

## **EXECUTIVE CABINET**

**12 December 2018**

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

In Attendance: Steven Pleasant Chief Executive  
Sandra Stewart Director of Governance & Pensions  
Kathy Roe Director of Finance  
Ian Saxon Director (Operations & Neighbourhoods)  
Ilys Cookson Assistant Director (Exchequer)  
Emma Varnam Assistant Director (Operations and Neighbourhoods)

### **53. DECLARATIONS OF INTEREST**

There were no declarations of interest submitted for this meeting.

### **54. MINUTES**

#### **a) Meeting of Executive Cabinet**

Consideration was given to the Minutes of the Meeting of Executive Cabinet held on 28 November 2018.

#### **RESOLVED**

**That the Minutes of the Meeting of Executive Cabinet held on 28 November 2018 be taken as read and signed by the Chair as a correct record.**

#### **b) Strategic Commissioning Board**

Consideration was given to the Minutes of the Strategic Commissioning Board held on 28 November 2018.

#### **RESOLVED**

**That the Minutes of the Strategic Commissioning Board held on 28 November be received.**

#### **c) Strategic Planning and Capital Monitoring Panel**

Consideration was given to the recommendations of the Strategic Planning and Capital Monitoring Panel meeting held on 26 November 2018.

#### **RESOLVED**

**That the Minutes of the Strategic Planning and Capital Monitoring Panel held on 28 November 2018 be received and the following recommendations approved:**

#### **Asset Condition Management**

- (i) Spends associated with statutory compliance capital repairs for the period July to August 2018 of £133,405.85.**

#### **Capital Monitoring Period 6 2018/19**

- (i) Council be recommended to**

- a. Approve the reprofiling as detailed within Appendix 3 of the submitted report to reflect up to date investment profiles.
- b. Approve the changes to the Capital Programme as detailed in Appendix 1 of the submitted report.
- c. Approve the updated Prudential Indicator position as detailed within Appendix 5 of the submitted report.

#### **Education Capital Programme 2018/19**

- (i) The £1.5m grant award by Sport England be added to the Tameside Wellness Centre, project value in the Capital Programme.
- (ii) The proposed changes of £42,169 to the Education Capital Programme (Basic Need Funding Schemes), as detailed in Appendix 1 of the submitted report.
- (iii) The proposed changes to the School Condition Allocation Funding Schemes as detailed in Appendix 2 of the submitted report.

#### **Engineering Capital Programme 2018/19**

- (i) The £1.950m fully grant funded cycle scheme between Hyde town centre and Mottram and Hollingworth be included in the Council's capital programme.

#### **Section 106 Agreements and Developer Contributions**

- (i) A s106 payment of a Green Space Contribution of £69,000 to fund enhancements to the facilities at Bennett Street Youth Centre including the provision of a cycle path.

#### **Vision Tameside Phase 2**

- (i) The virements and the revised budget for the Vision Tameside Phase 2 development as detailed within section 3 of the submitted report.

#### **d) AGMA Executive Board Meetings / Greater Manchester Combined Authority**

Consideration was given to a report of the Executive Leader and Chief Executive, which informed Members of the issues considered at recent Greater Manchester Combined Authority meetings.

#### **RESOLVED**

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

#### **55. ANNUAL AUDIT LETTER FOR 2017/18**

Consideration was given to a report of the Deputy Executive Leader / Director of Finance which detailed the annual audit letter for Tameside Metropolitan Borough Council and Greater Manchester Pension Fund from Grant Thornton for the external audit of 2015/16. A copy of the letter was appended to the report.

It was explained that the annual audit letter summarised the key findings arising from the work carried out for the year ending 31 March 2018. External Audit provided an unqualified value for money conclusion in 2017/18, stating that in all significant respects, the Council put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources, except that the Council cannot yet demonstrate sufficient improvement in Children's Services.

It was commented by the Auditors that it was not possible to get a better Audit report and in response Members conveyed their thanks to the Auditors for their hard work and thoroughness and requested that their thanks be conveyed to all involved in another successful audit.

**RESOLVED:**

**That the Annual Audit Letter for 2017/18 be noted.**

**56. STRATEGIC COMMISSION AND NHS TAMESIDE AND GLOSSOP INTEGRATED CARE FOUNDATION TRUST – CONSOLIDATED 2018/19 REVENUE MONITORING STATEMENT**

Consideration was given to a report of Deputy Executive Leader / Director of Finance which showed as at 31 October 2018 the Integrated Commissioning Fund was forecasting to spend £582.3m against an approved budget of £580.4m, an overspend of £1.9m, this was an improvement on the position reported at month 6. The improved position from month 6 was due to a combination of improved savings delivery and the release of corporate contingency budgets. However, the forecast masked significant risks and pressures in a number of areas, including Continuing Care, Children's Services and Operations and Neighbourhoods.

