

## **EXECUTIVE CABINET**

**27 March 2019**

**Present:** Councillors Cooney, Gwynne, Kitchen, Fairfoull, Ryan, Warrington, Bray and Feeley.

<b>In</b>	Steven Pleasant	Chief Executive
<b>Attendance:</b>	Sandra Stewart	Director of Governance & Pensions
	Kathy Roe	Director of Finance
	Richard Hancock	Director of Children's Services
	Stephanie Butterworth	Director of Adult Services
	Ian Saxon	Director of Operations & Neighbourhoods
	Jayne Traverse	Director of Growth
	Alan Dow	Chair of NHS CCG Tameside & Glossop
	Tom Wilkinson	Assistant Director (Finance)

### **93 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **94 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **95 EXECUTIVE CABINET**

Consideration was given to the minutes of the joint meeting of Executive Cabinet and Overview (Audit) held on 13 February 2019.

#### **RESOLVED**

**That the minutes of the joint meeting of Executive Cabinet and Overview (Audit) held on 13 February 2019 be approved and signed by the Chair as a correct record.**

### **96 STRATEGIC COMMISSIONING BOARD**

Consideration was given to the Minutes of the Strategic Commissioning Board meeting held on 13 February 2019.

#### **RESOLVED**

**That the Minutes of the Strategic Commissioning Board held on 13 February 2019 be received.**

### **97 STRATEGIC PLANNING AND CAPITAL MONITORING**

Consideration was given to the minutes and recommendations for approval from the Strategic Planning and Capital Monitoring meeting held on 11 March 2019.

#### **RESOLVED**

**That the minutes of the meeting of the Strategic Planning and Capital Monitoring meeting held on 11 March 2019 be received and the following recommendations be approved:**

## **VISION TAMESIDE PHASE 2 – PROGRESS UPDATE**

That Executive Cabinet be recommended to approve the virements and the revised budget set out in Table 1 in Section 3 of the submitted report.

## **CORPORATE LANDLORD CAPITAL EXPENDITURE**

That Executive Cabinet be recommended to approve the £59,927.11 of capital spend on statutory compliance repairs on the Councils buildings, as detailed at paragraph 3 of the submitted report.

## **LEISURE ASSETS CAPITAL INVESTMENT PROGRAMME**

That Executive Cabinet be recommended to approve:

- (i) That the Director of Growth be authorised to permanently close and demolish Active Denton (Denton Pool) when the new Tameside Wellness Centre opens in early 2020. The closure is part of the wider asset management plan developed in consultation with members. In addition, the Director of Growth is authorised to establish options for the disposal of the site for best consideration in consultation with members and the local community. A report will be presented to Executive Cabinet setting out the options for disposal and the anticipated impact on the approved Capital Programme.
- (ii) That a condition survey of Active Ashton be undertaken to support the development of an options appraisal for further consideration by members. The cost of the survey to be funded from existing revenue budget.
- (iii) That the replacement of the Synthetic Turf Pitch at Active Medlock be added to the list of schemes currently under review in the capital programme

## **EDUCATIONAL Capital Programme 2018/19 Update**

- (i) That Executive Cabinet be recommended to approve the proposed changes to the Education Capital Programme as outlined in Appendix 1 (Basic Need Funding Schemes) and Appendix 2 (School Condition Allocation Funding Schemes) of the submitted report.
- (ii) That the RAG status of the Basic Need projects be noted and particular attention be given to those rated as high risk to ensure appropriate actions are being taken.
- (iii) That Executive Cabinet be recommended to approve the Section 106 requests set out in paragraph's 3.9 and 3.10.

## **SECTION 106 AGREEMENTS AND DEVELOPER CONTRIBUTIONS**

- (i) That Executive Cabinet be recommended to approve the s106 agreement and developer contributions approved allocations be added to the Capital Programme
- (ii) That Executive Cabinet be recommended to approve the drawdown of £34,000 of Developer Contributions for continuing the highway tree planting programme as well as for the planting of whips and standards on greenspace sites, as detailed in paragraph 2.10 of the submitted report.
- (iii) That Executive Cabinet be recommended to approve the drawdown of £56,600 Section 106 monies for green space infrastructure across the Borough including improving planters within town centres, planting around War Memorials and cleaning of War Memorials as detailed in paragraph 2.10 of the submitted report.

