

MEETING OF EXECUTIVE CABINET

29 June 2016

Commenced: 2.00 pm

Terminated: 3.05 pm

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

1. DECLARATIONS OF INTEREST

There were no declarations of interest submitted by Members of the Executive Cabinet.

2. MINUTES

(a) Executive Cabinet

Consideration was given to the Minutes of the meeting of Executive Cabinet held on 24 March 2016.

RESOLVED

That the Minutes of the meeting of Executive Cabinet held on 24 March 2016 be taken as read and signed by the Chair as a correct record.

(b) Single Commissioning Board

Consideration was given to the Minutes of the meeting of the Single Commissioning Board held on 20 April 2016.

RESOLVED

That the Minutes of the meeting of the Single Commissioning Board held on 20 April 2016 be received.

(c) Enforcement Co-ordination Panel

Consideration was given to the Minutes of the meeting of the Enforcement Co-ordination Panel held on 11 April 2016.

RESOLVED

That the Minutes of the meeting of the Enforcement Co-ordination Panel held on 11 April 2016 be received.

(d) 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 April and 27 May 2016 and the Forward Plan of Strategic Decisions of the Greater Manchester Combined Authority and AGMA Executive.

RESOLVED

That the content of the report be noted.

3. REVENUE MONITORING – QUARTER 4 2015/16

Consideration was given to a report of the First Deputy (Performance and Finance) and the Assistant Executive Director (Finance) showing that at Quarter 4 the overall net revenue service expenditure for the 2015/2016 financial year was £6.663m less than the updated budget. The outturn figures included additional dividend from Manchester Airport Group of £2.25m and the agreed in-year change to the Council's debt repayment policy, which resulted in a reduction of £3.7m in the charge to revenue. After allowing for these variations, the overall spend was within budget by £0.713m. This was after movements to reserves to assist with future years' financial challenge, in particular, the forecasted financial deficit in the health and social care economy in Tameside and Glossop which would see the creation of a ground-breaking Integrated Care Organisation to help address the situation.

In conclusion, it was explained that these results should be seen as just one, albeit important, step in the transformation journey to deliver financial sustainability by the end of the current Comprehensive Spending Review period, i.e. by 2020.

RESOLVED

- (i) That the revenue outturn position be noted.**
- (ii) That the detail for each service be noted.**
- (iii) That movement to reserves as outlined in Appendix 3 to the report be approved.**
- (iv) That the treatment of year end balances as outlined in Appendix 3 to the report be approved.**
- (v) That the changes to revenue budgets as set out in Appendix 1 to the report be approved.**
- (vi) That the capital outturn position be noted.**
- (vii) That a transfer of £2.300m from reserves, and consequent payment to Tameside Hospital Foundation Trust to support Care Together, as outlined in Section 7 of the report, be approved.**

4. SMART TAMESIDE: DIGITAL INFRASTRUCTURE

Consideration was given to a report of the First Deputy (Performance and Finance) and the Assistant Executive Director (Digital Services) explaining that for the last three years the Council had been installing a fibre optic infrastructure in and around Ashton Town Centre. At present, this network provided 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.

Alongside supporting the public sector reform agenda, the infrastructure also enabled other services to be layered on top. SWIFT – Town Centre Wi-Fi for Tameside would utilise the dark fibre network across Ashton and Droylsden Town Centres to provide the connective backbone that would mean over 30 external Wi-Fi hot spots could be installed to create a high density free to use public Wi-Fi network.

There was also an opportunity to lever the investments being made in the digital infrastructure to support and grow the digital economy in Tameside. This sector was thriving across Greater Manchester due in part to the BBC relocation to Media City. Tameside had a strong but relatively small digital economy but with the advent of the Ashton Old Baths development alongside the digital infrastructure there was a real opportunity to stimulate and significantly grow this increasingly important sector.

A key development in the dark fibre network was the installation of fibre optic cables in ducting alongside the Metrolink track from Ashton Town Centre to Piccadilly. When this work was completed in late summer it would 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 commercially available services.

Transport for Greater Manchester, operators of the Metrolink network, would require the Council to sign a Letter of Intent detailing the arrangements and associated costs for the use of their ducting. It also required the Council to provide them with indemnity for any potential costs related to State Aid matters.

RESOLVED

- (i) That the Borough Solicitor be authorised to negotiate with Transport for Greater Manchester with regard to the terms and conditions detailed in the Letter of Intent and to sign on behalf of the Council.**
- (ii) That approval be given to providing the appropriate indemnity to Transport for Greater Manchester with regard to State Aid matters in the form required by Transport for Greater Manchester and set out in Appendix 1 to the report.**

5. VISION TAMESIDE PHASE 2

Consideration was given to a report of the First Deputy (Performance and Finance)/Assistant Executive Director (Development and Investment) providing a further update on project development, costs, delivery timescales and risks associated with the Vision Tameside Programme and, in summary, seeking 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 might be required during the delivery of the programme within the allocated capital budget; and
- Designated authority to accept the SFA funding offer of £4,060,000.

