

## **EXECUTIVE CABINET**

**24 June 2020**

**Comm: 1.50pm**

**Term: 2.40pm**

**Present:** Councillors Warrington (Chair), Bray, Cooney, Feeley, Gwynne, Kitchen, Ryan, Wills

**In Attendance:**

<b>Dr Ashwin Ramachandra</b>	<b>Co-Chair of NHS CCG Tameside &amp; Glossop CCG</b>
<b>Dr Asad Ali</b>	<b>Co-Chair of NHS CCG Tameside &amp; Glossop CCG</b>
<b>Steven Pleasant</b>	<b>Chief Executive &amp; Accountable Officer</b>
<b>Sandra Stewart</b>	<b>Director of Governance and Pensions</b>
<b>Kathy Roe</b>	<b>Director of Finance</b>
<b>Steph Butterworth</b>	<b>Director of Adults Services</b>
<b>Ian Saxon</b>	<b>Director of Operations &amp; Neighbourhoods</b>
<b>Richard Hancock</b>	<b>Director of Children's Services</b>
<b>Jayne Traverse</b>	<b>Director of Growth</b>
<b>Ilys Cookson</b>	<b>Assistant Director, Exchequer Services</b>
	<b>Assistant Director, Population Health</b>

**Apologies for Councillor Fairfoull absence:**

### **10. DECLARATIONS OF INTEREST**

There were no declarations of interest received from Members.

### **11. MINUTES OF EXECUTIVE CABINET**

#### **RESOLVED**

**That the Minutes of the meeting of the Executive Cabinet meeting held on 27 May 2020 be approved as a correct record.**

### **12. MINUTES OF STRATEGIC COMMISSIONING BOARD**

#### **RESOLVED**

**That the Minutes of the meeting of the Strategic Commissioning Board held on 27 May 2020 be noted.**

### **13. MINUTES OF THE COVID RESPONSE BOARD**

#### **RESOLVED**

**That the Minutes of the meetings of the COVID Response Board held on: 20 May, 3 June and 10 June 2020, be noted.**

### **14. CONSOLIDATED 2020/21 REVENUE MONITORING STATEMENT AT 31 MAY 2020**

Consideration was given to a report of the Executive Member (Finance and Economic Growth) / CCG Chair / Director of Finance explaining that this was the first financial monitoring report for the

2020/21 financial year, reflecting actual expenditure to 31 May 2020 and forecasts to 31 March 2021.

It was explained that, in the context of the on-going Covid19 pandemic, the forecasts for the rest of the financial year and future year modelling had been prepared using the best information available but was based on a number of assumptions. Forecasts were inevitably likely to be subject to change over the course of the year as more information became available, and there was greater certainty over assumptions. The report focused on the Strategic Commission budgets and forecasts only. The Integrated Care Foundation Trust financial position would be included at month 3 when the wider Finance Economy Report would be produced.

Members were informed that the ICFT and CCG continued to operate under a 'Command and Control' regime, directed by NHS England & Improvement (NHSE&I). NHSE&I had assumed responsibility for elements of commissioning and procurement and CCGs had been advised to assume a breakeven financial position in 2020-21. A notional £6.2m Government funding was available for CCG COVID expenditure including Local Authority hospital discharges. It was proposed this be added to the CCG contribution to the Integrated Commissioning Fund.

As at Period 2, the Council was forecasting an overspend against budget of £4.041m. In addition to this, there were financial risks of £3.5m in relation to the sustainability of Active Tameside, the Council's Leisure provider, which when factored in, resulted in an in year financial pressure of £7.541m. The gross overspend before COVID funding and other contributions was £19.054m, of which £14.297m was attributed to COVID related pressures. £4.757m of pressure was not related to COVID but reflected underlying financial issues that the Council would be facing regardless of the current pandemic. The Council was in receipt of £13.906m of COVID grant funding from Government (of which £0.027m was used in 2019/20), and the balance of this grant together with other COVID related contributions, resulted in forecast additional income in 2020/21 of £15.013m to offset COVID costs. Further details were provided in Appendix 1 to the report.

#### **RESOLVED**

- (i) That the forecast outturn position and associated risks for 2020/21, as set out in Appendix 1 to the report, be noted.**
- (ii) That the addition of £20.106m of Government COVID grant funding to the Integrated Commissioning Fund of which £13.906 relates to the Council (£0.027m in respect of 2019/20) and £6.2m relates to the CCG (£0.3m in respect of 2019/20), be approved**
- (iii) That the forecast position in respect of Dedicated Schools Grant, as set out in Appendix 2 to the report, be noted; and**
- (iv) That the write off of irrecoverable debts, as set out in Appendix 3 to the report, be approved.**

#### **15. THE COUNCIL'S SPORT AND LEISURE FACILITIES – FINANCIAL SUSTAINABILITY DURING THE COVID-19 (CORONAVIRUS) PANDEMIC**

The Executive Member (Neighbourhoods, Community Safety and Environment)/Director of Population Health submitted a report confirming that the Council's stock of sports and leisure facilities would remain closed until restrictions controlling social contact were lifted. The report also sought approval of £0.600 million payable to Active Tameside on 1 July 2020 as an advance payment for services commissioned by the Council covering the period 1 April to 30 September 2020.