## **98 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.

## **99 REVENUE BUDGET MONITORING 2018/19 PERIOD 10**

Consideration was given to a report of the Director of Finance which stated that as at 31 January 2019, the Integrated Commissioning Fund was forecasting to spend £583.270m against an approved budget of £583.258m, an overspend of £0.012m. Further detail on the economy wide position was included at Appendix 1 to the report. This forecast was an improved position from the previous month but masked significant and increased pressures in a number of areas including Children's Services which was now forecasting expenditure to be £8m in excess of budget and further detail was included at Appendix 2 of the submitted report.

The Director of Finance explained that the improved position was due mainly to the release of corporate contingency and improvements in the forecast position for Governance, Growth and Operations and Neighbourhoods. Reference was made to further detailed analysis of budget performance and progress against savings included in Appendix 2 of the submitted report.

The Council's Collection Fund update for month 10 was detailed in Appendix 3. The forecast position at month 10 was a £0.6m deficit of Council Tax and £1.0m deficit on Non-Domestic Rates. This was better than the budgeted assumptions which assumed deficit positions of £1.8m and £5m respectively. The level of provisions required for non-collections and appeals were also forecast to be better than expected but would continue to be monitored. Appendix 4 of the submitted report detailed the Council's irrecoverable debts over £3,000 that had been written off in the period October to December 2018.

Members noted that the Tameside and Glossop Integrated Care Foundation Trust (ICFT) have incurred additional expenditure during the 2018/19 winter period compared to their financial plan that was in line with the related grant conditions. The ICFT has invested in the expansion of the Integrated Assessment Unit (IAU) and increased the opening hours in Ambulatory Emergency Care. This was to support admission avoidance and alleviate patient flow pressures together with the achievement of the 4-hour performance target. In light of the shared officer roles in particular accountable officer and s151 officer it is important that there is absolute transparency in respect of any vires of budget or allocation of additional funding to the hospital to provide assurance to both the CCG and Council external auditors.

### **RESOLVED**

- (i) That the significant level of savings required during 2018/19 to deliver a balanced recurrent economy budget together with the related risks contributing to the overall adverse forecast be acknowledged.**
- (ii) That the significant cost pressures facing the Strategic Commission, particularly in respect of Continuing Healthcare, Children's Social Care and Growth.**

## **100 CAPITAL PROGRAMME - METHODOLOGY FOR PRIORITISATION**

Consideration was given to a report of the Deputy Executive Leader / Director of Finance seeking approval of the methodology for the prioritisation of Capital Schemes previously approved within the Capital Programme. A reprioritisation was required because the level of capital receipts was anticipated to be £37m whereby the earmarked capital schemes currently on hold had an indicative budgeted cost of £47m, which had subsequently increased to £59m.

It was proposed that a prioritisation methodology was used to prioritise the existing earmarked schemes and adopted in supporting future capital investment decisions to ensure that scarce capital resources are allocated in the most efficient, effective and sustainable way and thus ensuring value for money.

Members were advised that development of the prioritisation methodology revealed that some of the proposed schemes could potentially be self-financing and not be a call on the Council's capital

receipts. The schemes in relation to cross organisational working with the Health Service, in particular, were able to generate significant service improvement and NHS and Council estate rationalisation opportunities that they should be self-financing over the life of the new asset. This self-financing could be through the sale of surplus Health assets through the One Public Estate initiative, or through the exiting of expensive leases generating budget savings, as well as through the reconfiguration of services delivered from the new assets that achieve operational and performance efficiencies.

