



**TRAFFORD
COUNCIL**

**AGENDA PAPERS FOR
EXECUTIVE MEETING**

Date: Monday, 28 January 2019

Time: 6.30 p.m.

**Place: Committee Room 2 and 3, Trafford Town Hall, Talbot Road, Stretford,
M32 0TH.**

A G E N D A	PART I	Pages
1. ATTENDANCES		
To note attendances, including officers, and any apologies for absence.		
2. QUESTIONS FROM MEMBERS OF THE PUBLIC		
A maximum of 15 minutes will be allocated to public questions submitted in writing to Democratic Services (democratic.services@trafford.gov.uk) by 4 p.m. on the working day prior to the meeting. Questions must be relevant to items appearing on the agenda and will be submitted in the order in which they were received.		
3. DECLARATIONS OF INTEREST		
Members to give notice of any interest and the nature of that interest relating to any item on the agenda in accordance with the adopted Code of Conduct.		
4. MINUTES		1 - 4
To receive and, if so determined, to approve as a correct record the Minutes of the meeting held on 17 th December 2018.		
5. MATTERS FROM COUNCIL OR OVERVIEW AND SCRUTINY COMMITTEES (IF ANY)		
To consider any matters referred by the Council or by the Overview and Scrutiny Committees.		

- (a) **Overview and Scrutiny Review of the Executive's Draft Budget Proposals for 2019-20** (Pages 5 - 12) 5 - 12
To receive a report of the Chair of the Scrutiny Committee.
6. **ADULT SOCIAL CARE (ASC) CHARGING AND DEBT RECOVERY POLICIES AND REGULATORY REFORM ORDER (DISABILITY FACILITIES GRANTS) - PROPOSED CHANGES FOLLOWING CONSULTATION** 13 - 28

To consider a report of the Executive Members for Adult Social Care and for Finance.
7. **S.75 BETTER CARE FUND AND IMPROVED BETTER CARE FUND AGREEMENT 2018-19 BETWEEN TRAFFORD CLINICAL COMMISSIONING GROUP AND TRAFFORD COUNCIL** 29 - 74

To consider a report of the Executive Member for Adult Social Care.
8. **BUSINESS RATES DISCRETIONARY RATE RELIEF POLICY 2019-20 - AMENDMENTS TO REFLECT THE AUTUMN BUDGET 2018 BUSINESS RATES MEASURES** 75 - 80

To consider a report of the Executive Member for Finance.
9. **DETERMINATION OF THE 2020 ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS AND APPROVAL OF ASSOCIATED DOCUMENTS** 81 - 138

To consider a report of the Executive Member for Children's Services.
10. **HIGHWAYS CAPITAL PROGRAMME 2018/19 - UPDATE ON PROGRAMME PROGRESS AND ADDITIONAL PROPOSALS FOR INVESTMENT** 139 - 148

To consider a report of the Executive Member for Environment, Air Quality and Climate Change.
11. **COUNCIL DEVELOPMENT SCHEMES** 149 - 160

To consider a report of the Executive Member for Investment Regeneration and Strategic Planning.
12. **BUDGET MONITORING 2018/19 - PERIOD 8 (APRIL TO NOVEMBER 2018)** 161 - 196

To consider a report of the Executive Member for Finance and Corporate Director, Finance and Systems.

13. AGMA COMBINED AUTHORITY / EXECUTIVE BOARD: FORWARD PLANS AND DECISIONS

To receive and note the following:

- (a) Register of GMCA Decisions January 2019 197 - 214

14. URGENT BUSINESS (IF ANY)

Any other item or items which by reason of:-

- (a) Regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Chairman of the meeting, with the agreement of the relevant Overview and Scrutiny Committee Chairman, is of the opinion should be considered at this meeting as a matter of urgency as it relates to a key decision; or
- (b) special circumstances (to be specified) the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.

15. EXCLUSION RESOLUTION

Motion (Which may be amended as Members think fit):

That the public be excluded from this meeting during consideration of the remaining items on the agenda, because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as amended by The Local Government (Access to Information) (Variation) Order 2006, and specified on the agenda item or report relating to each such item respectively.

PART II

16. STRATEGIC INVESTMENT OPPORTUNITY 215 - 222

To consider a report of the Executive Member for Finance.

JIM TAYLOR
Interim Chief Executive

COUNCILLOR ANDREW WESTERN
Leader of the Council

Membership of the Committee

Councillors A. Western (Chair), C. Hynes (Deputy Leader), S. Adshead, J. Baugh, M. Cordingley, M. Freeman, J. Harding, J. Lloyd, K. Procter and J.A. Wright

Executive - Monday, 28 January 2019

Further Information

For help, advice and information about this meeting please contact:

Jo Maloney, 0161 912 4298

Email: joseph.maloney@trafford.gov.uk

This agenda was issued on Thursday 17th January 2019 by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

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EXECUTIVE

17 DECEMBER 2018

PRESENT

Executive Member for Equalities and Partnerships (Councillor C. Hynes)(in the Chair),
Executive Member for Adult Social Care (Councillor J. Harding),
Executive Member for Children's Services (Councillor J. Baugh),
Executive Member for Communities and Housing (Councillor K. Procter),
Executive Member for Constitutional Reform and Resident Engagement (Councillor M. Freeman),
Executive Member for Environment, Air Quality and Climate Change (Councillor S. Adshead),
Executive Member for Finance (Councillor M. Cordingley),
Executive Member for Health and Wellbeing (Councillor J. Lloyd).

Also present: Councillors Acton, Stephen Anstee, Barclay, Bowker, Brotherton, Butt, Coggins, N. Evans, Myers, Shaw and Whetton.

In attendance:

Corporate Director, Finance and Systems (Ms. N. Bishop),
Corporate Director, People (Ms. S. Saleh),
Acting Corporate Director, Children and Families (Ms. C. Rooney),
Acting Corporate Director, Adult Services (Ms. D. Eaton),
Corporate Director, Commissioning (Ms. S. Radcliffe),
Principal Solicitor (Corporate and Commercial) (Ms. D. Sykes),
Democratic and Scrutiny Officer (Mr. J.M.J. Maloney).

APOLOGIES

Apologies for absence were received from Councillors A. Western and J.A. Wright.

68. QUESTIONS FROM MEMBERS OF THE PUBLIC

It was reported that no questions had been received.

69. DECLARATIONS OF INTEREST

No declarations were made by Executive Members.

70. MINUTES

RESOLVED – That the Minutes of the meeting held on 26th November 2018 be approved as a correct record.

71. MATTERS FROM COUNCIL OR OVERVIEW AND SCRUTINY COMMITTEES (IF ANY)

Councillor Acton, as Chairman of the Scrutiny Committee, reported briefly on the two recent Budget Scrutiny sessions which had been held under the Committee's auspices, thanking Executive Members for their contributions to the process. The Committee's report was in preparation, and would be formally referred to the Executive in due course.

72. PROPOSED USE OF THE FORMER BRENTWOOD SCHOOL SITE

The Executive Members for Children's Services and for Investment, Regeneration and Strategic Planning submitted a report requesting that the former Brentwood School site be removed from the Strategic Land Review Programme and be retained as an Education site for both Trafford High School and Trafford Medical Education Centre. There were benefits for pupils' physical and mental well-being in attending a school with an improved learning experience and environment that could better meet their needs; and the relocation of the Education provision would then release both the Trafford High School and Trafford Medical Education Centre sites for the Strategic Land Review Programme for Education capital purposes. It was noted that consultation, as detailed in the report, would continue in respect of implementation of the above decisions and associated transitional arrangements; and an associated report, containing financial details of the proposals, was considered in Part II of the agenda. In response to a question, the Executive Member for Children's Services confirmed that assurances would be sought that the released sites would not be required for additional school purposes within the current planning horizon.

RESOLVED -

- (1) That the former Brentwood School site be removed from the Strategic Land Review Programme.
- (2) That Trafford High School and Medical Education Centre be relocated to Brentwood School.
- (3) That the Trafford High School and Trafford Medical Education Centre sites be placed on the Strategic Land Review Programme.
- (4) That consultation, as detailed in the report, shall continue in respect of implementation of the above decisions and associated transitional arrangements.

*Executive (17.12.18)***73. UPDATE ON COMMUNITY SERVICES MODEL**

The Executive Member for Health and Social Care provided an update report, further to the notice given by the Pennine Care Foundation Trust to withdraw from provision of community services, of the work undertaken to date in consequence of that decision and progress on the programme to implement a programme to procure a new provider, consistent with Trafford's model for integrated health and social care across its four neighbourhoods and encompassing a range of services for adults and children.

RESOLVED – That the content of the report be noted.

74. AGMA COMBINED AUTHORITY / EXECUTIVE BOARD: FORWARD PLANS AND DECISIONS

There were no items currently to be reported.

75. EXCLUSION RESOLUTION

RESOLVED - That the public be excluded from this meeting during consideration of the remaining items on the agenda, because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as amended by The Local Government (Access to Information) (Variation) Order 2006, and specified on the agenda item or report relating to each such item respectively.

76. PROPOSED USE OF THE FORMER BRENTWOOD SCHOOL SITE

The Executive Members for Children's Services and for Investment, Regeneration and Strategic Planning submitted a report containing financial details of the proposal that the former Brentwood School site be removed from the Strategic Land Review Programme and be retained as an Education site for both Trafford High School and Trafford Medical Education Centre. An associated report was considered in Part I of the agenda (Minute 72 above refers); and all formal resolutions in relation to this matter are set out under that Minute. It was agreed that the Executive Member for Children's Services would respond outside the meeting to queries relating to proposed fee percentages and any allowances made for contingencies in respect of proposed instatement works.

The meeting commenced at 6.30 p.m. and finished at 6.52 p.m.

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TRAFFORD COUNCIL

Report to: Executive
Date: 28 January 2019
Report for: Consideration
Report of: Scrutiny Committee Chair

Report Title

OVERVIEW AND SCRUTINY REVIEW OF THE EXECUTIVE'S DRAFT BUDGET PROPOSALS FOR 2019-20

Summary

The Executive's Draft Budget Proposals for 2019/20 were agreed at its meeting held on 15 October 2018. The Leader of the Council gave a presentation to the Scrutiny Committee on 7 November 2018 setting out the proposals.

Two Budget Scrutiny Working Group sessions were then held on 4 December 2018 and 6 December 2018 with the relevant Executive Members and Senior Officers in attendance to provide background information on the proposals and to answer Scrutiny Members' questions.

This report reflects the outcome of those discussions and summarises issues for the Executive's further consideration in developing its final proposals and response.

Members welcome the balanced budget proposals for 2019/20, but this report also identifies some key areas of concern where the Executive needs to satisfy itself of the robustness of the proposals. These are:

- **Delayed Transfers of Care**
- **Demand Led Services**
- **Adults and Children's Social Care Budget Saving Proposals**
- **Budget Reserves and Provisions**
- **Budget Monitoring**

Scrutiny Members have identified these areas for follow up as part of its work planning for 2019/20.

Recommendation(s)

That the Executive receive, note, and respond to the report and its recommendations.

Contact person for access to background papers and further information:

Name: Peter Forrester, Head of Governance

Extension: 2019

Background Papers: None

BUDGET SCRUTINY REPORT - 2019/20

Foreword by the Chair and Vice-Chair of Scrutiny Committee

We welcome the opportunity for Scrutiny Members to review and comment on the budget proposals at an early stage. On behalf of Scrutiny Members, we would like to thank the Executive, Corporate Leadership Team and the Scrutiny, Health Scrutiny and Children and Young People's Scrutiny Members for their patience and contribution to the process.

Members acknowledged that the Council continues to work within an increasingly challenging financial climate, and the focus of Scrutiny input has been on the robustness and deliverability of the current proposals in the light of experience of budget savings already made in previous years, and the potential impact on communities and service users.

We hope that our Budget Scrutiny will contribute to the decision making process and in ensuring that robust processes are in place to manage changes. We have identified areas where we feel that there are risks and we look forward to receiving details of how the Executive will address these. We will be following up a number of areas in our work programmes for the next municipal year.

Councillors David Acton and Chris Boyes

Chair and Vice-Chair, Scrutiny Committee.

December 2018

1.0 Background

This year the approach to Budget Scrutiny was agreed by the Scrutiny Committee Chair and Vice-Chair, with a programme designed to forward any recommendations / observations to the Executive at the earliest opportunity in response to its consultation.

Two Budget Scrutiny Working Group sessions were held to look at the proposals. Scrutiny Members noted that the approach to eliminating the budget shortfall for 2019/20 and later years has consisted primarily of increased receipts from the council tax base, business rates relief, additional property investment income generated, and some one-off savings from housing benefit overpayment recovery and debt restructure.

The approach this year was to use the sessions to look at the current proposals in two sections:-

- i) Adult and Children's Health and Social Care
- ii) The Remainder of the General Budget

The main findings from the session are set out below.

2.0 Key Messages

Scrutiny is pleased that a balanced budget is now forecast for 2019/20. Members also welcome the fact that there will be no significant new changes to front line services as part of the proposals. Scrutiny would like to thank the Executive and the Officers for the informative presentations and for the hard work put in to produce a balanced budget proposal for the coming year.

However; although the draft proposals show a balanced budget for 2019/20, Scrutiny Members have identified the following issues:

- **Delayed Transfers of Care** – Members welcomed the improved performance in relation to Delayed Transfers of Care (DToC) and acknowledged the hard work of Officers in improving performance in this area. However, Scrutiny feels that improvements can still be made and will continue to monitor DToC via the Health Scrutiny Committee work programme during the 2019/20 municipal year.
- **Demand Led Services** – As has been the case in previous years with demand led services, any increase in the projected demand could cause a significant budget shortfall. Scrutiny will continue to monitor the Adults and Social Care services and their budgets via the Health Scrutiny and Children and Young People's Scrutiny Committees, and ask that they be kept informed of any expected demand increases as soon as they become apparent and what mitigating actions are being put in place to address any budget overspends.
- **Adults and Children's Social Care Budget Saving Proposals** – Scrutiny has some concerns around the savings proposals associated with the Adults and Children's Social Care budgets, as most of the proposals are considered to be 'cost avoidance measures' (as opposed to actualised savings), which are difficult to forecast accurately. The Health Scrutiny and Children and Young People's Scrutiny Committees will be monitoring the Let's Talk, Reassessments, and Right Care For You savings targets as part of their 2019/20 work programmes.

- **Budget Reserves and Provisions** – Scrutiny note the general downward trend for budget reserves and provisions over recent years, as well as the projected decrease in future years. Although Scrutiny recognises that in the current financial climate reserves will generally decrease as budget shortfalls are addressed, Scrutiny asks that assurances be provided to ensure that this downward trend is appropriate, and that that future issues are identified and reported to Scrutiny at an early stage. Scrutiny Members are concerned that these reserves and provisions will not be available in perpetuity, and if the Council reached a stage where these reserves and provisions have been exhausted, any unforeseen increases in demand led services could create a budget deficit with no way to remedy it.
- **Budget Monitoring** – Scrutiny would like more information on the decision to change the reporting frequency of the budget monitor from monthly to bi-monthly, and would like to understand the reasons behind the change. Some Scrutiny Members feel that the information being presented and scrutinised at meetings of the Executive is at times out of date, and that the budget needs monitoring more closely in these times of economic uncertainty and funding reductions. Scrutiny asks that the Executive give consideration to producing budget monitors monthly again. However, Scrutiny would not want this to be implemented if it was to have significant staffing capacity and / or financial implications.
- **Future Budget Shortfall** – Scrutiny welcomes the balanced budget proposals for 2019/20 but notes that a potential future shortfall of circa £25m by the end of the 2021/22 financial year remains. Members acknowledge that the current financial climate for Local Authorities remains challenging, but Scrutiny would like assurances that proposals are already being discussed on how the potential shortfall will be addressed. Scrutiny is concerned by some of the major changes coming in 2020/21, in particular the reset of the business rate retention scheme which is likely to impact on the level of resources the Council will have to support its services.

