

## **CABINET**

### **Minutes of the Meeting held on Monday, 19<sup>th</sup> December 2016**

**PRESENT:** Councillor Farnell (in the Chair); Councillors Iftikhar Ahmed, Daalat Ali, Beswick, Brett, Neil Emmott, Emsley and Martin

<b>OFFICERS:</b>	Steve Rumbelow	Chief Executive
	Pauline Kane	Director of Resources
	Gail Hopper	Director of Children's Services
	Sheila Downey	Director of Adult Care Services
	John Searle	Director of Economy
	Mark Widdup	Director of Neighbourhoods
	Andrea Fallon	Director of Public Health and Wellbeing
	David Wilcock	Assistant Director (Legal Governance and Workforce)
	Mark Robinson	Assistant Director (Planning and Development)
	Mark Dalzell	Assistant Director (Information, Customers and Communities)
	Peter Gregory	Senior Property Manager
	Janet Butterworth	Property Client & Strategy Officer
	Alison James	Governance and Committee Services

**ALSO IN ATTENDANCE:** Councillors Cecile Biant, Surinder Biant and Cocks

**APOLOGIES FOR ABSENCE:** Councillor Williams

#### **DECLARATIONS OF INTEREST**

95 Councillor Farnell declared a personal interest in respect of Minute No. 104 - Transfer of Land to Kingsway Park High School.

#### **PRESENTATION - GREATER MANCHESTER POLICE**

96 Cabinet received a presentation from Superintendent Alastair Mallen detailing achievements and challenges for Greater Manchester Police (GMP) including the strategic and operational direction for GMP within the Borough.

#### **MINUTES**

97 Decision:

That the Minutes of the meetings of Cabinet held on 31<sup>st</sup> October 2016 and 21<sup>st</sup> November 2016 be approved as a correct record and signed by the Chair.

#### **ROCHDALE BOROUGH SAFEGUARDING ADULTS BOARD ANNUAL REPORT**

98 Cabinet considered the report of the Independent Chair of the Rochdale Borough Safeguarding Adult Board that provided an update on the work of the Rochdale Borough Safeguarding Adult Board (RBSAB), national policy direction and safeguarding trends and activity for 2015/16 and which outlined key issues in relation to Adult Safeguarding.

Decision:

That the Rochdale Borough Safeguarding Adult Board Annual Report 2015/16 be noted.

Eligible for call in – no, the report was presented for information only.

### **ROCHDALE BOROUGH SAFEGUARDING CHILDREN BOARD ANNUAL REPORT**

99 Cabinet considered the report of the Independent Chair of the Rochdale Borough Safeguarding Children Board that provided an update on the work of the Rochdale Borough Safeguarding Children Board (RBSCB), national policy direction and safeguarding trends and activity for 2015/16 and which outlined key issues in relation to Children's Safeguarding.

Decision:

That the Rochdale Borough Safeguarding Children Board Annual Report 2015/16 be noted.

Eligible for call in – no, the report was presented for information only.

### **REVIEW OF SUPPLEMENTARY PLANNING DOCUMENTS (SPDS)**

100 Cabinet considered the report of the Director of Economy which sought approval of proposed changes to the Council's portfolio of Supplementary Planning Documents (SPDs), which have been reviewed in the light of the adoption of the Core Strategy to ensure that the SPDs meet the requirement to reflect and relate to policies contained within the Core Strategy.

Alternatives Considered:

The alternative would be to not undertake the proposed changes to the portfolio of SPDs, with the result that the Council would have adopted planning documents which do not relate well to local planning policies and do not reflect up to date national legislation, which could not be used to assist in planning decisions and in providing useful guidance for developers and householders.

Decision:

That the recommended changes to the Council's portfolio of SPDs be approved so that they can be taken forward to be used in conjunction with the Core Strategy for the purposes of sound and effective planning decisions and to provide accurate guidance for developers and the general public.

Reasons for Decision:

Supplementary Planning Documents (SPDs) are local development documents which provide technical detail to expand upon planning policies set out in the main local planning policy documents, i.e. Unitary Development Plans (UDPs) or Core Strategies; SPDs cannot make policy in themselves. SPDs can be thematic or area specific, provide guidance and / or set out requirements, and are material considerations which can be taken into account when making planning decisions.

Eligible for call in – yes

## **SCHOOLS ACADEMY CONVERSION CHARGES AND COUNCIL COST RECOVERY**

101 Cabinet considered the report of the Director of Economy which sought authorisation for a process to ensure the recovery of costs incurred by the Council in the undertaking of Schools Academy Conversions and to provide existing maintained schools with clarity on and an estimate of costs relating to the conversion process, based on school status.

Alternatives Considered:

To not charge schools for the costs of conversion was not considered viable given the potential number of conversions

To charge a standard rate per school regardless of the actual work undertaken was not considered equitable given the different levels of input that are required and individual school circumstances.

Decision:

That the proposal for a full cost recovery for Council resources used in the Schools Academy Conversion process as detailed within the submitted report be approved.

Reason for Decision:

The actions to undertake a schools academy conversion is a critical process and needs to be resourced appropriately, utilising expertise including that which lies with the Council. However, this cost varies case by case depending upon the level of complexity involved in each individual academy conversion, particularly in regard to TUPE, land and property legal issues associated with that site and whether the conversion forms part of a multi-academy trust or is a PFI.