Members were updated on the disposal of development sites that have already been approved or agreed for development and sale, which were mainly based around the legacy school sites following the Building Schools for the Future along with the sites identified for development by Matrix Homes. These sites were anticipated to realise approximately £37m in capital receipts over the next 2-3 years. Any additional future capital receipts would be dependent on the Asset Management Plan being updated. The capital programme being proposed would include the following assets becoming surplus to requirements. These can therefore be considered for sale or alternative use:

- Denton Pool (on completion of Denton Wellness Centre)
- Droylsden Library (once transferred to Guardsman Tony Downes House)

Following re-evaluation of the capital programme the following schemes were proposed for removal from the programme:

- Ashton Library £0.2m – Library developed as part of Tameside One building.
- A&E streaming – NHS capital funding has been sought

## **RESOLVED**

- (i) **That the methodology for prioritisation of schemes as set out in section 3 of the submitted report, be approved.**
- (ii) **That the principle that all cross organisational schemes are self-financing, as set out in Section 4 of the submitted report, be approved.**
- (iii) **That the assets identified in Section 5 of the submitted report will become surplus to requirement and available for disposal.**
- (iv) **That the removal of earmarked schemes from the capital programme as set out in section 6 of the submitted report be approved.**
- (v) **That all schemes above the red cut off line inn as detailed in Appendix 4 of the submitted report progress to the business case stage for further consideration.**
- (vi) **That Executive Cabinet acknowledges that capital receipts of £37m are required to be delivered to enable the delivery of schemes above the red cut off line.**

## **101 TAMESIDE HIGHWAYS ASSET MANAGEMENT PLAN**

Consideration was given to a report of the Executive Member for Neighbourhoods / Assistant Director of Operations and Neighbourhoods which sought approval of a Capital programme for road improvements to the value of £5.250m in 2019/20.

In 2017, the Tameside Transport Asset Management Plan (TAMP) for an investment of £20m over a four year period was approved by Executive Cabinet. This guaranteed a sustained level of investment in order to arrest the decline of the network and set specific targets for the different categories of carriageways and footways. Since then a total of £8m has been approved of which £5.000m has been spent to date leaving £3.000m until 31 March 2019. A programme of works set out in Appendix 2 of the submitted report detailed which of the highways assets would be maintained with the remaining earmarked sum of £5.250m in 2019/20.

The identification of which highways were included in the programme for improvement was undertaken by an on-going assessment of condition, using both machine and visual condition surveys. This had been undertaken in accordance with the WmHI Code of Practice and Tameside

MBC Highways Risk Management Inspection Code of Practice, in order to ensure adherence to the Council's responsibilities for Highways maintenance.

**RESOLVED**

**That road improvement to the value of £5.250m in 2019/20 for the schemes identified in Appendix 2 of the submitted report, be approved as part of the Capital programme.**

**102 NJC PAY AWARD 2019/2020**

Executive Cabinet considered a report of the Deputy Executive Leader / Assistant Director (People and Workforce Development) which sought approval of the National Joint Council (NJC) Pay Award for 2019/20 and the proposed revised pay structure to align the Council's existing grading structure to the new national pay spine.

The National Joint Council for Local Government Services reached a 2-year pay agreement in 2018 which included changes to the national pay spine effective from 1 April 2019. These changes involve the merger of some spinal column points (SCP) and the addition of new spinal column points to create equal increment values and contain the costs of implementation.

The Council has a legal obligation under the Equalities Act 2010 to ensure that its pay and grading structure is fair and not discriminatory. The Council is required to implement the nationally agreed National Joint Council pay award for those employees who are engaged on those terms and conditions.

**RESOLVED**

**That from the 1 April 2019:**

- (i) Implementation be approved for the NJC Pay Award, which introduces a new national pay spine consisting of 43 spinal column points (SCP).**
- (ii) Implementation be approved for the revised pay structure (Grades A to N) as detailed in Appendix 2 of the submitted report.**
- (iii) The Council recommends the revised pay structure (Grades A to N) as detailed in Appendix 2 for adoption by all Governing Bodies of community, voluntary controlled and voluntary aided schools within the Borough, and that it applies to all support staff employed within these schools.**
- (iv) Introduce a clear framework and grading for professional and technical roles at Grades H to J inclusive to address recruitment and retention issues in these key roles and the Director of Governance and Pensions (Borough Solicitor) be authorised to finalise the document set out at Appendix 8 in consultation with the Deputy Executive Leader..**
- (v) The Foundation Living Wage Rate, which is reviewed each November, is implemented as a supplement to the relevant spinal column point(s) on the following 1 April.**
- (vi) That due to the implementation of the NJC Pay Award and new TMBC Pay Structure, which incurs significant costs the changes to employment terms and conditions in 2016 will not be reviewed further, as previously committed to, and the changes will therefore remain in place.**
- (vii) Implementation be approved for the NHS Agenda for Change Pay Progression changes in accordance with the national pay agreement 2018 – 2021.**

### **103 HOUSING FINANCIAL ASSISTANCE POLICY 2018-2023**

Consideration was given to a report of the Executive Leader / Director of Growth which sought approval amendments to the Private Sector Housing Renewal Policy in connection with the Disabled Facilities Grant and other associated funding loans and grants.

