

## CABINET

### MINUTES OF MEETING

Tuesday, 27 July 2021

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

**OFFICERS:** S. Rumbelow (Chief Executive), M. Widdup (Director of Neighbourhoods); C. Richardson (Director of Commissioning), J. Hassel (Interim Director of Children's), A. Ibrahim (Monitoring Officer), J. Murphy (Chief Finance Officer), M. Robinson (Assistant Director – Economy), T. Harrison (Assistant Director – Commissioning), P. Moore (Head of Planning), R. Barker (Head of Workforce and OD), A. Harrison (Human Resources) and M. Garraway (Committee and Constitutional Services Manager).

**ALSO IN ATTENDANCE:** G. Davies (Rochdale Development Agency)

**15 MINUTES  
RESOLVED**

That the minutes of Cabinet held on the 29 June 2021 be approved as a correct record.

**16 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**17 APPOINTMENT OF THE PROPERTY GROWTH FUND SUB-COMMITTEE  
RESOLVED**

That the Leader, Cabinet Member for Finance and Corporate, Cabinet Member for Climate Change and Sustainability be appointed to the Property Growth Fund Sub-Committee for the Municipal year 2021/22, with the remaining Cabinet Members being appointed as substitutes.

**18 BUDGET 2022/23 TO 2024/25 - GUIDELINES, TIMETABLE AND BUDGET  
UPDATE**

Consideration was given to a report of the Cabinet Member for Finance and Corporate / Chief Finance Officer seeking approval for the proposed budget timeline 2022/23 to 2024/25 including assumptions and principals.

**Alternative considered**

The Council is legally obliged to set a balanced budget. The budget setting process is complex and must be undertaken in a planned way. It is equally important that assumptions used in the preparation of the budget are agreed, reasonable and consistently applied by all services.

**RESOLVED**

1. That the proposed budget timetable detailed at Appendix 1 to the submitted report, be approved.

2. That the revenue assumptions, detailed in Appendix 2, be approved to be incorporated into the budget setting process.
3. That the revenue budget principles detailed in Appendix 3 to the submitted report be approved.
4. The capital budget principles detailed in Appendix 4 to the submitted report be approved.
5. That the Revenue Budget be noted.

#### **Reason for resolution**

Under the Budget & Policy Framework, Cabinet is required to approve the proposed guidelines and timetable for setting the 2022/23 Budget and Provisional Budgets for 2023/24 and 2024/25 by September.

### **19 GM CLEAN AIR FINAL PLAN**

Consideration was given to a report of the Cabinet Member for Climate Change and Sustainability / Director of Neighbourhoods setting out the proposed Greater Manchester Final Clean Air Plan. The proposed final GM Clean Air Plan set out final proposals for:

- the boundary,
- hours of operation,
- management of the scheme,
- discounts,
- exemptions and daily charges of a Clean Air Zone;
- the amount of supporting funds for each vehicle type;
- other supporting measures.

It was stated that the proposed plan had been submitted following a review of the information gathered through the GM CAP consultation and wider data, including evidence and modelling work.

#### **Alternatives considered**

All 10 Greater Manchester local authorities are subject to a direction from Government to implement a category C Clean Air Charging Zone. The GM Clean Air Plan achieves compliance with the direction and no alternatives have been considered.

#### **RESOLVED**

1. That the progress of the Greater Manchester Clean Air Plan be noted.
2. That the progress in the distribution of Bus Retrofit funding be noted.
3. That it be noted the Ministers' agreement to include the sections of the A628/A57 in Tameside which form part of the Strategic Road Network within the Greater Manchester's Clean Air Zone (CAZ) and their request for Tameside MBC, TfGM and Highways England to establish the most appropriate solution for the charging mechanism to be applied on this section of the Strategic Road Network (SRN);
4. That approval be given to the GM Clean Air Plan Policy, at Appendix 1 noting that the policy outlines the boundary, discounts, exemptions, daily charges of the Clean Air Zone as well as the financial support packages offered towards upgrading to a compliant vehicle, including the eligibility criteria to be applied.