It was explained that in line with national guidance advising the UK public to avoid unnecessary social contact, all sport and leisure facilities owned by the Council and managed by Active Tameside closed at 10.30pm on Friday March 20 for an unspecified period. Active Medlock continued to provide a limited day care service to a vulnerable group of clients during the closure period. However, this continued to be subject to change based on further national and local guidance/restrictions received.

Members were provided with details of an advance payment for services commissioned by the Council from Active Tameside during 2020/21. The advance payment related to services commissioned from 1 April 2020 to 30 September 2020 excluding the sum assumed in the organisation's cash flow to 30 June 2020. The sum would be payable on 1 July 2020 and would support the cash flow of Active Tameside until 31 August 2020, by which time it was expected there would be an update on the business interruption insurance issue.

Members were advised that during the COVID-19 pandemic facility closure period, Active Tameside were providing alternative leisure, health and wellbeing services to keep the general public active, healthy and entertained from home. Members received a detailed breakdown of the services that Active Tameside continued to provide.

Active Medlock continued to operate providing essential health and social care services to vulnerable groups and individuals identified in consultation with Children's and Adult services. Active Tameside continued to provide sports coaches to primary schools in order to support activity provision for the children of key workers.

With regards to the financial impact, it was reported that in the final week of trading prior to closure, Active Tameside casual revenues were down 70% year on year reflecting increasing levels of public anxiety. Draft accounts for 19/20 indicated that Active Tameside achieved its budgeted year end trading surplus a manifestation of the business resilience model developed by the trust over the previous eighteen months.

However, in order to reduce the financial impact of the temporary closure following the COVID pandemic, Active Tameside had taken up the offer of financial support from central government and furloughed all staff not required to maintain/sustain the company during the period of facility closure.

In addition, Active Tameside had business resilience insurance that may be used to fund the remaining 20% of employee costs over and above direct government financial support. At this stage Active Tameside were in regular dialogue and were awaiting further guidance from their insurer's and broker's on the additional costs and forgone revenue streams that could be claimable.

The Council had supported Active Tameside's cash-flow position through this difficult period and paid the total value of the 2020/21 management fee of £1.077 million on 1 April 2020. Members were reminded that this sum, along with commissioned provision delivered within Adult Services and Children's Services directorates would only support Active Tameside's cash flow until June / July 2020 based on known revenue streams receivable at this stage.

It was further explained that the repayment of the 2019/20 prudential borrowing sum of £0.788 million had been deferred until 2021/22 at the earliest. It was envisaged that the outstanding historical prudential borrowing debt balance (which excluded new borrowing relating to the recently opened Active Denton) that was due for repayment to the Council by the end of the 2023/24 lease term (including the 2019/20 and 2020/21 values) would be re-profiled. Options would be considered that would ensure the ongoing financial sustainability of the organisation. The value of the annual management fee payable for the period 2021/22 to 2023/24 would include a repayment plan that would contribute towards the outstanding debt balance (including interest) of £ 3.8 million at 31 March 2020. This would reduce if a sum was repaid in 2020/21 which was currently unlikely. The outstanding debt related to borrowing from the Council by Active Tameside for investment in the infrastructure and equipment across the leisure estate in prior years. An option could be to remove the obligation for Active Tameside to repay the borrowing in exchange for a reduced management fee. This would then make the management fee a better reflection of the costs of operating the service on behalf of the Council.

The Council commissioned services from Active Tameside via Adult Services and Children's Services equating to a value of £1.8 million in 2020/21. The latest Government COVID

procurement guidance enabled local authorities to provide supplier relief under PPN 04/20 'if appropriate' to maintain delivery of 'critical services'. This also included advance payment for services. The guidance covered the period to 31 October 2020

The existing cash flow of Active Tameside to 30 June 2020 included a value of commissioned services of £0.270 million. The value of these services for the period 1 April 2020 to 31 October 2020 equated to a sum of £0.870 million. The Council therefore could consider an advance payment of £0.600 million which would be the difference of the sum already included in the cash flow to 30 June 2020.

Payment of £0.600 million in advance on 1 July 2020 would support the cash flow of Active Tameside to 31 August 2020. At this point it was expected there would be an update on the business interruption insurance issue referenced in section 4.12 of the report.

