

## BOARD

11 November 2020

**Present**

<b>Elected Members</b>	<b>Councillors Warrington (In the Chair), Bray, Cooney, Fairfoull, Feeley, Gwynne, Ryan and Wills</b>
<b>Chief Executive</b>	<b>Steven Pleasant</b>
<b>Borough Solicitor</b>	<b>Sandra Stewart</b>
<b>Section 151 Officer</b>	<b>Kathy Roe</b>

**Also In Attendance:** **Steph Butterworth, Richard Hancock, Ian Saxon, Paul Smith, Jeff Upton, Sarah Threlfall, Jayne Traverse, Emma Varnam, Debbie Watson, Tom Wilkinson and Jess Williams**

**Apologies for absence**                      **Councillor Kitchen**

### **137      DECLARATIONS OF INTEREST**

Councillor Cooney declared a prejudicial interest on Item 4g as a Director at Ashton Pioneer Homes.

### **138      MINUTES OF PREVIOUS MEETING**

The minutes of the Executive Board meeting on the 4 November 2020 were approved as a correct record.

### **139      STALYBRIDGE HIGH STREET HERITAGE ACTION ZONE PROGRAMME – CAPITAL PROGRAMME FUNDING**

Consideration was given to a report of the Executive Member (Finance and Economic Growth) / Director of Growth submitted a report, explaining that on 12 February 2020, Executive Cabinet approved in principle, subject to the grant offer and conditions, the allocation of £1.275m match funding required for the High Street Heritage Action Zone (HSHAZ) Programme.

The Grant Funding Agreement for the HSHAZ programme required an equivalent match of Council funding, namely £1.275m to provide an overall total programme budget of £2.55m. As part of the match-funding requirement, Executive Cabinet approved funding to be ring fenced from the existing earmarked capital investment pot for the refurbishment of capital assets. However, there had been a duplication of assumption made about use of this funding, which was not eligible for supporting the match funding required for the HSHAZ programme. Officers had identified the required match funding, both approved revenue and required capital.

Members were informed that officers had completed the due diligence required on the Grant Funding Agreement with Historic England and have considered the opportunity and assumptions made about the match funding and details were given in the report. Approval was now required for £963k to be committed within the Council's Capital Programme as part of the match funding and to note the Grant Fund Agreement was engrossed, ready for execution, subject to the approval of the capital programme budget.

### **AGREED**

**That Executive Cabinet be recommended to:-**

- (i) **Approve the increased commitment requirement of £963k within the Capital Programme required as match funding for the HSHAZ programme;**
- (ii) **That the match funding amount of £963k be financed from the Business Rates 100% retention pilot reserve, be approved; and**
- (iii) **Authorise entering into the Grant Funding Agreement as set out in this report.**

#### **140 UPDATE ON COVID-19 CHANGES TO THE LAND CHARGES SERVICE**

Consideration was given to a report of the Executive Member of Housing, Planning & Employment/Director of Growth, which detailed the proposed changes to the working practices in delivery of the Land Charges function based at Heginbottom Mill in Ashton.

It was reported that the Infrastructure Act 2015 made provision for the transfer of responsibility for Local Land Charge registers from 326 English local authorities to HM Land Registry. Tameside was on track to become the first Greater Manchester authority to migrate. Before Covid-19, it was anticipated that the Council would 'go-live' with its digital register around June 2020. Given the migration process had not concluded at the time of social distancing measures being introduced by the government, paper based information and office based equipment remains in place for search purposes.

It was expected that up to 10,000 outstanding charges would need to be reviewed by the Council in the coming months and it was anticipated that with the requested temporary resources in place the project could be completed by spring 2021.

It was further explained that prior to the Covid-19 pandemic approximately 15 Local Authority searches were submitted per week on average. Based on 2020 figures, enduring Covid for the same period, the average weekly searches have increased to 21 per week. 112 Local Authority searches were completed and returned in September, 31 returned to date in October. 58 new searches had been registered in the first two weeks of October with a further 134 new searches awaiting registration.

