agreement for Lease) conditional on the Consents and the TfGM Consent required in relation to permit the Project 'the Project Agreement'. The parties aim to complete the Project Agreement by the dates set out at paragraph 7.1 below. In the meantime Tameside have requested that TfGM permit installation of sufficient cable to support Phase 1 (Ashton to Droylsden) and Phase 2 (Droylsden to Sheffield Street (rear of Manchester Piccadilly) of the Project prior to formal completion of the Project Agreement. The intention is for there to be a Phase 1 Project Agreement and a Phase 2 Project Agreement. The Phase 2 Project Agreement will be in the same form as the Phase 1 Project Agreement incorporating such amendments as necessary to give effect to Phase 2 as agreed between the parties. Due to the complexity of documentation and the issues to be dealt with within the Agreement the intention is for the parties to enter into the Letter setting out the basis of the agreement between the parties with regard to the procurement and the installation of the Fibre Cable until such time as the project Agreement has been entered into.
- 1.2 TfGM have agreed to procure the Fibre Cable subject to the following:

2 General Terms

- 2.1 The relevant Phase Project Agreement will remain conditional until such a time as the Consents and the TfGM Consent relevant to that phase have been obtained. Tameside acknowledge that before they can use and connect into the Fibre Cable it is necessary for the Consents and the TfGM Consent relevant to that phase to be obtained in the form satisfactory to the parties to allow the relevant phase of Project to proceed.
- 2.2 Therefore Title to the Cable shall remain with the TfGM until such a time as the Consents and the TfGM Consent have been obtained in accordance with the terms of the Project Agreements. TfGM shall subject to the remaining terms of this letter be permitted to use the Fibre Cable and install it for the purposes of the Metrolink system
- 2.3 Title to the Fibre Cable will pass to Tameside once the Consents and the TfGM Consent have been obtained in accordance with the terms of the Project Agreement at which point Tameside will be granted either a Lease or a Licence permitting the occupation by the Fibre Cable in the allocated Subduct.

3 Project Agreement

- 3.1 The main terms of the Project Agreement will be as follows:
- 3.2 The Term of the Project Agreement will be 20 years
- 3.3 Include provisions dealing with Conditionality as describer at paragraph 1.1 above
- 3.4 Once the Consents and the TfGM Consent have been obtained in respect of a relevant phase then this will trigger the grant of either a lease or Licence as described in the Project Agreement by way of the mechanism set out in the Project Agreement
- 3.5 Tameside will only be permitted to appoint a Telecoms Provider with the consent of TfGM and only once the Consents and the TfGM Consent have been obtained for a relevant Phase as described above

- 3.6 The Project Agreement will contain Co-Operation and Collaboration provisions whereby TfGM and Tameside agree to work together for the life time of the Project and agree to hold regular meetings to discuss the Project
- 3.7 The Project Agreement shall contain termination provisions allowing the Agreement to be terminated on the occurrence of an event of default as described in the Project Agreement and in the event of the Consents and the TfGM Consent not being obtained by the Long Stop Date
- 3.8 The parties will acknowledge that the TfGM do not currently own all of the land on which the tram lines sit running from Ashton to Sheffield Street. The Project Agreement will contain a mechanism to address this and to allow leases or licences to be granted once those parcels of land have been acquired by TfGM and any further TfGM Consent as required is obtained.
- 3.9 Tameside will be required to comply/ensure that its contractor complies with the following TfGM policies and procedures any Suppliers to the Project will need to have Personal Trackside Safety (PTS) for all employees engaged in the installation of the fibre cable and an organisation Rail Safety Case (RSC). There must also be at least one employee who is engaged on the installation of the Fibre Cable with person in Charge accreditation (PIC) and two employees who have completed Lookout training. It is the responsibility of Tameside MBC to ensure that these accreditations have been obtained and approved by Meterolink in connection with the installation works for the fibre cable.
- 3.10 Tameside will provide TfGM with a full indemnity with regard to State Aid matters.
- 3.11 The Lease to be granted will be in the form attached to the Project Agreement and will contain the usual Landlord and Tenant covenants for leases of this type including but not limited to the following: Landlord and Tenant Act 1954 contracting out provisions, Lift and Shift provisions, the rent payable by Tameside to TfGM will be based on the BT regulated standard rate currently £0.86 per metre (or any such variation of this standard rate). Any Licence granted will also contain Lift and Shift provisions and a Licence Fee also based on the BT regulated standard rate currently £0.86 per metre (or any such variation of this standard rate). All Leases or Licences granted will contain provisions whereby the Leases and Licences can be automatically terminated in the event that the Project Agreement is terminated.
- 3.12 Once Consents and the TfGM Consent have been obtained and the Lease and/or the Licence has been granted the Pre-approved Connections only, will be permitted to the fibre cable. In the event of further connections being required these will only be permitted in accordance with the mechanism set out in the Project Agreement.

4 Payment for Fibre Cable Installation

- 4.1 Tameside to meet the full cost of the Fibre Cable and its installation and also any associated legal and other costs associated with the Project, and to reimburse TFGM in respect of this. Please note that an order to purchase the Fibre Cable will only be place on receipt by TfGM of the Cable Installation Fee in cleared funds in accordance with the terms of this Letter. We note that the Cable Installation Fee is not a fixed price and in the event of a cost increase being incurred in respect of the installation of the Fibre Cable any cost increase will be met by Tameside. In the event of a cost increase being incurred, Tameside will notify TfGM in writing as soon as is reasonably possible the amount of the increase and will arrange to put TfGM in cleared funds to pay such increase within 10 working days of the notification being made to TfGM. Such arrangements with regard to the reimbursement in respect of the increase in costs will apply to cost increases incurred prior to title to the Fibre Cable passing.

5 The Consents

- 5.1 Tameside shall be responsible for securing the Consents as its own cost and TfGM shall provide reasonable assistance with this process. Note that where any third party requires any documentation to be drafted to record the agreement reached between the parties in connection with the granting of any of the Consents this documentation will be the

responsibility if Tameside to prepare subject to the approval of TfGM. For the avoidance of doubt it shall be the responsibility of the TfGM to obtain the TfGM Consent.

5.2 The Consents which are referred to for the purposes of this letter are the Consents which are required as a result of the existence of any restrictions and restrictive covenants which TfGM's titles are subject to. Other consents may be required with regard to the Fibre Cable and its' installation from other bodies such as (but not limited to) Highways England. Save for the TfGM Consent it will be the responsibility of Tameside to firstly establish which if any further consents at Tameside's cost. Tameside will be expected to confirm to TfGM what these consents are (if any) and demonstrate to TfGM prior to any installation works commencing that these consents have been obtained or are in the process of being obtained at the appropriate time in the Project.

5.3 The parties acknowledge that TfGM are in the process of acquiring certain parcels of land on which the tram lines and the tram side ducts are located (Outliers) and therefore the parties acknowledge that certain further consents may be required for this Project and any such consents which are required will be at the cost of Tameside. As stated above a number (but not all) of the parcels of land falling within this category are currently owned by Tameside we will discuss the process for transfer of these parcels to TfGM with you separately as part of our Outliners Project. For the avoidance of doubt if any further TfGM Consent is required as a result of further acquisitions by TfGM then it shall be the responsibility of TfGM to obtain such further TfGM Consent as required and the grant of any future leases or licences will be conditional of any further TfGM Consent or other consents being obtained.

6 Installation of Fibre Cable

6.1 Irrespective of whether the Consents or the TfGM Consent have been obtained no works to install the Fibre Cable will be permitted to begin until the following have occurred:

6.1.1 a copy of this Letter signed by an authorised signatory of Tameside has been received by TfGM and;

6.1.2 a capacity survey of the tram side duct has been undertaken by TfGM to assess the level of the spare capacity of the tram side ducts on the Ashton line the results of which are satisfactory to TfGM in its absolute discretion

6.1.3 relevant employees engaged by Tameside in connection with the Installation of the Fibre Cable having obtained/undertaken the accreditations and training set out in paragraph 3.9 of this Letter

6.2 For the avoidance of doubt 6.1.1, 6.1.2 and 6.1.3 along with the obtaining of the Consents and the TfGM Consent shall be considered to be Conditions Precedent to the Installation of the Fibre Cable.

6.3 Installation of the Fibre Cable will only be permitted within the allocated purple duct. A Fibre Cable or cables for the Project shall not be installed within any of the orange ducts

6.4 In the event that the Project Agreements for Phase 1 and Phase 2 have not been signed and the Consents and the TfGM Consent have not been obtained by 31 March 2017 'the Longstop Date' then the arrangements set out in this Letter of Intent will come to an end unless they have been extended by prior agreement in writing between the parties

6.5 During the Installation Tameside shall be responsible for any damage or loss of service caused to any of the ducts installed by TfGM for the operation of the light rapid transit system and due Urban Traffic Control (UTC) or for any other damage caused to the TfGM's property, equipment or apparatus. Further Tameside shall indemnify TfGM against all liabilities, costs, expenses, damages and losses (including but not limited to any direct, indirect or consequential losses, loss of profit, loss of reputation and all interest, penalties and legal costs (calculated on a full indemnity basis) and all other professional costs and expenses) suffered or incurred by the indemnified party in connection with the installation of the Fibre Cable. In the event of any such damage being caused Tameside shall notify TfGM of such damage immediately upon becoming aware of it and the parties shall work together to resolve the situation

7 Timetable

- 7.1 The parties shall continue to negotiate with a view to signing the Conditional Phase 1 Project Agreement by 30 June 2016 and the Condition Phase 2 Project Agreement by 31 October 2016. In the event that the Project Agreements are signed the terms of this letter will be subsumed into the relevant Project Agreements.

Please confirm your agreement to the terms of this Letter by signing and returning the copy letter enclosed to us. Payment of the Cable Installation Fee will be due within 10 working days of the signing and dating of this letter by Tameside.

Yours Sincerely

Desmond Gardner
Head of Legal Services
Direct Line 0161 244 1725
Email desmond.gardner@tfgm.com

We hereby confirm our agreement to abide by the terms of this Letter

Authorised Signatory of Tameside Metropolitan Borough Council

Dated: 2016

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Agenda Item 6

Report To:	EXECUTIVE CABINET
Date:	29 June 2016
Executive Member/ Reporting Officer:	Councillor Jim Fitzpatrick – First Deputy (Performance and Finance) Damien Bourke – Assistant Executive Director
Subject:	VISION TAMESIDE PHASE 2
Report Summary:	<p>The report provides a further update on project development, costs, delivery timescales and risks associated with the Vision Tameside Programme and seeks approval for:</p> <ul style="list-style-type: none">• Payments and virements as outlined in the report.• Delegated authority for the award of a contract and making of all necessary decisions within the allocated capital budget.• Delegated authority for any necessary virements that may be required during the delivery of the programme within the allocated capital budget.• Delegated authority to accept the SFA funding offer of £4,060,000.
Recommendations:	<p>That Executive Cabinet:</p> <ol style="list-style-type: none">1. Notes the substantial progress achieved since Executive Cabinet last received a report on the Vision Tameside Phase 2 programme in December 2015.2. Notes the revised demolition completion date of 5 August 2016 as outlined in section 3.3. Approves the payment of the balance of the costs incurred in reaching Stage 2 of £78,949 to the Tameside Investment Partnership as outlined in section 4.12. .4. Approves the virements as set out in Section 4.3 of this report.5. Approves the payment of the costs of post-stage 2 early works packages of £2,589,978.17 to the Tameside Investment Partnership as outlined in section 4.13.6. Authorises the Executive Director (Place), in consultation with the Executive Director (Governance & Resources) and First Deputy (Performance and Finance), to award a construction contract and make all necessary decisions within the allocated capital budget for the Vision Tameside Phase 2 programme as outlined in section 4 of this report.7. Authorises the Executive Director (Place), in consultation with the First Deputy (Performance and Finance), to approve any further early works packages necessary within the allocated capital budget for the Vision Tameside Phase 2 construction programme.8. Authorises the Executive Director (Place), in consultation with the First Deputy (Performance and Finance) and the S151 Officer, to approve any necessary virements within the allocated capital budget for the Vision Tameside Phase 2 programme subject to any virements over £100k being approved in advance by the Strategic Planning and Capital Monitoring Panel;.9. Authorises the Executive Director (Place), in consultation with the

Executive Director (Governance & Resources), to accept the SFA funding offer of £4,060,000 from the Greater Manchester Combined Authority and enter into a grant funding agreement on behalf of the Council.

Links to Sustainable Community Strategy:

The initiative supports the delivery of the Sustainable Community Strategy Prosperous Tameside aim.

Policy Implications:

In line with Council policy.

**Financial Implications:
(Authorised by the Section 151)**

The overall costs of the Vision Tameside programme must be contained within the overall net budget of £48,673,794, which was approved in February 2015.

Contingency provisions were made for construction and overall programme related cost pressures as part of this budget allocation.

The construction programme has now progressed to Stage 2 and firmer costs have been determined.. This is based on a contract award by the end of June 2016. There are however still a small number of risks relating to ground conditions, and the Ashton Town Hall façade and there is a construction contingency of £250,000 to cover any costs related to these.

A key cost risk to the programme is not achieving contract award, as this will impact on the amount of inflation underwritten and also revenue budget impacts due to loss of rent from the new tenants and the potential need to extend the rental of some of the decant properties. As anticipated, there have been a number of variations to costs originally projected that now require approval if the programme is to progress.

The current approved budget, projected expenditure at this stage and virement requested is shown in the table below:

Budget Heading	Approved Budget December 2015 (£)	Projected Budget June 2016 (£)	Requested Virements at June 2016
Total Demolition / Construction costs (including revised commercial offer and inflation contingency)	38,989,083	39,373,279	384,196
TMBC Furniture Budget	1,500,000	1,500,000	0
Approved Change Orders To Date	0	1,616	1,616
Additional Asbestos Costs (now included in total demolition / construction cost)	706,997	0	-706,997
Total Demolition / Construction Costs	41,196,080	40,874,895	-321,185
Less SFA grant	-4,000,000	-4,000,000	0
Cost paid by partners for furniture	-287,000	-432,000	-145,000
TMBC Construction Contingency (for dark ground)	250,000	250,000	0

Net Construction Costs	37,159,080	36,692,895	-466,185
Decant / condition works	2,764,452	2,764,452	0
Co-op bank termination of lease	100,000	95,408	-4,592
Programme Management	100,000	100,000	0
Fit out costs of temporary store re Early Lease termination – Wilkos	832,978	832,978	0
College Fixed Furniture and Equipment	300,000	850,000	550,000
Fit Out Costs - Early Wilko's Lease Termination	859,900	859,900	0
Public Realm Works	2,631,000	2,631,000	0
Document Scanning	250,000	250,000	0
Potential Loss of profits Wilko's	550,000	550,000	0
Legal Costs of Construction Works	50,000	50,000	0
IT Enablement	2,194,000	2,194,000	0
Programme Contingency	882,384	803,161	-79,223
Total	48,673,794	48,673,794	0

Any additional costs that arise will need to be delivered from the remaining overall contingency to ensure that the project remains within the overall approved budget.

Following the requested virement the overall contingency that remains has again reduced to £803k this is not a large amount considering the size of the project and therefore costs needs to be closely monitored.

It is important that regular monitoring of all expenditure budgets, value for money and inflation projections are maintained throughout the programme. It is also important that the agreement for lease and lease with the college, CCG and JCP are completed as soon as possible so that the capital and revenue implications of the programme can be confirmed.

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

There needs to be some strong project management and the continued operation of a Project Board is key to assisting in the management of deadlines and future milestones going forward.

Formal completion of the Building Contract; and the negotiation and then entering into of legal agreements with Tameside College, CCG and JCP are now high priority to enable the project to move forward expediently.

The risks around the SFA Grant of £4,060,000 from the Greater Manchester Combined Authority are set out in the report. The Council must now ensure that it closely monitors and adheres strictly to the obligations set out in the Grant Funding Agreement attached at **Appendix 1**. Key to this will be ensuring that the College signs up to an agreement for lease at the earliest opportunity.

Risk Management:

The key risks and mitigation proposed are included in the report at Section 5.

Access to Information:

The background papers relating to this report can be inspected by contacting the report writer, Damien Bourke, Assistant Executive Director, Development, Growth and Investment by:



Telephone: 0161 342 3544



E-mail: damien.bourke@tameside.gov.uk

1. BACKGROUND

1.1 The purpose of this report is to provide a further update on project development, costs, delivery timescales and risks associated with the Vision Tameside Programme and seek approval for:

- Payments and virements as outlined in the report.
- Delegated authority for the award of a contract and making of all necessary decisions within the allocated capital budget.
- Delegated authority for any necessary virements that may be required during the delivery of the programme within the allocated capital budget.
- Delegated authority to accept the SFA funding offer of £4,060,000.

1.2 At its meeting on the 16 December 2015, the Council's Executive Cabinet approved the following recommendations in respect of the Vision Tameside Programme:

- a) Note the Stage 2 Cost Plan Review report prepared by the Sweett Group which confirms that the Stage 2 cost plan price is considered reasonable and provides an acceptable level of value for money but recommends further negotiation in specific areas to achieve better value for money
- b) Accept the Stage 2 submission by the Tameside Investment Partnership in respect of the Vision Tameside Phase 2 building subject to further negotiation
- c) Approve the payment of the costs incurred in reaching Stage 2 of £1M to the Tameside Investment Partnership
- d) Note the draft Stage 2 Strategic Business Case prepared by Genecon which confirms that the project is supported by a compelling case for change, represent best public value, is commercially viable, affordable and achievable
- e) Approve the virements as set out in table 1 of this report
- f) Authorise the Executive Director (Place), in consultation with the Executive Director (Governance & Resources), to further negotiate and agree detailed project scope, technical terms and commercial terms set out in the Stage 2 submission prior to financial close and contract award subject to the price not exceeding the budget of £41,196,080
- g) Authorise the Executive Director (Place), in consultation with the Executive Director (Governance & Resources), to approve the final Tameside Investment Partnership Stage 2 submission in respect of the Vision Tameside Phase 2 building
- h) Authorise the Executive Director (Place), in consultation with the Executive Director (Governance & Resources) to award the Design and Build contract for the works for the construction of the Vision Tameside Phase 2 building conditional upon the contract sum not exceeding the budget of £41,196,080 and no significant increase in the risk allocation to the Council before financial close
- i) Approve the establishment of the Vision Tameside Project Board.

2. PROGRESS UPDATE

2.1 A detailed update on the physical progress made to date was provided to the meeting of the Council's Executive Cabinet on the 16 December 2015 and the Strategic Planning and Capital Monitoring Panel on the 14 March 2016.

2.2 Since that time, substantial progress has been made with key elements of the Programme, as set out below.

Asbestos Removal

- 2.3 Negotiations on liability for the removal of asbestos have now been satisfactorily completed. Details of the financial implications for the Council are set out in section 3 of this report.
- 2.4 An asbestos workshop has been held involving demolition experts from the Council and Carillion. The purpose of the event was to establish the process followed to identify, notify and remedy this issue and identify lessons learned to help improve communications in the future.

Lease Negotiations

- 2.5 Lease discussions are nearing completion with the College, Job Centre Plus (JCP) and the Clinical Commissioning Group (CCG). Heads of Terms are to be agreed prior to the award of the Design and Build contract. The Council will then need to negotiate the legal agreements to reflect the Heads of Terms. Until these agreements are agreed and signed up then there is a risk of the parties requesting amendments to the terms, or ultimately withdrawing from the project.

Scope and Design of Building

- 2.6 The scope of the building has not changed and remains as approved. It should be noted however that any further changes to the design or specification, following approval of the Stage 2 report, is likely to incur additional costs. Some change is inevitable given that we are over two years away from moving into the new building and for that reason a formal change control process has been embedded into project management processes.
- 2.7 Following recent changes in management at the College, the Stage 2 designs are currently under review and several design changes are anticipated. The College has been made aware that that they will be responsible for any costs associated with any requested design changes and that any impact on timescales will need to be considered carefully to ensure there is no negative impact on the overall programme.
- 2.8 Further detailed discussions with potential occupants are ongoing to gain a better understanding of partners' requirements and to identify if design changes are required to the first floor. These potential occupants include Customer Services, Citizen Advice Bureau, Cash Box, Credit Union and Welfare Rights.

Fixture, Fittings and Equipment (FF&E)

- 2.9 An analysis of furniture, fittings and equipment, for all elements of the scheme, was completed as part of the Stage 2 submission. The original £1.5 million budget for the Council and partners had been confirmed to be sufficient at Stage 2. An original projection of FF&E costs to be recovered from JCP and CCG, for bespoke elements, was £287,000. However, the projected FF&E contribution, from these organisations, is now anticipated to be £432,000.
- 2.10 It was reported at the Council's Executive Cabinet meeting on the 21 October 2015 that the College fixed FF&E costs had been estimated at £1.065 million subject to further analysis and value engineering.
- 2.11 The current College FF&E costs are now projected at £2.2 million as shown in the table below:

Type of FF&E	Amount (£)
Loose	827,486.57
Fixed	1,391,800.38
Total	2,219,286.95

- 2.12 Early negotiations with the College included an indication of a £300,000 Council contribution towards the fixed FF&E costs for their accommodation. Over the course of the development of the project, the College has repeatedly stated that this level of financial contribution is insufficient to meet their needs and enable them to move into the town centre.
- 2.13 Further negotiations with the College have resulted in an agreement for a capped £850,000 Council contribution towards the total £2.2 million costs of the College's FF&E. This ensures that Heads of Terms for the College's lease are agreed within the required timescales while limiting the Council's financial exposure.
- 2.14 The revised financial breakdown of FF&E costs for the College are as follows:

Detail	Council Cost (£)	College Cost (£)
Council capped contribution towards College fixed FF&E	850,000	
College to pay for balance of fixed FF&E		541,800 *
College to pay for all loose furniture		827,486 *
Specialist design advice (previously approved)	48,303	
Total Projected Cost	898,303	1,369,286

*Note - the College is currently reviewing the designs so these costs are still subject to change.

Contract Award

- 2.15 The revised target date for financial close and contract award is 24 June 2016. Good progress is being made with final negotiations and legal documentation to ensure that this milestone is achieved.

Public Realm Project

- 2.16 Substantial progress has been made with the development of the Ashton Town Centre public realm project. An appropriate funding package is also being developed to enable the delivery of all elements of the project as identified in previous reports.
- 2.17 The current projected costs for the Ashton Town Centre project are £9,655,383 with Council commitments of £8,191,726 of which £2,631,000 sits within the overall Vision Tameside budget. The funding package therefore relies on financial contribution from external sources including the GM Growth Deal Round 3 programme and Network Rail. A detailed business case and funding bid for £1.2 million has been submitted to TfGM and informal feedback received to date has been positive. A formal decision is expected by the end of July 2016.
- 2.18 In addition, discussions with Network Rail regarding their current plans to replace the two bridges at the Turner Lane junction, have included potential improvements to the station façade and plaza.
- 2.19 Hamilton-Baillie, leading international urban design and movement experts, have recently been appointed to develop proposals for the rationalisation of the Turner Lane road junction and associated works. This work is aimed at complementing the wider public realm project, pedestrianisation of Wellington Road and creating an attractive arrival and pedestrian environment in Ashton.

- 2.20 A further report on the public realm project will be provided for consideration once project and funding details have been established.

Re-use of Ashton Town Hall

- 2.21 A study to explore the potential for optimising the future use of Ashton Town Hall has recently been completed by Creative Heritage Consultants to assist in developing a vision and business plan for the future use of this important historic building. The emerging vision is based on the concepts of 'Inform, Debate and Celebrate' to communicate the distinctiveness and iconic beauty of the building. Proposed uses include arts and culture hub, retail/food & drink, meeting rooms and function rooms.
- 2.22 Ryder's Architecture, the architects for the Vision Tameside Phase 2 building, are currently developing design options and costings based on the emerging vision. This work will assist the Council in establishing the feasibility of re-interpreting the town hall in a commercially viable 21st Century context.
- 2.23 A further report on the re-use of Ashton Town Hall will be provided for consideration once project and funding details have been established.

Recant Task Group

- 2.24 A Recant Task Group, which reports to the Vision Tameside Working Group, is in the process of developing an appropriate Recant Strategy for the new Joint Service Centre as part of the wider Council accommodation strategy.
- 2.25 The intention is to have a draft Recant Strategy available for further consideration by Autumn 2016.

3. PROJECT PROGRAMME

- 3.1 Due to unforeseen delays in the demolition programme, a revised recovery programme was received on the 9 June 2016. Some of the reasons provided for the delays experienced include late scaffolding erection to the Octagon Tower; additional propping up requirements in the Octagon Tower, damage to the existing town hall having an impact on the heavy vibration demolition works progress.
- 3.2 The latest recovery programme indicates that the demolition programme will be complete by the 5 August 2016 rather than the previously reported date of 24 June 2016.
- 3.3 The revised high level programme is shown in the table below. This confirms a completion date for the construction of the new building as 26 May 2018 with recant and occupation completed by September 2018.

Phase	Milestone	Target Date as of May 2016
Design Stage	Stage 1 design	Achieved
Design Stage	Stage 2 design submission for Planning	Achieved
Decant Phase	TAC vacated	Achieved
Decant Phase	Retail vacated	Achieved
Planning Approval and Listed Building Consent	Approval granted	Achieved
Demolition and Enabling Phase	Start separation works from Ashton Town Hall	July 2015
Demolition Phase	Demolition starts	17 August 2015
Stage 2 Costs	Approval	December 2015

Demolition Phase	Demolition complete	5 August 2016
Contract Negotiation	Financial close / contract award	By 24 June 2016
Future Use of ATH	Business case complete	July 2016
Construction Phase	Construction phase starts	8 August 2016
Construction Phase	Completion	26 May 2018
Recant Phase	Recant commences	June 2018
Recant Phase	Recant completes	September 2018

- 3.4 Carillion has provided details of the mitigation measures which have been implemented to reduce the risk of further delays. In addition, they will continue, where possible, to identify opportunities to claw back time on the programme.
- 3.5 This delay in the programme does not have a significant impact on the current contract and lease arrangements. However it is essential that the programme continues to be monitored closely to ensure there is no further slippage, ensuring that the new building will be open and fully functioning by September 2018.

4. FINANCIAL IMPLICATIONS

- 4.1 The report to the Council's Executive Cabinet meeting on the 16 December 2015 gave authority to further negotiate specific areas in the cost plan to achieve better value for money.
- 4.2 These negotiations are now complete and the following revised offer has been made by Carillion:

Detail	Original Cost (£)	Revised Cost (£)	Variance (£)
Final asbestos removal costs - Carillion to omit overhead and profit for undertaking the work. Cost now incorporated into the Demolition costs identified in table 4.3.	720,000	680,000	40,000
Further additional, without prejudice commercial adjustment to close the agreement	680,000	650,000	30,000
Total			70,000

- 4.3 The costs approved by the Council's Cabinet Executive in December 2015 are shown in the table below along with further virements which require approval:

Budget Heading	Approved Budget December 2015 (£)	Projected Budget May 2016 (£)	Requested Virements at June 2016
Total Demolition / Construction costs (including revised commercial offer and inflation contingency)	38,989,083	39,373,279	384,196
TMBC Furniture Budget	1,500,000	1,500,000	0
Approved Change Orders To Date	0	1,616	1,616

Additional Asbestos Costs (now included in total demolition / construction cost)	706,997	0	-706,997
Total Demolition / Construction Costs	41,196,080	40,874,895	-321,185
Less SFA grant	-4,000,000	-4,000,000	0
Cost paid by partners for furniture	-287,000	-432,000	-145,000
TMBC Construction Contingency (for dark ground)	250,000	250,000	0
Net Construction Costs	37,159,080	36,692,895	-466,185
Decant / condition works	2,764,452	2,764,452	0
Co-op bank termination of lease	100,000	95,408	-4,592
Programme Management	100,000	100,000	0
Fit out costs of temporary store re Early Lease termination – Wilkos	832,978	832,978	0
College Fixed Furniture and Equipment	300,000	850,000	550,000
Fit Out Costs - Early Wilko's Lease Termination	859,900	859,900	0
Public Realm Works	2,631,000	2,631,000	0
Document Scanning	250,000	250,000	0
Potential Loss of profits Wilko's	550,000	550,000	0
Legal Costs of Construction Works	50,000	50,000	0
IT Enablement	2,194,000	2,194,000	0
Programme Contingency	882,384	803,161	-79,223
Total	48,673,794	48,673,794	0

4.4 If the virements are approved, the table below outlines the high level capital requirements for the project.

Capital Costs	Amount (£)
VTP2 Demolition	3,298,474
VTP2 Construction (inc inflation contingency)	36,074,805
TMBC Furniture Budget	1,500,000
Construction Contingency (dark ground risk)	250,000
Approved Change Orders To date	1,616
Less Potential Income	-4,432,000
Total Net Construction Costs	36,692,895

Additional VTP2 Programme Elements	11,177,738
Programme Contingency	803,161
Total	48,673,794

- 4.5 Dialogue continues with the TIP regarding the final construction contract sum which will not exceed the capital budget envelope.

Funding

- 4.6 A Council Key Decision in October 2014 authorised the submission of a funding bid to the Local Growth Fund for a capital contribution towards the costs of the College's demise in the new building.

- 4.7 The Skills Capital bid was successful and the Greater Manchester Combined Authority (GMCA) issued an offer of grant to the Council, of up to £4,060,000, in June 2015 subject to a number of grant conditions being met. A summary of the grant conditions are as follows:

- a. Confirmation that the Council have entered into an Agreement to Lease of Part of the premises created by the Project for a term of not less than 25 years. As noted in part 2.5 of this report, the Council has reached agreement on the Heads of Terms for the lease, but has not yet entered into a formal agreement for lease. Once the agreement for lease is entered into there is a risk that the lease might not be completed. The risks of this must be factored into the risk register for this project and appropriate steps taken to mitigate the risks of non-completion of the lease and any clawback of funding.
- b. Submission of an independent Confirmatory Due Diligence report to the GMCA which will provide confirmation of the following:
 - grant compliance with State Aid rules;
 - the Council has sufficient capital funding in its cash-reserves, that is has been approved by its governing body and that it will not adversely impact on its overall financial position;
 - credibility and accuracy of the projects financial projections.
- c. Appointment of an independent Project Monitor who will verify to the GMCA that the project is being satisfactorily delivered and that claims for payment of the grant are made in accordance with the terms and conditions of grant.

- 4.8 The Confirmatory Due Diligence and Independent Project Monitor reports have now been completed and approved by the GMCA. On this basis the GMCA issued a draft formal funding agreement for £4,060,000 on the 12 May 2016 – **Appendix 1**.

- 4.9 A breakdown of the estimated eligible expenditure is as follows:

Item	Estimated Eligible Expenditure	Maximum GMCA Grant Contribution (% of estimated Eligible Expenditure)
Consultant costs (due diligence, project monitor, independent accountant)- these are not included in the costs above for Vision Tameside.	Up to £60,000	£60,000 (100%)
Construction costs (including prelims, contingencies and professional fees)	Up to £12,000,000	£4,000,000 (33%)

- 4.10 The FF&E contribution from JCP and CCG is currently estimated to be £432,000.
- 4.11 Funding for the balance of the capital requirements for the programme will be from reserves and/or Public Works Loan Board borrowing in line with the Council's capital strategy.

Disbursements

- 4.12 A Council Key Decision in February 2015 authorised the procurement of the Stage 2 planning and design work through the Tameside Investment Partnership (TIP) at a projected cost of £1,078,949. Executive Cabinet subsequently approved an initial payment of £1,000,000 in December 2015. Approval is now sought to make payment of the balance of £78,949 to the TIP for the Stage 2 costs.
- 4.13 The Stage 2 submission approved by Executive Cabinet in December 2015 was based upon contract award by the end of January 2016. This timescale was extended to the end of February 2016 in the post-stage 2 submission commercial negotiations. With the contract award still pending, approval is now sought to underwrite the TIP costs in progressing the post-stage 2 planning, design and procurement of early works packages during March – May 2016 inclusive totaling £2,589,978.17. The early works packages were required to mobilise supply chains to ensure construction works can start on site by the end June 2016 and maintain the project programme. It also mitigated the risks of construction cost inflation to the Council.
- 4.14 In addition, delegated authority is also sought to underwrite further TIP costs in progressing any additional post-stage 2 planning, design and procurement of early works packages that may be necessary prior to prior to financial close and contract award.

5. RISK MANAGEMENT

- 5.1 The Vision Tameside Phase 2 programme has a comprehensive risk register and issues log which is pro-actively managed by the Project team. The primary risks associated with the proposals outlined in this report are shown in the table below.

Risk	Mitigation	Status
Financial	<ul style="list-style-type: none"> Affordability confirmed against the Council's financial position Costs within affordable financial envelope Value for Money assurance from Stage 2 review Rigorous change control procedures Income from subletting space 	Green
Stakeholder	<ul style="list-style-type: none"> Comprehensive communication strategy consistently delivers key messages regarding benefits 	Green
Economic	<ul style="list-style-type: none"> Economic benefits confirmed in stage 2 business case 	Green
Service Delivery	<ul style="list-style-type: none"> Flexible, fit for purpose accommodation for Council and partners Working Better Together to ensure office systems, technologies and recant strategy delivers exceptional service delivery 	Green

6. CONCLUSION

- 6.1 Delivery of the Vision Tameside Phase 2 programme is key to the achievement of the Council's overall strategic priorities and a new exciting future for Tameside attracting new businesses, creating new jobs and future opportunities for Tameside Residents.
- 6.2 Approval of the proposals contained in this report will enable the Vision Tameside Phase 2 Programme to be progressed in line with agreed key milestones thereby achieving the revised target completion date of 26 May 2018 in addition to mitigating the risk of construction cost inflation to the Council.

7. RECOMMENDATIONS

- 7.1 As shown on the front of the report.

APPENDIX 1

DATED

2016

THE GREATER MANCHESTER COMBINED AUTHORITY (1)

and

TAMESIDE METROPOLITAN BOROUGH COUNCIL (2)

GRANT FUNDING AGREEMENT

In respect of Ashton Town Centre Advanced Services Industries Centre

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THIS DEED is dated 2016

PARTIES

- (1) **THE GREATER MANCHESTER COMBINED AUTHORITY**, whose principal address is at Town Hall, Albert Square, PO Box 532, M60 2LA (**GMCA**).
- (2) **TAMESIDE METROPOLITAN BOROUGH COUNCIL**, whose principal address is at Dukinfield Town Hall, King Street, Dukinfield, Tameside SK16 4LA (**Grant Recipient**).

Each one a “Party” and together the “Parties”.

BACKGROUND

- (A) The Greater Manchester Local Enterprise Partnership (“the GM LEP”) has assumed responsibility for the commissioning and management of Skills Capital funding provided by the Department for Business Innovation and Skills (“BIS”) for investment in the estate and teaching equipment of further education providers within Greater Manchester.
- (B) Under the Greater Manchester Growth Deal, which was announced by Government in July 2014, the Government committed to provide funding to support the construction on the Site (as defined below) of new facilities for further education and training activities targeted at the service industries sector (“the Project”).
- (C) The GMCA is the accountable body for the GM LEP for the purpose of the receipt of Local Growth Fund Payments made by the Secretary of State for Communities and Local Government under section 31 of the Local Government Act 2003.
- (D) In the exercise of its functions to promote economic, social and environmental well-being under section 2 of the Local Government Act 2000, and in the exercise of its functions under sections 15ZA, 15ZB and 15ZC of the Education Act 1996, the

GMCA has agreed to pay the Grant to the Grant Recipient to assist it in carrying out the Project.

- (E) This Agreement sets out the terms and conditions on which the Grant is made by the GMCA to the Grant Recipient.
- (F) These terms and conditions are intended to ensure that the Grant is used by the Grant Recipient for the purposes for which it was awarded.

Now this Deed witnesses as follows:

1. DEFINITIONS

In this Agreement the following terms shall have the following meanings:

“Application” means the application for Grant (and the annexures thereto) which is contained in Schedule 4;

“Approved Use” means use of an Asset as set out in the Application and for its Useful Economic Life and which can be summarised as an Advanced Service Industries Centre for the provision of further education and training (as defined by sections 82 and 86 of the Apprenticeships, Skills, Children and Learning Act 2009 and for such other activities of a further education corporation as are permitted by the Further and Higher Education Act 1992);

“Asset” means an asset which may be either a Fixed Asset or a Major Asset as appropriate in the relevant context and **“Assets”** shall be construed accordingly;

“Bribery Act” means the Bribery Act 2010 and any subordinate legislation made under that Act from time to time together with any guidance or codes of practice issued by the relevant government department concerning the legislation;

“Change” means in relation to the Project as defined in the Application any of the following changes:-

- (a) a change in the nature or purpose of the Project;
- (b) a change to the Project Specific Conditions; or
- (c) a change to the Detailed Proposals once these have been approved by the GMCA;

“Commencement Date” means the date of this Agreement;

“Completion” means completion of the Project Activities to the satisfaction of the GMCA;

“Consents” includes any approval, authorisation, consent, exemption, licence, permit, permission or registration by or of from any governmental or other authority or any person including but not limited to consents required from the Grant Recipient’s landlord (if any), any adjoining owner or any mortgagee of the Site or from the local planning authority in relation to the Project or any part thereof or otherwise required to enable the same to be lawfully carried out and maintained;

“Contribution Rate” means the percentage rate of Eligible Expenditure at which Grant is paid as contained in the Project Specific Conditions;

“Cost Apportionment Methodology” means the basis upon which Eligible Expenditure will be calculated where costs for the Project form part of wider expenditure;

“Data” means:-

- (a) the data, text, drawings, diagrams, images or sounds (together with any database made up of any of these) which are embodied in any electronic, magnetic, optical or tangible media, and which are (i) supplied to the Grant Recipient by or on behalf of the GMCA; or (ii) which the Grant Recipient is required to generate, process, store or transmit pursuant to this Funding Agreement; or
- (b) any Personal Data for which the GMCA is the Data Controller;

“Data Controller” shall have the same meaning as set out in the Data Protection Act 1998;

“Data Processor” shall have the same meaning as set out in the Data Protection Act 1998;

“Data Protection Legislation” means the Data Protection Act 1998, the EU Data Protection Directive 95/46/EC, the Regulation of Investigatory Powers Act 2000, the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 (SI 2000/2699), the Electronic Communications Data Protection Directive 2002/58/EC, the Privacy and Electronic Communications (EC Directive) Regulations 2003 (SI 2003/2426) and all applicable laws and regulations relating to processing of personal data and privacy, including where applicable the guidance and codes of practice issued by the Information Commissioner;

“Data Subject” shall have the same meaning as set out in the Data Protection Act 1998;

“Detailed Proposals” means:

- (i) a full detailed design and scope of Works for the Project;
- (ii) a detailed construction programme for the Project;
- (iii) the Project Spend Profile;
- (iv) the Cost Apportionment Methodology

(together **“the Detailed Proposals”**)

submitted by the Grant Recipient and approved by the GMCA in accordance with clause 5.2.5 and as amended from time to time (subject always to clause 6.6);

“Development” means the development of new facilities on the Site which incorporate the Premises and other facilities for the use and occupation of the Grant Recipient;

“EIR” means the Environmental Information Regulations 2004 (SI No 2004/3391) together with any guidance and/or codes of practice issued by the Information Commissioner or relevant Government Department in relation to such regulations;

“Eligible Expenditure” means the expenditure reasonably and properly incurred by the Grant Recipient in relation to this Project as set out in the profile at Schedule 1, provided that such expenditure shall not exceed the Maximum Sum;

“EU Procurement Requirements” includes, but is not restricted to the Public Contracts Regulations 2015 (SI 2015/102), the Utilities Contracts Regulations 2006

(SI No 6/2006), the Public Contracts and Utilities Contracts (Amendment) Regulations 2007 (SI No 2007/3542) the EU Commission Interpretative Communication (2006/C 179/02) and the principles of transparency, non discrimination, equality of treatment, proportionality and mutual recognition in the EEC Treaty;

“Event of Default” means an event or circumstance as defined by clause 16.1;

“Expenditure Profile” means the information to be provided by the Grant Recipient to the GMCA detailing the spend forecast for carrying out the Project Activities and defrayal of expenditure;

“Fixed Asset” means any Asset which consists of land and/or buildings, plant, machinery or other thing that is, or is to be, fixed to any land and which is to be acquired, developed, enhanced, constructed and/or installed as part of the Project;

“FOIA” means the Freedom of Information Act 2000;

“Funding Agreement” means this agreement and the schedules;

“Grant” means the monies which the GMCA shall make available to the Grant Recipient towards the Eligible Expenditure of the Project provided that such grant shall not exceed the Maximum Sum;

“Grant Claim Form” means the grant claim form as set out in Schedule 3;

“Grant Offer Letter” means the letter from the GMCA to the Grant Recipient dated 17 June 2015;

“Information” has the meaning given in the FOIA;

“Information Commissioner” has the meaning given in the FOIA;

“Intellectual Property Rights” means all patents, copyrights and design rights (whether registered or not) and all applications for any of the foregoing and all rights of confidence and Know-How however arising for their full term and any renewals and extensions;

“Know-How” means information, data, know-how or experience whether patentable or not and including but not limited to any technical and commercial information relating to research, design, development, manufacture, use or sale.

“Law” means any applicable law, statute, bye-law, regulation, order, regulatory policy, guidance or industry code, rule of court or directives or requirements or any Regulatory Body, delegated or subordinated legislation or notice of any Regulatory Body;

“Longstop Date” means 31 March 2018

“Major Asset” means an Asset which is not a Fixed Asset but has a value as at the date of this Funding Agreement (or date of acquisition if the acquisition is funded) (in whole or in part) by this Grant) of at least £10,000;

“Material Breach” means a breach of this Funding Agreement that is material including (but without limitation) the events and circumstances specified in clause 16.2.

“Maximum Commitment” means the sum of £4,060,000 (Four Million and Sixty Thousand Pounds) being the maximum sum for which the GMCA shall be liable to make payment;

“Payment Request” means a request for payment of Grant issued by the Grant Recipient in the form set out at Schedule 3 and in accordance with the terms of this Funding Agreement and containing the information required by clause 8;

“Personal Data” shall have the same meaning as set out in the Data Protection Act 1998;

“Plan” means the plan of the Site and the Premises which is attached at Schedule 5;

“Premises” means that part of the Site on which the Advanced Service Industries Centre is to be constructed by the Grant Recipient shown edged blue on the Plan;

“Prohibited Act” means:

(a) offering, giving or agreeing to give to any servant of the GMCA any gift or consideration of any kind as an inducement or reward for:

(i) *doing or not doing (or for having done or not having done) any act in relation to the obtaining or performance of this Funding Agreement or any other contract with the GMCA; or*

(ii) *showing or not showing favour or disfavour to any person in relation to this Funding Agreement or any other contract with the GMCA;*

(b) entering into this Funding Agreement or any other contract with the GMCA where a commission has been paid or has been agreed to be paid by the Grant Recipient or on its behalf, or to its knowledge, unless before the relevant contract is entered into particulars of any such commission and of the terms and conditions of any such contract for the payment thereof have been disclosed in writing to the GMCA;

(c) committing any offence:

(i) *under the Bribery Act;*

(ii) *under legislation creating offences in respect of fraudulent acts;*
or

(iii) *at common law in respect of fraudulent acts in relation to this Funding Agreement or any other contract with the GMCA; or*

(d) **defrauding or attempting to defraud or conspiring to defraud the GMCA.**

“Project” means the project as more particularly described in Schedule 1 and in the Application;

“Project Activities” means all activities to be carried out in implementing the Project and includes any Works to be carried out in relation to any Fixed Assets;

“Project Monitor” means Rider Hunt Management Services Limited (company registration number 1987338) (contact person, Richard FD Schofield FRICS, Hon FAPM) or such relevant professional appointed by the Grant Recipient and approved by the GMCA in respect of the Project;

“Project Monitor’s Certificate” means a progress report to be submitted with each Payment Request prepared by the Project Monitor in the form set out at Schedule 2; confirming:

- (a) that the expenditure incurred is in accordance with the Project Spend Profile; and
- (b) that the Project is making progress in accordance with the Project Spend Profile and the Detailed Proposals;

“Project Specific Conditions” means those Conditions which are specific to the Project and are contained in Schedule 1;

“Project Spend Profile” means the detailed breakdown of the Project costs and timing of Eligible Expenditure in such form as the GMCA in its absolute discretion shall approve;

“Public Sector Financial Assistance” includes all funding received or receivable by the Grant Recipient from public sector bodies including for this purpose funding from the European Commission, government bodies (whether national or local) or bodies in receipt of lottery funds from the National Lottery Distribution Fund pursuant to the National Lotteries Acts 1993 and 1998;

“Regulatory Bodies” means those government departments and regulatory, statutory and other entities, committees and bodies which, whether under statute, rules, regulations, codes or practice or otherwise, are entitled to regulate, investigate, or influence the matters dealt with in this Funding Agreement or any other affairs of the GMCA and “Regulatory Body” shall be construed accordingly;

“Request for Information” means any request for Information or an apparent request under the FOIA or the EIR, as appropriate;

“Site” means the land comprising [*insert details*] in the ownership of the Grant Recipient and registered at HM Land Registry with Title Number [*insert details*] on which the Advanced Services Industries Centre is to be constructed by the Grant Recipient shown for the purpose of identification only edged red on the Plan including any part thereof and also includes any estate or interest therein;

“State Aid Law” means the law embodied in Articles 107-109 of Section 2, Title VII, of the Common Rules on Competition, Taxation and Approximation of Laws – Consolidated version of the Treaty on European Union and the Treaty on the Functioning of the European Union (2008/C 115/01);

“Useful Economic Life” means the period that any Asset shall be used for the purpose stated in the Application as specified in the Project Specific Conditions;

“Works” means any works of construction and/or demolition and/or any Works in relation to a Fixed Asset which are described in the Detailed Proposals and which form part of Project Activities;

2. INTERPRETATION

In this Funding Agreement unless the contrary intention appears:

- 2.1 references to the Parties shall include their respective successors acting under statutory powers;
- 2.2 references to any statute, byelaw, regulation, rule, standard, delegated legislation or order shall include references to that statute, byelaw,

regulation, rule, standard, delegated legislation, or order as amended or re-enacted, or as other statutes modify its application from time to time, and any subordinate legislation, byelaw, regulation, rule, standard, delegated legislation, or order made, or to be made, thereunder;

- 2.3 references to clauses or schedules are references to clauses in or schedules to this Funding Agreement, and references to paragraphs are references to paragraphs in the schedule in which those references are made, and references to this Funding Agreement include the schedules to this Funding Agreement;
- 2.4 references to the singular include the plural and vice versa;
- 2.5 references to persons include individuals, companies, firms, partnerships, joint ventures, associations, organisations, or trusts (in each case whether or not having separate legal personality), and corporations sole and aggregate, government agencies, committees, departments, authorities and other bodies, incorporated or unincorporated;
- 2.6 references to the masculine gender include the feminine and the neuter genders and vice versa;
- 2.7 any phrase introduced by the terms “including”, “include”, “in particular” or any similar expression shall be construed as illustrative and shall not limit the sense of the words preceding those terms; and
- 2.8 save where otherwise provided in this Funding Agreement, any reference to this Funding Agreement or to any other document shall include any permitted variation, amendment or supplement to such document;
- 2.9 references to “determined” or “determine” means, unless the contrary is indicated a determination made at the discretion of the person making it;
- 2.10 where the consent, approval or agreement of the Grant Administrator or any other person is required pursuant to the terms of this Funding Agreement, it shall not be construed as having been given unless provided in writing;

3. GRANT

- 3.1 In consideration of the parties respective obligations contained in this Funding Agreement the GMCA offers the Grant and the Grant Recipient accepts the Grant up to the Maximum Commitment on the terms and conditions of this Funding Agreement.
- 3.2 The GMCA shall pay the Grant to the Grant Recipient towards the Eligible Costs of the Works in accordance with clause 8 of this Funding Agreement.
- 3.3 The Grant shall not exceed the Maximum Commitment and the Grant Recipient shall be responsible for all costs incurred in relation to the Project over and above the Maximum Commitment.

4. COMMENCEMENT

This Funding Agreement shall take effect on the Commencement Date. The termination of this Funding Agreement, howsoever arising, is without prejudice to the rights, duties and liabilities of any part hereto accrued prior to termination.

5. CONDITIONS

5.1 The Grant Recipient shall not make any claim for funding and the GMCA shall not pay funding to the Grant Recipient unless the conditions specified in clause 5.2 have been met.

5.2 The conditions referred to in clause 5.1 are as follows:

5.2.1 The GMCA has received a satisfactory due diligence report in line with the provisions of Schedule 2 of the Grant Offer Letter;

5.2.2 The Grant Recipient has appointed the Project Monitor;

5.2.3 The Grant Recipient has demonstrated to the GMCA that it has full title to the Site and all necessary rights (including, without prejudice to the generality of the foregoing, all necessary rights of access, drainage, rights to install and connect to services) appurtenant to its estate or interest in the Site to enable the Project and the Works to be full carried out and fully serviced without the need to acquire any further land or obtain any rights from any other party and the Site is free from any conditions, restrictions, or covenants which do or might affect the Grant Recipient's right to carry out and maintain the Works;

5.2.4 The Grant Recipient has entered into the Lease of Part of the premises created by the Project in accordance with the condition at paragraph 6a of the Grant Offer Letter;

5.2.5 The Grant Recipient has submitted and the GMCA has approved the Detailed Proposals.

5.3 The GMCA may in its absolute discretion and on such terms as it may specify agree to pay funding to the Grant Recipient before the conditions under 5.2 have been satisfied, without prejudicing the GMCA's right to require subsequent fulfilment of such conditions;

5.4 If the conditions set out in clause 5.2 have not been complied with within 3 months of the date of this Funding Agreement (or such later date as the GMCA may in its absolute discretion agree) the GMCA may terminate this Funding Agreement by serving written notice on the Grant Recipient.

6. THE GRANT RECIPIENT'S OBLIGATIONS

6.1 The Grant Recipient shall ensure at all times that the Project is delivered in accordance with the Application, the Project Specific Conditions and the Detailed Proposals and the Grant Recipient shall ensure the Project is delivered by the Longstop Date.