With regards to reopening to the public, given that the 'leisure sector' featured in Phase 3 of the Government's recovery plan, Active Tameside's physical estate must remain closed to the general public until 4 July at the earliest with a formal announcement not expected from Government until 26th June. However, throughout the leisure sector, preparations are now underway to reopen within the context of a 'new normal'.

Any proposals for re-opening would be carefully risk assessed (both operationally and financially), in line with local advice and agreed with public health to ensure we remain vigilant against the spread of COVID-19, reduce inequalities and work together to protect our communities.

In the first instance, Active Tameside proposed a 'safety first' approach focused on swim, gym and classes, all bookable and payable in advance. To ensure that 2m social distancing could be maintained and increased cleaning and infection control measures adhered to, services would be operating at significantly reduced capacity. Many centres would continue to be closed to the public.

During the course of the lockdown, Active Medlock had remained open supporting the Council to continue to provide services to adults and children with complex needs. Initially, 18 places per week were provided for both Adult and Children's social care and these places were taken up by 6 individuals. During the course of lockdown, demand had increased and 19 individuals now occupy 28 places. Remote support had continued for all Everybody Can clients in the form of a minimum of two phone calls per week, insights from which had been fed into the social care framework.

However, risk assessments clearly indicate that reopening some buildings including Active Medlock to the general public whilst managing the COVID-19 risk to vulnerable populations was impractical. The maintenance of social distancing requirements necessitated the use of PPE in many circumstances. Further, challenges included enhanced staffing ratios, cohort 'bubbles' and building 'flow' and adequate space necessitate a different approach to the delivery of commissioned services. To this end, opening hours would reflect these challenges at both Active Medlock and other centres within the estate as below. This approach would enable Active Tameside to meet not only pre COVID- 19 levels of provision within the borough but also to meet increased post COVID-19 demand both safely and efficiently.

## **RESOLVED**

- (i) That the Council's stock of sports and leisure facilities will continue to remain closed until restrictions controlling social contact are lifted;**
- (ii) That once restrictions on social contact are lifted the centres be opened, informed by a framework of financial sustainability and phased 'safety first' approach, informed by public health advice from the Director of Population Health; and**
- (iii) That a sum of £0.600 million be payable to Active Tameside on 1 July 2020 as an advance payment for services commissioned by the Council covering the period 1 April to 30 September 2020. The sum represents the balance due for this period excluding the value assumed in the Active Tameside cashflow to 30 June 2020. The**

**advance payment would support the cashflow of Active Tameside until 31 August 2020, by which time it is expected there will be an update on the business interruption insurance issue when a further update report will be presented to Members in August 2020.**

## **16. APPOINTEE AND DEPUTY SERVICE CONSULTATION OUTCOME**

Consideration was given to a report of the Executive Member for Finance and Economic Growth / Assistant Director (Exchequer Services), which detailed the outcome of consultation undertaken in relation to the changes to the charging model and increase in appointee costs, investments of capital and revisited Client Finance Policy.

It was stated that the Service within the Adult Social Care Finance Service had undergone review and the outcome of the review was considered by the Executive Cabinet on 22 January 2020. The review addressed the issues of increasing caseload, policy revision and increasing operating costs in addition to market testing for alternative provision. To address these increasing issues consultation was proposed to take place in relation to a proposed change to the charging model and increase in appointee costs, investments of capital and revised Client Finance Policy.

It was reported there were 267 appointee cases and 28 deputy cases and the caseload continued to rise steadily. Consultation had taken place and the report detailed the consultation results, the equality impact assessment (EIA) and contains proposals for change. The delivery of the service remained unchanged.

Members were informed that the consultation detailed two options for administration charges for appointees. Deputyship administration charges were set by the Office of the Public Guardian. The two options were:

- Option A Charge all appointees £10.00 per week;
- Option B Charge appointees residing in residential care £7.50 per week and charge appointees living in the community £10.00 per week.

HM Treasury NS&I savings accounts were proposed for deputies with capital in excess of £50k as being a safe investment. Appointee's capital was not managed by the Council as the Client Finance Service role for appointees was to manage income from benefits and bill payments only. The proposed Client Finance Policy was also consulted upon and was detailed in Appendix 1 to the report.

Members received a summary of responses from each of the questions presented and received the full consultation responses to all questions. It was stated the consultation findings were generally positive on the overall approach with regard to increasing costs, investment of capital and policy revision, and one set charge per week for all appointees is preferred than having a two tier charging model depending on whether the appointee lived in the a residential setting or in the community.