Since the previous decision in May, the Director of Growth had worked with HR colleagues to deploy additional resources into the Land Charges service, either from in-directorate or from other parts of the organisation to help minimise service disruption. With additional resource in place, backlogs in all areas came under control, PSA searches were returned and planning/building control applications were registered and processed within acceptable timescales.

With the reopening of their services, redeployees were recalled to substantive service areas by mid-August 2020. The service had therefore fallen from turning searches round in approximately 2 weeks to the current level (8 weeks referenced above).

#### **AGREED**

**That the Executive Member (Housing, Planning and Employment) be recommend to agree that the Director of Growth be given authority to continue with and implement the following:**

- (i) **Resumption of face-to-face service for agents from the 4 November 2020 on an appointment only basis.**
- (ii) **The Official Search/fee paying service for solicitors or intermediaries remains in place as per normal arrangements with a review of charges to be implemented when the land charges digitisation project is completed.**
- (iii) **Note there may be some delays in service delivery due to increased workload and backlog.**
- (iv) **Use existing New Burdens Funding (£ 26.5k) to assist in completing the Land Registry digitisation project.**

## **141 PLAYING PITCH STRATEGY**

Consideration was given to a report of the Executive Member (Finance and Economic Growth) / Director of Growth, which set out proposals to deliver the undertaking made to sport England and sought approval to proceed.

Members were reminded that approval to sell the freehold interest in the former Hartshead School site was agreed by Executive Cabinet on 25 September 2019. The terms of sale included an undertaking by the Council to Sport England to: refresh the Tameside Playing Pitch Strategy, install an all-weather practice cricket facility at Ladysmith Cricket Club in Ashton, the development of a School Sports Facility Strategy and provision of two additional full size adult grass football pitches in the locality with the costs met from the proceeds of sale estimated at approximately £75,000. This report sets out proposals to deliver the undertaking made to sport England and seeks approval to proceed based on the information set out in this report.

### **AGREED**

- (i) That the item be deferred to the next meeting of Executive Board on the 2 December 2020; and**
- (ii) Section 2.8 of the report to be amended to reflect that whilst there was a requirement to mitigate against the loss of natural turf pitches, at this time there was no demand for additional pitches, but should demand dictate two pitches could be located.**

## **142 THE MAYOR'S CHALLENGE FUND - FULL SCHEME DELIVERY APPROVAL**

Consideration was given to a report of the Executive Member (Transport and Connectivity) / Assistant Director, Operations and Neighbourhoods which provided an update on the Mayor's Challenge Fund programme and set out details of the first two schemes as follows:

**Hill Street, Ashton-under-Lyne** - The Hill Street Mayor's Challenge Fund scheme would provide an east-west cycle route from the A627 Cavendish Street to the A6017 Stockport Road via Hill St, Victoria St and Trafalgar Sq. The scheme provided links towards the Peak Forest Canal, which ran from Ashton town centre to the Stockport boundary via Hyde. At Portland Basin, access would also be provided to an existing cycle route on the Ashton Canal, linking west towards Manchester City Centre.

**Chadwick Dam, Stalybridge / Ashton-under-Lyne** - The Chadwick Dam Mayor's Challenge Fund scheme would provide improved cycle and walking facilities within Stamford Park, connecting from an existing CCAG2 scheme to the A635 Mossley Road. It would provide additional links to Lake View, Mellor Road and the adjacent Tameside Hospital, as well as connecting across Mossley Road. A parallel cycle and pedestrian crossing would provide access across Mossley Road to reach Rose Hill Road, where a 20mph Zone would be extended to provide access via this quiet route to the residential areas northeast of Ashton.

It was explained that a full business case for the Hill Street and Chadwick Dam schemes was submitted to TfGM on 14 October 2020 for review and approval. This followed a draft submission in August and subsequent review feedback that had now been taken on board.

