

CABINET

MINUTES OF MEETING Tuesday, 21st September 2021

PRESENT: Councillor Neil Emmott (in the Chair); Councillors Iftikhar Ahmed, Daalat Ali, Blundell, Rachel Massey, Meredith, O'Rourke, Rowbotham and Wardle.

OFFICERS: S. Rumbelow (Chief Executive), S. Hubber (Director of Children' Services), C. Richardson (Director of Strategic Commissioning/DASS), D. Bowler (Assistant Director - Place), M. Robinson (Assistant Director – Planning), J. Murphy (Chief Finance Officer), S. Blezard (Assistant Director of Operations – Adult Social Care), A. Bradwell (Economy Directorate), N. Rogers (Head of Public Protection), J. Hollamby, A. Storey (Neighbourhoods Directorate), M. Ashworth, C. Goddard and P. Thompson (Resources Directorate).

ALSO IN ATTENDANCE: Councillor Rush and one member of the public.

41 APOLOGIES

Apologies for absence were received from Councillor Susan Smith and Councillor Dearnley.

42 MINUTES

Resolved:

That the Minutes of the meeting of the Cabinet, held 31st August 2021, be approved as a correct record.

43 DECLARATIONS OF INTEREST

Councillor Blundell declared a personal and prejudicial interest in agenda item 7 (Deputy Criteria Review) and agenda item 14 (Property Investment Risk) and he left the room whilst these two matters were considered, therefore taking no part in their discussion or determination.

44 URGENT ITEMS OF BUSINESS

There were no urgent items of business for this meeting of the Cabinet to consider.

45 COUNCIL TAX DISCOUNT FOR CARE LEAVERS

The Cabinet considered a report of the Chief Finance Officer that sought approval to amend the criteria for the 100% council tax discount scheme that existed for care leavers who resided in the borough, and who were aged 18 to 25, with effect from 1st November 2021.

The Cabinet was informed that this report had been considered by the Corporate Overview and Scrutiny Committee, at its meeting held on 14th September 2021, where the recommendations were supported.

Alternatives considered:

The council tax discount scheme for care leavers could remain as it presently is. The outcome of this would be that Rochdale Borough care leavers would be treated differently to care leavers from other Greater Manchester authorities and they could potentially accrue debt at an earlier age at the outset of their independent lives which the Council is compelled to pursue, with the detrimental impacts this could cause.

Resolved:

That the Cabinet endorses the proposals contained in the report and recommends that the recommendations contained therein, be approved by the Council at its meeting on 13th October 2021.

Reasons for the decision:

On 1st March 2017, the Council introduced a 100% council tax discount scheme for care leavers who lived in the Borough and who were aged 18 to 20 years. On 12th December 2018, the Council extended the scheme to care leavers who lived in the Borough and who were aged 18 to 25 years. This reflected the Government change to extend the Council's corporate parenting responsibility to 25 years.

A care leaver was defined as a person who has been in the care of the local authority for at least 13 weeks since the age of 14 and who was in care on their 16th birthday. All Greater Manchester authorities had agreed to provide a council tax discount scheme using this definition.

Because the definition excluded those care leavers who go into care after their 16th birthday, these care leavers weren't eligible for the council tax discount and so the other Greater Manchester authorities had agreed to amend their council tax discount schemes using the following definition: 'A person who has been in the care of the local authority for at least 13 weeks since the age of 14, including some time after their 16th'.

Eligible for call-in: No.

46 DEPUTY CRITERIA REVIEW

The Cabinet considered a report of the Director of Children's Services which advised that the wellbeing principle of The Care Act 2014 had made it clear that a Local Authority's duty is to ensure the wellbeing of individuals must be at the centre of all it does. It was therefore important to consider financial wellbeing for individuals when looking at their overall wellbeing.

The Council's Adult Care service offered a Corporate Appointee and Deputy (Property and Financial Affairs) Service for residents with eligible care and support needs.

An Appointee was someone who is appointed by the Department of Work and Pension (DWP) to receive and manage someone's DWP benefits, this included spending the benefits in the person's best interests (for example paying for priority bills). A Deputy (Property and Financial Affairs) was someone appointed by the Court of Protection to manage the property and financial affairs of a person who lacks the mental capacity to do this for

themselves. This would be required where a person has income or assets other than DWP benefits.

The Cabinet was advised that there were currently (as at period 2, 2021/2022) 298 live Appointee cases and there were two live Deputy cases.

Alternatives considered:
None reported.

Resolved:

That the Cabinet approves the amendment, detailed in the report, to increase the capital asset value threshold in the eligibility criteria for the ACS Corporate Deputyship service, meaning that service users with less than £25,000 in capital assets or property can access the Rochdale Borough Council's Corporate Deputy service, instead of the current threshold which is set at the lower value of £16,000.