It was reported that the outcomes in terms of the consultation were as follows:

- Increase weekly administration charge to £10 per week for all appointees with more than £1k capital.
- Invest deputies capital in excess of £50k in the NS&I direct saver account.
- Implement the revised Client Finance Policy reflecting the changes.

The increase in administration charge from £6.92 to £10.00 a week was comparable with the weekly charge in other Greater Manchester local authorities at £10.35 per week. The increase would be effective from 01 September 2020 and thereafter be subject to the corporate annual uplift in fees and charges in April each year. This would affect all 267 appointees as deputyship weekly

administration fees were set by the Office of the Public Guardian. One deputy case currently had in excess of £50k capital that would be affected by the beneficial investment of monies in the NS&I account.

The equality impact assessment had identified that there was no anticipated direct or indirect impact to users of the Appointee/Deputyship Scheme on the basis of age, sex, ethnicity, religion or belief, sexual orientation, gender reassignment, pregnancy and maternity, marriage and civil partnerships, carers, military veterans or anyone breast feeding.

The proposed changes would directly impact people with a disability because the provision of an Appointee and Deputyship Service was for adults who cannot manage their own finances due to a disability and/or lack of capacity and therefore require the Council to be responsible for benefits, income or assets. The proposal would directly impact on those with a disability as changes to the charges for the service would affect all appointees and the proposal to amend the investment policy would affect only those deputies with more than £50k in capital. The changes to the scheme would impact those classed as on low or no income, as the investment policy change would impact all service users of the scheme, however those with less than £1k in capital would continue to not be charged for the service, until such time that they have accrued more than £1k in capital.

Mitigating factors had been identified in the equality impact assessment as being comparisons to charges across Greater Manchester local authorities were low and no charges were applied to a service user's account where the capital held for a service user was less than £1k. The evidence sources to support the equality impact assessment were the number of appointee and deputy cases currently managed by the service and the results of the 12 week consultation.

In order to continue to deliver a safe and effective service risk management must be considered both in the short and long term. An increasing ageing population and service users with mental health needs was unlikely to yield a reduction in cases being referred to the appointee and deputy service, therefore staffing was expected to continually increase as caseloads rose. As staffing costs increased, so too did the cost of service. This upward spiral of caseload, resources, costs and risk was likely to continue to rise indefinitely against which the increase in charges to be reviewed annually is a mitigating factor.

Careful consideration must be given not only to cost of service but to the extreme vulnerability of the service user and any unintended consequences arising from any changes to service provision, therefore the policy would be kept under continual review to ensure that should any unintended consequences arise that these are addressed immediately.

The 12 week consultation carried out between 23 January 2020 and 16 April 2020 and the full equality impact assessment had been carried out to ensure that all risks are identified, mitigated against where possible, and taken into consideration prior to setting the administration charges, revision to policy, changes to service delivery and investments of service users capital.

#### **RESOLVED**

- (i) That the weekly administration charge is £10 per week for all appointees with more than £1k capital with effect from 1 September 2020;**
- (ii) That the weekly charge will be subject to annual corporate uplift in fees and charges in April each year;**
- (iii) That deputies capital in excess of £50k be invested in the NS&I direct saver account; and**
- (iv) That the revised Client Finance Policy be implemented with effect from 1 September 2020.**

## **17. REVIEW AND UPDATE OF SERVICE CHANGES ACROSS OPERATIONS AND NEIGHBOURHOODS**

Consideration was given to a report of the Executive Member (Neighbourhoods, Community Safety and Environment) / Assistant Director of Operations and Neighbourhoods, which provided an update on proposed service change decisions across the service in response to the evolving national guidance and the relaxation of certain Covid19 lockdown measures.

A Council-wide report detailing the effect of the COVID-19 virus and the steps Tameside Council was taking in response of this threat was discussed at Cabinet on 22 April 2020. Following that service changes across the Operations and Neighbourhoods directorate had been approved and documented in a number of Executive Decisions.

With regards to service changes to markets, the Ashton Indoor Market had continued to operate throughout this pandemic by supporting the essential businesses that had been allowed to continue their trade. As per the Government's updated guidance most non-essential businesses could reopen from 15 June 2020 with the exception of the hospitality sector. Ashton Indoor Market would therefore open for these businesses from 15 June 2020 with operating times of 9am to 4pm Monday through to Saturday. Businesses would only be granted permission to open once they had provided written confirmation that they had put in place all the necessary measures to ensure that the business were COVID-19 safe.

Members were informed that with regard to service changes to libraries the Government had indicated in their Covid 19 Recovery Strategy that libraries would be included in step three of the roadmap to recovery. Meaning that some form of opening would take place at the earliest from 4 July 2020. Any form of re-opening would be contingent on whether this aligned with the easing of restrictions in other Council Services. Work had begun to determine how the public library service can operate safely following easing of restrictions to allow step three of the plan to be implemented.