It was anticipated that the outcome of the review would be known at the Greater Manchester Combined Authority meeting on the 11 December 2020. Subject to approval, this would mean that works could start on site in January 2021

Members were informed that both schemes were presented at a Mayor's Challenge Fund Consultation that ran from 10 February to 8 March 2020. The outcome of the consultation was presented in a Consultation Report, an extract of which was appended to the report, summarising the feedback that was received for the two schemes. The scheme designs had been reviewed in detail to ensure that where possible the feedback had been taken into account.

The total funding amount being sought from Mayor's Challenge Fund was £686,951 (including £75,010 development costs already approved). There was no funding gap identified for the schemes. If any cost increases occurred following Full Approval, the Council's Mayor's Challenge Fund Project Team would manage this through the change control process working jointly with TfGM. Details were also given of complimentary match funding which would enhance the two Mayor's Challenge Fund schemes.

## **AGREED**

**That Executive Cabinet be recommended to:**

- (i) Approve the delivery of the two schemes outlined in Section 3 of this report subject to receiving Full Approval from TfGM based on the funding package set out in Section 3.9 of this report.**
- (ii) Authorise entering into a Delivery Agreement with TfGM, upon TfGM's approval of the full business case.**
- (iii) Authorise entering into Delivery Agreements with TfGM for the delivery of future Mayor's Challenge Fund schemes which have received Programme Entry status.**
- (iv) Approve the GMCA development costs for the Mayor's Challenge Fund, A57 Denton to Hyde scheme, as set out in Section 2.5 of this report and add the £358,160 grant funding to the Capital Programme.**
- (v) Note that all future schemes that need match funding will need advance approval of Cabinet.**

## **143 PROVISION OF GENERALIST SOCIAL WELFARE INFORMATION AND ADVICE AND SPECIALIST EMPLOYMENT ADVICE**

Consideration was given to a report of the Executive Member (Neighbourhoods, Community Safety and Environment)/ Executive Member of Adult Social Care and Health / Clinical Lead for Public Health / Director of Operations and Neighbourhoods which provided details of the outcome of the soft market test and detailed the proposals.

It was explained that the current service was provided by Citizens Advice Tameside, also known as Tameside Citizens Advice Bureau Ltd (CAB). The contract was managed quarterly with performance figures provided on time and included demographic data, numbers of clients helped, outcomes, complaints, customer satisfaction and social policy issues. There had been no areas of concern raised throughout the contract period.

The current contract fulfilled all the requirements to support residents of Tameside who sought information and advice and it was proposed that any new contract specification included the same areas of social welfare law and debt advice. It was also proposed that any new contract included a requirement to deliver 18 hours a week of specialist employment advice to include assistance with tribunals. The rationale for this requirement was that the economic benefits of being in employment were a priority for the Council and it was expected that the provider assisted people to understand their employment rights and how to solve work related problems including discrimination, pay, disability, dismissal and redundancy. This would be of particular significance with the end of the current furlough scheme and reduced help available with any replacement schemes and the on-going impact of job losses.

Due to the limited amount of funding it was expected that the provider would utilise the core contract funding to develop the service offer and make the organisation sustainable by securing additional external funding.

As COVID-19 restrictions could still be in place, any new contract would allow for advice to be delivered flexibly in order to keep staff and members of the public safe. This would include remote delivery of advice through telephone, web chat and email.

The Assistant Director of Operations and Neighbourhoods explained that having considered the options and the outcome of the soft market test; the Contract Procedure Rules required the authority to demonstrate value for money through a competitive tender exercise. It was proposed therefore that a tender exercise is undertaken to enter into a contract for the provision of generalist social welfare information and advice and specialist employment advice.

It was proposed that following a successful tender a contract was awarded for a 3 year period at a cost of £116,000 per annum.