Reasons for the decision:

The Council's Corporate Deputy is the Assistant Director (Operations), Adult Care service who requested to review the current eligibility criteria for the Council's Corporate Deputy service due to our low case numbers and to ensure that service users are able to access this service that can be vital to ensure their financial wellbeing.

The recommendations outlined in the submitted report were made to the named Deputy as part of a wider review process, and agreement in principle was given to explore and proceed with the threshold increase as outlined in paragraph 2.1 of the submitted report.

There was a gap between the current asset limit of £16,000 and the minimum asset limit that a Panel Solicitor would usually accept a referral. This meant that where it was in a person's best interests to have a Deputy (Property and Financial Affairs) they may not be able to access this service which then impacts on their financial wellbeing.

This would allow the Council to ensure that more service users are able to access this service that can be vital to ensure their financial wellbeing.

In addition, this may have a positive outcome for some of the Council's existing service users as it can be ensured that they are suitably placed under the correct service, either Appointeeship or Deputyship and receiving the necessary support and they need.

Eligible for Call-in: Yes.

47 OBJECTION TO TRAFFIC ORDER - BURY AND ROCHDALE OLD ROAD, ROCHDALE

The Cabinet considered a report of the Director of Neighbourhoods/Cabinet Member for Highways and Housing which presented proposals to introduce some 'No Waiting At Any Time' Restrictions on part of Bury and Rochdale Old Road (B6222), which have been advertised and which had resulted in one

objection being received. The section of road concerned was situated in two wards (Norden and North Heywood) and in different townships. Rochdale North Township Delegated Sub-Committee has approved the part in its area at its meeting held on 10th March 2020. Heywood Township Committee and its Delegated Sub-Committee had considered the objection, given the matter further consideration but did not feel able to fully support the scale of restrictions proposed in their area, most recently at the Heywood Township Committee meeting held on 15th February 2021.

The purpose of the submitted report, therefore, was to examine the proposals and emphasise individual parts of it to assist Cabinet in reaching a decision.

The report advised Members that in considering the report, the proposed Orders related to a highway of strategic importance and were being processed in accordance with the Council's Constitution Part 3 Section 8.2.2 in that Committee(s) have delegated power to confirm the proposals and the Order. In this instance, where Heywood Township Committee did not feel able to confirm the proposals and the Order, it was being referred back to the Cabinet for determination.

The proposal was advertised, the COVID Pandemic has caused cancellation of meetings for many months, and had created a situation where authority to complete the Order making process expires later in 2021, and this Cabinet meeting was reported to be the final opportunity to make a decision to implement the TRO, before legal authorisation to make a Traffic Regulation Order expires, some 2 years after it was originally advertised in November 2019.

Appendix A to the report detailed a plan of the scheme as advertised. Appendix B to the report showed a plan of the scheme in more detail indicating the position of long-established cycle lanes on Bury and Rochdale Old Road, drawing attention to two protective island build-outs that help segregate cycles and vehicles.

Alternatives considered:

The restrictions proposed in the report were considered necessary to alleviate some identified parking problems affecting and obstructing traffic flow, pedestrians, and junction visibility along Bury and Rochdale Old Road. Scaling down the proposals, or not implementing them, in the opinion of the Council's Highways Officers would not address the issues raised. Similarly, Highways Officers felt that a partial introduction of the scheme on just one side of Bury and Rochdale Old Road by introducing only one of the two proposed Traffic regulation Orders would not address the identified problem and would cause immediate displacement onto the opposite side of the road further risking obstruction of visibility and its associated problems at the central traffic island used by pedestrians.

Resolved:

That this matter be delegated to the Director of Neighbourhoods, in consultation with the Cabinet Member for Highways and Housing, to

determine but in the event of the matter not being resolved it be re-presented to the Cabinet for decision.

Reasons for the recommendations:

Heywood Township Committee had not felt able to confirm the proposals, therefore in accordance with Part 3 Section 8.2.2, of the Council's Constitution, the Order, was being presented to the Cabinet for determination. Eligible for Call-in: No.

48 GM MINIMUM LICENSING STANDARDS FOR TAXI AND PRIVATE HIRE - STAGE 1 RECOMMENDATIONS REPORT

The Cabinet considered a report of the Head of Public Protection/Cabinet Member for Climate Change and Sustainability, which set out 'Stage 1' recommendations in respect of minimum licensing standards for taxis and private hire vehicles across Greater Manchester.

