

CABINET

MINUTES OF MEETING Tuesday, 23 November 2021

PRESENT: Councillor Neil Emmott (Chair), Councillors Daalat Ali, Iftikhar Ahmed, Blundell, Rowbotham, Wardle, Massey, Meredith and Susan Smith

OFFICERS: S. Rumbelow (Chief Executive), M. Widdup (Director of Neighbourhoods), S. Hubber (Director of Children's), C. Richardson (Director of Commissioning), J. Murphy (Chief Finance Officer), M. Robinson (Interim Director of Economy), A. Ibrahim (Monitoring Officer), K. Thompson (Director of Public Health), t. Harrison (Assistant Director of Commissioning), S. Smith (Assistant Chief Finance Officer), F. Davies (Children's Directorate), N. Rogers (Public Health) and M. Garraway (Resources Directorate).

ALSO IN ATTENDANCE: Councillor Dearnley

61 DECLARATIONS OF INTEREST

There were no declarations of interest.

62 MINUTES RESOLVED

That the minutes of Cabinet held on the 21 October 2021 be approved as a correct record.

63 GAMBLING LICENSING POLICY STATEMENT 2022-2025

Consideration was given to a report of the Cabinet Member for Climate Change and Sustainability / Director of Neighbourhoods setting out responses to consultation and revisions to the draft Gambling Licensing Policy Statement 2022- 2025.

Alternatives considered

The Gambling Act 2005 places a statutory duty on local authorities to prepare and publish a Gambling Licensing Policy Statement. The Council would be in breach of its statutory duty if it was to take any other action

RESOLVED

That the proposed amendments to the draft policy in response to the consultation feedback be noted; and that the revised Gambling Licensing Policy Statement 2022- 2025 be approved by Cabinet on 23 November 2021 for adoption by full Council on 15 December 2021.

Reason for resolution

The ten Greater Manchester Licensing Authorities have agreed to take a common approach to refreshing their Gambling Licensing policies and so the draft policy reflects the principles to be adopted across the region.

64 GREATER MANCHESTER VSCE ACCORD

Consideration was given to a report of the Leader of the Council / Director of Public Health seeking confirmation of the Greater Manchester Voluntary Community and Social Enterprise Accord (VCSE).

Alternatives considered

Not supporting the VCSE accord.

RESOLVED

That the Greater Manchester Voluntary Community and Social Enterprise Accord be approved.

Reason for recommendation

To facilitate both the refresh of the Greater Manchester Strategy and the development of the Integrated Care System.

65 FINANCE UPDATE REPORT QUARTER 2 - 2021/22

Consideration was given to a report of the Cabinet Member for Finance and Corporate / Chief Finance Officer updating Cabinet on the Council's forecast 2021/22 financial position as at the end of September 2021.

Alternatives considered

Effective budget management is critical to ensuring financial resources are spent in line with the budget and are targeted towards the Council's priorities.

RESOLVED

1. That the forecast 2021/22 financial positions for Revenue, Capital, and the Collection Fund as at the end of September 2021 be noted.
2. That approval is given to the delegation to the Chief Finance Officer in consultation with the Portfolio Holder of Finance, to award the Insurance Contract and fund any budget shortfall from the budget pressures fund.
3. That authority is given to the Assistant Director for Legal Governance and Workforce to execute the legal documents in connection with the Insurance Contract.
4. That approval is given for the use of £557.2k of Sport England National Leisure Recovery Fund funding to reimburse Your Trust for eligible costs (£555.7k), and to pay Leisure Net Solutions (£1.5k) to cover grant evaluation and monitoring costs.
5. That the Health & Social Care Pool forecast position be noted.
6. That approval be given to the Budget Pressure requests detailed in section 4.3 of the submitted report.
7. That the forecast achieved Savings target be noted.
8. That the net Capital budget changes of £9,560k, be noted.
9. That the Capital re-phasing of £18,491k into future be noted.
10. That approval be granted for the requests to switch budgets within the Economy and Children's Directorates.
11. That the Capital budget is to be brought back into 2021/22 be noted.
12. That the mid-year 2021/22 Treasury Management update be noted.

Reason for recommendation

To report and support the financial position of the authority, as effective budget management is critical to ensuring financial resources are spent in line with the budget and are targeted towards the Council's priorities.

66 DISCRETIONARY FEES & CHARGES 2022/23 FOR CONSULTATION

Consideration was given to a report of the Cabinet Member for Finance and Corporate / Chief Finance Officer which sought approval of a consultation period for the proposed Discretionary Fees and Charges for 2022/23, including the statutory and other exemptions.