Reference was made to the revised date of 5 August 2016 for completion of the demolition programme largely due to delays with scaffolding erections and additional propping up requirements in the octagon tower. Whilst this delay did not have a significant impact on the current contract and lease arrangements, it was essential that the programme continued to be monitored closely to ensure there was no further slippage.

Particular reference was made to the Section 4 outlining the financial implications, funding and disbursements relating to the project. The costs approved by the Council's Executive Cabinet at its meeting in December 2015 were detailed in the report along with further virements now requiring approval.

In terms of the successful Skills Capital bid to the Greater Manchester Combined Authority (GMCA), the Confirmatory Due Diligence and Independent Project Monitor reports had now been completed and approved by the GMCA and a breakdown of the estimated eligible expenditure was provided. On this basis the GMCA had issued a draft formal funding agreement for £4,600,000 included at **Appendix 1** to the report.

It was reported that 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 and Executive Cabinet subsequently approved an initial payment of £1m in December 2015. Approval was now being sought to make the payment of the balance of £78,949 to the TIP for the Stage 2 costs.

The Stage 2 submission approved by Executive Cabinet was based upon contract award by the end of January 2016 and 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 was

being 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 totalling £2,589,9178. The early works packages were required to mobilise supply chains to ensure construction works could start on site by the end of June 2016 and maintain the project programme. It also mitigated the risks of construction cost inflation to the Council.

In addition, delegated authority was also sought to underwrite further TIP costs in progressing any additional post-stage 2 planning, design and procurement of early works packages that might be necessary prior to financial close and contract award.

Executive Cabinet was also advised on progress with asbestos removal, lease negotiations, scope and design of the building, and fixtures, fittings and equipment. Discussion took place on the Ashton Town Centre public realm project and it was noted that Hamilton-Baillie, leading international urban design and movement experts, had recently been appointed to develop proposals for the rationalisation of the Turner Lane road junction and associated works. A further update report was requested on these proposals and progress with Ashton Interchange, associated developments and land acquisition, and the opportunities Vision Tameside provided across the Borough.

In conclusion, it was stated that the proposals contained in the report would 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 and mitigating the risk of construction cost inflation to the Council.

RESOLVED

- (i) That the progress achieved since achieved since the previous update in December 2015 be noted.**
- (ii) That the revised demolition completion date of 5 August 2016 as outlined in Section 3 of the report be noted.**
- (iii) That 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 of the report be approved.**
- (iv) That the virements as set out in Section 4.3 of the report be approved.**
- (v) That the payment of costs of post-stage 2 early works packages of £2,589,978.17 to the Tameside Investment Partnership as outlined in Section 4.13 be approved.**
- (vi) That the Executive Director (Place) in conjunction with the Executive Director (Governance, Resources and Pensions) and First Deputy (Performance and Finance) be authorised 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 in Section 4 of the report.**
- (vii) That the Executive Director (Place) in consultation with the First Deputy (Finance and Performance) be authorised to approve any further early works packages necessary within the allocated capital budget for the Vision Tameside Phase 2 construction programme.**
- (viii) That the Executive Director (Place) in consultation with the First Deputy (Performance and Finance) and the Section 151 Officer be authorised to approve any necessary virements within the allocated capital budget for the Vision Tameside Phase 2 programme subject to any virements over £100,000 being approved in advance by the Strategic Planning and Capital Monitoring Panel.**
- (ix) That the Executive Director (Place) in consultation with the Executive Director (Governance, Resources and Pensions) be authorised 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.**
- (x) That a further report be provided on the public realm project, progress with Ashton Interchange, associated developments and land acquisition, and the opportunities Vision Tameside provided across the Borough.**

6. TAMESIDE DOMESTIC ABUSE STRATEGY 2016-19

Consideration was given to a report of the Deputy Executive Leader and Head of Stronger Communities detailing a strategy setting out the Council's intentions and plans through a multi-agency approach to tackling domestic abuse. The aim of the strategy was to prevent and reduce domestic abuse and the harm caused to victims, families and communities in Tameside and identified three key priorities to ensure that:

- The community rejected all forms of domestic abuse and violence as unacceptable;
- There was less domestic abuse in Tameside; and
- The impact of domestic abuse was reduced.