In addition to the above, Scrutiny would ask that the following be considered as part of the final budget proposals:

- **Scrutiny Budget to Seek Expert Advice** – A motion was agreed at the full Council meeting on 28 November 2018, which committed the Council to declare a Climate Emergency. The motion also called for the establishment of a new Task and Finish Group which should seek advice from experts to develop a carbon budget and set a challenging target date for carbon neutrality in Trafford. The hiring of these experts would generate a cost, so Scrutiny asks that a budget be made available to seek the relevant advice to inform the Task & Finish Group’s work.

The following recommendation and response was made as part of recent review of the Council’s Scrutiny (these recommendations were presented at the same full Council meeting where the aforementioned motion was agreed).

Scrutiny Recommendation	Executive Response
Recommendation 11 – That a budget be made available to Scrutiny for the hiring of external experts when necessary.	This will need to be considered as part of the annual budget making process.

Once again, Scrutiny would like to thank the Executive, Corporate Leadership Team and Scrutiny Councillors for their patience and contribution to this year's Budget Scrutiny process.

BUDGET SCRUTINY ACTION PLAN

Issue	Scrutiny Recommendation	Executive Response
<p>Delayed Transfers of Care – Members still feel that this is an area of concern and has a significant effect on the budget.</p>	<p>Health Scrutiny will be closely monitoring Delayed Transfers of Care as part of its 2019/20 work programme.</p>	
<p>Demand led services – As has been the case in previous years with demand led services, any increase in the projected demand could cause a significant budget shortfall.</p>	<p>Scrutiny will continue to monitor the Adults and Social Care services and their budgets via the Health Scrutiny and Children and Young People’s Scrutiny Committee work programmes in 2019/20, and ask that they be kept informed of any expected demand increases as they become apparent.</p>	
<p>Adults and Children’s Social Care Budget Saving Proposals – Scrutiny has some concerns around the savings proposals associated with the Adults and Children’s Social Care budgets, as most of the proposals are considered to be ‘cost avoidance measures’ (as opposed to actualised savings), which are difficult to forecast accurately.</p>	<p>The Health Scrutiny and Children and Young People’s Scrutiny Committees will be monitoring the Let’s Talk, Reassessments, and Right Care For You, savings targets as part of their 2019/20 work programmes.</p>	
<p>Budget reserves and provisions – Scrutiny note the general downward trend for budget reserves and provisions over recent years, as well as the projected decrease in upcoming years.</p>	<p>Scrutiny asks that assurances be provided to ensure that this downward trend is appropriate, and that that future issues are identified and reported to Scrutiny at an early stage.</p>	
<p>Budget Monitoring – Some Scrutiny Members feel that the information being presented and</p>	<p>Scrutiny asks that the Executive provides more information on why the budget monitor changed</p>	

<p>scrutinised at meetings of the Executive is at times out of date, and that the budget needs monitoring more closely in these times of economic uncertainty and funding reductions.</p>	<p>from being produced monthly to bi-monthly to help them understand the reasons behind the change.</p> <p>Scrutiny asks that the Executive give consideration to producing budget monitors monthly again. However, Scrutiny would not want this to be implemented if it was to have significant staffing capacity and / or financial implications.</p>	
<p>Scrutiny Budget to Seek Expert Advice – A motion was agreed at the full Council meeting on 28 November 2018, which committed the Council to declare a Climate Emergency. The motion also called for the establishment of a new Task and Finish which should seek advice from experts to develop a carbon budget and set a challenging target date for carbon neutrality in Trafford. The hiring of these experts would generate a cost.</p>	<p>Scrutiny asks that a budget be made available to seek the relevant advice to inform the Task & Finish Group’s work.</p>	
<p>Future Budget Shortfall – Scrutiny welcomes the balanced budget proposals for 2019/20 but notes that a potential future shortfall of circa £25m by the end of the 2021/22 financial year remains.</p>	<p>Scrutiny would like assurances that proposals are already being discussed on how the potential shortfall will be addressed.</p>	

TRAFFORD COUNCIL

Report to: Executive
Date: 28 January 2019
Report for: Decision
Report of: Executive Member for Adult Social Care and Executive Member for Finance

Report Title

Adult Social Care (ASC) Charging and Debt Recovery Policies and Regulatory Reform Order (Disability Facilities Grants) – Proposed Changes following Consultation

Summary

On 17 September 2018, the Executive approved a public consultation exercise on changes relating to the Council's Adult Social Care Charging Policy, Debt Recovery Policy and Regulatory Reform Order (Disabled Facilities Grant).

This report details the outcome of the public consultation exercise, provides details regarding the potential opportunity to revise and combine the above existing policies and contains proposals to implement changes to the policies.

Recommendation(s)

That the Executive with effect from 1 April 2019:

- 1) approves the amalgamation of the Adult Social Care Charging Policy, the Debt Recovery policy and the Disabled Facilities Grant Policy to create a single policy;
- 2) approves the proposal to incorporate clear guidance regarding Disability Related Expenditure;
- 3) approves the amendments to the existing Disabled Facilities Grant Regulatory Reform Order, as detailed in the report; and
- 4) approves the introduction of legal charges to clients in respect of the administration of funding arrangements and associated legal documents as detailed in the report.

Contact person for access to background papers and further information:

Name: Louise Shaw & Deborah Gent
Extension: 3120 & 4776

Background Papers: None

Relationship to Corporate Priorities	Improving health and wellbeing of residents. Value for money and low Council Tax.
Financial	<p>The introduction of new charges will raise a small income which will be reinvested back in to the service to provide advice and support through the financial element of adult social care for residents and their families.</p> <p>From 2008/09 the scope of DFG funding widened to support any local authority to use DFG grant funding for wider purposes, including the increased top-up level limits, the moving assistance grants and administration costs associated with legal charges and recovery of debt. The DFG changes proposed in this report will be fully funded by the Disabled Facilities Grant.</p>
Legal Implications:	The proposed changes are fully compliant with the legislation and guidance.
Equality/Diversity Implications	An EIA has been developed and ran alongside the consultation process. There are no particular groups adversely affected by the changes based on the equalities data available.
Sustainability Implications	N/A
Resource Implications e.g. Staffing / ICT / Assets	None – will be within existing resources.
Risk Management Implications	None
Health & Wellbeing Implications	Clearer information, support and guidance and the reduction of accruing debt will have a positive effect on health and wellbeing as will an improved Disability Facilities Grant application process.
Health and Safety Implications	N/A

1.0 Introduction and Background

- 1.1 Unlike the NHS, adult social care is not automatically free for recipients and therefore each local authority is responsible for its own policy based on legislation and guidance. Self-funding clients – those who are not eligible for Council funding – can receive support and advice in relation to finding a placement, however they will generally be responsible for the relationship and financial obligations directly with the provider. Where the funding criteria is met, the Council pays the provider for the care package that has been put in place, financially assesses the client and then invoices them for their contribution.
- 1.2 The Council aims to support people to remain at home and to be as independent as possible for as long as possible. It is important to support people to maximise their income and ensure we prevent debt from developing. Adults with care support needs contribute to their care in line with the Care Act 2014.
- 1.3 Trafford's Adult Social Care (ASC) charging policy was amended in 2015 to reflect the changes within the Care Act 2014. A separate Debt Recovery policy was also devised around this time to ensure a consistent and transparent approach to debt recovery.
- 1.4 Trafford Council funds adaptations to domestic properties where residents have disabilities, and require an adaptation to their home to enable them to remain living as independently as possible in their communities, through Disabled Facilities Grants via a central government grant. In 2003, central government allowed each local authority to develop a Regulatory Reform Order (RRO) allowing local authorities to develop discretionary powers which Trafford duly did and updated in 2011 to increase individual grant limits.
- 1.5 The Council has undertaken an exercise which involved evaluating lessons learnt from complaints and identifying areas where process improvements could be made. This has led to the proposal for changes to the ASC, DR and RRO Policies as well as to create a combined policy.
- 1.6 A report went to the Executive on 17 September 2018 detailing the relevant parts of the policies that the Council would like to amend as well as an overview as to the way in which the current policies work, please refer to Appendix A as an aide memoire if required. Approval was received to consult with the public for 12 weeks which ended on 21 December 2018.
- 1.7 Through learning from customer feedback and identifying areas where process improvements could be made it has been identified that there is an opportunity to revise and combine the existing policies. This report details the outcome of the public consultation exercise, provides details regarding the potential opportunity to revise and combine the above existing policies and contains proposals to implement changes to the policies.

2.0 Public Consultation

2.1 It was important for the Council to ensure all current adult social care service users and/or their official representative, were not only aware of the consultation but also had the opportunity to have a face-to-face discussion with Council officers who would be available to answer any questions in relation to the proposal. The public consultation process, therefore, used a variety of engagement methods to ensure that clients and partner agencies were able to participate. These included:

- a letter was sent to all clients (approximately 3,000) to ensure they were aware of the consultation exercise being undertaken and how they could participate;
- An online questionnaire which could be found via the Council's consultation webpages (33 responses);
- This was mirrored with a paper document which was provided on request as well as being available at all events;
- There were 2 consultation workshops, 1 was held at Trafford Town Hall and 1 was held at Sale Waterside (20 attendees). All service users, or their official representative, were sent a personal invite to attend one of these events. They were also given a contact number and an email address to request a call back at a time suitable to them by one of the officers attending the events to answer any queries and concerns.
- In addition to a personal email linking to the consultation survey on the Council's website, there was also a dedicated adult social care providers and interested parties consultation event (17 attendees). Invites were sent to all providers and advisory services such as the Citizen's Advice Bureau, Age Concern, Carers Centre as well as the Council's Welfare Right's Service; this list is not exhaustive. This led to a follow up meeting at the Carers Centre where Officers attended and presented the proposals.
- A Members event was also held which in addition to the consultation proposals, was also a training event on an overview of how adult social care charges are calculated (6 attendees).

2.2 The consultation respondents were asked to complete a questionnaire to indicate their level of agreement with the proposal whilst still being able to suggest alternatives. The following paragraphs include general consultation responses against each proposal; a full version with percentage breakdown against each question or comments can be found at Appendix B.

3.0 Proposed Policy Changes and Consultation Feedback

3.1 Combine the Adult Social Care (ASC) Charging and Debt Recovery (DR) Policy and include the Regulatory Reform Order (RRO) policy.

- 3.1.1 The Council's DR policy is working largely as intended but as it is in a separate policy to the ASC Charging Policy. Clients, families and advisory services have to work through different documentation which is repetitive in parts and can cause confusion. The proposal is therefore to merge both policies and have one joint policy.
- 3.1.2 In addition, following revision of the RRO policy, it is proposed that this is also included in the single overarching policy including debt recovery methods relating to the process around land charges and recovery cycles.
- 3.1.3 The public consultation responses support this change and therefore the Council proposes that the above policies be combined.

3.2 Clear guidance for Disability Related Expenditure (DRE)

- 3.2.1 Although it is clear in Trafford's policy that DRE will be taken in to account, there isn't further detail and guidance for residents or advisory services around what, how, backdating etc. This is often challenged in particular when recovery gets to the latter stages of enforcement.
- 3.2.2 The proposal subsequently consulted on, therefore, was to include clear guidance regarding DRE both in terms of examples of allowable expenditure and anticipated maximum values as well as how this will be treated as part of the financial reassessments process. Also to ensure that reviews are completed consistently.
- 3.2.3 The majority of the survey respondents were in agreement with, including maximum allowances within the policy (48%), and more than half who gave a view on this question felt that the most common items had been identified. However, there was slightly more who disagreed than agreed in terms of the average true cost placed against the common items. Further analysis of the limited comments made from those who disagreed suggests that the respondents may have read the question as the DRE list being the only items considered and not just a list of common items and average true cost.
- 3.2.4 The feedback from the consultation meetings held and attended was similar to the survey results, with most in favour.
- 3.2.5 Based on the overall feedback the Council is proposing to include the guidance with common items and average costs, but ensure it is clear in both the policy and procedures for staff advising clients on DRE matters, including at the point care packages are agreed, that each case will still be considered on its own merits. The expert appeal panel that will be put in place will ensure this is carried out in practice.

3.3 Introduce charges (initial and annual) to clients who have excess of the capital limit of £23,250 to undertake the legal work to set up funding arrangements and associated legal agreements

- 3.3.1 Where a client has assets that are not suitable for a Deferred Payment Agreement (DPA) and/or the client lacks capacity to enter in to a formal agreement, the Council can offer other financial assistance solutions, such as an interim loan. In such circumstances the Council must seek to secure repayment of the monies by the client, which could include securing a solicitor's undertaking. Currently the Council do not charge the client for costs incurred by the Council in facilitating such arrangements.
- 3.3.2 The consultation proposed to introduce charges (initial and annual) to clients who wish to enter into such alternative agreements with the Council and who have in excess of the capital limit of £23,250 and therefore have the means to pay, but their assets are not accessible at the time that financial assistance is required.
- 3.3.3 These are often complex cases with family disputes and capacity issues and do cause additional anxiety and stress around the payment of residential care bills while the formal financial arrangements are put in place. The proposed charge will enable the Council to provide more financial assistance options to clients and family members.
- 3.3.4 With no formal agreement or debt recovery method in place the Council has little option but to initiate a formal debt recovery process to recoup any monies owed. The proposed charge reflects the costs incurred when undertaking the legal work required to ensure that monies can be recouped and they align with charges applied to clients who do enter in to a DPA.
- 3.3.5 The consultation survey asked a combined question about introducing initial and annual charges for the legal work associated with these agreements and there was a mixed response. Having looked further in to the disagreement comments these were again limited and reflected overall views about generally charging for care.
- 3.3.6 At the consultation events, the respondents were overall in support of an initial charge but not an annual one thus aligning to the online responses. The Council has taken this in to account and amended its proposal accordingly.
- 3.3.7 Therefore, the Council's proposal is to amend the policy to include the "opt in" alternative financial assistance arrangements but only an initial charge (plus on-going interest). The proposed rates can be found at Appendix C.
- 3.3.8 As in DPA cases, full payment will be due 56 days after the termination date (which in these cases will be when the temporary position ceases, i.e. the

property is sold or the family has access to funds via the courts). Interest will be applied at the same rates as in DPA cases which is currently 1.65% while the agreement is on-going, rising to 8% after 56 days in line with the Office of Budget Responsibility most recently published report.

3.4 Introduce annual charges (already an initial charge) to clients who enter in to a Deferred Payment Arrangement (DPA) and therefore have in excess of the capital limit of £23,250

3.4.1 Where a client has opted to enter in to a DPA they currently agree to pay an initial administration charge to compensate the work and incurred costs, however there are annual costs that are also incurred, for example equity checks and tenancy checks, that the Council is currently bearing the cost of.

3.4.2 The consultation proposed therefore to introduce an annual charge which covers the costs incurred by the Council. The survey respondents were overwhelmingly against this and, as advised in 3.3.5 above, annual charges were also not seen as something the Council should introduce at the events attended. Alternative suggestions around reducing the work carried out as part of the annual assessment were put forward. Considering these factors the Council have concluded that it will no longer be continuing this proposal as a policy change. The initial charge will remain as is.

3.5 Clear guidance relating to Third Party Top Ups (TPTU) and Choice of Accommodation

3.5.1 TPTU agreements should be assessed for both the individual's willingness and ability to pay. The latter is not often assessed before a placement is entered and this has caused extreme distress for clients and their families in terms of decisions to remove clients from settled placements and complaints when financial provisions have been underestimated and/or exhausted. There have also been issues relating to clients and families reporting that they have felt the Choice of Accommodation and financial impact of that choice have not been made explicitly clear.

3.5.2 The proposal consulted on was to include clear guidance relating to TPTU's in terms of willingness and ability to pay which will include requirements in appropriate cases to provide proof of how the TPTU can be financially sustained; again to ensure it is transparent when families are signing up to often high weekly TPTU amounts whilst also safeguarding Council funds and reduced recovery administration which only adds further stress and anxiety.