Alternatives considered

To not review or increase our fees and charges. This would potentially reduce the income available to the Council and make it more difficult to achieve a balanced budget.

RESOLVED

1. That the updated Discretionary Fees and Charges for 2022/23 be approved as a basis for consultation.
2. That the charges exempt from the general 2% increase, as set out in paragraph 4.3 of the submitted report, be approved.
3. That the introduction of the new charge for the webcasting of funeral services as detailed in section 4.4 of the submitted report be approved for consultation.

Reason for resolution

The fees and charges in this report have been proposed by each Directorate, taking into account the 2% general uplift in Discretionary Fees and Charges agreed at Cabinet on 27th July 2021.

67 REVENUE BUDGET UPDATE 2022/23 TO 2024/25 AND MEDIUM TERM FINANCIAL STRATEGY

Consideration was given to a report of the Cabinet Member for Finance and Corporate / Chief Finance Officer updating on the on the Revenue Budget 2022/23 to 2024/25; and the Council's Medium Term Financial Strategy.

Alternatives considered

Consideration has been given to a number of options in putting forward the saving proposals which were included within the submitted report. To do nothing was not considered to be an option as the Council is legally required to set a balanced budget.

RESOLVED

1. That the updated Revenue Budget position 2022/23 to 2024/25 be noted.
2. That the update on the Council's Medium Term Financial Strategy be noted.
3. That it be noted the 2021 Spending Review announcement allows for a further 1% increase in Council Tax by way of an Adult Social Care Precept for 2022/23, which has been included in the latest budget estimate.

Reason for resolution

Cabinet members are required to recommend a balanced 2022/23 Revenue Budget to Budget Council, and provisional budgets for 2023/24 to 2024/25. The Council is required to set a balanced budget for 2022/23 by 11th March 2022.

68 CAPITAL PROGRAMME 2022/23 TO 2026/27

Consideration was given to a report of the Cabinet Member for Finance and Corporate / Chief Finance Officer outlining changes to the Council's Capital Programme 2021/22. The 2021/22 programme has been increased to £107.3m. The base budget of £57.2m agreed at Budget Council March 2021 has been increased by £94.7m of budget rephased from previous years, £11.7m of capital budget changes, and reduced by £56.3m of budget that has been reviewed and rephased into future years

Alternatives considered

A number of alternative elements of the Capital Programme were considered in the development of the programme as set out within the submitted report, the recommendations presented was of the most strategic/community value and aligned with the Council's priorities.

RESOLVED

1. That the proposed changes to the Capital Programme 2021/22 be approved.
2. That the Capital Programme 2022/23, and provisional programmes for 2023/24 to 2026/27, as a basis for consultation, subject to confirmation of grant funding allocations, be approved.
3. That the proposal to delegate approval to spend of the £6m Investment scheme (held for urgent capital spend) to the Chief Finance Officer in consultation with the Portfolio Holder for Finance, be approved.

Reason for recommendation

Cabinet members are required to recommend a balanced 2022/23 Budget to Council, and provisional budgets for 2023/24 to 2024/25, 2026/27.

69 SECONDARY SCHOOL PLACES 2022 - 2025

Consideration was given to a report of the Cabinet Member for Children's Services and Education / Director of Children's Services, consulting the on the proposed allocation of secondary school places 2022-2025.

A Member sought clarification in relation to the number of school places available at Hollingworth and Wardle Academies, noting cases whereby children from the Pennines Township had been unable to receive the offer of a place at those schools.

Alternatives considered

Options remain are constantly under review as a result of impacts of such as the current pandemic. This also includes house building rates or timing of new developments will have knock on effects on school capacity.

RESOLVED

1. That the delivery timescales and spaces in the three new schools; The Edgar Wood Academy in Middleton, the Littleborough Star Leadership Academy and the Heywood SEN School, be noted.
2. That it be noted the current pupil forecasts, and timelines on the new schools, indicate the council's ability to meet its statutory duty. This is dependent on current timelines indicated by the Department for Education's Capital and Free School teams working on the new schools.
3. That it be noted on-going inflow of pupils that has increased since the start of the easing of the pandemic lockdown, are causing significant challenges to Secondary schools that are at or close to capacity.

Reason for resolution

The Council has a statutory duty to offer every pupil living in the borough, who applies, a Secondary school place. Where the council offers a school place that is over the statutory "safe walking distance" for the age of that child the Council is required to provide free school transport. Because bus transport in the area is provided through Transport for Greater Manchester, any child offered a school place, which is over the statutory distance criteria, is offered a free bus pass that is provided from council funds. The council receives no central government funding for school bus transport.

