

COUNCIL

21 January 2016

Commenced: 5.00 pm

Terminated: 5.30 pm

Present: Councillors Kitchen (Chair), Ricci (Civic Mayor), Affleck, Beeley, Bell, Bowden, Bray, Buckley, Cartey, Cooney, Cooper, Dickinson, Drennan, Fairfoull, J Fitzpatrick, P Fitzpatrick, Fowler, Glover, A Holland, B Holland, Jackson, Kinsey, D Lane, J Lane, McNally, I Miah, R Miah, Middleton, Pearce, Peet, K Quinn, S Quinn, Reid, Robinson, Ryan, Sidebottom, M Smith, T Smith, Sweeton, Taylor, F Travis, L Travis, Ward, Warrington, Welsh, Whitehead and Wild.

Apologies for Absence: Councillors Bailey, Ballagher, Bowerman, Downs, Gwynne, Patrick, Piddington, Reynolds, Shember-Critchley and White.

29. MINUTES

RESOLVED

That the Minutes of the proceedings of the meeting of the Council held on 8 December 2015 be approved as a correct record and signed by the Chair of Council Business.

30. DECLARATIONS OF INTEREST

In noting that Council was not making a decision but receiving minutes of decisions made at the Joint Meeting of Executive Cabinet and Audit Panel where neither Councillor Kitchen nor Councillor Bell was present, both Councillors declared their interests as follows:

Members	Subject Matter	Type of Interest	Nature of Interest
Councillor Kitchen	Item 6 – Joint Meeting of Executive Cabinet and Audit Panel (Minute 28)	Personal	Director – Hyde United Football Club
Councillor Bell	Item 6 – Joint Meeting of Executive Cabinet and Audit Panel (Minute 28)	Personal	Shareholder – Hyde United Football Club

31. COMMUNICATIONS OR ANNOUNCEMENTS

The Executive Leader was delighted to advise that the Council's Chief Executive, Steven Pleasant's work on behalf of the Combined Authority supporting asylum seekers, had been recognised in the New Year's Honours List. Members of the Council joined the Executive Leader in congratulating Steven on his achievement and a truly well-deserved award.

Councillor Taylor was pleased to report that since the borough wide expansion of the Bin Swap scheme on 1 September 2015, 95 % of residents in Tameside were recycling their waste. This had resulted in a saving to date to the Authority of £1m which would be diverted into essential services.

32. COUNCIL BIG CONVERSATION

The Chair reported that there were no questions submitted by members of the public in accordance with Standing orders 31.12 and 31.13.

33. JOINT MEETING OF EXECUTIVE CABINET AND AUDIT PANEL

Consideration was given to the Minutes of the Joint Meeting of Executive Cabinet and Audit Panel held on 16 December 2015. It was moved by Councillor K Quinn, seconded by Councillor Taylor and –

RESOLVED

That the Minutes of the Joint Meeting of Executive Cabinet and Audit Panel held on 16 December 2015 be received.

34. DEMOCRATIC PROCESSES WORKING GROUP

Consideration was given to the Minutes of the meeting of the Democratic Processes Working Group held on 16 December 2015. It was moved by Councillor Taylor, seconded by Councillor K Quinn and –

RESOLVED

That the Minutes of the meeting of the Democratic Processes Working Group held on 16 December 2015 be received.

35. UPDATE ON CITIES AND DEVOLUTION BILL

Council considered a report of the Executive Leader and Chief Executive, which provided an update on the progress of the Cities and Local Government Devolution Bill and the next steps to implementation, including the making of Parliamentary Orders to establish the elected Mayor and give the Combined Authority additional powers and responsibilities. The report also sought delegated authority to consent to the Orders required to enable progress to be made. It was moved by Councillor K Quinn, seconded by Councillor Taylor and –

RESOLVED

- (i) That the progress of the Bill and the next steps required for implementation be noted.**
- (ii) That the previous delegation granted by Council on the 2 December 2014 to the Chief Executive in consultation with the Executive Leader to consent to the terms of the Order required to establish the role of the Greater Manchester Combined Authority elected Mayor and to provide for the Mayor to exercise the functions of the Police and Crime Commissioner in relation to the Greater Manchester Police area be noted.**
- (iii) That delegated authority be given to the Chief Executive, in consultation with the Executive Leader, to consent to the terms of orders required to enable the Greater Manchester Combined Authority to carry out health related functions from April 2016.**

36. COUNCIL TAX SUPPORT SCHEME

Consideration was given to a report of the First Deputy (Performance and Finance) and the Assistant Executive Director (Exchequer) setting out the outcome of consultation on three proposed changes to the existing local Council Tax Support Scheme and the impact the changes could have on different claimant groups, estimated costs of the scheme together with risks. The report recommended a revised scheme for approval by Council making the scheme more affordable within the reducing Council budget.