3.5.3 In both the survey responses and the events feedback, there was an overarching agreement about the requirement to assess financial access and sustainability in terms of TPTU agreements, but it was difficult to identify what that would look like in practice, in particular as there are unknowns in terms of how long the agreement would be in place and how charges can increase

over time, as well as personal finances. It is clear that further work is required in this area to ensure the right balance between intrusion and risk assessment and therefore at this stage there will not be amendments to the policy but further work will take place which will be based on a test and learn approach

3.6 Review and amend the existing Disabled Facilities Grant Regulatory Reform Order (RRO)

3.6.1 The RRO and subsequent application process needs to be developed and updated to create a more responsive adaptations service for Trafford residents which will in turn ensure the Disabled Facilities Grant (DFG) processes will work more efficiently.

3.6.2 The first proposal, is to increase the top level of funding for each DFG application from £30k to £50k to reflect the rising costs of building work and the increasing number of complex builds, the consultation responders was in favour of and therefore the proposal is to amend the RRO accordingly.

3.6.3 In addition, it is also proposed to introduce a Moving Assistance Grant capped at an upper limit of £3k to support rehousing to an adapted property where suitable was also well supported and again is proposed for change.

3.6.5 Finally, it is proposed that a limited land charge is secured on the Client's property, subject to the client's consent, to guarantee repayment if the property is sold or otherwise disposed of within ten years of the grant award. Subject to the client's consent, the Council will seek to secure a limited where the value of the DFG exceeds £5,000, limited to a maximum charge of £10,000. Before determining whether or not it is reasonable to require repayment or part repayment on disposal of the property the Council will consider:

(i) the extent to which the recipient of the grant would suffer financial hardship were they be required to repay all or any of the grant;

(ii) whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of their employment;

(iii) whether the disposal is made for reasons connected with the physical or mental health or well-being of the recipient of the grant or of a disabled occupant of the premises; and

(iv) whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity.

3.6.6 When appropriate the Council may decide to secure a limited charge against an adapted property, this will be determined on a case by case basis reflecting the individual circumstances of each applicant.

3.6.7 It is expected that through the introduction of this land charge security the Council will be able to recycle these funds in the DFG programme when the adapted property is sold (providing this occurs within ten years of the grant award).

4.0 Other Options

The Council could decide not to implement the changes to the policies, however it is clear from the exercise completed that more comprehensive guidance is required and if the charges are not introduced there remains no clear pathway for residents with the funds to pay for their care to make informed choices in a timely manner. There would also remain a disparity between those clients entering in to a DPA compared to those receiving interim funding as well as the continued inflexibly for residents requiring adaptations to their properties.

5.0 Consultation

As detailed in the report.

6.0 Reasons for Recommendation

To enable the Council to develop and implement a more coherent single policy and to enable the facilitation of increased financial relief options to clients and their families.

Key Decision Yes

If Key Decision, has 28-day notice been given? Yes

Finance Officer Clearance NB

Legal Officer Clearance DS

CORPORATE] DIRECTOR'S SIGNATURE



(electronic)

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.

Appendix A – Trafford Current Policies - Aide Memoire

- A.1 The current ASC Charging Policy determines how the Council financially assesses clients, both in their own home and in a care home. An individual is allowed to keep a certain amount of their income and capital before being asked to pay a contribution towards their care. The amount they are allowed to keep depends on their personal and household circumstances and for income this is called the Minimum Income Guarantee (MIG) and it is set annually by the Department of Health and Social Care.
- A.2 An individual's capital is also taken in to account as part of the financial assessment. The capital limit, which includes property, is between £14,250 and £23,250. Anyone with more than £23,250 is required to meet the full cost of their care.
- A.3 Where an individual chooses a residential placement that exceeds the Council's rate, they have to meet the full cost of the difference. This is known as a Third Party Top Up (TPTU) and it requires a third party to enter in to a legal contract with the Council to pay for the placement.
- A.4 Often a client has funds over the capital limit that they cannot, or do not, want to be released such as a property, their former family home, annuity plans etc. In the circumstances where this relates to a property the Council is legally obliged to offer a Deferred Payment Agreement (DPA) - subject to qualifying conditions being met - which in essence is a loan against the value of their property which is then repaid with interest when the property is sold or the client passes away. The policy details the eligibility criteria, the administration charges and interest for DPA's. The DPA is a legal contract between the owner (or a person officially acting on their behalf) and the Council.
- A.5 The policy also includes information relating to what expenditure should be taken in to account when determining a client's MIG, such as rent, Council Tax, utility bills etc. The Care Act makes it clear that when the Council is taking into account disability benefits within the financial assessment, the Council **must** consider Disability Related Expenditure for people in receipt of care in their own home.
- A.6 The current DR Policy not only defines the debt recovery cycle, it also describes which services are chargeable, in what circumstances a financial assessment will be carried out and how Direct Payments work and subsequently how they are recovered if required. It also details how clients can fund a TPTU. In terms of the capital element, the policy advises that the Council can offer a Deferred Payment Arrangement (DPA) scheme which, as you can see from above, is repetitive in most elements when compared to the ASC Policy.
- A.7 The Regulatory Reform Order (RRO) currently details the criteria and conditionality relating to the assistance clients can apply for to allow adaptations to be made to their home in order to continue to allow them to live independently. The RRO details the application process, what works will be approved and the maximum award

amounts as well as payment methods and grant conditionality including how repayments can be made.

Appendix B – Consultation Online Survey Results

Questionnaire Questions	Responses NB: Rounded Percentages
<p>1. Do you agree with the proposal to introduce an annual charge [DPA]?</p>	<p><i>Answered: 32 Skipped: 1</i></p> <p>Strongly Agree – 9% Agree – 19% Neither Agree nor Disagree – 13% Disagree – 28% Strongly Disagree – 25% Don't Know – 6%</p>
<p>2. Do you agree with the introduction of the other funding agreement with associated charges [Solicitors Undertakings, Interim Funding Loans]?</p>	<p><i>Answered: 33 Skipped: 0</i></p> <p>Strongly Agree – 12% Agree – 27% Neither Agree nor Disagree – 12% Disagree – 18% Strongly Disagree – 27% Don't Know – 3%</p>
<p>3. Do you agree with our proposal to include DRE maximum allowances for the most common items of expenditure</p>	<p><i>Answered: 33 Skipped: 0</i></p> <p>Strongly Agree – 15% Agree – 33% Neither Agree nor Disagree – 15% Disagree – 18% Strongly Disagree – 12% Don't Know – 6%</p>
<p>4. Do you think our proposal includes the most common items of expenditure?</p>	<p><i>Answered: 31 Skipped: 2</i></p> <p>Strongly Agree – 10% Agree – 19% Neither Agree nor Disagree – 16% Disagree – 16% Strongly Disagree – 6% Don't Know – 32%</p>
<p>5. Do you consider the maximum rates to be an accurate reflection of the average true cost</p>	<p><i>Answered: 31 Skipped: 2</i></p> <p>Strongly Agree – 6% Agree – 13% Neither Agree nor Disagree – 10% Disagree – 19% Strongly Disagree – 6% Don't Know – 45%</p>
<p>6. What do you think about the proposals for the Council to include a financial affordability</p>	<p><i>Answered: 33 Skipped: 0</i></p> <p>Strongly Agree – 21% Agree – 27%</p>

<p>assessment of a Third Party signing a Top Up agreement?</p>	<p>Neither Agree nor Disagree – 9% Disagree – 3% Strongly Disagree – 27% Don't Know – 12%</p>
<p>7. Do you have any other suggestions or ideas for the Council to consider to balance between choice of the resident against the privacy of the third party and the potential for financial hardship?</p>	<p><i>Answered: 15 Skipped: 18 Comments: 8</i></p> <p>General feedback received, main comments related to the way in which the care system is funded in general, however specific to this consultation question, feedback was given around care homes prices and the difficulty in agreeing to pay for a top up with uncertainty around length of times and price increases. Allowing the client to pay their own top up was also put forward [however this isn't allowed in accordance with the Care Act legislation]</p>
<p>8. Do you agree with the proposal to offer a Moving Assistance Grant (MAG)?</p>	<p><i>Answered: 33 Skipped: 0</i></p> <p>Strongly Agree – 15% Agree – 55% Neither Agree nor Disagree – 15% Disagree – 3% Strongly Disagree – 0% Don't Know – 12%</p>
<p>9. Do you agree with Trafford Council to place Land Charges on Owner Occupier Properties?</p>	<p><i>Answered: 33 Skipped: 0</i></p> <p>Strongly Agree – 24% Agree – 21% Neither Agree nor Disagree – 12% Disagree – 18% Strongly Disagree – 15% Don't Know – 9%</p>
<p>10. Do you agree with the proposal for Trafford Council to increase the upper limit to £50k [DFG]?</p>	<p><i>Answered: 32 Skipped: 1</i></p> <p>Strongly Agree – 22% Agree – 34% Neither Agree nor Disagree – 9% Disagree – 9% Strongly Disagree – 6% Don't Know – 19%</p>
<p>11. Finally the Council is proposing to merge the charging, debt and disabled facilities grant policies together to remove duplication and have the information all in one document in one place. What do you think about this proposal?</p>	<p><i>Answered: 33 Skipped: 0</i></p> <p>Strongly Agree – 30% Agree – 39% Neither Agree nor Disagree – 21% Disagree – 0% Strongly Disagree – 3% Don't Know – 6%</p>
	<p><i>Answered: 14 Skipped: 19 Comments: 10</i></p>

12. Do you have any other suggestions or ideas relating to the proposal put forward in this consultation?

General feedback received, main comments related to the way in which the care system is funded/charged for, however specific to this consultation feedback was given around having one point of contact throughout the process and for DRE to be linked more to the care plan and common items to be more imaginative.

Appendix C – Charges for Deferred Payment Agreements and Proposed Rates for Alternative Funding Arrangements

Legal costs for a DPA (including Land Registry Services fees secured by a first legal charge against freehold property in sole ownership of applicant, with no loans secured and no legal complications	£575 [Existing Charge]
Interim Funding Agreement (Council loan) secured by a legally binding agreement	£295 (+VAT*if applicable) [New Charge]
Solicitor’s Undertaking a legal document that is signed by the clients conveyancing solicitor confirming funds owed in outstanding care fees will be paid out of the proceeds of sale before funds transferred	£175 (+VAT*if applicable) [New Charge]
Annual interest rates for DPAs & Interim Funding Arrangements we charge the maximum interest rate as defined in the Care and Support Regulations on a daily basis (compounded). Interest charges are added to the debt, payable at the end of the agreement	1.65%** (As at 1 January 2019)

*Value Added Tax (VAT): the legal and administration costs quoted above are exclusive of VAT. VAT will be charged on those costs where applicable. DPAs which meet the national mandatory DPA requirements to be secured by a first legal charge are not subject to VAT

*Set at 0.15% above the market gilt rate specified in the most recent report published by the Office of Budget Responsibility (OBR) which is published in January and July each year

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TRAFFORD COUNCIL

Report to: Executive
Date: 28th January 2019
Report for: Decision
Report of: Executive Member for Adult Social Care

Report Title

S75 Better Care Fund and improved Better Care Fund agreement 2018-19 between Trafford Clinical Commissioning Group and Trafford Council

Summary

The Better Care Fund was introduced by the Government from 1st April 2015 consolidating a number of previous funding streams into one pooled fund which is hosted by the CCG. This fund includes monies for the protection of adult social care. The expectations of the Government of having a Better Care Fund are to promote better integration of health and social services for individuals and deliver cost benefits across the whole system. The Better Care Fund is the subject of a Section 75 agreement which describes how the money will be managed.

In October 2017, the executive agreed to give delegated authority to the Chief Legal Officer to complete the Section 75 agreement on behalf of the council, in relation to the Better Care Fund for 17/18.

This paper seeks the same delegated authority to complete the Section 75 agreement on behalf of the council, in relation to the Better Care Fund for 18/19.

Recommendation(s)

It is recommended that the Executive:

1. Approve the s75 partnership agreement between Trafford CCG and the Council for the Better Care Fund and formalisation of the funding for 2018-19.
2. Note that the Trafford Clinical Commissioning Group will continue to host the s75 agreement.
3. Delegate authority to the Corporate Director for Governance and Community Strategy to complete the Agreements on behalf of the Council

Contact person for access to background papers and further information:

Name: Joanne Gibson
Extension: 4074

Background Papers: None

Implications:

Relationship to Policy Framework/Corporate Priorities	The Better Care fund activity is integral to the delivery of our sustainable Transformation Plan. The Better Care Fund supports the integration of Health and Social Care Commissioning functions.
Financial	The Financial allocations are determined at a national level and have been agreed by Trafford Council and Trafford CCG on how they will be spent
Legal Implications:	The section 75 agreement is based on a nationally available model agreement devised by Bevan Brittan and has been assured by our legal department.
Equality/Diversity Implications	None
Sustainability Implications	The Better Care Fund activity contributes to the overall delivery of a sustainable health and social care system
Resource Implications e.g. Staffing / ICT / Assets	n/a
Risk Management Implications	Whilst the s75 agreement offers the opportunity to develop a risk share, this option has not been used, and each organisation will own the risks against their schemes.
Health & Wellbeing Implications	The Better Care Fund aims to improve the overall Health and Wellbeing of residents of Trafford.
Health and Safety Implications	n/a

1.0 Background

1.1 The Better Care Fund was introduced by the Government from 1st April 2015 consolidating a number of previous funding streams into one single funding stream which is hosted by the CCG. This stream includes monies for the protection of adult social care, including the extra funding announced in the spring budget of 2017 and referred to as the improved Better Care Fund (iBCF). The expectations of the Government of having a Better Care Fund are to promote better integration of

health and social services for individuals and deliver cost benefits across the whole system.

1.2 The NHS published guidelines on how the BCF should be spent and managed for 2017 – 2019. Trafford Council and Trafford CCG produced a joint plan on how the money would be spent for 2017 to 2019. Trafford Health and Wellbeing board agreed this plan, as this was a national condition of receiving the money. There were a total of 4 national conditions that the plan had to meet before NHS England granted approval. NHS England granted approval to Trafford’s BCF plan in June 2017. NHS England also specified that the money should be pooled and managed using a section 75 agreement.

2.0 Section 75 Agreement (S75A)

2.1 Section 75 of the 2006 Act gives powers to local authorities and clinical commissioning groups to establish and maintain pooled funds out of which payment may be made towards expenditure incurred in the exercise of prescribed local authority functions and prescribed NHS functions.

2.2 The purpose of the S75A is to set out the terms on which Trafford CCG and Council have agreed to collaborate and to establish a framework for the provision of health and social care services through a joint commissioning arrangement.

2.3 The intended benefits of the Section 75 agreement are to improve the quality and efficiency of the services and to make more effective use of resources. This will:

- Re-balance the local Health and Social Care Economy
- Improve Health and Wellbeing
- Develop Communication/ Relationships
- Develop Integration

2.4 The pooled Better Care Fund allocations are made up of the Disabled Facilities Grant (DFG), the improved Better Care Fund (iBCF) and a minimum CCG contribution:

	2017/18 Gross Contribution	2018/19 Gross Contribution
Total Local Authority Contribution (DFG)	£1,852,822	£2,017,365
Total iBCF Contribution	£4,254,403	£5,725,357
Total Minimum CCG Contribution	£14,661,678	£14,940,250
Total BCF pooled budget	£20,768,903	£22,682,971

2.5 The S75A can be seen in full in appendix 1. This includes a breakdown of the schemes to be included in 18/19 and information on the governance for the fund. Two particular aspects to highlight are:

- The BCF will be hosted by Trafford CCG
- The risk share agreement is that each organisation will meet its own risks with regards to performance and any overspends for the schemes it has responsibility for. The pooled fund will be spent on a whole range of services, a breakdown of which can be found in the S75A in appendix 1. These schemes were fully agreed through the HWB.

3.0 Other Options

3.1 It is a requirement of the Better Care Fund national guidance to enter into a Section 75 agreement between the Council and the CCG. The guidance sets out the expectations of the required agreement and a national template provided on which the Trafford agreement is based. Therefore no other options were considered.