5. That the Equalities Impact Assessment, as set out at Appendix 2 be approved.
6. That the AECOM Consultation Report, as set out at Appendix 3 be approved.
7. That the proposed Response to the Consultation at Appendix 4 which has been prepared by TfGM on behalf of the ten GM local authorities be approved.
8. That the Impacts of COVID-19 Report, as set out at Appendix 5 be approved.
9. That the Modelling report of the final CAP package, as set out at Appendix 6, and in particular that the modelling outputs of the final plan scheme show the achievement of compliance with the legal limits for Nitrogen Dioxide in the shortest possible time and by 2024 at the latest as required by the Ministerial Direction be approved.
10. That the economic implications of the CAP Report, as set out at Appendix 7 be approved.
11. That it be noted the update on the GM Minimum Licensing Standards, set out in section 3.1, and in particular that licensing conditions will not be used to support delivery of the GM Clean Air Plan;
12. That approval be given to a 6-week public consultation on the inclusion of motorhomes classified as MSP1 in the GM Clean Air Zone and on the inclusion of the A575 and A580 at Worsley commencing on 1 September 2021; including delegated authority to the Director of Neighbourhoods in consultation with the Portfolio Holder for Climate Change and Sustainability to approve the consultation materials.
13. That it be noted the GM Clean Air Charging Authorities Committee has the authority to make the Charging Scheme Order which establishes the GM Charging Scheme in line with the agreed GM Clean Air Plan Policy;
14. That it be noted the GM Charging Authorities Committee has the authority to vary the Charging Scheme Order if this is established as the most appropriate charging mechanism to be applied on sections of the A628/A57 part of the Strategic Road Network (SRN) in Tameside.
15. That it be noted that the Air Quality Administration Committee has the authority to agree the final form of the Operational Agreement for the Central Clean Air Service, and to authorise the making of the Agreement, on behalf of the ten GM local authorities.
16. That it be noted that the Air Quality Administration Committee has the authority to:
  - a. Establish and distribute the funds set out in the agreed GM Clean Air Plan policy.
  - b. Approve the assessment mechanism agreed with JAQU to ensure that Clean Air Funds can be adapted if necessary.
  - c. Keep the use of the funds under review and to determine any changes in the amounts allocated to each and their use.
  - d. Monitor and evaluate the joint local charging scheme.
17. That approval be given to the reallocation of funding from the Try Before You Buy scheme to provide additional electric vehicle charging points dedicated for use by taxis;
18. That delegated authority be given to the GM Charging Authorities Committee to determine the outcome of the consultation on both the

inclusion of motorhomes classified as MSP1 within the scope of Clean Air Zone charges and on the inclusion in the GM Clean Air Zone of the A575 and A580 at Worsley following the conclusion of that consultation.

19. That approval be given to the Clean Air Zone ANPR and signage locations, as set out at Appendix 10.
20. That delegated authority be given to the Director of Neighbourhoods in consultation with the Portfolio Holder for Climate Change and Sustainability to approve the submission of the Interim Full Business Case if required; and that the Director of Neighbourhoods in consultation with the Portfolio Holder for Climate Change and Sustainability, be delegated authority to approve the submission of the Full Business Case (FBC) to the Government's Joint Air Quality Unit to support the GM Clean Air Plan and any supplementary information to that Unit .

### **Reason for resolution**

The Greater Manchester Clean Air Plan has been developed, in-line with the 2040 Transport Strategy principles and vision. It provides a long-term vision for transport provision in Greater Manchester, along with specific principles and targets for achieving that vision, to ensure that available resources are used to contribute to achieving the region's strategic transport objectives.

## **20 PLACES FOR EVERYONE JOINT DEVELOPMENT PLAN DOCUMENT**

Consideration was given to a report of the Cabinet Member for Economy and Communications / Director of Economy which sought approval for publication and a period of consultation for the Places for Everyone Joint Development document. Specifically the Cabinet Member for Economy and Communications sought approval to undertake a Regulation 19 consultation on the plan and, recommendation to Council that following that consultation, approval to submit the plan to the Secretary of State for independent examination.

### **Alternatives considered**

Preparing an up to date local plan would make addressing strategic cross boundary issues more difficult and it would exclude Rochdale from the joint plan for strategic growth.

### **RESOLVED**

1. That the Places for Everyone: Publication Draft 2021, including strategic site allocations and Green Belt boundary amendments, and reference to the potential use of compulsory purchase powers to assist with site assembly, and the supporting background documents, be approved for publication pursuant to Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for an 8 week period for representations to begin not earlier than 9 August 2021
2. That delegated authority be given to the Director of Economy, in consultation with the Portfolio Holder for Economy and Communications, to approve the relevant Statement of Common Ground(s) required pursuant to the National Planning Policy Framework 2019.
3. That delegated authority be given to the Director of Economy, in consultation with the Portfolio Holder for Economy and Communications,

to approve necessary changes to the Council's Statement of Community Involvement (SCI) and Local Development Scheme (LDS) to reference the Places for Everyone 2021 Joint Development Plan Document.

**Reason for resolution**

To allow for strategic planning across the region enabling certainty in development, economic growth, guide development, investment and infrastructure.

- 21 GREATER MANCHESTER ELECTRIC VEHICLE CHARGING STRATEGY**  
Consideration was given to a report of the Cabinet Member for Cabinet Member for Climate Change and Sustainability/ Director of which sought approval for Rochdale BC to join the Greater Manchester Electric Vehicle Charging Strategy.

**Alternatives considered**

No alternatives were considered.

**RESOLVED**

That the Greater Manchester Electric Vehicle Charging Strategy is approved for adoption.