Members were informed for the year to 31 March 2019 that service expenditure was expected to exceed the approved budget in a number of areas, due to a combination of cost pressures and non-delivery of savings. These pressures were being partially offset by additional income in corporate and contingency which may not be available in future years. Members were advised that there was a clear urgency to implement associated strategies to ensure the projected funding gap in the current financial year was addressed and closed on a recurrent basis. The Medium Term Financial Plan for the period 2019/20 to 2023/24 identified significant savings requirements for future years. If budget pressures in service areas in 2018/19 were sustained, this would lead to an increase in the level of savings required in future years to balance the budget.

Members were advised of additional cost pressures to the Capital Programme including with the Hyde Leisure Pool extension. Included within the Capital Programme was a remaining budget of £3.088m for Hyde Leisure Pool extension and wave machine, after initial expenditure of £97k in previous years. A revised budget of £3.096m for the extension of Active Hyde was recommended for approval by Strategic Planning and Capital Monitoring Panel on 10 July 2017. In addition, a further £88k was approved by Executive Cabinet on 21 March 2018 to increase the overall capital allocation to £3,185k over the life of the project. It was envisaged that the additional capital would enable work to start on site in May 2018 subject to contract. A proposal has been submitted by a potential new contractor which had being fully evaluated by the LEP. The outcome of the evaluation had led to the need for additional capital funding of £280k. The cost of the scheme has increased for the following reasons:

- The company that came second in the tender process was significantly more expensive than the company that came first.
- The cost of works packages have increased since the original tender exercise due to inflation and full order books particularly for ground works, steel and brickwork labour.
- Additional LEP fees attributed to the remobilisation of the scheme.

A further additional cost pressure to the Capital Programme had been identified at Fairlea Denton and Greenside Lane, Droylsden. Both plots required works to ensure the stability of the embankments for which the Council was responsible as the land owner. The total cost of the work was reported to be £650k, for which there was no earmarked funding within the Capital Programme. Members were advised that approving this funding would impact on the ongoing Capital Project reprioritisation which was reported to Executive Cabinet in July 2018. Alternatively Members could determine to fund the works from the general fund reserve, which the Council holds for risk mitigation and management purposes.

**RESOLVED:**

- (i) That the significant level of savings required during 2018/19 to deliver a balanced recurrent economy budget together with the related risks which are contributing to the overall adverse forecast, be noted.**

- (ii) That the significant cost pressures particularly in respect of Continuing, Healthcare, Children's Social Care and Operations & Neighbourhoods, and Growth; be noted.
- (iii) The allocation of additional Capital Funding and an increase in the Capital Programme for Hyde Leisure Pool Extension (£0.280m) and remedial slope stability works required at Fairlea Denton and Greenside Lane Droylsden (£0.650m), be approved subject to approval by Council to amend the Capital Programme.

## **57. TREASURY MANAGEMENT ACTIVITIES**

Consideration was given to a report of the Deputy Executive Leader / Director of Finance setting out the Treasury Management activities for the financial year 2018/19, including the borrowing strategy and investment strategy.

Members were informed the Council held £95.860m of investments as at 30 September 2018 and the investment portfolio yield to date is 0.77% against the London Interbank Bid Rate (LIBID) benchmark of 0.43%. This represented a cash increase of £0.187m against benchmark. As at 30 September 2018 the Council's total borrowing was £111.852m.

### **RESOLVED:**

**That the treasury management activities undertaken on behalf of both Tameside MBC and the Greater Manchester Metropolitan Debt Administration Fund be noted.**

## **58. CONSULTATION OUTCOME AND SETTING LOCAL COUNCIL TAX SUPPORT SCHEME 2019-20**

Consideration was given to a report of the Deputy Executive Leader / Director of Finance setting out the procedural guidelines to be followed when consulting on changes to a local Council Tax Support scheme and seeking a recommendation to Council for the approval of the Council Tax Support scheme for 2019/20, which looked to reflect both the consultation feedback received together with the budget position facing the Council.