The council receives no additional income or grant targeted to meet the costs of conversion. This means that all of the associated costs are currently being met by the Council from revenue. In contrast, prospective academies receive a grant of £25,000 from The Department for Education which is intended to meet their costs of conversion.

In a climate of increasing volume of academy conversions combined with reducing income to the council revenue, the implementation of a financial contribution from the schools undertaking conversion is now required in order to secure both the capacity for an efficient conversion process and the management of cost-pressures to the Council.

Eligible for call in - yes

## **EXCLUSION OF PRESS AND PUBLIC**

102 Decision:

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

Reason for Decision:

Should the press and public remain during debate on these items there may

be a disclosure of information that is deemed to be exempt under Part 1 of Schedule 12A of the Local Government Act 1972.

### **MANAGEMENT OF THE DR CHADWICK TRUST - IMPLICATIONS FOR ROCHDALE COUNCIL**

103 Cabinet considered the report of the Director of Economy which advised of recent work undertaken by the Trustees of the Dr Chadwick's Trust in respect of assets held by the Trust, to present the implications to the Council and to seek approval and funding for a number of courses of action.

Alternatives considered:

The alternative courses of action in respect of each asset was detailed within the submitted report.

Decision:

1. That the actions of the Trustees in respect of the assets detailed at paragraphs 2.1 and 2.2 of the submitted report be noted;
2. That the recommendations as detailed in paragraphs 2.3 – 2.8 of the submitted report relating to plots C, D, E and F as detailed in the plans accompanying the report be approved;
3. That following receipt of any instructions, the Assistant Director, Legal, Governance & Workforce be authorised to advise appropriate Council Services, to prepare the appropriate legal documents and execute such documents on behalf of the Council that may be required in connection with the transactions detailed in the submitted report.

Eligible for call in - yes

Reason for Decision:

The property assets of the Dr Chadwick Trust, located in Newhey, are formally owned by the Council, but held and administered by the Council through the Charitable Trustee Committee (CTC). The aims of the Trust are to invest its funds into sports provision within the boundaries of the former Milnrow Urban District Council.

The CTC began to consider the future of the assets due to a) local concerns about their condition and b) a desire to consider how full value might be realised from the assets. This work has resulted in the identification of a number of opportunities, which the Trustees have presented to Pennines Township for consideration. However, several anomalies have also come to light in the Council's management of the Trustees' assets, which have implications for Cabinet to consider.

### **TRANSFER OF LAND TO KINGSWAY PARK HIGH SCHOOL**

104 Cabinet considered the report of the Director of Economy which recommended the transfer of a parcel of land to Kingsway Park High School so that it has sufficient land to meet its requirements as a 1200 place school.

Alternatives considered:

Alternative options of different parcels of land that could be transferred to Kingsway Park High School were outlined within the submitted report.

Decision:

1. That the transfer of land at Lower Place Playing Fields to Kingsway Park High School be approved as detailed within the submitted report.
2. That the Assistant Director (Legal, Governance and Workforce) be authorised to advise appropriate Council Services and to prepare the appropriate legal documents and execute such documents on behalf of the Council.

Reason for Decision:

Cabinet has previously considered a report on these issues and requested further information before making a decision. The issues that Cabinet requested be investigated had been looked into and the findings were outlined within the submitted report.

It was proposed that an area of land at Lower Place Playing Fields should transfer to Kingsway Park High School. The area of land concerned was shown on Plan 1 on the submitted report along with the proposed route from the school to the site.

#### **LEGAL SERVICES COLLABORATION/SHARED SERVICES PROJECT**

105 Cabinet considered the report of the Director of Resources which provided an update on progress towards achievement of the £150,000 savings identified as part of savings proposal CC104 approved by Cabinet on 10 February 2016. It detailed the work towards the identification of a collaboration/shared service partner for the Children's & Adults legal team and sought approval to proceed with the implementation of the shared service with Manchester City Council subject to final costings and the outcome of formal consultation with staff affected.

Alternatives considered:

Alternative options were outlined within the submitted report.

Decision:

1. That subject to the outcome of formal consultation with staff affected and to the financial viability of the proposal, approval be given to Rochdale entering into a shared service with Manchester City Council in relation to its children's and adult services legal team;
2. That the commencement of formal consultation with staff in scope be approved;
3. That the final decision relating to the financial viability be delegated to the Director of Resources in consultation with Cabinet Member for Corporate and Regulation;
4. That the final decision relating to the outcome of staff consultation be delegated to the Director of Resources in consultation with the Cabinet Member for Corporate and Regulation and the Chair of the Employment and Equalities Committee;

5. That the Assistant Director (Legal Governance & Workforce) be authorised to settle the terms of the legal agreements with Manchester City Council and complete all necessary legal agreements to give effect to this approval.

Reason for Decision:

A key element of savings proposal CC104 was a review of the children and adult legal services staffing structure, which included the deletion of certain posts and proposed the entering into of a shared service for this part of the legal service only, with one or more authorities across Greater Manchester.

Eligible for call in - yes