An initial assessment had been undertaken of all 8 library venues to determine what was possible within the space available and with the required restrictions. All services offered at each library had also been considered to determine what level of service can be offered. It was explained that a phased return to re-opening libraries would be implemented and subject to all safety measures being in place this would commence on Monday 6 July 2020. In order to allow the above services safety measures would need to be implemented. Further, in order to ensure social distancing measures were adhered to it was recommended that no unaccompanied children under 12 years of age were allowed into the library at this time. Dependent upon risk assessments it was envisaged that the offer could be available at 4 of the larger libraries initially with others possibly coming on stream in a phased approach.

The Home Library Service would also be resumed on a contactless basis for those that wish to take advantage of it and the service would be extended to include shielded people and those who are very vulnerable for health and wellbeing reasons. It was proposed to offer a new service for those who did not feel they wished to enter the main body of the library and browse stock but would still wish to have reading material. This service would be similar to the home library service in that customers can advise of the genre of reading material they prefer and staff will make a selection from the shelves. Further it was proposed to extend all item loans and suspend accrual of fines to the 31 August 2020 to allow sufficient time for people to return their items following opening of libraries. It was reported that none of the libraries would be available in Open+ operating hours as it would not be possible to monitor social distancing of users or sanitise PCs between usage.

With regards to Museums and Galleries this front line service had been closed throughout lockdown and this situation would continue for the foreseeable future. Following the opening of some library venues further consideration on these services would be undertaken. The Tameside Local Studies and Archive Centre had been closed to the public during lockdown and all scheduled

events cancelled. Arts and Engagement activities and events had to be cancelled due to the Corona pandemic as it was not currently possible to have gatherings of people. Online resources were being made available by the museums and galleries, local studies archives and arts and engagement services.

All recommencement for Cultural venues and activities would be reviewed regularly in line with the critical 5 tests set out by the Government and would remain suspended until 1 October 2020 or until Government guidance allows.

Members were informed that the Tameside Welfare Rights & Debt Advice service remained operational via the telephone, webchat, email and letter but with no face to face appointments. The service had assisted many residents through the advice line and advised on welfare benefits and tax credits, with 349 enquiries being specifically related to Covid-19. Support continued for residents with debt issues by telephone, webchat and email. Due to the stay on possession proceedings until 23 August 2020 the service had not been required to assist with representations through the county court due to rent or mortgage arrears.

The Customer Services walk in facility continued to be suspended to public access until further notice. Services were being delivered via telephone, dedicated email addresses and webchat. This position would be reviewed regularly in line with the critical 5 tests set out by the Government.

Aligned with the lifting of lockdown restrictions for non-essential businesses and the expansion of the high-street retail offer the Council proposed to recommence parking enforcement from 1 July. The necessary controls would be put in place and full Covid risk assessments would be made and implemented before the service recommences. Parking Enforcement would be introduced with a phased approach starting with the issuing of warning notices for the first 2 weeks on both on-street and off-street parking locations..

A number of the contracted NSL Parking Enforcement Officers had been deployed to critical Council service areas that required extra resources during this period. These contracted staff would now return to their parking enforcement role to ensure customer compliance.

The public access Licensing Counter at Tame Street was closed during lockdown with all applications for licences processed through the website, via telephone and email. The service proposed that this counter remains permanently closed allowing the service to be delivered remotely.

Taxi driver licence renewal applications were processed as usual, however where an applicant was required to submit a medical certificate, the Service was currently allowing applicants to complete a self-certification form. The applicant would be required to submit the medical certificate once GP practices resume normal service.

In response to the COVID-19 outbreak, where taxi drivers were self-isolating, licence holders were offered the opportunity to temporarily suspend their drivers licence. It was proposed that this offer would remain in place until 1 October 2020.

It was proposed that the Service would continue to process the vehicle renewal licence application as usual and require vehicle proprietors to submit renewal application forms and relevant paperwork, including insurance via email, and continue to test vehicles to ensure that they are safe and mechanically sound.

In situations where the vehicle was not being used or the driver was self-isolating, upon request a vehicle licence may be temporarily suspended, it was proposed that vehicle licence holders would be offered this opportunity until 1 October 2020.

All private hire operator licences which are due to expire continue would be processed as usual. With regard to fees for driver and vehicle renewal applications, licence holders had been offered



the option to defer payment of the fee for a period of 3 months. It was proposed that this would be extended until 1 October 2020.

No letters had been sent out to licensed premises to remind licence holders that their annual fee was due to be paid since February 2020. These fees remained payable although many of the premises had been required to close during lockdown. It was proposed that the annual fee letters would be sent out from the 1 July 2020, providing the licence holder with an option to defer payment for a period of 3 months.