Consultation had been undertaken on options between 19 September and 22 November 2018. Option one had been to award a two week run on for claimants moving from benefit to work; option two had been to apply an earnings disregard to self-employed claimants. After the consultation closed 2019 a total of 43 valid responses had been received. The majority of respondents 35 (81.39% of the total) agreed that a two week run on for claimants moving into work should be awarded with 6 respondents (13.95%) disagreeing. Two respondents (4.65%) neither agreed nor disagreed. The majority of respondents 33 (76.74% of the total) agreed that an earnings disregard should be applied to the earnings of self-employed working age claimants. A total of 7 respondents (16.27%) disagreed. Three respondents (6.99%) neither agreed nor disagreed.

In considering the responses Members took into account the Equality Impact Assessment and the impact of implementation of the proposals on the claimant groups affected.

### **RESOLVED:**

**That Council be recommended to approve the Council Tax Support scheme for 2019/20, which remains the same scheme as that set effective from April 2017, subject to annual benefit uprating as detailed in the scheme, and the following:**

- (i) Award a two week run on for claimants moving from benefit to work
- (ii) Apply an earnings disregard to self-employed working age claimants

## **59. UPDATE TO HIGHWAYS WINTER MAINTENANCE POLICY**

Consideration was given to a report of the Executive Member for Neighbourhoods / Assistant Director of Operations and Neighbourhoods which sought as recommendation to Council to approve the updated Winter Maintenance Policy for the treatment of Tameside's highway assets in inclement weather.

Members were advised the Department for Transport had commissioned a review and an update of a number of Codes of Practice with regards to the maintenance of the key assets that make up the highway network. The new Code of Practice, *Well managed Highway Infrastructure* (WmHI), was published on 28 October 2016. The new WmHI Code of Practice advocates changing the reliance on specific guidance and recommendations in the previous codes, to a risk-based approach determined by each highway authority. Across Greater Manchester a framework has been produced giving due regard to all council highway duties, adopting the guidance that reflects the recommendations from the new WmHI Code of Practice.

The new policy contains details of the procedures related to the general operational activities in the Winter Service Operational Plan, the Highway Maintenance Policy (Local Code of Practice) and Highway Risk Management - Winter Gritting Operations. The new policy document set out the Council's standards and operational processes to deliver the Winter Service provision. The standards were set to ensure that the Council provides an effective and deliverable service sustainable within available resources.

### **RESOLVED:**

**That Council be recommended to approve the updated Winter Maintenance Policy.**

## **60. ASHTON OLD BATHS PHASE 3 - ANNEXE AND NEW DATA CENTRE**

Consideration was given to a report of the Deputy Executive Leader / Assistant Director of Digital which set out the full business case for the Ashton Old Baths Phase 3 project, involving the redevelopment of the Annexe and a new Data Centre, and sought approval of proposals to secure the delivery of the project.

The business space would provide an environment that could accommodate up to 73 new jobs, which would be targeted at the media, digital and creative sectors. Phases 1 and 2 of the Ashton Old Baths Project had seen a similar scale of development of business space, with a range of businesses currently employing more than 83 people occupying the office space.

The Capital programme included £1.600m for the redevelopment of Ashton Old Baths Annexe. At the meeting on 13 December 2017, Executive Cabinet approved £0.840m towards the new Data Centre as part of the Tameside Digital Infrastructure capital scheme. The report sought additional funding of £1.157m. This total of £2.757m would need to be funded entirely by the Council, from reserves or capital receipts. As such this would require other identified schemes within the Capital Programme to be delayed or removed, or additional assets identified for sale. The majority of Capital Programme had been placed on pause due to concerns about the achievement of capital receipts from asset sales, and cost overruns on a number of projects. Executive Cabinet had previously agreed that only schemes that had already started and those of a business critical nature could proceed. This scheme was considered business critical due to the requirement to relocate the data centre and ensure that a disaster recovery capability was established.

To not provide the additional investment would mean the project could not be completed and the benefits would not be realised. Delays to the Data Centre would cause financial and operational implications for the Council. Overall annual costs of £150k per annum by supporting existing arrangements with Rochdale MBC would be avoided by developing the data centre in Ashton Old Baths. This saving could be used to contribute to the balancing of the Council's budget.

Furthermore, it was anticipated that additional rental income and business rates income would amount to £234k per annum which represented a payback period of 16 years on the gross proposed spend of £3.847m.