6.2 The Grant Recipient shall ensure that the Premises and Assets are used for the Approved Use for the Useful Economic Life.

6.3 The Grant Recipient shall not dispose of the Premises and Assets for the duration of the Useful Economic Life other than by way of the Lease of Part required by condition 6 of the Grant Offer Letter.

6.4 The Grant Recipient shall ensure at all times that the Project is delivered:

- (i) in compliance with all relevant Law (including EU Procurement Requirements);
- (ii) in a proper and professional manner in accordance with good industry practice; and
- (iii) in all respects to the reasonable satisfaction of the GMCA.

6.5 The Grant Recipient shall obtain all necessary Consents, (in so far as they remain to be obtained) as soon as practicable after the Commencement Date.

6.6 The Grant Recipient shall not make any material alteration to the Detailed Proposals without the GMCA's prior written consent;

6.7 The Grant Recipient shall maintain or procure that there are maintained full and proper insurance policies in respect of any loss, damage or destruction of the Works, Assets and Premises.;

6.8 The Grant Recipient shall supply any evidence that the GMCA may request in order to satisfy itself that the Grant Recipient has met its obligations under this Funding Agreement.

6.9 The Grant Recipient shall use the Grant only for Eligible Expenditure and in accordance with the terms and conditions set out in this Funding Agreement. The Grant shall not be used for any other purpose without the prior written agreement of the GMCA.

7. PAYMENT OF GRANT FUNDING

7.1 Subject to the provisions of this Funding Agreement the GMCA shall pay funding up to the Maximum Commitment into the bank account of the Grant Recipient at [*insert bank details*] in quarterly instalments in line with the value of Eligible Expenditure incurred in the preceding quarter and the Contribution Rate.

7.2 The Parties acknowledge and agree that the GMCA shall not be liable for any payment under this Funding Agreement until the conditions in clause 5 have been met to the reasonable satisfaction of the GMCA.

7.3 The GMCA shall not pay any funding unless the requirement of this Funding Agreement and the Project Specific Conditions have been fully complied with provided that the GMCA may waive in whole or in part a Project Specific Condition without prejudicing the GMCA's right to require subsequent fulfilment of such conditions provided always that the payment of a Grant Claim shall not operate as a waiver of any of the obligations in this Funding Agreement. or exclude the right for the GMCA to exercise any of its rights under this Funding Agreement.

7.4 The GMCA shall not pay any grant claim which is not in accordance with the following:

- (i) Submitted on a Grant Claim Form in line with the template at Schedule 3;
- (ii) Accompanied by a Progress Monitoring Certificate from the Grant Recipient in accordance with the template at Schedule 2;
- (iii) Relates solely to Eligible Expenditure and is in line with the Contribution Rate;

- (iv) Includes evidence to the satisfaction of the GMCA that Eligible Expenditure to which the claim relates has been legitimately incurred by the Grant Recipient;
- (v) The GMCA has received the Project Monitor's quarterly report confirming that the Project is being satisfactorily delivered and can be completed in line with the Detailed Proposals.

7.5 Subject to the above and there being no Events of Default, the GMCA shall pay the Grant to the Grant Recipient within 20 working days of receipt of a Grant Claim.

7.6 The Grant Recipient shall use the payment advanced by the GMCA under this clause 7 in satisfaction (full or partial as appropriate) of the invoices to which the Payment Request relates.

7.7 The GMCA will not pay a Grant Claim that is not in accordance with the annual grant expenditure set out in the Project Spend Profile agreed as part of the Detailed Proposals.

7.8 In the event that the Grant Recipient's Grant Claims in any financial year fall below the amount of planned Grant Claims for that financial year agreed under the Project Spend Profile, the Grant Recipient accepts that the underspend will not be rolled forward and the Maximum Commitment will therefore be reduced by an equivalent sum.

7.9 The GMCA will, at its sole discretion, agreed to fund Eligible Expenditure in any quarter at a higher rate than the Contribution Rate.

7.10 The amount of the Grant shall not be increased in the event of any overspend by the Grant Recipient in its delivery of the Project.

7.11 Notwithstanding any other provision of this Funding Agreement, the GMCA shall only be liable to pay to the Grant Recipient under this Funding Agreement such sums which in the aggregate (taking into account sums previously paid under this Funding Agreement) do not exceed the Maximum Commitment.

7.12 The Grant Recipient will make all Grant Claims prior to the Longstop Date, and the GMCA shall not be obliged to pay any grant funding which is not claimed prior to the Longstop Date.

8. MONITORING AND REPORTING

8.1 The Grant Recipient must arrange for the Project Monitor to submit a quarterly progress report (the "**Progress Report**") to the GMCA in the format specified by the GMCA. The Grant Recipient must arrange for the Project Monitor to submit their quarterly Progress Report until the Project is completed. (with the definition of the completion of the Project for the purposes of this clause 8.1 being as set out in the Detailed Proposals approved by the GMCA);

8.2 The Grant Recipient must ensure that the Project Monitor has access to all information necessary for the Project Monitor to provide the Progress Report.

8.3 The Grant Recipient must permit the GMCA, the Project Monitor and their respective representatives to inspect the Project on reasonable notice.

- 8.4 The Grant Recipient must arrange for the GMCA to be provided with an annual report from an independent firm of accountants (the “**IAR**”) in the form specified by the GMCA. The Grant Recipient must arrange for the IAR to cover the Eligible Expenditure made by the Grant Recipient during the financial year preceding the IAR. The Grant Recipient must arrange for the IAR to be submitted to the GMCA by the 31 May following the end of the financial year to which the IAR relates. The final IAR to be submitted by the Grant Recipient should be submitted within 3 months of the date of submission of the Grant Recipient’s final Grant Claim ;
- 8.5 Within 3 months of the date of this Funding Agreement the Grant Recipient must submit for approval by the GMCA a monitoring and evaluation plan (the “**Monitoring Plan**”) which details the target beneficiaries of the Project and the methodology under which the Project’s skills and employment impacts will be captured and evidenced.
- 8.6 Following approval by the GMCA of the Monitoring Plan referred to at clause 8.5, the Grant Recipient will provide an annual monitoring report (the “**Monitoring Report**”) setting out the Project impacts that the Grant Recipient has captured and evidenced in line with the agreed Monitoring Plan. The first annual Monitoring Report will be submitted to the GMCA by the Grant Recipient on the anniversary of the date of this Funding Agreement and the Grant Recipient will continue to provide annual Monitoring Reports to the GMCA on this date for three years following the Project Completion.

9. THE APPLICATION AND ACCEPTANCE OF GRANT TERMS

- 9.1 The Grant Recipient warrants to the GMCA that the Application is accurate in all respects having made proper and full enquiry. The GMCA has based its decision to offer and pay the Grant (and has relied) upon the representations made by the Grant Recipient in the Application and in all documents and information provided as part of the appraisal process. No disclaimer or other statement that precludes the right of any person to rely upon the Application or any other document that forms part of the Application, or has a similar effect, shall apply with respect to the GMCA or affect the GMCA’s right to enforce any provision of the Funding Agreement.
- 9.2 For the avoidance of doubt, clause 9.1 is intended to ensure that:-
- (a) no disclaimer of liability for the contents of the Application affects the GMCA’s right to recover any sum under this Funding Agreement; and
 - (b) there is reserved to the GMCA any rights of action or remedies for any mistake, negligent misstatement, misrepresentation or error of judgment made in the Application upon which the GMCA has relied in agreeing to provide Grant to the Grant Recipient.
- 9.3 The Grant Recipient accepts and agrees to all of the terms having made full and proper enquiry before giving the warranties contained in this Funding Agreement.
- 9.4 The Grant Recipient shall use its best endeavours to carry out and complete the Project Activities and comply with the requirements of this Funding Agreement within the time limits set out in this Funding Agreement and the Key Milestone Dates set out in the table contained in the Project Specific Conditions.
- 9.5 The Grant Recipient shall procure and maintain the necessary expertise and resources to provide the Project in accordance with EU Procurement Requirements and State Aid Law (as applicable). The Grant Recipient agrees to maintain appropriate records of compliance with State Aid Law and agrees to take all reasonable steps to assist the GMCA to respond to any investigation(s) instigated

by the European Commission into the Project. A finding of State Aid non-compliance by the European Commission or a Court of competent jurisdiction may lead to the Grant Recipient being ordered to repay the Grant with interest in accordance with the European Commission's reference rates.

10. PUBLICITY

10.1 The Grant Recipient must comply with any publicity requirements regarding the GMCA's support for the Project which the GMCA may notify to the Grant Recipient from time to time.

10.2 The Grant Recipient will not make any public announcement by way of press release, other media communication or otherwise in relation to the Project unless the Grant Recipient:

- (i) has obtained the GMCA's prior approval of the contents of such press release or other media communication; and
- (ii) unless notified by the GMCA not to do so, includes in the press release or other media communication a statement that the Project is being supported by the GMCA.

11. MANAGING THE GRANT

11.1 Each Party must notify the other of

- (i) the nominated person who will act as the Party's authorised representative; and**
- (ii) the contact details of the authorised representative and any deputies**

11.2 The Grant Recipient shall not spend any part of the Grant on the delivery of the Project after the Longstop Date;

11.3 Should any part of the Grant remain unspent at the Longstop Date, the Grant Recipient shall ensure that any unspent monies are returned to the GMCA.

11.4 The Grant Recipient may not vire funds between this Grant and other grants made to it.

11.5 If an overpayment of the Grant has been made, the GMCA will recover the overpayment.

11.6 The Grant Recipient's treasurer, finance officer or equivalent will ensure that appropriate professional arrangements are put in place for the management of the Grant and the reporting of expenditure.

12. MONITORING PROGRESS, TENDERING AND REPORTING

12.1 The Grant Recipient must:

- (i) Maintain and operate effective monitoring and financial management systems;**
- (ii) Keep a record of all expenditure relating to the Project;**
- (iii) Retain all accounting records relating to the Project for a period of at least 10 years. Accounting records include: original invoices, receipts, minutes from meetings, accounts, deeds, and any other relevant documentation, whether in electronic or written form; and**

- (iv) **Allow the GMCA to inspect and take copies of those documents and records referred to in this clause 12 at any reasonable time and upon reasonable notice.**

12.2 The Grant Recipient shall closely monitor the delivery and success of the Project throughout the Grant Period to ensure that the aims and objectives of the Project are being met and that this Funding Agreement is being adhered to. The Grant Recipient shall provide to the GMCA such monitoring information at such intervals as set out in Clause 8 and Schedule 2.

12.3 The Grant Recipient shall on request provide the GMCA with such further information, explanations and documents as the GMCA may reasonably require in order for it to establish that the Grant has been used properly in accordance with this Funding Agreement.

12.4 The Grant Recipient shall provide the GMCA with a final report within 12 months of the Longstop Date which shall confirm whether the Project has been successfully and properly completed.

13. INTELLECTUAL PROPERTY RIGHTS

The GMCA and the Grant Recipient agree that all rights, title and interest in or to any information, Data, reports, documents, procedures, forecasts, technology, Know-How and any other Intellectual Property Rights whatsoever owned by either the GMCA or the Grant Recipient before the Commencement Date or developed by either Party during the Grant Period, shall remain the property of that Party.

14. CONFIDENTIALITY

14.1 Subject to clause 15 (Freedom of Information), each Party shall during the term of this Funding Agreement and thereafter keep secret and confidential all Intellectual Property Rights or Know-How or other business, technical or commercial information disclosed to it as a result of the Funding Agreement and shall not disclose the same to any person save to the extent necessary to perform its obligations in accordance with the terms of this Funding Agreement or save as expressly authorised in writing by the other Party.

14.2 The obligation of confidentiality contained in this clause shall not apply or shall cease to apply to any Intellectual Property Rights, Know-How or other business, technical or commercial information which:

- (i) **at the time of its disclosure by the disclosing party is already in the public domain or which subsequently enters the public domain other than by breach of the terms of this Funding Agreement by the receiving party;**
- (ii) **is already known to the receiving party as evidenced by written records at the time of its disclosure by the disclosing party and was not otherwise acquired by the receiving party from the disclosing party under any obligations of confidence; or**
- (iii) **is at any time after the date of this Funding Agreement acquired by the receiving party from a third party having the right to disclose the same to the receiving party without breach of the obligations owed by that party to the disclosing party.**

15. FREEDOM OF INFORMATION

15.1 The Grant Recipient acknowledges that the GMCA is subject to the requirements of the EIR and FOIA and shall assist and co-operate with the GMCA (at the Grant Recipient's expense) to enable the GMCA to comply with these information disclosure requirements.

15.2 The Grant Recipient shall:

- (i)** transfer the request for information to the GMCA as soon as practicable after receipt and in any event within five Working Days of receiving a request for information; and
- (ii)** provide the GMCA with a copy of all information in its possession or power in the form that the GMCA requires within twenty working days of the GMCA requesting that information; and

15.3 The GMCA shall be responsible for determining at its absolute discretion whether the information:

- (i)** is exempt from disclosure in accordance with the provisions of the EIR or FOIA;
- (ii)** is to be disclosed in response to a request for information, and in no event shall the Grant Recipient respond directly to a request for information unless expressly authorised to do so by the GMCA.

15.4 The Grant Recipient acknowledges that the GMCA may, acting in accordance with the Secretary of State for Constitutional Affairs' Code of Practice on the discharge of public authorities' functions under Part 1 of FOIA (issued under section 45 of the FOIA, November 2004), be obliged under the FOIA or the EIR to disclose information:

- (i)** without consulting with the Grant Recipient; or
- (ii)** following consultation with the Grant Recipient and having taken its views into account,

provided always that where clause 15.4(ii) applies the GMCA shall, in accordance with any recommendations of the Code, take reasonable steps, where appropriate, to give the Grant Recipient advanced notice, or failing that, to draw the disclosure to the Grant Recipient's attention after any such disclosure.

16. DATA PROTECTION

Both Parties shall (and shall procure that any of its staff involved in connection with the activities under the Agreement shall) comply with any notification requirements under Data Protection Legislation and both Parties will duly observe all their obligations under Data Protection Legislation, which arise in connection with the Funding Agreement.

17. EVENTS OF DEFAULT, MATERIAL BREACH AND RIGHTS RESERVED FOR BREACH OF THE FUNDING AGREEMENT

17.1 An Event of Default is the occurrence of any of the following:

- (i) the Grant Recipient fails to comply with this Funding Agreement and/or the Project Specific Conditions;**
- (ii) the Grant Recipient uses the Grant for purposes other than those for which they have been awarded;**
- (iii) the Grant Recipient commits or committed a Prohibited Act;**
- (iv) the Grant Recipient ceases to operate for any reason, or it passes a resolution (or any court of competent jurisdiction makes an order) that it be wound up or dissolved (other than for the purpose of a bona fide and solvent reconstruction or amalgamation);**
- (v) the Grant Recipient becomes insolvent, or it is declared bankrupt, or it is placed into receivership, administration or liquidation, or a petition has been presented for its winding up, or it enters into any arrangement or composition for the benefit of its creditors, or it is unable to pay its debts as they fall due;**
- (vi) The European Commission or a European Court requires any Grant paid to be recovered by reason of a breach of State Aid Law;**
- (vii) the Grant Recipient fails to deliver the Project in accordance with the Detailed Proposals;**
- (viii) the Grant Recipient fails to deliver the Project by the Longstop Date.**

17.2 A Material Breach is a breach of the Funding Agreement that is fundamental including but not limited to the occurrence of any of the following:

- (i) any fraud has been committed by the Grant Recipient and/or its employees in connection with the Project;**
- (ii) the Grant Recipient fails to materially comply with this Funding Agreement or the Project Specific Conditions.**

17.3 Where the GMCA determines that an Event of Default or a Material Breach has occurred the GMCA may by written notice to the Grant Recipient take any one or more of the following actions:

- (i) Suspend the payment of Grant for such period as the GMCA shall determine; and/or**
- (ii) Cease to make the payment of Grant; and/or**
- (iii) Terminate this Funding Agreement; and/or**
- (iv) require repayment of the whole or any part of the Grant previously paid to the Grant Recipient.**

- 17.4 If the GMCA serves written notice to the Grant Recipient to suspend payment of the Grant in accordance with clause 17.2(i) such notice shall specify the relevant Event of Default and give the Grant Recipient an opportunity to rectify the relevant Event of Default within such period as the GMCA shall determine to be reasonable (or such extended period as the GMCA shall thereafter determine)
- 17.5 The GMCA shall not by reason of an occurrence of an Event of Default which is, in the reasonable opinion of the GMCA capable of remedy exercise its rights under clause 17.2(ii) or 17.2(iii) or 17.2(iv) unless the Grant Recipient has failed to rectify the default pursuant to clause 17.3 within such period referred to in clause 17.3 to the satisfaction of the GMCA.
- 17.6 If the GMCA exercises its rights under clause 17.2(ii) the GMCA shall give written notice to the Grant Recipient that it is ceasing to make payment of the Grant and from the date of such notice the GMCA shall cease to be under any obligation to pay any amount of Grant to the Grant Recipient under this Funding Agreement.
- 17.7 Where the GMCA requires repayment of any amount of the Grant under clause 17.2(iv) the Grant Recipient shall repay the amount concerned within such timescales as determined by the GMCA (acting reasonably).
- 17.8 For the avoidance of doubt the actions set out under clause 17.2 above are without prejudice to any other rights, remedies or claims which the GMCA may have in respect of any breach by the Grant Recipient under the Funding Agreement.

18. LIMITATION OF LIABILITY

Save in respect of the GMCA's obligations to pay the Grant up to the Maximum Commitment the GMCA shall have no liability to the Grant Recipient in respect of the Project or otherwise under this Funding Agreement.

19. WARRANTIES

The Grant Recipient warrants, undertakes and agrees that:

- (i) it has the power and authority to execute, perform and deliver its obligations under this Funding Agreement;
- (ii) it has all necessary resources and expertise to deliver the Project (assuming due receipt of the Grant);
- (iii) it has not committed, nor shall it commit, any Prohibited Act;
- (iv) it has and shall keep in place adequate procedures for dealing with any conflicts of interest;
- (v) it has and shall keep in place systems to deal with the prevention of fraud and/or administrative malfunction; and
- (vi) it is not subject to any contractual or other restriction imposed by its own or any other organisation's rules or regulations or otherwise which may prevent or materially impede it from meeting its obligations in connection with the Grant;

20 VAT

The payment of the Grant by the GMCA is believed to be outside the scope of VAT. In the event that VAT becomes chargeable all payments shall be deemed to be net of VAT recoverable by the Grant Recipient from HM Revenue & Customs and gross of irrecoverable VAT.

21. ASSIGNMENT

The Grant Recipient may not, without the prior written consent of the GMCA, assign, transfer, sub-contract, or in any other way make over to any third party the benefit and/or the burden of this Funding Agreement or, except as contemplated as part of the Project, transfer or pay to any other person any part of the Grant.

22. WAIVER

No failure or delay by either party to exercise any right or remedy under this Funding Agreement shall be construed as a waiver of any other right or remedy.

23. NOTICES

All notices and other communications in relation to this Funding Agreement shall be in writing and shall be deemed to have been duly given if personally delivered or mailed (first class postage prepaid) to the address of the relevant party, as referred to above or otherwise notified in writing. If personally delivered all such communications shall be deemed to have been given when received (except that if received on a non-working day or after 5.00 pm on any working day they shall be deemed received on the next working day) and if posted all such communications shall be deemed to have been given and received on the second working day following such mailing.

24. DISPUTE RESOLUTION

- 24.1** In the event of any complaint or dispute (including but not limited to those which relate to the GMCA's right to withhold funds or terminate) arising between the parties to this Funding Agreement in relation to this Funding Agreement the matter should first be referred for resolution to the nominated representatives who shall consult in good faith in an attempt to come to an agreement in relation to the disputed matter.
- 24.2** In the absence of agreement by the nominated representatives within 10 working days (or such longer period as agreed between the Parties to the dispute) within 10, the dispute shall be referred to the Chief Executives (or such similar standing)
- 24.3** In the event that the Chief Executives cannot agree within 20 working days (or such longer period as agreed between the Parties to the dispute) the parties may seek to resolve the matter through mediation under the CEDR Model Mediation Procedure (or such other appropriate dispute resolution model as is agreed by both parties). Unless otherwise agreed, the parties shall bear the costs and expenses of the mediation equally.

25. NO PARTNERSHIP OR AGENCY

This Funding Agreement shall not create any partnership or joint venture between the GMCA and the Grant Recipient, nor any relationship of principal and agent, nor authorise any party to make or enter into any commitments for or on behalf of the other party.

26. CONTRACTS (RIGHTS OF THIRD PARTIES) ACT 1999

This Funding Agreement does not and is not intended to confer any contractual benefit on any person pursuant to the terms of the Contracts (Rights of Third Parties) Act 1999..

27. COUNTERPARTS

This Funding Agreement may be executed in any number of counterparts, and by the parties on separate counterparts, but shall not be effective until each party has executed at least one (1) counterpart. Each counterpart shall constitute an original of this Funding Agreement, but all the counterparts shall together constitute one and the same Funding Agreement.

28. GOVERNING LAW

This Funding Agreement shall be governed by and construed in accordance with the law of England and the parties irrevocably submit to the exclusive jurisdiction of the English courts.

This document has been executed as a **DEED** and is delivered and takes effect on the date stated at the beginning of it.

Schedule 1 Project Specific Conditions

1. Description of Project

The Project can be summarised as the construction by the Grant Applicant of an Advanced Services Industry Centre at the Premises for the provision of further education and training (as defined by sections 83 and 86 of the Apprenticeships, Skills, Children and Learning Act 2009 and for such other activities of a further education corporation as are permitted by the Further and Higher Education Act 1992).

2. Contribution Rates

The amount of the Grant payable is up to the Maximum Commitment of £4,060,000 (four million and sixty thousand pounds) and has been determined as follows:

Summary of Estimated Eligible Expenditure

Item	Estimated Eligible Expenditure	Maximum GMCA Grant Contribution (% of estimated Expenditure)
Consultant costs (Due Diligence, Project Monitor, Independent Accountant)	Up to £60,000	£60,000 (100% GMCA Contribution Rate)
Construction costs (including prelims., contingencies and professional fees)	Up to £12,000,000	£4,000,000 (33% GMCA Contribution Rate)

3. Contact.

The principal contact for this Project on behalf of the GMCA is Michael Walmsley, 0161 234 1834.

4. Instalment Periods and Costs

4.1 The Instalment Periods will be quarterly ending on 31 March, 30 June, 30 September and 31 December. The first Instalment Period will start following the date on which the correctly executed Funding Agreement is received by the principal contact named at clause 3 above.

5. Useful Economic Life

The Useful Economic Life of the Assets shall be 15 years.

Schedule 2 Monitoring Information



GREATER MANCHESTER COMBINED AUTHORITY – GRANT PROGRESS MONITORING FORM

1.1 Project Name:	Tameside Metropolitan Borough Council – Construction of Advanced Services Industry Centre.
1.3 Grant Recipient:	Tameside Metropolitan Borough Council
1.4 Name and Contact Details for Queries:	
1.5 Claim Period:	
1.6 Name and Position of Senior Responsible Officer:	

2. Please provide a summary of progress

Include:

- *Works carried out in period;*
- *Progress against detailed construction programme;*
- *Achievement of key milestones;*
- *Any key risks which have emerged or changes to the agreed proposals which are required;*
- *Look ahead to key activities in next claim period;*

3. Type of eligible expenditure set out in Project Spend Profile	Amount in approved Project Spend Profile (£)	(a) Total cumulative defrayed expenditure on the project to date (£)	(b) Amount of expenditure achieved since last claim (£)	(c) Variance against agreed profile (£)
<i>Insert key cost types</i>				
Total (£)				

4. Please provide an updated profile for project expenditure in the table below:

Cash-flow forecast (£000s)	2015/6				2016/17				2017/18			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
<i>Project Spend Profile</i>												
<i>Current forecast</i>												
<i>Variance</i>												

PROGRESS REPORT COMPLETED BY	
Name	
Signature	
Date	

Schedule 3 Grant Claim Form



GREATER
MANCHESTER COMBINED AUTHORITY – Funding Drawdown Request

1.1 Project Name:	Tameside Metropolitan Borough Council – Construction of Advanced Services Industry Centre	
1.2 Project Number:		
1.3 Project Funding Approval Totals:	GMCA Grant	
1.3 Grant Request Amount		
1.4 Grant Recipient	Tameside Metropolitan Borough Council	
1.5 Name and Contact Details for Project:		
1.6 Project Applicant – Bank Account Details:	Bank – Sort Code – Account number -	
1.7 GMCA Finance Lead		
1.8 Date of Drawdown Request:		

Notes	
You are reminded that:	
(i)	you must notify us immediately if the circumstances of the Project change.
I certify that to the best of my knowledge and belief:	
1)	The information in this form is true and correct.
2)	The drawdown request is made in accordance with the Grant Agreement dated XX.XX.15
Finance Director's Signature:	Name (block capitals):
Position in organisation if different from above:	Grant recipient Name of Borrower:
Date:	
GMCA Finance Approval	
Date Approved by GMCA Finance	
Name	Signature
SECTION 151 OFFICER APPROVAL	
Date Approved by Section 151 Officer	
Name	Signature

Schedule 4
The Application

Schedule 5

The Plan

The **COMMON SEAL** of the
**GREATER MANCHESTER
COMBINED AUTHORITY** was
hereunto affixed in pursuance of an
Order of the said Authority:

.

Authorised Signatory

The **COMMON SEAL** of **TAMESIDE
METROPOLITAN BOROUGH
COUNCIL** was hereunto affixed in
pursuance of an Order of the said
Council:

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Authorised Signatory

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Report to :	EXECUTIVE BOARD
Date :	20 April 2016
Executive Member/ Reporting Officer:	Cllr John Taylor, Deputy Executive Leader Emma Varnam, Head of Stronger Communities
Subject :	TAMESIDE DOMESTIC ABUSE STRATEGY: 2016-2019
Report Summary :	<p>This report requests support for the Tameside Domestic Abuse Strategy 2016-2019. Tackling domestic abuse effectively requires a multi-agency response and the strategy sets out our intentions and plans to do this in Tameside over the next 3 years.</p> <p>The aim of the strategy is to prevent and reduce domestic abuse and the harm it causes to victims, families and communities in Tameside.</p> <p>It identifies 3 key priorities, to ensure that</p> <ul style="list-style-type: none">• The community rejects all forms of domestic abuse and violence as unacceptable• There is less domestic abuse in Tameside• The impact of domestic abuse is reduced <p>To achieve this it sets 5 objectives:</p> <ul style="list-style-type: none">• Delivering An Effective Response• Improving Prevention and Early Intervention• Workforce development• Protection of victims• Managing Offenders
Recommendations :	That Executive Board considers the objectives of this report and the accompanying action plan and that the strategy is progressed and sent to Executive Cabinet for approval.
Links to Sustainable Community Strategy :	The Domestic Abuse Strategy supports the aims of the Sustainable Community Strategy under the theme of Safe Tameside and Supportive Tameside.
Policy Implications :	The Domestic Abuse Strategy supports the vision and the objectives of the Equal Opportunities Policy.
Financial Implications : (Authorised by the Section 151 Officer)	<p>There are no direct financial implications arising from the recommendations of the report which provides details of the impact of domestic abuse together with a supporting strategy to prevent and reduce occurrences on residents of the borough.</p> <p>It is recognised that a proportion of Council directorate (the majority of which are within People and Public Health) budgets currently finance both preventative and support for victims of domestic abuse within the Borough. However, the actual cost of the related funding forms part of an integrated package of care services to Tameside residents. A detailed analysis will be required to comprehend the actual value of the associated cost to the Council together with related multi agency partners. This could ultimately lead to a multi-agency pooling arrangement to</p>

ensure resources deployed within the borough and which are related to domestic abuse are utilised in line with the aims and priorities of the strategy.

It should be noted that the Council currently has a contract with New Charter Housing Trust for the provision of Bridges which is an integrated domestic abuse service. The contract commenced on 1 October 2013 with a duration to 30 September 2016. There is however, an option to extend the contract to 30 September 2018. The existing annual contract value is £506,818 and is resourced within the People directorate.

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

Once the strategy is approved by Cabinet, the Council will need to put in place appropriate policies and procedures which give effect to the strategy and the outcomes required to be achieved.


Members should ensure they read and understand the Equality Impact Assessment attached at **Appendix 2** before making the decision. This exercise was very useful as it highlighted areas which are underrepresented together with gaps in our provision.

Risk Management :

The risk assessment is set out in section 7 of this report

Access to Information :

The background papers relating to this report can be inspected by contacting Diane Barkley, Poverty and Prevention Manager, Customer Care and Advocacy

 Telephone:0161 342 3110

 e-mail: diane.barkley@tameside.gov.uk

1. INTRODUCTION

- 1.1 Tackling domestic abuse effectively requires a multi-agency response and this strategy sets out the Council's intentions and plans to do this in Tameside over the next 3 years.
- 1.2 The main aim of this strategy is to achieve coordination and consistency in our partnership approach to domestic abuse. This means going much further than traditional partnership work and single issue commissioning. It means fully embedding and integrating our response to domestic abuse in a whole public service response. Though some of this may be about removing duplication it is also about changing roles, culture and responses across our organisations. It goes beyond co-location and requires partners to pool resources to respond to a wide range of demand from individuals, families and communities. Without this radical approach services will become unsustainable.
- 1.3 The strategy sits within a wider context of key challenges that face the health and social care and criminal justice systems. These include significant reductions in public sector funding and growing demands, alongside major public sector reforms, in particular the establishment of an Integrated Care Organisation and the devolution of powers from central to local government.
- 1.4 The Tameside Domestic Abuse Strategic Steering Group has developed the strategy and is responsible for its implementation. The group will also ensure that the strategy and its action plan are up to date and are refreshed as public service reform progresses.

2. BACKGROUND

- 2.1 **Definition of Domestic Abuse:** In 2013 the definition of domestic abuse was expanded to include young people aged 16 to 17 and coercive or controlling behaviour. It states that domestic abuse is: "Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse, psychological, physical, sexual, financial and emotional.
- 2.2 Controlling behaviour is a range of acts designed to make a person subordinate and / or dependant by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.
- 2.3 Coercive behaviour is an act or pattern of acts of assaults, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.
- 2.4 The definition which is not a legal definition includes so called "honour" based violence, female genital mutilation and forced marriage, and it is clear that victims are not confined to one gender or ethnic group".
- 2.5 **Extent and prevalence of domestic abuse:** National and local data on the prevalence, impact and nature of domestic abuse shows that it occurs across all sectors of society, all ages and races and that men and women are both at risk. However, it also shows that not everyone is at equal risk. Some factors can increase vulnerability to domestic abuse, including gender, age, pregnancy and poverty. It is also important to note that domestic abuse is widely under-reported.
- 2.6 The section below presents a snapshot of some statistics:

Extent

- Each year around 2.1m people suffer some form of domestic abuse - 1.4 million women (8.5% of the population) and 700,000 men (4.5% of the population)¹
- Overall, 30.0% of women and 16.3% of men had experienced any domestic abuse since the age of 16, equivalent to an estimated 4.9 million female victims of domestic abuse and 2.7 million male victims

The Tameside Needs Assessment report applies the national data on prevalence from the British Crime Survey to Tameside adult population data to estimate the extent of domestic abuse to Tameside:

Table 1: Estimated number of people in Tameside experiencing domestic abuse

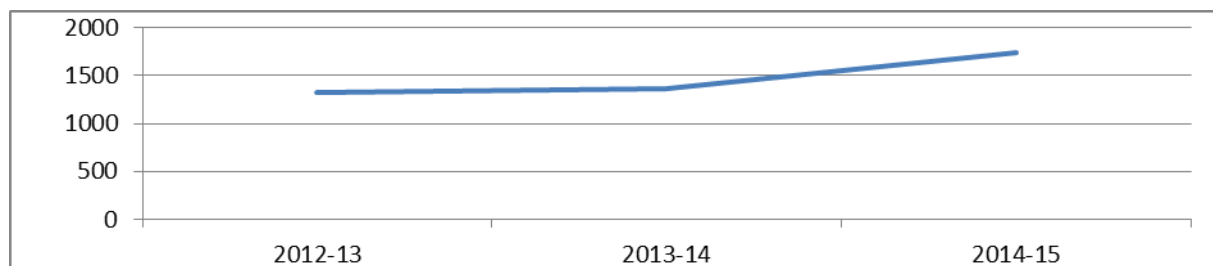
	UK (%)	Estimated nos in Tameside
Women experiencing Domestic Abuse in the last 12 months	8.5%	5,984
Men experiencing Domestic Abuse in the last 12 months	4.5%	3,118
Life Time Prevalence – Women	30.0%	21,120
Life Time Prevalence – Men	16.3%	11,296

- In 2013-14 the police recorded 887,000 domestic abuse incidents in England and Wales²

Greater Manchester Police data shows an increase of 28% in Domestic Abuse crimes in Tameside over the 3 year period from 2012/13 to 2014/15.

Table 2: Domestic Abuse Offences in Tameside

2012-13	2013-14	2014-15
1,320	1,359	1,738



- More than 100,000 people in the UK are at high and imminent risk of being murdered or seriously injured as a result of domestic abuse.²

The Tameside Multi-Agency Risk Assessment Conference (MARAC) meets fortnightly to discuss cases assessed as high risk using the DASH risk assessment tool. In the first three quarters of 2015/16 it has considered 250 referrals

Nature

- 80% of Domestic Abuse crimes are for violence and 10% criminal damage and arson.³

¹ ONS (2015), Crime Survey England and Wales 2013-14. London: Office for National Statistics.

² Safe Lives (2015), Getting it right first time: policy report. Bristol: Safe Lives

³ SafeLives (2015), Insights IDVA National Dataset 2013-14. Bristol: SafeLives

Who is affected

- Victims are largely white British (90%)
- 46% are unemployed and of those that are employed the occupations are largely health and social care and service sector based.
- Women are much more likely than men to be the victims of high risk or severe domestic abuse and more likely to report it with 74% being female and 17% male. 95% of those going to MARAC or accessing an IDVA service are women ⁴
- 30% of domestic violence and abuse begins during pregnancy.
- 140,000 children live in homes where there is high-risk domestic abuse and
- 64% of high and medium risk victims have children, on average 2 each ⁵
- A quarter (25%) of children in high-risk domestic abuse households are under 3 years old. On average, high-risk abuse has been going on for 2.6 years, meaning these children are living with abuse for most of their life

Impact

- 7 women a month are killed by a current or former partner in England and Wales. ²
- On average victims experience 50 incidents of domestic abuse^{5,4} and high-risk victims live with domestic abuse for 2.6 years before getting effective help ⁴
- 1 in 4 children witness domestic abuse, their physical and mental well-being and chances of doing well at school suffer from an abusive upbringing.
- 62% of children living with domestic abuse are directly harmed by the perpetrator of the abuse, in addition to the harm caused by witnessing the abuse of others ¹
- Most victims – 85% - see on average 5 professionals in the year before they finally get effective support.

3. DEVELOPING THE STRATEGY

- 3.1 The Domestic Abuse Strategy is based on a range of evidence sources and consultation with victims, front line staff and strategic stakeholders. It draws on the Tameside Domestic Abuse Needs Assessment that was completed in February 2015 and the Voice of the Victim Consultation that was completed in April 2015 (Section 4.2).
- 3.2 It takes account of developments within Greater Manchester (Section 3.2), the legal framework (section 3.3) national and local data on Domestic Abuse (Section 3.1 and 4.1) and our current service provision (Section 4.4). It includes a review of achievements against the previous strategy (Section 4.3) and considers a number of national, regional and local strategies and initiatives and reports.
- 3.3 On the basis of the research evidence, our consultation and discussions with specific interest groups, the strategy is based on the following key themes. The action plan associated with the strategy is attached as **Appendix 1** of the strategy

TAMESIDE'S VISION IS: "To develop a community that does not tolerate domestic abuse, that reduces the harm to victims, children, families and communities and challenges and changes the behaviour of perpetrators".

TAMESIDE'S AIM IS "To prevent and reduce domestic abuse and the harm it causes to victims, families and communities in Tameside".

⁴ SafeLives (2014), MARAC National Dataset 2014. Bristol: SafeLives

⁵ SafeLives <http://safelives.org.uk/policy-evidence/about-domestic-abuse/who-are-victims-domestic-abuse>

TAMESIDE'S PRIORITIES ARE TO ENSURE THAT:

- The community rejects all forms of domestic abuse and violence as unacceptable
- There is less domestic abuse in Tameside
- The impact of domestic abuse is reduced

4. SUMMARY OF KEY OBJECTIVES

- 4.1 To achieve our vision and priorities the strategy sets 5 linked and inter-dependent objectives for Tameside:

Delivering An Effective Response: This means developing the capacity to reduce the harm caused by domestic abuse by partnership working that goes further than traditional partnership work and single issue commissioning. It means fully embedding and integrating our response to Domestic Abuse in a whole public service response. Though some of this may be about removing duplication it is also about changing roles, culture and responses across our organisations. It goes beyond co-location and requires partners to pool resources to respond to a wide range of demand from individuals, families and communities. Without this radical approach services will become unsustainable.

Improving Prevention and Early intervention: This means working to stop domestic abuse from happening in the first place. When that cannot be achieved it means finding the earliest point to intervene and to reduce the harm the abuse may cause. Early intervention is only possible if the abuse is recognised so this work is linked to a comprehensive awareness raising campaign.

Workforce development: This means providing the support and training to increase the number of frontline staff across agencies that have the knowledge, skills and confidence to identify abuse earlier and help family's access all-level services.

Protection of victims: This means working with children, families and communities to establish a culture and awareness within the community that understands what abuse is, does not tolerate or accept its existence and provides no excuses or acceptance for abusive behaviour. It includes addressing the short and long term effects that domestic abuse has on children and reducing the occasions that this occurs.

Managing offenders: This means identifying and bringing perpetrators of abuse to account and holding them responsible for their behaviour. It includes challenging and changing behaviour and ensuring that justice is pursued.

5. IMPLEMENTATION

- 5.1 The success of this strategy relies on partnership working and requires the full engagement of all partners. The Tameside Domestic Abuse Strategic Steering Group has developed the strategy and is responsible for its implementation. The group will also ensure that the strategy and its action plan are up to date and are refreshed as public service reform progresses.

6. EQUALITY AND DIVERSTY

- 6.1 An Equality Impact Assessment (EIA) has been carried out on this strategy and is attached at **Appendix 2** of this report. Before approving this strategy, members need to consider and

be satisfied that the assessment has been carried out properly and meaningfully in order to discharge their public sector duty under S149 of the Equalities Act 2010.

- 6.2 The EIA identifies that all of the protected characteristic groups are adversely impacted by domestic abuse. It shows that all of these groups will potentially experience a direct and positive impact as a result of the strategy and its action plan.

7. RISKS

- 7.1 Statutory obligations: Under the Crime and Disorder Act 1998, local authorities have a statutory responsibility to work with other agencies to reduce crime and disorder in their local area. A failure to agree and implement an effective Domestic Abuse strategy could increase the risk that the local authority fails to meet its obligations under this legislation
- 7.2 Extent, prevalence and impact of harm: the data and the strategy provide a snapshot of the prevalence and impact of domestic abuse. Having an effective Domestic Abuse Strategy reduces the risk of the harm caused by domestic abuse on adults and children.
- 7.3 Cost of domestic abuse: The Strategy highlights the huge public cost of domestic abuse, estimated at £68.6m per annum for Tameside alone. A failure to agree and implement an effective strategy will increase the risks of these costs being incurred.

8. RECOMMENDATIONS

- 8.1 As detailed at the front of this report

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FOREWORD

The extent and nature of domestic abuse is shocking. Its impact on the lives and well-being of victims, children and communities across Tameside is significant and its effects can be longstanding. It represents a high proportion of violent crime that occurs across the borough, but other types of abuse such as emotional, financial and psychological abuse remain largely hidden or even unacknowledged by victims, perpetrators and within communities.

The effects of domestic abuse on children can impact on healthy and happy development and last well into adulthood. Witnessing violence is associated with emotional, behaviour, and learning problems in children. Children also suffer long term multiple physical and mental health consequences (such as self-harm, depression, anxiety) because of living with domestic violence. Concentration is affected which in turn affects learning at school or places of education. This leaves children who are witness to abuse disadvantaged and less likely achieve academic qualifications at the same time or level as their peers.

Whatever form it takes domestic abuse can have an immediate and long lasting impact on the wider health, well-being and safety of our community. It can breed a culture where this type of harm is tolerated or goes unrecognised. This is not the type of society we aspire to be in Tameside.

Failing to adequately address domestic abuse makes no sense from either an economic, equality or humanitarian perspective. The estimated cost of domestic abuse and its' impacts to Tameside are £68.6m every year.

Since we published the last Domestic Abuse Strategy we and our partners have made some measurable progress in tackling domestic abuse in Tameside. Of particular note is the increased focus on early intervention and prevention and measures, supported by significant investment from the Greater Manchester Police Crime Commissioner.

There is so much more to be done to build on what we have achieved, to respond to new challenges of limited resources and to make the best of the new opportunities presented by the devolution of powers to Greater Manchester and the re-organisation of health and social care.

Cllr John Taylor
Deputy Executive Leader

SECTION 1: OUR STRATEGY AT A GLANCE

TAMESIDE'S VISION IS

"To develop a community that does not tolerate domestic abuse, that reduces the harm to victims, children, families and communities and challenges and changes the behaviour of perpetrators".

TAMESIDE'S AIM IS

To prevent and reduce domestic abuse and the harm it causes to victims, families and communities in Tameside.

TAMESIDE'S PRIORITIES ARE TO ENSURE THAT:

- The community rejects all forms of domestic abuse and violence as unacceptable
- There is less domestic abuse in Tameside
- The impact of domestic abuse is reduced

TAMESIDE'S KEY OBJECTIVES ARE:

- Delivering An Effective Response
- Improving Prevention and Early Intervention
- Workforce development
- Protection of victims
- Managing Offenders

SECTION 2: INTRODUCTION

2.1 OVERVIEW

Tackling domestic abuse effectively requires a multi-agency response and this strategy sets out our intentions and plans to do this in Tameside over the next 3 years.

The main aim of this strategy is to achieve coordination and consistency in our partnership approach to domestic abuse. This means going much further than traditional partnership work and single issue commissioning. It means fully embedding and integrating our response to domestic abuse in a whole public service response. Though some of this may be about removing duplication it is also about changing roles, culture and responses across our organisations. It goes beyond co-location and requires partners to pool resources to respond to a wide range of demand from individuals, families and communities. Without this radical approach services will become unsustainable.

The strategy sits within a wider context of key challenges that face the health and social care and criminal justice systems. These include significant reductions in public sector funding and growing demands, alongside major public sector reforms, in particular the establishment of an Integrated Care Organisation and the devolution of powers from central to local government.

The Tameside Domestic Abuse Strategic Steering Group has developed the strategy and is responsible for its implementation. The group will also ensure that the strategy and its action plan are up to date and are refreshed as public service reform progresses.

2.2 HOW WE DEVELOPED THIS STRATEGY

In writing this Domestic Abuse Strategy we have drawn largely on the Tameside Domestic Abuse Needs Assessment that was completed in February 2015 and the Voice of the Victim Consultation that was completed in April 2015 (see Section 4.2).

We have also taken account of developments within Greater Manchester (Section 3.2), the legal framework (section 3.3) national and local data on Domestic Abuse (Section 3.1 and 4.1) and our current service provision (Section 4.4). We have also undertaken a review of achievements against the previous strategy (Section 4.3) and considered a number of national, regional and local strategies and initiatives and reports. These include:

- National Service Standards for Domestic and Sexual Violence – Core Standards (February 2009).
- Safe Lives. Getting it Right First Time (February 2015)
- Safe Lives. A Place of Great Safety (February 15)
- Saving Lives Reducing Harm. Protecting the Public. An Action Plan for Tackling Violence, 2008-11. Home Office (February 2008).
- Together We Can End Violence Against Women and Girls: A Strategy. Home Office (December 2009)
- Public Service Reform Programme in Greater Manchester
- Tameside Health and Well-being Strategy 2013-16
- ‘Domestic Abuse in Tameside: identifying Opportunities for Early Intervention and Prevention’ – New Economy (December 2012)
- A Call to End Violence against Women and Girls: Action Plan 2013’ – HM Government (March 2013) and Government Equality Impact Assessment ‘Call to end violence to Women and Girls’ (2011)
- Tameside Community Strategy 2012-22
- Greater Manchester Police and Crime Commissioner Plan
- British Crime Survey 2014-15

- Domestic Violence and Abuse: Multi-Agency Working, NICE Guidelines(PH50) (February 2014)

We undertook consultation and engagement with a range of partners. These included:

Greater Manchester Police Neighbourhood, Senior Leadership Team and Partnership Team,
Safeguarding Children Independent chair
Safeguarding Adults Independent chair
TMBC: Adult Services; Licensing; Customer Care and Advocacy; Children’s Strategy and Early Intervention; Public Health; Public Service Reform Hub;
Purple Futures – Probation Community Rehabilitation Company
National Probation Service
Youth Offending Team
Tameside and Glossop Clinical Commissioning Group; Nursing and Quality, Safeguarding and Patient Safety
New Charter Housing Trust
Bridges Service
Victim Support

2.3 WHAT IS DOMESTIC ABUSE?

In 2013 the definition of domestic abuse was expanded to include young people aged 16 to 17 and coercive or controlling behaviour. It states that domestic abuse is: “Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse, psychological, physical, sexual, financial and emotional.

Controlling behaviour is a range of acts designed to make a person subordinate and / or dependant by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is an act or pattern of acts of assaults, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.

The definition which is not a legal definition includes so called “honour” based violence, female genital mutilation and forced marriage, and it is clear that victims are not confined to one gender or ethnic group”.

Abuse types can co-exist. They can be short-lived and infrequent, or long-standing and frequent. The impact however can change the lives of victims, their children, families and communities, often forever.

SECTION 3: THE WIDER CONTEXT

3.1 THE SCALE OF THE PROBLEM: NATIONAL DATA

The statistics below are drawn from a range of data sources. It is important to note that, *“It is widely accepted that available data on domestic violence is likely to be an underestimate, because all types of domestic violence and abuse are under-reported in health and social research, to the police and other services”*.⁶

The data shows that domestic abuse occurs across all sectors of society, all ages and races and those men and women are both at risk. However, it also shows that not everyone is at equal risk. Some factors can increase vulnerability to domestic abuse, including gender, age, pregnancy and poverty.

Extent

- Each year around 2.1m people suffer some form of domestic abuse - 1.4 million women (8.5% of the population) and 700,000 men (4.5% of the population)⁷ and more than 100,000 people in the UK are at high and imminent risk of being murdered or seriously injured as a result of domestic abuse.⁸
- In 2013-14 the police recorded 887,000 domestic abuse incidents in England and Wales²
- Overall, 30.0% of women and 16.3% of men had experienced any domestic abuse since the age of 16, equivalent to an estimated 4.9 million female victims of domestic abuse and 2.7 million male victims

Nature

- 80% of Domestic Abuse crimes are for violence and 10% criminal damage and arson.⁹

Who is affected?

- Victims are largely white British (90%)
- The peak age of victims is between 21-29 years.
- 46% are unemployed and of those that are employed the occupations are largely health and social care and service sector based.
- Women are much more likely than men to be the victims of high risk or severe domestic abuse and more likely to report it with 74% being female and 17% male. 95% of those going to MARAC or accessing an IDVA service are women¹⁰
- 30% of domestic violence and abuse begins during pregnancy.
- 140,000 children live in homes where there is high-risk domestic abuse and
- 64% of high and medium risk victims have children, on average 2 each¹¹
- A quarter (25%) of children in high-risk domestic abuse households are under 3 years old. On average, high-risk abuse has been going on for 2.6 years, meaning these children are living with abuse for most of their life

Impact

- 7 women a month are killed by a current or former partner in England and Wales.²

⁶ Tameside Domestic Abuse Needs Assessment (February 2015)

⁷ ONS (2015), Crime Survey England and Wales 2013-14. London: Office for National Statistics.

⁸ Safe Lives (2015), Getting it right first time: policy report. Bristol: Safe Lives

⁹ SafeLives (2015), Insights IDVA National Dataset 2013-14. Bristol: SafeLives

¹⁰ SafeLives (2014), MARAC National Dataset 2014. Bristol: SafeLives

¹¹ SafeLives <http://safelives.org.uk/policy-evidence/about-domestic-abuse/who-are-victims-domestic-abuse>

- On average victims experience 50 incidents of domestic abuse^{5,4} and high-risk victims live with domestic abuse for 2.6 years before getting effective help⁴
- 1 in 4 children witness domestic abuse, their physical and mental well-being and chances of doing well at school suffer from an abusive upbringing.
- 62% of children living with domestic abuse are directly harmed by the perpetrator of the abuse, in addition to the harm caused by witnessing the abuse of others¹
- Most victims – 85% - see on average 5 professionals in the year before they finally get effective support.

Welfare Reform

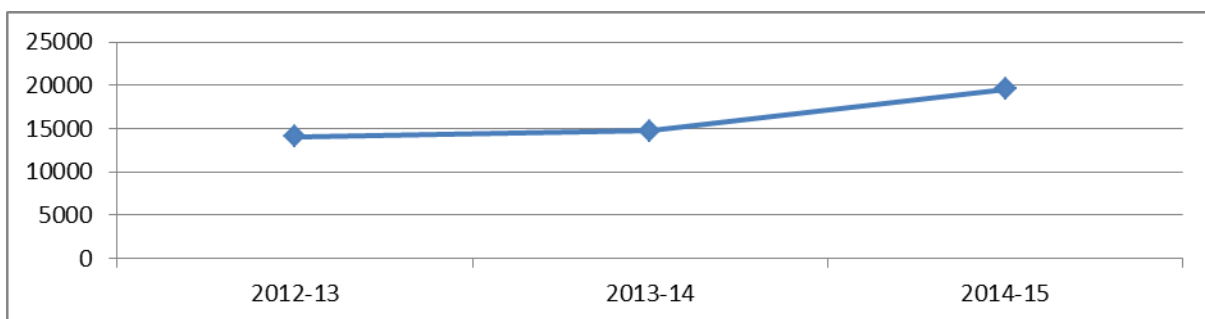
Research evidence¹² shows that women are disproportionately negatively impacted by welfare reform. This is because of systemic issues that mean that women are twice as dependent on social security as men. Women are twice as likely to give up paid work in order to become unpaid carers, 92% of lone parents are women, and the pay gap between men and women persists.