The report explained that Tameside's Council Tax Support Scheme, which replaced Council Tax Benefit had been in operation from 1 April 2013 and had remained unchanged. The scheme provided financial assistance to Council Tax Charge payers on a low income whether they rented

or owned their home, or lived rent-free, by reducing the amount of Council Tax they had to pay. The caseload of claimants had reduced steadily since the scheme was introduced from 12,720 working age claimants and 10,996 pensioners in April to 2013. It was felt appropriate, given the Council's overall financial position, that revisions to the scheme be considered and that a local Council Tax Support scheme be set taking into account the finances available.

The public, interested parties and precepting bodies had been consulted on three proposed changes to the Council Tax Support scheme in accordance with procedural requirements. These were detailed as follows:

- Capping support Band A property.
- Reducing the maximum Council Tax Support award to 75%.
- Aligning deductions for non-dependents of working age to the same level as those in the prescribed scheme for claimants of pensionable age.

The consultation had taken place from 14 September 2015 to 30 November 2015 and reference was made to the conclusions drawn from the consultation analysis, which indicated that the majority of respondents agreed that the three proposals be implemented.

In considering implementation of any of the three proposals, it was appropriate to consider the impact on typical claimant groups. Data had been taken from the Council Tax Support system to determine the impact on different household compositions and circumstances in a number of scenarios that were highlighted in the report.

An equality impact assessment considered the impact of the three proposals on the scheme by the characteristic groups. There was no disproportionate impact on any group and protections remained the same as when the scheme was set in December 2012, becoming effective in April 2013 and updated in December 2014.

In terms of mitigation and support, the Hardship Fund would remain in place at £5,000 and continued to be administered by the Tameside Resettlement Scheme. This amount did not exclude approved applications being granted should the maximum allocated funding be exceeded.

Reference was made to other considerations and the Staying Put Scheme where the Council had an obligation to support young people leaving care and the proposal to introduce non-dependent deductions could impact on claimants continuing to support a young person beyond the age of 18 and who were in employment. Although this specific issue did not form part of the public consultation, it was felt to be a beneficial change to ensure that claimants in receipt of a Staying Put payment in respect of continuing to care for a young person they had previously fostered should not be disadvantaged by the introduction of the non-dependent deduction charge.

In addition, the Chancellor of the Exchequer had recently announced that local authorities could increase Council Tax by an additional 2%, which would be ring fenced to cover rising costs of social care. If a local authority resolved to increase Council Tax by the additional 2% in respect of social care costs, and wanted all Council Tax payers to pay this increase, including those in receipt of Council Tax Support, then the Council must follow the procedure and associated consultation laid down in the Council Tax regulations.

The three proposals would save an estimated £696,000 in scheme costs and, if Council Tax remained the same level in 2016/17, the scheme costs were estimated to be £14.1m. Should the Council Tax increase by 1.99% from April 2016 then the estimated costs were expected to be £14.4m. However, this did not include the additional overall income which could be raised as a result of increasing Council Tax.

It was moved by Councillor J Fitzpatrick, seconded by Councillor Fairfoull and –

RESOLVED

- (i) That the Council Tax Support Scheme 2016/17 as attached as Appendix 5 to the report be agreed, which included the following four proposed changes to the previous scheme:
- Capping support to a Band A property;
 - Reducing the maximum Council Tax Support Scheme award to 75%;
 - Aligning deductions for non-dependents of working age to the same level as those in the prescribed scheme for claimants of pensionable age;
 - Disregarding non-dependent deductions for Council Tax Support Scheme claimants in receipt of a Staying Put payment.
- (ii) That the hardship fund and policy continue to be in place, as set out in Appendix 4 to the report, in order to assist severe cases of hardship funded from existing budgets and administered via the Tameside Resettlement Scheme.

37. LICENSING POLICIES

Consideration was given to a report of the Executive Member (Clean and Green) and the Assistant Executive Director (Environmental Services) advising that Licensing Authorities were obliged to review and revise their licensing policies on a regular basis. Regular reviews ensured that policies were kept up-to-date with any changes to legislation and that policies accurately reflected the aims, ambitions and working practices currently employed by the Authority.

The report explained that the Licensing Act 2003 was the primary legislation whereby Licensing Authorities issued licenses to and regulated licensed premises which were used for the sale or supply of alcohol, providing regular entertainment or late night refreshment. The new Statement of Licensing Policy, attached at **Appendix 1** to the report, reflected recent changes to legislation and working practices within the Licensing Service. It also included an innovative approach to promoting public health and outlined the Council's expectations in relation to a number of emerging issues such as child sexual exploitation and legal highs.

It was also explained that the Gambling Act 2005 was the primary legislation whereby Licensing Authorities issued licenses to and regulated licensed premises used for gambling activities such as bookmakers, bingo premises and adult gaming centres. The new Statement of Gambling Policy was detailed at **Appendix 2** to the report and was intended to replace the existing Statement due to expire in February 2016.

In relation to the Sex Establishment Licensing Policy, in July 2014 the Council had adopted an amendment to the Local Government (Miscellaneous Provisions) Act 1982, which allowed the Council to regulate and licence sex establishments. There were currently no premises in Tameside falling into the categories covered by the policy. However, it was recommended best practice for the Council to introduce a policy, attached at **Appendix 4** to the report, giving detailed guidance on how it would consider and determine applications for sex establishment licences and the process for making such applications.