The report used statistics from the British Crime Survey and Greater Manchester Police data, which showed an increase of 28% in domestic abuse crimes in Tameside over the 3 year period from 2012/13 to 2014/15. Although this was clearly of concern, this could be attributed to an increased willingness for victims to come forward to report crimes, they were less tolerant of domestic abuse and had confidence that help and support was available to effectively respond to the needs of victims and their families and deal with offenders.

Executive Cabinet welcomed the strategy and accompanying delivery plan to achieve the key priorities and commented favourably on the increased focus on early intervention and prevention measures, supported by significant investment from the Greater Manchester Police and Crime Commissioner. This provided an opportunity to reduce some of the long term consequences of domestic abuse for children, their families and communities and high resultant costs.

RESOLVED

That the Tameside Domestic Abuse Strategy 2016-19 and accompanying action plan be approved.

7. FOSTER CARE PAYMENTS

Consideration was given to a report of the Executive Member (Children and Families) and the Assistant Executive Director (Children) seeking approval 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 would drive up the quality of care being provided to 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. Whilst savings were anticipated from the introduction of the proposed scheme, it was important to recognise that the key driver to this reform was to improve the outcomes for looked after children in the borough, a factor which was of paramount performance. The proposed Payment and Progression Scheme and skills criteria was set out in **Appendix 1** and **Appendix 2** to the report.

Executive Cabinet sought further clarification to the consultation process with foster carers. The Assistant Executive Director advised that consultations opened on 6 November 2015 with presentations to carers over two sessions where a total of 34 foster carers had attended on this date out of 255 eligible to attend. A further session was arranged for 15 January 2016 attended by 27 carers. There had also been an opportunity to email questions or contributions to the consultation via the Assistant Executive Director or the Commissioning Team. On 1 February 2016, the foster carers arranged a further meeting and invited the Executive Member for Children and the Assistant Executive Director to attend and time had been set aside for 1:1 meetings with foster carers.

The GMB Union had been party to the consultation and a summary of their views was detailed in the report.

It was explained that the proposed scheme was controversial with a number of foster carers. However, the scheme had been revised following the consultation exercise and issues raised by the foster carers had been addressed within the report. There was a risk that some carers might decide to cease fostering with Tameside MBC. Whilst this would clearly be unfortunate, it was mitigated by a strong recruitment strategy, a developing professional development offer and an overall strategy of reducing the numbers of children in care.

The major concern throughout the proposal had been in relation to the possibility that some carers would lose payment as a consequence of the scheme. The Service acknowledged the real concerns about financial packages but having analysed the position and looking closely at the concerns raised and the regional and Greater Manchester schemes, the conclusion reached was that the proposal was fair and balanced.

From the outset of the consultation, it had been made 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.

In conclusion, the Assistant Executive Director stated that training packages must be available to carers in order for them to achieve their potential, that payment rates for current placements would not alter and that the appropriate forum for approval and appeal was the independently chaired Fostering Panel.

RESOLVED

That the Payment for Skills scheme including the new rates to be effective for new placements to be made after 1 July 2016 be approved.

8. STATEMENT OF COMMUNITY INVOLVEMENT

Consideration was given to a report of the Deputy Executive Leader and Assistant Executive Director (Development and Investment) explaining that the current Statement of Community Involvement (SCI) was adopted by the Council in 2006 as a result of changes brought in by the Planning and Compulsory Purchase Act 2004. Since that version of the document was adopted, there had been a number of procedural changes to how planning documents were prepared. It was now important to publish a revised SCI reflecting these changes to the statutory process and the consultation draft was appended to the report at **Appendix 1**.

RESOLVED

- (i) That the content of the report be noted.**
- (ii) That approval be given to consult on the draft SCI for a period of four weeks.**
- (iii) That the outcome of the consultation process and any resulting amendments to the SCI be reported to Executive Cabinet on 31 August 2016 for formal adoption.**

9. HOUSING ALLOCATION SCHEME

Consideration was given to a report of the Executive Member (Healthy and Working) and the Head of Stronger Communities, which advised that since the introduction of the Council's current Housing Allocation Scheme in August 2013, the Government had issued new statutory guidance on housing allocations. In addition recent case law and operational issues indicated that the Council should update its Housing Allocation Scheme to ensure that it remained lawful and relevant. The Council had also taken the opportunity to consult with its key partners to ensure that the new scheme, wherever possible, reflected their needs and the needs of their future customers. This included extensive consultation with New Charter Homes as deliverers of the current service and a number of registered providers.

The outcome of a formal consultation phase which took place through the Big Conversation between 1 and 26 February 2016 was detailed including responses to address the following key issues:

- Local Connection;
- Policy on Choice;
- The Qualifying Criteria;
- Unacceptable Behaviour Criteria; and
- Affordability.

Executive Cabinet indicated support for changes to the scheme which, would ensure a balanced approach when allocating social housing so that priority was given to people with the highest level of need and information on a range of pathways to access suitable housing.

