

## EXECUTIVE CABINET

26 June 2019

**Present:** Councillors Fairfoull (Vice-Chair, in the Chair), Bray, Feeley, Gwynne, Kitchen and Wills

**In Attendance:**

Stephanie Butterworth	Director of Adult Services
Sarah Dobson	Assistant Director of Policy, Performance & Communications
Emma Varnam	Assistant Director of Operations & Neighbourhoods
Jayne Traverse	Director of Growth
Debbie Watson	Interim Assistant Director of Population Health
Tom Wilkinson	Assistant Director of Finance
Jessica Williams	Interim Director of Commissioning

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

### 1 DECLARATIONS OF INTEREST

There were no declarations of interest.

### 2 EXECUTIVE CABINET

Consideration was given to the minutes of the meeting of the Executive Cabinet held on 24 April 2019.

#### RESOLVED

**That the minutes of the meeting of the Executive Cabinet held on 24 April 2019 be approved and signed by the Chair as a correct record.**

### 3 STRATEGIC COMMISSIONING BOARD

Consideration was given to the minutes of the meeting of the Strategic Commissioning Board held on 24 April 2019.

#### RESOLVED

**That the minutes of the meeting of the Strategic Commissioning Board held on 24 April 2019 be received.**

### 4 ENFORCEMENT CO-ORDINATION PANEL

Consideration was given to the minutes and recommendations from the meeting of the Enforcement Co-ordination Panel held on 17 April 2019.

#### RESOLVED

**That the minutes of the meeting of the Enforcement Co-ordination Panel held on 17 April 2019 be noted and the following recommendations be approved:**

**That the revised Regulation of Investigatory Powers Policy be adopted.**

## **5 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.**

## **6 ONE EQUALITY SCHEME ANNUAL REVIEW 2019**

Consideration was given to a report of the Executive Leader / Executive Member for Lifelong Learning, Culture and Heritage / Assistant Director of Policy, Performance and Communications seeking approval of the One Equality Scheme following an annual review.

Members were informed that the report had been considered by the Strategic Commissioning Board at the meeting held on 26 June 2019. The Strategic Commissioning Board had recommended that Executive Cabinet approve the One Equality Scheme and subsequent publication.

Members were advised that the One Equality Scheme 2018-22 was the first joint equality scheme of Tameside & Glossop Strategic Commission (Tameside Council and NHS Tameside and Glossop Clinical Commissioning Group). Such arrangements had enabled the successful establishment of a joint approach and shared vision for the equality and diversity of residents, patients and service users across Tameside and Glossop. The scheme set out how the Council and Clinical Commissioning Group strived to reduce the impact of inequality and improve the lives of the most vulnerable members of our communities. The scheme demonstrated the commitment to ensure that our ethos towards equality and diversity was embedded within everything we do to design and delivery a range of services.

### **RESOLVED**

**That the One Equality Scheme (2019) be approved and published.**

## **7 2018/19 REVENUE OUTTURN REPORT**

Consideration was given to a report of the Executive Member for Finance & Economic Growth / Director of Finance that provided an overview on the financial position of the Tameside and Glossop Health economy in 2018/19. For the year to 31 March 2019 the report forecast that service expenditure would 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 were unlikely to be available in future years.

For the 2018/19 financial year the Integrated Commissioning Fund had spent £588,974k, against a net budget of £589,000k thereby meeting financial control totals and delivering an under-spend of £26k. This overall underspend at a global level had only been possible as a result of non-recurrent financial interventions and it should be noted that contained within this position were several directorates with significant overspend, including Children's Services which had spent £8,043k in excess of budget.

The Director of Finance outlined the Council's Collection Fund outturn for 2018/19. The 2018/19 outturn position on the Collection Fund was better than originally forecast due to income from Business Rates exceeding initial forecasts, and the level of provision required for non-collection of Council Tax and appeals against Business Rates were both lower than originally anticipated. It was explained that the cumulative deficit on Business Rates could be funded from the NNDR deficit reserve in 2019/20. The cumulative surplus on Council Tax would be transferred to earmarked

reserves in 2019/20, and the Medium Term Financial Plan assumes that this surplus will be used to support the budget over the next five years.

#### **RESOLVED**

**That the year-end financial position across both the Strategic Commission and the Integrated Care Foundation Trust be noted.**

### **8 CAPITAL OUTTURN 2018/19**

Consideration was given to a report of the Executive Member for Finance & Economic Growth / Director of Finance summarising the 2018/19 capital expenditure monitoring position at 31 March 2019, based on information provided by project managers. The report detailed actual capital investment in 2018/19 of £51.545m at March 2019. This was less than the original budgeted capital investment for 2018/19, and is in part due to project delays that are being experienced following the temporary pause to the Capital Programme.

Service areas had spent £51.545m on capital investment in 2018/19, which was £5.899m less than the current capital budget for the year. The slippage was spread across a number of areas, and was in part due to project delays now being experienced as a result of the temporary pause on the capital programme and the liquidation of Carillion who, through the Local Education Partnership (LEP) had been delivering or managing a number of key projects.