4.0 Consultation

4.1 This is a legal agreement between the Council and the CCG and does not require wider consultation

5.0 Reasons for Recommendation

5.1 The S75A between the CCG and Council is a requirement of the Better Care Fund national guidance and progress is reported quarterly to NHS England. It has been noted by NHS England that the S75 Agreement is not currently in place.

6.0 Recommendations

6.1 It is recommended that the Executive:-

1. Approve the s75 partnership agreement between Trafford CCG and the Council for the Better Care Fund and formalisation of the funding for 2018-19.
2. Note that the Trafford Clinical Commissioning Group will continue to host the s75 agreement.
3. Delegate authority to the Corporate Director for Governance and Community Strategy to complete the Agreements on behalf of the Council

Key Decision (as defined in the Constitution): Yes
If Key Decision, has 28-day notice been given? Yes

Finance Officer Clearance (type in initials)...NB.....
Legal Officer Clearance (type in initials)...JLF

A handwritten signature in black ink, appearing to read "D. J. Eaton".

[CORPORATE] DIRECTOR'S SIGNATURE (electronic)

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.

Appendix 1

Dated 1st April 2018

TRAFFORD COUNCIL

and

NHS TRAFFORD CLINICAL COMMISSIONING GROUP

**FRAMEWORK PARTNERSHIP AGREEMENT RELATING
TO THE COMMISSIONING OF HEALTH AND SOCIAL
CARE SERVICES RELATING TO THE BETTER CARE
FUND**

Contents

Item	Page
PARTIES	8
BACKGROUND	8
1 DEFINED TERMS AND INTERPRETATION	9
2 TERM	13
3 GENERAL PRINCIPLES	13
4 PARTNERSHIP FLEXIBILITIES	13
5 FUNCTIONS	14
6 COMMISSIONING ARRANGEMENTS	14
7 ESTABLISHMENT OF A POOLED FUND	15
8 POOLED FUND MANAGEMENT	15
9 NON POOLED FUNDS	16
10 FINANCIAL CONTRIBUTIONS	16
11 NON FINANCIAL CONTRIBUTIONS	16
12 RISK SHARE ARRANGMENTS, OVERSPENDS AND UNDERSPENDS	16
13 CAPITAL EXPENDITURE	17
14 VAT	17
15 AUDIT AND RIGHT OF ACCESS	17
16 LIABILITIES AND INSURANCE AND INDEMNITY	17
17 STANDARDS OF CONDUCT AND SERVICE	18
18 CONFLICTS OF INTEREST	18
19 GOVERNANCE	18
20 REVIEW	19
21 COMPLAINTS	20
22 TERMINATION & DEFAULT	20
23 DISPUTE RESOLUTION	21
24 FORCE MAJEURE	21
25 CONFIDENTIALITY	22
26 FREEDOM OF INFORMATION AND ENVIRONMENTAL PROTECTION REGULATIONS	22
27 OMBUDSMEN	22
28 INFORMATION SHARING	23
29 NOTICES	23
30 VARIATION	23
31 CHANGE IN LAW	24
32 WAIVER	24
33 SEVERANCE	24
34 ASSIGNMENT AND SUB CONTRACTING	24
35 EXCLUSION OF PARTNERSHIP AND AGENCY	24

36	THIRD PARTY RIGHTS	24
37	ENTIRE AGREEMENT	24
38	COUNTERPARTS	25
39	GOVERNING LAW AND JURISDICTION	25
	SCHEDULE 1 – GOVERNANCE	27
	SCHEDULE 2 – RISK SHARE, OVERSPENDS AND UNDERSPENDS	28
	SCHEDULE 3 – JOINT WORKING OBLIGATIONS	29
	Part 1 – LEAD COMMISSIONER OBLIGATIONS	29
	Part 2 – OBLIGATIONS OF THE OTHER PARTNER	30
	SCHEDULE 4 – PERFORMANCE ARRANGMENTS	31
	SCHEDULE 5 – BETTER CARE FUND PLAN	32
	SCHEDULE 6 – POLICY FOR THE MANAGEMENT OF CONFLICTS OF INTEREST	33
	SCHEDULE 7 – INFORMATION GOVERNANCE PROTOCOL	31

THIS AGREEMENT is made on the 1st day of April 2018

PARTIES

- (1) **TRAFFORD COUNCIL** (the "Council")
- (2) **NHS TRAFFORD CLINICAL COMMISSIONING GROUP** (the "CCG")

BACKGROUND

- (A) The Council has responsibility for commissioning and/or providing social care services on behalf of the population of the borough of Trafford.
- (B) The CCG has the responsibility for commissioning health services pursuant to the 2006 Act in the borough of Trafford.
- (C) The Better Care Fund has been established by the Government to provide funds to local areas to support the integration of health and social care and to seek to achieve the National Conditions and Local Objectives. It is a requirement of the Better Care Fund that the CCG and the Council establish a pooled fund for this purpose.
- (D) Section 75 of the 2006 Act gives powers to local authorities and clinical commissioning groups to establish and maintain pooled funds out of which payment may be made towards expenditure incurred in the exercise of prescribed local authority functions and prescribed NHS functions.
- (E) The purpose of this Agreement is to set out the terms on which the Partners have agreed to collaborate and to establish a framework through which the Partners can secure the future position of health and social care services through lead or joint commissioning arrangements. It is also the means through which the Partners will pool funds and align budgets as agreed between the Partners.
- (F) The aims and benefits of the Partners in entering in to this Agreement are to:
 - a) improve the quality and efficiency of the Services;
 - b) meet the National Conditions and Local Objectives;
 - c) make more effective use of resources through the establishment and maintenance of a pooled fund for revenue expenditure on the Services;
 - d) Re-balance the local Health and Social Care Economy – Trafford will target our resources on the major causes of ill-health and community breakdown to improve outcomes for Trafford patients and residents, but doing so at an appropriate cost so our resources across the health and social care economy are deployed to deliver best value.
 - e) Improve Health and Wellbeing –Trafford will utilise our own commissioning responsibilities and work with partners across the public, private and voluntary sector to protect good health and prevent ill health by ensuring evidenced based practice at the appropriate scale.
 - f) Develop Communication/Relationships – Trafford will continue to work closely with individuals, communities, voluntary sector and other partner organisations, monitoring and enhancing effective partnerships that improve outcomes for patients and communities which is a key component of our planning process.
 - g) Develop Integration – Trafford will continue to commission and manage effective integrated care pathways in partnership with our local clinical senate, the local Health and Wellbeing Board and other appropriate partnership structures. We will reduce duplication, improve co-ordination across settings and continue to re-design and transform services so they are people-focused to improve outcomes and the patient experience.

- (G) The Partners have jointly carried out consultations on the proposals for this Agreement with all those persons likely to be affected by the arrangements.
- (H) The Partners are entering into this Agreement in exercise of the powers referred to in Section 75 of the 2006 Act and/or Section 13Z(2) and 14Z(3) of the 2006 Act as applicable, to the extent that exercise of these powers is required for this Agreement.

1 DEFINED TERMS AND INTERPRETATION

- 1.1 In this Agreement, save where the context requires otherwise, the following words, terms and expressions shall have the following meanings:

1998 Act means the Data Protection Act 1998.

2000 Act means the Freedom of Information Act 2000.

2004 Regulations means the Environmental Information Regulations 2004.

2006 Act means the National Health Service Act 2006.

Affected Partner means, in the context of Clause 24, the Partner whose obligations under the Agreement have been affected by the occurrence of a Force Majeure Event

Agreement means this agreement including its Schedules and Appendices.

Authorised Officers means an officer of each Partner appointed to be that Partner's representative for the purpose of this Agreement.

Better Care Fund means the Better Care Fund as described in NHS England Publications Gateway Ref. No.00314 and NHS England Publications Gateway Ref. No.00535 as relevant to the Partners.

Better Care Fund Plan means the plan attached at Schedule 5 setting out the Partners plan for the use of the Better Care Fund.

Health and Social Care Commissioning Advisory Board means the board responsible for review of performance and oversight of this Agreement as set out in Schedule 1.

CCG Statutory Duties means the Duties of the CCG pursuant to Sections 14P to 14Z2 of the 2006 Act

Change in Law means the coming into effect or repeal (without re-enactment or consolidation) in England of any Law, or any amendment or variation to any Law, or any judgment of a relevant court of law which changes binding precedent in England after the date of this Agreement

Commencement Date means 00:01 hrs on 1st April 2018

Confidential Information means information, data and/or material of any nature which any Partner may receive or obtain in connection with the operation of this Agreement and the Services and:

- (a) which comprises Personal Data or Sensitive Personal Data or which relates to any patient or his treatment or medical history;
- (b) the release of which is likely to prejudice the commercial interests of a Partner or the interests of a Service User respectively; or
- (c) which is a trade secret.

Contract Price means any sum payable to a Provider under a Service Contract as consideration for the provision of Services and which, for the avoidance of doubt, does not include any Default Liability or Performance Payment.

Default Liability means any sum which is agreed or determined by Law or in accordance with the terms of a Services Contract) to be payable by any Partner(s) to the Provider as a consequence of (i) breach by any or all of the Partners of an obligation(s) in whole or in part) under the relevant Services Contract or (ii) any act or omission of a third party for which any or all of the Partners are, under the terms of the relevant Services Contract, liable to the Provide

Financial Contributions means the financial contributions made by each Partner to a Pooled Fund in any Financial Year.

Financial Year means each financial year running from 1 April in any year to 31 March in the following calendar year.

Force Majeure Event means one or more of the following:

- (a) war, civil war (whether declared or undeclared), riot or armed conflict;
 - (b) acts of terrorism;
 - (c) acts of God;
 - (d) fire or flood;
 - (e) industrial action;
 - (f) prevention from or hindrance in obtaining raw materials, energy or other supplies;
 - (g) any form of contamination or virus outbreak; and
 - (h) any other event,
- in each case where such event is beyond the reasonable control of the Partner claiming relief

Functions means the NHS Functions and the Health Related Functions

Health Related Functions means those of the health related functions of the Council, specified in Regulation 6 of the Regulations as relevant to the commissioning of the Services and which may be further described in the relevant Scheme Specification.

Host Partner means for each Pooled Fund the Partner that will host the Pooled Fund.

Health and Wellbeing Board means the Health and Wellbeing Board established by the Council pursuant to Section 194 of the Health and Social Care Act 2012.

Indirect Losses means loss of profits, loss of use, loss of production, increased operating costs, loss of business, loss of business opportunity, loss of reputation or goodwill or any other consequential or indirect loss of any nature, whether arising in tort or on any other basis.

Individual Scheme means one of the schemes which is agreed by the Partners to be included within this Agreement using the powers under Section 75 as documented in a Scheme Specification.

Integrated Commissioning means arrangements by which both Partners commission Services in relation to an individual Scheme on behalf of each other is exercise of both the NHS Functions and Council Functions through integrated structures.

Joint (Aligned) Commissioning means a mechanism by which the Partners jointly commission a Service. For the avoidance of doubt, a joint (aligned) commissioning arrangement does not involve the delegation of any functions pursuant to Section 75.

Law means:

- (a) any statute or proclamation of any delegated or subordinate legislation;

- (b) any enforceable community right within the meaning of Section 2(1) European Communities Act 1972;
- (c) any guidance, direction or determination with which the Partner(s) or relevant third party (as applicable) are bound to comply to the extent that the same are published and publicly available or the existence or contents of them have been notified to the Partner(s) or relevant third party (as applicable); and
- (d) any judgment of a relevant court of law which is a binding precedent in England.

Lead Commissioning Arrangements means the arrangements by which one Partner commissions Services in relation to an Individual Scheme on behalf of the other Partner in exercise of both the NHS Functions and the Council Functions.

Lead Commissioner means the Partner responsible for commissioning an Individual Service under a Scheme Specification.

Losses means all damage, loss, liabilities, claims, actions, costs, expenses (including the cost of legal and/or professional services), proceedings, demands and charges whether arising under statute, contract or at common law but excluding Indirect Losses and "Loss" shall be interpreted accordingly.

Month means a calendar month.

National Conditions mean the national conditions as set out in the NHS England Planning Guidance as are amended or replaced from time to time.

NHS Functions means those of the NHS functions listed in Regulation 5 of the Regulations as are exercisable by the CCG as are relevant to the commissioning of the Services and which may be further described in each Service Schedule

Non Pooled Fund means the budget detailing the financial contributions of the Partners which are not included in a Pooled Fund in respect of a particular Service as set out in the relevant Scheme Specification

Non-Recurrent Payments means funding provided by a Partner to a Pooled Fund in addition to the Financial Contributions pursuant to arrangements agreed in accordance with Clause 10.

Overspend means any expenditure from a Pooled Fund in a Financial Year which exceeds the Financial Contributions for that Financial Year.

Partner means each of the CCG and the Council, and references to "**Partners**" shall be construed accordingly.

Permitted Budget means in relation to a Service where the Council is the Provider, the budget that the Partners have set in relation to the particular Service.

Personal Data means Personal Data as defined by the 1998 Act.

Pooled Fund means any pooled fund established and maintained by the Partners as a pooled fund in accordance with the Regulations

Pooled Fund Manager means such officer of the Host Partner which includes a Section 113 Officer for the relevant Pooled Fund established under an Individual Scheme as is nominated by the Host Partner from time to time to manage the Pooled Fund in accordance with Clause 10.

Provider means a provider of any Services commissioned under the arrangements set out in this Agreement.

Public Health England means the PSOSH trading as Public Health England.

Quarter means each of the following periods in a Financial Year:

1 April to 30 June

1 July to 30 September

1 October to 31 December

1 January to 31 March

and "**Quarterly**" shall be interpreted accordingly.

Regulations means the means the NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000 No 617 (as amended).

Scheme Specification means a specification setting out the arrangements for an Individual Scheme agreed by the Partners to be commissioned under this Agreement and included in the final Better Care Fund submission.

Sensitive Personal Data means Sensitive Personal Data as defined in the 1998 Act.

Services means such health and social care services as agreed from time to time by the Partners as commissioned under the arrangements set out in this Agreement and more specifically defined in each Scheme Specification.

Services Contract means an agreement for the provision of Services entered into with a Provider by one or more of the Partners in accordance with the relevant Individual Scheme.

Service Users means those individual for whom the Partners have a responsibility to commission the Services.

SOSH means the Secretary of State for Health.

Third Party Costs means all such third party costs (including legal and other professional fees) in respect of each Individual Scheme as a Partner reasonably and properly incurs in the proper performance of its obligations under this Agreement and as agreed by the Partnership Board

Working Day means 8.00am to 6.00pm on any day except Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday (in England) under the Banking & Financial Dealings Act 1971.

- 1.2 In this Agreement, all references to any statute or statutory provision shall be deemed to include references to any statute or statutory provision which amends, extends, consolidates or replaces the same and shall include any orders, regulations, codes of practice, instruments or other subordinate legislation made thereunder and any conditions attaching thereto. Where relevant, references to English statutes and statutory provisions shall be construed as references also to equivalent statutes, statutory provisions and rules of law in other jurisdictions.
- 1.3 Any headings to Clauses, together with the front cover and the index are for convenience only and shall not affect the meaning of this Agreement. Unless the contrary is stated, references to Clauses and Schedules shall mean the clauses and schedules of this Agreement.
- 1.4 Any reference to the Partners shall include their respective statutory successors, employees and agents.
- 1.5 In the event of a conflict, the conditions set out in the Clauses to this Agreement shall take priority over the Schedules.
- 1.6 Where a term of this Agreement provides for a list of items following the word "including" or "includes", then such list is not to be interpreted as being an exhaustive list.