3.2 DOMESTIC ABUSE IN GREATER MANCHESTER

There has been considerable progress since the last strategy in the development of GM approaches to domestic abuse. This is aligned with the development of the GM Combined Authorities (GMCA) and supported by GM Office of the Police Crime Commissioner (OPCC).

Table 1 shows a 33% increase in GMP recorded domestic abuse offences over the 3 year period between 2012/13 to 2014/15:

2012-13	2013-14	2014-15
14100	14711	19561



British Crime Survey Data for April-September 2015 records 9752 domestic abuse offences in Greater Manchester, with a rate of 4 offences per 1000 population.

Across Greater Manchester, Greater Manchester Police recorded 66174 domestic abuse incidents in 2014/15. 74% of these were classed as Standard Risk, the lowest risk classification used by the Force. The repeat vulnerability victimisation rate for these incidents was between 68-82% across the Force.

Greater Manchester Domestic Abuse Partnership Board

A Greater Manchester Domestic Abuse Partnership Board was established in October 2015. It is chaired by GM Police Crime Commissioner and its membership consists of representatives from each local authority, GMP, Crown Prosecution Service, Victims Support and the National

¹² A Widening Gap: Women and Welfare Reform, Engender (Scotland) 2015

Probation Service. Its role is to identify and take forward GM wide priorities in tackling domestic abuse.

It has established the following early priorities for development

- A GM wide communication strategy
- GM wide workforce development
- GM wide education resource
- Focus on work with BME communities
- Supporting the GM wide work that is being undertaken to develop perpetrator provision

The Board has agreed to focus on

- Early intervention and prevention
- Improved information sharing
- Consistent data analysis and evaluation
- Multi-agency inspections
- The integration of DV work with other work streams

In January 2016 The GM Partnership Board agreed that all GM authorities should commence a data sharing exercise to enable a GM wide spatial analysis to identify high risk domestic abuse hot spot areas, based on an exercise undertaken in Manchester by i-Three Analytics.

The analysis will take place during 2016 and the findings will allow GM and local districts to target diminishing resources more effectively by analysing demand, identifying hotspot areas and highlighting predictive factors. This data will support intelligence led commissioning and service redesign.

This strategy will be updated and refreshed in the light of the findings of the data analysis and the development of the simulation model.

3.3 THE LEGISLATIVE FRAMEWORK

Criminal law

Domestic violence is not a specific criminal offence. There are, however, a number of possible offences for which perpetrators could be prosecuted depending on the specific acts, ranging from murder, rape and manslaughter through to assault, harassment and threatening behaviour.

Civil law

There are two important civil law remedies under the Family Law Act 1996 (as amended by Part 1 of the Domestic Violence Crime and Victims Act 2004):

- An **Occupation Order** is a court order which governs the occupation of a family home. It could be used to temporarily exclude an abuser from the home and surrounding area and give the victim the right to enter or remain. In certain circumstances, the court may attach a power of arrest to the occupation order.
- A **Non-molestation Order** is a court order which prohibits an abuser from molesting another person they are associated with. Molestation is not defined in the Act but has been interpreted to include violence, harassment and threatening behaviour. Breach of a non-molestation order is a criminal offence.

The Protection from Harassment Act 1997 (as amended) also provides for important civil and criminal remedies, including

- **Domestic Violence Protection Orders (DVPOs):** enable the police and magistrates in the immediate aftermath of a domestic violence incident; ban a perpetrator from returning to their

home and from having contact with the victim for up to 28 days. The intention is to help victims who may otherwise have had to flee their home, giving them the space and time to access support and consider their options.

- **Domestic Violence Disclosure Scheme (DVDS):** (commonly known as Claire’s law) enables an individual to ask the police to check whether a new or existing partner has a violent past (“right to ask”). If police checks show that a person may be at risk of domestic violence from their partner, the police will consider disclosing the information (“right to know”).

Domestic Homicide Review (DHR) guidance

In April 2011 section 9 of the Domestic Violence, Crime and Victims Act 2004 came into force, making it a statutory requirement for local authorities to undertake a multi-agency review following a domestic homicide. In June and November 2013 the Home Office updated statutory guidance for conducting Domestic Homicide Reviews (DHR), based on the findings of the first 54 DHRs (between April 2011 and March 2013).

Legal Aid

The withdrawal of legal aid for most forms of family law has prompted concern for victims of domestic abuse, who have to meet evidential requirements to access legal aid. An attempt to challenge the legality of the legal aid changes in early 2015 in respect of domestic violence was rejected by the High Court.

The Government have added clauses to the *Serious Crime Bill [HL] 2014-15* to make coercive control a specific criminal offence

3.4 THE COSTS OF DOMESTIC ABUSE

The economic and social costs of domestic abuse are significant. The table below estimates the cost to Greater Manchester and Tameside using the updated 2009 Walby Formula¹³ (pro-rata by population)

Table 2: Estimated costs of Domestic Abuse in Greater Manchester and Tameside (per annum)

	Greater Manchester	Tameside
• Physical and mental health care cost	£84.4m	£7.5m
• Criminal justice cost	£61.5m	£5.5m
• Social services costs	£13.8m	£1.2m
• Housing and refuges cost	£9.6m	£0.9m
• Civil legal services costs	£18.9m	£1.7m
• Local economic output loss	£93.7m	£8.4m
• Total costs	£281.8m	£25.2m
• The Walby formula estimates further human and emotional costs of:	£485.6m	£43.4m

¹³ Walby, S. (2004), *The Cost of Domestic Violence*. London: Women and Equality Unit

A costing exercise will be completed by the Council's Resource Management Team, on the current costings of domestic abuse work to local partners. This piece of work seeks to understand the current spend that both Tameside Council and its local partners provide for the area of domestic abuse.

SECTION 4: WHERE WE ARE NOW

This section sets out our current evidence base and responses to domestic abuse in Tameside. It draws on a range of evidence sources including an assessment of needs that was completed in February 2015, consultation with victims, the Strategic Threat Assessment, Greater Manchester Police data and evidence from current service provision in Tameside to identify our achievements and areas for new or further developments and initiatives.

4.1 THE EXTENT OF DOMESTIC ABUSE IN TAMESIDE

Tameside experiences significant incidents of domestic abuse. The Tameside Needs Assessment report applies the national prevalence data (see Section 3.1) from the British Crime Survey to Tameside adult population data to estimate the extent of domestic abuse to Tameside:

Table 3: Estimated number of people in Tameside experiencing domestic abuse

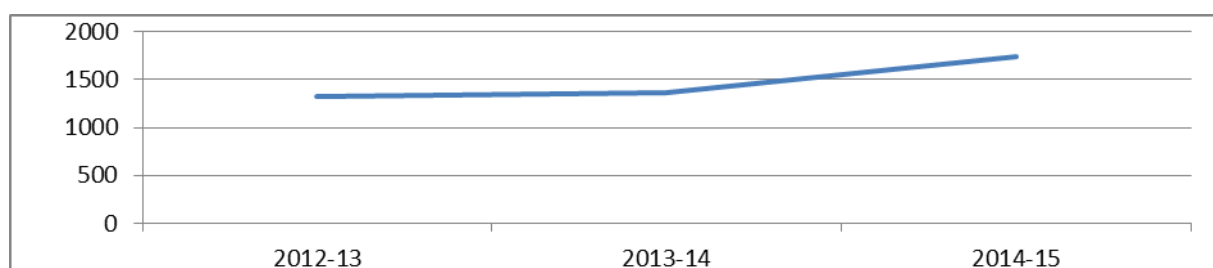
	UK (%)	Estimated number in Tameside
Women experiencing Domestic Abuse in the last 12 months	8.5%	5984
Men experiencing Domestic Abuse in the last 12 months	4.5%	3118
Life Time Prevalence – Women	30%	21120
Life Time Prevalence – Men	16.3%	11296

The Strategic Threat Assessment draws on a range of crime, incidents and socio-economic datasets to inform the development of the Tameside Partnership Crime Plan. The assessment produced in November 2015 includes data on domestic abuse offences and incidents (identified collectively as occurrences) for the time period April 2013-August 2015, by Lower Super Output Areas (LSOA). The Domestic Abuse Data Sets shows a total of 3762 domestic abuse occurrences in the 29 months covered by the assessment.

Greater Manchester Police data shows an increase of 28% in Domestic Abuse crimes in Tameside over the 3 year period from 2012/13 to 2014/15.

Table 4: Domestic Abuse Offences in Tameside

2012-13	2013-14	2014-15
1320	1359	1738



The Tameside Multi-Agency Risk Assessment Conference (MARAC) meets fortnightly to discuss cases assessed as high risk using the DASH risk assessment tool. In the first three quarters of 2015/16 it has considered 250 referrals. The MARAC also considers applications for disclosure under Claire's Law (see 3.3).

Geographical Location

The Strategic Threat Assessment highlights that the highest rate of domestic abuse occurrences were in Ashton Town Centre, also ranked highest for all crimes. 3 of the top 5 LSOAs with the highest rates of domestic abuse occurrences were in Ashton St Peter's ward with the remaining 2 in Dukinfield and Ashton Hurst wards.

Domestic Abuse and multiple deprivations

The data confirms earlier findings by the Commission for the New Economy of geographical hotspots for domestic abuse. It also indicates a correlation between domestic abuse and a wide range of socio-economic disadvantages. However, it should be noted that the location is the crime or incident occurred, rather than where the victim or perpetrator lives. While there are strong links between deprivation and domestic violence prevalence, this does not provide evidence of a causal link.

Research evidence points to strong links between domestic abuse and alcohol misuse. Of all domestic violence incidents in England and Wales (2014/15), the perpetrator was perceived to be under the influence of alcohol in 36% of cases. The Strategic Threat Assessment collects data on alcohol and domestic violence related incidents. The areas for the 5 highest incidences of Alcohol and Domestic Violence related crimes are Ashton Town Centre, Guide Bridge, Stalybridge North and Hattersley Railway Station.

Domestic Abuse is also associated with an increased risk of homelessness. In Tameside it is consistently in the top 5 reasons for people presenting as homeless.

Children and Young People

Tameside data for 2014/15 shows that there were 233 Children in Need, 164 children on Child Protection Plans and 85 Looked After Children where domestic abuse was a feature. The Needs Assessment identified an apparent increase in the number of young people in Tameside in intimate relationships experiencing domestic abuse. This includes partner, sibling and parent to child abuse. The Youth Offending Team has identified that a significant proportion of their case load have experienced domestic abuse as victim, witness or perpetrator. The Needs Assessment has identified a need for specialist domestic abuse support for children and young people and the provision of whole family support where children witness domestic abuse.

The Early Help and the Youth Offending Teams have identified an increase in child to parent domestic abuse. Data from Bridges monitoring shows 25 referrals in 2014/15 and 21 in 2015/16 to end of quarter 3 of child to parent domestic abuse. This is an area that requires further investigation.

The Needs Assessment recommends a universal community awareness programme, including schools, to highlight domestic abuse as an issue, stress its unacceptability both to victims and perpetrators and ensure that the public and professionals are aware of options to support its cessation. The awareness programme could include targeted work in identified hotspots for domestic abuse.

The Needs Assessment identified a need for the establishment of routine enquiries about domestic abuse in a range of front line services. Evidence from midwifery services shows that this resulted in 1 in 30 women disclosing domestic abuse to the midwife.

Convictions

Tameside experiences a problem with victims not supporting prosecutions. In the financial year 2014-15 Tameside was 5% higher than the Greater Manchester average for victims failing to appear – resulting in an unsuccessful outcome. Data for the first quarter of 2015-16 shows

improvements – with Tameside 6% lower than the Greater Manchester average. The needs assessment recommended that continued support should be given to victims seeking recourse through the criminal justice system.

The Needs Assessment also recommended that further research is undertaken regarding: older age groups, same sex relationships and male victims. The Equality Impact Assessment has identified a need for local research on the prevalence and needs of people with disabilities experiencing domestic abuse.

4.2 INDEPENDENT CONSULTATION

Foundation for Families undertook independent consultation with women survivors, male perpetrators, and children and young people affected by domestic abuse. Its aim is to ensure that the strategic objectives set by the Tameside Domestic Abuse Strategic Steering Group accord with the needs and experiences of families affected by domestic abuse.

The consultation with women victims identified a number of recommendations listed below:

Workforce Development

- Better training (for all professionals but especially for the Police) about domestic abuse particularly on the impact on mental health of intimidation, threats and coercion
- Improved listening on the part of all professionals – need to hear and believe what victims say
- Improved systems of communication and coordination between agencies (e.g. ensuring that women are informed before a perpetrator is released from prison)

Improving Awareness in the General Population

- Specific education and awareness-raising in schools about domestic abuse
- More access to information about domestic abuse

Accessing Support

- Police, Social Workers and Healthcare Workers should provide information and telephone numbers for specialist services at the earliest point of contact with a woman experiencing domestic abuse
- Domestic Abuse information and advice facilities should be available through a range of public services, e.g. schools and children's centres, job centres, libraries, community centres (with a letter box system for discreet help requests)
- Recognition of the need for emotional support and access to this from specialists (counselling and therapeutic services)
- Improved staffing levels in refuges (especially at night)
- Improved access to support for children: where counselling or other specialist help for children is provided it should be consistent and available for an appropriate period of time
- Access to services that will address isolation and loneliness following a move to a new area
- Support to help women adjust to living alone and, as one put it, "support to deal with the freedom you have once you've left"

Addressing Behaviour of Perpetrators

- Increased access to cognitive behavioural programmes and anger management for suitable perpetrators

Improved Security

- More advice about improving physical security in the home following separation from the abusing partner
- Quicker access to physical security measures following a move

Safety at Family Courts

- Offering the same options (video links or screens) as provided for victims and witnesses in the criminal courts

It is the intention of this strategy that consultation with victims and practitioners working with people affected by domestic abuse is an ongoing process rather than a one off exercise.

The action plan draws on the evidence and need and the views of victims set out here.

4.3 WHAT WE HAVE ACHIEVED: REVIEW OF TAMESIDE DOMESTIC ABUSE STRATEGY 2013-16

The Tameside Domestic Abuse Strategy 2013-16 set out 5 key objectives and a series of overarching actions against each objective. The table below summarises the achievements of the domestic abuse partnership in Tameside, some of the objectives are ongoing and the actions will be continued to support this strategy.

Table 5: Summary of achievements against Tameside Domestic Abuse Strategy 2013-16

Objective	What we achieved
Improve prevention and early intervention	<ul style="list-style-type: none"> Increased the number of specialist and front line services that are equipped to use the Domestic Abuse Stalking and Honour Based Violence (DASH) risk assessment¹⁴ by providing training for Police Community Support Officers (PCSO) and staff from front line agencies on completing the DASH and making referrals to Multi-Agency Risk Assessment Conference (MARAC). Tameside’s participation in the GMP lead STRIVE programme provides support via trained PCSOs, Bridges staff and trained peer mentors for victims identified as standard and medium risk on the DASH assessment. Improved awareness of domestic abuse in schools via a programme of interventions delivered to 63 classes in primary schools and secondary schools. The Bridges Children’s outreach team ensures that support is also available for children who are not in mainstream education. Provided support for families at risk via the Family intervention project and Inspire
Protection of Victims	<ul style="list-style-type: none"> Delivered awareness raising messages on domestic abuse linked to key events in the calendar, e.g. Valentine’s Day. Monitoring data of the Bridges service shows an increase in the proportion of people referred whose risk is assessed as standard or medium (see section 4.3) The availability of funding from the Office of the Police Crime Commissioner has enabled the strengthening of the Children’s team, including the appointment of a Children’s Independent Domestic Violence Advocate (CHIDVA) The Sanctuary scheme has increased the provision of security measures in people’s homes over the last 3 years, from 205

¹⁴ The DASH risk assessment is a tool used to assess the risk that a victim is exposed to and can help in the action required. It is a checklist used across agencies to identify and assess risk, and trigger referral to MARAC if a score of over 14 is achieved

- households in 2013/14, to 249 in 2014/15 and 208 to date in 2015/16.
- Managing Offenders**
- Through the provision of funding from Probation and New Charter charitable sources Bridges has established New Paths, a voluntary programme designed to promote respectful relationships for perpetrators of abuse. This has been delivered to 33 offenders, 25 of whom have not reoffended since attending the programme.
 - A Custody Suite pilot commenced in November 2015 targeting offenders with domestic abuse and/or drugs and alcohol related offences
 - Developed a management model based on the Integrated Offender Management (IOM) model to respond to the needs presented by perpetrator and victims at all levels of risk, i.e. the MARAC for high risk cases, the Clean Room discussion at the Public Service Hub for medium risk and the daily meeting at the Hub for standard risk cases.
- Workforce Development**
- Created a modular training programme “Whole Family Approach to Domestic Abuse” that included: Domestic abuse in Tameside; Impact of domestic abuse; Assessments & achieving change; Multi agency working in Domestic abuse
 - Delivered the 4 modular programmes to all service leads followed by programme role out to operational staff from across the borough.
 - The Domestic Abuse Needs Assessment that was completed in February 2015 includes a training needs analysis.
 - Bridges provides shadowing opportunities and formal and informal training for staff from other agencies
- Building Service Capacity**
- A Domestic Abuse Needs Assessment was completed in February 2015.
 - The STRIVE programme has provided funding for the development of a Victims Champions network. This has enabled the training of 8 PCSOs and 9 peer mentors.

4.4 CURRENT SERVICE PROVISION

The 2013-2016 Domestic Abuse strategy noted that most Tameside services deal almost exclusively with high risk victims, many of whom have experienced significant abuse for sustained time periods. However the evidence below shows significant progress in achieving one of the aims of the strategy in redirecting service delivery to early intervention and prevention.

Specialist services

The Bridges service integrates the overlapping issues of domestic abuse and substance misuse and provides advice, information, and tackles whole family goals relating to accommodation, health, finance and employment. Service provision includes; initial contact within 48 hours, emergency accommodation (for males and females); outreach work including within dispersed properties; resettlement support; housing safety measures such as panic alarms, cameras and additional locks; Independent Domestic Abuse Advocacy, a telephone advice service, access to a wide range of programmes (victims and perpetrators), family conferencing and children’s outreach work.

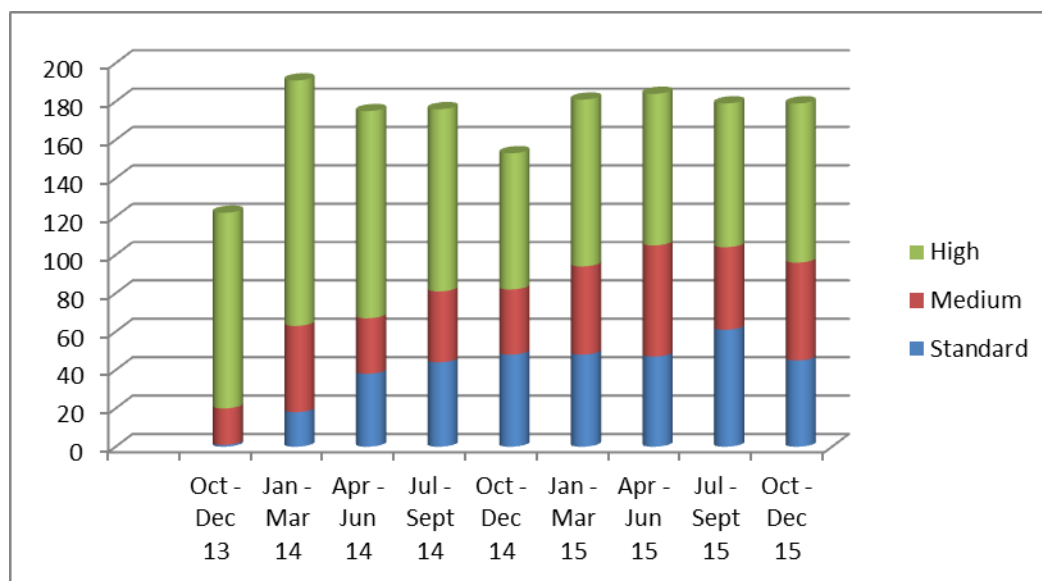
Bridges works with people experiencing every level and type of domestic abuse (physical, emotional/psychological, sexual and financial), from either gender to either gender, their children. It

also responds to calls regarding child-parent violence (CPV) and parent to child abuse, referring on to safeguarding teams as necessary.

Over the last 3 years the service has provided early intervention work such as working within schools and raising awareness of the differing types of abuse and also for the first time assessing and dealing with cases classed as 'standard' and 'medium' abuse alongside high risk cases. The intention of this is to intervene far earlier in episodes or patterns of abuse, educating both parents and children in parenting regarding healthy relationships.

Table 6: Referrals to Bridges by risk

Date	Standard	Medium	High	Total referrals	% standard and medium
Oct - Dec 13	1	19	102	122	16
Jan - Mar 14	18	45	128	191	33
Apr - Jun 14	38	29	108	175	38
Jul - Sept 14	44	37	95	176	46
Oct - Dec 14	48	34	71	153	53.5
Jan - Mar 15	48	46	87	181	52
Apr - Jun 15	47	58	79	184	57
Jul - Sept 15	61	43	75	179	58.5
Oct - Dec 15	45	51	83	179	54



The data above shows a steady increase in the number and proportion of standard and medium cases referred to the Bridges service. Since the quarter ending December 2014 these have exceeded both the number and the proportion of high risk cases.

The service has also increased its work with children and young people. From April 2015 Threshold provided funding (using legacy funding from Tameside Women's Project that was transferred to Threshold) for the resources currently of a senior play worker and 2 play workers based at Ruffley House. Bespoke sessions for all ages are delivered in house to meet the needs of the resident's children.

In July 2015 TMBC awarded Bridges funding (using funding from OPCC) for a Children's IDVA this has enabled us to increase our outreach provision for children; this has resulted in a surge of

referrals from a variety of agencies. There were 96 referrals received within this period some for multi children in families.

The service delivers intervention programmes to meet the demand and to ensure children are not placed on a waiting list for long periods. This includes the 15-18 year old Freedom Programme which help young people to identify the traits of a dominator in a relationship and develop understanding into why it is hard to leave. The service also uses the Expect Respect toolkit and the Real Love Rocks resources for this age group.

For younger children the service provides Time for you groups for children aged 6-9 years and 10-14 years which aims to improve confidence and self-esteem, explore choice and develop understanding as to how behaviours can affect others. Managing your emotions is provided for children aged 10 -15 years delivered every quarter. This course is suitable for children who are demonstrating some signs of their potential to be abusers in the future, or who are already using violence in the home such as to parents etc. The course is designed to develop better self-awareness and ability to manage emotions, violence from young people to parents, low self-esteem/ self-worth, and poor relationships (forming and maintaining).

Bridges is commissioned by the People Directorate and is funded from Public Health, Children's and Housing Services. Over the last 3 years the range of service provision has been enhanced by funding from the Office of the Police Crime Commissioner. This has enabled the appointment of a Children's IDVA and enabled Bridges to support the delivery of the STRIVE Programme in Tameside.

STRIVE Programme in Tameside

In 2014/15 GMP piloted a new multi-agency approach to responding to Standard Risk incidents that aimed to reduce demand and prevent the escalation of risk to medium or high level. The new approach has three work-streams, victim re-visits, enhanced service provision and behaviour change (of perpetrators), it is collectively known as the STRIVE Programme. It has been rolled out across Greater Manchester during 2015/16 and 2016/17. The Programme is funded by the Police Innovation Fund until the end of March 2017.

The purpose of STRIVE is to intervene earlier with the victim and their family, signposting to other services to prevent repeat incidents. This includes the development of a Victim Champion Network (comprising of partner organisations) to develop and improve pathways of support for victims. This work will include the recruitment and training of volunteer 'peer to peer' mentors.

The behaviour change work stream targets those perpetrators who want to engage and change their behaviours before abuse escalates and requires further and more intensive interventions. It aims to deliver a family-centred approach that will seek to get victims and perpetrators to:

- Identify and own their issues and behaviour
- Identify the triggers and causes of abusive behaviour
- Agree and sign up to address these issues with a bespoke intervention plan

One of the key aims of STRIVE is to make contact with all victims of Standard Risk domestic abuse, who have made between 1 and 3 calls to the police. The key mechanism for victim contact is the development of a sustainable network of victims' champions based within local voluntary sector organisations.

In Tameside STRIVE is delivered by a partnership of GMP, New Charter Housing Trust Bridges Service and the Public Service Hub. Bridges has provided training on domestic abuse for 8 Police Community Support Officers (PCSOs) and has created a Victims Champion network via the training of 9 peer mentors. Cases that fit the criteria are triaged every day at the Public Service Hub, drawing on the skills of the multi-agency team. Bridges staff and peer mentors support the

PCSOs in responding to incidents that meet the STRIVE criteria. Cases where there may be a safeguarding issue are referred to TMBC for follow up.

Bridges has provided a voluntary programme for perpetrators since June 2014. This delivers a 10 week session focussing on 3 themes motivation, triggers and change.

Tameside Public Health commissions the 'Off the Record' service to provide counselling for children and young people. The presenting issues sometimes include domestic abuse. The service is also commissioned directly by some schools to provide counselling support and also work with some domestic abuse perpetrators.

The Tameside Public Service Reform Hub brings together multi agency teams in virtual and real environments to respond to cases where traditional and established responses have not had the desired impact. It was identified early on that a high proportion of the households referred have existing or previous domestic abuse. A Clean Room approach is one of the problem solving techniques adopted in the Hub and one session per week is dedicated to households where domestic abuse is a feature.

A range of universal services also provide support to people experiencing domestic abuse. These include TMBC Early Help Team, and health services, such as midwifery and General Practice. TMBC Early Help teams respond to domestic abuse as part of their day to day work and also contribute to the training programme on Domestic Abuse.

Tameside midwifery service operates a policy whereby women attend their first scan appointment alone to give the midwives the opportunity to make a routine enquiry about domestic abuse. The routine enquiry has been an area of development for the trust since 2012, where 35% of women were asked about Domestic Abuse. This figure is now at 80% and rising with mandatory training of staff. Where a disclosure is made an assessment is undertaken to assess the level of risk and the appropriate onward referral is made.

Tameside Licensing works in partnership with Public Health to reduce alcohol-related harm (including domestic abuse). The services have jointly developed a "public health toolkit" which measures licensed premises (both existing and new applications) against a range of alcohol harm statistics – one of which is alcohol-related domestic violence incidents

Victim Support work across Greater Manchester providing a range of services. Until recently an IDVA post commissioned by Office of the Police and Crime Commissioner was based within Tameside Hospital. This post was de-commissioned in 2015. The project supported 29 people from an overall 232 in Greater Manchester. This has created a gap in provision at the Hospital.

Domestic abuse is known to be an issue in approximately 25% of all probation caseloads, either as perpetrator or victim, or in a number of cases both. The National Probation Service has a key role to play in tackling domestic abuse by working together across the partnerships and as part of its remit in protecting the public and reducing re-offending. It works with all (both sexes) high risk perpetrators of domestic abuse using a range of delivery methods. It also works with victims of abuse.

The National Probation Service has recently completed a new Domestic Abuse Strategy. It has developed new Probation Instruction/Guidance for all staff, a new MARAC Framework and a review of the contribution and learning from Domestic Homicide Reviews. The new guidance sets out best practice relating to the importance of early identification of domestic abuse.

SECTION 5: WHERE WE WANT TO BE

TAMESIDE'S VISION IS:

"To develop a community that does not tolerate domestic abuse, that reduces the harm to victims, children, families and communities and challenges and changes the behaviour of perpetrators".

TAMESIDE'S AIM IS

"To prevent and reduce domestic abuse and the harm it causes to victims, families and communities in Tameside.

TAMESIDE'S PRIORITIES ARE TO ENSURE THAT:

- The community rejects all forms of domestic abuse and violence as unacceptable
- There is less domestic abuse in Tameside
- The impact of domestic abuse is reduced

TAMESIDE'S OBJECTIVES

To achieve our vision we have set 5 linked and inter-dependent objectives for Tameside:

Delivering An Effective Response: This means developing the capacity to reduce the harm caused by domestic abuse across the partnership. This means going much further than traditional partnership work and single issue commissioning. It means fully embedding and integrating our response to Domestic Abuse in a whole public service response. Though some of this may be about removing duplication it is also about changing roles, culture and responses across our organisations. It goes beyond co-location and requires partners to pool resources to respond to a wide range of demand from individuals, families and communities. Without this radical approach services will become unsustainable.

Improving Prevention and Early intervention: This means working to stop domestic abuse from happening in the first place. When that cannot be achieved it means finding the earliest point to intervene and to reduce the harm the abuse may cause. Early intervention is only possible if the abuse is recognised so this work is linked to a comprehensive awareness raising campaign.

Workforce development: This means providing the support and training to increase the number of frontline staff across agencies that have the knowledge, skills and confidence to identify abuse earlier and help family's access all-level services.

Protection of victims: This means working with children, families and communities to establish a culture and awareness within the community that understands what abuse is, does not tolerate or accept its existence and provides no excuses or acceptance for abusive behaviour. It includes addressing the short and long term effects that domestic abuse has on children and reducing the occasions that this occurs.

Managing offenders: This means identifying and bringing perpetrators of abuse to account and holding them responsible for their behaviour. It includes challenging and changing behaviour and ensuring that justice is pursued.

SECTION 6: HOW WE WILL GET THERE

This section sets out our high level plans to meet the unmet needs, issues and priorities identified in this strategy. The Domestic Abuse Strategic Steering Group will develop, implement and update detailed action plans to achieve this.

6.1 OUR COMMISSIONING STRATEGY

Addressing the issues of domestic abuse and its causes, providing a clear, effective, and coordinated response must be everyone's responsibility if it is to be realised. There are continued key challenges facing the health and social care system in terms of reductions in public sector funding and a growing population where people are living longer with more complex conditions.

This coupled with major public sector reforms such as the Children and Families Act, the Care Act, the introduction of the Better Care Fund/Devolution Manchester means that the health and social care system has to work differently to ensure health and wellbeing outcomes are being delivered differently within the resources available.

What we will do

We will ensure that the services we commission are relevant to national policy, research evidence and local needs.

We will undertake periodic refreshments of the local Needs Assessment in line with the GM data analysis project (see section 3.2). This will enable us to target diminishing resources more effectively by analysing demand, identifying hotspot areas and highlighting predictive factors. This data will support intelligence led commissioning and service redesign.

We will ensure that our local needs assessment includes consultation with victims and with practitioners that work with them, and that the results inform our commissioning processes.

We will ensure that the services we commission draw on evidence based best practice.

We will strive to take a consistent approach across our multi-agency provision, working in partnership to development common and/or combined approaches to commissioning services.

We will work with the Integrated Care Organisation as it evolves to explore opportunities for the integration of funding and commissioning of domestic abuse services between health and social care.

We will ensure that our commissioning methodology is planned, co-designed and executed to achieve the best providers with whom we can jointly achieve the most enhanced outcomes.

We will develop an outcome framework so that we measure real sustained outcomes and not merely numbers accessing service provision.

We will ensure that the domestic abuse services we commission are aligned with associated services such as the Drug and Alcohol Recovery Service, Homelessness Services, Troubled Families scheme and Women and Families Centre.

We will ensure that our commissioning processes promote equality and diversity within our services, deliver sustainable provision and pursue social value and value for money.

6.2 OUR DELIVERY PLAN TO ACHIEVE THE KEY OBJECTIVES

Objective 1 Delivering an Effective Response

To have the capacity to reduce the harm.

To fully embed and integrate our response to Domestic Abuse in a whole public service response with effective ownership at its core and continue to consult on local need.

Aligned to NICE Guidance Recommendations:

1. Plan services based on an assessment of need and service mapping.
2. Participate in a local strategic multi-agency partnership to prevent domestic violence and abuse.
4. Commission integrated care pathways
5. Create an environment for disclosing domestic violence and abuse
7. Adopt clear protocols and methods for information sharing.
8. Tailor support to meet people's needs
9. Help people who find it difficult to access services
12. Provide specialist advice, advocacy and support as part of a comprehensive referral pathway.

- **Increasing Capacity:** We will increase the capacity of the outreach and housing provision by utilising funding from the Department of Communities and Local Government to increase the provision of advice and safety measures, and developing more options such as access to sheltered provision and dispersed self-contained properties to provide a place of refuge for people for whom standard refuge environments are not ideal.
- **Remove inefficiency and waste:** We will promote the coordination of care and integrating services focussing on the reduction of multiple 'hand offs' and referrals – this requires relevant data being aligned across agencies to allow more meaningful understanding of the ways in which domestic abuse affects each partner and reduce barriers to working together.
- **PSR Hub / Place Based Working:** We will continue to develop responses to standard and medium risk cases via multi-agency working co-ordinated at the Public Service Reform Hub and the new neighbourhood hubs. This includes developing information sharing to ensure that victims and their children are supported.
- **Support for victims pursuing Criminal/Civil proceedings:** We will support victims seeking recourse through the criminal justice system via the victims peer mentor network that is part of the STRIVE programme and is supported by funding from the OPCC.
- **STRIVE Programme:** We will continue to participate in and learn from the STRIVE programme to ensure that this approach to supporting victims of standard risk cases of domestic abuse and involves joint working between GMP, Bridges and peer mentors is sustainable once the OPCC funding ends.
- **Alcohol Related Domestic Abuse:** We will co-ordinate the development of a GM-wide “enforcement and compliance guide” with the aim of ensuring a consistent approach to enforcement and compliance from all local authorities and other enforcing authorities around licensed premises. This guide will include recognition of the part alcohol plays in domestic abuse, and how licensing authorities can ensure that licensees are playing their part in helping to reduce it.

Objective 2 Prevention and Early intervention

Aligned to NICE Guidance
Recommendations 10. & 11.

10. Identify and, where necessary, refer children and young people affected by domestic violence and abuse

11. Provide specialist domestic violence and abuse services for children and young people

Objective 3 Workforce development

Aligned to NICE Guidance
Recommendations 5. 9. 15. & 17.

To reduce demand for targeted services by creating a strategic shift of resources towards Early Intervention & Prevention.

To understand and address the effect that Domestic Abuse has on children.

- **Reducing demand in the system** – We will determine how to identify those victims, children and perpetrators who are not in contact with the Police or existing services.
- **Specialist work with children:** We will develop our focus on children and young people’s domestic abuse, providing more intensive support to both victims and perpetrators around their children by using financial resources provided by the GMPCC to strengthen the Bridges Children’s and Young Persons team through the appointment of a YPIDVA.
- **Universal Education and Prevention:** We will pilot and evaluate a programme to reduce the risk of young people being harmed as a result of domestic abuse and to inform young people where they can seek advice and support if they are living with domestic abuse. The programme will co-designed with young people and be appropriate for both primary and secondary schools ages and be available for other sources such as higher and further education sites and the youth service. Work is planned for 2016 with heads, teachers, staff, governors, children from key stage 1-5 and parents
- **Education Champions.** We will further develop teacher “champions” in partnership with schools and pre-schools This will ensure awareness and knowledge is sufficient to raise awareness safely and assist children and young people to access advice and support.

To increase the number of frontline staff who have the knowledge, skills and confidence to identify abuse earlier and help family’s access all-level services.

- **Tameside-Wide Training Plan:** We will continue to deliver a 4 stage module programme a “Whole Family Approach to Domestic Abuse” that includes: Domestic abuse in Tameside; Impact of domestic abuse; Assessments & achieving change and Multi agency working in Domestic abuse as part of the Tameside Safeguarding Children Board training programme to operational staff. The programme will respond to the learning

5. Ensure trained staff ask people about domestic violence and abuse

9. Help people who find it difficult to access services

15. Provide specific training for health and social care professionals in how to respond to domestic violence and abuse

16. GP practices and other agencies should include training on, and a referral pathway for, domestic violence and abuse.

17. Pre-qualifying training and continuing professional development for health and social care professionals should include domestic violence and abuse

Objective 4 Protection of victims

Aligned to NICE Guidance Recommendations 5. 10. & 13

5. Create an environment for disclosing domestic violence and abuse.

10. Identify and, where necessary, refer children and

points gained from delivery and will also include domestic abuse from the vulnerable Adult perspective. It will also ensure that frontline staff, including those within the Community and Voluntary Sector is aware of all appropriate risk assessment tools.

- **Routine Enquiries:** We will explore ways to expand the implementation of routine enquiries about domestic abuse in a range of front line services. Evidence from midwifery services shows that this resulted in 1 in 30 women disclosing domestic abuse to the midwife.
- **Training in Higher Education:** We will continue to support the MMU Teaching Partnership to ensure that domestic abuse is integrated into social work training.
- **Tameside Domestic Abuse Workforce Policy:** We will develop corporate strategies to support employees who experience domestic abuse.

To work with families and communities to establish a culture and awareness within the community that understands what abuse is, does not tolerate or accept its existence and provides no excuses or acceptance for abusive behaviour.

To address the effects including long-term that domestic abuse has on children and reduce the occasions that this occurs.

- **Communications and awareness raising:** We will develop, in partnership with GM colleagues, a comprehensive and targeted communication and awareness raising plan. This will include providing awareness training for a range of front line services including housing staff, Job Centre Plus, magistrates etc. It may also include geographically specific campaigns as an outcome of the GM spatial analysis.

young people affected by domestic violence and abuse

13. Provide people who experience domestic violence and abuse and have a mental health condition with evidence-based treatment for that condition

- **Culture of Community Awareness:** We will work alongside Voluntary and Community organisations and groups to establish a culture of community awareness of domestic abuse and the impact on children and young people.
- **Research:** We will continue to commission, where resources permit research into the needs of under-represented groups as recommended by the Needs Assessment. This includes older people, people in same sex relationships, parent to child abuse and men.
- **Listening.** We will continue to listen to victim survivors and their children as part of our research, consultation and updating the needs assessment.
- **Safety.** We will ensure that survivors of domestic abuse and their families move more quickly into suitable, safe accommodation once they are ready to move-on and it is safe to do so - supported by appropriate enforcement/safety measures and support for emotional well-being.
- **Unmet needs:** We will explore the means of providing services to meet unmet needs and gaps in provision, for example ways of providing specialist advice and support within the hospital and at the courts.
- **Wider Health support.** We will continue to work with victims and their children in response to their mental health needs, providing support, counselling and establishing toolkits with victims to enable them with the skills, confidence and support to access other necessary provision such as Community Mental Health provision. The Strategic Domestic Abuse Steering Group will ensure completion and use of the NICE self-assessment to understand how health services can work together. The recommendations from NICE form a basis of the strategic document and are aligned to the intentions we have committed to deliver.
- **Peer mentoring capacity – Victims Champions.** We will continue to support the development of the network of peers and mentors who can support services and partner agencies to help victims of Domestic Abuse. Peer Mentors within Bridges will support keyworkers with client interventions, courses such as the Freedom programme and other support groups. They will also support clients with court appearances and the delivery of awareness raising with front line staff. They will work in Public Sector Hub and in partnership with the Women and Families Centre and boost confidence and be role models of ongoing support in the community to victims. The Peer Mentors will also support staff within the engagement of perpetrators to the New Paths perpetrator programme.

Objective 5
Managing offenders

**Tackle Perpetrators –
Change Behaviours**
**Aligned to NICE Guidance
Recommendations 14.**

14. Commission and evaluate tailored interventions for people who perpetrate domestic violence and abuse.

To identify and manage perpetrators of abuse, challenging behaviour and ensuring justice is pursued.

- **Perpetrator Programmes / Behaviour Change.** We will commission relevant and adequate voluntary programmes for perpetrators of violence that challenge and change behaviour, making them a key person responsible for change.
- We will identify sustainable funding for the delivery of such programmes
- We will adopt a whole family approach to ensure that wrap around support is provided to the victims and children of perpetrators engaged in the programme to reduce risk
- Following recent 'Voice of the Victim' research the Strategic Domestic Abuse Steering Group will complete further work to develop pathway and provisions for **Young People** on the cusp of criminal careers and domestic abuse activity. This may be addressed by use of youth workers, youth services and early help workers considering out of court disposals or restorative justice to determine paths for behaviour change.

Appendix One: Sources & References

Caada (2014), In Plain Sight: Effective help for children exposed to domestic abuse. Bristol: Caada.

ONS (2015), Crime Survey England and Wales 2013-14 and 2014-15 London: Office for National Statistics.

SafeLives (2015), Getting it right first time: policy report. Bristol: Safelives.

SafeLives (2015), Insights IDVA National Dataset 2013-14. Bristol: Safelives.

Walby, S. (2004), The Cost of Domestic Violence. London: Women and Equality Unit.

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Johnson, Michael P (2008), A Typology of Domestic Violence: Intimate Terrorism, Violent Resistance, and Situational Couple Violence.

Safelives <http://safelives.org.uk/policy-evidence/about-domestic-abuse/who-are-victims-domestic-abuse>

New Economy - 2015

The Sixth report of the Confidential Enquiry into Maternal and Child Death

APPENDIX 2

Subject / Title	TAMESIDE DOMESTIC ABUSE STRATEGY 2016-2019
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Service Unit	Service Area	Directorate
CUSTOMER CARE AND ADVOCACY	STRONGER COMMUNITIES	PEOPLE

Start Date	Completion Date
JANUARY 2016	APRIL 2016

Lead Officer	DIANE BARKLEY
Service Unit Manager	MANDY KINDER
Assistant Executive Director	EMMA VARNAM

EIA Group (lead contact first)	Job title	Service
Diane Barkley	Poverty and Prevention Manager	Customer care and advocacy
Francine Cooper	Planning and Commissioning Officer	Adults

PART 1 – INITIAL SCREENING

An Equality Impact Assessment (EIA) is required for all Key Decisions that involve changes to service delivery. All other changes, whether a Key Decision or not, require consideration for the necessity of an EIA.

The Initial Screening is a quick and easy process which aims to identify:

- *those projects, policies, and proposals which require a full EIA by looking at the potential impact on 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, policy or proposal is likely to have an impact upon people with a protected characteristic. This should be undertaken irrespective of whether the impact 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 Service Unit Manager and Assistant Executive Director.

1a.	What is the project, policy or proposal?	DOMESTIC ABUSE STRATEGY 2016-2019
1b.	What are the main aims of the project, policy or proposal?	Tackling domestic abuse effectively requires a multi-agency response and this strategy sets out the Council's intentions and plans to do this in Tameside over the next 3 years. The main aim of the strategy is to achieve coordination and consistency in our partnership approach to domestic abuse

1c. Will the project, policy or proposal have either a direct or indirect impact on any groups of people with protected equality characteristics? Where a direct or indirect impact will occur as a result of the policy, project or proposal, please explain why and how that group of people will be affected.

Protected Characteristic	Direct Impact	Indirect Impact	Little / No Impact	Explanation
Age	x			The strategy includes a proposal to undertake research into the needs and extent of older people experiencing domestic abuse in Tameside. It also includes proposals to increase service provision for children and young people. The evidence shows that 64% of high and medium risk cases have children. The evidence shows that the peak age of victims is 21-29 years.
Disability	x			Research evidence indicates that disabled women experience domestic abuse but that services are limited.
Race	x			90% of victims are White British; however the research evidence shows that all races can experience domestic abuse.
Sex / Gender	x			The strategy affects both men and women. While the evidence shows that most victims are female, a significant proportion (4.5% of the population) is men. The strategy addresses the needs of both victims and perpetrators
Religion or Belief	x			The definition of domestic abuse includes behaviours which may be associated with particular religions or beliefs, for example honour based violence, female genital mutilation and forced marriage.
Sexual Orientation	x			The definition of domestic abuse includes all relationships regardless of gender or sexuality
Gender Reassignment	x			The definition of domestic abuse includes all relationships regardless of gender or sexuality
Pregnancy & Maternity	x			The evidence shows that pregnancy is a key risk factor for domestic abuse, with 30% of abuse commencing during pregnancy

Marriage & Civil Partnership	x			Forced marriage is included within the legal definition of domestic abuse. For abuse to be defined as domestic it must take place within an intimate relationship or between family members, this includes marriage or civil partnerships. Domestic abuse is higher amongst people who have separated, followed by those who are divorced or single
Are there any other groups who you feel may be impacted, directly or indirectly, by this project, policy or proposal? (e.g. carers, vulnerable residents, isolated residents)				
Group (please state)	Direct Impact	Indirect Impact	Little / No Impact	Explanation
Low income		<u>x</u>		Domestic abuse is more likely to occur in households on a low income, including unemployed households.
People with substance abuse issues	<u>x</u>			Research evidence points to strong links between domestic abuse and alcohol misuse. Of all domestic violence incidents in England and Wales (2014/15), the perpetrator was perceived to be under the influence of alcohol in 36% of cases.

Wherever a direct or indirect impact 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 is anticipated, this can be explored in more detail when undertaking a full EIA.

1d.	Does the project, policy or proposal require a full EIA?	Yes	No
		x	
1e.	What are your reasons for the decision made at 1d?	All of the protected characteristic groups will potentially experience a direct and positive impact as a result of the strategy.	

If a full EIA is required please progress to Part 2.

PART 2 – FULL EQUALITY IMPACT ASSESSMENT

2a. Summary
<p>This EIA is of the Council's Domestic Abuse Strategy 2016-19. Tackling domestic abuse effectively requires a multi-agency response and the strategy sets out the Council and its partners intentions and plans to do this in Tameside over the next 3 years</p> <p>The Tameside Domestic Abuse Strategy aims to prevent and reduce domestic abuse and the harm this causes to victims, families and communities in Tameside.</p> <p>The priorities of the strategy are to ensure that:</p> <ul style="list-style-type: none"> • The community rejects all forms of domestic abuse and violence as unacceptable • There is less domestic abuse in Tameside

- The impact of domestic abuse is reduced

This EIA examines the impact of domestic abuse across protected characteristic groups and individuals and how the Domestic Abuse Strategy will positively impact upon service users and those in need. While the impact of domestic abuse is negative and harmful, the impact of the strategy is positive.

2b. Issues to Consider

The impact of physical, sexual and psychological violence and abuse can result in a range of negative and harmful effects on health, well-being and outcomes in life. Physical and sexual abuse can cause short term, long term and permanent injuries or conditions. Psychological abuse can lead to a variety of problems such as low self-esteem; disturbed patterns of eating and sleeping; lack of confidence; depression; extreme anxiety; alcohol and substance misuse; self-harm and suicide. The social and economic consequences of violence can include homelessness; loss or separation from family friends; isolation; loss of employment, debt and destitution.

- 7 women a month are killed by a current or former partner in England and Wales.
- On average victims experience 50 incidents of domestic abuse and high-risk victims live with domestic abuse for 2.6 years before getting effective help
- 1 in 4 children witness domestic abuse, their physical and mental well-being and chances of doing well at school suffer from an abusive upbringing.
- 62% of children living with domestic abuse are directly harmed by the perpetrator of the abuse, in addition to the harm caused by witnessing the abuse of others
- Most victims – 85% - see on average 5 professionals in the year before they finally get effective support.

In 2013 the definition of domestic abuse was expanded to include young people aged 16 to 17 and coercive or controlling behaviour. It states that domestic abuse is: “Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse, psychological, physical, sexual, financial and emotional.

Controlling behaviour is a range of acts designed to make a person subordinate and / or dependant by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is an act or pattern of acts of assaults, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.

The definition which is not a legal definition includes so called “honour” based violence, female genital mutilation and forced marriage, and it is clear that victims are not confined to one gender or ethnic group”.

Abuse types can co-exist. They can be short-lived and infrequent, or long-standing and frequent. The impact however can change the lives of victims, their children, families and communities, often forever.

Tameside experiences significant incidents of domestic abuse. The Tameside Needs Assessment report applies national data on prevalence to Tameside population data to estimate the extent of domestic abuse to Tameside:

Table 3: Estimated number of people in Tameside experiencing domestic abuse

	UK (%)	Estimated
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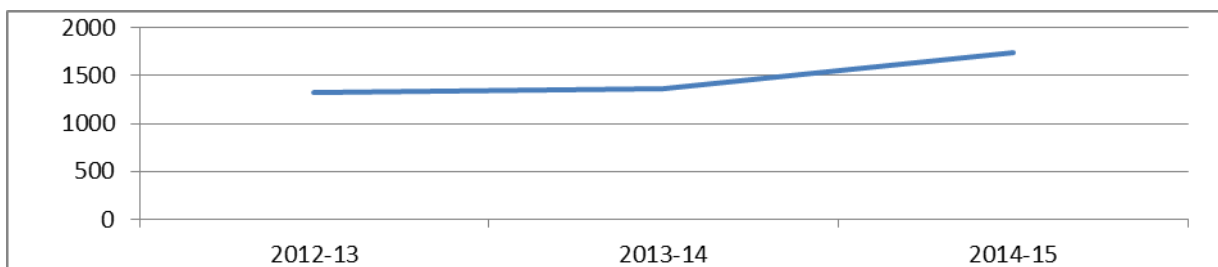
		number in Tameside
Women experiencing Domestic Abuse in the last 12 months	8.5%	5984
Men experiencing Domestic Abuse in the last 12 months	4.4%	3118
Life Time Prevalence – Women	30%	21120
Life Time Prevalence – Men	16.3%	11296

The Strategic Threat Assessment draws on a range of crime, incidents and socio-economic datasets to inform the development of the Tameside Partnership Crime Plan. The assessment produced in November 2015 includes data on domestic abuse offences and incidents (identified collectively as occurrences) for the time period April 2013-August 2015, by Lower Super Output Areas (LSOA). The Domestic Abuse Data Sets shows a total of 3762 domestic abuse occurrences in the 29 months covered by the assessment.

Greater Manchester Police data shows an increase of 28% in Domestic Abuse crimes in Tameside over the 3 year period from 2012/13 to 2014/15.

Table 4: Domestic Abuse Offences in Tameside

2012-13	2013-14	2014-15
1320	1359	1738



The Tameside Multi-Agency Risk Assessment Conference (MARAC) meets fortnightly to discuss cases assessed as high risk using the DASH risk assessment tool. In the first three quarters of 2015/16 it has considered 250 referrals.