It was proposed that the capital investment programme be re-profiled to reflect current information. Proposed re-profiling of £5.810m into the next financial year was identified within the individual service area tables in **Appendix 3** to the report. Approved re-profiling at Quarter 1 was £16.753m, £10.796m at Quarter 2 and £9.308m at Quarter 3. Once re-profiling had been taken into account, capital investment was forecast to be £0.089m less than the capital budget for this year.

#### **RESOLVED**

- (i) The re-profiling of £5.810m of capital budgets to reflect up to date investment profiles as set out in Appendix 3 of the submitted report, be approved.**
- (ii) The changes to the Capital Programme as set out within Appendix 1 to the submitted report, be approved.**
- (iii) The updated Prudential Indicator position set out within Appendix 5 to the submitted report be approved.**
- (iv) The capital budget monitoring position as at 31 March 2019 be noted.**
- (v) The resources currently available to fund the Capital Programme be noted.**
- (vi) The updated capital receipts position be noted.**
- (vii) The timescales for review of the Council's three year capital programme.**

### **9 COOPERATIVE COUNCILS**

Consideration was given to a report of the Executive Leader / Assistant Director for Policy, Performance and Communications summarising the Cooperative Councils initiative including benefits of membership and the application process which Local Authorities must follow to join the network.

It was explained that the Cooperative Councils Network had been set up to promote the delivery of local services in a co-operative or co-productive manner. It was stated that Cooperative Councils aimed to drive forward new cooperative approaches to transform the way local public services were delivered in their areas and support local communities in the face of funding cuts. Collective action, co-operation, empowerment and enterprise would be used to help transform local services and local communities. The vision was to end the era of top-down services where people were expected to put up with whatever's on offer.

The Assistant Director for Policy, Performance and Communications advised that the accreditation process was a Local Authority led process, which would require a review of several existing Council practises, including the way in which Tameside Council provided most of its basic and statutory services. The Cooperative Councils Innovation Network (CCIN) had a formal application in which new co-operative Councils' standards were assessed before accreditation.

The necessary requirements for Local Authorities to join the CCIN were outlined in the report as follows, along with proposed timescales should Tameside Council wish to take forward a cooperative approach:

- Endorse the values and principles of the Network and the ambition to become a cooperative council at Board/ Cabinet.
- Establish a code of ethics. Example for discussion and development in appendix 4.
- Discuss the cooperative approach with strategic partners and/or community partners through the Health and Wellbeing Board/Public Service Reform Board.
- Hold an elected members' development session led by a representative of the CCIN. This will ensure that all Parties are properly consulted.
- Adopt cooperative values in our approach to commissioning. (Commission STAR to undertake a review)
- Carry out any corporate communication of cooperative values.
- Take a Cabinet decision to endorse cooperative values.
- Undertake any public campaigns that demonstrate cooperative principles.
- Discuss holding a Cooperative conference in the autumn, bringing local community projects together for a morning/afternoon event.
- Discuss plans to change the Council constitution to reflect cooperative values at Full Council.

#### **RESOLVED**

**That the report be noted.**

### **10 CHARGING FOR PRE-APPLICATION ADVICE**

Consideration was given to a report of the Executive Member for Housing, Planning and Employment / Director of Growth seeking approval to undertake a period of consultation on proposals to charge for pre-planning application advice.

The Director of Growth advised that pre-application engagement by prospective applicants provided significant opportunities to improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success. It allowed relevant policies to be identified along with other material planning considerations associated with proposed development at an early stage. It was explained that Councils had the ability to charge for providing pre-application advice, with four of the Greater Manchester Councils not charging for providing this Tameside, Manchester, Bolton and Oldham. As a result of not charging Tameside MBC received a high volume of requests that were becoming increasingly difficult to accommodate to a high professional standard.

The Director of Growth advised that the proposed charging schedule had been developed around a fixed price structure comprising four tiers to reflect the varying degree of resources needed for the different types of development projects. As such, the four categories of service proposed allowed the charging structure to be simplified, yet the charges reflected the level of work, engagement and consultation necessary commensurate to the scale and complexity of the proposals

#### **RESOLVED**

**That approval be given to a period of consultation to be undertaken with active planning agents who have submitted planning applications in the preceding twelve month period, on**

**the proposed Charging Schedule for pre-application advice attached at Appendix 1 to the submitted report.**

## **11 REVIEW OF THE LOCAL EDUCATION PARTNERSHIP**

Consideration was given to a report of the Director of Growth / Assistant Director of Finance, which set out the options for services currently delivered by the Local Education Partnership and sought an extension to the Additional Service Contract until 31 July 2020, to enable a full review of future options.

The Director of Governance and Pensions informed Members that the Local Education Partnership was established in February 2009 as a condition of the then government's flagship Building Schools for the Future programme. The creation of the Local Education Partnership, as a delivery vehicle, allowed the Council to access more than £400m of capital investment which allowed the Council to replace, rebuild and refurbish the majority of its secondary school estate, which, like most of the national school estate, was in poor condition and no longer suitable to modern educational needs. The Council's arrangement with the Local Education Partnership was for an initial 10 year period with an option to extend for up to another 5 years, up to February 2024.