Currently around 2,000 hackney vehicles, approximately 11,500 private hire vehicles and upwards of 18,600 drivers are licensed across the ten Greater Manchester Authorities. Whilst there are many similarities in terms of policy standards and licence conditions, there are also significant differences, particularly when it comes to policies relating to the licensing of vehicles, the calculation of licensing fees and the approach to proactive compliance.

In 2018, Greater Manchester's ten local authorities agreed to collectively develop, approve and implement a common set of minimum licensing standards (MLS) for taxi and private hire services.

The MLS were divided into four distinct sections as follows: Licensed Drivers - including criminal records checks, medical examinations, local knowledge test, English language requirements, driver training including driving proficiency and common licence conditions; Licensed vehicles; including vehicle emissions, vehicle ages, common vehicle colour and livery, vehicle testing, CCTV, Executive Hire and vehicle design common licence conditions; Licensed private hire operators; including common licence conditions, DBS checks for operators and staff every year, fit and proper criteria for operator applications and common licence conditions; and Local Authority Standards: including application deadlines and targets, Greater Manchester Enforcement Policy, Licensing Fee Framework, annual councillor training requirements and Officer delegations.

Due to the breadth of the proposals to be considered by Members, and the complexity of the vehicle standards (and their link to the Clean Air Plan), the submitted report sought to provide Members with detailed consultation feedback and officer recommendations on the Drivers, Operator and Local Authority Standard elements at Stage 1.

Alternatives considered:

None.

Resolved:

1. That the Cabinet notes the detail of and reasons for the proposed standards for licensed drivers, licensed private hire operators and local authorities.
2. The Cabinet notes the consultation responses received both from across Greater Manchester and the Rochdale Borough.
3. The Cabinet notes the comments and considerations for each standard in response to the consultation responses received.
4. The Cabinet notes that members of the Council's Planning and Licensing Committee on 2nd September were supportive of the standards and their implementation.
5. The Cabinet notes and approves the recommendations in the submitted report for each of the standards for licensed drivers, licensed private hire operators and local authorities.
6. The Cabinet notes and approves the implementation of the standards for licensed drivers, licensed private hire operators and local authorities with a go live date of 1st December 2021.

Reasons for the resolutions:

The Department for Transport had published statutory guidance for taxi and private hire licensing authorities in July 2020. This statutory guidance firmly highlighted past failings of licensing regimes in putting public safety at the forefront of their policies and procedures.

The statutory guidance asked authorities to have due regard to reviewing its policies thoroughly and considering good practice in the implementation of robust standards that address the safeguarding of the public and the potential impact of failings in this area.

Greater Manchester local authorities have a great history of collaborative working and strive for consistency of approach to regulatory matters. The introduction of consistent minimum standards ensures that the travelling public across the Greater Manchester conurbation are protected equally irrespective as to which Greater Manchester local authority issues the taxi or private hire licence.

Eligible for Call-in: No.

49 GM 2040 STREETS FOR ALL STRATEGY

The Cabinet considered a report of the Directors of Economy and Neighbourhoods/Cabinet Members Highways and Housing and regeneration and Communications which provided members with an overview of the Greater Manchester Streets for All Strategy, which was to form a sub-strategy to the Greater Manchester Transport Strategy 2040. The Cabinet was asked to review the content and objectives of the strategy and provide any comments prior to consideration by the Greater Manchester Combined Authority (GMCA).

Transport for Greater Manchester (TfGM) had been working with the GMCA, the ten Greater Manchester Districts and the Greater Manchester Mayor to prepare new and updated transport strategy documents which would cover the entire Manchester city region in support of the GM 2040 Transport

Strategy. The Streets for All Sub Strategy was to support the delivery of the Rochdale Local Transport Implementation Plan (DLIP) which sets out practical actions to achieve the ambitions of the strategy at a local level.

The Cabinet was advised that this matter was due to be determined by the Greater Manchester Combined Authority at its next scheduled meeting on 30th September 2021. The Cabinet was further advised that this matter had been considered by members of the Communities, regeneration and Environment Overview and Scrutiny Committee at a briefing held on 14th September 2021, where broad support for the proposals was expressed.

Alternatives considered:

The 2040 Transport Strategy and Delivery Plans, alongside the likes of Places for Everyone, would help to articulate for residents and the Government how Councils across Greater Manchester will deliver sustainable economic growth. It will also help to identify transport improvements which will need to take place to support these strategic growth locations. Together, these documents offered an integrated approach to transport and land use planning, by identifying the transport interventions required to deliver the scale of growth being planned across Greater Manchester over the next couple of decades.

At a local level, the guidance will also help to develop the transport and minor interventions that will need to be delivered in the short term to support the likes of the Rochdale Borough Growth Plan, Rail Corridor Strategy and Town Centre Masterplans, as well as Right Mix and Carbon Reduction targets. It would also be helpful when it comes to setting out a programme of priority local transport and minor works interventions for the next five years.