70 NEED FOR PRIMARY SCHOOL PLACES 2022-25

Considerations was given to a report of the Cabinet Member for Children's Services / Director of Children's Services setting out the requirements for Primary School places 2022 -2025.

Alternatives considered

The council has a statutory duty to provide education and school places to all school aged children living in the borough and consequently has a duty to plan adequately for predicted pupil numbers.

Under the Education Act 1996, section 14(1) the Local Authority has a duty to secure sufficient school places and is also the strategic commissioner for new school places in its area.

As such consideration was given to alternative site provision and expected requirements across the Borough.

RESOLVED

1. That the opening of consultations for the provision of two new schools to be provided via the Free School Presumption route for Heywood South and Rochdale South be approved.
2. That the bulge class at Hollin Primary School in Middleton for 2022 and 2023 school intakes as required be approved.
3. That consultation with Middleton stakeholders to seek further temporary capacity for 2023/24 with the expectation of expansion of the Primary school estate through the Prescribed Alterations procedure be approved.
4. That it be noted falling birth rates nationally and in some areas within the borough) may require removal of some Primary school capacity. Any

consultation or decisions on this will be put before Cabinet for approval at a later date.

Reason for recommendation

The Council is obliged to offer a Primary School place to eligible children within the Borough.

71 FLY TIPPING STRATEGY AND ACTION PLAN

Consideration was given to a report of the Cabinet Member for Environment and Facilities / Director of Neighbourhoods setting out an approach to develop a fly tipping strategy and action plan.

Alternatives considered

The council could choose not to adopt the strategy and continue to remove fly tipping as it does currently. It is unlikely this will result in any significant improvement in levels of fly tipping.

RESOLVED

1. That the fly tipping strategy is considered and adopted by the council.
2. That a working group comprising of six members be organised to monitor progress and agree schemes to be trialled.
3. That a fly tipping strategy is publicised in early 2022 for public consultation.

Reason for recommendation

To reduce the incidents of fly tipping and where possible undertake suitable enforcement action against the perpetrators.

72 EXCLUSION OF PRESS AND PUBLIC

RESOLVED

That the Press and Public be excluded from the meeting during consideration of the following item 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 this item 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.

73 DISABLED FACILITIES GRANTS AND ADAPTATIONS PROVISION

Consideration was given to a report of the Cabinet Member for Adult Care / Assistant Director of Commissioning which sought amendments to the administration of the Disabled Facilities Grant and Adaptions provision.

Alternatives considered

To continue to operate what is an inequitable two tier system across the borough.

RESOLVED

1. That the principle of a pooled arrangement and single delivery framework for all adaptations across the borough, regardless of tenure be approved.

2. That it be noted the DFG capital allocation from Central Government, along with an amount to be agreed with RBH be pooled together and managed by RBC, so that all residents are treated equitably and the estimated budget shortfalls within both organisations can be minimised, ensuring that those most in need are prioritised in a single system.
3. That the decision to Director of Neighbourhoods and Director of Strategic Commissioning (DASS) in consultation with Portfolio Holders for Highways and Housing and Adult Care and wellbeing be given delegated authority to:
 - a. approve a contract variation to the STA confirming the commitment of £700k plus RPI estimated to be £712k from 1st April 2022 to 31st March 2026, with the expectation that RBH continue to spend additional funds where appropriate, and agreed, and the implementation of arrangement at which point it will be reviewed and revert to Cabinet for future recommendations,
 - b. approve implementation of a pooled arrangement and single policy and prioritisation approach for adaptations/DFG
4. That the increasing pressures on the DFG budget be noted and that consideration will be given to increasing the capital budget available to cover any future projected pressures in the costs of all adaptations.

Reason for recommendation

The statutory requirement for adaptations sits with the council. There is no statutory requirement for RBH to undertake their own adaptations, although it is a requirement within the stock transfer agreement.

74 SAVINGS PROPOSALS 2022-23

Consideration was given to a report of the Cabinet Member for Finance and Corporate / Chief Finance Officer setting out Savings Proposals in order to contribute towards a balanced budget position for 2022/23.

Alternatives considered

Consideration has been given to a number of options in putting forward the savings proposals contained in this report and the individual reports outline any alternatives considered. To do nothing was not considered to be an option as the Council is legally required to set a balanced budget.

RESOLVED

That the recommendations be approved.

Reason for resolution

To contribute to a balanced budget.