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 for the licensing of persons involved in England in selling animals as pets, providing or arranging for the provision of boarding for cats or dogs, hiring out horses, breeding dogs and keeping or training animals for exhibition.

It was proposed to continue to defer all planned food hygiene, food standards and animal feed interventions - other than those for high risk establishments, or where there are specific legislative requirements on the nature or frequency of controls for 12 weeks from the 18 April 2020. This was in line with the Food Standards Agency Guidelines. This would mean that planned visits would recommence no sooner than the 11 July. Action by local authorities when the intervention was due should initially be undertaken remotely - a telephone discussion and paper-based audit of relevant documentation. If the discussion or documentation provided suggested that there may be a serious public or animal health risk, an onsite visit should be made to assess and address these risks.

It was recommended to continue to defer proactive inspections of House in Multiple Occupation (HMO) and Inspections required under the Environmental Permitting (England & Wales) Regulations 2016 (EPR Regs) for a further period of 3 months until 1 October 2020. Service Requests would focus resources on urgent reactive work to address potentially serious public health or animal health risks.

It was proposed to recommence the issuing of invoices issued under the Environmental Permitting (England & Wales) Regulations 2016 (EPR Regs) and the Private Water Supply (England) Regulations 2016 (amended 2018) (PWS Regs) for a further 3 months until the 1 October 2020.

Buy with Confidence Members would be offered an option to defer payment of the fee for a period of 3 months until the 1 October 2020.

## **RESOLVED**

- (i) That the revised opening of non-essential businesses in Ashton and Hyde Indoor Market, as set out in the report at paragraphs 2.2 and 2.3, be agreed;**
- (ii) That the delayed re-opening of Ashton and Hyde Outdoor Market as set out in the report at paragraph 2.4, be agreed;**
- (iii) That a phased re-opening of Library Buildings and reintroduction of Home Library Service, as detailed in paragraphs 3.7, 3.11 of the report, be agreed;**
- (iv) That no unaccompanied children under 12 years of age allowed in the Libraries, be agreed;**
- (v) To continue the suspension of Library fines until 31 August 2020, be agreed;**
- (vi) To continue the suspension of events and closure of cultural venues until 1 October 2020 or until review of guidance permits, be agreed;**
- (vii) That the continuation of virtual or digital customer interaction for Cultural and Customer Services, be noted;**
- (viii) That parking enforcement be recommenced from 1 July 2020, be agreed;**
- (ix) That to continue the suspension of monthly parking deductions for all staff contract car park passes until 1 October 2020, be agreed;**
- (x) It be agreed that the Licensing Counter remain permanently closed;**

- (xi) The adjustments to Licensing payments and procedures be agreed, as detailed in paragraphs 4.3-4.13 of the report;
- (xii) It be agreed to continue to defer proactive inspections of House in multiple Occupation (HMO) and Inspections required under the Environmental Permitting (England & Wales) Regulations 2016 (EPR Regs) until 1 July 2020 unless there are exceptional reasons for doing so to protect life and limb;
- (xiii) It be agreed to recommence charging for skips and scaffolding permits remaining on the highway from the 1 July 2020;
- (xiv) It be agreed to recommence issuing invoices under the Environmental Permitting (England & Wales) Regulations 2016 (EPR Page 123 Regs) and the Private Water Supply (England) Regulations 2016 (amended 2018) (PWS Regs);
- (xv) That the proposal to recommence the Buy with Confidence Membership scheme from the 1 October 2020 be agreed; and
- (xvi) That a review of the services changes and an updated report be brought to Members in September.

## **18. GM CLEAN AIR PLAN: UPDATE**

The Executive Member, Neighbourhoods, Community Safety and Environment / Director of Operations and Neighbourhoods, submitted a report setting out the progress that had been made following the Government's response to Greater Manchester's Outline Business Case to tackle Nitrogen Dioxide Exceedances at the Roadside (OBC), and the implications of pandemic management policies (the extent of which were not yet fully understood) for the 10 Greater Manchester (GM) local authorities in relation to the schedule of work and statutory consultation on the Clean Air Plan and the link to taxi and private hire common minimum licensing standards (MLS).

A comprehensive update on the development of the GM Clean Air Plan was provided and proposals were set out for a public consultation in light of COVID-19 implications, and it was highlighted that the implementation of a GM Clean Air Zone was delayed to 2022.

Details were given of work undertaken to date, including new work to develop a Clean Commercial Vehicle Fund and a new Hardship Fund.