- 1.7 In this Agreement, words importing any particular gender include all other genders, and the term "person" includes any individual, partnership, firm, trust, body corporate, government, governmental body, trust, agency, unincorporated body of persons or association and a reference to a person includes a reference to that person's successors and permitted assigns.
- 1.8 In this Agreement, words importing the singular only shall include the plural and vice versa.
- 1.9 In this Agreement, "staff" and "employees" shall have the same meaning and shall include reference to any full or part time employee or officer, director, manager and agent.
- 1.10 Subject to the contrary being stated expressly or implied from the context in these terms and conditions, all communication between the Partners shall be in writing.
- 1.11 Unless expressly stated otherwise, all monetary amounts are expressed in pounds sterling but in the event that pounds sterling is replaced as legal tender in the United Kingdom by a different currency then all monetary amounts shall be converted into such other currency at the rate prevailing on the date such other currency first became legal tender in the United Kingdom.
- 1.12 All references to the Agreement include (subject to all relevant approvals) a reference to the Agreement as amended, supplemented, substituted, novated or assigned from time to time.

2 TERM

- 2.1 This Agreement shall come into force on the Commencement Date.
- 2.2 The Government have committed funding for the Better Care Fund until March 2019. This Agreement shall therefore continue until 31st March 2019 unless it is terminated beforehand in accordance with Clause 22. When the national position on the future of Better Care Fund beyond 31st March 2019 has been determined the agreement will need to be reviewed. The duration of the arrangements for each Individual Scheme shall be as set out in the relevant Scheme Specification.

3 GENERAL PRINCIPLES

- 3.1 Nothing in this Agreement shall affect:
- 3.1.1 the liabilities of the Partners to each other or to any third parties for the exercise of their respective functions and obligations (including the Functions);
or
- 3.1.2 any power or duty to recover charges for the provision of any services (including the Services) in the exercise of any local authority function.
- 3.2 The Partners agree to:
- 3.2.1 treat each other with respect and an equality of esteem;
- 3.2.2 be open with information about the performance and financial status of each;
and
- 3.2.3 provide early information and notice about relevant problems.
- 3.3 For the avoidance of doubt, the aims and outcomes relating to an Individual Scheme may be set out in the relevant Scheme specification.

4 PARTNERSHIP FLEXIBILITIES

- 4.1 This Agreement sets out the mechanism through which the Partners will work together to establish one or more of the following:

- 4.1.1 Lead Commissioning Arrangements;
 - 4.1.2 the establishment of a Pooled Fund
- in relation to Individual Schemes (the "Flexibilities")

5 FUNCTIONS

- 5.1 The purpose of this Agreement is to establish a framework through which the Partners can secure the provision of health and social care services in accordance with the terms of this Agreement.
- 5.2 This Agreement shall include such functions as shall be agreed from time to time by the Partners.
- 5.3 Where the Partners add a new Individual Scheme to this Agreement a Scheme Specification for each Individual Scheme shall be in the form set out in Scheme Specification in the BCF Submission and shall be completed and agreed between the Partners. The plan for 18/19 is included in Schedule 5.
- 5.4 The Partners shall not enter into a Scheme Specification in respect of an Individual Scheme unless they are satisfied that the Individual Scheme in question will improve health and well-being in accordance with this Agreement.
- 5.5 The introduction of any Individual Scheme will be subject to business case approval by the Health and Social Care Commissioning Advisory Board.

6 COMMISSIONING ARRANGEMENTS

Integrated Commissioning

- 6.1 Whilst there are no formal integrated Commissioning Arrangements associated with this agreement, the CCG and the Council are working together on a number of integration initiatives which are reflected in the Better Care Fund Scheme Specifications.

Appointment of a Lead Commissioner

- 6.2 Where there are Lead Commissioning Arrangements in respect of an Individual Scheme the Lead Commissioner shall:
 - 6.2.1 exercise the NHS Functions in conjunction with the Health Related Functions as identified in the relevant Scheme Specification;
 - 6.2.2 endeavour to ensure that the NHS Functions and the Health Related Functions are funded within the parameters of the Financial Contributions of each Partner in relation to each particular Service in each Financial Year.
 - 6.2.3 commission Services for individuals who meet the eligibility criteria set out in the relevant Scheme Specification;
 - 6.2.4 contract with Provider(s) for the provision of the Services on terms agreed with the other Partners;
 - 6.2.5 comply with all relevant legal duties and guidance of both Partners in relation to the Services being commissioned;
 - 6.2.6 where Services are commissioned using the NHS Standard Form Contract, perform the obligations of the "Commissioner" and "Co-ordinating Commissioner" with all due skill, care and attention and where Services are commissioned using any other form of contract to perform its obligations with all due skill and attention;
 - 6.2.7 undertake performance management and contract monitoring of all Service Contracts;

- 6.2.8 make payment of all sums due to a Provider pursuant to the terms of any Services Contract.
- 6.2.9 keep the other Partners regularly informed of the effectiveness of the arrangements.

7 ESTABLISHMENT OF A POOLED FUND

- 7.1 In exercise of their respective powers under Section 75 of the 2006 Act, the Partners have agreed to establish and maintain such pooled funds for revenue expenditure as set out in the Scheme Specifications.
- 7.2 Each Pooled Fund shall be managed and maintained in accordance with the terms of this Agreement.
- 7.3 It is agreed that the monies held in a Pooled Fund may only be expended on the following:
 - 7.3.1 the Contract Price;
 - 7.3.2 where the Council is to be the Provider, the Permitted Budget;
 - 7.3.3 Approved Expenditure
- 7.4 For the avoidance of doubt, monies held in the Pooled Fund may not be expended on Default Liabilities unless this is agreed by all Partners.
- 7.5 Pursuant to this Agreement, the Partners agree to appoint a Host Partner for each of the Pooled Funds set out in the Scheme Specifications. The Host Partner shall be the Partner responsible for:
 - 7.5.1 holding all monies contributed to the Pooled Fund on behalf of itself and the other Partners;
 - 7.5.2 providing the financial administrative systems for the Pooled Fund; and
 - 7.5.3 appointing the Pooled Fund Manager;
 - 7.5.4 ensuring that the Pooled Fund Manager complies with its obligations under this Agreement.

8 POOLED FUND MANAGEMENT

- 8.1 When introducing a Pooled Fund in respect of an Individual Scheme, the Partners shall agree:
 - 8.1.1 which of the Partners shall act as Host Partner for the purposes of Regulations 7(4) and 7(5) and shall provide the financial administrative systems for the Pooled Fund;
 - 8.1.2 which officer of the Host Partner shall act as the Pooled Fund Manager for the purposes of Regulation 7(4) of the Regulations.
- 8.2 The Pooled Fund Manager in respect of each Individual Service where there is a Pooled Fund shall have the following duties and responsibilities:
 - 8.2.1 the day to day operation and management of the Pooled Fund;
 - 8.2.2 ensuring that all expenditure from the Pooled Fund is in accordance with the provisions of this Agreement and the relevant Scheme Specification;
 - 8.2.3 maintaining an overview of all financial issues affecting the Partners in relation to the Services and the Pooled Fund;

- 8.2.4 ensuring that full and proper records for accounting purposes are kept in respect of the Pooled Fund;
 - 8.2.5 reporting to the Health and Social Care Commissioning Advisory Board as required by the Health and Social Care Commissioning Board and the relevant Scheme Specification;
 - 8.2.6 ensuring action is taken to manage any projected under or overspends relating to the Pooled Fund in accordance with this Agreement;
 - 8.2.7 preparing and submitting to the Health and Social Care Commissioning Advisory Board. Quarterly reports (or more frequent reports if required by the Health and Social Care Commissioning Advisory Board) and an annual return about the income and expenditure from the Pooled Fund together with such other information as may be required by the Partners and the Health and Social Care Commissioning Advisory Board to monitor the effectiveness of the Pooled Fund and to enable the Partners to complete their own financial accounts and returns. The Partners agree to provide all necessary information to the Pooled Fund Manager in time for the reporting requirements to be met.
 - 8.2.8 preparing and submitting reports to the Health and Wellbeing Board as required by it.
- 8.3 In carrying out their responsibilities as provided under Clause 8.2 the Pooled Fund Manager shall have regard to the recommendations of the Health and Social Care Commissioning Advisory Board and shall be accountable to the Partners.
- 8.4 The Health and Social Care Commissioning Advisory Board may agree to the viring of funds between Pooled Funds.

9 NON POOLED FUNDS

- 9.1 For the avoidance of doubt, there will be no non pooled funds in relation to this agreement.

10 FINANCIAL CONTRIBUTIONS

- 10.1 The Financial Contribution of the CCG and the Council to each service is set out in Schedule 5

All financial contributions are made on a block basis. – ie the payments to the service providers are agreed up front as a fixed amount for the year and do not change whatever the level of activity.

- 10.2 With the exception of Clause 13, no provision of this Agreement shall preclude the Partners from making additional contributions of Non-Recurrent Payments to the Pooled Fund from time to time by mutual agreement. Any such additional contributions of Non-Recurrent Payments shall be explicitly recorded in the Health and Social Care Commissioning Advisory Board minutes and recorded in the budget statement as a separate item.

11 NON FINANCIAL CONTRIBUTIONS

- 11.1 The Scheme Specification shall set out non-financial contributions of each Partner including staff (including the Pooled Fund Manager), premises, IT support and other non-financial resources necessary to perform its obligations pursuant to this Agreement (including, but not limited to, management of service contracts and the Pooled Fund).

12 RISK SHARE ARRANGMENTS, OVERSPENDS AND UNDERSPENDS

Risk share arrangements

- 12.1 The partners have agreed to the risk share arrangements as set out in schedule 2 for the financial year 2018/19.

Overspends in Pooled Fund

- 12.2 Subject to Clause 12.1, the Host Partner for the relevant Pooled Fund shall manage expenditure from a Pooled Fund within the Financial Contributions and shall ensure that the expenditure is limited to the Contract Price or Approved Expenditure.
- 12.3 The Host Partner shall not be in breach of its obligations under this Agreement if an Overspend occurs PROVIDED THAT the only expenditure from a Pooled Fund has been in accordance with the terms of this agreement and it has informed the Health and Social Care Commissioning Advisory Board in accordance with Clause 12.4.
- 12.4 In the event that the Pooled Fund Manager identifies an actual or projected Overspend the Pooled Fund Manager must ensure that the Health and Social Care Commissioning Advisory Board is informed as soon as reasonably possible and the provisions of the relevant Scheme Specification and Schedule 2 shall apply.

Default Liabilities and Third Party Costs

- 12.5 There are no known default liabilities or third party costs relating to the areas of activity included in this agreement at the outset. Any default liabilities or third party costs which may arise during the course of the agreement will be the responsibility of each partner for their areas of responsibility in the funding agreement.

13 CAPITAL EXPENDITURE

Apart from the amounts set aside in the expenditure plan for Social Care Capital and Disabled Facilities grants, no Pooled Funds shall normally be applied towards any capital expenditure. If a further need for capital expenditure is identified this must be agreed by the Partners.

14 VAT

The Partners shall agree the treatment of the Pooled Fund for VAT purposes in accordance with any relevant guidance from HM Customs and Excise.

15 AUDIT AND RIGHT OF ACCESS

- 15.1 All Partners shall promote a culture of probity and sound financial discipline and control. The Host Partner shall arrange for the audit of the accounts of the relevant Pooled Fund and shall require the Audit Commission to make arrangements to certify an annual return of those accounts under Section 28(1) of the Audit Commission Act 1998.
- 15.2 All internal and external auditors and all other persons authorised by the Partners will be given the right of access by them to any document, information or explanation they require from any employee, member of the Partner in order to carry out their duties. This right is not limited to financial information or accounting records and applies equally to premises or equipment used in connection with this Agreement. Access may be at any time without notice, provided there is good cause for access without notice.

16 LIABILITIES AND INSURANCE AND INDEMNITY

- 16.1 Subject to Clause 16.2, and 16.3, if a Partner ("First Partner") incurs a Loss arising out of or in connection with this Agreement or the Services Contract as a consequence of any act or omission of another Partner ("Other Partner") which constitutes negligence, fraud or a breach of contract in relation to this Agreement or the Services Contract then the Other Partner shall be liable to the First Partner for that Loss and shall indemnify the First Partner accordingly.
- 16.2 Clause 16.1 shall only apply to the extent that the acts or omissions of the Other Partner contributed to the relevant Loss. Furthermore, it shall not apply if such act or omission occurred as a consequence of the Other Partner acting in accordance with the instructions or requests of the First Partner or the Health and Social Care Commissioning Advisory Board.

- 16.3 If any third party makes a claim or intimates an intention to make a claim against either Partner, which may reasonably be considered as likely to give rise to liability under this Clause 16. the Partner that may claim against the other indemnifying Partner will:
- 16.3.1 as soon as reasonably practicable give written notice of that matter to the Other Partner specifying in reasonable detail the nature of the relevant claim;
 - 16.3.2 not make any admission of liability, agreement or compromise in relation to the relevant claim without the prior written consent of the Other Partner (such consent not to be unreasonably conditioned, withheld or delayed);
 - 16.3.3 give the Other Partner and its professional advisers reasonable access to its premises and personnel and to any relevant assets, accounts, documents and records within its power or control so as to enable the Indemnifying Partner and its professional advisers to examine such premises, assets, accounts, documents and records and to take copies at their own expense for the purpose of assessing the merits of, and if necessary defending, the relevant claim.
- 16.4 Each Partner shall ensure that they maintain policies of insurance (or equivalent arrangements through schemes operated by the National Health Service Litigation Authority) in respect of all potential liabilities arising from this Agreement.
- 16.5 Each Partner shall at all times take all reasonable steps to minimise and mitigate any loss for which one party is entitled to bring a claim against the other pursuant to this Agreement.

17 STANDARDS OF CONDUCT AND SERVICE

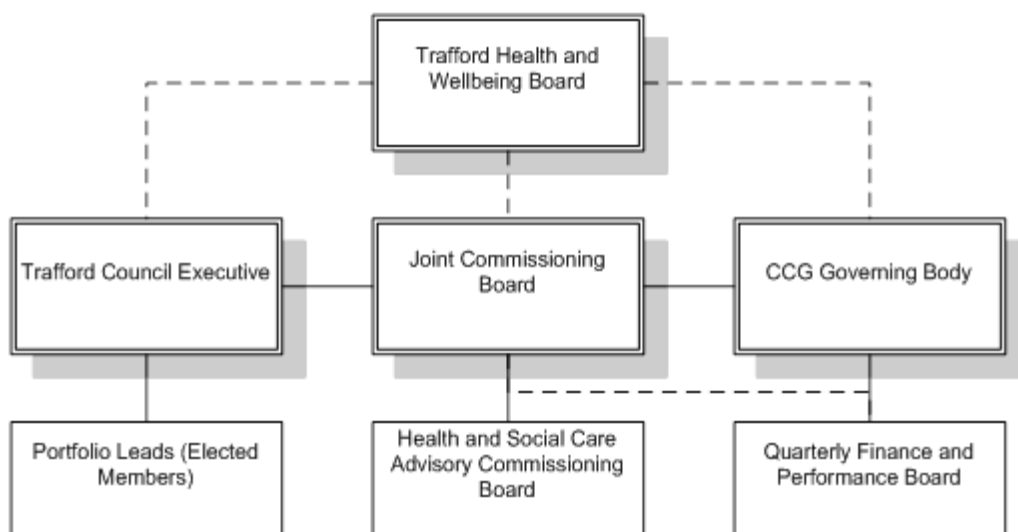
- 17.1 The Partners will at all times comply with Law and ensure good corporate governance in respect of each Partner (including the Partners respective Standing Orders and Standing Financial Instructions).
- 17.2 The Council is subject to the duty of Best Value under the Local Government Act 1999. This Agreement and the operation of the Pooled Fund is therefore subject to the Council's obligations for Best Value and the other Partners will co-operate with all reasonable requests from the Council which the Council considers necessary in order to fulfil its Best Value obligations.
- 17.3 The CCG is subject to the CCG Statutory Duties and these incorporate a duty of clinical governance, which is a framework through which they are accountable for continuously improving the quality of its services and safeguarding high standards of care by creating an environment in which excellence in clinical care will flourish. This Agreement and the operation of the Pooled Funds are therefore subject to ensuring compliance with the CCG Statutory Duties and clinical governance obligations.
- 17.4 The Partners are committed to an approach to equality and equal opportunities as represented in their respective policies. The Partners will maintain and develop these policies as applied to service provision, with the aim of developing a joint strategy for all elements of the service.