It was stated that the Local Education Partnership was due to be reviewed in 2018, but the collapse of Carillion meant that the Council had to focus its energies and redirect resources on maintaining existing service continuity and completion of significant capital project Tameside One. The Council supported the Local Education Partnership in securing a new delivery partner, allowing the completion of the flagship Tameside One building, which was only partially built when Carillion entered liquidation.

### **RESOLVED**

- (i) That Executive Cabinet notes until the collapse of Carillion in 2018, the additional services arrangements with the LEP have served the Council well. However, after a decade, a review was always necessary to ensure the arrangements remained fit for purpose in a changing landscape brought about by significant austerity budget reductions together with the Council's own ambitions as set out in its newly launched corporate plan. Additionally it should be acknowledged that the decision to agree Robertson in replacing Carillion as the building and construction partner have also served the Council well. Robertson have supported the Council in completing ambitions for Tameside One and supporting the workforce who deliver crucial services to schools and the council in relation to catering, FM and capital projects.**
- (ii) That the Additional Service Contract is extended until 31 July 2020, whilst options are explored in respect of the following 3 services:**
  - Primary School Catering**
  - Capital Projects**
  - Facilities Management (FM)**
- (iii) That the Director of Growth and Assistant Director Education notify schools of the extended arrangements for Primary School Catering to July 2020 and consult with them about alternative options.**
- (iv) That the Director of Growth be authorised to inform the Local Education Partnership that management of the Strategic Estates service will be brought back in-house during August 2019 subject to any contractual and TUPE consultations being undertaken as necessary.**
- (v) That the Director of Growth be nominated as the Council's representative on the Local Education Partnership Board and its associated companies, replacing the Chief Executive.**

## **12 CAREERS SUPPORT SERVICE CONTRACT**

Consideration was given to a report of the Executive Member for Children's Services / Director of Growth requesting authorisation to conduct an open and competitive tender process, testing the market to secure an appropriate supplier to deliver a Career Guidance and Support Service for Tameside.

Members were informed that the service currently performed well compared to statistical neighbours due to a focus on early intervention and maximising other funding sources to align provision. The current budget was £450,000 per annum and it was envisaged the service should run for a further five years subject to satisfactory performance.

Annual contract discussions with a report of the previous 4 quarters would be required to substantiate the review and ongoing contract period. A 3 – 6 month notice or change of direction period would also be applied.

### **RESOLVED**

**That approval to undertake a competitive tender process for the provision of a Career Guidance and Support Service for Tameside, be granted.**

## **13 STAMFORD PARK CONSERVATORY**

Consideration was given to a report of the Executive Member for Neighbourhoods, Community Safety and Environment / Assistant Director of Operations and Neighbourhoods seeking approval for the demolition of the conservatory within Stamford Park and the creation of a new formal garden in its place.

The Assistant Director of Operations and Neighbourhoods advised Members that the conservatory had been closed to the public since April 2015 after safety concerns were raised following a structural survey. The proposal to create a formal garden would include ornamental planting, formal benches, paths and pergolas created from the original ironwork within the conservatory.

The Assistant Director of Operations and Neighbourhoods detailed alternative options for consideration by Executive Cabinet. Option one, to retain and repair the existing structure did not offer a long term solution as repairs would be only guaranteed for five years and require significant costs for maintenance and ongoing heating of the structure. Option two, to replace the existing structure with an alternative new structure was reported to be the most expensive option.

### **RESOLVED**

**That the demolition of the conservatory within Stamford Park and the creation of a formal garden, as detailed within the submitted report, be approved.**

## **14 PLOTS A & B HATTERSLEY INDUSTRIAL ESTATE, STOCKPORT ROAD, HATTERSLEY**

Consideration was given to a report of the Executive Member for Housing, Planning & Environment / Director of Growth seeking approval of the sale of the land at Hattersley Industrial Estate to RSK Group for the sum of £400,000.

The Director of Governance and Pensions informed Members that the site comprised 2 separate plots of land extending to 1.14 and 1.95 acres respectively. It was originally acquired from Manchester City Council forming part of Hattersley Industrial Estate on 29 March 1978 for the sum of £111,500. It was subsequently sold on 6 October 1980 to Greater Manchester Economic Development Corporation (GMEDC) for £125,000 and immediately leased back to the Council under the terms of a lease for a term of 125 years' subject to payment of an annual rent of £28,690. The Council subsequently purchased the freehold from GMEDC for £287,000 on 25 March 1983.

Terms were agreed to sell the land for the sum of £400,000 in March 2017 subject to the grant of planning after marketing with Manchester Agents WT Gunson and on the basis that this was a very good albeit the only offer received to purchase the land. Planning permission had been approved at the meeting of the Speakers Panel (Planning) held on 29 May 2019.

The Director of Governance and Pensions explained as there was no current Estates Disposal Policy, the Director of Growth was not in a position to sell any land without approval of Cabinet.

**RESOLVED**

- (i) That the sale of land at Hattersley Industrial Estate, as detailed within the submitted report be approved.**
- (ii) The Borough Solicitor be authorised to finalise the legal due diligence and to complete all the necessary legal documentation to complete the sale.**

**CHAIR**