A summary of correspondence between Greater Manchester and DEFRA was provided, including the DEFRA Minister's 18 March letter to Cllr Western, GM Green City Region lead, which included a further Ministerial Direction to act and expressing the government's desire for GM to consult on a charging Clean Air Zone Category C, and the reply which emphasised the need for government support for key sectors, including the hackney and LGV business users.

The report further highlighted the close link with work to develop Minimum Licensing Standards for the taxi and private hire trade in GM, and set out that it was intended that a public consultation on this was managed in parallel with that for the GM Clean Air Plan, suggesting that GM set out a clear roadmap to when taxi/PHV fleets should be emission free.

Details were given of how the GM Clean Air Plan would support the wider programme of activity around decarbonising the transport sector.

In respect of next steps, it was explained that officers would:

- Continue dialogue with JAQU to secure a clear response from government on GM's outstanding clean air funding asks;
- Continue to undertake the preparatory implementation and contract arrangements that needed to be undertaken to deliver the CAZ and other GM CAP measures;
- Continue preparations to be ready to move to a statutory public consultation on the GM Clean Air Plan as soon as reasonably practicable; and

- Submit a report on the consultation on proposals to GM Authority decision makers when there is a clear timeframe for exiting lockdown and moving to the next phase of the COVID-19 response.

## **RESOLVED**

- (i) That the progress of the Greater Manchester Clean Air Plan be noted;**
- (ii) That the progress in the development of the Clean Commercial Vehicle and Hardship funds be noted;**
- (iii) That the initial funding award of £41m for clean vehicle funds to award grants or loans to eligible businesses, be noted;**
- (iv) It be noted that the Government has accepted the need for vehicle replacement funds for Hackney Carriages, and Light Goods Vehicles, but has requested further development of shared evidence on the needs within that complex sector before responding and does not support the sustainable journeys measure;**
- (v) It be noted that TfGM is seeking confirmation that the funding award for Bus Retrofit is a continuation of Clean Bus Technology Funds to be distributed as soon as possible as per previous arrangements;**
- (vi) It be noted that the government will not support electric vehicle charging infrastructure through Clean Air monies but have committed to work with GM on securing funding from OLEV;**
- (vii) The position that the GM Local Authorities will move to a statutory public consultation on the GM Clean Air Plan as soon as reasonably practicable, be agreed;**
- (viii) It be agreed that the position that the GM Local Authorities' decision to commence a public consultation should be taken once there is a clear timeframe for exiting lockdown and moving to the next phase of the COVID-19 response;**
- (ix) That the implementation of a GM CAZ is delayed to 2022 with a revised implementation date to be confirmed in the consultation commencement report, be noted;**
- (x) That the DfT's positioning paper "Decarbonising Transport – Setting the Challenge", be noted;**
- (xi) That the assessment of the possible impacts of COVID-19 to inform a technical briefing note for decision makers be noted; and**
- (xii) It be noted that the GM local Authorities intend to consult on GM's proposed MLS, alongside the Clean Air Plan consultation and agree the position for consultation, on when taxi/PHV fleets should be Zero Emission Capable.**

## **19. HEALTH & SAFETY - ENSURING COMPLIANCE WITH 'COVID-19 SECURE' GUIDELINES**

Consideration was given to a report of the Assistant Director of Operations and Neighbourhoods that summarised the additional health and safety responsibilities on the organisation to comply with the Health & Safety at Work Act 1974 and the 'Covid-19 secure' guidelines. The report also identified the practical steps which must be taken to ensure compliance and the additional resources which would be required to support this.

Members were informed that as an employer Tameside Council had a legal duty under Section 2 and 3 of the Health and Safety at Work Act 1974 to provide, so far as was reasonably practicable, a safe and healthy working environment for employees and members of the public.

It was stated that all employers had a legal duty under Regulation 3 of the Management of Health and Safety at Work Regulations to carry out a suitable and sufficient risk assessment of the risks to the health and safety of their employees to which they were exposed to whilst they were at work; and the risks to the health and safety of persons not in their employment arising out of or in connection with the conduct by him of his undertaking. In response to the Covid-19 outbreak the Government published on 12 May 2020 additional 'Covid-19 Secure' guidelines.

The UK government, in consultation with industry, had produced 'COVID-19 Secure' guidance to help ensure workplaces were as safe as possible. The new guidance covered 8 workplace settings which were allowed to be open, from outdoor environments and construction sites to factories and takeaways. This set out practical steps for businesses focused on 5 key points, which should be implemented as soon as practical:

- Work from home if you can;
- Carry out a COVID-19 risk assessment, in consultation with workers or trade unions;
- Maintain 2 metres social distancing, wherever possible;
- Where people cannot be 2 metres apart, manage transmission risk; and
- Reinforcing cleaning processes.