#### **AGREED**

**It is recommended that Executive Cabinet be recommended to:**

- (i) approve is given to tender the provision of generalist social welfare information and advice and specialist employment advice to commence 1 April 2021**
- (ii) delegate authority is afforded to the Director of Operations and Neighbourhoods to award the tender and enter into all necessary contract arrangements**

#### **144 TRANSITION SUPPORT - ALTERNATIVE LEASE**

Consideration was given to a report of the Deputy Executive Leader / Director of Children's Services, seeking continued authority to acquire tenancies for the Transition Support Scheme under the existing governance for a management agreement and to enter into lease arrangements.

It was explained that, in Tameside there were currently 357 Care leavers aged 18- 25, this did not include 128 who were not currently open to the service following the change in legislation increasing support to age 25. There were currently 111 Care Leavers aged 18+ who required suitable and appropriate accommodation. Limited access to suitable move on accommodation that would adequately support young people to leave care created significant cost pressures whilst they remained in high cost external provision.

Members were informed that the expansion of the pilot bedsit program with Jigsaw Housing Trust that was created in 2016, offering seven people at any one time an opportunity to move into independent living had been agreed at Cabinet in February 2019. The support provided was high quality, initial results had been excellent, and the annual cost was dramatically reduced. In February 2019 it was agreed that the Service was to expand by an additional 10 properties. Details of current provision was provided in the report.

Progress had been made with Registered Providers to identify appropriate accommodation from existing housing stock available for re-let in the Borough and this was twin tracked with identifying potential new provision through conversion of empty property both owned by the Registered Provider's and available on the open market.

From February 2020 there were offers from the Registered Providers to identify properties for the scheme, however, delivery had been very slow. Of late, Coronavirus had had a further impact with a halt on evictions leading to a reduction in available properties. The Registered Providers had reduced their repairs services, impacting on any re-let work on voids.

The quickest route to access provision should be through the Registered Provider's re-let stock however this had been slow due to low turnover. New provision (unless bought off the shelf) would have a time lag whilst suitable property was identified, feasibility work undertaken, funding put in place, technical issues resolved (i.e. Planning for conversions) and works undertaken. In addition, direct lets by the Council via the Private Sector and their Agents were being investigated in the absence of available Registered Providers stock being available.

Whilst some Registered Providers were comfortable with a Management Agreement and Licence arrangement as set out in the February 2019 Cabinet report, some Registered Providers currently did not want to enter these arrangements and had been advised to request a Lease arrangement

rather than a Management Agreement / Licence. There were advantages to Lease arrangements in that they allowed the Council to have a legal interest and more formal arrangement in the property, ability to be flexible to meet the circumstances for each property and landlord, manage risks and be clear / limit liabilities such as repairing obligations. The lease could be structured to suit the requirements of the Council and the Registered Provider/Private Sector partners required this arrangement. The same arrangement could be achieved in a Management Agreement.

It was recommended that authority be given to enter into Lease arrangements for those Registered Providers and Private Sector partners who required this form of Agreement to proceed when making property available for the Council's requirements. Prior to entering into a lease with a Registered Provider and Private Sector partners, early involvement with Estates would ensure that Heads of Terms were agreed, which for example would include ensuring the rent could not be increased substantially, from which TMBC Legal would ensure that the proposed lease with partners met with the Council's requirements.

The current position on registered provider's and private providers approached to identify remaining properties was outlined in the report.

It was agreed that members and officers would continue to meet to find the most efficient and effective way to deliver the necessary housing exploring all available options and not just existing arrangements.

#### **AGREED**

**That Executive Cabinet be recommended to agree to amend the approval given by Executive Cabinet in February 2019; to allow for 17 tenancies for the Transition Support Service under a Management Agreement; to be commissioned in the alternative by entering into lease arrangements with RPs and Private Providers; where required subject to Head of Legal being satisfied with the terms, and the Director of Growth confirming in each case that the tenancy represents value for money whether under a Management agreement or lease.**

#### **145 ENVILLE HOUSE, RICHMOND STREET, ASHTON**

Consideration was given to a report of the Executive Member (Finance and Economic Growth)/Director of Growth, which explained that the Council entered into a lease agreement for nil consideration with Northern Counties Housing Association Limited (now The Guinness Partnership) on 15 February 1999 in respect to the subject property, Enville House.