In writing the Domestic Abuse Strategy the Strategic Steering Group has drawn largely on the Tameside Domestic Abuse Needs Assessment that was completed in February 2015 and the Voice of the Victim Consultation that was completed in April 2015. It takes account of developments within Greater Manchester, the legal framework, national and local data on Domestic Abuse, current service provision and considered a number of national, regional and local strategies and initiatives and reports.

This EIA outlines considerations taken in relation to the public sector equality duty (Section 149 of the Equality Act 2010) and the impact of Domestic Abuse, and how it is confronted and dealt with, across the different protected characteristic groups.

Gender

There is a clear gender divide in respect of the experience of domestic abuse. In England and Wales, women are more likely than men to have experienced intimate violence across all component types of domestic abuse.

- Each year around 2.1m people suffer some form of domestic abuse - 1.4 million women (8.5% of the population) and 700,000 men (4.5% of the population)¹⁵ and more than 100,000 people in the UK are at high and imminent risk of being murdered or seriously injured as a result of domestic abuse.

¹⁵ ONS (2015), Crime Survey England and Wales 2013-14. London: Office for National Statistics.

- In 2013-14 the police recorded 887,000 domestic abuse incidents in England and Wales
- Overall, 30.0% of women and 16.3% of men had experienced any domestic abuse since the age of 16, equivalent to an estimated 4.9 million female victims of domestic abuse and 2.7 million male victims

The nature of the Domestic Abuse experienced by male victims tends to be different to that experienced by female victims. Men are generally less likely to suffer from repeat victimisation and are less likely to suffer serious physical and sexual assaults.

Age

Domestic Abuse can be experienced at any stage in an individual's life

Children & Young People

Growing up in an abusive family can have life-long effects upon a child. These can include (but are not restricted to) depression, low educational attainment, unemployment, difficulties in forming personal relationships, conducting relationships in an abusive fashion or becoming victims of domestic abuse themselves, drug and alcohol misuse and chronic law-breaking.

- 140,000 children live in homes where there is high-risk domestic abuse and
- 64% of high and medium risk victims have children, on average 2 each
- A quarter (25%) of children in high-risk domestic abuse households are under 3 years old. On average, high-risk abuse has been going on for 2.6 years, meaning these children are living with abuse for most of their life

Tameside data for 2014/15 shows that there were 233 Children in Need, 164 children on Child Protection Plans and 85 Looked After Children where domestic abuse was a feature. The Needs Assessment identified an apparent increase in the number of young people in Tameside in intimate relationships experiencing domestic abuse. This includes partner, sibling and parent to child abuse. It identified a need for specialist domestic abuse support for children and young people and the provision of whole family support where children witness domestic abuse.

Children are affected by domestic abuse and violence in a number of ways:

- often begins or escalates during pregnancy resulting in injury or death to the foetus.
- Children witness violence, are forced to take part in the violence or be directly abused themselves.
- Contact with children is used by perpetrators after parental separation to coerce women into reconciliation, to cause further distress or to pressure women into withdrawing from any involvement in civil or criminal proceedings. This can cause severe stress for children and result in poor health; slow development; loss of concentration; withdrawn or disruptive behaviour; self-blame; low confidence and social isolation.
- The effects of living with domestic abuse and violence can lead to children being more vulnerable to grooming and teenage pregnancy and increasing their likelihood of becoming involved in crime; anti-social behaviour; alcohol and substance misuse.
- The majority of childhood sexual abuse is committed by a man known to the child. Where domestic abuse and violence is present in a family, there is an increased likelihood of child sexual abuse.

Adulthood

- The peak age of victims is between 21-29 years.

Old Age

Currently, a piece of local work has been completed by Public Health Tameside to understand further the situation in Tameside regarding elder abuse. It is noted that there is limited literature from the UK, and so a lot of the wider evidence is taken predominantly from Australian and North American sources. There is no firm data available about the extent of domestic abuse against older women.

'Older people' are typically considered within public service delivery to be those of 65 years and

over. However, more often now reports include people over the age of 50 and therefore some data refers to differing age groups.

- Some findings suggest that older women are more likely than younger to define a given event as “domestic violence”. This contradicts the view that older women may not report domestic violence because they fail to recognise it as “abuse”, or find it more acceptable than younger women.
- Approximately 227,000 older people are neglected or abused in the UK over a period of one year, by family members (including partners), carers or close friends. Modest estimates indicate this reflects 2.6% of the over-65 population nationally, although it is likely to be more, accounting for issues of under-reporting. In Tameside, this equates to approximately 900 people over the age of 65 who are experiencing domestic abuse and 65% of those perpetrating interpersonal abuse in older age live in the victim’s home.
- Currently there are 34,525 people aged 65 and older in Tameside, making up 15.7% of the local population. Over the next 20 years the age profile of Tameside will change quite significantly. Population projections show a doubling in the number of people over the age of 85; from 4,213 to 10,800 by 2035. The estimated numbers of older people experiencing domestic abuse are therefore also set to increase as the local population ages.
- Similar to adults under 65, later-life domestic abuse is most prevalent amongst women and 80% of interpersonal abuse perpetrators in older age are men.
- Some research suggests that an adult child is the perpetrator in up to 25% of cases where older women are abused.
- The British Crime Surveys found that younger women were more likely to report violence than older women, despite potentially there having been a longer period for violence to have occurred.
- A number of themes re-occur in the body of literature relating to domestic abuse and older age. Once again - similar to that of adults under 65 – these are:
 - Difficulties for older women in identifying or disclosing abuse, or doing anything about it once they have recognised it;
 - Shortage of appropriate services; and
 - Inappropriate responses by professionals, particularly those working in health and social care services.
- When abuse begins or is exacerbated in old age, it is likely to be linked to retirement; disability; changing roles of family members; and/or sexual changes. Not necessarily the ‘stressed care giver’ as previously thought.
- Some accounts of domestic abuse against older women have distinguished three categories: **Domestic violence grown old** (domestic abuse started earlier in life), **Entering into abusive relationships late in life** or **Late onset domestic violence** begins in old age.
- Barriers - research on external barriers to older women found that the responses of family, clergy, the justice system, and community resources all played a part in their disempowerment. Other major barriers directly relate to the potential consequences of reporting, i.e. the fear that disclosure will exacerbate the abuse, cultural and social factors, not identifying themselves as abused, shame and embarrassment, dependency on, or of, perpetrators (partners) or older children, traditional attitudes towards marriage and gender roles, financial dependency, fear that family would not be supportive, being less aware of services, cultural misconceptions (norming of certain behaviours), professional ageist stereotyping and language.

Race / Ethnicity

Findings from the British Crime Survey show that once other variables are controlled for, white people were more likely to be victims of domestic abuse and sexual assault than those from a non-White background. However, when behavioural factors such as use of any drug, frequency of alcohol consumption and number of visits to a nightclub in the last month are controlled for, there is no statistically significant difference by ethnicity in the risk of being a victim of domestic abuse or sexual assault.

However, consideration needs to be given to women and girls from black minority-ethnic (BME) background who may find it more difficult to leave an abusive situation due to cultural beliefs or lack of access to appropriate services. Victims from BME communities may often be more isolated or may have to overcome religious or cultural barriers to disclosing abuse and seeking help. These may include:

- language barriers;
- cultural acceptance of domestic abuse and fear of rejection from own community;
- fear of bringing shame onto their 'family honour' and risking additional domestic abuse in the form of honour crimes;
- fear of racist responses from statutory agencies;
- fear of jeopardising any immigration or entitlement status;
- Services provided have inappropriate cultural biases or make inappropriate assumptions.

Forced marriages, female genital mutilation (FGM) and so called 'honour'-based violence (HBV) are more likely to be prevalent in (although are not limited to) certain communities, including BME communities, although the data on these crimes is limited. Forced Marriage is a significant safeguarding concern for children and vulnerable adults

Disability (Inc. Mental Health issues)

The small body of research available on domestic abuse and disability (again, focusing primarily on women as victims) suggests that disabled women experience more abuse than their non-disabled peers (though this is based on literature and research based on domestic abuse as experienced by people with physical disabilities rather than learning difficulties, and disabilities or mental health issues other than depression as a symptom and result of domestic abuse).

There is a lack of dedicated service provision and policy development for disabled people experiencing domestic abuse. These victims experience a greater need for services, accompanied by far less provision and therefore lose out on both counts.

The way in which disabled people experience domestic abuse is similar in many respects to all other victims. However, some features seem to be more pronounced:

- Women's impairments are frequently exploited within the abuse, alongside humiliation and belittling.
- Sexual violence appears to be proportionately more common for disabled than non-disabled women.
- Financial abuse is common, with carers often taking women's personal allowances and other money.
- Many abusers deliberately emphasised and reinforced the victim's dependence as a way of asserting and maintaining control.
- The abuse experienced by disabled people is particularly acute when their abusive partner is also their primary carer.

A research study in England has indicated that people with a long-term illness or disability are more likely to be a victim of domestic abuse and stalking than people without. It should be noted that this does not imply causation and these findings should be treated as indicative rather than conclusive.

The research also indicated that disabled women or those with mental health problems are at a higher risk of victimisation. Disabled women maybe around twice as likely to be assaulted or raped, and more than half of all women with a disability may have experienced some form of domestic violence in their lifetime. In addition, at least half of all women in touch with mental health services have experienced violence and abuse, yet the level of awareness amongst mental health professionals can be low and women are rarely asked about their experience of violence or sexual abuse.

Sexuality

People in same-sex relationships also experience domestic abuse, although it is difficult to know its full extent in lesbian, gay, bisexual, and transgender (LGBT) communities, since for a variety of reasons reliable statistical data are not yet available in the UK. A national survey in 2002 found that 64 per cent of lesbian women surveyed had experienced some form of homophobic violence or harassment. A London based study, also in 2002, found that 75 per cent of lesbians who had been assaulted felt unable to report the crime to the Police.

The 2010 EHRC report 'How Fair is Britain?' found that LGB people are more likely than average to have experienced sexual assault and domestic violence during their lifetimes.

The national organisation Broken Rainbow estimate that gay men experience domestic and sexual abuse in similar levels to heterosexual women.

People from LGBT communities may be reluctant to report domestic abuse for a variety of reasons, including:

- Reluctance to disclose their sexual orientation;
- Fear of a homophobic or transphobic response;
- Cultural pressures to conform to societal norms;
- Religious or cultural hostility towards homosexuality/ transgender issues;
- Fear of not being believed;
- A lack of suitable services.

Religion & Belief

Issues of religious faith, or the belief in a specific system of principles and practices that give reverence to a higher power, are often central to the experiences of many victims and survivors of domestic abuse. Often these are interlinked with issues around ethnicity and culture. Indeed, very similar issues around under-reporting of domestic abuse seem to occur amongst communities of religion, faith and belief. Faith communities and secular domestic abuse services within the Borough are becoming increasingly aware of the need to create an awareness of domestic abuse within faith communities, as well as the need for cross-training and education about dynamics of domestic abuse and the role that faith plays in individuals' lives. Yet there exist historic misconceptions between faith communities and secular advocates that have served as barriers to collaboration between these two entities

Pregnancy & Maternity

Studies show that 30% of domestic violence starts during pregnancy and up to 9% of women are thought to be abused during pregnancy or after giving birth. A further national study indicates that 70% of teenage mothers are in violent relationships.

Domestic abuse has been identified as a prime cause of miscarriage or still-birth and of maternal deaths during childbirth. Where domestic abuse is already present in relationships prior to pregnancy, abuse will often increase and become more violent during this time. As is common in cases of domestic abuse, pregnant women are often reluctant to admit abuse without prompting. Controlling partners may accompany women to antenatal and other medical appointments, preventing women from speaking out. Other women feel particularly vulnerable during pregnancy and may fear the consequences of disclosure more than the abuse itself.

Marriage/civil partnership

Domestic abuse is higher amongst people who have separated, followed by those who are divorced or single.

Poverty and deprivation

The Strategic Threat Assessment highlights that the highest rate of domestic abuse occurrences were in Ashton Town Centre, also ranked highest for all crimes. 3 of the top 5 LSOAs with the highest rates of domestic abuse occurrences were in Ashton St Peter's ward with the remaining 2

in Dukinfield and Ashton Hurst wards. The areas for the 5 highest incidences of Alcohol and Domestic Violence related crimes are Ashton Town Centre, Guide Bridge, Stalybridge North and Hattersley Railway Station.

The data confirms earlier findings by the Commission for the New Economy of geographical hotspots for domestic abuse. It also indicates a correlation between domestic abuse and a wide range of socio-economic disadvantages. However, it should be noted that the location is the crime or incident occurred, rather than where the victim or perpetrator lives. While there are strong links between deprivation and domestic violence prevalence, this does not provide evidence of a causal link

2c. Impact

As identified in section 2b all protected characteristic groups can be impacted by domestic abuse. The strategy aims to address some of these impacts with positive results:

Gender

While the evidence shows that most victims are female, a significant proportion (4.5% of the population) is men. There are more services focussed on the needs of women and few specialist services for men. The strategy includes an action to develop dispersed refuge units that would be available for men and to undertake more research into the needs of male victims.

AGE

Children and Young People

The strategy identifies the negative effect of domestic abuse on children. To mitigate this it supports the development of more services via the appointment of a Young Persons IDVA, the delivery of programmes for children that have experienced or witnessed domestic abuse. It also proposes the development of an awareness raising programme to be delivered in schools and colleges to reduce the risk of young people being harmed as a result of domestic abuse and to inform young people where they can seek advice and support if they are living with domestic abuse

Older Age

The strategy identifies the potential under recognition and reporting of domestic abuse in older age. It supports further local research into the prevalence and nature of domestic abuse in older age in Tameside.

Race / Ethnicity

The strategy supports the development of dispersed units of refuge accommodation for people, including those from BME communities where refuge accommodation may not be suitable. It also supports the development of a comprehensive and targeted communication and awareness raising plan.

Disability (including mental health)

There is a lack of dedicated service provision and policy development for disabled people experiencing domestic abuse. The strategy supports further research into the prevalence and nature of domestic abuse among people with a disability, including those with mental health needs in Tameside

Sexuality

The strategy supports further local research into the prevalence and nature of domestic abuse in same sex relationships in Tameside

Religion & Belief

Faith communities and secular domestic abuse services within the Borough are becoming increasingly aware of the need to create an awareness of domestic abuse within faith communities,

as well as the need for cross-training and education about dynamics of domestic abuse and the role that faith plays in individuals' lives. The strategy supports the development of a comprehensive and targeted communication and awareness raising plan.

Pregnancy and maternity

Midwives now make a routine enquiry about domestic abuse of all pregnant and newly delivered women. The strategy supports the development of further specialist domestic abuse provision within health services, including pregnancy and maternity.

Marriage and Civil Partnership

Forced marriage is included within the definition of domestic abuse. There is a need to improve the awareness of domestic abuse within all communities and the strategy supports the development of a comprehensive and targeted communication and awareness raising plan.

Poverty and deprivation

The strategy identifies a correlation between domestic abuse and a wide range of socio-economic disadvantages. It supports the development of a comprehensive and targeted communication and awareness raising plan, this includes those geographical areas identified in the strategic threat assessment as those where most occurrences are located.

Substance misuse

The strategy identifies a correlation between domestic abuse and alcohol abuse. It identifies actions undertaken to raise awareness among licensees of domestic abuse.

2d. Mitigations <i>(Where you have identified an impact, what can be done to reduce or mitigate the impact?)</i>	
Less is known about and fewer services are available for men, older people, people with disabilities and people in same sex relationships experiencing domestic abuse	The strategy supports further research into the needs of older people, men, people in same sex relationships and disabled people experiencing domestic abuse
Fewer services are available for male victims / people in BME communities	The strategy supports the development of dispersed refuge units that will be suitable for all groups for whom traditional shared refuge spaces are not suitable

2e. Evidence Sources
<p>Tameside Strategic Threat Assessment 2016 Tameside Domestic Abuse Needs Assessment February 2015 Voice of the Victim Consultation April 2015 New Economy - 2015 Greater Manchester Police data published online Caada (2014), In Plain Sight: Effective help for children exposed to domestic abuse. Bristol: Caada. ONS (2015), Crime Survey England and Wales 2013-14 and 2014-15 London: Office for National Statistics. SafeLives (2015), Getting it right first time: policy report. Bristol: Safelives. SafeLives (2015), Insights IDVA National Dataset 2013-14. Bristol: Safelives. Walby, S. (2004), The Cost of Domestic Violence. London: Women and Equality Unit. Safelives (2014), MARAC National Dataset 2014. Bristol: Safelives</p>

Johnson, Michael P (2008), A Typology of Domestic Violence: Intimate Terrorism, Violent Resistance, and Situational Couple Violence.
 Safelives <http://safelives.org.uk/policy-evidence/about-domestic-abuse/who-are-victims-domestic-abuse>
 The Sixth report of the Confidential Enquiry into Maternal and Child Death

2f. Monitoring progress		
Issue / Action	Lead officer	Timescale
The Domestic Abuse Strategy is accompanied by an overarching action plan. This will be supported by a detailed annual action plan that will be overseen by the Strategic Steering Group which is chaired by the Executive Director	Diane Barkley	<i>6 weekly reports</i>

Signature of Service Unit Manager	Date
Signature of Assistant Executive Director	Date

Agenda Item 8

Report To:	EXECUTIVE CABINET
Date:	29 June 2016
Executive Reporting Officer:	Member/ Councillor Peter Robinson, Executive Member, Children and Families Dominic Tumelty – Assistant Executive Director (Children’s Services)
Subject:	FOSTER CARE PAYMENT FOR SKILLS
Report Summary:	<p>This report seeks approval from Cabinet for a new way in which to reward foster carers, basing the payment scheme on the skills of the carer rather than the age of the child being cared for. This will drive up the quality of care being provided to our children, provide a more transparent and equitable scheme of reward for foster carers and ensure the continuing professional development of all carers and the fostering service generally.</p> <p>This report includes a summary of the consultation which has been undertaken, analysis of the responses and a proposal.</p> <p>This report includes the table of proposed payments.</p> <p>The service has been clear from the outset that a saving of £100k is to be delivered from this scheme and other developments in the fostering service.</p>
Recommendations:	Cabinet is asked to approve the Payment for Skills scheme including the new payment rates to be effective for new placements made after 1 July 2016.
Links to Community Strategy:	Tameside aspiration is for all children looked after by Tameside Council to be living with Tameside carers. This scheme will enhance the skills of current carers, therefore lessening the chance of placement breakdown whilst also enhancing the continuing professional development and training offer to all carers, attracting people to foster for Tameside.
Policy Implications:	This payment scheme does not affect overall policy or procedure for Council services as it remains specific to the payments to foster carers.
Financial Implications: (Authorised by the Section 151)	<p>Section 4 of the report provides details of the estimated financial implications of the proposed new payment for skills rates (Table 6, section 4.6 summaries the part year implications in 2016/17).</p> <p>There is a proposal to deliver £ 100,000 on an annual recurrent basis by implementing the payment for skills rates. It is estimated there will be a net saving in 2016/17 of £ 65,540 if the proposal is implemented from 1 July 2016.</p> <p>It is essential that the scheme is stringently monitored if implemented to ensure the estimated efficiency savings are delivered in 2016/17 and on a recurrent basis thereafter.</p>

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

The Council has a legal responsibility to ensure that a sufficient number of suitable placements are available to children in care. This scheme aims to ensure that the Council retains and recruits sufficient foster carers to meet the needs of looked after children. It will encourage the development of foster carers' skills and should increase placement stability and a higher standard of care leading to better outcomes for looked after children.

The proposed scheme is controversial with a number of foster carers. However, the scheme has been revised following the consultation exercise and issues raised by the foster carers have been addressed within the report.

The proposed scheme provides a clear, transparent and equitable payment structure open to all foster carers both recruited carers and connected carers and therefore complies with previous court judgments and the Care Planning, Placement and Case Review Regulations 2010. This should therefore reduce the risk of challenge through judicial review.


The Payment for Skills scheme should be kept under review.

Risk Management:

The main risk would be that some carers would decide to cease fostering for Tameside MBC. Whilst this would clearly be unfortunate it is mitigated by a strong recruitment strategy, a developing professional development offer and an overall strategy of reducing the numbers of children in care.

Access to Information:

Background papers and information can be obtained by contacting Dominic Tumelty, Assistant Executive Director, Children's Services

 0161 342 3354

 E-mail: dominic.tumelty@tameside.gov.uk

1. INTRODUCTION

- 1.1 Historically, Tameside, like many other Local Authorities have remunerated foster carers predominantly based on the age of the child being cared for by the carer. It has been assumed that the older the child, the higher the remuneration package ought to be.
- 1.2 Payments for foster carers can appear complex. There is a central Government set national minimum rate, known as the Allowance, which is age related with additional payments which are set by Local Authorities, known as Fees, to encourage foster carers to join them rather than independent fostering agencies. The foster care receives the total of the two amounts. The current paid rates are as below;

Foster Carer Child Allowance

Age	Weekly	Daily
0-1	119.00	17.00
2-4	122.00	17.43
5-10	134.00	19.14
11-15	154.00	22.00
16-18	179.00	25.57
DfE		

Foster Carer Fees (Salary)

Age	Weekly	Daily
0-4	110.00	15.71
5-10	154.00	22.00
11-18	176.00	25.14
TMBC		

Total combined allowances

Age	Weekly	Daily
0-1	229.00	32.71
2-4	232.00	33.14
5-10	288.00	41.14
11-15	330.00	47.14
16-18	355.00	50.71
DfE		

- 1.3 A number of additional allowances are also paid to foster carers as below, some of which are also the subject of review. Holiday allowances have historically been paid in full and not necessarily linked to holidays taken and this practice is changing to reflect the child's needs.

Additional Allowances

Age	Holiday	Festival Allowance	Birthday	Initial Clothing Allowance up to
0-1	327.25	119.00	59.50	416.50
2-4	335.50	122.00	61.00	427.00
5-10	368.50	134.00	67.00	469.00
11-15	423.50	154.00	77.00	539.00
16-18	492.25	179.00	89.50	626.50

2. THE SCHEME AS PROPOSED

- 2.1 The document at **Appendix 1** has been presented to all foster carers as part of the consultation process. It sets out the proposed bandings, the ways in which carers would achieve that banding and the mechanism for review and development. Holiday allowances are in scope as it is proposed to bring them in line with The Fostering Network recommended rates. Birthday allowances are in scope because they are calculated as half the weekly paid rate. Other allowances remain unaltered by this proposal.

- 2.2 It is clear that the old process of paying according to age of the child is unfair. By way of examples, a baby born with foetal alcohol syndrome or withdrawing from drugs can be much more challenging than a stable long term adolescent placement; A child with complex additional needs will similarly need additional care at whatever age; An adolescent who is at high risk of sexual exploitation needs high quality, committed and well rewarded carers. They may possibly be available 24 hours limiting any other salaried employment that could be a consideration for carers for children of school age and above.
- 2.3 At **Appendix 2**, is a PowerPoint which was used at the consultation launch which aimed to set the context for the changes. Notable amongst these is that there were 30 vacancies with Tameside foster carers which were listed as being due to approval considerations, whilst 44 of our children were placed with independent fostering agencies at a cost of almost £2m.
- 2.4 At the outset of the consultation, the proposal involved a scheme whereby the payment made to foster carers would be contingent on (a) the skills of the carer and (b) the assessed complexity or otherwise of the needs of the child. It quickly became clear that to have both issues addressed would be overly bureaucratic and would fail due to the number of assessments needed with potential pit falls along the way. Instead the proposal maintained the link between payment and skills of the carer. In addition, the proposed level 5 was accepted to be unnecessary as it was a return to previous specialist fostering schemes which have failed to recruit carers.
- 2.5 It is crucial that along with the demand for carers to maintain their professional development, comes a commitment from Tameside MBC to provide the training they need to achieve that. This is inherent in the development of the fostering service.
- 2.6 The scheme as proposed links payment to the identified, assessed and current skills of foster carers. This will be a combination of formal training, experience of complex placement issues and contribution to the development of other carers via the “buddy” or “champion carer” opportunities or for newly appointed foster carers relevant pre approval experience such as social worker, mental health worker for example.

3. THE CONSULTATION

- 3.1 The consultation opened on the 6 November 2015 with presentations to carers over two sessions. A total of 34 foster carers attended on this date out of 255 eligible to attend. A further session was run on the 15 January, attended by 27 carers. In between these sessions there had been an open opportunity to email questions or contributions to the consultation via the Assistant Executive Director or the Commissioning Team.
- 3.2 On the 1 February, foster carers themselves arranged a further meeting and invited the Executive Member for Children and the Assistant Executive Director. 28 carers attended that meeting.
- 3.3 The GMB Union has also been party to the consultation and a summary of their views is below. It is unclear how many carers these views represent. Their questions and the Department response are below.
- 3.4 *“From the consultation documentation that has been presented to the Foster Carers the following issues need to be addressed:*
- i. **The proposed structure is complicated and confusing, there needs to be more clarity on how it will be implemented.**

This concern stemmed from the initial proposal to assess carer and child and then match the two to determine a payment. This would have been overly bureaucratic and inconsistent. Hence the decision to rely entirely on the skills of the foster carer to determine payment rates.

- ii. **One of the biggest concerns raised was the fact that the Department currently fail to provide both appropriate and quality training that is targeted to those they look after. If the Department cannot provide effective / appropriate training how do they intend providing the training to enable foster carers to be taught to meet the criteria for level 3 or/and 4? . The Department have failed to inform / make clear if they will fund this training or if carer`s will have to self-fund. Will Tameside fund this training as other authorities do? Can records of training be kept up to date and assessments happen every year?**

Whilst it is not accepted that there is a failure to provide training, it is accepted that the offer needs to improve in order that carers who wish to progress can do so. This will be via a combination of in-house training, training available through membership of the Fostering Network, regional offers and individual commissioning where appropriate.

- iii. **Will there be a right of appeal to proposed/ assessed foster carers levels. Also an agreement to backdate payments to levels that are deemed incorrect?**

The plan is that the independently chaired Fostering panel, which already has a statutory function to oversee carers annual reviews, is the body to which any appeals would be made.

- iv. **There are concerns regarding the implementation of Foster Carers completing Life Story Work and the implications that this can have on confidentiality. Do other authorities expect foster cares to do this work? What protections and support will be given to those who choose to do this work? What training will be given?**

Life Story work with children is crucial to enabling them to make sense of their history and enable them to move forward. It is often the case that those living with the children are best placed to work with them. At present such work is undertaken by Family Intervention Workers and it would be envisaged that the work can be jointly undertaken in the early stages with a gradual handover to the carer when all were comfortable with that.

- v. **What information, advice and support will be given on Child Protection issues and breach of confidentiality issues?**

This proposal does not affect in any way the duty of a carer to work within the prescribed Fostering Regulations and the statutory guidance in Working Together to Safeguard Children.

- vi. **The cost of transport for children and the insistence that a child be transported by taxi to school, contact or other when the foster carer is happy to transport the child at a saving for the council.**

The department actively encourages carers to help with transport for children as this is clearly appropriate and efficient.

- vii. **The carers feel there is already is a lack of support from their allocated social workers. They also feel the young people are not receiving the level of support from their allocated social workers due to their high case load. What reassurance is there that they will receive the correct / appropriate level especially if caring for children / young people with complex needs (level 5)?**

Front line social work services have not reduced in size and whilst caseloads are higher than we would wish, children in our care are a clear priority. If a carer feels this not to be the case they can approach managers or advocates for the child.

- viii. **Where necessary will there be 24 hour support from CAMHS?**

The children's social care service has actively engaged with CAMHS over recent months and recently secured agreement for additional resource dedicated for children in our care.

- ix. The Biscuit Club is already in operation and should be part and parcel of the foster care scheme for Tameside. Could there be an agreement that those who are carers at present will not be worse off even with new placements?**

The Biscuit Club is an informal support group which is run by carers for carers. Whilst the department welcomes the group and many of the areas of feedback produced, it is not a formal development body which will contribute to the skills accreditation.

- x. How will this affect other allowances and payments that are available to children under the present scheme. i.e. initial clothing allowance, mileage, holiday, birthday, festival allowance, additional money for activities, if these are still available - clarity about how they will be paid and timescales to do so**

The only additional alteration is to Holiday allowance which will be brought in line with Fostering Network guidance.

- xi. The proposed expenses are not in line with what other LA's are paying their foster carers and are less than the national average."**

The fostering service has looked closely at the regional and Greater Manchester schemes. In Manchester, a level 3 carer receives between £326 and £435. The Tameside proposal sees that at £246 to £568. In Salford the scheme pays level 2 £90 and level 3 £125. In Tameside we propose level 2 would be £100 and level 3 £150.

We have also reviewed the North West picture and the conclusion is that there are few direct comparisons possible because each Council has developed its own payment scheme with different calculations used.

- 3.5 A number of elected members have been contacted by foster carers directly to voice their views on the proposed scheme.
- 3.6 The major concern throughout the proposal has been in relation to the possibility that some carers losing payment as a consequence of this scheme. There have been high expressed emotions by a highly vocal section of carers.
- 3.7 From the outset of the consultation, the Department was clear that there would be no change to payment rates for children already in placement. The new proposal was designed to be for all new placements made after an agreed date of implementation of the scheme.
- 3.8 It is unfortunate that there has been much speculation amongst carers and some members of the team about what level they may be currently functioning at.
- 3.10 It is the case that some carers will see a reduction in the overall amount of income they receive. The bulk of this is a reduction in holiday allowance. It was clear that Tameside was paying more than many other areas and as such it is proposed to adopt The Fostering Network recommended rates.

4. THE PROPOSED SCHEME - FINANCIAL IMPLICATIONS

- 4.1 **Appendix 2** provides details of the proposed payment rates for new foster care placements from 1 July 2016 including the proposed skill levels payments.
- 4.2 Table 4 provides the proposed levels of government weekly child allowance payment rates which would apply to both existing and new foster care placements (based on 2015/16 weekly rates). The estimated additional cost in 2016/17 of the increase to these weekly rates is £ 62,660 based on the number of children currently placed with internal foster carers.

- 4.3 There will also be an additional cost to the level of birthday allowance payments if the weekly government allowance is increased to 2015/16 rates as the birthday allowance is paid at 50% of this rate. The estimated additional cost in 2016/17 will be £ 600.
- 4.4 It is estimated there will be an annual saving to holiday allowances paid for children in existing placements as it is proposed that the annual allowance is reduced to a payment that equates to twice the level of the government weekly child allowance payment rates. The proposed rates are stated in **Appendix 2** with existing rates within Table 5. The estimated annual saving in 2016/17 will be £ 24,000.
- 4.5. There will be estimated transitional savings delivered if the proposed scheme is implemented as existing placements are no longer placed with foster carers (paid at existing placement rates) and new placements are paid at the proposed rates in **Appendix 2**. The annual transitional saving in 2016/17 is estimated at £ 181,700, which reduces to an estimated part year saving of £ 104,800 if the implementation date is 1 July 2016.
- 4.6 The estimated additional expenditure and saving in 2016/17 is summarised in table 6 below.

Table 6

Estimated Additional expenditure in 2016/17

	£
Increase in government weekly child allowance rates	62,660
Increase in birthday allowance payments	600
Total	63,260

Estimated Saving in 2016/17

	£
Holiday allowances	24,000
Transitional savings of proposed new payment rates from 1 July 2016	104,800
Total	128,800

Estimated Part Year Net Saving 2016/17	65,540
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5. CONCLUSION

- 5.1 The service has weighed up the responses from carers and wishes to thank them all for the contributions. On balance it would seem that around 15% of carers have actively engaged in the process. In response to some of the concerns raised, the proposal dropped the notion of assessing each child's needs alongside the skills of the carer as this would be overly bureaucratic and build in delay for the child and carer.
- 5.2 The service acknowledges the real concerns about financial packages, but having analysed the position has come to the conclusion that the proposal is fair and balanced.
- 5.3 The service has always committed that the training package must be available to carers in order for them to achieve their potential, that payment rates for current placements will not alter and that the appropriate forum for approval and appeal is the independently chaired Fostering panel.
- 5.4 By approving this Payment for Skills scheme, Tameside carers will be afforded the opportunity to maximise their potential and by so doing they will maximise the potential of the children in our care. They will be rewarded according to the contribution they give to the children and their peers, not just by the arbitrary age of the child they care for.

5.5 Board is asked to approve the Payment for Skills Scheme for carers and invite the Executive member for Children to review progress quarterly with Officers to ensure efficacy and appropriateness.

6. RECOMMENDATION

6.1 As set out on the front of the report.

APPENDIX 1

Foster care Payment for skills document

Foster Carers' Payment and Progression Scheme (Nov 2015 consultation)

The Scheme

The Foster Carers' Payment and Progression Scheme incorporates Fostering Allowance payments to all foster carers, including mainstream and family friend carers. Tameside Council's Fostering Allowances are in line with the Government's recommended amounts. It is proposed that, all foster carers, including family and friend foster carers receive a fostering allowance and an additional skills level payment for each child placed from the outset of their fostering registration.

Fostering Allowance and Payments

The basic fostering allowance payments are designed to cover the cost of:

- Food
- Clothing, replacement due to wear and tear, out growing and school uniform
- Pocket money
- Transport
- Activities, including clubs and hobbies

As a guide, the following percentages should be used from the weekly fostering allowance payments:

- Food/household = 50%
- Clothes = 30%
- Transport = 10%
- Pocket money = 10%

Basic Principles of the Scheme

This Scheme proposes that foster carers will be eligible to progress through to Level 2, 3 and 4 after undertaking appropriate training and development. Level 5 foster carers will be expected to care for a child or young person who presently resides in a residential children's home or with non Local Authority foster carers. Level 5 foster carers will be assessed by the fostering team social worker in a report which will be considered by the fostering team manager prior to being agreed by the Head of Service for approval to be paid at Level 5.

The recommendation for adjustments to the foster carers' level will be in the form of a report completed by the fostering team social worker. The report will reflect the foster carers' training and development and good practice. In writing the report, the fostering team social worker will take care that the report addresses competencies and also any concerns that may be raised about the foster carers practice. The report will be completed with input from the foster carer and will be considered by the fostering team manager prior to being given to the IRO for consideration at the Foster Carers Review. The IRO will have the opportunity of adding comments to the report which will then be ready for submission to the next available fostering panel. Like all other reports which are submitted to fostering panel, the panel will be asked to make a recommendation in relation to the foster carers Payment Level. The Agency Decision Maker will make the final decision regarding the foster carers' Payment Level. In exceptional circumstances where the recommendation is made for the Payment Level to decrease, a period of six months will be allowed

to give the foster carer the opportunity to rectify matters that have led to the recommendation to decrease the Payment Level. The foster carer will have the right to appeal any decisions regarding their Payment Level through the departments

Additional Allowances/amendments:

- **Initial Clothing Allowance**

In circumstances where a child arrives with either no clothing or inadequate clothing, an emergency payment will be made in addition to the regular payments foster carers would receive for each child. Receipts of all purchases need to be kept and given to the supervising social worker on their next visit. The amount to be spent on emergency clothing should be discussed and agreed between the child's social worker and manager prior to purchase.

- **Birthday Allowance**

Birthday allowances are equivalent to half of one weeks Fostering allowance. Foster carers will be expected to be able to demonstrate that the full sum has been spent on the child's birthday.

- **Religious, Non-Religious and Humanistic Observations Allowance**

Religious festival allowance is the equivalent of one week's Fostering Allowance. Foster carers will be expected to be able to demonstrate that the full sum has been spent on the child's presents.

- **Holiday Allowances**

Holiday Allowances should remain the same as existing scheme which equates to three times the amount of the weekly Fostering Allowance and is paid once each year for each child. In addition to the annual Holiday Allowance received by foster carers for each child, additional school holidays or holidays with friends or family will be considered on an individual basis.

- **Prom Allowance**

In recent years the school prom has become a regular feature in the school calendar for young people when they approach the end of their time at school. An additional allowance of £100 is to be made available for each young person attending their school prom. This will be agreed between the child's social worker and manager.

- **Day Care and Babysitting**

Wherever possible, foster carers will be encouraged to utilise adult family or friends to provide day care and babysitting in order that children are provided with care by people known to them.

Foster carers should also explore reciprocal arrangements with other carers and this can be arranged by the Fostering Team.

- **Transport**

The Fostering Allowance contains a sum to cover the cost of transporting the child which is around 10% of the basic Fostering Allowance. In exceptional circumstances where there are demands for transport costs significantly in excess of the 10% of Fostering Allowances then an additional allowance will be considered.

- **Children with Special Needs**

The child's social worker should make sure that any relevant disability allowances are claimed. In situations where special furniture, equipment or car safety restraints are assessed as being necessary to care for the child, then the fostering service will supply these items unless they are being provided by occupational therapy or the health services.

- **School Meals**

Children in foster care are not entitled to free school meals, even if they were receiving them whilst living at home. If foster carers are receiving benefits, which entitle their own children to free school meals, those for foster children must be paid for from the weekly allowance.

- **Contact**

Where there are multiple placements or where the foster carers' own family requirements need to be considered then the placing social worker will agree with the foster carers the maximum amount of contact that the foster carer can supervise without undermining family life and routines *etc.*

- **Overpayments to Foster Carers**

All overpayments should normally be repaid in full immediately. Foster carers have a responsibility to notify their support worker or Fostering Team manager in the event of an over or underpayment.

- **Carers subject to allegations**

If a foster carer is subject to an allegation that necessitates the removal of the child to allow an investigation, the foster carer will be entitled to full payment of their Level until the investigation is complete and an outcome reached at the first fostering panel.

THE STRUCTURE OF THE FOSTER CARERS PAYMENT AND PROGRESSION SCHEME

Level 1 (which is the equivalent of the basic Fostering allowance only)

approximate percentage carers should be spending on Food (50%), clothing (30%), transport (10%) and pocket money (10%).

Level 2

All new foster carers who have attended the Skills to Foster training and have completed a **competency matrix** will start their Fostering career at Level 2 and will be expected to complete the CWDC training and development standards for foster carers. They will also be expected to complete the following mandatory training during their first year of Fostering:

First Aid

Behaviour Management (Positive Options)

Basic Essential Training Award (BETA)

This includes:

- Theories of attachment, separation and loss
- Child Development
- Safer Caring
- Life Story work

Additional non-mandatory training is offered throughout the year which includes Diploma in Childcare Level 3. On-line training is also available in key areas.

The foster carers' annual review will confirm that carers have completed the expected training and that they have worked appropriately with the Department and have demonstrated that they have supported foster children to achieve positive results against the five outcomes. We will replace 'economic wellbeing' with 'positive progression to adult hood.' Foster carers will be expected to encourage children to engage in having a voice, for example, encourage children to complete consultation documents, attend groups for children looked after and encourage children generally to give a view of the service.

Minimum Skills required for all those approved as Foster Carers

General:

- healthy, emotional, physical and sexual development as well as their health and educational achievement.
- An ability to work closely with children's families, and others who are important to the child, in a non-judgemental way.
- An ability to set up appropriate boundaries, and manage children's behaviour within these, without the use of physical or inappropriate punishment.
- Knowledge of normal child development and an ability to listen and communicate with children appropriate to their age and understanding.

Providing a safe and caring environment:

- An ability to ensure that the children are cared for in a home where they are safe from harm or abuse.
- An ability to help children keep themselves safe from harm or abuse, and to know how to seek help if their safety is threatened.

Working as part of a team:

- An ability to work with other professional people and contribute to the department's planning for the child/young person.
- An ability to communicate effectively.
- An ability to keep information confidential.
- An ability to promote equality, diversity and the rights of individuals and groups within society.

Own development

- An ability to appreciate how personal experiences have affected themselves and their families, and how the impact that fostering is likely to have on them all.
- An ability to have links within the community, which provide support.
- An ability to use training opportunities and to improve skills.
- An ability to sustain positive relationships and maintain effective functioning through periods of stress.

Level 3

Level 3 Foster carers will meet all the relevant criteria for Level 2 and will, in addition, have successfully completed a further 15 hours of training.

Foster Carers must also provide evidence of the following Key Skills:

- An ability to help children develop appropriate social behaviour, helping them to become more independent, and enabling them to cope with their emotions as appropriate to their age and ability.
- An ability to assist children in developing basic aspects of memory, thinking, imagination and manipulative skills through play etc.
- An ability to help children develop their language skills and general self-expression.
- An ability to help children learn the boundaries of acceptable behaviour without resorting to physical punishment, and within the requirements of current policy, handle children's negative reactions and unacceptable behaviour, and encourage positive behaviour patterns.

- An ability to plan for and provide an appropriate routine for children which balances the child's needs, including those of play and learning, and gives goals which can be achieved in measuring the child's level of understanding development.
- An ability to observe and respond appropriately to the possibility of child abuse and neglect.
- An ability to challenge appropriately, to ensure that Foster Care practice is anti-discriminatory and respects all children and their families.
- An ability to advocate on behalf of children.
- An ability to help children and families with loss and bereavement – this may be because of life threatening illness, separation through adoption or loss of their family.
- An ability to work closely with other professionals in carrying out individual therapeutic programmes, and working under guidance of, or in collaboration with, other professionals with the child.

Please note: There is no expectation that a carer would undertake all these tasks at the same time. They will however, need to demonstrate their ability to undertake them and be available and willing to do so depending on the demands of individual placements.

Level 4

Carers at Level 4 will usually care for Secondary School age children. Carers at this Level will be expected to complete a minimum of 15 hours training in their first year at this Level.

There may be a place for people with a relevant qualification to enter this grade immediately if they can prove that they have appropriate qualifications and working child care experience such as applicants with a minimum of two years experience of working within an OFSTED regulated environment.

All Level 4 foster carers must meet the requirements as set out in Level 2 and 3 skill profiles. In addition they should be able to offer the following, of which criteria 1-4 are core, two of the remaining five must also be demonstrated.

1. Have proven relevant child care experience **or** have a professional qualification which is appropriate to the care of children, and usually have worked for a number of years in this profession.
2. Be able to demonstrate ability to positively care for children who are presenting with a high level of behavioural issues.
3. Maintain an awareness and knowledge of current legislation and current issues in child care and good practice.
4. An ability to take responsibility for individual programmes of skills development for children, and work with them and their parents and other professionals to achieve the goals of the programmes.
5. Be able, in conjunction with the agency, to take a key role in training other carers.
6. Be able to offer support to carers on a formal basis e.g. mentoring.
7. Have the ability, and willingness to supervise those contact visits, where it is not deemed safe or desirable for contact to occur without a third party, and where it cannot happen in the child's current placement.
8. Take responsibility for seeking out training appropriate for own needs.
9. Have ability and willingness to take part in events to promote the Fostering Service.

There is no expectation that carers would undertake all these tasks at the same time. They will, however, have to demonstrate their ability to undertake them and be available and willing to do so depending upon the demands of placements. If the Fostering Service is not using a particular carer's skills this does not signify that the carer should lose the skills payment. It is the agency's responsibility to use carer's skills appropriately.

Level 5

Level 5 foster carers will be expected to care for children and young people who might have previously been cared for in a residential or non-local authority foster placement and where it is likely that they will have complex needs and have suffered multiple moves.

Carers at Level 5 will have also demonstrated that they meet all the requirements under Level 4.

Foster carers who take on these roles will be expected to commit to the placement until the child or young person moves into independence or remains until adulthood.

The child or young person must have their own room and carers will be expected to undertake all transport requirements whether to contact, medical appointments, school, college or work.

APPENDIX 2

Proposed payment rates

Proposed Foster Care Fee Structure

Age	Foster Carer Child Allowance Rates	Level 1 Skills Funding	Holiday	Birthday	Festival Allowance	Total Per Annum per Child
0-1	123.00		246.00	61.50	123.00	6,826.50
2-4	126.00		252.00	63.00	126.00	6,993.00
5-10	139.00		278.00	69.50	139.00	7,714.50
11-15	159.00		318.00	79.50	159.00	8,824.50
16-18	185.00		370.00	92.50	185.00	10,267.50

Age	Foster Carer Child Allowance Rates	Level 2 Skills Funding	Holiday	Birthday	Festival Allowance	Total Per Annum per Child
0-1	123.00	100.00	246.00	61.50	123.00	12,026.50
2-4	126.00	100.00	252.00	63.00	126.00	12,193.00
5-10	139.00	100.00	278.00	69.50	139.00	12,914.50
11-15	159.00	100.00	318.00	79.50	159.00	14,024.50
16-18	185.00	100.00	370.00	92.50	185.00	15,467.50

Age	Foster Carer Child Allowance Rates	Level 3 Skills Funding	Holiday	Birthday	Festival Allowance	Total Per Annum per Child
0-1	123.00	150.00	246.00	61.50	123.00	14,626.50
2-4	126.00	150.00	252.00	63.00	126.00	14,793.00
5-10	139.00	150.00	278.00	69.50	139.00	15,514.50
11-15	159.00	150.00	318.00	79.50	159.00	16,624.50
16-18	185.00	150.00	370.00	92.50	185.00	18,067.50

Age	Foster Carer Child Allowance Rates	Level 4 Skills Funding	Holiday	Birthday	Festival Allowance	Total Per Annum per Child
0-1	123.00	250.00	246.00	61.50	123.00	19,826.50
2-4	126.00	250.00	252.00	63.00	126.00	19,993.00
5-10	139.00	250.00	278.00	69.50	139.00	20,714.50
11-15	159.00	300.00	318.00	79.50	159.00	24,424.50
16-18	185.00	300.00	370.00	92.50	185.00	25,867.50

This table is based on:

Foster Carer Child Allowance Rates - on National Minimum government current guidelines
 Holiday Allowance - At Foster Carer Child Allowance per week *

Birthday Allowance - At Foster Carer Child Allowance * 1/2
Festival Allowance - At Foster Carer Child Allowance per week
Level 4 Skill Funding Payment of £200 Age 0-10, £300 Age 11+

APPENDIX 3

PowerPoint launch of the consultation

Consultation Opening Foster Care Approvals

Dominic Tumelty
Assistant Exec.
Director



Purpose



- Tameside children with Tameside carers
- Open a dialogue to discuss a new way of matching children to carers
- Associated payment scheme matches fees to needs
- New review and appraisal process
- Opportunity for Champions and Mentors

The Context



Total Number of LAC at Quarter End.	417	426	421
LAC Placed In Residential	63	59	54
Of the above, LAC Placed In Residential OOB	34	31	26
LAC Placed In YOI, Prison or Secure Unit	2	0	3
LAC Placed In Semi Independent Living	3	0	0
LAC Placed In Independent Living	2	8	15
LAC Supported Lodgings	0	2	2
LAC Placed for Adoption (with Adoptive Family)	12	14	11
LAC Placed with Parents	46	46	44
LAC Placed In Foster Care	289	297	292
LAC Placed In Foster Care those OOB	82	86	84
LAC Placed In Foster Care In-Borough	207	211	208
% New LAC placed 20+ miles from home	4% (4)	6.5% (2)	6.1% (3)
LAC with 3+ placements during the year.	41 (9.8%)	10 (2.3%)	20 (4.8%)

The context



• Number of Approved Places	337
• Children in these placements	269
• Number of Vacancies	17
• Vacancies due to matching considerations	21
• Vacancies due to foster care approval considerations	30

Context

Cost Centre	Account Code	Type	Current Number	Projected Cost as as 28/09/2015
SN213500	R5432	External Fostering	44	£1,945,820
SN213500	R5441	External Residential	47	£5,381,030
SN250100	R5937	16+ Placements	18	£987,160
				£8,314,010

Looked after
Children

The consultation

- Is change required ?
- What do you think of the proposals?
- Strengths, Gaps, Concerns
- Alternative ideas to consider

Tameside
children living in
Tameside

Flexible and
wide ranging
approvals

Fostering for
Adoption

Mentors and
Champions

More timely
reviews

Staying Put

Next Steps

- 12 week consultation, likely to include further meetings / workshops if helpful
- Findings considered and presented to Executive Board, chaired by Leader of the Council in early 2016
- Implementation of any new arrangements March 2016
 - Contributions to;
- Nick.ellwood@tameside.gov.uk
 - or
- your supervising social worker



Foster Care Approval and Payment Consultation

This morning

- Brief recap
- Table discussion
- Break
- Feedback

The Team around our children



A recap

- First stage is looking at the idea **in principle**
- Most feedback suggests change is required to approval processes
- Clear refresh of the relationship between carers and council is needed
- Detail of precise finances requested



The context



- Children in our placements 269
- Number of Vacancies 21
- Vacancies due to matching considerations 11
- Vacancies due to foster care approval considerations 30 + 11

Context

Cost Centre	Account Code	Type	Current Number	Projected Cost as as 28/09/2015
SN213500	R5432	External Fostering	44	£1,945,820
SN213500	R5441	External Residential	47	£5,381,030
SN250100	R5937	16+ Placements	18	£987,160
				£8,314,010

**Looked after
Children**

Our Children in Our Care

- We need a Shared Aspiration for Success
- Positive Recruitment strategy
- Staying Put Policy approved by Cabinet, subject to this consultation
- Regional Adoption Agency will impact

Profile of our Children

Dec 14 (total 408)

- Aged under 1 16
- Aged 1-9 140
- Aged 10-15 176
- Aged 16+ 76

Dec 15 (total 421)

- 21
- 142
- 176
- 82

Proposal for 0-18 approvals

Level one	Connected person	Have some experience of childcare e.g. parenting / looking after other's children or knowing other children as relatives / connected (e.g. Kinship Care situations)
Level two	Child attends mainstream school, few additional needs	Have been an approved carer for at least 6 months and met the requirements of a Progression Plan evidenced through a portfolio.
Level three	Child has additional needs e.g. education / health / CAMHS	Have been an approved carer for at least 2 years (1 year if a Short Breaks carer) and met the requirements of a Progression Plan evidenced through a portfolio
Level four	Child has complex identified needs	Significant formal childcare experience with a minimum of 3 years previous fostering experience including children with complex needs

Some key points



- No change to existing placements rates
- New rates only to apply following an annual review being agreed by panel
- Foster care level determined at panel, evidence based and by annual review with an appeals process built in
- More children placed with Tameside Carers

Next Steps

- Decision made 16 March for implementation with effect from new placements made after March 31
- Final papers will therefore be needed for end February
- Finance rates to be resolved by Jan 29th and sent out to all carers
- Written feedback welcome

Your thoughts

- As a key partner, what does a foster carer need from the Council within the current climate?
- How can foster carers best contribute to service improvement?
- Views on the principle of the approval issues
 - **0-18 approvals?**
 - **Based on foster carer skills**
 - **Or child's needs**
 - **Or a combination of both**

Report To:	EXECUTIVE CABINET
Date:	29 June 2016
Executive Member/ Reporting Officer:	Councillor John Taylor, Deputy Executive Leader Damien Bourke, Assistant Executive Director – Development, Growth and Investment
Subject:	STATEMENT OF COMMUNITY INVOLVEMENT CONSULTATION
Report Summary:	The current Statement of Community Involvement (SCI) was adopted by the Council in 2006 as a result of the changes brought in by the Planning and Compulsory Purchase Act 2004. Since that version of the document was adopted there have been a number of procedural changes to how planning documents are prepared. It is now important to publish a revised SCI that reflects these changes to statutory process.
Recommendations:	<ol style="list-style-type: none">1. That the content of this report is noted2. That approval is given to consult on the draft SCI for a period of 4 weeks.3. That the outcome of the consultation process and any resulting amendments to the SCI are reported back to Executive Cabinet on 31 August 2016 for formal adoption.
Links to Community Strategy:	Community engagement is an essential part of the community strategy and therefore the emphasis of this in relation to plan making and decision taking is important.
Policy Implications:	The revised Statement of Community Involvement brings the Council's planning consultation guidance up-to-date.
Financial Implications: (Authorised by the Section 151 Officer)	There are no direct financial implications as a result of this report, Any costs incurred as a result of the consultation will be met from the service area.
Legal Implications: (Authorised by the Borough Solicitor)	An Equality Impact Assessment Scoping document has been prepared and is appended to the report. There are no identified adverse impacts arising from the assessment. The production of the SCI and the process for consultation and adoption is considered to satisfy the requirements of the Planning and Compulsory Purchase Act 2004 and the associated regulations.
Risk Management:	By not adopting the Statement of Community Involvement the Council would be acting contrary to the requirements of the Planning and Compulsory Purchase Act 2004 and subsequent revisions.
Access to Information:	The background papers relating to this report can be inspected by contacting the report writer, Paul Moore:  Telephone:0161 342 3108  e-mail: paul.moore@tameside.gov.uk

1.0 BACKGROUND

- 1.1 Consultation in the planning process is vital. It can bring significant benefits by:
- Strengthening the evidence base for plan making and decision taking;
 - Ensuring community commitment to the future development of an area;
 - Promoting regeneration and investment; and
 - Increasing ownership and strengthening delivery.
- 1.2 The current Statement of Community Involvement (SCI) was adopted and published in 2006 in order to comply with the requirements of the Planning and Compulsory Purchase Act 2004.
- 1.3 Since that version of the SCI was published there have been a considerable number of changes to planning legislation that have altered the way in which consultation on plan making should be undertaken:
- The Conservation of Habitats and Species Regulations 2010
 - Town and Country Planning (Local Planning) Regulations 2012
 - National Planning Practice Guidance 2014
 - Town and Country Planning Development Management Procedure Order 2015
- 1.4 It is timely that a revision of the SCI is undertaken because it needs to reflect the up-to-date approach which is needed for consultation on both the Tameside Local Plan and the Greater Manchester Spatial Framework (GMSF).
- 1.5 The objective of the revised SCI is to provide clear and concise guidance on how, who and when consultation will take place on these planning matters.
- 1.6 The following sections of the report cover the approaches to consultation on planning policy and planning applications.