It was explained the 8 guides covered a range of different types of work. The Council operated many of its services within a range of these workplace settings. The Council must comply with the governmental guidelines and within its regulatory responsibilities advise local businesses on compliance standards to keep employees and residents safe. The workplace settings included: Construction and other outdoor; factories, plants and warehouses; Homes; Labs and research; Offices and Contact Centres; Restaurants offering takeaway or delivery; Shops and Branches; Vehicles.

The Chief Executive / Accountable Officer had overall responsibility for ensuring that the organisation met the duties imposed on it by Health and Safety legislation and associated regulations. The report stated that Council Service Managers must, at the earliest opportunity, complete a Covid-19 risk assessment in relation to the work activities their teams were involved in. This must be done in consultation with the workforce and unions. Service Unit Managers would be communicated to directly via email to advise them of the new guidelines.

It was further explained that it was important that there was close co-operation and communication between the Health and Safety Team, Human Resources and Growth Directorate (Strategic Property Services). It was the responsibility of Growth Directorate to facilitate the control measures specified in risk assessments and to ensure that building facilities and layouts complied with 'Covid-19 Secure' guidelines. The Health and Safety Team would need to be kept up to date on the plans to open buildings, any changes made to buildings and any limitations on potential modifications to buildings as this would inform risk assessments and any changes needing to be made to control measures. Similarly, any further changes to the delivery of services should include a review of the risk assessments.

#### **RESOLVED**

- (i) That every Service Unit Manager carries out a Covid 19 risk assessment for each workplace and activity undertaken by their Service, subject to the Health and Safety team (under the direction of the Director Operations and Neighbourhoods) producing any necessary and required risk assessment templates to be used by all service unit managers, together with implementing such expedient training to do so and to quality control / audit all required risk assessments and, where necessary, ensure fit for purpose and produce them for publication and to any enforcement agency; and**
- (ii) That the unions are informed of the process that the organisation is taking to ensure compliance via the Employment Consultation Group.**

#### **20. URGENT ITEMS**

##### **RESOLVED**

**That the following item be considered as matter of urgency due to the requirement to meet Government deadlines.**

## **21. TAMESIDE DISCRETIONARY GRANT FUND ROUND 1 OUTCOME – KEY DECISION**

Consideration was given to a report of the Executive Member (Finance and Economic Growth) / Director of Growth, which reminded Members that the Government had provided Tameside MBC with £2,345,250 to operate an LA Discretionary Grant Fund. The fund was to support businesses who were ineligible for the Small Business Grant and Retail Hospitality Leisure Grants. The Government had recognised that Local Authorities were best placed to decide on local economic needs in the design and operation of this funding. The Government guidance included some mandatory elements and some priorities which LAs have discretion to implement. Tameside's proposed scheme met the Government mandatory and priority criteria while meeting local economic need. The Small Business Grant and Retail, Hospitality Leisure Grants would continue alongside this scheme and it is essential that all these funds work together to ensure business are supported from the correct fund.

The report set out the national criteria for the funds, which applied to all grants made from this Fund as follows, grants can only go to:

- Businesses with ongoing fixed building-related costs
- Businesses which can demonstrate that they have suffered a significant fall in income due to the Covid-19 crisis
- Business with fewer than 50 employees
- Businesses with a rateable value below £51,000 (discretionary)
- Businesses that were trading on 11 March.

Members were informed that 140 applications, of which 98 may be eligible, totalling a maximum award of £663,000, had been received for the Tameside Discretionary Grant Fund in Round 1. This left £1,682,250 remaining for Round 2.

It was recommended that those eligible for payment be approved to enable Round 2 to commence with an identified minimum budget, which may be increased following successful processing of all Round 1 applicants.

### **RESOLVED**

**That:**

- (i) That the 57 applications, which have been processed as being eligible for award of grant are approved for payment subject to the businesses submitting declarations of state aid compliance where outstanding;**
- (ii) That the 40 applicants identified as requiring more evidence before eligibility established including submitting declarations of state aid compliance, continue to be processed with the decision on their approval for payment being delegated to the Executive Member for Finance and Growth in consultation with the Director of Growth;**
- (iii) That any unspent ring fenced budget from Round 1 will only be released to Round 2 when all the eligible awards under recommendation 2 are approved and paid. Ring fenced budget from Round 1 being retained from Round 2 until eligibility established and approved or rejected for payment as per recommendation 1 above.**
- (iv) That a list of businesses paid under the discretionary scheme will be published under the transparency data together with a summary as to the reasoning for those bids that have rejected; and**
- (v) That Round 2 commence on Thursday 25 June 2020 for a period of two weeks from this Key Decision and that the outcome from Round 2 is returned to COVID Response Board on the 15 July 2020, for urgent Key Decision.**

**CHAIR**