18 CONFLICTS OF INTEREST

The Partners shall comply with the agreed policy for identifying and managing conflicts of interest as set out in schedule 6.

19 GOVERNANCE

- 19.1 Overall strategic oversight of partnership working between the partners is vested in the Health and Well Being Board, which for these purposes shall make recommendations to the Partners as to any action it considers necessary.



19.2 The Partners have established a Health and Social Care Commissioning Advisory Board, and part of their remit will be to:

- ensure the overall direction, implementation and successful delivery of the BCF for Trafford.;
- be responsible for joint decisions on the BCF spend and subsequent monitoring;
- oversee the programmes of work identified

19.3 The Health and Social Care Commissioning Advisory Board is based on a joint working group structure. The membership of this group includes the two key Commissioning Sponsors covering both Health and Social Care Commissioning across the CCG and Council. Each member of the Health and Social Care Commissioning Advisory Board shall be an officer of one of the Partners and will have individual delegated responsibility from the Partner employing them to make decisions which enable the Health and Social Care Commissioning Advisory Board to carry out its objects, roles, duties and functions as set out in this Clause 19.

19.4 Each Partner has secured internal reporting arrangements to ensure the standards of accountability and probity required by each Partner's own statutory duties and organisation are complied with.

19.5 The Health and Social Care Commissioning Advisory Board shall be responsible for the overall approval of the Individual Services, ensuring compliance with the Better Care Fund Plan and the strategic direction of the Better Care Fund.

19.6 Each Scheme Specification shall confirm the governance arrangements in respect of the Individual Service and how that Individual Services is reported to the Health and Social Care Commissioning Advisory Board and the Health and Wellbeing Board.

20 REVIEW

20.1 Save where the Health and Social Care Commissioning Advisory Board agrees alternative arrangements (including alternative frequencies) the Partners shall undertake an annual review (“**Annual Review**”) of the operation of this Agreement and the provision of the Services within 3 Months of the end of each Financial Year.

- 20.2 Subject to any variations to this process required by the Health and Social Care Commissioning Advisory Board. Annual Reviews shall be conducted in good faith and, where applicable, in accordance with the governance arrangements set out in clause 19.
- 20.3 The Partners shall within 20 Working Days of the annual review prepare a joint annual report documenting the matters referred to in this Clause 20. A copy of this report shall be provided to the Health and Social Care Commissioning Advisory Board.
- 20.4 In the event that the Partners fail to meet the requirements of the Better Care Fund Plan and NHS England the Partners shall provide full co-operation with NHS England to agree a recovery plan.

21 COMPLAINTS

The Partners' own complaints procedures shall apply to this Agreement. The Partners agree to assist one another in the management of complaints arising from this Agreement or the provision of the Services.

22 TERMINATION & DEFAULT

- 22.1 This Agreement may be terminated by any Partner giving not less than 6 Months' notice in writing to terminate this Agreement provided that such termination shall not take effect prior to the termination or expiry of all Individual Schemes.
- 22.2 Each Individual Scheme may be terminated in accordance with the terms set out in the relevant Scheme Specification provided that the Partners ensure that the Better Care Fund requirements continue to be met.
- 22.3 If any Partner ("Relevant Partner") fails to meet any of its obligations under this Agreement, the other Partners (acting jointly) may by notice require the Relevant Partner to take such reasonable action within a reasonable timescale as the other Partners may specify to rectify such failure. Should the Relevant Partner fail to rectify such failure within such reasonable timescale, the matter shall be referred for resolution in accordance with Clause 23.
- 22.4 Termination of this Agreement (whether by effluxion of time or otherwise) shall be without prejudice to the Partners' rights in respect of any antecedent breach.
- 22.5 Upon termination of this Agreement for any reason whatsoever the following shall apply:
- 22.5.1 the Partners agree that they will work together and co-operate to ensure that the winding down and disaggregation of the integrated and joint activities to the separate responsibilities of the Partners is carried out smoothly and with as little disruption as possible to service users, employees, the Partners and third parties, so as to minimise costs and liabilities of each Partner in doing so;
- 22.5.2 where either Partner has entered into a Service Contract which continues after the termination of this Agreement, both Partners shall continue to contribute to the Contract Price in accordance with the agreed contribution for that Service prior to termination and will enter into all appropriate legal documentation required in respect of this;
- 22.5.3 the Lead Commissioner shall make reasonable endeavours to amend or terminate a Service Contract (which shall for the avoidance of doubt not include any act or omission that would place the Lead Commissioner in breach of the Service Contract) where the other Partner requests the same in writing Provided that the Lead Commissioner shall not be required to make any payments to the Provider for such amendment or termination unless the Partners shall have agreed in advance who shall be responsible for any such payment.
- 22.5.4 where a Service Contract held by a Lead Commissioner relates all or partially to services which relate to the other Partner's Functions then provided that the Service Contract allows the other Partner may request that the Lead

Commissioner assigns the Service Contract in whole or part upon the same terms mutatis mutandis as the original contract.

22.5.5 the Health and Social Care Commissioning Advisory Board shall continue to operate for the purposes of functions associated with this Agreement for the remainder of any contracts and commitments relating to this Agreement; and

22.5.6 Termination of this Agreement shall have no effect on the liability of any rights or remedies of either Partner already accrued, prior to the date upon which such termination takes effect.

22.6 In the event of termination in relation to an Individual Scheme the provisions of Clause 22.5 shall apply mutatis mutandis in relation to the Individual Scheme (as though references as to this Agreement were to that Individual Scheme).

23 DISPUTE RESOLUTION

23.1 In the event of a dispute between the Partners arising out of this Agreement, either Partner may serve written notice of the dispute on the other Partner, setting out full details of the dispute.

23.2 The Authorised Officers shall meet in good faith as soon as possible and in any event within seven (7) days of notice of the dispute being served pursuant to Clause 23.1, at a meeting convened for the purpose of resolving the dispute.

23.3 If the dispute remains after the meeting detailed in Clause 23.2 has taken place, the Partners' respective chief executive/ chief operating officer or nominees shall meet in good faith as soon as possible after the relevant meeting and in any event with fourteen (14) days of the date of the meeting, for the purpose of resolving the dispute.

23.4 If the dispute remains after the meeting detailed in Clause 23.3 has taken place, then the Partners will attempt to settle such dispute by mediation in accordance with the CEDR Model Mediation Procedure or any other model mediation procedure as agreed by the Partners. To initiate a mediation, either Partner may give notice in writing (a "**Mediation Notice**") to the other requesting mediation of the dispute and shall send a copy thereof to CEDR or an equivalent mediation organisation as agreed by the Partners asking them to nominate a mediator. The mediation shall commence within twenty (20) Working Days of the Mediation Notice being served. Neither Partner will terminate such mediation until each of them has made its opening presentation and the mediator has met each of them separately for at least one (1) hour. Thereafter, paragraph 14 of the Model Mediation Procedure will apply (or the equivalent paragraph of any other model mediation procedure agreed by the Partners). The Partners will co-operate with any person appointed as mediator, providing him with such information and other assistance as he shall require and will pay his costs as he shall determine or in the absence of such determination such costs will be shared equally.

23.5 Nothing in the procedure set out in this Clause 23 shall in any way affect either Partner's right to terminate this Agreement in accordance with any of its terms or take immediate legal action.

24 FORCE MAJEURE

24.1 Neither Partner shall be entitled to bring a claim for a breach of obligations under this Agreement by the other Partner or incur any liability to the other Partner for any losses or damages incurred by that Partner to the extent that a Force Majeure Event occurs and it is prevented from carrying out its obligations by that Force Majeure Event.

24.2 On the occurrence of a Force Majeure Event, the Affected Partner shall notify the other Partner as soon as practicable. Such notification shall include details of the Force Majeure Event, including evidence of its effect on the obligations of the Affected Partner and any action proposed to mitigate its effect.

24.3 As soon as practicable, following notification as detailed in Clause 24.2, the Partners shall consult with each other in good faith and use all best endeavours to agree

appropriate terms to mitigate the effects of the Force Majeure Event and, subject to Clause 24.4, facilitate the continued performance of the Agreement.

- 24.4 If the Force Majeure Event continues for a period of more than sixty (60) days, either Partner shall have the right to terminate the Agreement by giving fourteen (14) days written notice of termination to the other Partner. For the avoidance of doubt, no compensation shall be payable by either Partner as a direct consequence of this Agreement being terminated in accordance with this Clause.

25 CONFIDENTIALITY

- 25.1 In respect of any Confidential Information a Partner receives from another Partner (the "**Discloser**") and subject always to the remainder of this Clause 25, each Partner (the "**Recipient**") undertakes to keep secret and strictly confidential and shall not disclose any such Confidential Information to any third party, without the Discloser's prior written consent provided that:

25.1.1 the Recipient shall not be prevented from using any general knowledge, experience or skills which were in its possession prior to the Commencement Date; and

25.1.2 the provisions of this Clause 25 shall not apply to any Confidential Information which:

(a) is in or enters the public domain other than by breach of the Agreement or other act or omission of the Recipient; or

(b) is obtained by a third party who is lawfully authorised to disclose such information.

- 25.2 Nothing in this Clause 25 shall prevent the Recipient from disclosing Confidential Information where it is required to do so in fulfilment of statutory obligations or by judicial, administrative, governmental or regulatory process in connection with any action, suit, proceedings or claim or otherwise by applicable Law.

- 25.3 Each Partner:

25.3.1 may only disclose Confidential Information to its employees and professional advisors to the extent strictly necessary for such employees to carry out their duties under the Agreement; and

25.3.2 will ensure that, where Confidential Information is disclosed in accordance with Clause 25.3.1, the recipient(s) of that information is made subject to a duty of confidentiality equivalent to that contained in this Clause 25;

25.3.3 shall not use Confidential Information other than strictly for the performance of its obligations under this Agreement.

26 FREEDOM OF INFORMATION AND ENVIRONMENTAL PROTECTION REGULATIONS

- 26.1 The Partners agree that they will each cooperate with each other to enable any Partner receiving a request for information under the 2000 Act or the 2004 Act to respond to a request promptly and within the statutory timescales. This cooperation shall include but not be limited to finding, retrieving and supplying information held, directing requests to other Partners as appropriate and responding to any requests by the Partner receiving a request for comments or other assistance.

- 26.2 Any and all agreements between the Partners as to confidentiality shall be subject to their duties under the 2000 Act and 2004 Act. No Partner shall be in breach of Clause 26 if it makes disclosures of information in accordance with the 2000 Act and/or 2004 Act.

27 OMBUDSMEN

The Partners will co-operate with any investigation undertaken by the Health Service Commissioner for England or the Local Government Commissioner for England (or both of them) in connection with this Agreement.

28 INFORMATION SHARING

The Partners will follow the Information Governance Protocol set out in schedule 7, and in so doing will ensure that the operation of this Agreement complies with Law, in particular the 1998 Act.

29 NOTICES

29.1 Any notice to be given under this Agreement shall either be delivered personally or sent by facsimile or sent by first class post or electronic mail. The address for service of each Partner shall be as set out in Clause 29.3 or such other address as each Partner may previously have notified to the other Partner in writing. A notice shall be deemed to have been served if:

29.1.1 personally delivered, at the time of delivery;

29.1.2 sent by facsimile, at the time of transmission;

29.1.3 posted, at the expiration of forty eight (48) hours after the envelope containing the same was delivered into the custody of the postal authorities; and

29.1.4 if sent by electronic mail, at the time of transmission and a telephone call must be made to the recipient warning the recipient that an electronic mail message has been sent to him (as evidenced by a contemporaneous note of the Partner sending the notice) and a hard copy of such notice is also sent by first class recorded delivery post (airmail if overseas) on the same day as that on which the electronic mail is sent.

29.2 In proving such service, it shall be sufficient to prove that personal delivery was made, or that the envelope containing such notice was properly addressed and delivered into the custody of the postal authority as prepaid first class or airmail letter (as appropriate), or that the facsimile was transmitted on a tested line or that the correct transmission report was received from the facsimile machine sending the notice, or that the electronic mail was properly addressed and no message was received informing the sender that it had not been received by the recipient (as the case may be).

29.3 The address for service of notices as referred to in Clause 29.1 shall be as follows unless otherwise notified to the other Partner in writing:

29.3.1 if to the Council, addressed to Jim Taylor, the Chief Executive, Trafford Metropolitan Borough Council

Tel: 0161 912 1886

Fax: 0161 912 4199

E.Mail: jim.taylor@trafford.gov.uk

and

29.3.2 if to the CCG, addressed to Anthony Hassall, Interim Accountable Officer

Tel: 0161 873 9531

Fax: N/A

E.Mail: Anthony.hassall@nhs.net

30 VARIATION

No variations to this Agreement will be valid unless they are recorded in writing and signed for and on behalf of each of the Partners.

31 CHANGE IN LAW

- 31.1 The Partners shall ascertain, observe, perform and comply with all relevant Laws, and shall do and execute or cause to be done and executed all acts required to be done under or by virtue of any Laws.
- 31.2 On the occurrence of any Change in Law, the Partners shall agree in good faith any amendment required to this Agreement as a result of the Change in Law subject to the Partners using all reasonable endeavours to mitigate the adverse effects of such Change in Law and taking all reasonable steps to minimise any increase in costs arising from such Change in Law.
- 31.3 In the event of failure by the Partners to agree the relevant amendments to the Agreement (as appropriate), the Clause 23 (Dispute Resolution) shall apply.

32 WAIVER

No failure or delay by any Partner to exercise any right, power or remedy will operate as a waiver of it nor will any partial exercise preclude any further exercise of the same or of some other right to remedy.

33 SEVERANCE

If any provision of this Agreement, not being of a fundamental nature, shall be held to be illegal or unenforceable, the enforceability of the remainder of this Agreement shall not thereby be affected.

34 ASSIGNMENT AND SUB CONTRACTING

The Partners shall not sub contract, assign or transfer the whole or any part of this Agreement, without the prior written consent of the other Partners, which shall not be unreasonably withheld or delayed. This shall not apply to any assignment to a statutory successor of all or part of a Partner's statutory functions.

35 EXCLUSION OF PARTNERSHIP AND AGENCY

- 35.1 Nothing in this Agreement shall create or be deemed to create a partnership under the Partnership Act 1890 or the Limited Partnership Act 1907, a joint venture or the relationship of employer and employee between the Partners or render either Partner directly liable to any third party for the debts, liabilities or obligations of the other.
- 35.2 Except as expressly provided otherwise in this Agreement or where the context or any statutory provision otherwise necessarily requires, neither Partner will have authority to, or hold itself out as having authority to:
 - 35.2.1 act as an agent of the other;
 - 35.2.2 make any representations or give any warranties to third parties on behalf of or in respect of the other; or
 - 35.2.3 bind the other in any way.

36 THIRD PARTY RIGHTS

Unless the right of enforcement is expressly provided, no third party shall have the right to pursue any right under this Contract pursuant to the Contracts (Rights of Third Parties) Act 1999 or otherwise.

37 ENTIRE AGREEMENT

- 37.1 The terms herein contained together with the contents of the Schedules constitute the complete agreement between the Partners with respect to the subject matter hereof and supersede all previous communications representations understandings and agreement

and any representation promise or condition not incorporated herein shall not be binding on any Partner.

- 37.2 No agreement or understanding varying or extending or pursuant to any of the terms or provisions hereof shall be binding upon any Partner unless in writing and signed by a duly authorised officer or representative of the parties.

38 COUNTERPARTS

This Agreement may be executed in one or more counterparts. Any single counterpart or a set of counterparts executed, in either case, by all Partners shall constitute a full original of this Agreement for all purposes.