A full public consultation exercise on the draft policies had taken place between 10 September 2015 and 4 December 2015 and details of the responses were included in the report and at **Appendix 3**.

It was moved by Councillor Taylor, seconded by Councillor Robinson and –

RESOLVED

That the Statement of Licensing Policy 2016-2021, the Statement of Gambling Policy 2016-2019 and the Sex Establishment Licensing Policy as detailed in the Appendices to the report, be adopted by the Council.

38. WASTE POLICY AND ENFORCEMENT STRATEGY

Consideration was given to a report of the Deputy Executive Leader, Executive Member (Clean and Green) and the Assistant Executive Director (Environmental Services) explaining that it was important that the Council had a clear policy regarding waste collection, recycling and enforcement. The Waste Policy and Enforcement Strategy, attached at **Appendix 1** to the report, confirmed what Tameside residents and key stakeholders could expect from the Waste and Recycling Service and outlined the Council's approach to enforcement in occurrences of non-compliance.

All avenues of education and support would be exhausted before enforcement action was undertaken and a Communication and Engagement Plan had been developed and detailed in **Appendix 2** to the report. A consultation exercise had commenced on 26 October 2015 for a four week period, ending on 27 November 2015. A summary of the consultation responses was included in the report.

In recommending the Waste Policy and Enforcement Strategy to Council for adoption, Councillor Taylor made reference to the first waste enforcement day, which had taken place on 21 January 2015. This had focused on Ashton Town Centre where Enforcement Officers from Environmental Services were joined by civil enforcement staff in a combined operation to identify and tackle the few irresponsible residents and businesses fly tipping and dumping rubbish illegally. The day of action was the first of a programme of activity that would take place over the coming months as the Waste Policy and Enforcement Strategy was implemented. It was, therefore, moved by Councillor Taylor, seconded by Councillor Robinson and –

RESOLVED

That the Waste Policy and Enforcement Strategy at Appendix 1 to the report be adopted and the Communication and Engagement Plan at Appendix 2 to the report be approved.

39. GOVERNANCE AND ACCOUNTABILITY FRAMEWORK FOR HEALTH

Consideration was given to a report of the Chief Executive, Executive Member (Social Care and Wellbeing), the Executive Member (Healthy and Working) and Executive Member (Children and Families) seeing approval to establish a governance and accountability framework to support the development and implementation of an integrated health and care system in Tameside whilst reflecting the wider Greater Manchester position.

Across Greater Manchester and within Tameside, health and social care partners were working together to reform health and care services to support the shared ambition of improving health outcomes for residents as quickly as possible. At the local level revised governance arrangements were required to enable the ambition and vision contained in the Tameside and Glossop Locality Plan, attached at **Appendix 2** to the report, to be realised.

The report detailed the proposals for governance in shadow form with immediate effect and subject to review formally from 1 April 2016. The proposals were 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 the Greater Manchester wide commissioning arrangements resided.

Additionally, the proposals must take account of and interface with the governance arrangements of individual partner organisations. Over forthcoming months changes might be required to the constitutional arrangements of statutory organisations before these arrangements were to 'go live' in April 2016.

Finally, it remained imperative that robust safeguarding arrangements remained at the fore. Strong links to both the safeguarding boards for children and adults must be cemented in these new governance proposals with oversight by relevant scrutiny and audit / regulatory arrangements. Council was asked to note the significant progress that had already been made including:

- Development of the Tameside and Glossop Locality Plan.
- Development of a single commissioning team drawn from both organisations to take forward commissioning.
- Appointment of an Independent Programme Chair and Programme Director.
- Transfer of the Tameside and Glossop community staff currently hosted by Stockport Foundation Trust into Tameside Hospital Foundation Trust. This process was now underway and would be completed on 1 April 2016.
- Pooled budgets and associated financial plans relating to the Better Care Fund.
- Working Groups in place to develop contractual arrangements for Single Commissioning and extended pooled budget arrangements.
- Organisational development work relating to commissioning with a focus upon movement towards outcome based commissioning.

It was moved by Councillor Warrington, seconded by Councillor Cooney and –

RESOLVED

- (i) **That the GM Devolution position be noted.**
- (ii) **That the role of the Tameside Health and Wellbeing Board be endorsed and kept under review.**
- (iii) **That the proposal to establish the governance arrangements in shadow form and the establishment in shadow form of the Interim Single Commissioning Board and the terms of references set out at Appendix 1 to the report be endorsed.**
- (iv) **That the proposal to establish the governance arrangements in shadow form subject to review and individual engagement with partner organisations, including any necessary changes to constitutional arrangements be endorsed, and provisionally support formal introduction from 1 April 2016.**

40. QUESTIONS

The Chair reported no questions had been received in accordance with Standing Order 17.2.

41. URGENT ITEMS

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

CHAIR