Members were informed that the property was initially used as a 'Single Men's' Hostel and the Council limited the user clause as per the lease agreement. The Guinness Partnership discontinued use of the property in 2017 and it had been vacant since with areas falling into disrepair.

The lease was for a term of 99 years from the date of the agreement and expired on 14 February 2098 with 78 years remaining. The Guinness Partnership secured funding (via the Housing Corporation at the time) and used this together with their own capital monies to convert and refurbish the property to ensure that it was fit for purpose in accordance with the terms of the lease.

In accordance with the lease, the Guinness Partnership agreed a number of user clauses summarised in the report, which have been in breach since the property has been vacant.

The Council were contacted by Ashton Pioneer Homes ('APH') in 2017 to advise that the property was vacant and that they were seeking to take an assignment of the lease from the Guinness Partnership with a view to convert the property into 8 self-contained flats that would be available for affordable rent. Ashton Pioneer Homes advised that they had agreed to acquire the leasehold interest held by the Guinness Partnership for the equivalent of £335,000.

This sum was understood to consist of:

- £200,000 Homes England grant liability relating to the initial refurbishment; and
- A direct payment of £135,000 from APH to The Guinness Partnership representing a proportion of their outstanding book value after the Homes England grant liability.

In addition, Ashton Pioneer Homes had advised that they would intended invest a further £483,839 in converting and refurbishing the property. The conversion costs would be funded using APH's own resources as the Homes England subsidy would not be available for the project.

In order to support the transaction in addition to providing consent to the assignment, the Council had been asked to accept a surrender of the remaining 78 year lease term and grant a new lease term of 125 years. Furthermore, as the current lease restricted the use of the property to a 'Temporary Housing Hostel for homeless single men', it would be necessary for the Council to widen the user clause to permit the property to be used for affordable rent.

Ashton Pioneer Homes had suggested that in January 2018, they engaged with the Council and that they believed that the Council would consent to the assignment and similarly allow a surrender and renewal to take place subject to legal and financial due diligence. Whilst any positive feedback provided by the Council was without prejudice, and required Council Governance it had become apparent that Ashton Pioneer Homes had spent a considerable amount of time and resource in progressing the transaction at their own risk.

Following review of the proposed transaction, the Estates Service agreed that whilst the principles of the proposed transaction were practical in respect of restoring use of a vacant property, there were several complex matters that were not considered or had been discussed between the parties, details of which were provided in the report.

Ashton Pioneer Homes had constructed a proposed transaction to which the Council had agreed in principle, however the following options also needed to be considered and agreed in order to ensure that the options were properly considered and a decision was made in the best interests of the Council, considering the implications extending beyond the property transaction. On the assumption that The Guinness Partnership would comply with a surrender of their lease under terms other than that proposed by Ashton Pioneer Homes, the Council would likely consider the following options:

- Transfer the freehold interest in the property to APH at market value;
- Advertise the Freehold property on the open market;
- Retain the property for operational use; and
- Proceed with APH's proposal and grant consent to the assignment of the lease from The Guinness Partnership to APH with an extension to 125 years and widen the user clause with a premium payable to the Council.

#### **AGREED**

**That, subject to the report being amended at point 3.1 C to state the Council does not have an operational need for the property, Executive Cabinet be recommended to agree to:**

- (i) Provide consent to an assignment of the leasehold interest between The Guinness Partnership and Ashton Pioneer Homes.**
- (ii) Regear the lease upon assignment to reflect the current market value, to extend the term and to widen the user clause for a total premium of £47,500 payable to the Council.**

#### **146 ADULT SOCIAL CARE WINTER PLAN 2020-21**

Consideration was given to a report of the Executive Member (Adult Social Care and Health) / Director of Adults Services, which presented the local economy response to the Adult Social Care Winter Plan 2020-21 that was published by the Department of Health and Social on 18 September 2020.