The Director of Growth advised that Tameside's current Private Sector Housing Renewal Policy was approved in 2003. With increased Government Disabled Facilities Grant funding and continued repayments from previous housing improvement grants and loans, the Policy required updating to enable a more holistic approach to housing adaptation improvements. In updating the current Policy it was intended to:

- Incorporate the changes in Government policy in respect of the Disabled Facilities Grant and its increased flexibility;
- To reflect the continued increase in Government funding within the Regulatory Reform Order policy;
- Approve the use of on-going loan repayments to fund alternative initiatives within the updated policy;
- Subject to available funding, increase the number of potential assistance initiatives; and
- Subject to available funding, include Energy Efficiency Measures / Boiler Replacement Scheme within the updated policy.

Following a report to Strategic Commissioning Board and Executive Cabinet on 28 November 2018 approval was given for a public consultation exercise to be undertaken between 12 December 2018 and 25 January 2019 in order to seek wider support for the proposed Housing Financial Assistant Policy update. The response to the consultation exercise was outlined in the report and a number of recommendations had been included in the new Regulatory Reform Order Policy.

Members were advised the report had been considered at the meeting of the Strategic Commissioning Board, which had recommended approval of the proposed changes.

#### **RESOLVED**

**That the proposed amendments to the Policy set out in the report in connection with the Disabled Facilities Grant and other associated funding loans and grants, including a further three additional grants following the consultation process undertaken between 12 December 2018 and 25 January 2019.**

### **104 PROVISION OF 'GREEN' ELECTRICITY ACROSS THE COUNCIL'S PORTFOLIO**

Consideration was given to a report of the Executive Member for Neighbourhoods / Director of Operations and Neighbourhoods advising Executive Cabinet of the intention of the Director of Operations and Neighbourhoods to procure a green energy tariff when renewing the contract from April 2019 at an additional cost of £10,850 per annum, which on contract value of £2.8 million per annum equated to an increase of 0.39%, to purchase green energy contributing to the Greater Manchester Green Summit pledge.

The Council had recently held a Green Summit as part of the Council's commitment to the green agenda. In addition a number of commitments had been requested of all Councils across Greater Manchester prior to the Mayor's Green Summit in March 2019. One of the proposed environmental commitments being asked of the Council from the Greater Manchester Combined Authority had been when procuring contracts for electricity supply that the Council would procure renewable energy tariffs.

The Council's existing electricity supply contract for ends on 31 March 2019. Under the existing contract only a proportion of the energy (approximately 20%) comes from renewable sources.. A

request for an indicative figure had been made to the current framework provider, Yorkshire Purchasing Organisation (YPO). Using the volumes they currently supply to Tameside MBC and based on an approximate Green Premium of £0.40 per MWh, the additional cost across the whole of the portfolio was estimated to be: £ 10,850 per annum.

## **RESOLVED**

**That the intention of the Director of Operations and Neighbourhoods to procure a green energy tariff when renewing the contract from April 2019 at an additional cost of £10,850 per annum, be noted.**

## **105 GM CLEAN AIR PLAN**

Executive Cabinet considered the report of the Director of Neighbourhoods that summarised the key features of Greater Manchester's feasibility study and its Outline Business Case (OBC) to reduce nitrogen dioxide exceedances in the Tameside Borough and across Greater Manchester in the shortest possible time. The OBC had been developed by Tameside collectively with all Greater Manchester local authorities and the Greater Manchester Combined Authority, and co-ordinated by Transport for Greater Manchester in line with Government direction and guidance.

Following the issue of the Strategic Outline Case (SOC) in March 2018, a process of refining the shortlisted measures and developing a range of options that combine the measures in different ways has been undertaken. This was overseen by the GM Steering Group, to understand the type and scale of intervention needed to reduce NO<sub>2</sub> to within legal Limit Values in the "shortest possible time" across Greater Manchester.