2.0 CONSULTATION ON PLANNING POLICY

- 2.1 The revised SCI brings the Council's approach to planning policy consultation up to date and incorporates the approach required for consultation on the Greater Manchester Spatial Framework.
- 2.2 The revised document establishes how consultation will take place at each stage of plan preparation, what material will be available and how to access it. Approaches may include traditional consultation methods such as direct letters, notices, press releases, meetings and events through to more electronic orientated mediums such as email, the Council's website and social media.

3.0 CONSULTATION ON PLANNING APPLICATIONS

- 3.1 The SCI also covers how the Council will approach community involvement and statutory body engagement in the Development Management process, i.e. how the general public and specific statutory bodies are consulted on planning applications.
- 3.2 This is particularly important for the Council in order to identify the clear process for:
- Advertising applications;
 - Notifying neighbours;
 - Placing site notices;
 - Identifying how and when to comment; and
 - Identifying how to view application documents.

- 3.3 It is important that clear guidance is established and adhered to in order to reduce the likelihood of complaints relating to application consultations and the potential for referral to the Local Government Ombudsman.
- 3.4 Therefore the SCI sets out what members of the public and statutory bodies can expect in terms of consultation process for planning applications.

4.0 CONSULTATION ON THE DRAFT SCI

- 4.1 Consultation on the Draft SCI will take place immediately following the decision date. Consultation will run for a period of four weeks, therefore covering period 1 July to 29 July 2016. There is no statutory period specified for consultation so a four week period for consultation is considered appropriate.
- 4.2 Consultation methodology for the draft document has been discussed with the Policy and Communications Team and it has been agreed that it will involve the following:
- Direct email or letter to all contacts on the Planning Policy Local Plan database;
 - Press notice;
 - Press release;
 - Website content including contact detail and downloadable resources;
 - Use of the Council's 'Big Consultation' web portal; and
 - Deposit of documents at Libraries and the customer contact centre.
- 4.3 A copy of the draft consultation letter is included at **Appendix 2**.
- 4.4 All comments received will be assessed and any implications included in the final report back to the Executive Cabinet leading to adoption of the SCI by the Council.

5.0 EQUALITIES IMPACT ASSESSMENT

- 5.1 The SCI draft document and consultation methodology has been subject to an Equalities Impact Assessment (EIA) in order to ensure that both elements are equality compliant. A copy of the EIA is attached at **Appendix 3**.

6.0 RISKS

- 6.1 There are risks associated with the current adopted SCI for both plan making and decision-taking as it is out of date and should be updated to reflect the changes to plan making regulations since 2004 and to establish clear guidance on public and stakeholder involvement in the decision-taking process.
- 6.2 With the emergence and accelerated work programme for the GMSF it is important that a revised SCI is consulted on and adopted before the next period of consultation which is currently scheduled for late 2016.
- 6.3 In terms of decision taking on planning applications there is a clear risk to the Council if a clear and transparent process is not set out on how the authority will engage in notification and consultation with the general public and statutory bodies.

7.0 CONCLUSION

- 7.1 Given the broad range of changes to the planning system since 2004 it is timely that a revision of the Council's Statement of Community Involvement is undertaken. Therefore the

document at **Appendix 1** 'Consultation Draft Statement of Community Involvement 2016' is attached for information.

8.0 RECOMMENDATIONS

8.1 As set out at the front of the report

Consultation Draft

Statement of Community Involvement



Statement of Community Involvement

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Version	Report Status	Prepared By	Approved By	Issued To
1.8	Cons Draft 17.06.16	GH/SP/JD	PT	-

1.0 Introduction

- 1.1 Planning ensures that the right development happens in the right place at the right time, benefitting communities and the economy. It plays a critical role in identifying what development is needed and where, what areas need to be protected or enhanced and in assessing whether proposed development is suitable¹.
- 1.2 The Statement of Community Involvement (SCI) sets out how Tameside Council will involve people in preparing and revising local planning documents and making decisions on planning applications.
- 1.3 The aim is that by achieving greater community engagement throughout the planning process the Council's stakeholders and other organisations will have an active involvement in identifying and addressing the main planning issues, and in the development of planning policies and proposals. In this way it is hoped that many objections will be resolved prior to the independent examination of local plans, and prior to the determination of planning applications.
- 1.4 This SCI highlights the importance of communities in planning. The Council will follow the guidelines and requirements set out in the following pages, monitoring and updating them when appropriate.
- 1.5 The Council recognises that community involvement can bring significant benefits:
 - **Strengthening the evidence base for plans, strategies and planning decisions**
 - stakeholders and local communities bring a different perspective to planning and are valued for their expertise, opinions and insight.
 - **Community commitment to the future development of an area**
 - local people make a difference in their area, with long-term benefits.
 - **Promoting regeneration and investment**
 - by publicising proposals and inviting the involvement of stakeholders and local communities, the Council demonstrates its commitment to joint working to achieve better quality results.
 - **Ownership and strengthening delivery**
 - many elements of local planning require joint working between the Council, local communities and stakeholders. The Council believes that involving communities at an early stage of document preparation helps to resolve issues and achieve a common commitment.
- 1.6 The Council is required to publish a SCI detailing how they will engage local communities, this is set out in the Planning and Compulsory Purchase Act 2004. In

¹ Plain English Guide to the Planning System, Department for Communities and Local Government, January 2015

addition there are a number of regulations and guidance documents which set specific requirements for the Council to follow, detailed in Table 1 below.

Legislation / Guidance	
Planning and Compulsory Purchase Act 2004	For Local Plan making including for a Statement of Community Involvement (Section 18).
Development Management Procedure Order 2015	Sets out the statutory provisions for consultation on planning applications and specific bodies to be consulted depending on the type of planning application.
Town and Country Planning (Local Planning) (England) Regulations 2012	For Local Plan making, including consultation and consideration of representations, including submission, examination and publication requirements. (Regulations 4, 5, 12, 13, 17, 18, 19, 20, 35 and 36).
Planning Practice Guidance	Sets out who should be involved in preparing a Local Plan.
Environmental Assessment of Plans and Programmes Regulations 2004	Sets out consultation requirements (Regulation 13) and post adoption requirements (Regulation 16).
The Conservation of Habitats and Species Regulations 2010	Sets out requirements for consultation with regard to Habitats Regulations Assessment (Chapter 8).

Table 1 Summary of the relevant Acts, regulations and guidance documents in relation to requirements to engage local communities in the planning process.

- 1.7 This SCI is a revision to the previous edition adopted by the Council in 2006 and is needed to reflect changes brought about by the above legislative and regulatory requirements as well as changes to the Council's own systems and available resources. This SCI is not subject to independent examination as was required for the SCI it will replace and nor is it subject to an additional sustainability appraisal.
- 1.8 When preparing Local Development Documents or determining planning applications the Council must comply with the community engagement requirements set out in the adopted SCI.

2.0 Planning Policy

- 2.1 The Council wants to give local people a greater role in shaping their local area, and the provisions of the Localism Act and the National Planning Policy Framework (NPPF) gives the boroughs communities the opportunity to get more involved in the preparation of planning documents, together with new powers to help shape their neighbourhoods.
- 2.2 The Local Planning Authority is responsible for new plan making with the following section of the SCI setting out the consultation methods and opportunities for community involvement during the processes of policy making. The Council will always comply with the statutory minimum requirements prescribed by legislation, although in many cases it will go beyond this.

2.3 National Planning Policy Framework

The NPPF, introduced in March 2012, sets out the Government's planning policies for England and how these are expected to be applied. The Framework acts as guidance for Local Planning Authorities in preparing plans and making decisions on planning applications. Additional advice is provided in the Planning Practice Guidance (PPG).

- 2.4 When preparing policies in Development Plan Documents (DPD), they must be broadly consistent with the NPPF and PPG, being supported by appropriate evidence.

2.5 The Development Plan

- 2.6 The Development Plan for Tameside comprises various Local Development Documents (LDD) of which there are two main types;

- Development Plan Documents (DPDs) are documents that have been subject to independent examination and testing. Once adopted these are the documents against which planning applications are assessed. Planning decisions must be made in accordance with these documents unless material considerations indicate otherwise.
- Supplementary Planning Documents (SPDs) are not subject to independent examination and are not policy themselves, but they do provide guidance on how the DPD's will be implemented and are a material consideration in determining planning applications.

- 2.7 The current Development Plan for Tameside comprises of the following DPDs;

- Unitary Development Plan

- Unitary Development Plan Proposals Map
- Greater Manchester Joint Minerals Plan
- Greater Manchester Joint Waste Plan

2.8 When preparing a LDD the Council should comply with the requirements set out within the adopted SCI. The Council's intentions on the production of future DPD or SPD, including the timetable for doing so, are outlined in its Local Development Scheme (LDS) and reviewed in the Authority's Monitoring Report (AMR). These requirements also apply to any documents which the Council produces jointly with other Local Planning Authorities. Such documents in the past have included the aforementioned Greater Manchester Joint Minerals Plan and the Greater Manchester Joint Waste Plan. Currently work continues to progress across Greater Manchester on the production of a further joint planning document, the Greater Manchester Spatial Framework (GMSF).

2.9 GMSF Development Plan Document

2.10 The ten Greater Manchester authorities have agreed to produce a joint Greater Manchester Spatial Framework DPD which will provide the overarching framework to manage sustainable growth and development across the conurbation over the next twenty years.

2.11 The GMSF will principally identify the housing numbers and employment floorspace needs and associated infrastructure requirements for Greater Manchester, as well as identifying the key broad opportunity areas where this growth should be focused.

2.12 Work on the GMSF will be coordinated and managed by the Association of Greater Manchester Authorities (AGMA) on behalf of the ten districts. This Statement of Community Involvement sets out how the community and other stakeholders will be involved in the preparation of the joint GMSF.

2.13 The Greater Manchester Agreement allows for a directly elected mayor with powers over strategic planning, including the power to create a statutory plan for Greater Manchester (with a unanimous vote of the Mayor's cabinet). Legislation is required to enable these changes and it is anticipated that the first city region Mayor elections will take place in early 2017.

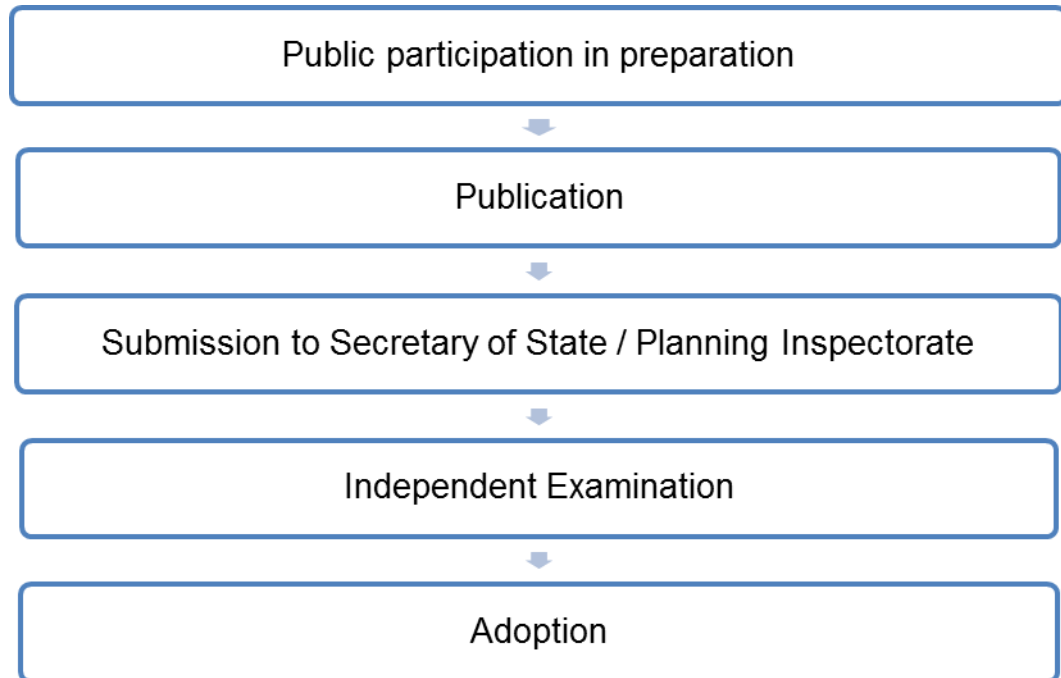
2.14 The governance of the GMSF will transfer from a joint development plan document produced by AGMA Executive Board to the GMSF produced by the GM Mayor and/or Greater Manchester Combined Authority in due course. Although this Statement of Community Involvement sets out how the community and other stakeholders will be involved in the preparation of the joint GMSF the consultation arrangements will need to be reviewed at the time of governance transfer.

2.15 Who will be involved?

The following groups will be consulted where appropriate:

- **Specific consultation bodies** – organisations that AGMA are required to consult throughout the plan preparation process, including those responsible for services, utilities and infrastructure provision, Parish Councils in and adjacent to Greater Manchester, adjoining councils and government departments, where appropriate.
- **Local organisations** - community and voluntary bodies with an interest in Greater Manchester.
- **Businesses** – those with business interests in Greater Manchester and bodies representing the interests of businesses operating in Greater Manchester.
- **Landowners, developers and agents** – those who have a direct interest in future development and have a major role to play in providing the facilities and services the district needs.
- **The general public** - those who live in, work in or visit Greater Manchester as well as those who have expressed an interest in the subject matter.

GMSF Preparation Stages:



2.16 When will they be involved?

- During **preparation**, as appropriate, inviting representations on what the GMSF should contain, when AGMA is gathering evidence, identifying the issues and developing the options for addressing the issues and developing the options for addressing these. Representations will also be invited on a draft document during a specified time period. Comments that are submitted will be considered prior to the next stage.
- At the **publication** stage, when the proposed submission version of the GMSF (the draft GMSF we want to adopt) is published to allow formal representations to be made for a period of at least 6 weeks on the soundness of the plan and whether it complies with legal requirements. Significantly, only representations made at this stage can be considered at the public examination.
- At the **submission** stage the GMSF and associated documents, including all the representations made at the publication stage, will be submitted to the Government (this is not an opportunity to submit additional comments). Following submission an independent inspector will be appointed to undertake a **public examination**. People who made representations at the Publication stage can appear at the examination.

2.17 How will they be involved?

- AGMA will contact appropriate organisations and individuals directly, by email or by post.

- AGMA will publicise consultations by methods such as the AGMA website and each of the ten districts' web sites, press releases, social media, meetings and workshops.
 - AGMA will make consultation documents available on the AGMA website, at the principal office of each of the Greater Manchester Local Planning Authorities and at selected public libraries.
 - AGMA will publish comments received, or a summary of them, as soon as possible and explain how they have been taken into account in preparing the plan.²
- 2.18 If you wish to register your interest in being informed of future GMSF consultations please contact gmsf@agma.gov.uk. Further information about the GMSF is available on the AGMA website: www.agma.gov.uk.
- 2.19 In undertaking the community and stakeholder involvement outlined above AGMA will ensure that the duty to cooperate with neighbouring councils and other prescribed bodies is met, as set out in law. In doing so AGMA will engage constructively, actively and on an ongoing basis and have regard to their activities so far as they are relevant, in order to ensure that strategic matters are given full consideration in the preparation of the GMSF.

2.20 The Tameside Local Plan

- 2.21 All local authorities are required to produce a Local Plan with the aim of providing a more flexible planning system that adapts to changing priorities and which seeks to secure sustainable development.
- 2.22 The Council will consult widely during the preparation of DPDs, inviting representations on what they should contain, the supporting evidence, the key issues and the options for addressing these at various stages.
- 2.23 The formal adoption of DPDs requires following a set process culminating in submission of the documents to the Secretary of State for Communities and Local Government who appoints an independent examiner whose role it is to assess whether the plan has been prepared in accordance with legal and procedural requirements and whether it meets specified soundness tests.
- 2.24 Tameside's future Development Plan is expected to consist of the following;

- Greater Manchester Joint Minerals Plan

² The exceptions to this general principle occur at the 'publication' stage of the plan when representations are passed to the independent inspector to consider at the public examination and following the examination when the inspector may consult on proposed modifications to the plan. At these stages we are not therefore in a position to explain how comments have been taken into account.

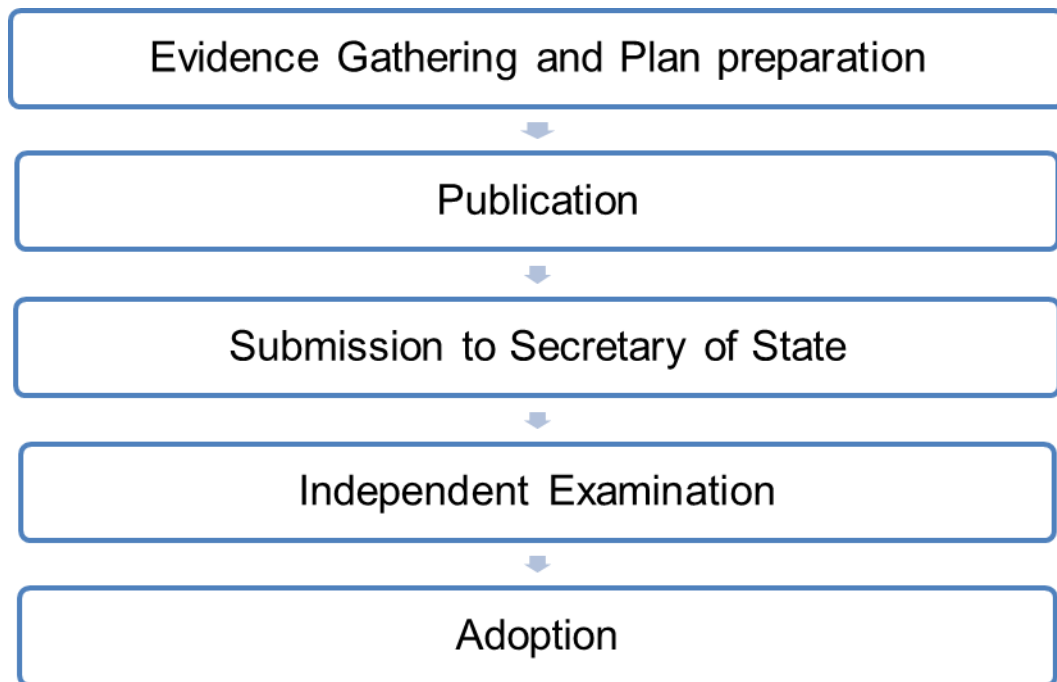
- Already adopted (April 2013), this document contains policies and site proposals to meet the needs for minerals planning across Greater Manchester.
- Greater Manchester Joint Waste Plan
 - Already adopted (April 2012), this document contains policies and site proposals to meet the needs for waste planning across Greater Manchester.
- Greater Manchester Spatial Framework
 - Being prepared by the ten Local Planning Authorities of Greater Manchester, the DPD will focus primarily on planning sub-regionally for housing and employment land requirements for Greater Manchester.
- Tameside Local Plan
 - Will include both policies and site allocations, establishing where development will be encouraged and where it will be resisted.
- Tameside Local Plan Proposals Map
 - Will illustrate where policy designations and site specific proposals are on plan.
- Supplementary Planning Documents
 - Will be prepared and updated on a range of guidance areas

2.25 When relevant in the preparation of the above documents the Council will assess the social, economic and environmental impacts of the policies at each stage of plan production through carrying out a Sustainability Appraisal to identify and enhance the positive effects of policies whilst minimising any potentially adverse impacts. In addition, where necessary the Council will also carry out Habitat Regulations Assessment.

2.26 Consultation on Development Plan Documents

2.27 There are a number of key stages involved in the preparation of any planning policy documents. These stages are required by Government through planning legislation and regulations and are designed to ensure that the process of plan making is as open and transparent as possible. The below highlights the key stages involved in the preparation of DPD's, the stages at which consultation will take place and how consultation will be undertaken.

Tameside DPD key stages:



2.28 As shown above the Council engages the community on an ongoing basis during plan preparation. Further details about local plan preparation and the statutory process can be found here:

<http://planningguidance.communities.gov.uk/blog/guidance/local-plans/local-plans-key-issues/>

2.29 Notification of any public consultation on the emerging Tameside Local Plan or other DPD will be provided at various stages, as detailed below.

2.30 Who will be involved?

2.31 When preparing DPDs the Council is required by planning legislation to formally consult and involve a number of specific bodies and organisations, voluntary bodies whose activities benefit any part of the borough and other general consultation bodies representing a range of interested parties which are listed in appendix 1.

2.32 Additionally the Council has developed a consultation database which contains a wide range of other consultees and individuals. When appropriate, those on the database are contacted when preparing planning policy documents so there are numerous opportunities to influence policies and proposals as they develop.

2.33 Any interested parties or individuals are able to register to receive such correspondence at:

<http://www.tameside.gov.uk/planning/ldf/sci>

2.34 When will they be involved?

• Evidence Gathering and Plan Preparation

- In developing the DPD such as the Local Plan the Council will seek to engage with interested parties at an early stage. This will typically conclude in a minimum 6 week period of consultation on a draft version of the DPD which would be likely to include the key issues within Tameside and the realistic options for addressing these.

• Publication Stage

Following consideration of all comments submitted on the Draft DPD, the Council will prepare a Publication version of the Plan which is that which it effectively considers to be the Councils 'sound' and final document which will be subject to a further period of consultation lasting at least 6 weeks.

• Submission and Examination

The Council will inform anyone who has requested to be notified when the DPD is submitted to the Secretary of State, in addition to anyone who made representations at the Publication Stage who will be notified of details of the Examination.

• Adoption

The Council will notify of the adoption of the DPD to all interested parties. The Inspector may advise the Council of their view as to whether the DPD requires modifications to be considered 'sound'. The Council is able to ask the Inspector to make recommendations as to what modifications are required.

2.35 How will they be involved?

2.36 The Council will consider using a range of consultation methods and activities (a number of which are specified by regulation) selected from the following when undertaking consultation exercises in connection with DPDs;

- Documents made available on the Councils website
- Documents made available in local libraries and at the Councils main reception
- Emails and letters sent to database contacts
- Social media items
- Local newspaper articles
- Planning policy newsletter
- Other online news sources
- Posters in prominent public spaces including at Council civic suites, public notice boards and leisure centres.
- Presentation at established public meeting cycles

- Key stakeholder discussions
- Workshops

2.37 Consultation on Supplementary Planning Documents

2.38 Similar to DPDs a number of key stages are involved in the preparation of SPDs although they are typically much quicker to produce as SPDs are not required to be submitted to the Secretary of State or be independently examined thereafter. SPD are produced to support and provide additional information and guidance on policies and proposals contained in DPD's.

2.39 Who will be involved?

2.40 When preparing SPDs the Council will seek to encourage involvement from a wide range of bodies and organisations, individuals, businesses and other stakeholders as it sees fit. The nature of involvement will largely be dependent on the document's content, where for site specific SPD the Council will seek to notify all those that are considered to be directly affected by the proposal.

2.41 The Council has developed a consultation database which includes a wide range of consultees and individuals, forming the starting point for engaging with stakeholders. Any interested parties or individuals are able to register to receive such correspondence at:

<http://www.tameside.gov.uk/planning/ldf/sci>

2.42 When will they be involved?

2.43 Where necessary the Council will engage with relevant stakeholders to inform the development of a draft SPD dependent upon the intended policy content. The Council will prepare a draft SPD and make this available for public comment for a minimum period of no less than 4 weeks.

2.44 Once adopted the Council will make the SPD available on its website, principle office and libraries and also notify of the adoption to any person or body that made representation or who asked to be notified of the adoption.

2.45 How will they be involved?

2.46 The Council will consider using a range of consultation methods and activities (a number of which are specified by regulation) selected from the following when undertaking consultation exercises in connection with SPDs:

- Documents made available on the Councils website
- Documents made available in local libraries and at the Councils main reception
- Emails and letters sent to database contacts
- Social media items

2.47 Reporting on Responses Received

2.48 Following public consultation on DPD's and SPD's the Council will typically prepare a report which will set out the comments received, the Councils consideration of the comments and whether any change to the document has been made as a result of the comment. Producing such a report enables those that commented on documents to see how their comment has been considered.

2.49 Consultation on Neighbourhood Plans

2.50 Neighbourhood Planning is an optional process led by the community, parts of which the Council have to undertake and publicise. It is however the responsibility of Town Councils, Parish Councils or Neighbourhood Forums to engage and consult with the neighbourhood they seek to represent during the development of a neighbourhood plan. Neighbourhood Plans need to be consistent with other elements of the Development Plan and would be subject to an examination conducted by an independent inspector.

2.51 Further guidance and advice on Neighbourhood Plans can be found on the Government's Planning Practice Guidance website

<http://planningguidance.communities.gov.uk>

2.52 Wish to be kept informed?

2.53 If you have an interest in Local Plan preparation matters and would like to add your details to our database of contacts and receive emails or letters on future consultations please register your details here:

<http://www.tameside.gov.uk/planning/ldf/sci>

3.0 Planning Applications

3.1 Introduction

- 3.2 The construction of most new buildings, major changes to existing buildings or to the local environment needs planning consent. Without a planning system everyone could construct buildings or use land in any way they wanted, no matter what effect this would have on other people who lived or worked in that area and the environment.
- 3.3 The Local Planning Authority is responsible for determining the applications submitted to it. The following section of this SCI set out the opportunities for community involvement during the processing of applications.

3.4 Pre-Application Discussions

- 3.5 The National Planning Policy Framework (NPPF) emphasises the importance to applicants of carrying out pre-application discussions with the Local Planning Authority and communities on their emerging proposals.
- 3.6 The aim of the pre-application process is to encourage discussion with a range of bodies including the local community before a formal application is made. By using this process it may be possible to amend a proposal in response to issues raised by Council officers, stakeholders, elected members or the community. This approach can help to avoid objections being made at a later stage.
- 3.7 Developers are therefore encouraged to contact the Council prior to the submission of a planning application to discuss their development proposal and any challenges which may arise from it. Generally this will involve discussions with relevant Council officers and the applicant or their agent, although the Council may also involve other interested parties where their knowledge or expertise could assist with discussions.
- 3.8 Where the Council consider a proposal is likely to generate significant levels of public interest, the prospective developer will be encouraged to engage in consultation with the local community prior to the submission of a planning application. This is likely to raise awareness of future proposals and enable the developer to take on board the views of local people when drawing up the details of the development proposal. Details of how consultation with the local community has assisted in shaping an application should be submitted with the proposal.
- 3.9 Community engagement should be genuine, where failure by the applicant to consult appropriately could lead to objections being made which could be material to the determination of the application.

- 3.10 Small scale developments such as house extensions will generally not require pre-application community involvement, but applicants are encouraged to discuss their proposal with neighbours and people who are directly affected, prior to the submitting an application. Further information on the pre-application stage can be found here:

<http://planningguidance.communities.gov.uk/blog/guidance/before-submitting-an-application/>

3.11 Applications – Who Will We Consult

- 3.12 The Council is committed to involving communities in Tameside in the planning application process and will actively seek the views of the community on planning matters as set out in this SCI. The Council's arrangements for publicity and notification will never be less than the statutory minimum set out in the Development Management Procedure Order 2015 (and its amendments).

- 3.13 In addition to pre-application discussions and wider community involvement there are statutory consultees which the Council must consult on planning applications. Exactly which body is consulted depends on the nature of the application but includes organisations such as the Environment Agency or Historic England for example. There are also a significant number of non-statutory bodies which the Council may consult in appropriate circumstances.

- 3.14 Further details on the statutory requirements for consulting on planning applications can be found here:

<http://planningguidance.planningportal.gov.uk/blog/guidance/consultation-and-pre-decision-matters/>

3.15 Applications – How Will We Consult

- 3.16 In publicising planning applications it is not only necessary for the Council to meet its statutory obligations but to strike a balance between considerations of cost, speed of decision making and providing appropriate opportunity for comment.

- 3.17 A weekly list of all valid planning applications received by the Planning Service is published on the Council's website and is sent to all Elected Members. This can be viewed at:

<http://public.tameside.gov.uk/plan/f422planapp.asp>

- 3.18 Consultees are able to download electronic documents, plans and reports from the Council's website in respect of the relevant application for inspection from the same link given above. Computers are available at the Council's Libraries for website access. Interested parties can also check the progress of an application via the same web pages.

3.19 Once a valid application has been received the Council's arrangements for publicity and notification will never be less than the statutory minimum set out in the Development Management Procedure Order 2015 (and its amendments), shown by hatching in table 2 below.

Type of Development	Site Notice	Site Notice or Neighbour Notification Letter	Press advertisement	Website
Applications for major development as defined in Article 2 of the Development Management Procedure Order	√			
Applications subject to Environmental Impact Assessment which are accompanied by an environmental statement				
Applications which do not accord with the development plan.		√		
Applications which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies.				
Applications for planning permission not covered in the entries above (e.g. Non major development)				
Applications for listed building consent where works to the exterior of the building are proposed.		√		
Applications to vary or discharge conditions attached to a listed building consent or conservation area consent or involving exterior works to a listed building.		√		

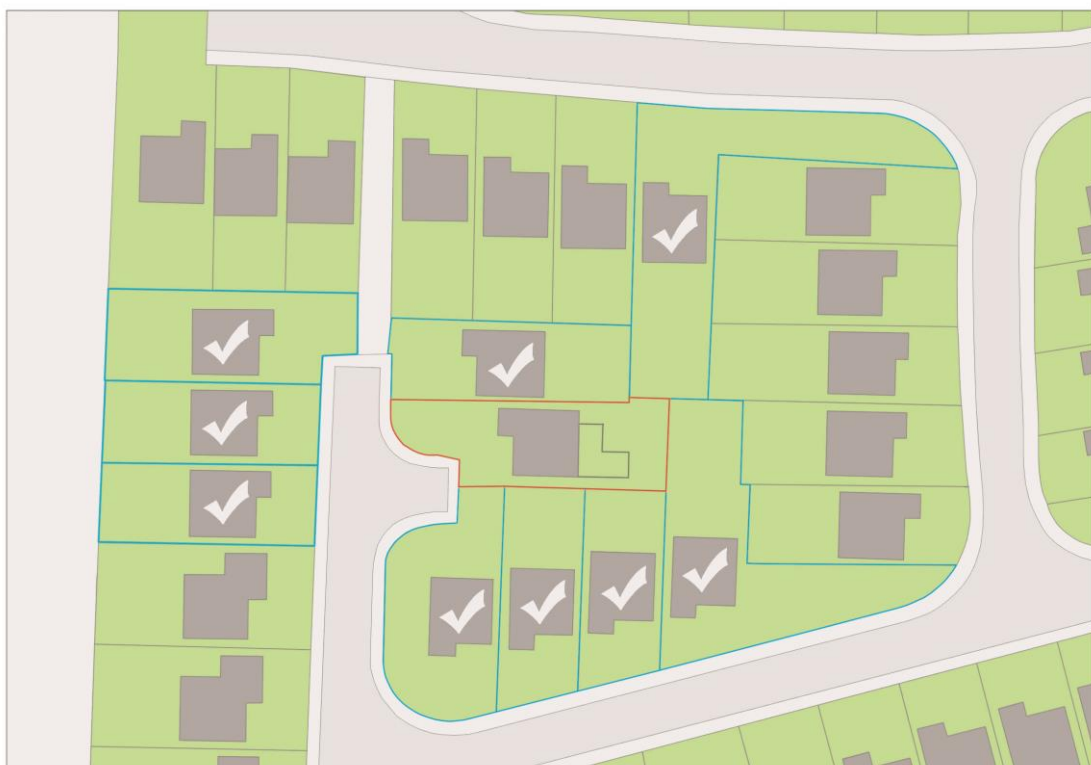
Table 2 - Statutory minimum and Thameside publicity requirements for planning and heritage applications. (Note: Environmental Impact Assessment guidance sets out further publicity and consultation requirements for applications where this is relevant).

Community involvement in the development management process may require general publicity with the wider community and also more targeted consultation where it is considered a proposed development could have an impact on an individual or set of individuals neighbouring the application site. The Council will, in addition, publicise proposals as shown in Table 2, which exceeds the statutory minimum requirements.

3.20 The Council's principle method of contact will be by a standard letter. The letter gives an address or location description of the application site, brief details of the proposal, where further details of the proposal can be inspected and when comments should be made by.

- 3.21 In respect of every valid planning application Neighbour Notification letters will be sent to adjacent properties sharing a boundary with the application site as depicted below in figure 1. This will also include properties separated from the application site by the public highway.
- 3.22 Where schemes affect the application site frontage and/or have a significant impact on the street scene, Neighbour Notification letters may be sent to properties in addition to the above, at the discretion of the case officer. As highlighted in Table 2 in the case of major planning applications the Council will additionally consult through the use of at least one site notice.

Figure 1 - Consultation of adjoining properties, meaning any property which shares a boundary with the application site.



- 3.24 During the consultation period, representations to the Local Planning Authority should raise material planning considerations to carry any weight in the determination of the application (material considerations are genuine planning considerations). The considerations must also fairly and reasonably relate to the application concerned.
- 3.25 Representations must be made in writing or by email giving the name and address of the respondent. Verbal representations cannot be considered in the determination of an application. Representations cannot be made in confidence, they become part of the publicly viewable planning file, including by the applicant.
- 3.26 Any representations received which refer to material planning considerations either for or against the proposed development will be considered.

3.27 Applications – When will they be involved?

- 3.28 Once an application is considered to be valid, the Council will contact consultees allowing 21 days from the date of the communication for comments to be made in writing. If material (significant) amendments to plans or other details are received during the course of processing the application, the persons notified and/or those who have commented on the application thus far will be re-notified and given a further period of at least 14 days to make any representations.
- 3.29 In dealing with non-material amendments for minor alterations to applications during the course of processing the application then no further notification will be sent out.
- 3.30 The Council will not as a matter of course reply to or acknowledge representations made but will not determine a planning application until the public consultation period relevant to the application has expired.

3.31 Decision Making

- 3.32 Most planning applications are decided by the Assistant Executive Director for Development Growth and Investment, who is afforded delegated powers as part of the Council's Constitution. The Council's Speakers Panel (Planning) and on occasion Strategic Capital Panel, which consists of Elected Members are able make decisions about applications which cannot be determined through the scheme of delegated powers. The dates, times and locations of Council meetings can be found on its website.
- 3.33 In the case of non-householder applications, members of the public are entitled to request the opportunity to address the Speakers Panel (Planning) before a decision is made. Requests to speak should be made in writing to the Head of Planning within 21 days of receiving a neighbour notification letter. The applicant will also be given the opportunity to speak. Only one person from either side is allowed to speak, each for a maximum of five minutes. It is also possible for a member of the public to ask a local Councillor to speak on their behalf. Householder applications will only be determined by the Speakers Panel where a written requested is made by a Ward Councillor.

4.0 Resources

- 4.1 Community involvement has resource implications but the Council nonetheless recognises that investing in it can help minimise future costs by avoiding as far as possible the need for a lengthy and controversial Local Plan examination process.
- 4.2 The level of community involvement for both Local Plan preparation and Development Management related work that is identified in this SCI is considered to be realistic and is sufficiently targeted to enable the Council to achieve its requirements for community involvement, as set out in this SCI, can largely be met through existing internal staffing resources.
- 4.3 There may however be specific circumstances in which the Council will need to consider assigning additional resources to cover the costs of further assistance. Additionally, officers will continue to work closely with colleagues and partner organisations to adopt a positive approach to involving external groups and individuals and will utilise existing networks linked to other Council plans and strategies.

5.0 Monitoring and Review

- 5.1 The SCI has and will continually be reviewed in the future. The continuing aim is to learn from experience and to find ways to improve upon the arrangements and processes set out. The Authority's Monitoring Report is used to feedback and monitor the consultation process and the success of the SCI.
- 5.2 The Council will continue to evaluate its consultation processes in terms of resources used and responses received. The Council will also assess the effectiveness of various community involvement techniques used in order to review the appropriateness of the methods and procedures used. Significant amendments required as a result of any future changes will manifest in revision of the SCI in line with the procedures used in the preparation of this SCI or as required by any changes to national legislation or regulation.

Appendix 1 – Consultees

Please note the below lists are not exhaustive and the Council will apply its discretion where appropriate particularly in relation to successor bodies where reorganisations occur.

Duty to Cooperate Bodies:

- Civil Aviation Authority;
- Environment Agency;
- Historic England;
- Homes and Communities Agency;
- The Marine Management Organisation;
- Natural England;
- Office of Rail Regulation;
- Tameside and Glossop Clinical Commissioning Group;
- Tameside Local Highways Authority;
- Transport for Greater Manchester; and
- Highways England.

Above is a list of the relevant agencies that are to be engaged in addition to any neighbouring local planning authority or other local planning authorities with which there is a cross boundary matter.

- Local Enterprise Partnerships
- Local Nature Partnerships

The above two bodies are not subject to the requirements of the duty. However local planning authorities that are subject to the duty must cooperate with them and have regard to their activities when preparing Local Plans, provided their activities are relevant.

Specific Consultation Bodies

The following will be consulted in accordance with the Planning and Compulsory Purchase Act and the Town and Country Planning (Local Planning)(England) Regulations 2012 and subsequent amendments. Sustainability Appraisal, Strategic Environmental Assessment and Habitats Regulations Assessment legislation refers to the Statutory Consultees who are shown in bold in the list below:

- **Environment Agency;**
- **Historic England;**
- **Natural England;**
- Oldham Council;
- Stockport Metropolitan Borough Council;

- Manchester City Council;
- High Peak Borough Council;
- Derbyshire County Council;
- Mossley Town Council;
- Greater Manchester Police Authority;
- Greater Manchester Police and Crime Commissioner;
- Derbyshire Police and Crime Commissioner;
- Highways England;
- Homes and Communities Agency;
- Network Rail Infrastructure Limited;
- Peak District National Park Authority;
- Tameside and Glossop Clinical Commissioning Group;
- The Coal Authority;
- The Marine Management Organisation;
- Tintwistle Parish Council;
- Charlesworth Parish Council;
- Chisworth Parish Council;
- Saddleworth Parish Council.
- Relevant electricity and gas companies;
- Relevant sewerage undertakers (e.g. United Utilities);
- Relevant water undertakers (e.g. United Utilities);
- Relevant telecommunications companies; and

General Consultation Bodies

The following are defined as general consultation bodies and will be consulted, as appropriate, in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012:

- Voluntary bodies some or all of whose activities benefit any part of the local planning authority's area
- Bodies which represent the interest of different racial, ethnic or national groups in the local planning authority's area
- Bodies which represent the interests of different religious groups in the local planning authority's area
- Bodies which represent the interest of disabled persons in the local planning authority's area
- Bodies which represent the interest or persons carrying on business in the local planning authority's area

Other Consultees

To ensure robust consultation and enable early engagement in the planning document production process the Council will continue to consider the need to consult, where appropriate, with those it has historically consulted including with a wide variety of groups and individuals to those included on the existing Local Plan database of contacts.

APPENDIX 2 PLACE

<NAME>
<ADDRESS 1>
<ADDRESS 2>
<ADDRESS 3>
<POSTCODE>

Damien Bourke
Assistant Executive Director
Development, Growth & Investment

Council Offices, Clarence Arcade
Stamford Street, Ashton-under-Lyne
OL6 7PT

www.tameside.gov.uk
e-mail : planpolicy@tameside.gov.uk

Call Centre 0161 342 8355

Doc Ref	
Ask for	Planning Policy
Direct Line	0161 342 3346
Date	1st July 2016

Dear <NAME>,

Tameside Statement of Community Involvement: Consultation

As part of the Local Plan process, the Council is required to prepare a Statement of Community Involvement (SCI). The role of the SCI is to set out how the Council will involve the community in the preparation of future planning policy documents, including the Greater Manchester Spatial Framework and the Tameside Local Plan, as well as in the planning application process.

The current SCI was adopted in 2006 and the Council are proposing to amend the document to reflect changing circumstances. This includes changes to the Regulations that guide Local Plan preparation and the decision to engage in production of a joint plan for Greater Manchester – The Greater Manchester Spatial Framework.

The SCI has therefore been updated to set out how consultation and community involvement will take place in respect of the Tameside Local Plan and the GMSF. Once adopted all future planning consultations and publicity will be carried out in line with its requirements.

The revised draft SCI is now subject to a four-week period of public consultation from Friday 1st July to Friday 29th July 2016. It can be downloaded from the Council's website at: www.tameside.gov.uk/planning/ldf/sci

Please note that representations must include a name and address, cannot be treated in confidence, and must be submitted **no later than Friday 29th July 2016** as follows:

- Via the Council's 'Big Conversation' webpage www.tameside.gov.uk/xxxxxx;
- Via direct email to planpolicy@tameside.gov.uk; or
- By letter to: Planning Policy, Council Offices, Clarence Arcade, Stamford Street Central, Ashton-under-Lyne, OL6 7PT.

Hard copy of the SCI can also be inspected at libraries and customer service locations during normal opening hours as follows:

Ashton Customer Services

Clarence Arcade, Stamford Street, Ashton-under-Lyne, OL6 7PT
0161 342 8355

Tameside Central Library

Old Street, Ashton, OL6 7SG
0161 342 2029

Denton Library

Town Hall, Market Street, Denton, M34 2AP
0161 342 3406

Droylsden Library

Manchester Road, Droylsden, M43 6EP
0161 370 1282

Dukinfield Library

Concord Way, Dukinfield, SK16 4DB
0161 330 3257

Hattersley Library

The Hub Stockport Road, Hattersley, SK14 6NT
0161 342 2552

Hyde Library

Town Hall, Greenfield Street, Hyde, SK14 1AL
0161 342 4450

Mossley Library

George Lawton Hall, Stamford Street, Mossley, OL5 0HR
0161 342 3787

Stalybridge Library

Trinity Street, Stalybridge, SK15 2BN
0161 338 2708

If you require any further information about the consultation or would like to discuss the SCI document then please contact a member of the Planning Policy Team on 0161 342 3346.

Yours sincerely,

Peter Taylor
Planning Policy Team Leader

APPENDIX 3

Subject / Title	Tameside Statement of Community Involvement
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Service Unit	Service Area	Directorate
Planning Policy	Development, Growth and Investment	Place

Start Date	Completion Date
02/06/2016	

Lead Officer	Peter Taylor Planning Policy Team Leader
Service Unit Manager	Paul Moore Head of Planning
Assistant Executive Director	Damien Bourke AED Development, Growth and Investment

EIA Group (lead contact first)	Job title	Service
Peter Taylor	Planning Policy Team Leader	Planning Policy
Simon Pateman	Senior Planning Officer	Planning Policy
Graham Holland	Planning Officer	Planning Policy
Jody Stewart	Policy, Research and Improvement Manager	Policy and Communications

PART 1 – INITIAL SCREENING

An Equality Impact Assessment (EIA) is required for all Key Decisions that involve changes to service delivery. All other changes, whether a Key Decision or not, require consideration for the necessity of an EIA.

The Initial Screening is a quick and easy process which aims to identify:

- *those projects, policies, and proposals which require a full EIA by looking at the potential impact on 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, policy or proposal is likely to have an impact upon people with a protected characteristic. This should be undertaken irrespective of whether the impact 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 Service Unit Manager and Assistant Executive Director.

1a.	What is the project, policy or proposal?	The Council is in the process of revising its adopted Statement of Community Involvement. Consultation on the document is scheduled to run 1 st July to 29 th July. The EIA covers the draft SCI document. More detail regarding the consultation process on the draft SCI is given below and in the summary provided in part 2.
1b.	What are the main aims of the project, policy or proposal?	The Statement of Community Involvement (SCI) is an update on the current version adopted in 2006. The revised version of the SCI will take into account changes to the regulations guiding plan making and decision taking on planning applications. The SCI sets out how the Council will engage in community involvement in relation to all areas of planning that need consultation.

1c. Will the project, policy or proposal have either a direct or indirect impact on any groups of people with protected equality characteristics?

Where a direct or indirect impact will occur as a result of the policy, project or proposal, please explain why and how that group of people will be affected.