**Reason for resolution**

The strategy is a sub-strategy of the already approved Greater Manchester Transport Strategy 2040. Access to electric vehicle Charging Infrastructure is a part of decarbonising transport and falls in line with the national Government's ending the sale of petrol and diesel cars and vans by 2030.

- 22 ROCHDALE RIVERSIDE RETAIL & LEISURE UPDATE**  
Consideration was given to a report of the Cabinet Member for Economy and Communications / Director of Economy updating Members on the Rochdale Riverside retail & leisure scheme (Rochdale Riverside) following its opening in April 2020, with a specific focus on the regeneration benefits and outcomes of the scheme.

**Alternatives considered**

No alternatives were considered.

**RESOLVED**

1. That it be noted the Chief Executive, Chief Finance Officer, Director of Economy and the Leader of the Council, Portfolio Holders for Finance and Corporate, and Economy & Communications; will undertake a review of accounting options for additional business rates income in relation to major regeneration schemes in the borough.

**Reason for resolution**

Updating Cabinet Members on the regeneration benefits resulting from the opening of the Rochdale Riverside retail & leisure scheme is a requirement of previous resolutions of Cabinet.

**23 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 Parts 1 and 4 of Schedule 12A of the Local Government Act 1972

**24 TERM TIME ONLY PAY CALCULATION AND STATUTORY ANNUAL LEAVE**

Consideration was given to a report of the Cabinet Member for Finance and Corporate / Director of Resources relating to the calculation of pay for Term Time Only employees and statutory annual leave.

**Alternatives considered**

Alternatives considered as detailed within the submitted report.

**RESOLVED**

1. That the Local Government Association model of pay for Term Time Only employees be adopted.
2. That payment be made available for a top-up for statutory annual leave where applicable, as detailed within the submitted report.
3. That Back-pay be payable to current employees only, backdated to 18th February 2019.

**Reason for resolution**

To enable the Council to ensure that it meets the requirements of the Green Book and its legal obligations under the Working Time Regulations as clarified by current case law.

**25 MICHAEL FARADAY AVENUE, KINGSWAY BUSINESS PARK –  
APPOINTMENT OF CONTRACTOR TO CONSTRUCT A SECTION OF  
ROAD**

Consideration was given to a report of the Cabinet Member for Economy and Communications / Director of Economy which

**Alternatives considered**

To not proceed with the scheme.

**RESOLVED**

1. That approval be given to the Framework Procurement route for the appointment of a main contractor to undertake the construction of the missing section of Michael Faraday Avenue at Kingsway Business Park.
2. That delegated authority be given to Director of Economy, in consultation with the Director of Resources and the Portfolio Holder for Economy and Communications, to enter into a contract for the construction of the Michael Faraday road link with Eric Wright Construction Ltd subject to

there being no outstanding legal or procurement matters which prevent this taking place.

3. That approval be given to the principle of using any residual grant funding to construct an additional access road into a development plot within Kingsway Business Park.
4. That delegated authority be given to the Director of Economy, in consultation with the Director of Resources and the Portfolio Holder for Economy and Communications, to enter into a contract for the construction of the additional access road with Eric Wright Construction Ltd, subject to there being no outstanding matters which prevent this taking place.

#### **Reason for resolution**

To enable delivery of the missing section of Michael Faraday Avenue at Kingsway Business Park within the grant funding deadline set by the external funder.

## **26 YOUR TRUST REVIEW PARTNERSHIP AGREEMENT JULY 2021 V2.0, 08/07/2021 HEALTH, SCHOOLS AND CARE OVERVIEW AND SCRUTINY COMMITTEE**

Consideration was given to a report of the Cabinet Member for Health / Assistant Director of Commissioning that sought approvals for changes to the Your Trust (formerly Link4Life) partnership agreement.

#### **Alternatives considered**

To not approve the proposed changes.

#### **RESOLVED**

1. That approval be given to the proposed changes to the partnership agreement and to bring the specification, outcomes framework and lease arrangement in line with that of similar size and scale commissions.
2. That approval be given to the recommended changes to the responsibility/lifecycle costs matrix with Your Trust taking responsibility for the planning and timetabling of the lifecycle replacements.
3. That approval be given to a revised model for the calculation of the management fee where annual changes are based on the Consumer Price Index across the fee.
4. That approval be given to the recommendation to split the management fee and develop a funding model principle to develop a management fee model that is clearly allocated between the functions for Sport and Leisure, Culture and Hollingworth Lake and Country Park to clarity in respect of the costs of subsidising each service.
5. That approval be given to an extension of the current contract term (31st March 2027) by a further 5 years to 31st March 2032.
6. That the Assistant Director of Resources (Legal, Governance & Workforce) be authorised to undertake related legal work in connection with the proposed changes to the partnership agreement.
7. That it be noted the £1.4m earmarked to support Your Trust during its recovery from the Covid pandemic is likely to be utilised during 2021/22 and 2022/23.

**Reason for resolution**

In order that Your Trust remain in a strong position to draw down on grant funding for leisure and culture recovery.