39 GOVERNING LAW AND JURISDICTION

- 39.1 This Agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the laws of England and Wales.
- 39.2 Subject to Clause 23 (Dispute Resolution), the Partners irrevocably agree that the courts of England and Wales shall have exclusive jurisdiction to hear and settle any action, suit, proceedings, dispute or claim, which may arise out of, or in connection with, this Agreement, its subject matter or formation (including non-contractual disputes or claims).

IN WITNESS WHEREOF this Agreement has been executed by the Partners on the date of this Agreement

THE CORPORATE SEAL of **THE**)
COUNCIL OF [])
was hereunto affixed in the presence of:)

Signed for on behalf of **CLINICAL
COMMISSIONING GROUP**

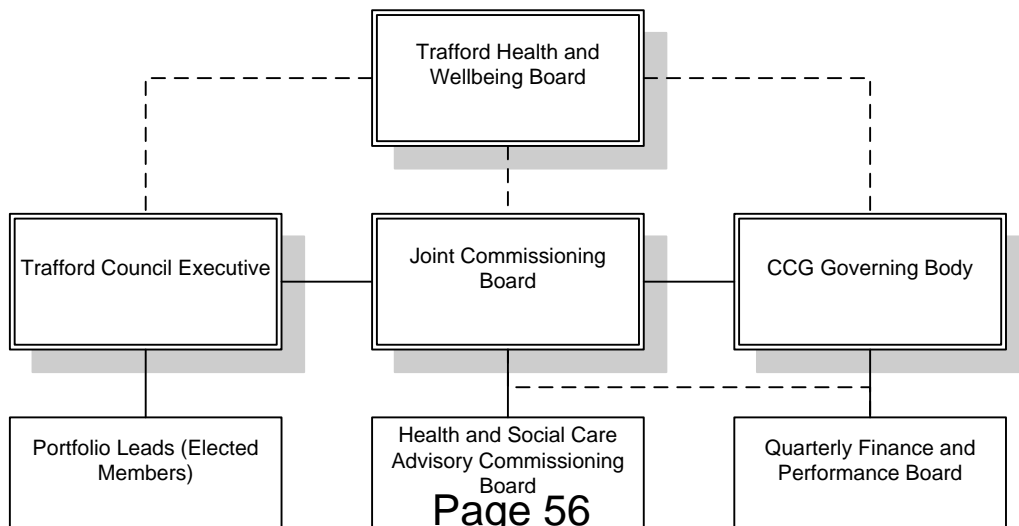
Authorised Signatory

SCHEDULE 1– GOVERNANCE

The Better Care Fund is accountable to:

- **NHS England:** The approval of the Better Care Fund for 17-19 will be required to go through the approval process as set out in the Better Care Fund guidance for 17-19. The quarterly assurance reporting will also need to be completed and Trafford CCG will lead this process with input from the individual schemes as required. In addition to individual scheme performance, overall reporting on the finances and the performance of the national indicators will be provided.
- **Trafford Health and Wellbeing Board (HWB):** Overall strategic oversight of partnership working between the partners is vested in the Health and Well Being Board, which for these purposes shall make recommendations to the Partners as to any action it considers necessary. Trafford Council and Trafford CCG must seek sign off of the Better Care Fund from the HWB. There will also be annual assurance required to the HWB reporting on performance of the Better Care fund.
- **Health and Social Care Advisory Commissioning Board:** This board will have an overview of the BCF and will receive reports and papers as required on the schemes that make up the better care fund. Risks or issues will be escalated to this board as required. Performance reports will be sent to the board on a quarterly basis. In summary, the board will:
 - ensure the overall direction, implementation and successful delivery of the BCF for Trafford
 - be responsible for joint decisions on the BCF spend and subsequent monitoring;
 - oversee the programmes of work identified
- **Each organisation will be responsible for taking decisions through the existing governance structures.**
 - Trafford Council will involve elected members as required through regular meetings with portfolio leads, as well as taking any key decisions through to Trafford Council Executive.
 - Trafford CCG will take key decisions through the CCG quarterly finance performance board and the CCG governing body.

The diagram below illustrates the significant boards through which the Better Care Fund will be governed, and their relationships to one another.



SCHEDULE 2– RISK SHARE, OVERSPENDS AND UNDERSPENDS

Risk Share

It has been agreed by both parties that there will not be a contingency fund on a payment by performance approach but that each organisation will meet its own risks with regards to performance.

Overspends

In the event that the CCG or the Council identify at any period during a financial year that there will be insufficient budgetary provision to meet the likely expenditure for the current financial year then expenditure shall be managed by each organisation who will be responsible for meeting their own overspends should they occur.

Underspends

In the event that the CCG or the Council identify at any period during a financial year that there will be underspends then this will be managed by each organisation who will in the first instance be able to meet any overspends in any of their other schemes should this occur. Any underspends remaining after this will be reported back to the Health and Social Care Commissioning Advisory Board where decisions on its investment will be made.

SCHEDULE 3– JOINT WORKING OBLIGATIONS

Part 1 – LEAD COMMISSIONER OBLIGATIONS

Terminology used in this Schedule shall have the meaning attributed to it in the NHS Standard Form Contract save where this Agreement or the context requires otherwise.

- 1 The Lead Commissioner shall notify the other Partners if it receives or serves:
 - 1.1 a Change in Control Notice;
 - 1.2 a Notice of a Event of Force Majeure;
 - 1.3 a Contract Query;
 - 1.4 Exception Reportsand provide copies of the same.
- 2 The Lead Commissioner shall provide the other Partners with copies of any and all:
 - 2.1 CQUIN Performance Reports;
 - 2.2 Regular Activity Reports;
 - 2.3 Review Records; and
 - 2.4 Remedial Action Plans;
 - 2.5 JI Reports;
 - 2.6 Service Quality Performance Report;
- 3 The Lead Commissioner shall consult with the other Partners before attending:
 - 3.1 an Activity Management Meeting;
 - 3.2 Contract Management Meeting;
 - 3.3 Review Meeting;and, to the extent the Service Contract permits, raise issues reasonably requested by a Partner at those meetings.
- 4 The Lead Commissioner shall not:
 - 4.1 permanently or temporarily withhold or retain monies pursuant to the Withholding and Retaining of Payment Provisions;
 - 4.2 vary any Provider Plans (excluding Remedial Action Plans);
 - 4.3 agree (or vary) the terms of a Joint Investigation or a Joint Action Plan;
 - 4.4 give any approvals under the Service Contract;
 - 4.5 agree to or propose any variation to the Service Contract (including any Schedule or Appendices);
 - 4.6 suspend all or part of the Services;
 - 4.7 serve any notice to terminate the Service Contract (in whole or in part);
 - 4.8 serve any notice;

- 4.9 agree (or vary) the terms of a Succession Plan;
without the prior approval of the other Partners (acting through the [JCB]) such approval not to be unreasonably withheld or delayed.
- 5 The Lead Commissioner shall advise the other Partners of any matter which has been referred for dispute and agree what (if any) matters will require the prior approval of one or more of the other Partners as part of that process.
- 6 The Lead Commissioner shall notify the other Partners of the outcome of any Dispute that is agreed or determined by Dispute Resolution
- 7 The Lead Commissioner shall share copies of any reports submitted by the Service Provider to the Lead Commissioner pursuant to the Service Contract (including audit reports)

Part 2 – OBLIGATIONS OF THE OTHER PARTNER

Terminology used in this Schedule shall have the meaning attributed to it in the NHS Standard Form Contract save where this Agreement or the context requires otherwise.

- 1 Each Partner shall (at its own cost) provide such cooperation, assistance and support to the Lead Commissioner (including the provision of data and other information) as is reasonably necessary to enable the Lead Commissioner to:
- 1.1 resolve disputes pursuant to a Service Contract;
- 1.2 comply with its obligations pursuant to a Service Contract and this Agreement;
- 1.3 ensure continuity and a smooth transfer of any Services that have been suspended, expired or terminated pursuant to the terms of the relevant Service Contract;
- 2 No Partner shall unreasonably withhold or delay consent requested by the Lead Commissioner.
- 3 Each Partner (other than the Lead Commissioner) shall:
- 3.1 comply with the requirements imposed on the Lead Commissioner pursuant to the relevant Service Contract in relation to any information disclosed to the other Partners;
- 3.2 notify the Lead Commissioner of any matters that might prevent the Lead Commissioner from giving any of the warranties set out in a Services Contract or which might cause the Lead Commissioner to be in breach of warranty.

SCHEDULE 4 – PERFORMANCE ARRANGEMENTS

The main area of performance monitoring is non-elective admissions to acute hospitals for Trafford CCG patients.

This is measured against a baseline of the previous year's activity.

There are also a number of subsidiary performance measures

The full list of reported measures is as follows:

- Reduction in non-elective admissions
- Reduction in permanent residential and care home admissions
- Increased effectiveness of reablement
- Reduction in delayed transfers of care

National Conditions

- Plans need to be jointly agreed;
- NHS contribution to Adult Social Care is maintained in line with inflation
- Agreement to invest in NHS Commissioned Out of Hospital services, which may include 7 day services and adult social care
- Managing Transfers of Care (a new condition introduced in 2017 to ensure peoples care transfers smoothly between services and settings)

Details of measures are as included in the final BCF submission Part 2 – performance metrics.

Reports on performance against each of these measures will be presented to the Health and Social Care Commissioning Advisory Board on a quarterly basis.

SCHEDULE 5– BETTER CARE FUND PLAN

2018/19 Better Care Fund Plan

Scheme Name	Area of Spend	Commissioner	2018/19 £'000
Community Nursing	Health	CCG	3,623
End of Life Services	Health	CCG	2,210
Intermediate Care	Health	CCG	900
TCC	Health	CCG	823
Community geriatrics	Community Health	CCG	100
Nursing Homes	Primary Care	CCG	1,103
Alternative to treat (ATT)	Primary Care	CCG	429
Integrated crisis and rapid response services	Social Care	Local Authority	600
Early supported hospital discharge schemes	Social Care	Local Authority	450
Discharge to assess	Social Care	Local Authority	1,042
Capacity and flow in hospitals	Social Care	Local Authority	300
Joint health and care teams	Social Care	Local Authority	559
Stabilise and make safe	Social Care	Local Authority	400
Better care at home	Social Care	Local Authority	450
Community equipment & adaptations	Social Care	Local Authority	550
Asset based community capacity	Social Care	Local Authority	195
Quality assurance and improvement	Social Care	Local Authority	72
Carers	Social Care	Local Authority	499
Advocacy	Social Care	Local Authority	91
Market stabilisation	Social Care	Local Authority	1,700
Social care client packages	Social Care	Local Authority	4,570
Disabled facilities grant	Social Care	Local Authority	2,017
Total Better Care Fund			22,683

All payments for the services above are block payments and will not vary with any levels of activity.

SCHEDULE 6– POLICY FOR THE MANAGEMENT OF CONFLICTS OF INTEREST

See current NHS Trafford Policy:

<http://www.traffordccg.nhs.uk/wp-content/uploads/2014/05/Conflicts-of-Interest-Policy-v1-270913.pdf>

SCHEDULE 7 – INFORMATION GOVERNANCE PROTOCOL

The parties acknowledge their duties with regards to Information Governance and in particular to the requirements of the Data Protection Act 1998 and the Freedom of Information Act 2000. The parties are required to ensure that technical and organisational processes and procedures are in place to protect and secure personal confidential / sensitive data. The parties must only process personal confidential / sensitive data which are necessary. Key aspects of compliance include Information Governance / data protection training for all staff, incident reporting processes, technical / encryption tools to ensure personal confidential data (pcd) is stored and transported securely, assistance with Freedom of Information and Subject Access Requests when required, having an up to date Information Commissioners Office (ICO) notification, having a nominated data protection / Information Governance lead and maintenance of and / or progress to achieving level 2 for the Information Governance Toolkit. Further detailed information on the Trafford CCG policy can be found in the “Information Governance Clause”:

Information Governance Contract Clause

Trafford CCG

❖ **Table of Contents**



[1. Introduction](#) 36

[2. Rationale](#) 38

[3. Legislation and guidance](#) 38

[4. Contractor / Suppliers responsibilities](#) 39

❖ [4.1 Information Governance Toolkit](#) 39

❖ [4.2 Data Protection and Information Security](#) 39

[5. Freedom of Information](#) 40

❖ [5.1 Records Management](#) 41

[6. Incident Reporting](#) 41

[7. Monitoring and Review](#) 43

INFORMATION GOVERNANCE CONTRACT CLAUSE

1. Introduction

The aim of this Information Governance Contract Clause is to ensure that a supplier / third party / contractor / provider who has access to personal confidential data (PCD) and / or sensitive information, via a service or support arrangement they provide to the CCG, has effective Information Governance requirements in place. This ensures that the confidentiality and security of personal and sensitive information is protected. This increases public confidence that the NHS and its partners can be trusted with personal confidential data and sensitive data.

The NHS holds the most sensitive and confidential information about individuals and is bound by the Data Protection Act 1998. When sharing data with external parties or is processed by a third party, we must adhere to Principle 7 which states that:

“Appropriate technical and organisational measures shall be taken against unauthorised and or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.”

Therefore all Data Processors acting on behalf of the CCG or under instruction from the CCG must adhere to the Data Protection Act 1998 and afford the appropriate security to the information it may hold/process where the CCG is the Data Controller. Measures include statements regarding information security, controls for physical security and access control, ensuring Business Continuity is implemented, information governance training for staff is in place and incident reporting procedures are followed and monitored. Failure to do so may lead to the CCG seeking damages if a breach/data loss occurs.”

On site contractors / third parties

Contractors, suppliers and / or third parties may be located on-site for a period of time as defined within their contract. They include the following types of staff:

- Hardware and software maintenance and support staff
- Cleaning, catering, security guards and any other outsourced support services
- Consultancy and IT contract support staff
- Temporary agency staff

It is important that those who work for contractors, suppliers and / or third parties are aware of Information Governance requirements; what you can and can't do and who you should contact if things go wrong. The CCG also needs to know what security arrangements / controls the third party has in place such as:

- Do you have adequate security controls, policies and training?
- Are your staff screened prior to commencing employment
- Do you have necessary skills to train your staff regarding confidentiality and data protection?

Data protection legislation (Data Protection Act 1998) imposes formal obligations on data controllers (the CCG) that use third party processors to ensure that the processing by the data processor is carried out under a contract, which is made or evidenced in writing, to state that the data processor is to act only on instructions from the data controller.

For the purposes of this document, the term 'contractor' applies to anybody undertaking

work for or with the CCG.

All personnel who may come into contact with any Personal Identifiable Data, Personal Confidential Data (PCD), sensitive or business confidential (definitions of each type of data are below) information must follow this agreement. This covers information held manually (for example, on paper) or electronically and also information heard during a visit to any CCG site or access to any systems containing PCD. It applies to any combination of information, which enables the identification of a patient or a member of staff, either directly or indirectly.

All third party contractors working on site must sign the Confidentiality Agreement for Third Parties.

Personal Data (Identifiable Data)

As per the Data Protection Act 1998, and defined by the ICO:

- “Personal data means data which relate to a living individual who can be identified:

- (a) from those data, or

- (b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller, and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual”.

The House of Lords decided a case which addressed a number of issues with a direct bearing on what constitutes personal information. It gives comfort to the view that:

“ . . . pseudonymous information may be disclosed like anonymous information so long as the key to the re-identification is only held by the discloser. This may be of considerable significance to those in the health sector, who often need access to uniquely coded data for research purposes, but where the recipient of the information does not need access to the code.”

Where identifiable data is required there should be consent from the patient or it will be clear that there is a secure statutory basis for the requirement such as Section 251 approval. Examples of identifiable data are:

- Name
- Address
- Postcode
- Date of Birth
- NHS Number

Sensitive Data

Sensitive personal data is different from Personal Data. Sensitive personal data means personal data consisting of information as to:

- (a) the racial or ethnic origin of the data subject,

- (b) their political opinions,
- (c) their religious beliefs or other beliefs of a similar nature,
- (d) whether a member of a trade union (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992),
- (e) their physical or mental health or condition,
- (f) their sexual life,
- (g) the commission or alleged commission of any offence, or
- (h) any proceedings for any offence committed or alleged to have been committed, the disposal of such proceedings or the sentence of any court in such proceedings.