Protected Characteristic	Direct Impact	Indirect Impact	Little / No Impact	Explanation
Age		X		The SCI is expected ensure that elderly people will have equal opportunity to be involved in the preparation of planning policy documents or decisions on planning applications to ensure views can be fully considered through open consultation. Where appropriate through the production of planning policy

				<p>documents, specific efforts will be made to engage such groups via a range of consultation methods and organisation detailed below.</p> <p>Range of potential consultation methods:</p> <ul style="list-style-type: none"> •Direct letter or email to Local Plan database contacts; •Press notice; •Press release; •Website content; •Use of the Council’s ‘Big Consultation’ web portal; and •Deposit of documents at libraries and the customer contact centre. <p>The SCI sets out how the Council will consult on planning policy documents and planning applications. A wide range of techniques will be engaged to ensure that all elements of the Tameside community are informed and consulted with. For example, specific contacts included on the Local Plan Consultation Database include:</p> <ul style="list-style-type: none"> • Age UK; • Age UK Tameside; • Community Volunteer Action Tameside (CVAT); and • Borough wide Community and Residents Associations.
Disability		X		The SCI is expected ensure that disabled people will have equal opportunity to be involved in the preparation of planning policy documents or decisions on planning

				<p>applications to ensure views can be fully considered through open consultation.</p> <p>Where appropriate through the production of planning policy documents, specific efforts will be made to engage such groups via a range of consultation methods and organisation detailed below.</p> <p>Range of potential consultation methods:</p> <ul style="list-style-type: none"> •Direct letter or email to Local Plan database contacts; •Press notice; •Press release; •Website content; •Use of the Council’s ‘Big Consultation’ web portal; and •Deposit of documents at libraries and the customer contact centre. <p>The SCI sets out how the Council will consult on planning policy documents and planning applications. A wide range of techniques will be engaged to ensure that all elements of the Tameside community are informed and consulted with. For example, specific contacts included on the Local Plan Consultation Database include:</p> <ul style="list-style-type: none"> • The Disabled Persons Transport Advisory Committee; • Tameside Deaf Association; • Tameside Sight; • Community Volunteer Action
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				<p>Tameside (CVAT);</p> <ul style="list-style-type: none"> • Greater Manchester Coalition of Disabled People; and • Borough wide Community and Residents Associations.
Ethnicity		X		<p>The SCI is expected ensure that people of different ethnicities will have equal opportunity to be involved in the preparation of planning policy documents or decisions on planning applications to ensure views can be fully considered through open consultation.</p> <p>Where appropriate through the production of planning policy documents, specific efforts will be made to engage such groups via a range of consultation methods and organisation detailed below.</p> <p>Range of potential consultation methods:</p> <ul style="list-style-type: none"> •Direct letter or email to Local Plan database contacts; •Press notice; •Press release; •Website content; •Use of the Council’s ‘Big Consultation’ web portal; and •Deposit of documents at libraries and the customer contact centre. <p>The SCI sets out how the Council will consult on planning policy documents and planning applications. A wide range of techniques will be engaged to ensure that all elements of the</p>

				<p>Tameside community are informed and consulted with. For example, specific contacts included on the Local Plan Consultation Database include:</p> <ul style="list-style-type: none"> • Association of Ukrainians; • Shree Bharatiya Mandal (Indian Association); • Bangladesh Welfare Association; • Tameside Racial Equality Council Ltd; • Tameside African Refugee Association (TARA); • Traveller Law Reform Project; • The Gypsy Council for Education, Culture, Welfare & Civil Rights; • The National Federation of Gypsy Liaison Groups; • The Gypsy Council (Romani Kris); • Community Volunteer Action Tameside (CVAT); • UK Association of Gypsy Women; • Community Volunteer Action Tameside (CVAT); and • Borough wide Community and Residents Associations.
Sex / Gender		X		<p>The SCI is expected ensure that people regardless of their sex/gender will have equal opportunity to be involved in the preparation of planning policy documents or decisions on planning applications to ensure views can be fully considered through open consultation.</p>
Religion or Belief		X		<p>The SCI is expected ensure that people</p>

				<p>regardless of different religions or beliefs will have equal opportunity to be involved in the preparation of planning policy documents or decisions on planning applications to ensure views can be fully considered through open consultation.</p> <p>Where appropriate through the production of planning policy documents, specific efforts will be made to engage such groups via a range of consultation methods and organisation detailed below.</p> <p>Range of potential consultation methods:</p> <ul style="list-style-type: none"> • Direct letter or email to Local Plan database contacts; • Press notice; • Press release; • Website content; • Use of the Council's 'Big Consultation' web portal; and • Deposit of documents at libraries and the customer contact centre. <p>The SCI sets out how the Council will consult on planning policy documents and planning applications. A wide range of techniques will be engaged to ensure that all elements of the Tameside community are informed and consulted with. For example, specific contacts included on the Local Plan Consultation Database include:</p> <ul style="list-style-type: none"> • Denton Council of Churches; • Muslim Welfare Society
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				<p>(Tameside);</p> <ul style="list-style-type: none"> • Catholic Women’s League (Ashton); • Community Volunteer Action Tameside (CVAT); and • The Church of England National Offices.
Sexual Orientation		X		<p>The SCI is expected ensure that people of different sexual orientation will have equal opportunity to be involved in the preparation of planning policy documents or decisions on planning applications to ensure views can be fully considered through open consultation.</p> <p>Where appropriate through the production of planning policy documents, specific efforts will be made to engage such groups via a range of consultation methods and organisation.</p>
Gender Reassignment		X		<p>The SCI is expected ensure that gender reassigned people will have equal opportunity to be involved in the preparation of planning policy documents or decisions on planning applications to ensure views can be fully considered through open consultation.</p> <p>Where appropriate through the production of planning policy documents, specific efforts will be made to engage such groups via a range of consultation methods and organisation.</p>
Pregnancy & Maternity		X		<p>The SCI is expected ensure that pregnant women and those on maternity will have equal opportunity to be involved in the preparation of</p>

				<p>planning policy documents or decisions on planning applications to ensure views can be fully considered through open consultation.</p> <p>Where appropriate through the production of planning policy documents, specific efforts will be made to engage such groups via a range of consultation methods and organisation.</p>
Marriage & Civil Partnership		X		<p>The SCI is expected ensure that people who are married or in a civil partnership will have equal opportunity to be involved in the preparation of planning policy documents or decisions on planning applications to ensure views can be fully considered through open consultation.</p> <p>Where appropriate through the production of planning policy documents, specific efforts will be made to engage such groups via a range of consultation methods and organisation.</p>
Are there any other groups who you feel may be impacted, directly or indirectly, by this project, policy or proposal? (e.g. carers, vulnerable residents, isolated residents)				
Group (please state)	Direct Impact	Indirect Impact	Little / No Impact	Explanation
No	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<p>Anyone who makes themselves known to the Local Planning Authority can be added to the Local Plan Consultation Database. Alternatively they can submit contact details through the Council's website that will be added to the Local Plan Consultation Database.</p> <p>Additionally any person is able to make representation on a planning application or during the development of planning policy documents should</p>

				they wish as detailed within the SCI.
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Wherever a direct or indirect impact 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 is anticipated, this can be explored in more detail when undertaking a full EIA.

1d.	Does the project, policy or proposal require a full EIA?	Yes	No
		X	
1e.	What are your reasons for the decision made at 1d?	The initial screening highlights the potential for indirect impact upon the protected characteristic groups if the SCI were not prepared in such a way that it allows for equal opportunity to involved in the planning process. It is therefore prudent to undertake a full EIA in part 2 below to explore of the implementation of the SCI will ensure consultation is undertaken appropriately.	

If a full EIA is required please progress to Part 2.

PART 2 – FULL EQUALITY IMPACT ASSESSMENT

2a. Summary
<p>Consultation in the planning process is vital as it can bring significant benefits by:</p> <ul style="list-style-type: none"> • Strengthening the evidence base for plan making and decision taking; • Ensuring community commitment to the future development of an area; • Promoting regeneration and investment; and • Increasing ownership and strengthening delivery. <p>The current Statement of Community Involvement (SCI) was adopted and published in 2006 in order to comply with the requirements of the Planning and Compulsory Purchase Act 2004.</p> <p>Since that version of the SCI was published there have been a considerable number of changes to planning legislation that have altered the way in which consultation on plan making should be undertaken:</p>

- The Conservation of Habitats and Species Regulations 2010
- Town and Country Planning (Local Planning) Regulations 2012
- National Planning Practice Guidance 2014
- Town and Country Planning Development Management Procedure Order 2015

It is timely that a revision of the SCI is undertaken because it needs to reflect the up-to-date approach which is needed for consultation on both the Tameside Local Plan and the Greater Manchester Spatial Framework (GMSF). The objective of the revised SCI is to provide clear and concise guidance on how, who and when consultation will take place on these planning matters.

Consultation on the draft SCI will involve the Council's standard consultation approach to ensure all, including those falling within protected characteristic groups have an opportunity to respond. This will be achieved by using such methods of consultation such as being hosted on the Big Conversation to ensure access for all responses can also be directly e-mailed or provided in writing, hard copies are available at all library / customer service contact and can also be downloaded electronically from the Councils website.

2b. Issues to Consider

The SCI sets out a commitment to consult and engage with residents and stakeholders in relation to planning policy documents and planning applications via a range of methods. It is important to ensure that any protected characteristic groups are able to fully engage with any consultation.

The following groups, are included on the Councils Local Plan Consultation Database and when appropriate will be consulted on any relevant policy documents:

Age

- Age UK;
- Age UK Tameside;
- Community Volunteer Action Tameside (CVAT); and
- Borough wide Community and Residents Associations.

Disability

- The Disabled Persons Transport Advisory Committee;
- Tameside Deaf Association;
- Tameside Sight;
- Community Volunteer Action Tameside (CVAT);

- Greater Manchester Coalition of Disabled People; and
- Borough wide Community and Residents Associations.

Ethnicity

- Association of Ukrainians;
- Shree Bharatiya Mandal (Indian Association);
- Bangladesh Welfare Association;
- Tameside Racial Equality Council Ltd;
- Tameside African Refugee Association (TARA);
- Traveller Law Reform Project;
- The Gypsy Council for Education, Culture, Welfare & Civil Rights;
- The National Federation of Gypsy Liaison Groups;
- The Gypsy Council (Romani Kris);
- Community Volunteer Action Tameside (CVAT);
- UK Association of Gypsy Women;
- Community Volunteer Action Tameside (CVAT); and
- Borough wide Community and Residents Associations.

Religion or Belief

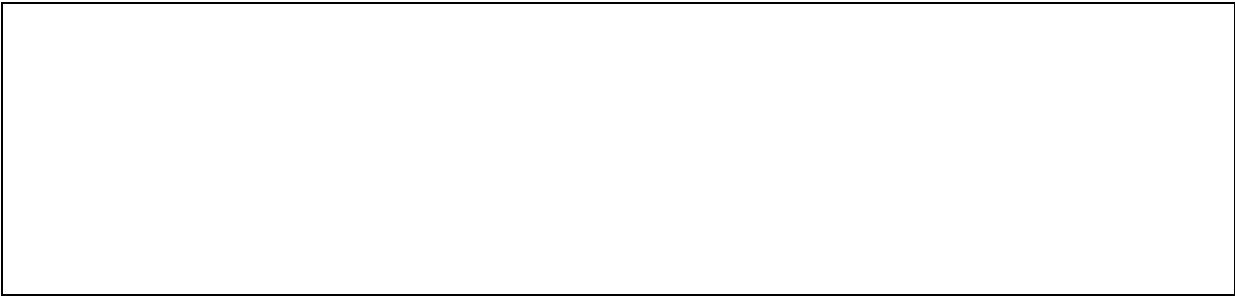
- Denton Council of Churches;
- Muslim Welfare Society (Tameside);
- Catholic Women’s League (Ashton);
- Community Volunteer Action Tameside (CVAT); and
- The Church of England National Offices.

The Local Plan consultation database will be continually updated to include the above list is reflective of current circumstances and ensure bodies which are connected to protected characteristic groups are included.

The SCI also sets out how the Council will consult on all valid Planning applications, where in the case of all valid application the Council will always consult with neighbouring properties by notification letter. In addition a weekly list of planning applications is available to view via the Councils website and the supporting documentation associated with an application can be viewed.

2c. Impact

Introduction of the SCI will have a positive impact as it will ensure wide reaching engagement and consultation on future planning policy documents and planning applications. This will help to ensure the needs of all protected characteristic groups are considered.



2d. Mitigations *(Where you have identified an impact, what can be done to reduce or mitigate the impact?)*

As detailed above the SCI is only positive in ensuring there is clarity about, who and when and how the Council will seek to involve in consulting on planning applications and preparing planning policy, mitigation measures are not considered to be necessary.

2e. Evidence Sources

The current Statement of Community Involvement (SCI) was adopted and published in 2006 in order to comply with the requirements of the Planning and Compulsory Purchase Act 2004. The 2006 SCI having established how the Council currently consults on planning applications and planning policy documents form the basis for this review.

Since the 2006 version of the SCI was published there have been a considerable number of changes to planning legislation that have altered the way in which consultation on plan making should be undertaken:

- The Conservation of Habitats and Species Regulations 2010
- Town and Country Planning (Local Planning) Regulations 2012
- National Planning Practice Guidance 2014
- Town and Country Planning Development Management Procedure Order 2015

It is therefore timely that a revision of the SCI is undertaken because it needs to reflect the up-to-date approach which is needed for consultation on both the Tameside Local Plan and the Greater Manchester Spatial Framework (GMSF). The objective of the revised SCI is to provide clear and

concise guidance on how, who and when consultation will take place on these planning matters.

The Local Plan consultation database continues to be kept up to date and will form the basis for the consultation undertaken on the draft SCI with contacts being directly contacted via email or post.

2f. Monitoring progress		
Issue / Action	Lead officer	Timescale
Ensure Local Plan Consultation Database is kept updated.	Peter Taylor	Ongoing
Ensure Development Management are abreast of any legislative changes concerning when to consult statutory consultees	Jason Dugdale	Ongoing

Signature of Service Unit Manager	Date
Signature of Assistant Executive Director	Date

Guidance Notes

The purpose of an EIA is to aid the Council's compliance with the public sector equality duty (section 149 of the Equality Act 2010), which requires that public bodies, in the exercise of their functions, pay 'due regard' to the need to eliminate discrimination, victimisation, and harassment; advance equality of opportunity; and foster good relations. To this end, there are a number of corporately agreed criteria:

- An Equality Impact Assessment (EIA) is required for all Key Decisions that involve changes to service delivery. All other changes, whether a Key Decision or not, require consideration for the necessity of an EIA.
- The decision as to whether an EIA is required rests with the relevant Service Unit Manager (SUM), in consultation with the appropriate Assistant Executive Director (AED) where necessary. Where an EIA is not required, the reason(s) for this must be detailed within the appropriate report by way of a judgement statement.
- EIAs must be timely, with any findings as to the impact of a change in policy or procedure which affects residents, service users, or staff, being brought to the attention of the decision maker in the body of the main accompanying report. As such, EIAs must be conducted alongside the development of any policy change, with appropriate mitigations integrated into its development where any potentially detrimental or inequitable impact is identified.

How to complete the EIA Form

EIAs should always be carried out by at least 2 people, and as part of the overall approach to a service review or service delivery change. Guidance from case law indicates that judgements arrived at in isolation are not consistent with showing 'due regard' to the necessary equality duties.

Part 1 – Initial Screening

The Initial Screening is a quick and easy process which aims to identify:

- those projects, policies, and proposals which require a full EIA by looking at the potential impact on 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, policy or proposal is likely to have an impact upon people with a protected characteristic. This should be undertaken irrespective of whether the impact 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 Service Unit Manager and Assistant Executive Director.

Wherever a direct or indirect impact 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 is anticipated, this can be explored in more detail when undertaking a full EIA.

The table overleaf is an example of what part 1c of the screening process may look like. In this example we have used a review of the services delivered at Children’s Centres and the impact this may have.

1c. Will the project, policy or proposal have either a direct or indirect impact on any groups of people with protected equality characteristics?

Where a direct or indirect impact will occur as a result of the policy, project or proposal, please explain why and how that group of people will be affected.

Protected Characteristic	Direct Impact	Indirect Impact	Little / No Impact	Explanation
Age	✓			Children's Centre services are targeted to the 0 to 5 age group
Disability		✓		Some Children's Centre users may be disabled
Ethnicity		✓		Children's Centre users come from a range of ethnic backgrounds
Sex / Gender		✓		Children's Centres are not gender specific
Religion or Belief			✓	
Sexual Orientation			✓	
Gender Reassignment			✓	
Pregnancy & Maternity	✓			Children's Centres provide services to pregnant women
Marriage & Civil Partnership			✓	

Are there any other groups who you feel may be impacted, directly or indirectly, by this project, policy or proposal? (e.g. carers, vulnerable residents, isolated residents)

Group (please state)	Direct Impact	Indirect Impact	Little / No Impact	Explanation
Lone Parents		✓		Children's Centre users may include lone parents
Disadvantaged families	✓			Children's Centres support the most disadvantaged families, with an aim to reduce inequalities in child development and school readiness.

Part 2 – Full Equality Impact Assessment

If a full EIA is required then part 2 of the EIA form should be completed.

2a. Summary

In this section you should:

- Explain the reason why the EIA was undertaken i.e. the main drivers such as a change in policy or legislation etc. This can be a combination of factors.
- Outline what the proposals are
- Summarise the main findings of the EIA - what are the main impacts of the change in policy and what protected characteristic groups do they effect?
- Summarise what measures have been put in place to mitigate any negative impact and how the success of these measures will be monitored

It may be useful to complete this section towards the end of the EIA process.

2b. Issues to Consider

In this section you should give details of the issues you have taken into consideration when coming to your proposals / recommendations and outline the protected characteristic group(s) affected - Age, Ethnicity, Disability, Gender, Sexual Orientation, Religion / Belief, Gender Reassignment, Pregnancy/Maternity, Marriage/Civil Partnership, and how people associated with someone with a particular characteristic (i.e. a carer of a disabled and / or elderly person may be affected (you can refer to the information in 1c identifying those groups who may be affected)

Considerations should include (but are not limited to):-

- Legislative drivers. How have you considered the Equality Act, and the elimination of discrimination, victimisation and harassment, and the three arms of the PSED in coming to a decision / set of proposals i.e. the need to take into account the specific needs of disabled people above and beyond the general needs of other service users? You should consider similar circumstances where a similar service has been provided and changed, and whether this has been

challenged. What rules / laws was it challenged under, and what lessons have you taken from this? This can include things such as Judicial Reviews or cases considered by the relevant Ombudsman.

- Comparative data and examples of learning from other areas / benchmarking (linked to legal issues as above)

- Financial considerations. How have your recommendation / proposals been shaped by finances / resources available (please note –legal rulings have indicated that the need to make savings alone is not likely to be deemed sufficient on its own to justify reduction in services)

- Service user information. What information do you hold about service users and their protected characteristics? How does this compare to comparative data i.e. national / regional picture?

- Consultation, engagement & feedback. What work has been done to ensure interested parties have been made aware of proposed changes, and that comments have been recorded and have the opportunity to influence the final decision? You should detail when consultation took place, those involved i.e. staff, service users, timescales. Any consultation should be timely in order to ensure that all participants are able to contribute fully.

2c. Impact

Use this section to outline what the impact of the changes being proposed is likely to be based on the evidence, and consultation & engagement? Will there be a disproportionate impact on a particular group/s? Does the evidence indicate that a particular group is not benefiting from the service as anticipated? What are the uptake / participation rates amongst groups? Where a greater impact on a particular group is recorded, is this consistent with the policy's aims? Does the policy include provision for addressing inequality of delivery / provision?

Try to distinguish clearly between any negative impacts that are or could be unlawful (which can never be justified) and negative impacts that may create disadvantage for some groups but can be justified overall (with explanation). Similarly, does the evidence point to areas of good practice that require safeguarding? How will this be done?

2d. Mitigations

Where any potential impacts have been identified as a result of the EIA, you should detail here what can be done to reduce or mitigate these.

2e. Evidence Sources

Use this section to list all sources of information that the EIA draws upon. Evidence can include surveys & questionnaires (either service based or Corporate wide), policy papers, minutes of meetings, specific service user consultation exercises, interviews etc

Detailed statistical data is available via the Integrated Assessment tools on the Intranet - <http://intranet2.tameside.gov.uk/integratedassessment/>

If you need help consulting customer groups, guidance is available at <http://www.tameside.gov.uk/consultation/strategy> via the Consultation Toolkit.

NB – this section is not asking you to give details of your findings from these sources, just the sources from which evidence and considerations were drawn.

2f. Monitoring Progress

Use this section to identify any ongoing issues raised by the EIA, how these will be monitored, who is the lead officer responsible and expected timescale.

Sign Off

Once the EIA is complete this should be signed off by the relevant SUM and AED.

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Report to :	EXECUTIVE CABINET
Date :	29 June 2016
Executive Member/ Reporting Officer:	Cllr Gerald P. Cooney, Executive Member (Healthy and Working) Emma Varnam, Head of Stronger – Stronger Communities
Subject :	HOUSING ALLOCATION SCHEME
Report Summary :	Since the introduction of the Council's current Housing Allocation Scheme in August 2013 the Government has issued new statutory guidance on housing allocations. In addition recent case law and operational issues indicate that the Council should update its Housing Allocation Scheme to ensure that it remains lawful and relevant.
Recommendations :	That Executive Cabinet approves the changes to the Allocation Scheme being proposed.
Links to Sustainable Community Strategy :	The Allocation Scheme supports the aims of the Sustainable Community Strategy under the theme of Safe Tameside and Supportive Tameside.
Policy Implications :	The Allocation Scheme supports the vision and objectives on the Homelessness Prevention Strategy
Financial Implications : (Authorised by the Section 151 Officer)	Operational expenditure associated with the update to the scheme as referenced within the report will be financed from the existing Stronger Communities service revenue budget within the People Directorate. Executive Members should note that expenditure related to refugee households who are being resettled in Tameside as part of the UK Government's Gateway Protection Programme will be financed from the funding received for that programme
Legal Implications : (Authorised by the Borough Solicitor)	The Council has a statutory duty under section 166A of the Housing Act 1996 to have an allocation scheme for determining priorities, and as to the procedure to be followed, in allocating housing accommodation
Risk Management :	Set out in section 7 of the report
Access to Information :	The background papers relating to this report can be inspected by contacting the report author, Colm O'Brien, Senior Housing Strategy Officer:



3494

Telephone:0161 342



e-mail: colm.obrien@tameside.gov.uk

1. BACKGROUND

- 1.1 The Council is required by the Housing Act 1996 to have an allocation scheme that sets out how it intends to allocate social housing within the borough.
- 1.2 Although the Council no longer owns its own housing stock there is an expectation that local authorities secure access to a range of social housing through nomination agreements with local Registered Providers.
- 1.3 The current Allocation Scheme (Tameside Housing Register) was agreed by Cabinet on 21st August 2013.
- 1.4 There is a need to review the council's allocation scheme to ensure we reflect changes made to the statutory guidance by the government since August 2013 outlining how they would like local authorities to manage their social housing allocation schemes.
- 1.5 Firstly the Secretary of State recommended that a minimum period of 2 years would be a reasonable time on which to base a local connection to an area before applicants should be allocated social housing. This is different from the local connections criteria the council currently applies. (Scheme reference: 3.11)
- 1.6 The second set of guidance was called "The Right to Move" and proposed that current social housing tenants who need to move for reasons related to employment should be allowed to join council schemes and given a reasonable amount of preference to enable them to secure housing in the place where they have got a job. (Scheme reference: 3.14 – 3.16)
- 1.7 In addition to the reasons linked to the statutory guidance we have also taken the opportunity to consult with our key partners to ensure that the new scheme wherever possible reflects their needs and the needs of their future customers.

2. CURRENT SERVICE DELIVERY

- 2.1 New Charter Housing Trust manage the Housing Register on behalf of the council to deliver the allocation scheme. The service is delivered from Tameside Housing Advice and is overseen by a manager whose role encompasses both projects.
- 2.2 The initial access point for the scheme is via an online enquiry form which applicants are required to complete to allow an assessment to take place on whether they satisfy the qualification criteria.
- 2.3 Access to the scheme is restricted to those applicants who have a proven housing need. Up to the end of December 2015 there have been 751 applications to join the scheme and 343 households have been accepted. A total of 148 applicants have been successfully allocated social housing over this period and there were 192 applicants remaining on the register at the end of 2015.
- 2.4 Households who are accepted onto the register are re-housed by being nominated to a social housing provider operating in the borough. Nomination agreements are in place with all the key social housing providers that entitles the council to 30% of their lets every year. In the case of New Charter this has been set at 20% due to their quantity of re-lets being far greater than the other social housing providers in the borough.
- 2.5 The council's policy on choice is to allow applicants to express a preference over what area they would like to live in. This is based on 5 broad areas of the borough. It is made clear to applicants that this is a limited choice and that they may be offered properties in areas that are not their first preference. (Scheme reference: 2.8 – 2.13 and Appendix 4)

3. LEGAL FRAMEWORK

- 3.1 The Council is legally required to have an allocation scheme that fully explains how social housing will be allocated in the borough. In addition to having a full written scheme all local authorities should have a summary version of the scheme available to members of the public upon request.
- 3.2 Government statutory guidance published in 2009 began to give local authorities more flexibility over how they framed their allocation schemes. This culminated in the changes to allocation legislation introduced by the Localism Act 2011.
- 3.3 The key change introduced by the Localism Act is the freedom given to local authorities to set their own qualifying criteria and to decide over whether they want to run an “open” or a “closed” register.
- 3.4 All local authority allocation schemes have to adhere to the statutory guidance concerning eligibility criteria. This is mainly concerned with “persons from abroad” who cannot be allocated a property by an allocation unless they are a member of one of the prescribed groups as defined in the Eligibility Regulations.
- 3.5 When framing their allocation schemes local authorities must give “reasonable preference” to certain categories of people. These are fully defined within the scheme and include:
- people who are owed a homelessness duty,
 - people living in overcrowded or insanitary conditions,
 - people who need to move on medical or welfare grounds and
 - people who need to move for reasons of hardship
- 3.6 As outlined under point 2.5 the Allocation Scheme needs to make a statement regarding its policy on choice.
- 3.7 Further statutory guidance issued specifically to address social housing allocations include the following:
- Allocation of Housing (Qualification criteria for Armed Forces) (England) Regulations 2012 (S12015/967)
 - Allocation of accommodation: guidance for local housing authorities in England 2012.
 - Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England. December 2013 (see 1.6 above)
 - Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/967), which came into force on the 20 April 2015 (see 1.7 above)
- 3.8 The scheme must comply with the Council’s equality duties including the duty to eliminate unlawful discrimination and the Public sector equality duty within the Equality Act 2010.

4. CONSULTATION ON THE PROPOSED ALLOCATION SCHEME

- 4.1 The proposed new scheme has been developed in consultation with a range of partners and stakeholders. This has included extensive consultation with New Charter Homes as deliverers of the current service The Council’s legal service have provided input to ensure the scheme is compliant with the legislation and relevant caselaw. See **Appendix 1** “Tameside Housing Allocation Scheme”.
- 4.2 The formal consultation phase through the Big Conversation took place between 1 – 26 February 2016 when the public were invited to comment on a range of proposals and issues being considered for the new proposed scheme.
- 4.3 Prior to the Big Conversation consultation took place with the following Registered Providers:

- Accent Homes
- Ashton Pioneer Homes
- Contour Homes
- Guinness Northern Counties
- New Charter Homes
- Peak Valley Housing Association
- Regenda Housing Group
- Sanctuary Housing Association
- Your Housing Group

4.4 Discussions also took place with Tameside Hospital, Tameside Housing Advice, the Leaving Care Team and with Adult Services. These discussions alongside the consultation with the Registered Providers informed the questions we then asked a wider audience through the Big Conversation. A copy of the Big Conversation “Housing Allocation Scheme Consultation can be found at Appendix 2.

5. OUTCOMES OF THE CONSULTATION

5.1 In total 45 people took part in the Big Conversation by either completing an online survey themselves or with the assistance of a council member of staff whilst they promoted the consultation at various points in the borough. People taking part in the survey were asked to provide some background data on themselves and further detail on this can be found at Appendix 3 of this report.

5.2 Participants in the consultation process were asked to address the following 5 key issues in their responses:

- Local Connection
- Policy on Choice
- The Qualifying Criteria
- Unacceptable behaviour criteria
- Affordability

Local Connection

5.3 It was explained to participants that under the government statutory guidance local authorities were expected to ensure that their social housing allocation schemes should have some form of residency requirement upon applicants before they are allowed to join. The government recommended that this should be for at least 2 years.

5.4 Participants were asked how long people should have been living in Tameside before they were allowed to join the scheme and were given 4 options ranging from 2 years to 5 years and more. Out of all the people who responded to this question 68% (30) felt that a 2 year residency requirement would be the right length of time to establish a local connection in Tameside.

Policy on choice

5.5 In the supporting information accompanying the Big Conversation survey it was explained that applicants are allowed to express a preference on the broad area that they would like to live in but had limited choice over their allocation to individual properties.

5.6 Participants in the survey were asked whether they thought the current policy should be retained in the new scheme with 79% (35) responding by saying they were supportive of the existing policy.

The Qualifying Criteria

- 5.7 Participants answering this question were informed that the council intended to retain its policy of operating a “closed” register and only allowing certain groups of people who had a housing need to join the scheme.
- 5.8 Participants were informed that the council intended to add the following 2 groups to people who should qualify for the new scheme and were then asked if they agreed with this overall policy:
- Households who are under occupying a social housing property and have gone into rent arrears as a result of the removal of the spare room subsidy.
 - Existing social housing tenants who have lived in social housing for at least two years, and need to move for work related reasons, where failure to do so would cause hardship.
- 5.9 All 45 participants responded to this question with 42% (19) strongly agreeing and 49% agreeing with the proposal to retain qualifying criteria and to extend to the groups proposed.
- 5.10 Following further consultation regarding the issue of under-occupation a further extension to the qualifying criteria has been considered and inserted under point 3.6 of the scheme. This will allow more applicants to join the councils Housing Register in return for downsizing to a smaller property suitable for their needs. Registered Providers have been consulted on this proposal and have given their support.
- 5.11 The 45 respondents who took part in the original survey were contacted again and consulted on this specific point alongside any other member of the wider public who wished to comment through the Big Conversation. A total of 9 people responded to this question with 75% of those who responded supporting the proposal to extend the qualifying criteria to include all households who wished to downsize to a smaller property. Two people (2) strongly disagreed with the proposal but provided no further explanation as to why.

Unacceptable Behaviour Criteria

- 5.12 Two questions relating to unacceptable behaviour were included in the Big Conversation survey. The first question asked people to what extent they agreed or disagreed with the current unacceptable behaviour criteria. A total of 43 people responded to this question with 25% (11) strongly agreeing and 46% (20) agreeing that the current criteria in relation to unacceptable behaviour were correct.
- 5.13 The supplementary question asked people whether they agreed with a proposed change to the specific criteria in relation to former rent arrears. People were asked whether they agreed with the proposal to remove the £1000 threshold and replace it with a policy of allowing applicants to join the register if they kept to a regular repayment plan.
- 5.14 A total of 45 people responded to this question with 55% (25) strongly agreeing and 35% agreeing with the proposed change.

Affordability

- 5.15 Participants in the survey were asked whether they thought the council should introduce a policy whereby more stringent checks were made on people’s income level when they applied to join the scheme. It was explained that many Registered Providers wanted such a policy to be introduced as a means of mitigating the greater financial risks they were facing.
- 5.16 A total of 45 people responded to this question with 73% (33) either agreeing or strongly agreeing with the proposal to introduce such a policy and 26% (12) disagreeing or strongly disagreeing.

6. KEY PROPOSED CHANGES TO THE NEW SCHEME

Local Connection Residency requirement

- 6.1 In the statutory guidance issued in December 2012 the government stated their view that local authorities should ensure that applicants with a local connection to an area receive priority when it came to the allocation of social housing. The government recommended that local authorities should have a residency requirement within their allocation schemes of at least 2 years before applicants should be allowed to join.
- 6.2 Following consultation on this specific issue the Council is proposing to introduce a 2 year residency requirement for new applicants. Certain groups with the greatest housing need will be exempt from this requirement. (Scheme reference: 3.11)

Qualifying Criteria

- 6.3 The proposed scheme remains a “closed” scheme reserved for those applicants who can demonstrate that they have a housing need. In addition to the existing groups identified as being in housing need, the Council is proposing to extend the qualifying criteria to include the following type of applicant:
- Households who are under occupying a social housing property and have gone into rent arrears as a result of the removal of the spare room subsidy.
 - Other households who are under occupying a social housing property where a benefit can be recognised in making accommodation available for a family in housing need.
 - Existing social housing tenants who have lived in social housing for at least two years, and need to move for work related reasons, where failure to do so would cause hardship.

(Scheme reference: 3.6, for all the above extensions to the qualifying criteria)

Unacceptable behaviour

- 6.4 Under the current scheme applicants can only register under the scheme if their former rent arrears are under the set amount of £1000. A recent decision taken by the local government ombudsman indicates that councils need to take a more flexible approach when dealing with applicants with former arrears.
- 6.5 Under the proposed scheme the issue of former rent arrears has been widened to include all housing related debt but with a more flexible approach in how it is dealt with. Instead of operating a set debt threshold which applicants have to be below, the revised scheme proposes that everybody in housing need can be registered onto the scheme and will be invited to enter into a repayment plan based on how much they can afford to pay over a set period. (Scheme reference: 3.17 - 3.21)

Households in temporary accommodation

- 6.6 The new scheme includes an amendment to the banding criteria in relation to households who have been placed in temporary accommodation under a full housing duty. Once households with a full housing duty have been in temporary accommodation for over 28 days they will be placed in band 1 and will be dealt with as a priority. (Scheme reference: 4.7)

Young People leaving care

- 6.7 The new scheme proposes that young people leaving care can apply to the scheme but they will continue to need the support of their Personal Adviser to be considered for a property allocation. Under new partnership arrangements it is being proposed that young people are allowed to register on the scheme from their 16th birthday and thereby accrue waiting time whilst pre-tenancy preparatory work is undertaken to ensure they are ready for independent living. (Scheme reference: 4.18 - 4.23)

Affordability

- 6.8 In the light of the ongoing reforms to welfare benefits the new scheme proposes that affordability checks are introduced prior to applicants being nominated to a property with a view to promoting tenancy sustainability. (Scheme reference: 5.4)
- 6.9 The new scheme makes specific reference to the policy that some Registered Providers have in place whereby applicants are expected to pay rent in advance prior to starting a tenancy. Registered Providers will in the first instance be asked to waive this payment in cases of nominations from the scheme. If that is not possible the council are expecting Registered Providers to allow the tenancy to commence in return for a small instalment of the amount due with an arrangement to pay the remainder in stages at a later date. (Scheme reference: 3.31)

7 RISKS

- 7.1 There is a risk of legal challenge if the current policy is not updated in the light of the most recent statutory guidance and decisions made by the government ombudsman.
- 7.2 Further risks in relation to equalities issues are considered in the Equalities Impact Assessment. See **Appendix 4** of this report.

8. RECOMMENDATIONS

- 8.1 As set out on the front of the report.



TAMESIDE HOUSING ALLOCATION SCHEME

Author: Colm O'Brien

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1. CONTEXT AND POLICY AIMS

Introduction

- 1.1 Tameside Metropolitan Borough Council (“the Council”) is the local housing authority for the Borough of Tameside. The Council is required by the Housing Act 1996 (“the Act”) to have an allocation scheme (“the scheme”) setting out how it allocates within the borough.
- 1.2 This scheme has been developed in partnership with Registered Providers who own housing stock within the borough. Whilst the Council does not in many cases have legal nomination rights, Registered Providers have agreed to assist the Council by considering nominations from the Council to households who meet the criteria of this scheme to suitable properties from their housing stock.
- 1.3 In preparing ‘the scheme’ the Council has had regard to its current Homelessness Strategy and Strategic Tenancy Policy in accordance with section 166A(12) of the Housing Act 1996 as amended by section 147 of the Localism Act 2011.

Policy Statement

- 1.4 The Council will deliver the scheme as part of a housing options framework that will identify those people in greatest housing need and provide advice on a range of pathways to access suitable housing. The pathway used will be dependent upon individual circumstances, level of need and the choices people express with regard to receiving support from the Council and other agencies.
- 1.5 In addition the scheme will support a range of other strategic initiatives being pursued by Tameside Council through the Tameside Sustainable Community Strategy 2012-22.

The scheme will contribute towards the following key objectives:

- To provide advice and assistance to those in greatest housing need.
 - To make a contribution to the relief of poverty and help those on a low income access accommodation and other sources of support
 - To help meet local housing needs, prevent homelessness and create sustainable communities
 - To provide a transparent and easy to understand scheme
 - To support people to make realistic and informed choices about where they live
 - To make the best use of the housing stock and reduce the number of empty homes
 - To promote equality of opportunity to access social housing
 - To ensure the availability of free advice and information to those seeking a new home
- 1.6 The Council will retain full responsibility for the scheme and will be responsible for amendments and consultation processes with Registered Providers, other stakeholders, service users and tenant groups.

- 1.7 The Council acknowledge that there will properties available on the scheme that are part of local letting plans being employed by the Registered Providers in the borough. The Council's approach to local letting plans is outlined in Appendix 2 of this document.

2. LEGAL FRAMEWORK

- 2.1 The Act requires local authorities to make all allocations and nominations in accordance with a published allocations scheme. This document is the full scheme. A summary of this scheme is also available free of charge to anyone who asks for a copy.
- 2.2 The Act provides the framework for allocating social housing and defines categories of people who must be given reasonable preference in the allocation scheme. These categories are called "reasonable preference categories" (see 2.7 below).
- 2.3 The Act also requires local authorities to outline its position with regard to giving applicants choice on the housing offer or to allow households to make a statement of preference on the area in which they wish to live.
- 2.4 The Localism Act 2011 gave local authorities more discretion on how they manage housing waiting lists in their areas including setting their local qualifying criteria on who should be allowed join their allocation schemes.
- 2.5 Statutory guidance issued specifically to address social housing allocations includes the following:
- Allocation of accommodation: guidance for local housing authorities in England 2012
 - Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/967), which came into force on the 20 April 2015
 - Allocation of Housing (Qualification criteria for Armed Forces) (England) Regulations 2012 (S12015/967)
- 2.6 The scheme must comply with the Council's equality duties including the duty to eliminate unlawful discrimination and the Public sector equality duty within the Equality Act 2010.

Reasonable Preference Criteria

- 2.7 Part 6 of the Housing Act 1996 (as amended) defines the following applicants as being in the greatest housing need and who therefore should be given "reasonable preference" in the allocation of social housing:
- i) people who are homeless within the meaning of Part 7 of the 1996 Act (including those who are intentionally homeless and those not in priority need);
 - ii) People who are owed a duty under the homelessness legislation (specifically sections 190(2), 193(2) or 195(2) of the Act) or who are occupying accommodation secured by any Housing authority under section 192(3).
 - iii) People occupying unsanitary, overcrowded or otherwise unsatisfactory housing;

- iv) People who need to move on medical or welfare grounds (including grounds relating to a disability);
- v) People who need to move to a particular locality within the district to avoid hardship to themselves or others. Some examples of this are:
 - A need to access medical treatment
 - To give or receive care
 - To take up an employment or training opportunity (see 3.8 “The Right to Move”)

Policy on Choice

- 2.8 This scheme recognises the importance of allowing people the right to express a preference regarding the type of property they would like to live in and in what area. However, the scheme also recognises that housing is a scarce resource and that it will not be possible to offer applicants unlimited choice and the authority’s ability to meet expressed preferences will in some situations be curtailed.
- 2.9 Section 167A of the Act requires the allocations scheme to **describe** the Council’s policy about offering applicants choice over where to live. The Act requires local authorities to **inform** interested parties on what the policy is. This should not be confused with applicants having a right to choose or express preferences on where to live for which there is no legal requirement.
- 2.10 The scheme asks applicants to state their expressed preference over where they would like to live based upon 5 broad geographical areas of the borough (as set out in appendix 4). The scheme encourages applicants to include as many areas as possible in their expressed preferences and to provide justification if there are areas in the borough they would wish not to be considered for when properties become available. Only issues related to safety and/or welfare will be accepted as valid reasons for agreeing to areas being excluded from consideration.
- 2.11 When nominating an applicant for a property that become available, the scheme will have due regard to a range of other considerations relevant to creating a sustainable tenancy. These considerations will include:
- the proximity to schools if primary school age children form part of the household.
 - Individual’s within the household with health conditions that require them to have treatment and/or support in specific location within the borough.
 - The cultural and religious needs of the household and the implications that may have upon their wellbeing if re-housed in a specific area.
 - whether any member of the applicant’s household either receives care or provides care to a vulnerable person.
 - The specific support needs of an applicant by reason of their age, gender, ethnicity, sexuality and/or disability.

- 2.12 The scheme expects applicants to accept any reasonable offers of accommodation considered suitable for their households needs. Where applicants have refused a reasonable offer of accommodation without an explanation they will automatically be given reduced preference and placed in a lower band. Applicants who refuse two reasonable offers of accommodation will be removed from the scheme. In cases where an applicant has put forward reasons for refusing an offer of accommodation officers will consult with the Housing Advice Manager before a decision is made on which band they should be placed.
- 2.13 Applicants who are placed in band 3 of this scheme will have less priority than the higher bands for re-housing and will be advised to also register with the individual Registered Providers in the borough. In many cases applicants in band 3 may find that they can be re-housed sooner by pursuing alternative housing options.

3. WHO CAN APPLY FOR ACCOMMODATION UNDER THE ALLOCATION SCHEME?

- 3.1 This section outlines the processes that determine whether or not a person can apply to be allocated accommodation under the Allocation Scheme. Some people have a statutory right to apply and others are excluded by law from being allocated accommodation. Those people are said to be ineligible.
- 3.2 Once eligibility has been established the council will apply the statutory guidance and its own local qualifying criteria to establish whether the person is in housing need and therefore qualifies for assistance under the terms of the scheme.
- 3.3 When people apply for accommodation the Council will ensure that they are given advice about all housing options. This will help those in housing need consider all the potential solutions available to them. Depending upon a person's circumstances this may include homelessness prevention measures, private renting and/or home ownership.

Eligibility Criteria

- 3.4 Under section 160(1)(a), (3) and (5) of the Act (as amended) the local authority can only allocate accommodation to people who are eligible to join the Scheme under the terms of the legislation and who qualify under the locally agreed criteria .
- 3.5 Under the Act the following type of households are **not eligible** persons to join the Allocation Scheme:
- Persons from abroad who are subject to immigration control are excluded unless they fall into one of the categories of people who set out in regulations who are allowed to apply; People who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996. **Note:** this requirement does not apply to tenants of a Registered Provider who hold an existing Secure, Assured or Introductory tenancy.
 - Other classes of people from abroad whom the Secretary of State has prescribed as being ineligible for the allocation of housing accommodation by local housing authorities in England.

Qualification Criteria

3.6 Under the Localism Act 2011 Local Authorities have been given powers to set their own qualifying criteria on who can join their schemes. In Tameside it has been decided to use our own qualifying criteria and to restrict the scheme to the following households who have a proven housing need:

- Reasonable preference groups as outlined under 2.7
- Serving and Former Armed Forces and other service personnel in urgent housing need, in line with the Secretary of State's regulations (see 4.13 for definition of "Serving and former armed forces")
- Households fleeing abuse and to who the Council owe a duty to because they are homeless
- Persons who are not currently resident in Tameside but have a need to be near a close relative in order to provide or receive care and/or support.
- People who live in supported housing schemes funded by the Council.
- Care Leavers
- People who need to move due to the council undertaking a compulsory purchase order on their home.
- People who need to move home to allow them to undertake foster parent duties requested by the council.
- Households who are under occupying a social housing property and where a risk of homelessness has been identified due to rent arrears as a result of the removal of the spare room subsidy.
- Other households under occupying a social housing property who wish to downsize to a smaller property where a benefit can be recognised in making accommodation available for a family in housing need. There is an expectation that in the first instance these applicants who wish to downsize should already be on their landlords transfer list where their needs would normally be met. These households won't be put forward for nomination if they have existing rent arrears and have not complied with their existing landlord's debt recovery policy.
- Existing social housing tenants who have lived in social housing for at least two years, and need to move for work related reasons, where failure to do so would cause hardship (see 3.14 definition for Right to Move).

3.7 The Council have decided to restrict access to the scheme in this way so that the scheme operates as efficiently as possible and to reduce unrealistic expectations amongst potential applicants who are not in housing need about getting re-housed when in reality they would have little or no priority conferred upon them.

- 3.8 In addition to households who wish to downsize to a smaller property applicants who are seeking a transfer, are assessed as being in one of the reasonable preference categories and where a move from their existing accommodation has been identified as a welfare need will be allowed to join the scheme.
- 3.9 People who do not meet the eligibility and/or qualifying criteria will still be entitled to advice and assistance regarding their future housing options.
- 3.10 In addition to being in housing need the council have decided that criteria relating to unacceptable behaviour and levels of existing savings and/or equity in a property will also need to be satisfied before people are allowed onto the scheme. How these criteria will be applied is further explained below.

Local Connection

- 3.11 To comply with the requirements of the “Allocation of accommodation: guidance for local housing authorities in England 2012” new applicants will be required to have two years continuous residency in the borough before they are allowed to join the scheme. Applicants who have lived in Tameside in accommodation provided under post custody arrangements under criminal justice system will not be included within this definition.
- 3.12 To comply with housing legislation, in recognition of partnership arrangements and to avoid excessive hardship all groups identified under 3.6 to 3.11 will be exempt from the two year local connection rule.

The Right to Move

- 3.13 The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/967), which came into force on the 20 April 2015, provides that Local Authorities must not disqualify certain persons on the grounds that they do not have a local connection with the authority’s district. In particular local connection may not be applied to existing social tenants seeking to transfer from another local authority in England for work related reasons. As a result of this, the council is required to:
- ensure local connection is not applied to applicants who qualify under the Right to Move
 - expand the definition of the ‘hardship’ reasonable preference category
- 3.14 The applicant must demonstrate that they need, rather than wish to move to Tameside to take up employment. In this regard the following factors will be taken into account:
- the distance/time taken to travel between work and home
 - the availability and affordability of transport, taking in to account the level of earnings
 - other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move
 - the length of the work contract

- whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship

3.15 The Right to Move qualification only applies if the work is not short term or marginal and the applicant can provide the evidence to satisfy the following requirements:

- That the applicant is in paid permanent employment and has a contract that stipulates at the outset that they will be employed for at least 12 months or more.
- The applicant is employed for a minimum of 16 hours per week
- Where the work takes place in different locations that the applicant's main work occurs in Tameside and there is a requirement for them to be in the borough at certain times of the week.

Housing Related Debt

3.16 All applicants owing housing related debt and assessed as being in housing need according to this policy will be registered for rehousing. In all cases of housing related debt, account will be taken, when considering the applicant for nomination, of all relevant factors including record of repayment and willingness by the applicant to clear and reduce outstanding debt, improve behaviour and provide assurances about future performance.

3.17 All applicants who are accepted onto the Council's scheme and owe housing related debts will be assessed against their track record of keeping to a repayment plan. Applicants who have not been reducing their housing related debt will be advised to take the necessary steps to put a repayment plan in place. Where required applicants will be given the support and advice they need to establish a repayment plan.

3.18 Applicants who are accepted onto the scheme but owe housing related debts will be assessed according to a set of criteria that accompanies this scheme. The criteria will include

- the amount of arrears
- how and when the arrears were accumulated
- how much the applicant has paid towards reducing the arrears
- how often do they make payment towards reducing the arrears
- how long have they been making payments towards reducing the arrears
- Are they paying as much as they can afford (this will vary according to each person's income, how much is needed to cover essential expenditure, and what other priority debts they have to pay)

3.19 Applicants will only be put forward for a nominated property once they have maintained their repayments over the period as agreed in their plan.

3.20 Applicants who have not maintained an agreed repayment plan within the first 12 months of joining the scheme will be removed from the scheme unless there are mitigating circumstances that need to be considered

Unacceptable Behaviour

3.21 The following instances would provide evidence of non-satisfactory conduct that could lead to people being disqualified from the scheme on the basis that they or a member of their household were guilty of unacceptable behaviour:

- Serious nuisance/annoyance to neighbours where there is evidence that a member of the household have committed serious anti-social behaviour and are the subject of an Anti-Social Behaviour Order (ASBO), a Criminal Behaviour Order (CBO), a housing related civil junction or other legal proceedings due to breach of tenancy conditions or ASBO/CBO.
- Having unspent criminal convictions which the Council considers makes the person or a member of their household unsuitable to be a tenant due to the threat they would pose to neighbours and/or the community.
- Being convicted of using current or former accommodation (or allowing it to be used) for immoral and/or illegal purposes such as drug dealing;
- Serious neglect, damage or abandonment of a previous property;
- Allowing furniture, fittings and other installations provided by the landlord to deteriorate due to ill treatment.
- Abusive or threatening behaviour towards members of staff at the Council or other partner agencies providing accommodation for this scheme.
- Obtaining a tenancy by deception; e.g. by giving untrue information and/or paying money to illegally obtain a tenancy.
- Having lost previous accommodation provided in connection with employment due to misconduct that meant they could no longer live there.
- Providing false or misleading information or omitting relevant information at the point of application.

3.22 When assessing whether a person's behaviour should lead to their disqualification from the scheme the Council will apply the following 3 tests before making their decision:

- a) Has the applicant or a member of their household behaved in such an unacceptable manner that they are considered to be unsuitable to be a tenant of the Council or a Registered Provider?
- b) At the time of the application is the applicant still considered to be unsuitable to be a tenant by reason of their behaviour or the behaviour of a member of their household?
- c) Was the unacceptable behaviour serious enough to entitle a landlord to commence legal proceedings or to pose a serious threat to their local community?

3.23 Applicants who are disqualified on the grounds of unacceptable behaviour have the right to have the decision in writing upon request and will always be informed of their right to have a review of the decision. This is fully explained under 6.3 of this policy.

Financial Resources

3.24 When people make their initial online enquiries (see 4.1) they will have to provide details on the level of equity they may have in property and their level of income and savings and other capital.

3.25 People who are owner occupiers or who have equity in a property will not qualify for the scheme unless they need new accommodation on the grounds of a disability or a pressing health need. In these circumstances the Council's Adult Services will ensure that the applicant's current accommodation is inspected by an Occupational Therapist who will make recommendations on whether adaptations are appropriate.

3.26 Applicants who have sufficient income or savings to be able to buy or rent a home on their own we will not be able to join the scheme. Applications will be assessed against the local housing allowance rate with a threshold set at 25% of an applicant's gross income. Table 1 below illustrates how this calculation will be made based on the local housing allowance rate for the property required. Tameside comprises four different rental areas with varying rates of local housing allowance. The rate used for the scheme will be based on the South Greater Manchester area which is the highest local allowance rate in the borough. Table 1 data is dated from March 2016 and may be subject to change in future.

TABLE 1

Housing Type	LHA RATE Weekly (£)	Income Threshold (£)
Shared Room	57.84	231.36
One Bedroom	102.25	409.00
Two Bedrooms	128.19	512.76
Three Bedrooms	151.78	607.12
Four Bedrooms	200.09	800.36

3.27 Gross income will be defined as income from all sources including most benefits, and 25% of non-dependents (for example adult children) income living within a household. The following benefits will be disregarded in the calculation of gross income:

- Disability Living Allowance
- Personal Independence Payment
- Attendance Allowance

- Armed Forces Independence Payment
- Maintenance payments
- Income from fostering
- Child Benefit

- 3.28 If the applicant or a member of his/her family has savings or other capital with a value which would make them ineligible for local housing allowance or universal credit then they will not qualify to be allocated housing under this scheme.
- 3.29 Some the key objectives of this scheme include tackling poverty, preventing homelessness and ensuring households on low income have access to housing and other resources they may need. In the interests of maximising the level of accommodation available to those in housing need the Council will work with Registered Providers to ensure that low income is not a barrier to applicants accessing properties that they need.
- 3.30 Registered Providers who have policies in place whereby new tenants are expected to pay rent in advance will in the first instance be asked if this requirement can be waived for Council nominations. If this is not possible the Council will seek to agree alternative arrangements whereby the nominated applicant is allowed to access the property in return for an initial rent in advance instalment and an agreement to pay the remaining amount in stages at a later date.

Homelessness Duties

- 3.31 Situations may arise where an applicant does not qualify for the scheme for one of the reasons outlined above but where they are still owed some form of housing duty as required under homelessness legislation. In this instance the council will ensure that the applicant is provided with accommodation in accordance with any applicable statutory duty and that advice and assistance is provided again in accordance with any duty that applies to the Council.