It was explained that the Winter Plan covered four key themes:

- preventing and controlling the spread of infection in care settings;

- collaboration across health and care services;
- supporting people who receive social care, the workforce, and carers; and
- supporting the system.

The Winter Plan further described key government national interventions and set out the key actions for local authorities, NHS organisations and providers, as detailed in the report.

The local economy response to the Winter Plan 2020-21 was appended to the report. The response set out the key actions and priorities for the local area to ensure resilience and contingency to support individuals and providers through the winter.

The overarching aims of the local Winter Plan were detailed as follows:

- Ensuring everyone who needed care and support could get high quality, timely and safe care throughout the autumn and winter period;
- Protecting people who needed care, support or safeguards, the social care workforce, and carers from infections including COVID-19; and
- Making sure that people who needed care, support or safeguards remain connected to essential services and their loved ones whilst protecting individuals from infections including COVID-19.

Members were informed that a comprehensive review of the current local system position was currently being undertaken to understand the local system's preparedness to meet the needs of local people, with providers and a workforce that was equipped to deliver safe, appropriate services. This assessment would be used to inform key priorities for the local economy to ensure delivery against the Winter Plan 2020-21.

The government had announced various funding streams to support the delivery of the range of programmes required to protect the local population during the pandemic. The allocated budgets to support additional or specific spend to deliver pandemic specific services were being closely monitored via the Finance Teams. It was unclear at this stage what the additional costs of delivering the Winter Plan would be.

## **AGREED**

**That Executive Cabinet be recommended to note and support the local response to the ASC Winter Plan 2020-21.**

## **147      PROGRESS REPORT TARGETED NATIONAL LUNG HEALTH CHECKS**

Consideration was given to a report of the Executive Member, Adult Social Care and Population Health / CCG Chair / Director of Commissioning providing an update on development of the Targeted Lung Health Check (TLHC) Programme within NHS Tameside and Glossop CCG (T&G CCG).

It was reported that, on 27 November 2019 the Strategic Commissioning Board approved a report, detailing the preferred model of delivery and proposed contractual arrangements for governance and assurance purposes.

Progress on implementation was limited when, due to COVID-19, TLHC programmes were paused from March 2020. In August programmes recommenced, following the publication of the Phase 3 planning guidance, which stated: 'All existing projects within the Targeted Lung Health Check programme to be live by the end of 20/21. Existing projects on boarded into the TLHC programme in 20/21 to restart. New on boarding projects for 20/21 to have all required plans in place to go live in 2021/22.'

Since recommencing, Manchester Foundation Trust (MFT) confirmed their intention to work in partnership with T&G CCG to provide a TLHC fully managed service. This, along with the national decision to extend the length of the programme to March 2024, enabled a revised two year trajectory



with commencement on 1 February 2021 and full roll out across the Locality by March 2022. This enabled all Low Dose Computed Tomography (CT) scans required by the protocol to be completed by March 2024.

T&G CCG intended to commission an 'End to End' fully managed TLHC service from Manchester Foundation Trust varying the service specification into the existing Manchester Foundation Trust contract held by NHS Manchester CCG to which T&G CCG was an associate.

Manchester Foundation Trust would work with providers across Greater Manchester to ensure that people who required any follow up care had the choice to receive this care closer to where they lived, where possible.

**AGREED**

**That the Strategic Commissioning Board be recommended to note the progress and approve the intention to commission the 'End to End' fully managed Targeted Lung Health Check Service from Manchester Foundation Trust.**

**148 FORWARD PLAN**

**AGREED**

**That the forward plan of items for Board be noted.**

**CHAIR**