RESOLVED

That the changes to the Housing Allocation Scheme be approved.

10. DEVOLUTION GOVERNANCE

The Executive Leader presented a report updating 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.

The changes required to implement the devolution agreements were being dealt with in two phases:

Phase 1 – would deal with most issues other than those relating to Fire and Rescue Services.

Phase 2 – would address issues relating to Fire and Rescue Services. As part of Phase 2, GMCA Members would also consider whether they wished to pursue the transfer of GM Waste Disposal Authority responsibilities to the GMCA and would review Overview and Scrutiny arrangements in relation to GMCA and mayoral functions.

In terms of next steps, the Phase 1 proposals were considered by the Combined Authority in March 2016, subject to public consultation during April and May and draft Orders were now being prepared by Government to be laid in Parliament in July 2016 and implemented by November 2016. Details of the Phase 2 proposals would be considered by GMCA on 30 June 2016 and would then be subject to public consultation over July and early August with the intention that draft Orders would be introduced to Parliament in September 2016.

In conclusion, it was noted that all of the districts would need to consent to the draft Orders for Phase 1 and Phase 2. At this stage, the Authority did not have a draft of the Orders and delegated authority was therefore requested to enable consent to be provided by the Chief Executive in consultation with the Executive Leader to the content of the Orders before they were laid in Parliament.

RESOLVED

- (i) **That it be noted that the Cities and Local Government Devolution Act was now in place and the next steps required for implementation of the Greater Manchester devolution deals.**
- (ii) **That delegated authority be given 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.**

11. LOCAL DEVELOPMENT SCHEME

Consideration was given to a report of the Deputy Executive Leader and the Assistant Executive Director (Development and Investment) setting out an up-to-dated 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 detailed the key milestones for plan making that the Council proposed to deliver and identified the nature and scope for the delivery of Development Plan documents including the Local Plan of which the Greater Manchester Spatial Framework (GMSF) was an integral part, by early 2017.

It was explained that the Department of Communities and Local Government had, significantly, pointed out that updated LDS needed to be in place for all Greater Manchester authorities as a matter of urgency so that there was clarity on the timetable for the GMSF and subsequently the timetable for the production, or updating, of local plans. The revised LDS appended to the report detailed the timetable for the GMSF and Tameside's Local Plan and approval was being sought from Executive Cabinet 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.

Delegated authority was also being sought for the Executive Director (Place) in consultation with the Deputy Executive Leader for future changes to the LDS to provide scope for the Council to respond quickly and effectively to issues as they emerged and for the Borough to take a proactive approach to having an up-to-date programme for getting an adopted plan in place as soon as practically possible. Noting that the necessary governance for executive decisions will have to be complied with.

Executive Cabinet was keen 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. Members also made reference to, and requested further details on, the process for the new neighbourhood planning regime detailed in the Localism Act 2011.

RESOLVED

- (i) That the draft Local Development Scheme be approved for publication.**
- (ii) That delegated authority be given to the Executive Director (Place) in conjunction with the Deputy Executive Leader to approve amendments to the Local Development Scheme which will be subject to executive decision process.**
- (iii) That Members receive further details on the process for the new neighbourhood planning regime detailed in the Localism Act 2011.**

12. EXCLUSION OF PRESS AND PUBLIC

RESOLVED

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 involved the likely disclosure of exempt information as defined 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) had 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.

13. PURCHASE OF SHARES IN INSPIRED SPACES

Consideration was given to a report of the First Deputy (Performance and Finance) and the Assistant Executive Director (Development and Investment) the purpose of which was to seek agreement by the Council to the ownership restructure proposal as detailed with the report and the purchase of the LEP's 10% stake in the two Project Companies from Carillion, which was deemed an investment opportunity for the Council.

RESOLVED

- (i) That the restructuring proposals and Inspired Spaces (Tameside) Ltd (the LEP) selling its shares and sub debt investment in the BSF companies to the equity partners, Carillion Private Finance (CPF), the Council and BSFI, be agreed.**
- (ii) Agreement to activate pre-emption rights and purchase 50% of CPFs shares and sub debt in the BSF companies taking its overall shareholding to 50%.**
- (iii) That further cost saving measures across the PFI portfolio including looking at opportunities for refinancing continues to be pursued.**
- (iv) That the new operating model of the LEP as agreed by the LEP Board be noted.**
- (v) That the total proposed investment of £0.884m, to be financed from the BSF Reserve set aside to provide for the future affordability of the project, be approved.**
- (vi) That 100% of the interest received in the event of a successful offer to be reinvested in the BSF reserve be approved.**

14. URGENT ITEMS

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

CHAIR