4. HOW APPLICATIONS ARE ASSESSED

- 4.1 The Council will advise people who enquire about applying for the scheme that they should first complete an online enquiry form providing details on their household and their housing circumstances. The applicant will be responsible for providing their full details on the enquiry form and advised that incomplete enquiries cannot be assessed and moved onto the next stage. Once the enquiry has been completed the applicant will receive feedback informing them whether or not they have met the eligibility and qualifying criteria for the scheme.
- 4.2 The Council will advise people on the next steps they could take to further their wish to be re-housed. Where people are likely to qualify for the scheme they will be advised on the next steps they should take to have their housing need fully assessed.
- 4.3 Depending upon the circumstances this assessment can be carried out in various ways and by different partner agencies. How the assessments will be carried out for the different reasonable preference groups has been described below between 4.5 – 4.42.
- 4.4 Where an assessment has been made that a person is not in housing need they will be informed that they do not qualify for the scheme and therefore advised not to apply. In this

situation the person would have full access to the schemes appeals process to review the decision that they are not in housing need. See section 6.3 for the schemes review procedure.

Homeless Applicants

- 4.5 Households who are threatened with homelessness will be required to attend a housing options interview. The priority for the housing advisor during the interview will be to explore the potential for preventing homelessness in the first instance.
- 4.6 Households who are threatened with homelessness and to whom the council owe a duty under Section 195(2) of the 1996 Housing Act and who choose to take up a prevention option will be placed in band 2. These households are those where Tameside Housing Advice believe would be owed a housing duty had a full homelessness assessment been completed.
- 4.7 Where households make a homelessness application and are given a housing duty under section 193(2) of the 1996 Housing Act they will be placed in band 2. Applicants who have been placed in temporary accommodation and have a full housing duty under section 193(2) will be moved into band 1 if they have not been rehoused within 28 days.
- 4.8 Households who have been given a housing duty will be assisted to find a suitable property and once offered accommodation this will be a final offer under Part 7 in accordance with Section 193(7) of the 1996 Act. Households who have refused to accept what is considered to be a reasonable offer of accommodation will be given a reduced preference and moved into band 3.
- 4.9 The Council will advise the household of their right to request a review of the suitability of the accommodation that has been offered regardless of whether or not they accept the offer and move into the property.
- 4.10 Households who make a homelessness application and where the assessment has determined that they are homeless and in priority need but that they made themselves homeless intentionally will be given a reduced preference and placed in band 3.
- 4.11 Where an assessment has determined that a household are facing life threatening circumstances and need to move urgently they will be placed in band 1. Such circumstances include but are not limited to:
- Domestic abuse
 - Hate crime
 - Serious racial harassment
 - Subject to physical threats and intimidation
- 4.12 There will be situations where at a manager's discretion a household will be identified as needing to move urgently on social and/or welfare grounds. These households will be placed in band 1. An example of a situation that would give rise to such an assessment being made would be in order to make a planned move for a household with dependent children who may otherwise placed in temporary accommodation under a housing duty.

Serving and Former Armed Services Personnel

- 4.13 The requirement to have a local connection to Tameside will not be applied to applications received where the following applies to someone living within the household:

- (a) is serving in the regular forces or who has served in the regular forces within five years of the date of their application for an allocation of housing under Part 6 of the 1996 Act;
- (b) has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where:
 - (i) the spouse or civil partner has served in the regular forces; and
 - (ii) their death was attributable (wholly or partly) to that service;
 or
- (c) is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.

4.14 For the avoidance of doubt, additional preference will be given to categories of Armed Forces as defined under 4.12, in line with statutory regulations and guidance, who fall within on or more of the reasonable preference categories and have urgent housing needs.

4.15 Former members of the armed forces who satisfy one of the criteria outlined above will be placed in band 1 of the scheme.

Relief of Hardship

4.16 Applicants where a member of the household needs to move to another locality and in doing so relieve hardship for either themselves, or for someone they will be providing care for will be placed in band 2. The Council in this scenario reserve the right to carry out appropriate checks with other support services to ensure the veracity of the information that is provided. In some instances the Manager may use their discretion and place the applicant in band 1 if the need to move is identified as being urgent.

4.17 To qualify for the scheme under relief of hardship the applicant must indicate how a move to a new home would relieve hardship for either themselves or someone they are caring for. An illustration of where this would include the following (non-exhaustive) examples:

- To move closer to provide support to a family member who is suffering harassment and/or financial abuse and is in danger of losing their home.
- Where an applicant has a need to be in a specific area of the borough to access support or treatment for a medical condition that cannot be reasonably accessed where they are currently living.
- An exceptional housing need which is not adequately addressed by 'the scheme'.

Young People, Care leavers and Foster Carers

4.18 Young people under the age of 18 in housing need who approach the council will in the first instance be assessed under the Children Act 1989 under the terms of the joint protocol. If the young person's housing needs cannot be resolved under this legislation their case will be transferred over to the council's homelessness service and dealt with under the Housing Act 1996.

4.19 Under the Law of Property Act 1925 a young person under the age of 18 cannot be a tenant in their own right. It will therefore be a condition of joining of the scheme that the

young person has a third party who will be a trustee of the tenancy until the young person attains majority.

- 4.20 Unless the young person can satisfy the Council, for example by proof of earnings that they can afford to pay their rent an adult guarantor will be required. The guarantee must cover the rent and any other expenses for which a tenant would be responsible. It must be submitted in writing and be in place until the young person reaches the age of 18.
- 4.21 Applications from Care Leavers can be accepted from their 16th birthday onwards but will not be made “live” until their 18th birthday. Care Leavers can make their own applications to the scheme but will need to have the support of their Personal Advisors who will provide evidence that a support package is in place and that the young person has acquired a level of lifeskills to enable Registered Providers to be reassured that a tenancy is sustainable.
- 4.22 Unless there are circumstances that give rise to a care leaver being given additional (or reduced) preference they will be placed in band 2 of the scheme.
- 4.23 Applicants who are registered Foster Carers approved by the Council and who require an extra bedroom to provide care for an additional foster child will be placed in band 2.

Overcrowding, Under-occupation and Unsanitary Housing

- 4.24 The Council will use the bedroom standard in the Housing Act 1985 to assess whether or not a household is currently living in overcrowded conditions. Households living in overcrowded conditions will be allocated to an appropriate band according to the severity of their overcrowding. Households will not qualify for the scheme where it is deemed by the Housing Advisor that a household has contrived an overcrowding situation with a view to gaining preferential access to housing.
- 4.25 The following bedroom standard for assessing housing need will apply unless other special circumstances apply:
- Married or co-habiting couples will be assessed as requiring 1 bedroom;
 - Any single person aged 16 years or over will be assessed as requiring 1 bedroom;
 - Families with 1 child will be assessed as requiring 2 bedrooms;
 - 2 children of the same sex will be assessed as requiring 1 bedroom; when the eldest of the children reaches the age of 16 they will be assessed as requiring 2 bedrooms;
 - 2 children of the opposite sex both aged under 10 years, will be assessed as requiring 1 bedroom; when the eldest child reaches the age of 10 they will be assessed as requiring 2 bedrooms.
 - Larger families with 3 or more children will be assessed in accordance with the age and sex of the children.
- 4.26 Where a household is in overcrowded accommodation, the local authority expects them to discuss their situation with their existing landlord and other services to explore other potential solutions before making an application for the allocation scheme. Existing tenants of a registered provider may be able to benefit from transfer schemes and mutual swap arrangements that their landlord may be able to provide for them.
- 4.27 Tenants who think that their accommodation is overcrowded, unsanitary and/or in disrepair should in the first instance make contact with their landlord. If the tenant remains dissatisfied they should contact the council’s Environmental Services department who will advise the tenant and if necessary the landlord, on potential courses of action to resolve any identified problems. If considered necessary Housing Standards officers from the

department will undertake an inspection of the property and then liaise with the landlord to ensure work is carried out to bring the property up to the standard required by legislation. The Environmental Services department may choose to use an Improvement Notice or a Prohibition Order to facilitate this process.

- 4.28 If the council cannot achieve a satisfactory resolution for the tenant following the course of actions outlined above, they may choose to carry the work out in default, and/or prosecute the landlord. If the property is uninhabitable an emergency prohibition order would be served on the landlord preventing the property from being rented out. In this instance the Housing Standards Officer will make a referral with advice on the urgency of the situation.
- 4.29 Upon receiving a referral from the Housing Standards team a housing advisor will undertake an options interview with the householder. One of the options considered with the householder will be whether making an application the allocation scheme offered the best chance of meeting the household's future accommodation needs.
- 4.30 Private sector tenants who occupy a property in serious disrepair and where the Council's Environmental Services department have issued an emergency prohibition order on the landlord will be placed in band 2. This will apply where steps have been taken to remedy the situation with the landlord and the Council are satisfied that the risk cannot be resolved within 6 months and thereby causing a threat to the health of the household.
- 4.31 Households who are assessed as being overcrowded and 2 bedrooms short for their households needs will be placed in band 2.
- 4.32 Applicants who are assessed as overcrowded and 1 bedroom short for their household's needs will be placed in band 3.
- 4.33 Existing tenants of a Registered Provider within Tameside who are under-occupying a property and where a risk of homelessness has been identified due to rent arrears will be placed in band 2.
- 4.34 Existing tenants of a Registered Provider who wish to downsize to free up a property for a family and who are accepted onto the scheme will be placed in band 2.
- 4.35 At all times the Council will have due regard to its duties under the homelessness legislation in making these assessments.

Medical and Disability

- 4.36 People who wish to be re-housed on the grounds of a medical condition or a disability and who do not already have a formal care package will need to have an initial assessment undertaken by the council's Integrated Urgent Care Team who will then refer onto the appropriate specialist team.
- 4.37 People will then need to have their applications supported by a medical professional (Occupational Therapist, Psychiatrist, Hospital Consultant, GP) or a Social Worker. In some cases it will be recommended that people firstly undergo a period of reablement provided by a specialist team from within the Council's Adult Services department prior to a referral being made.
- 4.38 The purpose of the period of reablement will be to carry out a full assessment to establish what would be required to help the individual maintain or promote their levels of independence in their home. A part of this process may include an environmental assessment to decide whether there is equipment or adaptations that can be introduced to the home to promote independence.

- 4.39 In some instances it may not be possible to adapt the property to the standard required and the best means of enabling the individual to maintain their independence will be to help them get re-housed. In this instance the medical professional or a Social Worker will support a referral being made to the scheme.
- 4.40 Where an applicant's current housing is significantly impairing their quality of life due to a medical condition or a disability and where considerable benefit would be derived from being re-housed to a property more suitable to their needs they will be placed in band 2.
- 4.41 Where people's current living situation is causing a serious medical condition to deteriorate further and where the council is likely to owe them a full housing duty, they will be assessed as needing to be re-housed urgently and placed in band 1. This will include people who need to leave hospital and require a home to ensure safe discharge.

Supported Housing

- 4.42 All Council funded supported housing projects are accessed through the Single Point of Access managed by the Council's contractor at Tameside Housing Advice. Once an applicant has been accepted by a supported housing project the housing advisor will make a deferred application onto the scheme. The decision to make the referral 'live' will be taken at a later date after liaison between supported housing officers and staff administering the scheme. Applicants will be placed in band 2 of the scheme unless they have an urgent need to move.
- 4.43 It will be a condition of living in a supported housing project for tenants to fully engage with the service on offer and to take steps identified in the support planning process that would assist in a successful move-on to an independent tenancy.

Compulsory Purchase

- 4.44 Households to whom the council have a duty to find re-house due to their home being subject to a compulsory purchase order or is due to be demolished will be placed in band 1 of the scheme.

5. HOW THE HOUSING REGISTER WILL WORK

Definition of Allocation

- 5.1 Under the terms of Part 6 of the Housing Act 1996 the allocation of housing accommodation by housing authorities is defined in section 159 as:
- (i) Selecting a person to be a secure or introductory tenant of housing accommodation held by a local authority;
 - (ii) Nominating a person to be a secure or introductory tenant of housing accommodation held by another person (i.e. one of the authorities or bodies fulfilling the landlord condition mentioned in section 80 of the Housing Act 1985); or
 - (iii) Nominating a person to be an assured tenant (including of an assured shorthold) of housing accommodation held by a Registered Provider.

What level of priority will an Applicant be awarded?

- 5.2 When an applicants has been accepted onto the scheme they will be place on the register within a band based upon the level of their assessed housing need. See Appendix 1 for further details.
- 5.3 Applicants who are given band 1 & 2 status will be put forward as a priority nomination to the Registered Provider assisting the Council's allocation scheme. Details of the banding are shown in Appendix 1.

How will the size of property be assessed?

- 5.4 In the interests of making the best possible use of the available stock, applicants will be matched with a property that meets the needs of their household. In the interests of promoting tenancy sustainability, checks on household income levels will be made prior to applicants being nominated for a property and advice given if affordability has been recognised as an issue.
- 5.5 Due to the high demand for family accommodation applicants will only be nominated to properties that offer a sufficient number of bedrooms to meet the needs of their household. How the size of property is determined in relation to household needs is outlined in the table below.

Size of Household	No. of bedrooms
Single person	Bedsit/1 bedroom
Couple without children	1 bedroom
A couple expecting a child or with one child living with them	2 bedrooms
Two adults who do not live as couple	2 bedrooms
Single person or couple with two children	2 bedrooms
Single person or couple with two children of the opposite sex, at least one of whom is over the age of 10	3 bedrooms
Single person or couple with a child and one dependent relative.	3 bedrooms
Single person or couple with 3 children	3 bedrooms
Single person or couple with more than 3 children	3 bedrooms or more depending upon the age of the children
Single person or couple with 3 children and one dependent relative	3 bedrooms or more depending upon the age of the children

- 5.6 The following rules will also be applied when determining the size and type of property required:
- Single parents will be considered equivalent to a couple and an unborn child is counted as a child.
 - Two children of the opposite sex under the age of 10 will be expected to share a bedroom.
 - Single people without children will (whenever possible) be offered a bedsit or a 1 bedroom flat; if single people are offered a shared option it will be on the basis of one bedroom per person.
 - Properties that have been adapted for wheelchair use or for people with severe mobility problems will only be allocated to applicants who have been assessed as needing that type of property.
 - The scheme will rarely have access to 4 bedroom properties and these tend to be located in very specific parts of the borough. Applicants with large families will be advised to explore a wider range of options to resolve their housing need.
 - Where applicants have shared care arrangements with ex-partners over children, they will only be allocated an extra bedroom if they are the recipient of child benefit for that child unless there are extenuating circumstances.
 - Extra bedrooms for carers can be allocated where a person requires regular and ongoing care that cannot be provided by another member of the household. Evidence will usually be required from support professionals to confirm these needs and the arrangements made.
 - Where a landlord has rules about allocating properties we will not make an allocation which would contravene that rule, unless the rules contradict law or statutory guidance.
 - Where a property is objectively defined as unsuitable for someone (eg a second floor flat with no lift access is not suitable for a wheelchair user) then they will not be offered that property.

How properties will be allocated under the scheme

- 5.7 Applicants will be placed on a housing register and provided with an assisted home search service. Once accepted onto the scheme all properties allocated to applicants will adhere to the terms outlined in the scheme.
- 5.8 The general principle that will apply under the scheme is that properties will first be allocated to the applicant who is in the highest band, who has been waiting the longest and for whom the property is suitable in terms of size and location. This means that properties will be allocated in the following way:
- 5.8.1 When properties are made available to the scheme, suitable applicants will be looked for in band 1. The applicant who has been on the register the longest and in band 1 will have priority over other applicants.
- 5.8.2 The only exception to the above is when the property has been substantially adapted for a disabled person or is particularly suitable for adaptation and is needed to meet the needs of a disabled person. In this scenario the disabled person from

either band 1 or 2 will be put forward as a nomination prior to an applicant who may have been on the register longer.

- 5.8.3 If there is no person in band 1 for whom the house is suitable then allocation will be made in the same way to an applicant to someone in band 2.
- 5.8.4 If there is no person in band 2 then allocation will be made in the same way to an applicant from band 3.
- 5.8.5 People in supported housing will not be nominated for a property made available to the scheme until their application has been 'made live' in accordance with paragraph 4.32.
- 5.9 In exceptional cases the council reserves the right to use its discretion to allocate properties outside the usual rules of the scheme. Use of discretion will be subject to senior management approval on an individual case by case basis.
- 5.10 The Council will seek to maintain service level agreements with the key Registered Providers to allow an agreed quota of properties to be nominated onto the scheme. Service level agreements will be kept under regular review to ensure that sufficient properties are being nominated to allow the Council to meet the needs of vulnerably housed people in the borough.
- 5.11 When registering with the scheme applicants will be given an opportunity to express a preference on where they would like to live. This will be based upon a division of the borough into 5 broad geographical areas. To maximise the effectiveness of the scheme in getting people re-housed, applicants will be encouraged to choose as many areas as possible where they would agree to be nominated for a property.
- 5.12 Applicants who express a desire NOT to live in any particular area will need to provide reasons why this is the case. A good reason might include the fact that they have been a victim of violence in that area or that they need to be closer proximity to their children's school.
- 5.13 If the Council feel that the reasons for excluding an area are not justifiable the applicant will be informed of the possibility that they may be offered properties in that area and that such an offer would be considered reasonable.
- 5.14 Applicants who have been placed in bands 3 will be informed that they will only be put forward for nomination if there are no suitable applicants in bands 1-2 and that registering with Registered Providers independently might provide them with the best chance of getting re-housed.
- 5.15 Applicants who are nominated for a property will also be interviewed by the housing provider to assess their suitability for the accommodation on offer. Applicants who have made a homelessness application and have been given a housing duty will have their duty discharged if they reject a suitable offer of accommodation and will be removed from the register. Other applicants who reject a suitable offer of accommodation will be given reduced preference and then placed in band 3. They will have a right to review either of these decisions as explained in the scheme.
- 5.16 A suitable offer for the purpose of this scheme is a property that is:
- Fit and available to live in
 - Suitable in relation to its affordability
 - Meets any specific needs of the household in relation to medical needs or disability

- Of adequate size without causing statutory overcrowding
- Not located in an area that has been previously excluded on safety or welfare grounds

5.17 Applicants will be notified in writing on the decisions made regarding the priority band they have been placed in and the size of the property they are eligible to be nominated for. The letter will also contain the notification of their right to request a review on these decisions.

Community Contribution

5.18 The Housing Advice manager has the discretion to apply a community contribution award where a suitable property has become available and there is more than one applicant within band 2 or 3 with equal priority.

5.19 Applicants given a community contribution award will have additional preference over other households and will be nominated for a property before people who have been waiting the same length of time and who need a similar type of property.

5.20 In assessing whether an applicant should qualify for a community contribution award the Housing Advice manager will use the following criteria:

- a) Employment – applicants where there is at least one member of the household in permanent employment, either part or full time. The employment must have been obtained at least 3 months prior to the period in question.
- b) Volunteering – Applicants will have been volunteering for a minimum of 25 hours per month for a registered charity, a recognised community group or a not for profit organisation. The applicant must have been engaged in volunteering for at least 3 months prior to the period in question.
- c) Training – Applicants who have completed or who are undertaking approved job related training. People in supported housing who have completed an accredited pre-tenancy training can also receive a community contribution award.
- d) Carers – Applicants who are in receipt of Carers Allowance
- e) Foster Carers - Applicants who are registered Foster Carers approved by the Council and who require an extra bedroom to provide care for an additional foster child.

5.21 To ensure that disabled, frail or older people are treated equally, if a single applicant or both partners in a couple are unable to work or volunteer, then applicant/s who are in receipt of the high rate of Disability Living Allowance or equivalent, or applicant/s in receipt of Attendance Allowance (or equivalent) will be eligible for Community Contribution award.

Monitoring

5.22 The Council will receive quarterly reports from each Registered Provider detailing the percentage of lets that have been allocated to applicants from the allocation scheme.

5.23 The Council will review its nominations agreement with Registered Providers on a biannual basis. Further details on monitoring arrangements can be found in Appendix 3.

6. ADMINISTRATION OF THE SCHEME

- 6.1 The Council will appoint a management contractor who will provide the day to day management of the scheme and allocate properties to applicants strictly adhering to the terms outlined here. The Council intends to have nomination agreements in place with all the Registered Providers in the borough. The nomination agreements will be reviewed annually to ensure that they are still relevant and able to deliver on the agreed objectives.
- 6.2 The management contractor will be responsible for the following tasks:
- Maintaining partnership arrangements with Registered Providers to ensure supply of nominated properties and positive referral arrangements.
 - Ensuring that advice and information on the Council's Allocation Scheme is available in Tameside and applicants who require it are offered support to make an application.
 - Ensuring that an online process is in place to allow people to make applications to the scheme including advice on the level of information that needs to be provided to allow applications to be validated and accepted for re-housing.
 - Developing, implementing and reviewing procedures to deliver the register.
 - Making the final decision on any applications with regard to eligibility and qualification criteria.
 - Ensuring that all applicants receive written confirmation when accepted onto the scheme including information on the band they have been placed in and any expressed preferences they have made regarding area.
 - Make nominations to Registered Providers of suitable applicants and to liaise between parties to maximise successful allocations.
 - Ensuring that Registered Providers receive personal information when nominations are made to assist in their assessment processes.
 - Making the actual allocation decision under the scheme and arranging for the sign up of any tenancy.
 - Ensuring that people using the service are made aware that a review can be requested on any decision made relating to themselves and the allocation scheme.

Asking for a decision to be reviewed

- 6.3 Applicants have rights under the Act to ask for a review of certain decisions on the following grounds:
- a) Their application to join the scheme has been refused on the grounds that they are not eligible.
 - b) The applicant does not meet the qualifying criteria to join the scheme

- c) The applicant is removed from the scheme on the grounds that they are no longer eligible.
- d) The applicant has been given reduced priority or no priority on the grounds of serious unacceptable behaviour.
- e) Any decision about the facts of a particular application which have been taken into account to assess where an applicant should be placed on the banding system, the size of the property they should be allocated or whether an allocation should be made.
- f) The applicant has refused a direct allocation of accommodation which the Council consider to be a reasonable offer. In cases where the council have discharged the housing duty after the applicant has refused a reasonable offer, any requests for a review will follow the statutory homelessness review procedures provided by Part 7, Housing Act 1996.

6.4 Applicants should request a review within 21 days of being notified of a decision.

6.5 Reviews will be carried out on behalf of the Council by someone who was not involved in the original decision.

6.6 Applicants who submit a review will be contacted within 5 working days and either invited in for an interview or invited to submit further information in support of their review request. The reviewing officer will complete the review investigations and reach a final decision within 56 days of the review being submitted.

6.7 Once decisions have been made the Applicant has a right to be informed of the decision and the grounds used for making it in writing.

Complaints

6.8 An applicant who is not satisfied with the service that they receive may in the first instance register a complaint with the Housing Advice Manager as the contractor responsible for delivering the service on behalf of the Council.

6.9 Applicants who are not satisfied with the outcome of their complaint as dealt with by the contractor then have an option of taking the issue up to 2 stages further by approaching the Council directly.

6.9.1 Stage One

Complaints will be allocated to the Head of Customer Care and Advocacy and then delegated to an appropriate officer within the Council. The delegated officer will investigate the complaint and respond to the applicant within 20 working days. An acknowledgement of the complaint being received should be made within 5 working days and in instances where the investigation is taking longer than the prescribed 20 days the applicant should be updated at regular intervals.

6.9.2 Stage Two

If the applicant remains dissatisfied with how they have been treated and feel they are a victim of an injustice or maladministration of the scheme they can take their complaint a stage further. To do this the applicant must complain to the Corporate Complaints Officer who will then allocate the complaint to the Assistant Executive Director for Community Services. The applicant should receive a reply within 20 working days outlining the outcome of their complaint. If it is not possible to respond to within the prescribed 20 days

the Council will be responsible for ensuring the applicant receives an explanation of why delays have occurred and information of when they can expect a full reply.

6.9.3 A complaint to the Council can be made by using the on-line complaints system at - <http://www.tameside.gov.uk/complaints> or by email to complaints@tameside.gov.uk

6.9.4 Alternatively applicants can chose to submit their complaint by post addressed to:

Corporate Complaints Officer,
Tameside MBC,
FREEPOST,
Council Offices,
Wellington Rd,
Ashton under Lyne, OL6 6DL

6.9.5 Applicants who would prefer to present their complaint in person can do so at any of the council offices, at their local councillor surgeries or by telephone by ringing 0161 342 2836.

6.10 If the applicant has progressed their complaint through the Corporate Complaint system and is still not satisfied they have the right to contact the Local Government Ombudsman who is not part of Tameside MBC.

6.11 For advice on making a complaint, or to make a complaint over the telephone, please call the LGO Advice Team on 0300 061 0614 or 0845 602 1983 or write to:

The Local Government Ombudsman
PO Box 4771
Coventry CV4 0EH
Fax: 024 7682 0001

Review of Applications

6.12 Each application for housing will be reviewed at least annually, on the anniversary of their admission on to the scheme. The review will determine if the applicant still wishes to remain registered under the scheme and whether their circumstances have changed.

6.13 If an applicant initially fails to reply to their annual review, they will be sent a reminder. Failure to respond to this reminder will result in the applicant being removed from the scheme. If good reason can be shown why they failed to respond to the review the application may be reinstated.

Communication

6.14 Any person who completes an online enquiry form or who has been placed within a band on the scheme is entitled to a written explanation of how decisions were made and under what criteria

6.15 An applicant will at their request be shown and be given a copy of their entry on the register. The Council will also on request from the applicant, provide such information that is practicable and reasonable to supply, to explain their position and level of priority on the register in relation to when an offer of suitable accommodation might be made.

6.16 An applicant has the right to be informed of any facts contained in their file which are likely to be taken into account when making any decisions relevant to allocation of housing to them.

Change of Circumstance

6.17 All applicants are required to notify the Council by telephone or by completing an online form immediately of any change to their circumstances which may affect their priority for housing. Applicants who have had a change of circumstance and have not informed the Council or its management contractor may have their application suspended whilst an investigation takes place.

Cancellation of Applications

6.18 Applications will be cancelled if:

- An applicant requests cancellation;
- An applicant's circumstances change and they are no longer eligible;
- An applicant fails to return a review form within a reasonable time;
- An applicant who is owed a full housing duty refuses what is deemed to be a reasonable offer of accommodation;
- New information comes to light which reveals that the applicant does not meet the eligibility and/or qualifying criteria and they should not have been allowed to join in the first place;
- An applicant is found following an investigation to have made false or deliberately misleading statements in connection with their application (in such cases the applicant may be suspended for up to 12 months depending on the seriousness of the false or misleading statement).
- An applicant has been housed in a starter tenancy, a secure tenancy or an assured tenancy by another local authority or Housing Association in or outside of the Tameside area.

APPENDIX 1

Tameside Allocation Scheme 2016

Tameside Allocation Scheme – Banding Structure

The information in the table below is for guidance only. Please refer to section 4 in the policy for a full explanation of the banding structure

Management Discretion

The Council reserves the right to use its discretion in awarding additional preference and placing households into band 1 in cases of exceptional circumstances. Such decisions will be kept to a minimum and will be made by the Housing Advice manager. Examples of the type of circumstances where this discretion may be used include:

- Households who are due to be made homeless and where an allocation would avoid a temporary accommodation placement having to be made, where such a placement would cause undue hardship.
- An applicant assisted to move on quickly from a supported housing project to enable another household at risk of homelessness and in need of that service to benefit.

Management discretion can also be used to make a community contribution award where a suitable property has become available and there is more than one applicant within band 2 or 3 with equal priority.

Ref	BAND 1
4.40	Applicants who need to be urgently re-housed on the grounds of a serious medical condition where their current living situation is causing their health to deteriorate and where the council is likely to owe them a full housing duty. This will include applicants who need to leave hospital and require a home to ensure safe discharge.
4.16	Applicants where a member of the household need to move to another locality to relieve hardship either for themselves or for someone they will be providing care for and a Senior Manager has identified that a move is required urgently.
4.11	Applicants who are in life threatening circumstances and at serious risk of harm by remaining in their current accommodation.
4.15	<p>Serving and former members of the armed forces who are in urgent housing need.</p> <p>Additional preference will be given to the following categories of Armed Forces, in line with statutory regulations and guidance, who fall within one or more of the reasonable preference categories and have urgent housing needs:</p> <ul style="list-style-type: none"> • Former members of the Armed Forces • Serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service • Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner

	<ul style="list-style-type: none"> Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
4.7	Applicants who are owed a full housing duty under section 193(2) of the Housing Act 1996 and who have been in temporary accommodation for over 28 days.
4.43	Households where the council has a duty to them a new home due to their home being subject to a compulsory purchase order or is due to be demolished
	BAND 2
4.6	Households who are threatened with homelessness and to whom the council owe a duty under Section 195(2) of the 1996 Housing Act and who choose to take up a prevention option will be placed in band 2.
4.7	Households who are accepted as homeless and given a housing duty under section 193(2) or 195(2) of the 1996 Housing Act will be placed in band 2. They will be assisted to find a suitable property and once offered accommodation this will be a final offer under Part 7 in accordance with Section 193(7) of the 1996 Act.
4.31	<p>Households who are assessed as being overcrowded and 2 bedrooms short for their households needs.</p> <p>These households will not qualify for the scheme where it is deemed by the Housing Advisor that they had contrived an overcrowding situation with a view to gaining preferential access to housing.</p>
4.30	<p>Private sector tenants who occupy a property in serious disrepair and where the Council's Environmental Services team have issued an emergency prohibition order on the landlord.</p> <p>This will apply where steps have been taken to remedy the situation with the landlord and the Council are satisfied that the risk cannot be resolved within 6 months and thereby causing a threat to the health of the household.</p>
4.33	Existing tenants of a Registered Provider within Tameside who are under-occupying a property and where a risk of homelessness has been identified due to rent arrears.
4.34	Existing tenants of a Registered Provider who wish to downsize to free up a property for a family and who are accepted onto the scheme will be placed in band 2.
4.39	Applicants whose current housing is significantly impairing their quality of life due to a medical condition or a disability and where considerable benefit would be derived from being re-housed to a property more suitable to their needs.

4.22	<p>Care leavers unless there are circumstances where the young person has been given either additional or reduced preference under the terms of the scheme.</p> <p>These young people will have been assessed by the council's Leaving Care Team as being ready to move into an independent tenancy and who have a support package in place to assist their transition.</p>
4.23	<p>Applicants who are registered Foster Carers approved by the Council and who require an extra bedroom to provide care for an additional foster child.</p>
4.41	<p>Applicants accepted by a supported housing project based in Tameside.</p> <p>Initially this will be a deferred application onto the scheme until the decision to make the referral "live" has been taken at a later date. This will be done after liaison between supported housing officers and staff administering the scheme.</p>
4.14	<p>Applicants where a member of the household needs to move to another locality and in doing so relieve hardship for either themselves, or for someone they will be providing care for.</p>
	<p>BAND 3</p>
4.32	<p>Applicants who are assessed as living in overcrowded conditions and are 1 bedroom short for their households needs. This category will not be available to any applicants whose overcrowding is reasonably believed by the council to have been brought about intentionally to gain an advantage in terms of re-housing.</p>
4.10	<p>Households who make a homelessness application and where the assessment has determined that they are homeless and in priority need but that they have made themselves homeless intentionally.</p>
5.15	<p>Applicants who have been given reduced priority after refusing a reasonable offer of accommodation under the terms of this Allocation Scheme.</p>

(APPENDIX 2 -Tameside Allocation Scheme 2016)

Local Lettings Plans

New Charter Housing Trust and other participating registered providers, in agreement with the council may develop local lettings plans for specific areas, estates, or blocks in order to develop and promote balanced and sustainable communities. Local lettings policies may include incentives to encourage more employed tenants to live in a certain area and reward schemes to people who have made a community contribution with a view to promoting the sustainability of an area. The above are examples only.

Any decision to implement a local lettings policy will always take into account the implications for equal opportunities and the need for the Council's scheme to meet the allocation needs of those owed a reasonable preference.

The following are examples of local letting policies that could be employed in Tameside covering an area, estate, or block:

- Age Circumstances
- Preference to accept bids from those employed or undertaking training.
- Transfer applicants with a positive Tenancy history re rent arrears and behaviour
- Applicants that can demonstrate a contribution to the local community such as voluntary work. This could be specific to the area where a local letting policy is deployed or could be voluntary work regardless of which community benefits.
- Applicants with a strong family connection to certain areas
- Applicants who are key workers as defined by the Council. This could be in the health services, social care, transport, etc.
- Second generation applicants whose parents have a positive tenancy history regardless of sector housed.
- Applicants in private rented sector who have a positive tenancy history assessed through reference including perfect rent record, maintaining a property in good condition, no complaints of anti-social behaviour.

Local Lettings Schemes will be subject to a review at least every 12 months, or as and when changes to an estate, area or block, necessitate such a review.

(Appendix 3 -Tameside Allocation Scheme 2016)

Monitoring Arrangements

As a separate process the council will undertake quarterly monitoring of how the scheme operates against a range of performance criteria. This will include an analysis of how long applicants in each band are likely to have to wait for a nomination taking account their areas of choice. This will then enable the Council to provide applicants with prospects advice informing people on how long they are likely to wait for certain properties and in certain areas. However, this information is only a snapshot and cannot take into account changes to the register and the number and type of future vacancies.

This information will be used to encourage applicants to consider a wide area of choice and to consider properties in areas where they have a greater likelihood of being successful. Applicants will also be asked to consider properties in the private rented sector if they require a specific area where demand is high or they have not been assessed as coming under one of the higher bands.

The council will also use this information to review the profile of the properties that are being nominated by the Registered Providers. An analysis will be carried out based on the type, size and geographical distribution of the properties that have been made available set against the proportion of successful nominations for each criteria.

(Appendix 4 -Tameside Allocation Scheme 2016)

Tameside Housing Register – Expressed Preference by Area

Due to the high demand for housing there is no guarantee that applicants will be allocated a property in their area of preference. Applicants need to clearly state if there are areas they want to exclude and to provide reasons for doing so.

The only reasons accepted for excluding an area are on safety and welfare grounds.

Zone	Areas	Preference Rank areas from 1 to 5 in terms of preference with 1 being the most preferred	Reason for excluding a zone (this must be documented)
Central (Guide Bridge to the White Bridge)	Ashton Dukinfield Guide Bridge West End		
South West	Audenshaw Denton Haughton Green		
West (of M60)	Droylsden Fairfield Littlemoss		
South East	Gee Cross Hattersley Hyde Mottram		
North East (boundary between Ashton & Stalybridge on the eastern side of the General Hospital)	Carrbrook Millbrook Micklehurst Mossley Stalybridge		

APPENDIX 2



HOUSING ALLOCATION SCHEME CONSULTATION

1. We want to hear your views. This information will only be used as part of the consultation and will not be used or processed for any other purpose. Thank you for joining in our Big Conversation.

Name:

Address 1:

Address 2:

Town:

Postcode:

Email

QUESTIONS

2. The government have expressed a view that people should have lived in an area for at least 2 years before they can be allocated social housing. The Council are proposing that the residency requirement would not apply in certain cases where there is a welfare need. This would include people to whom the Council owe a homelessness duty, people fleeing domestic abuse and young people who are leaving care.

How long do you think people should have lived in Tameside before they can qualify for the scheme? (Please tick one box only)

- 2 years
 3 years
 4 years
 5 years or more

3. We are proposing to retain our current policy of restricting those who are allowed to join the scheme to the following people:
- People who have been assessed as being in housing need.
 - People who need to move due to the Council undertaking a compulsory purchase order on their home.

- People who need to move home to allow them to undertake foster parent duties requested by the council.
- People who live in supported housing schemes funded by the Council under 'supporting people'.

We are proposing to add to this list the following group:

- People who are under-occupying a social housing property and have more bedrooms than they need for the number of people in the household and as a consequence have gone into rent arrears due to the removal of the spare room subsidy (bedroom tax).

To what extent do you agree that the groups listed above (including the group we are proposing to add to the list) are the correct ones to qualify for the Council's allocation scheme? (Please tick one box only)

- Strongly agree (Go to Q5)
- Agree (Go to Q5)
- Disagree (Go to Q4)
- Strongly disagree (Go to Q4)

4. Please explain why you disagree that the groups listed at Q3 are the correct ones to qualify for the Council's allocation scheme? (Please state below)

5. The current Housing Allocation Scheme recognises the importance of allowing people to express a preference about the type of property they would like to live in and in which area. This is known as 'Policy on Choice' (section 2.8 to 2.13 of the scheme). How strongly do you agree or disagree that the 'Policy on Choice' should be retained within the scheme? (Please tick one box only).

- Strongly agree
- Agree
- Disagree
- Strongly disagree

6. How strongly do you agree or disagree that the current unacceptable behaviour criteria within policy is correct (section 3.15 of the scheme)?

- Strongly agree

- Agree
- Disagree
- Strongly disagree

7. Under the current scheme anyone who has former rent arrears of over £1000 does not qualify to join. We are proposing to remove this criteria and allow people to join provided they have made regular payments to reduce their debt.

How strongly do you agree or disagree with this proposed change in the policy?

- Strongly agree
- Agree
- Disagree
- Strongly disagree

8. Under the current scheme the Council does not have a policy of checking people's income levels to assess whether they can afford to start a tenancy and live independently. However some social housing providers would like to see the Council introduce such a policy before people are allocated a property under the scheme.

How strongly do you agree or disagree that the Council should check an applicant's income levels prior to them starting a tenancy?

- Strongly agree
- Agree
- Disagree
- Strongly disagree

9. Do you have any other comments you wish to make on Tameside's Housing Allocation Scheme? (Please state below)

10. Please tick the box that best describes your interest in this issue? (Please tick one box only)

- A member of the public (Go to Q11)
- A community or voluntary group (Go to Q12)
- A partner organisation (Go to Q12)
- A business / private organisation (Go to Q12)
- A TMBC staff member (Go to Q12)
- An employee of a Tameside social housing provider (Go to Q12)
- Other (please specify below) (Go to Q12)

11. How would you best describe your current housing status? (Please tick one box only)
- I own my house (outright or with a mortgage)
 - I rent from a private landlord
 - I rent from a Registered Social Landlord e.g. New Charter, Regenda, Peak Valley
 - I live rent free e.g. with parents or friends
 - I live in supported housing
 - Other (please state)

12. Are you.....?

- Male
- Female

13. What is your Age? (Please state)

14. Which ethnic group do you consider yourself to belong to? (Please tick one box only)

- White - English / Welsh / Scottish / Northern Irish / British
- White - Irish
- White - Gypsy or Irish Traveler
- Other White background (please specify in the box below)

- White & Black Caribbean
- White & Black African
- White & Asian
- Other Mixed background (please specify in the box below)

- Black/Black British – African
- Black/Black British – Caribbean
- Other Black / African / Caribbean background (please specify in the box below)

- Asian/Asian British - Indian
- Asian/Asian British - Pakistani
- Asian/Asian British - Bangladeshi
- Asian/Asian British - Chinese
- Other Asian background (please specify in the box below)

- Arab
- Any other ethnic group (please specify in the box below)

15. Are your day-to day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months? Include problems related to old age. (Please tick one box only)

- Yes, limited a lot
- Yes, limited a little
- No

16. Do you look after, or give any help or support to family members, friends, neighbours or others because of either: (Please tick one box only)

- Long term physical or mental ill-health / disability?
- Problems due to old age?

- No
- Yes, 1-19 hours a week
- Yes, 20-49 hours a week
- Yes, 50 or more a week

APPENDIX 3

Background data on Big Conversation participants

Current Housing Status

I own my own house (outright or with a mortgage)	18.8%	6
I rent from a private landlord	9.09%	3
I rent from a Registered Social Landlord	30.30%	10
I live rent free	6.06%	2
I live in supported housing	27.27%	9
Other	9.09%	3

Gender

Male	47.73%	21
Female	52.27%	23

Ethnicity

White	86.05%	37
Other white background	2.33%	1
Black/Black British	4.65%	2
Arab	4.65%	2
Any Other Ethnic Group	2.33%	1

Are your day to day activities limited because of a health problem or disability which has lasted, or is expected to last at least 12 months?

Yes, limited a lot	13.95%	6
Yes, limited a little	30.23%	13
No	55.81%	24

Do you look after, or give any help or support to family members, friends, neighbours or others because of either long term physical or mental ill health/disability or problems due to old age?

No	81.40%	35
Yes 1-19 hours per week	7%	3
Yes 20-49 hours per week	4.5%	2
Yes, 50 hours or more per week	7%	3

Please tick the box that best describes your interest in this issue.

A member of the public	75%	34
A community or voluntary group	4.5%	2
A partner organisation	9%	4
A business / private organisation	2%	1
A TMBC staff member	2%	1
An employee of a Tameside social housing provider	4.5%	2
Other (please specify below)	2%	1

APPENDIX 4

Tameside Equality Impact Assessment

Subject / Title	Social Housing Allocation Scheme
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Service Unit	Service Area	Directorate
Customer Care and Advocacy	Stronger Communities	People

Start Date	Completion Date
19 May 2015	13 April 2016

Lead Officer	Colm O'Brien
Service Unit Manager	Mandy Kinder
Assistant Executive Director	Emma Varnam

EIA Group (lead contact first)	Job title	Service
Colm O'Brien	Senior Housing Strategy Officer	Customer Care and Advocacy
Diane Barkley	Poverty and Prevention Manager	Customer Care and Advocacy
Maureen Ashcroft	Housing Advice Manager	Tameside Housing Advice
Jenni Edgar	Allocations Manager	Tameside Housing Advice
Lyn Scaplehorn	Social Worker	Children's Services

PART 1 – INITIAL SCREENING

1a.	What is the project, policy or proposal?	A review of the councils social housing allocation scheme
1b.	What are the main aims of the project, policy or proposal?	To update the council's Allocation Scheme to comply with the latest guidance issued by the government and other regulatory bodies.

1c. Will the project, policy or proposal have either a direct or indirect impact on any groups of people with protected equality characteristics?

Where a direct or indirect impact will occur as a result of the policy, project or proposal, please explain why and how that group of people will be affected.

Protected Characteristic	Direct Impact	Indirect Impact	Little / No Impact	Explanation
Age	✓			31% (59) of people rehoused through the scheme last year were under the age of 24. 7% (12) were over the age of 65 Young care leavers will have a direct positive impact as they will now be allowed to register onto the scheme on their 16 th birthday allowing them to be accommodated more quickly.
Disability		✓		The Allocation Scheme is the main access route for people who need to move for reasons related to a disability.
Ethnicity		✓		Households from within the BME community access social housing through the scheme.
Sex / Gender		✓		Females are one of the groups with a protected equality characteristic and comprised 50% of the households whom the council had a statutory duty to re-house last year.
Religion or Belief			✓	Households who are accommodated through the scheme are not assessed for their religious needs when being offered a property. The council has not received any review requests on these grounds and the evidence suggests that the new scheme will have little or no adverse impact upon applicants with religious beliefs.
Sexual Orientation			✓	There is a limited information on the sexual orientation of people who have applied and/or been accommodated through the scheme.

Gender Reassignment			✓	There is limited information on the housing needs of people who have undergone gender reassignment.
Pregnancy & Maternity		✓		Pregnant women who make a homelessness application have priority need status under Section 193(2) of the Housing Act 1996 and are likely to have their housing needs met through the scheme.
Marriage & Civil Partnership			✓	The marriage status of applicants is not information that is collected under the current scheme and there are no proposals to change that.
Are there any other groups who you feel may be impacted, directly or indirectly, by this project, policy or proposal? (e.g. carers, vulnerable residents, isolated residents)				
Group (please state)	Direct Impact	Indirect Impact	Little / No Impact	Explanation
Households on a low income	✓			The current Allocation Scheme aims to assist people who are in housing need whose income is below a certain threshold. The council are intending to retain this aim in the revised scheme.
Carers	✓			People who need to move to a particular locality in order to provide care for someone will satisfy the proposed qualifying criteria.
Vulnerable residents	✓			Some vulnerable residents are already direct beneficiaries of the allocation scheme and the proposed changes will help more people who have former housing related debt.
Homeless people	✓			Homeless people already qualify for the existing scheme as a group who should be given reasonable preference in the allocation of social housing. Under the changes being introduced homeless households who have been placed in temporary accommodation for more than 28 days under a duty will receive extra priority to be re-housed.

1d.	Does the project, policy or proposal require a full EIA?	Yes	No
		✓	
1e.	What are your reasons for the decision made at 1d?	How the Council delivers its allocation scheme potentially has an indirect impact on the groups identified in table 1c and a direct impact on some other identified groups in the community. Undertaking a full EIA will enable us to fully analyse how the impact of the policy might materialise among these groups.	

PART 2 – FULL EQUALITY IMPACT ASSESSMENT

2a. Summary
<p>Tameside Council are required by legislation to have an Allocation Scheme (Scheme) describing how they allocate social housing within the borough. This duty exists despite the fact that the council does not have housing stock of its own as there is an expectation that agreements are reached with the social housing providers (Registered Providers) who operate in the borough.</p> <p>Working with Registered Providers operating in Tameside and with other key stakeholders and following consultation with the general public the following key revisions have been made to Tameside’s Allocation Scheme:</p> <ul style="list-style-type: none"> • the introduction of a key objective in relation to the relief of poverty and an amended financial threshold • New local connection requirements based on two years residency in the borough and thereby complying with the governments statutory guidance • The qualification criteria with regard to former rent arrears has been widened to include all housing related debt but with the removal of the former £1000 threshold. • Existing tenants of a Registered Providers who need to move for employment related reasons will qualify for the scheme in some circumstances. • The definition of in housing need has been expanded to include additional groups

who will now qualify for the scheme.

- Careleavers will be able to register for the scheme from their 16th birthday and will be allowed to accrue waiting time.
- Existing tenants of a Registered Provider who are under-occupying a property and who wish to move either because they are in rent arrears or who would like a smaller property will now qualify for the scheme.

Social housing refers to accommodation provided by Registered Providers at a rent set lower than the market rent in the area.

Overall there is an expectation that the proposed changes to the allocation scheme will have a positive impact particularly with reference to people on a low income, carers and young care leavers.

The potential adverse impacts caused by the changes relate to the introduction of affordability assessments and the two year local connection rule.

We propose to mitigate against the potential adverse consequences by monitoring outcomes over the first 12 months in relation to affordability and local connection. In addition we will continue to monitor through the reviews received on the suitability of offers, how the policy on choice impacts upon different groups in the community.

This EIA examines the impact the revised Housing Allocation Scheme will have upon people from different protected characteristic groups who apply for housing via the scheme. This EIA concentrates on the revised elements of the scheme and their impact as an EIA already exists for the provisions within the original scheme.

2b. Issues to Consider

Context

Since 2013 the Council's scheme allows people who can prove they have a housing need to register for social housing. A housing need might include homelessness, living in overcrowded conditions or needing to move to care for a family member.

Other situations that are classed as being in housing need are people who need to move home to take up foster parent duties and people who are moving out of supported housing.

As well as being classed as in housing need, applicants to the existing scheme also need to show that they have a local connection which means that they need to have lived in Tameside for 6 months out of the last 12, or 3 years out of the last 5.

Applicants to the scheme are also not allowed to register if they have been found guilty of unacceptable behaviour that means they are considered to be unsuitable to be a tenant. Unacceptable behaviour under the criteria used by the scheme includes having former rent

arrears, anti-social behaviour and criminal convictions that would impact upon a tenancy or the local area where they live.

New Statutory Guidelines

Since the introduction of the current scheme in 2013 the government has issued two new sets of guidance on how they would like Councils to manage social housing allocation schemes.

Firstly the Secretary of State recommended that local authorities should set a residency requirement of a minimum of 2 years before they allocated anyone social housing in their area. This is different from the local connection criteria Tameside council currently applies which is derived from the legislation that applies to homeless households.

The second set of guidance from the government was called "The Right to Move". This guidance proposed that current social housing tenants who need to move for reasons related to employment should be allowed to join council schemes and given a reasonable amount of preference to enable them to secure housing in the place where they have got a job.

Over the past 2 years there have been increased economic pressures on both potential applicants to the scheme and the social housing providers who put forward properties for allocations to be made. There have been ongoing discussions between council officers and the social housing providers on how these economic pressures impact upon the scheme.

Consultation

Initial consultation was carried out with the following key Registered Providers with whom the council has nomination agreements with:

- Accent Homes
- Ashton Pioneer Homes
- Contour Homes
- Guinness Northern Counties
- New Charter Homes
- Peak Valley Housing Association
- Regenda Housing Group
- Sanctuary Housing Association
- Your Housing Group

Some of the initial discussions regarding the review of the Allocation Scheme took place through meetings of the Tameside Registered Provider Forum in the latter half of 2015. These discussions led to the establishment of a short life working group comprising representation from the council, Tameside Housing Advice and Registered Providers. This group met in early January prior to the wider consultation and again in March to consider the responses that had been received.

This process identified the following issues where either the current policy needed to be amended or where wider consultation was needed prior to changes being finalised.

a) Charitable Objectives

Some Registered Providers were interested in amending some of the financial thresholds that were being applied to ensure that the scheme was compatible with their own charitable aims and objectives. It was agreed to look at the underpinning key objectives behind the scheme and to look at the threshold being applied to ensure the scheme focussed on the

relief of poverty.

b) Unacceptable Behaviour

There was consultation with the Registered Providers regarding the overall principle of applying unacceptable criteria on people who applied to join the scheme. Overall there was support amongst all the Registered Providers in retaining unacceptable behaviour criteria and being as consistent as possible with their own allocation policies.

The issue of rent arrears being a barrier to accessing housing received particular attention due to a ruling from the local government ombudsman that local authorities needed to frame the wording of the criteria they used, to ensure it allowed a flexible approach and could be adapted based on a person's ability to pay. When this issue was discussed with Registered Providers they understood the need to review the existing policy and were supportive of the need to find a more flexible approach.

c) Young People and Care Leavers

Discussions were organised between the Registered Providers and the councils Children's Services to discuss the development of a young person's pathway into housing with specific reference to care leavers. An agreement was reached in principle to amend the existing scheme and allow care leavers to join the housing register on their 16th birthday and accrue waiting time whilst they underwent training to ensure they acquired the necessary lifeskills to maintain an independent tenancy.

d) Under-occupation

In the light of the removal of the spare room subsidy under the housing benefit regulations along with the cuts in council tax benefits and other aspects of welfare reform there is a recognition that more existing tenants are falling into rent arrears and are at risk of becoming homeless. In the interests of preventing homelessness a proposed change to allow such households to qualify for the scheme was given support. When the proposed changes to the scheme were discussed at Board in April 2016 a proposal was made to extend this qualifying criteria to any household under-occupying a property and who wished to move to somewhere smaller.

e) Affordability

Under the current scheme there are no requirements upon the council to carry out affordability checks prior to nominating an applicant for a property. A number of Registered Providers suggested that this should be introduced in some form in the interests of avoiding nominating applicants to a property they would be unable to afford to maintain due to their low income. There is concern that if applicants are provided with accommodation which increases their potential of going into debt a long term solution to their housing need will not have been found.