To not approve these sub-strategies could result in the loss of significant future external funding opportunities for the Borough.

Resolved:

That the Cabinet endorses the Greater Manchester Streets for All Strategy.

Reasons for the resolution:

The report provided details of the content and publication arrangements for the GM Streets for All Strategy prior to consideration by the Greater Manchester Combined Authority. The document will form part of the GM 2040 Transport Strategy 2040, Our Five Year Delivery Plan (2020-2025) and Local Implementation Plan and will be used to inform the design and implementation of highway schemes at the local level as well as support Council and GMCA bids for external funding. The report considers the documents alongside other planned strategic activities.

Eligible for Call-in: No.

50 ROCHDALE STATION SUPPLEMENTARY PLANNING DOCUMENT

The Cabinet considered a report of the Director of Economy/Cabinet Member for Economy and Communications detailing a Supplementary Planning Document (SPD) that had been produced for the Rochdale Station area to guide and support the continued regeneration and renewal of this area by

providing detailed planning and design advice. The draft document, which had been published earlier in 2021 and which had been subject to further revision following comments made during the public consultation period. The report sought the approval of the Cabinet to adopt the amended SPD document following public consultation in accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations.

The Cabinet were advised that the SPD had been considered by the Rochdale South Township Committee meeting held on 16th September 2021, where the proposals contained therein were supported.

Alternatives considered:

Not adopting the SPD could result in less clarity in terms of guidance to applicants and developers within this important regeneration area. This may result in proposals which do not properly deal with planning requirements and result in poorer quality schemes being submitted. Furthermore, there could be a consequence should the Council consider to invoke its powers through the Compulsory Purchase Order process.

Resolved:

1. The Cabinet acknowledges the proposed amendments to the SPD, following the consultation exercise with the public
2. That Cabinet adopts the updated SPD, as set out in appendix A of the submitted report, in accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012.
3. That the Cabinet authorise the Director of Economy, in consultation with the Portfolio Holder for Economy and Communications, to make any necessary factual or editorial changes prior to publishing the final Rochdale Station Supplementary Planning.

Reasons for the resolution:

The Cabinet was advised that as set out in the National Planning Policy Framework, Supplementary Planning Documents build upon and provide more detailed advice or guidance on the policies in the Local Plan. Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing SPDs. Regulation 12 requires that consultation is undertaken prior to the adoption of an SPD.

Eligible for Call-in: No.

51 TOWNS FUND - AWARD OF GRANT AND UPDATE

The Cabinet considered a report of the Director of Economy/Cabinet Member for Economy and Communications which informed Members that Rochdale Borough Council, had recently secured an offer of £24,600,000 from the Ministry of Housing, Communities and Local Government (MHCLG), and the purpose of the submitted report was to secure authority to accept the funding. The report also listed a number of projects and proposed projects which could benefit from the funding.

Alternatives considered:

To not accept the funding, which would mean that projects and proposed projects, would lose the opportunity to secure significant public sector funding.

Resolved:

1. That the Cabinet agrees to accept the funding offer from the Ministry of Housing, Communities and Local Government.
2. That the Cabinet agrees to delegate responsibility for developing and approving the detailed business cases for the projects to the Director of Economy and Chief Finance Officer in conjunction with the Cabinet Member Economy and Communications.
3. That the Cabinet notes the list of projects and proposed projects detailed in the submitted report.

Reasons for the resolutions:

The Cabinet was advised that the recommendations in the report were presented as to accept the funding offer would enable external funding to be secured to support the delivery of the Rochdale Town Investment Plan.

Eligible for Call-in: Yes.

52 EXCLUSION OF PRESS AND PUBLIC

Resolved:

That the Press and Public be excluded from the meeting during consideration of the following five items of business, in accordance with the provisions of Section 100A (4) of the Local Government Act 1972, as amended.

Reason for the resolution

Should the press and public remain during debate on these three items there may be a disclosure of information that is deemed to be exempt under Part 3 of Schedule 12A of the Local Government Act 1972.

53 PROPERTY INVESTMENT RISK

The Cabinet received a confidential report which detailed the risks associated with property investments made and proposed to be made by and on behalf of the Council. The Cabinet was advised that this report had previously been considered by members of the Corporate Overview and Scrutiny Committee on 12th July 2021, where the report had been commended.

In considering the report the Cabinet was informed that decisions concerning investment in property undertaken by the Council were being now made with full knowledge of the potential risks and rewards inherent in the activity. Cabinet Members expressed their satisfaction with this assurance.

Resolved:

That the report be noted and welcomed.

Eligible for Call-in: No.