A best performing option was recommended within the Outline Business Case (OBC) for further consideration and discussion with stakeholders and the public to aid the development of the Full Business Case.

The core goal of the GM Clean Air Plan was to address the legal requirement to remove all exceedances of concentrations of NO<sub>2</sub> that have been forecasted to exceed the legal Limit Value (40 µg/m<sup>3</sup>) identified through the target determination process in the "shortest possible time" in line with Government guidance and legal rulings.

Options had been assessed against the UK Government's Primary Critical Success Factors:

- Reduction in NO<sub>2</sub> emissions: likelihood that the measure/option will contribute significantly to a reduction in NO<sub>2</sub> concentrations to achieve compliance with the EU Limit Values
- Feasibility: likelihood of measure being implemented in time to deliver desired NO<sub>2</sub> reduction and achieve compliance.

Where modelled options deliver compliance in the same year they have been further assessed against Government's Secondary Critical Success Factors, as set out in the SOC:

- Strategic fit with local strategies and plans: ensuring the alignment of the option with longer term economic, social and environmental goals and that the risk of unintended consequences is minimised.
- Value for money: a high-level indication of the costs and benefits of each option.
- Distributional impact: in order to understand the potential impacts, both positive and negative on different groups within society, with a particular focus on the most vulnerable. It is of vital importance that the plan does not result in disproportionately negative economic or social impacts for the region or those living, working or doing business within it.
- Deliverability of the options, in terms of the affordability of the cost of implementation, the supply-side capacity and capability to deliver the measures outlined in the options, and the achievability of delivering the option.

The SOC identified that the fundamental causes of the exceedances were variable in terms of the source of emissions and that these sites were interconnected in complex ways. Therefore, any effective proposals would need to comprise of a package of measures, able to tackle the overall problem holistically.

A series of six options comprising of different packages of measures was developed initially in response to the problem as revealed by local modelling. These measures have been assessed and refined further from the shortlist as detailed within the submitted report.

The assessment process involved further modelling and analysis of the effectiveness of measures, both individually and as a package; this included engagement with stakeholders and professional experts, and the use of a Multi-Criteria Analysis (MCA) tool to assess the performance of each option against the success factors and relative to each other. In this way, the measures and packages of options have been assessed and refined into a preferred option that best secures the required objectives.

#### **RESOLVED**

- (i) That the Council is legally obliged to produce a feasibility study to identify the option which will deliver compliance with the requirement to meet legal limits for nitrogen dioxide following the Secretary of State issuing a direction under the Environment Act 1995, be noted.
- (ii) That the Government be requested to provide the financial support necessary to enable the Council to meet its legal limits for nitrogen dioxide;
- (iii) That it be noted despite this Council being required to address nitrogen oxide exceedances, the government has not yet addressed this issue for its own assets, including Highways England and the motorway network.
- (iv) That a feasibility study undertaken to date be adopted.
- (v) That it be acknowledged that further stakeholder engagement and public consultation is an essential part of the process to help inform and refine on-going work to produce a Full Business Case by the end of the calendar year.
- (vi) The OBC (for submission to the government's Joint Air Quality Unit) be approved.
- (vii) The commencement of the public conversation and engagement activity from 15 May 2019, be approved.
- (viii) It be noted that further reports will be submitted to Cabinet on:
  - a. The proposals for statutory consultation, informed by the outcome of the public conversation and engagement.
  - b. Formal approval of the Full Business Case.
- (ix) That it be agreed that TfGM continue with the activity to produce the Full Business Case on their behalf under the direction of the Greater Manchester Clean Air Steering Group.
- (x) That Executive Member for Neighbourhoods be delegated the approval of submission of supplementary information.

#### **106 TRANSPORT INTERCHANGE**

Executive Cabinet considered a report of the Executive Member for Strategic Development and Transport / Director of Growth, updating Members on progress of the new Transport Interchange and seeking approval for the naming of the Interchange as Ashton-under-Lyne.

#### **RESOLVED**

**That the new Transport Interchange be named as Ashton-Under-Lyne.**