The Big Conversation

A public consultation exercise was carried out primarily through the council's Big Conversation consultation and engagement webpage between 1 February and 26 February 2016. In addition to members of the public completing the survey independently through the Big Conversation, council officers also promoted the consultation through dedicated information sessions at the following venues in the borough:

- New Charter Hub, Ashton under Lyne
- Hyde Library

- Adullam Floating Support Project
- Westbrook (supported housing project)
- Wickham House (supported housing project)

A total of 45 people completed the survey answering a range of questions based on both the current scheme and on some of the changes we were proposing to make.

Residency requirement

In the consultation the residency requirement issue was raised and respondents were asked to indicate what length of residency requirement should be introduced with potential responses ranging from two years to five years plus. On this question there was a clear preference to keep the residency requirement as low as possible and 68% (30) of those who answered said it should be no longer than 2 years.

Whilst the council have to adhere to government guidance on the issue of residency, consideration needs to be given on the direct or indirect impact it may have on groups with a protected characteristic.

Choice

In the consultation people were informed that the council intended to retain its current policy with regard to the level of choice the scheme gave people over the areas and properties they would be offered. They were then asked to what extent did they agree or disagree with the current policy. Out of those who responded to this question over 75% (35) said they either agreed or strongly agreed with the current policy. The current policy stipulates that applicants are allowed to express a preference over the area they would like to live in but they cannot refuse to accept a suitable property if offered in another area that may not be their first choice. The consequence of refusing a suitable offer would be to be given reduced preference and therefore less likely to be offered another property in the future.

Consideration needs to be given as whether the policy of not allowing applicants a full choice over where they live has an indirect negative impact upon any group with protected characteristics. People who would like to live in a particular area of the borough for religious reasons would be an example of a group with a protected characteristic who may be indirectly impacted upon if this policy was strictly enforced without the use of discretion.

Qualification Criteria

In the consultation people were asked to what extent did they agree with the council's intention of retaining the current qualification criteria of only accepting households who had a proven housing need. At this stage of the consultation it was proposed that any existing tenant of a Register Provider should also qualify for the scheme if they had fallen into rent arrears due to under-occupation and the loss of the spare room subsidy. Out of those who responded to this question 91% (41) said that they either agreed or strongly agreed with this policy proposal.

After the report was discussed at Board it was agreed that a further question should be placed on the Big Conversation page to gather people's views on a proposal to extend the qualifying criteria to any household occupying social housing who wished to move to a smaller property. Out of those who responded to this question 75% (6) said that they either agreed or strongly agreed with this proposal.

Unacceptable Behaviour

In the consultation there were 2 questions that related to the current qualification criteria in relation to unacceptable behaviour. People were firstly asked whether the current unacceptable behaviour criteria was correct to which 73% (30) either strongly agreed or

agreed that it was.

The second question on this issue was in relation to a change that the council were proposing to make on the criteria that applicant's with former rent arrears of over £1000 should not be allowed to join the scheme. The proposal that this criteria be relaxed and changed to one where people would be assessed against their record of making repayments against their debt received strong support amongst people taking part. A total of 25 people strongly agreed with this proposed change representing over 55% of the total taking part with a further 35% (16) agreeing with the proposed change.

There is no evidence that either the current qualification criteria or the proposed changes would have any direct impact upon any groups with a protected characteristic.

Working households and community contribution

Under the existing scheme applicants who are deemed to qualify for a community contribution award will in some circumstances be given additional preference over other applicants with the same waiting time. To ensure that people with disabilities and older people are treated equally any applicant who are in receipt of high rate Disability Living Allowance or of Attendance Allowance would also be eligible for the Community Contribution Award.

With the introduction of the Right to Move guidance by the government consideration needs to be given on the indirect impact this might have on applicants who are unable to work or who are disadvantaged in the employment market.

2c. Impact

It is anticipated that the main impact from the changes made to the councils allocation scheme will be a positive one with the following groups seeing some benefit:

Young People

Young care leavers will now be allowed to join the scheme from their 16th birthday provided they have the support of their personal advisor. This will be part of a partnership approach between Children Services and the Registered Providers whereby the young person is allowed to accrue waiting time on the register on the condition they engage with tenancy preparation training. The outcome of this approach will be to enable the young care leaver to access a suitable tenancy as soon as they are deemed ready and quicker than they do under the current scheme.

There is the potential that some young people will experience an adverse impact with the introduction of more stringent affordability checks prior to being nominated a property. As young people are more likely to be on a lower than average income there may be a reduction in the level of affordable property available to them.

Young people of school age may be adversely impacted upon by the policy of not allowing applicants to have a choice over the specific area in the borough where they would like to live. If applicants are offered a property that is not in proximity to where their children attend school they may be of the opinion that this is not to their benefit.

The introduction of a two year residency criteria upon applicants before applicants are allowed to join the scheme is a statutory requirement that could have a disproportionate

adverse impact upon young people due to their greater geographical mobility.

People on a low income

A new key objective has been introduced of making a contribution to the alleviation of poverty and other revisions made will help to make the scheme more accessible to people on a low income. The qualification criteria has been expanded to allow people who are subject to the loss of the spare room subsidy due to under-occupation to access the scheme.

The £1000 limit in relation to former rent arrears has been removed and applicants in housing need will be allowed to join the scheme on the basis of entering into a repayment plan.

As a result of requests from Registered Providers the income threshold has been removed on the grounds that it may have excluded people who were in genuine hardship. This has been replaced with an income assessment based on the local housing allowance.

Carers

A specific criteria has been introduced to allow carers who live outside of Tameside access to the scheme to allow them to carry out a carers role for someone living in the borough.

2d. Mitigations

<p>Impact1 Affordability checks and their potential adverse impact upon young people</p>	<p>Through our partnership agreements with Registered Providers we will look to maximising the level of affordable stock suitable to be let to young people. We will look to direct young people towards support that can help them maximise their income levels and to enhance their opportunities to gain higher paid employment. We will encourage young people to consider the widest range of accommodation options including shared tenancies as a means to reducing their costs.</p>
<p>Impact 2 Young people of school age being offered properties not in close proximity to their school</p>	<p>Under the current policy there is a stipulation that when nominating an applicant for a property the scheme must have regard for a range of other issues relevant to promoting a sustainable tenancy. Explicit reference is made to the proximity to schools if young children form part of the household and the need to give this consideration before nominating an application for a property. Under the new scheme this approach will be retained.</p>
<p>Impact 3 The introduction of a two year local connection residency requirement and its impact upon young people</p>	<p>The potential adverse impact of this policy upon young people and other groups of people with a protected characteristic will be mitigated by the exemptions that have been granted to applicants deemed to be in housing need. This list includes people who the council have a housing duty towards, people living in supported housing, people fleeing domestic abuse and young care leavers.</p>

2e. Evidence Sources

- Big Conversation consultation outputs
- Allocation of accommodation: guidance for local housing authorities in England 2012
- Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/967), which came into force on the 20 April 2015
- Allocation of Housing (Qualification criteria for Armed Forces) (England) Regulations 2012 (S12015/967)

2f. Monitoring progress

Issue / Action	Lead officer	Timescale
<u>Checks on Affordability</u> Over the first 12 months of the new scheme we will assess how the affordability checks have impacted on applicant's ability to access accommodation based on age.	Colm O'Brien	September 2017
<u>Policy on Choice</u> Based on the number of review requests received in relation to suitability of properties being offered we will continue to monitor how the policy impacts upon all groups with a protected characteristic.	Colm O'Brien	September 2017
<u>Local Connection</u> We will monitor the number of applicants who fail to qualify for the scheme due to not fulfilling the 2 year residency requirement and assess whether this had any specific impact across groups with a protected characteristic based on the data that is available.	Colm O'Brien	September 2017

Signature of Service Unit Manager	Date
Signature of Assistant Executive Director	Date



(Appendix 1 – Equality Impact Assessment)

Additional Comment from Respondents

- IT EXCLUDES THE MOST VULNERABLE. ME
- The scheme currently excludes the most vulnerable. Me
- Its unfair to victimize someone for their past.

- Important to make it easy for people to apply because there could be times when there are awkward questions that are difficult to answer
- The council need to look at peoples wider support issues and open all night cafes/community centres Mental health patients should be given priority to be given shelter and support
- Stricter criteria and fairer allocation for people given properties, i.e. people becoming pregnant to be allocated a property. Include people who are genuinely struggling with their current housing status.
- Get the housing situation sorted out so people can move out of the property when they need to or swap
- Assessing people's income to afford a tenancy shouldn't include their savings.
- I feel a persons income has nothing to do with anyone else. If a person agrees to have their income looked into then fine. If they don't they should still be treated the same.
- I do agree with the list on question 3 but also think that individual circumstances may differ and need to be looked at accordingly. Each criteria should be looked at according to individual circumstances.
- Under occupying a property should be left out as family's grow up in the same house and members leave. Why should the last family member be moved on because of this very unfair system? People can get into arrears for a sanction that could lead to thousands, why would they be included?
- YOU HAVE TO CHECK THE QUALITY OF THE HOUSE YOU OFFER TO THE PEOPLE
- We have to be prepared for any situation such as people who are homeless if they are coming to the council asking for help if they didn't live for 2 years in Tameside we can't help them according to the policy .
- they must Check the quality of house before force people to move
- Could the minimum 2 year local connection be disregarded if the person has a disability, and has carers living in the area that give substantial support to the person?.
- The current scheme bands homeless applicants in band 2, consideration should be given to band applicants who are homeless and have been given a full duty by the council band 1. placing homeless applicants in band 1 will reduce the length of time of time spent in temporary accommodation. This change in the policy would then reduce the number of people having to be placed in emergency accommodation in bed and breakfast due to the temporary being fully occupied. Consideration should be given to amend the policy to ensure that all registered providers who sign up to the nomination agreement accept nominations that are owed a full housing duty once they have been accepted onto the housing register.
- " TGP's policy is to always take a 1st weeks rent in advance with every allocation and we would not deviate from this request. This is not a deposit and is in accordance to their tenancy agreement and what we deem as assisting the customer in the future in light of the constraints and future changes with Welfare Reform. Any issues of affordability are assessed by our financial inclusion team and in the incoming customer would be expected to pay what they can afford and an agreed repayment arrangement would be put in place before sign up. TGP have a small amount of stock - 257 units across Tameside - Fairfield House (23 units) CAT 2, Beck House (12 units) CAT 1, with the remaining general needs, although 44 flats at Pitt Street were CAT 1 and are now for older people but without any support – local lettings policy in place. We would be happy to sign up to an agreement and want to be flexible and work with you offering 30% and 50% adapted properties (TGP do not have many in Tameside) but only if the following considerations are agreed:
 - Agreement to charge first weeks rent in advance
 - We will no longer agree to 2 weeks' notice period between LA, RP partners and TGP if transferring between us
 - Transferring tenants will also be expected to pay first weeks rent in advance "

- We need to have a fair and equal process when allocating properties. There a number of cases where people are excluded where there is a debt that has accumulated through no real fault of their own, cases really need to be assessed when this occurs, damaged caused by a partner when the other has fled domestic violence and where a vulnerable customer has had there property damaged when they cannot protect themselves or the property.

Report To:	EXECUTIVE CABINET
Date:	29 June 2016
Executive Member / Reporting Officer:	Cllr Kieran Quinn – Executive Leader Steven Pleasant – Chief Executive
Subject:	DEVOLUTION GOVERNANCE
Report Summary:	The report updates Executive Cabinet on the current legal and governance arrangements for GMCA following the implementation of the Cities and Local Government Act in March 2016 and to agree delegated authority to enable the next stages of devolution to be implemented.
Recommendations:	<ul style="list-style-type: none">(i) Executive Cabinet are asked to note that the Cities and Local Government Act is now in place and note the next steps required for implementation of the Greater Manchester devolution deals.(ii) Cabinet is asked to delegate authority to the Chief Executive in consultation with the Leader of the Council to consent to the terms of all Orders required to implementing the current devolution deals.
Links to Community Strategy:	The proposals reflect the priorities of local residents and businesses as outlined in the Corporate Plan and the Community Strategy.
Policy Implications:	In line with legislation.
Financial Implications:	There are no direct financial implications.
(Authorised by the Section 151 Officer)	
Legal Implications:	These are addressed within the body of the report and in the appendices to this report.
(Authorised by the Borough Solicitor)	
Risk Management:	These are addressed in the report.
Access to Information:	The background papers relating to this report can be inspected by contacting Sandra Stewart, Executive Director (Governance, Resources & Pensions).
	 Telephone: 0161 342 3028
	 e-mail: sandra.stewart@tameside.gov.uk

1.0 IMPLEMENTING DEVOLUTION

- 1.1 The Cities and Local Government Devolution Act has now been passed and came into force on 28 March 2016.
- 1.2 The initial Order passed to establish the office of a Greater Manchester Mayor removes the requirement for the election of the Police and Crime Commissioner and to make arrangements for the election of a GM Mayor in May 2017.
- 1.3 Work is now underway to progress the Parliamentary process to ensure that all other Orders and regulatory amendments are in place to ensure that the GM devolution settlement (consisting of the Devolution Agreements signed in November 2014, July 2015 and November 2015, along with the Health and Social Care MoU signed in February 2015) can be implemented in full. It should be noted that the introduction of franchised bus services will be introduced by a separate Buses Bill, which has been announced in the Queen's speech on 18 May 2016.
- 1.4 The Act is enabling legislation, therefore conferring the specific Combined Authority (CA) and Mayoral powers will be subject to Orders, all of which will require the consent of all of the districts as well as GMCA. The Act also provides the legislative framework to address other issues, particularly in relation to the detail of governance such as the delegation of functions and role of committees. Whilst such issues have not been an explicit part of the various devolution agreements, the GMCA orders will address such issues to ensure the efficient and effective operation of Greater Manchester governance arrangements.
- 1.5 Orders and regulatory amendments relating to constitutional or electoral issues will have to be in place by November 2016. Whilst it would be preferable to have all other Orders and regulatory changes in place at the same time, they will need to be in place by February 2017 at the latest to allow sufficient time for Mayoral candidates to be fully aware of the powers of the elected Mayor and to prepare a manifesto.
- 1.6 The changes required to implement the devolution agreements are being dealt with in two phases:

Phase 1 - will deal with most issues other than those relating to Fire and Rescue services. Order(s) will need to be laid by July 2016 and implemented by November 2016.

Phase 2 - will address issues relating to Fire and Rescue services. This will enable GMCA members to give further consideration to the requirements arising from the transfer of GM Fire & Rescue Authority responsibilities to the elected Mayor. As part of Phase 2 GMCA members will also consider whether they wish to pursue the transfer of GM Waste Disposal Authority responsibilities to the GMCA and will review Overview and Scrutiny arrangements in relation to GMCA and mayoral functions. Order(s) will need to be laid by September 2016 and implemented by February 2017. All issues to be dealt with in Phase 2 will need to be resolved by June 2016 to enable sufficient time for the drafting of detailed proposals.

- 1.7 There is likely to be a separate order in relation to Policing.

2.0 FUNCTIONS TO BE CONFERRED ON GMCA

- 2.1 Before the enactment of the 2016 Act the functions which could be conferred on the GMCA by order were limited to transport functions mainly inherited from the former GM Integrated Transport Authority and functions of the constituent councils relating to economic development and regeneration which could either be exercised instead of by, or concurrently with, the constituent councils.

- 2.2 The amendments made by the 2016 Act now enable an order to confer on GMCA:
- any function of a constituent council (not limited to transport economic development or regeneration).
 - any function of a public authority (including that of a Minister of the Crown or government department) which is exercisable in relation to Greater Manchester.
 - any functions corresponding to a function that a public authority has in relation to another area (e.g. a functions of the Mayor of London or GLA).
- 2.3 The order may provide that functions in the second bullet point above may be exercised instead of by, or concurrently or jointly with the public authority, or jointly with the public authority, but with the public authority being able to exercise the function alone.
- 2.4 In order for the CA to acquire the additional powers that will enable it to implement the devolution agreements it must go through the statutory process set out in the Act. This includes a review of its governance, the publication of a Scheme setting out the powers requested and a public consultation exercise. This process was set in train in March 2016 for Phase 1 and will take place in the summer for Phase 2.
- 2.5 The CA has reviewed its operation and functions on the principle that devolution is not about taking away powers from constituent councils, but about drawing down powers from central government or government agencies or alternatively drawing into Greater Manchester powers which are exercisable in London. Therefore, where the published Scheme for Phase 1 proposed that there should be conferred on GMCA functions of constituent councils (mainly in the area of skills and training) these will only be exercisable concurrently with the constituent council and will be subject to agreed protocols.
- 2.6 The powers to be conferred on the GMCA/Mayor now that the Cities and Local Government Devolution Act has been passed were summarised in a report to the CA in March 2016 and that table is set out below, along with a summary of how those powers will improve the ability of the GMCA to exercise its statutory functions. The report also set out the draft Scheme and arrangements for consultation for Phase 1. A report, review and scheme on the Phase 2 proposals will be considered by the CA on 30 June 2016.
- 2.7 It should be noted that not all aspects of Greater Manchester's devolution settlement require legislative change to implement. For example, work is already underway to scale up work to address complex dependency and the GM Housing Investment Fund was launched in July 2015.
- 2.8 The powers outlined below are those that require legislative or regulatory change before they can be exercised by the GMCA or Mayor.

POWER	RATIONALE
Planning, Housing and Regeneration	
<p>Mayoral strategic planning powers including:</p> <ul style="list-style-type: none"> - The power to create a statutory spatial framework for Greater Manchester. - Compulsory Purchase Powers in line with those held by the HCA. - The power to establish Mayoral Development Corporations. - The introduction of a Mayoral Community Infrastructure Levy. - Other Housing and Regeneration powers including Housing and Communities Agency (HCA) powers to be exercised concurrently with the HCA. 	<p>The GM Spatial Framework will enable an informed, integrated approach to be taken to spatial planning across the city region, based on a clear understanding of the role of our places and the connections between them. It will ensure that Greater Manchester is able to meet current and emerging occupier demand to support a market-facing strategy for housing and employment growth.</p> <p>The additional Mayoral planning powers will enable the Mayor and the Combined Authority to drive development and regeneration across the area. Such strategic mayoral planning powers will only be exercised with the consent of the local planning authority(ies) concerned.</p>
<p>Incidental powers relating to the GM Land Commission to enable the Secretary of State (SoS) to make schemes transferring to GMCA land held by other public bodies (with their consent) in the same way land can be transferred to the HCA or GLA.</p>	<p>To oversee the efficient utilisation of the public sector estate to support growth and public service reform ambitions. In relation to surplus assets the Land Commission will identify barriers to disposal and develop solutions to address those barriers to help GM to meet its goal to deliver over 10,000 new homes per annum.</p>
Bus franchising	
<p>The transfer of additional supporting transport powers to the GMCA, including:</p> <ul style="list-style-type: none"> - The transfer of responsibility from the Traffic Commissioner to the GMCA for the registration of bus services that operate wholly or mainly within GM, to support the management of franchised bus services once introduced; - The transfer of responsibility from the Traffic Commissioner to the GMCA for functions in relation to traffic regulation conditions in so far as such conditions relate to GM. - The joint exercise by the GMCA and Secretary of State for Transport of the function currently exercised by the SoS to make grants to bus operators in relation to services that operate wholly or mainly within GM. 	<p>The transfer of such powers would provide GMCA with an early opportunity to engage on a formal basis with operators of the current commercial bus network, prior to the new regime to be introduced by the forthcoming Buses Bill</p>
Highways	
<p>Delegated responsibility from the SoS or Highways England to the GMCA for the construction, improvement or maintenance of trunk roads and highways</p>	<p>To ensure that management and investment is aligned to locally determined growth priorities to support the more effective and efficient operation of the network.</p>

POWER	RATIONALE
Health	
Devolution of health related local authority functions to the GMCA, including commissioner status, to be exercised concurrently with GM local authorities.	To enable the effective integration of health and social care provision across Greater Manchester, to deliver improved health and wellbeing outcomes to support and enhance GM's priority of reducing worklessness and supporting people back into employment and to ensure the financial sustainability of the health and social care system.
Skills and Training	
Conferral of local authority and central government training and skills functions to the Combined Authority, to be exercised concurrently with GM local authorities and the SoS.	To provide the GMCA with the ability to reshape and restructure skills provision across Greater Manchester, aligning that provision with locally determined priorities to ensure that GM residents have the skills required to help businesses to grow, innovate and diversify.
Culture	
Devolution of a functional power of culture to the Combined Authority, to be exercised concurrently with GM local authorities.	Such a power would enable the GMCA to administer a grants scheme/fund corresponding to the "Section 48" grants scheme currently administered by AGMA. A functional power of culture would make it clear that GMCA functions include the promotion of cultural events and entertainment within Greater Manchester.
Blue light services	
Transfer of responsibilities currently exercised by the Police and Crime Commissioner and the GM Fire & Rescue Authority to the elected Mayor. Policing functions will be the subject of a separate order and fire and rescue functions will be the subject of a review as part of phase 2.	To promote greater integration of blue light services, ensuring that services are delivered in a more effective and efficient way.
Finance	
Introduction of a Mayoral precept to support the discharge of mayoral functions and GMCA levy to support non-mayoral CA functions	GMCA functions in relation to economic development and regeneration are currently funded through a recharge to the constituent councils. A precept or a levy would offer greater transparency to GM residents in relation to the funding of Mayoral functions.

POWER	RATIONALE
<p>GMCA borrowing powers. The GMCA can currently only borrow in relation to transport functions but the devolution settlement makes provision for the GMCA to borrow against all functions, subject to the agreement of constituent councils.</p>	<p>Current restrictions prevent a CA from borrowing in respect of any non-transport functions which a CA may subsequently assume. In order for the CA to take forward any arrangements which require borrowing one of the constituent councils has to borrow in its own right which is unsatisfactory, administratively burdensome and inconvenient. The transfer of wider borrowing powers will ensure the more efficient discharge of GMCA functions.</p>
<p>Data sharing</p>	
<p>Where relevant and appropriate the GMCA will be considered a local authority to enable Government departments to share data with it.</p>	<p>The ability to share data across public agencies (whilst providing the public with confidence that the use of such data is set within a regulated regime) is critical to our work to integrate public services, including health and social care services.</p>
<p>Constitutional and governance issues</p>	
<p>The Mayor will have a functional power of competence so that s/he can carry out matters incidental to his/her main role.</p> <p>Legislation will make provision for the Mayor to appoint a political advisor and will set out the terms and conditions of such an appointment.</p> <p>The Mayor will be able to exercise functions jointly with other authorities in a joint committee.</p> <p>Whilst not powers to be devolved or transferred, the legislation to be drafted will also determine a number of constitutional and governance issues, including:</p> <ul style="list-style-type: none"> - Mayoral and non-mayoral functions - Voting rights and majorities - The role of the Deputy Mayor for policing to be limited to PCC functions; - The role and responsibilities of statutory committees - The role and responsibilities of scrutiny and audit committees. 	<p>Such arrangements will ensure the effective operation of GM governance arrangements, including clear arrangements to ensure transparency and accountability.</p>
<p>Again, whilst not a power to be transferred legislative and regulatory change is required to determine Electoral Conduct rules, and clarification of requirements in respect of the Mayoral election.</p>	<p>To ensure that candidates and the electorate are clear on electoral arrangements.</p>

3.0 OVERVIEW AND SCRUTINY OF THE COMBINED AUTHORITY

- 3.1 The Act sets out the legislative framework for Scrutiny of combined authorities. It states that CAs must appoint one or more overview and scrutiny committees and that such committees have power to:
- Review or scrutinise decisions made, or other action taken, in connection with the discharge of any of the CA's functions.
 - Make reports or recommendations to the authority about the discharge of any of its functions.
 - Make reports or recommendations to the CA on matters that affect the area or the inhabitants of the area.
- 3.2 This will also include scrutiny of the Mayor's exercise of their functions.
- 3.3 When reviewing or scrutinising a decision that has been made but not implemented the overview and scrutiny committee can direct that a decision is not to be implemented whilst it is under review or scrutiny and it has the power to recommend that the decision be reconsidered. The committee must obtain the consent of the CA to proposals about how it will exercise its powers of review and scrutiny on decisions made but not implemented and it must then publish those proposals.
- 3.4 The CA scrutiny committee and any sub committees may not contain any members of the CA. It may require members or officers of the CA to attend before it to answer questions and may invite other people to attend.
- 3.5 The SoS may make further more specific provision by order about the membership, voting rights, and chair of the scrutiny committee, together with arrangements about how matters are referred to the committee, how they are responded to and about the publication of reports.
- 3.6 The recently published Tees Valley CA order sets out some requirements that may indicate how the SoS will approach such matters. That Order states that the membership of the Overview and Scrutiny Committee must reflect as far as practicable the balance of political parties in the area, that each member has one vote with no casting vote and that the CA appoints the Chair (for the purposes of a Mayoral authority the chair must not be a member of the same political party as the Mayor).
- 3.7 The Tees Valley order also goes on to state that where the committee makes a report or recommendation with respect to the discharge of the CA or Mayor's functions then they may publish the report and require the CA to consider it, respond to it, and publish the CA response. The CA has two months to comply with the committee's request for a response. It should be noted that this procedure is for matters about the CA or Mayoral functions and not about a review or scrutiny of a CA or Mayoral decision.

4.0 HEALTH AND SOCIAL CARE

- 4.1 The Greater Manchester Health and Social Care Partnership Board is now well established and continues to meet monthly. Its meetings are web cast and its reports are public. All local authorities are represented on the Board by their Leaders.

5.0 NEXT STEPS

- 5.1 As set out above the Phase 1 proposals were considered by the CA in March 2016, subject to public consultation during April and May and draft Orders are now being prepared by government to be laid in Parliament in July 2016.

- 5.2 Details of the Phase 2 proposals will be considered by GMCA on 30 June 2016. They will then be subject to public consultation over July and early August with the intention that draft Orders will be introduced into Parliament in September.
- 5.3 All of the districts need to consent to the draft Orders for Phase 1 and Phase 2. At the time of this report the Authority does not have a draft of the Orders and delegated authority is therefore requested to enable consent to be provided by the Chief Executive in consultation with the Leader of the Council to the content of the Orders before they are laid in Parliament.

6.0 RECOMMENDATIONS

- 6.1 As set out on the front of the report.

Report To:	EXECUTIVE CABINET
Date:	29 June 2016
Executive Reporting Officer:	Member/ Councillor John Taylor, Deputy Executive Leader Damien Bourke, Assistant Executive Director – Development, Growth and Investment
Subject:	LOCAL DEVELOPMENT SCHEME (LDS)
Report Summary:	The report sets out an up to date Local Development Scheme (LDS) required in accordance with Section 15(7) of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS sets out the key milestones for plan making that the Council proposes to deliver, and identifies the nature and scope for the delivery of Development Plan documents including the Local Plan. The LDS must be published and monitored once approved.
Recommendations:	<ol style="list-style-type: none">1. That the draft LDS is approved for publication.2. That the Executive Cabinet delegate authority for future amendments to the LDS to be approved by the Executive Director – Place in consultation with the Deputy Executive Leader
Links to Community Strategy:	The LDS is the project plan that will deliver the Local Plan. This will be closely aligned with the Community Strategy, creating a spatial expression of its aims and priorities. It aims to deliver the aims and vision of the Community Strategy through its Strategic Objectives.
Policy Implications:	The LDS sets the scope and programme for strategic planning policy development. The actual development and setting of policy will be the subject of the documents highlighted for delivery within the LDS.
Financial Implications: (Authorised by the Section 151 Officer)	<p>It is important that the LDS is brought up to date as a matter of urgency to ensure we continue to make sufficient progress to produce a Local Plan, of which the GMSF is an integral part, by early 2017. Failure to have made adequate progress on a Local Plan by this time could result in the withholding of new homes bonus. CLG will take into account progress made on the GMSF when deciding on the award of the New Homes Bonus in 2017/18 and any interventions on Local Plans.</p> <p>The service currently has a designated budget to assist with the funding of activity set out in the LDS. Should costs exceed this amount and where necessary to comply with statutory processes additional funding would need to be identified.</p>
Legal Implications: (Authorised by the Borough Solicitor)	A Local Development Scheme is required in accordance with Section 15(7) of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). <u>Any changes in line with recommendation 2 will be executive decisions so will need to follow appropriate governance.</u>
Risk Management:	Without an up to date LDS reflecting what the Council plans to

deliver, including the important role that Tameside plays in the development of the Greater Manchester Spatial Framework (GMSF), there is a significant risk that Government may decide that the Council is not making sufficient progress in its plan making responsibilities and consider interventions such as potentially withholding New Homes Bonus payments from 2017. Publication of an up to date LDS, and delivery to the programme identified is critical in order to mitigate that risk.

Access to Information:

The background papers relating to this report can be inspected by contacting the report writer: Paul Moore, Head of Planning



Telephone: 0161 342 3108



e-mail: paul.moore@tameside.gov.uk

1.0 INTRODUCTION

- 1.1 The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) requires all authorities to produce a Local Development Scheme (LDS) which principally sets out the timetable for preparing their Local Plan, to be revised at such time as they consider appropriate. As a result of changes brought forward by the Localism Act 2011, it is no longer necessary for the LDS to be submitted to the Secretary of State (although the Secretary of State may direct that the LPA make any changes they think appropriate).
- 1.2 In early 2014 a decision was taken at the Combined Authority by all ten districts to commit to work on the production of the Greater Manchester Spatial Framework (GMSF) a document to guide strategic housing and employment growth across Greater Manchester, and the ten districts, for the next 20 years. A formal decision by the Council to participate in the production of the GMSF followed (29 August 2014) which had the effect of pausing plan production at a local level on what was known as the Core Spatial Strategy (CSS). This was unavoidable given that the Council would have faced significant difficulties progressing its own plan which would have been undermined by the emerging GMSF evidence base effectively leaving the Council in a situation whereby it would have almost inevitably failed in respect of the key legal tests of 'soundness' and 'duty to cooperate'.
- 1.3 Tameside's most recent LDS was approved in July 2012 and this set out the programme for the Core Strategy, now held in abeyance. Since then, there have been some fundamental changes to planning policy and emerging changes to legislation, not least the strong commitment from Government to getting Local Plans in place and ensuring the homes in those plans are being delivered. This includes the on-going preparation of the Greater Manchester Spatial Framework. Recent communication from the Deputy Director – Development Plans from Communities and Local Government (CLG) has, very significantly, pointed out that not all Local Development Schemes are up to date and in place for the Greater Manchester authorities and that these need to be updated as a matter of urgency so that there is clarity on the timetable for the GMSF and the timetable for the subsequent production, or updating, of local plans. Revisions to the LDS for Tameside are now critically important to bring it up to date, and a mechanism for delegated Authority to keep it up to date is also recommended.
- 1.4 To bring the LDS into effect, the local planning authority must resolve that the scheme is to have effect and in the resolution specify the date from which the scheme is effective. This report seeks approval for the Local Development Scheme (June 2016) to have immediate effect if approved by Executive Cabinet on 29 June 2016.
- 1.5 In order to remain sufficiently flexible and reactive to emerging Government policy and to maintain the clear links between the timing of GMSF production and the Tameside Local Plan it is recommended that authority for future amendments to the LDS (which is fundamentally a programme of work) are delegated to the Executive Director – Place in consultation with the Deputy Executive Leader. The approval of any Plans and Documents identified in the LDS will remain key decisions for Cabinet and in some cases require Full Council approval as set out in the Constitution

2.0 ISSUES

- 2.1 For the reasons set out above and whilst considerable progress had been made with progressing work on developing a Tameside CSS, including consultation on Issues and Options and Preferred Options in 2012 and 13, Tameside does not currently have an up-to-date local plan. Whilst the work undertaken to date is by no means redundant, and could help to provide the structure and content for much of what will need to be included in the Local Plan, a number of significant changes to the scope of the document are required having regard to the fact that the a new Local Plan will need to include site allocations

policies and a fully revised policies map going beyond what was envisaged with the Core Strategy and the resolution approved by members in 2012.

2.2 Government is currently examining ways in which local authorities can be compelled to progress their Local Plans and as a consequence there are a number of significant issues arising from two proposed changes to Government policy:

- The proposed Local Plan 2017 deadline set out in the Housing and Planning Act; and
- The consultation on proposed changes to the New Homes Bonus (NHB) Scheme.

The Local Plan 2017 deadline is a key policy initiative, and if enacted, would allow for intervention by the Secretary of State where there is no up-to-date Local Plan in place by early 2017. It is not exactly clear what will trigger intervention by the Secretary of State as there is no clear indication of what stage a plan would have to reach in order to avoid this measure. Perhaps the more significant concern is the proposed changes to the NHB regime which adds a further dimension to this deadline. Of the proposals included within the consultation on changes to the NHB regime, it is the withholding of NHB payments where there is no Local Plan by early 2017 that is perhaps the most significant given the challenging financial climate.

2.3 The recent NHB consultation closed on the 10 March 2016. Communication with the Deputy Director - Development Plans at Communities and Local Government (CLG) confirms that Government recognises there is political agreement for the GMSF to address the strategic issues across the city region in a single plan, from which post National Planning Policy Framework (NPPF) compliant Local Plans will be produced (i.e. the Tameside Local Plan).

2.4 Final decisions on the award of new homes bonus will be taken by Ministers having regard to responses to the consultation, and that decision is as yet unknown. The communication from CLG confirms that they remain fully committed to the GMSF and recognise the advantages in planning at the city-region level so, subject to Ministerial decisions following the outcome of the consultation, CLG expect to take into account progress made on the GMSF when deciding on the award of the New Homes Bonus in 2017/18 and any interventions on Local Plans.

2.5 Critically CLG has pointed out that not all Local Development Schemes are up to date and in place for the Greater Manchester authorities and that these need to be updated as a matter of urgency so that there is clarity on the timetable for the GMSF and then the timetable for the production, or updating, of local plans. CLG need to see progress against that timetable and expect to see a draft GMSF published for consultation by October 2016. It was also pointed out that if the GMSF is delayed and local plans are not being produced then there will be no certainty on how the homes needed in Greater Manchester will be delivered and any slippage in the timetable would run the risk of the Bonus being withheld. The final position will be subject to Ministerial agreement but CLG confirm that they recognise the particular circumstances in Greater Manchester and they will continue to support bringing forward the GMSF.

2.6 As indicated above, there is a requirement to produce and maintain a LDS that should include an up-to-date project plan for the Local Plan, setting out its scope, geographic coverage and timetable and a revised LDS is now required to reflect the need to prepare a Local Plan that reflects the fact that the Council is actively supporting progression of the GMSF. If Tameside's Local Plan is set to reflect and be in conformity with the GMSF as it develops then the timetable for Tameside's Local Plan production needs to track the GMSF timeline with a reasonable gap to interpret, react and respond to the GMSF as it progresses towards adoption. The GMSF will, when adopted, form part of the Statutory Development Plan for Tameside.

- 2.7 The current programme for future stages of development of the GMSF is:
- Consultation on Draft GMSF: October – November 2016
 - Publication of proposed submission documents: June 2017
 - Submission: November 2017
 - Examination: February – April 2018
 - Adoption: January 2019
- 2.8 The revised LDS therefore sets out the following timetable for the next steps in the preparation of the Tameside Local Plan, reflecting and tracking the timescale for GMSF production:
- Consultation on the Sustainability Appraisal Scoping Report: October-November 2016
 - Consultation on a Draft Local Plan: August – September 2017 (*Issues will flow from the GMSF consultation*)
 - Publication of proposed submission documents: May – June 2018
 - Submission: November 2018
 - Examination: March – April 2019
 - Adoption: Autumn 2019
- 2.9 Progress with the preparation of the two key plans within the LDS needs to be assessed each year as part of the Authority's Monitoring Report, however continuous monitoring is necessary and a more frequent amendment may be required. The Localism Act 2011 also requires up-to-date information showing the state of the authority's compliance (or non-compliance) with the LDS timetable to be made available to the public. This information should be published on the Council's website.
- 2.10 In order to ensure the timetable is kept up-to-date, authority is sought for the Executive Director - Place and the Executive Portfolio Holder to make any future timetable amendments as necessary together with any changes to the content of the LDS, and to resolve the date from which such amendments shall have effect.
- 2.11 Members should also note the decision making requirements for the various documents that will form part of or support the development plan. These requirements are set out in the LDS and the levels of political responsibility for approving the Local Plan at its various stages of preparation are as follows:
- Cabinet Decision for the draft Local Plan;
 - Full Council resolution required for the Publication Plan (with delegated powers given to the Deputy Executive Leader to approve minor post-publication changes and the Submission of Local Plan to the Secretary of State); and
 - Full Council resolution to adopt the Plan.
- 2.12 For the Greater Manchester Spatial Framework, the levels of political responsibility have already been agreed and are as follows:
- AGMA Executive decision for all pre-submission stages until the election of a Greater Manchester Mayor in 2017 at which point approval will be required from the Mayor and the GMCA Cabinet; and
 - Full Council resolution required by each of the 10 Greater Manchester authorities for the submission and adoption stages.
- 2.13 For the Statement of Community Involvement and each Supplementary Planning Document the levels of political responsibility are for Cabinet Decision for all stages, including adoption.

- 2.14 It is currently anticipated that delivery of the Local Plan will be met from the existing identified budget. However, the implications for the budget of any accelerated timetable for the Local Plan may necessitate a review of resource requirements.

3.0 CONCLUSION

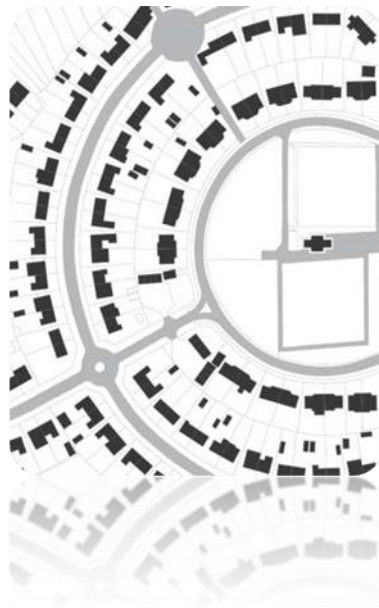
- 3.1 There is a statutory requirement for each Local Planning Authority to produce a Local Development Scheme (LDS) setting out the key milestones for producing a Local Plan for its area, which is clearly critical given the emerging Government Policy.
- 3.2 CLG has, significantly, pointed out that not all Local Development Schemes are up to date and in place for the Greater Manchester authorities and that these need to be updated as a matter of urgency so that there is clarity on the timetable for the GMSF and then the timetable for the production, or updating, of local plans. The revised LDS sets out the timetable for the GMSF and Tameside's Local Plan and members are requested to approve the proposals for the LDS as a realistic and practical approach to Local Plan preparation, making use of existing resources, and addressing the Government's strong desire for the GMSF and Local Plans to be delivered.
- 3.3 The priority is to make progress on a draft Local Plan setting out the vision and policies for the Borough as soon as practicable whilst, at the same time, reflecting and conforming with the continued progression of the GMSF.
- 3.4 The provision for delegated authority to the Executive Director – Place, and the Portfolio Holder to make future changes to the LDS is intended to give the Council the scope to respond quickly and effectively to issues as they emerge and, in line with Government intentions, for the Borough to take a pro-active approach to having an up to date programme for getting an adopted plan in place as soon as practically possible. The content of strategic development documents will of course require Executive Cabinet, and in some cases Full Council approval.

Tameside Metropolitan Borough Council

Local Plan

Local Development Scheme

June 2016



Strategic Planning
Tameside MBC
Clarence Arcade
Stamford Street Central
Ashton-under-Lyne
OL6 7PT

Tel: 0161 342 3346 or 4460

Email: planpolicy@tameside.gov.uk

1.0 Tameside Local Development Scheme

XX June 2016

This Local Development Scheme (LDS) is required in accordance with Section 15(7) of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). This scheme was approved by Key/Executive Decision on XX June 2016 following consideration by the Executive Cabinet on the same date. The scheme is brought into effect on XX June 2016.

2.0 Introduction

The Planning and Compulsory Purchase Act 2004 introduced the requirement for Local Planning Authorities to prepare and maintain a Local Development Scheme (LDS). A LDS sets out a timetable for the production of new or revised Development Plan Documents (such as a Local Plan).

The Council prepared its first LDS in 2007, and issued updates in 2009, 2010, 2011 and 2012.

This 2016 LDS, which supersedes the most previous version, sets out a planning work programme for the Council over a three-year period to 2019. It will be regularly reviewed to keep it up to date.

2.1 What are the current adopted Development Plan Documents for Tameside?

The current adopted Development Plan Documents for Tameside are the following:

- Saved policies from the Tameside Unitary Development Plan 2004;
- Greater Manchester Joint Waste Development Plan Document 2012; and
- Greater Manchester Joint Minerals Development Plan Document 2013.

3.0 The Proposed Development Plan for Tameside

3.1 What new Development Plan Documents are to be prepared?

Greater Manchester Spatial Framework

The Greater Manchester Spatial Framework (GMSF) will provide the overarching strategic context for the Greater Manchester conurbation. The key policy areas will primarily focus on housing and employment land requirements for GM, the infrastructure requirements to deliver this and the environmental capacity of GM to accommodate this in the most sustainable manner.

The Spatial Framework is currently being progressed as a Joint AGMA Plan. This will become, in 2017, a Plan of the Mayor requiring unanimous approval of the Cabinet of 10 district executive leaders. Once adopted the GMSF will be a spatial development strategy and the Tameside Local Plan would need to be in general conformity with it.

The GMSF is just one of a suite of documents through which GMCA is progressing its growth and reform ambitions, namely:

- A GM 'Vision' which extends beyond the Greater Manchester Strategy;
- Residential Growth Strategy setting out how we will bring forward land to meet our identified demand;
- A Transport Strategy;
- An Infrastructure Plan; and
- Investment strategy, sitting alongside financial tools such as the Manchester Investment fund, the Housing Investment Fund etc.

The Tameside Local Plan

The Tameside Unitary Development Plan had previously been reviewed with the aim of replacing it with a Core Strategy and Development Management Development Plan Document by 2014/2015.

This timetable was superseded due to the collaborative work being undertaken by all the Greater Manchester authorities on the GMSF commencing in 2014.

Therefore, the Council will now produce a Local Plan consisting of the following in order to replace the UDP and provide the necessary policy detail where that is absent from the scope of the GMSF:

- Strategic Policies;
- Development Management Policies;
- Site Allocations; and
- Policies Map.

Supplementary Planning Guidance and Documents

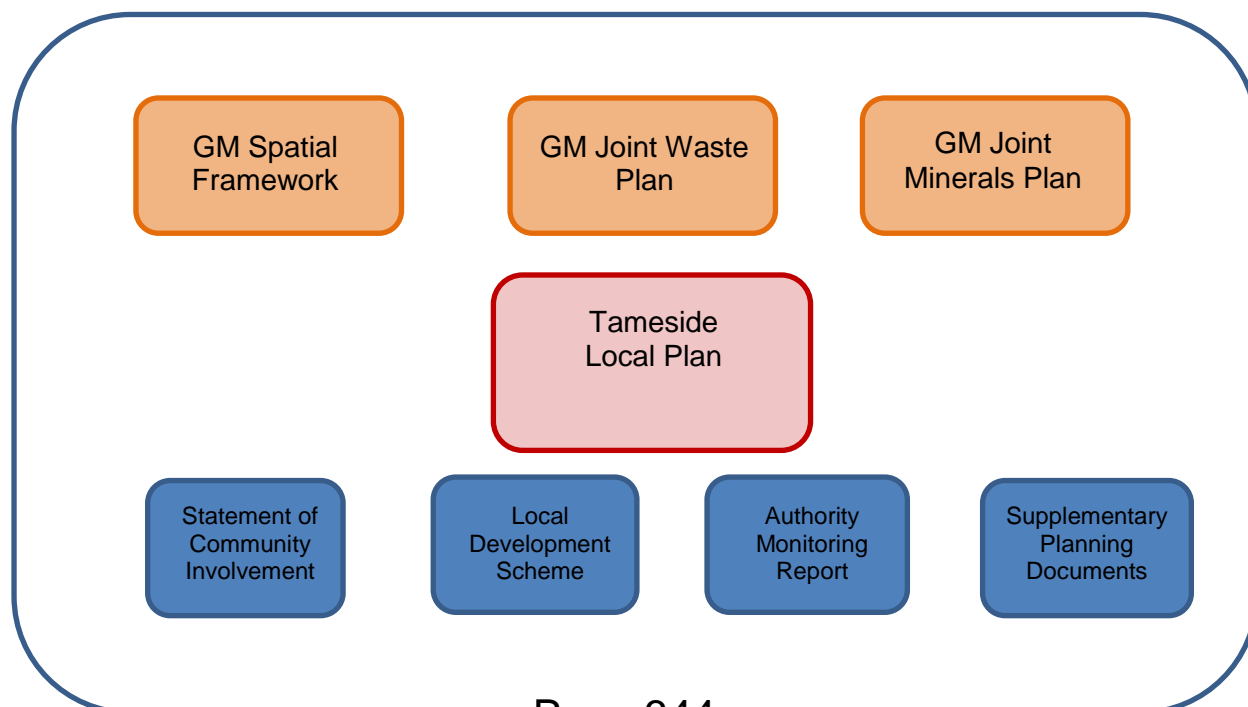
In addition to the Local Plan, local authorities can prepare Supplementary Planning Documents to add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design.

Prior to the introduction of the Planning and Compulsory Purchase Act in 2004, these documents were prepared as Supplementary Planning Guidance (SPGs) to support the Unitary Development Plan. Existing SPGs will be carried forward and will remain in force where linked to a relevant 'saved' policy of the Tameside UDP.

New SPD's may be developed against 'saved' policies of the Tameside UDP. Once the UDP policies are superseded, the current SPG's/SPD's cannot be treated as material planning guidance in the determination of planning applications as the policy basis for them will be removed. New SPD's will need to be adopted to reflect the new policy framework within the GMSF and Local Plan. It is not currently considered necessary or appropriate to develop new Borough wide SPD's until the new Development Plan is in place although work will continue to finalise the Haughton Dale SPD which is now nearing adoption and will provide design guidance for this specific part of the Borough.

3.2 Development Plan Structure

On completion and adoption the structure of Tameside's Development Plan will consist of the components shown below:



The new Thameside Local Plan is due to be adopted in Autumn 2019, following public consultation and examination by the Planning Inspectorate on behalf of the Secretary of State. A more detailed schedule covering the preparation of the GMSF and the Thameside Local Plan is set out below.

4.0 Public Participation

As part of the preparation of a Local Plan, the Council must notify specific consultation bodies; along with general consultation bodies, local residents and persons carrying out business in the area as appropriate; of the subject of the local plan we are proposing to prepare and invite them to comment on what the document should contain.

The scale and nature of public participation will vary according to the stage of document production and will be guided by the Council's Statement of Community Involvement (SCI). This sets out the approach to involving stakeholders and the community in the production of all local development documents. The original SCI was adopted in July 2006. An up to date SCI is due to be published for consultation in July/August 2016 and subsequently adopted during September/October 2016 taking account of consultation responses in accordance with appropriate regulations to ensure it remains fit for purpose.

5.0 Plan Preparation Schedule

Document	Subject matter and geographical area	Chain of Conformity	Consultation	Publication of Submission Draft DPD and Public Consultation	Submission of DPD	Examination of DPD	Adoption of DPD	Policies it will replace
Greater Manchester Spatial Framework	The GMSF will focus primarily on housing and employment land requirements for GM, the infrastructure requirements to deliver this and the environmental capacity of GM to accommodate this in the most sustainable manner for the whole of Greater Manchester (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford and Wigan).	Consistent with national planning policy and having regard to the Greater Manchester Strategy, Greater Manchester Growth and Reform Plan.	Initial Evidence Base November 2014 Draft Growth Options November 2015 - January 2016 Consultation on Draft GMSF October – November 2016	June 2017 ¹	November 2017	February-April 2018	January 2019	

¹ The timetable will need to be reviewed once the status of the plan has been confirmed by legislation and supporting regulations. The submission Plan will require the approval of the 10 Full Councils.

Document	Subject matter and geographical area	Chain of Conformity	Consultation	Publication of Submission Draft DPD and Public Consultation	Submission of DPD	Examination of DPD	Adoption of DPD	Policies it will replace
Tameside Local Plan 2016	Sets out the vision, objectives and strategy for the spatial development of Tameside. Lists sites allocated for development, which are illustrated on an accompanying Policies Map. Sets out the policies against which planning applications will be considered. Covers the whole of Tameside Metropolitan Borough Council's administrative area.	Conformity with the NPPF and GMSF.	Reg 18 Notification July – August 2016 SA Scoping Report October – November 2016 Draft Local Plan August -September 2017	May- June 2018	November 2018	March – April 2018 ²	Autumn 2019	All remaining saved policies in the Tameside UDP 2004.

² The timetable at this point will be determined by the Planning Inspectorate and is not a matter for the Council to control.

Further Information

Below are links to websites which will assist should you require further information on LDSs

- The Planning and Compulsory Purchase Act 2004:
<http://www.legislation.gov.uk/ukpga/2004/5/contents>
- The Town and Country Planning (Local Planning) (England) Regulations 2012:
<http://www.legislation.gov.uk/uksi/2012/767/contents/made>
- Planning Advisory Service:
<http://www.pas.gov.uk>
- Planning Portal:
<http://www.planningportal.gov.uk>
- Planning Practice Guidance:
<http://planningguidance.planningportal.gov.uk/blog/guidance/>

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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