**RESOLVED:**

- (i) That Council be recommended to amend the Capital Programme to increase the budget by £1,157k to £2,757k for this project, subject to the conclusion of procurement. Any revisions to the budget requirement will be subject to a further report to Executive Cabinet.**
- (ii) Subject to approval of the additional budget, approve the proposals for the Ashton Old Baths Phase 3 project, and proceed with the project and procurement as outlined within the submitted report.**
- (iii) Approve a waiver of Procurement Standing Orders for the award of the contract for the Supply and Installation of a new Electricity Sub-Station to Electricity North West (ENWL), the Licenced Distribution Network Operator (LDNO) for the North West of England, for the sum of £85,699.88.**
- (iv) Approve a waiver of Procurement Standing Orders for the award of the main contract through a two-stage design and construct procurement process.**
- (v) That progress on the delivery of this project be reported to the Strategic Planning and Capital Monitoring Panel on a quarterly basis.**

**61. VISION TAMESIDE UPDATE**

Consideration was given to a report of the Deputy Executive Leader / Director of Operations and Neighbourhoods which updated Members on the main communication activity and the staff and service relocation plans associated with the Vision Tameside project.

**RESOLVED:**

**That the communication activity and the staff and service relocation plans associated with the Vision Tameside project be noted.**

**62. MEDICAL REFEREE FEE**

Consideration was given to a report of the Executive Member for Neighbourhoods / Assistant Director of Operations and Neighbourhoods which sought approval for the increase in the Medical Referee fee for the Cremation Authority, from £18 to £19 per form and this be backdated from 1 April 2018 at the request of the Medical Referee.

Under the Cremation Regulations 1930, Regulation 10, every Cremation Authority must have a Medical Referee and a Deputy Medical Referee, who must be registered medical practitioners of not less than five years' standing and must possess such experience and qualifications as will fit them for the discharge of the duties required of them by these Regulations. Medical referees at crematoria are paid by local authorities to scrutinise cremation certificates. If not satisfied, medical referees are required to contact the associated doctors and, if necessary, order an autopsy examination. They also have a duty, where appropriate, to refer a case to the coroner. The Budget approved by Council in February 2018 allowed for an increase of 2.5% in fees and charges for the associated forms except where costs are not being recovered or market conditions indicate a different rate is more appropriate.

An increase to £19 per form will align Tameside Council's fees closer to the majority of Greater Manchester Crematoria.

The risks of not increasing the fees are that the Medical Referee could decide not to continue with providing the service and could leave the authority in a position where it would not be able to fulfill its statutory obligations.

**RESOLVED:**

**That the Medical Referee Fee be increased from £18 to £19 per form and backdated from 1 April 2018.**

**63. PREVENTING HOMELESSNESS STRATEGY 2018-21**

Consideration was given to a report of the Executive Member for Economic Growth, Employment and Housing / Assistant Director of Operations and Neighbourhoods which sought approval of the updated Preventing Homelessness Strategy for 2018-2021, following consultation with the public and strategic stakeholders on the draft strategy.

The Homelessness Act 2002 requires all housing authorities to adopt a homelessness strategy based on a review of all forms of homelessness in their district. The strategy must be renewed at intervals of no more than 5 years and set out the Authority's plans for the prevention of homelessness and for securing sufficient accommodation and support for people who become homeless or who are at risk of becoming homeless.

The submitted Tameside MBC draft Preventing Homelessness Strategy sought to bring about a borough wide cultural change in the Council's approach to tackling and preventing homelessness in Tameside advocating a holistic and integrated approach to Preventing Homelessness which tackles the complexity of issues which can result in homelessness. The strategy aimed to broaden and deepen constructive collaboration between services, partner organisations, the Faith sector, and members of the community.

**RESOLVED:**

**That the Preventing Homelessness Strategy for 2018-2021 be approved.**

**64. SITES OF BIOLOGICAL IMPORTANCE AND REGIONALLY IMPORTANT GEOLOGICAL AND GEOMORPHOLOGICAL SITES REVIEW UPDATE**

Consideration was given to a report of the Executive Member for Strategic Development and Transport / Head of Planning which sought approval of changes which have occurred to designated Sites of Biological Importance (SBI) and Regionally Important Geological and Geomorphological (RIGs) sites within the Borough. Members were advised that each of the sites had been surveyed by or under the supervision of the Greater Manchester Ecology Unit.

Tameside has 56 SBI in total across the borough, a position which has neither increased nor decreased since the last survey presented for consideration, the 2015 review. When surveying first commenced in 1984 initially 30 sites were designated. In total 1,438.8ha of the Borough is designated as SBI a marginal decrease of 0.1% as part of this survey update, primarily due to technical advances in GIS resulting in the deletion of areas at Pole Bank (North) although a small pond had been included.

**RESOLVED:**

**That the changes to the Boroughs SBI and RIGS designated Sites of Biological Importance and Regionally Important Geological and Geomorphological, be approved.**

**CHAIR**