Personal Confidential Data (PCD)

This is a term used in the **Caldicott Information Governance Review** and describes personal information about identified or identifiable individuals, which should be kept private or secret and includes dead as well as living people.

The review interpreted 'personal' as including the Data Protection Act definition of personal data, but included data relating to the deceased as well as living people, and 'confidential' includes both information 'given in confidence' and 'that which is owed a duty of confidence' and is adapted to include 'sensitive' as defined in the Data Protection Act.

Business Confidential / Commercial Sensitive Data

This is data which is deemed by the organisation to be confidential and / or commercially sensitive regarding the business activities / reports / documents of the CCG.

The public entrust the NHS with, or allow us to gather, personal and sensitive information relating to the clinical and business activities of the NHS where this is justified. They do so in confidence and they have a legitimate expectation that all persons who may be exposed to, or process information will respect the confidentiality of that information and act appropriately. It is essential, if the legal requirements are to be met, that the NHS provides, and is seen to provide, a confidential service in all of their clinical and business activities.

2. Rationale

The CCG is under common law duty to ensure that confidential information is protected from inappropriate disclosure. Furthermore, under Principle 1 of the Data Protection Act 1998, personal information must be processed lawfully. This is also emphasised in the Information Governance Toolkit requirements, the NHS Confidentiality Code of Conduct (2003) and the HSCIC Guide to Confidentiality (2013).

The CCG will only be able to comply with these conditions where it has ensured that third parties with whom they have contracts with are subject to, and comply with, patient confidentiality, information security, freedom of information and data protection legislation and requirements.

3. Legislation and guidance

The following is a list of legislation and guidance for safeguarding personal confidential data and sensitive data:

- Information Governance Toolkit (Department of Health / Health and Social Care Information Centre)

- Data Protection Act 1998
- Freedom of Information Act 2000
- Environmental Information Regulations 2004
- Computer Misuse Act 1990
- Human Rights Act 1998
- Re-use of Public Sector Information Regulations 2005
- Privacy and Electronic Communications Regulations 2003
- A guide to confidentiality in health and social care (HSCIC) 2013
- Confidentiality: NHS Code of Practice 2003
- Caldicott Principles
- Common Law Duty of Confidentiality
- Records Management: NHS Code of Practice 2006
- NHS Care Records Guarantee, Commitment 9
- Information Security: NHS Code of Practice 2006
- NHS Information Risk Management 2009
- Checklist for the Reporting, Managing and Investigating Information Governance Serious Incident Requiring Investigation (IG SIRI's) 2013

4. Contractor / Suppliers responsibilities

Contractors / Suppliers must ensure that they have read and comply with this agreement and other relevant Information Governance policies and procedures. Contractors must comply with the following:

4.1 Information Governance Toolkit

The supplier / contractor shall work towards achieving standards outlined in the Information Governance Toolkit. This is a useful framework to help organisations comply with Information Governance legislation and the law such as the Data Protection Act 1998. It is expected that organisations attain a minimum level 2 performance against all relevant requirements applicable to it, if they:

- a) Have access to personal confidential data via N3 connection
- b) Have access to personal confidential data via other means of access – on site, paper copies

Where the supplier / contractor has not achieved the minimum requirement, the Data Controller (the CCG) may, in its sole discretion, agree a plan with the supplier / contractor which enables the CCG to obtain assurance that there are adequate data protection and security arrangements in place. This will be dependent upon the size and turnover of the organisation.

The CCG has the right to audit a contractors / suppliers Information Governance Toolkit assessment as and when required in order to provide assurance.

4.2 Data Protection and Information Security

4.2.1 Notification

The Contractor (where access is required to personal confidential data (PCD)) must certify that they are notified with the Information Commissioners Office under the Data Protection Act 1998. To check if you are required to notify, please visit the ICO website

(www.ico.gov.uk).

4.2.2 Technical and organisational measures

The Supplier / Contractor must put in place technical and organisational measures against any unauthorised or unlawful processing of personal data, and against any accidental loss or destruction of or damage to such personal data.

The Supplier / Contractor must take reasonable steps to ensure the reliability of staff who will have access to personal confidential data, and ensure that staff are aware of and trained in the policies and procedures relating to Information Governance.

4.2.2 Limitations on disclosure and use of personal confidential data

You must ensure that no personal confidential data (PCD) or sensitive data is transferred, transmitted, disclosed or transported inappropriately to any media, equipment and / or device unless the data is encrypted to the NHS standard and approved.

4.2.3 Security and Data Protection standards

When personal confidential data is in your custody, it must be kept secure and confidential at all times.

Any personal confidential data sent from one location to another by or for the contractor shall be carried out utilising safe haven locations and processes at all times. Areas must be risk assessed to ensure personal confidential data is received in a secure area where no unauthorised access may occur.

The CCG shall arrange for the equipment or software to be maintained, repaired or tested using dummy data that does not include the disclosure of any personal identifiable data.

If data is to be transferred overseas, then the eighth data protection principle must be observed: Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data. (The EEA consists of the EU member states and Iceland, Norway and Liechtenstein). Before a transfer takes place, the Data Controller must be consulted.

4.2.4 Restrictions

The Contractor should only act on instructions from the CCG (data controller) regarding the use, transfer and / or storage of information it receives or has access to.

Changes regarding the use of information between the CCG and the contractor should only take place following authorisation by the Information Asset Owner for the system / information asset, or other accountable personnel within the CCG.

5. Freedom of Information

The Freedom of Information Act 2000 gives anyone the right to ask any public body for all the information they have on any subject. Unless there's a good reason, the CCG must provide the information within 20 working days.

Most third parties categorise all contracting documentation as confidential and not for disclosure outside of the contracting parties. In light of the Freedom of Information Act this

'confidentiality' may not apply.

As a contractor, you must be aware of the CCG's obligations and its responsibilities under the Freedom of Information Act 2000. This may mean that information which the CCG holds about your organisation may be subject to disclosure in response to a Freedom of Information request. A document may have been categorised as confidential but the CCG may be obliged to disclose the document, or parts of it, to an applicant making a request under the Freedom of Information Act 2000.

If you provide any information to the CCG in the expectation that it will be held in confidence then you must make clear in your documentation as to the information to which you consider a duty of confidentiality applies. The use of blanket protective markings such as "commercial in confidence" will no longer be appropriate and a clear indication as to what material is to be considered confidential and why should be provided.

In certain circumstances and in accordance with the code of practice issued under section 45 of the Freedom of Information Act 2000, the CCG may consider it appropriate to ask you for your views as to the release of any information before the CCG makes a decision as to how to respond to a request. In dealing with Freedom of Information requests, the CCG has to comply with strict timetable and it would therefore expect a timely response to any such consultation within the time period stated to you at the time.

The CCG cannot accept that trivial information or information which its very nature cannot be regarded as confidential should be subject to any obligation of confidence.

In certain circumstances where information has not been provided in confidence, the CCG may still wish to consult with you as to the application of any other exemption such as that relating to disclosure may prejudice the commercial interests of any party. However, the decision as to what information will be disclosed will be reserved with the CCG.

5.1 Records Management

A record is anything that contains information, in any media, which has been created or gathered as a result of any aspect of the work carried out. All records need to be managed in a way that allows the information contained within them to be available when they are needed, where they are needed, about whom they are needed by the person who needs them. Contractors must abide by the Records Management: NHS Code of Practice regarding the management of records. Further information can be sought in the CCG's Corporate Records Management Policy and Corporate Records Management Procedure.

6. Incident Reporting

If an Information Governance incident occurs whilst you are working for or on behalf of the CCG, you must report this as soon as possible to your management according to your incident reporting procedures. This must also be reported to the CCG as soon as possible. Please report to the Information Governance Team / Senior Information Governance Officer and / or the Caldicott Guardian. The incident must be formally documented using your organisations incident reporting processes. Any information security or confidentiality breaches made by supplier's employees, agents or sub-contractors must be immediately reported.

The CCG expects an escalation process and action plan in order to resolve problems relating to any incidents / breaches of security and / or confidentiality of personal information by the contractor.

It is imperative that incidents are reported in order:

1. To maintain the security of the CCG's information and information processing facilities that are accessed, processed, communicated to, or managed by external parties.
2. To implement and maintain the appropriate level of information security and service delivery in line with third party service delivery agreements.

-
- All CCGs and those who work for or on behalf of the CCG are under a common law duty to ensure that confidential information is protected from inappropriate disclosure. Furthermore, under Principle 1 of the Data Protection Act 1998 personal information must be processed (disclosed) fairly and lawfully. The CCG will only be able to comply with these duties where it has ensured that third parties with whom it contracts are subject to, and comply with, patient confidentiality, information security and data protection requirements.

-
- Definition of an Information Governance incident - An Information Governance incident is any incident involving the actual or potential loss of personal information that could lead to identify fraud or have an impact on staff or patients. They relate to any breach of security and / or confidentiality. Examples of such breaches are given below (this list is not intended to be exhaustive):

Breach of security:

- Loss of computer equipment due to crime or an individual's carelessness
- Loss of computer media e.g. memory stick, CD etc due to crime or individual's carelessness
- Trying to access a secure part of the CCG using someone's else's PIN Number, swipe card etc
- Finding the doors and / or windows have been broken and forced entry gained to a secure room / building
- Loss of patient / staff data due to IT software / hardware failure

Breach of confidentiality:

- Finding a computer printout with a header and a person's information on it at a location outside of an CCG premises / buildings
- Looking at confidential patient records on a NHS patient system when you are not directly involved in the care / treatment of that patients in question
- Finding any paper records about a patient / member of staff or business of the CCG in any location outside of the CCG premises / buildings
- Discussing patient or staff personal information with someone else in an open area where the conversation can be heard
- Sending information insecurely using email, post, fax
- A fax being received by an incorrect recipient
- A letter being received by an incorrect recipient

What may at first appear to be of minor importance may on further investigation be found to be serious and vice versa.

- The Information Commissioner's Office (ICO) can now issue monetary penalties to a data controller of up to £500,000 for serious breaches of the Data Protection Act 1998 and the Privacy and Electronic Communication Regulations 2003.

7. Monitoring and Review

The CCG reserve the right to audit the contractor or to have those audits carried out by a third party. Monitoring and reviews are designed to ensure that the services in question are being delivered securely and confidentially and that controls are adhered to.

On request, the contractor must supply or allow the CCG to view information governance and security policies, procedures, training records and / or controls to ensure they are acceptable, complete and up to date. If these are not in place, the CCG can audit current practices and / or assist with training and development of such policies / procedures.

Where a contractor has assessed itself meeting the Information Governance assurance requirements to an appropriate level and has recorded its assessment within the Information Governance Toolkit, this must be available for inspection by the CCG to obtain assurances that Information Governance standards are being met. Alternatively, an independent certificate could be provided by the contractor (for example, ISO 27001 certification).

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TRAFFORD COUNCIL

Report to: Executive
Date: 28 January 2019
Report for: Decision
Report of: Executive Member for Finance

Report Title

Business Rates Discretionary Rate Relief Policy 2019-20 – Amendments to Reflect the Autumn Budget 2018 Business Rates Measures

Summary

As part of the Autumn Budget 2018, the government announced a range of fully funded business rates measures to support retailers in town centres which local authorities can use their discretionary powers to implement.

Trafford Council is therefore proposing to amend its existing Business Rates Discretionary Rate Relief policy from 2019/20 to include the new measures which will support retailers with a rateable value below £51,000 for two years as well as extend the discount for local newspapers' office space in 2019/20.

Recommendation(s)

That the Executive approves the amendments to the Council's Business Rates Discretionary Rate Relief policy as outlined in the report to ensure it reflects the business rates measures announced at the 2018 Autumn Budget.

Contact person for access to background papers and further information:

Name: Louise Shaw
Extension: 3120

Background Papers: None

Relationship to Policy Framework/Corporate Priorities	Successful and Thriving Places Priority
Financial	The full cost of granting the relief will be met through a Section 31 grant from Government. Software and staffing/administration costs are expected to be met via funding from the Ministry of Housing, Communities and Local Government (MHCLG).
Legal Implications:	The Localism Act 2011 provides local government with greater flexibility with regards to discretionary relief and exemptions for Business Rates.
Equality/Diversity Implications	The proposal will have positive outcomes and ensure Government funding is maximised.
Sustainability Implications	None
Resource Implications e.g. Staffing / ICT / Assets	None
Risk Management Implications	None
Health & Wellbeing Implications	None
Health and Safety Implications	Not applicable

1.0 Background

- 1.1 At the 2018 Autumn budget, the Government stated that it recognises that changing consumer behaviour presents a significant challenge for retailers in town centres and is taking action to help the high street evolve.
- 1.2 Therefore, the Chancellor of the Exchequer announced a package of business rates measures for 2019-20 as follows:
- A one third discount for retail property with a rateable value below £51,000 for two years;
 - Intention to legislate to grant a 100% relief from business rates for all standalone public toilets;
 - Extension of the £1500 business rates discount for local newspapers' office space in 2019/20.
- 1.3 Local authorities will be expected to use their discretionary relief powers (under section 47 of the Local Government Finance Act 1988, as amended) to grant the new relief for retail properties in line with the relevant eligibility criteria as well as extend the discount for local newspapers' office space. They will be compensated for the cost of granting the relief through a Section 31 grant from Government. No new legislation will be required to deliver the scheme and state aid limits will apply.

- 1.4 The Ministry of Housing, Communities and Local Government (MHCLG) fully recognises that implementing the new Retail Relief scheme will place some additional burden on billing authorities. In accordance with the New Burdens doctrine, the Department will conduct an assessment of the expected reasonable additional costs of new software and staffing/administration with relevant stakeholders shortly. Full details of funding for these costs will be released following this assessment.

2.0 Introduction

- 2.1 The Council's existing Discretionary Rate Relief policy was last updated in March 2018 to include the new 2017 Revaluation rate reliefs.
- 2.2 It is proposed that the policy is changed with an effective date of 1 April 2019 to include the new Retail Rate relief and extend the newspaper offices relief as described above. The public toilet rates relief will be prescribed for and therefore are not required to be included in the amended policy.

3.0 Proposed Amendments

3.1 Retail Rate Relief where the Rateable Value is below £51k

- 3.1.1 It is proposed under this scheme that eligible ratepayers will receive a one third discount of their daily chargeable amount. The definition of retail properties will follow the guidance published by the MHCLG that has been adopted from the previous retail relief scheme in 2014/15 and 2015/16, a brief overview of the eligibility criteria can be found at Appendix A. The full details are available on the MHCLG website using the following link https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/760973/Retail_Discount_Guidance.pdf
- 3.1.2 The relief will have effect for 2019/20 and 2020/21 and must be applied after mandatory reliefs and other discretionary reliefs. Locally funded relief must be applied after. State aid rules will apply to the retail relief in the normal way
- 3.1.3 Trafford is currently working closely with its software provider with the aim to implement as part of the 2019/20 annual billing cycle.
- 3.1.4 Based on Trafford's business rates records as currently held, it is expected that this new relief will benefit around 430 Trafford retailers at a combined value of c£1.4m.

3.2 Local Newspapers

- 3.2.1 The Chancellor announced that funding will be extended to grant the £1,500 business rates discount for office space occupied by local newspapers in line

with the existing criteria in 2019/20. It is proposed, therefore, that Trafford's policy reflects this.

Other Options

The Council could maintain its existing policies and not make the amendments but that would mean local businesses would pay more rates in effect not accepting the government funding available on behalf of eligible businesses.

Consultation

As this is the local application of a central Government change no consultation is required.

Reasons for Recommendation

The reason for the recommendations is as set out at the beginning of the report


Key Decision: Yes

If Key Decision, has 28-day notice been given? Yes

Finance Officer Clearance NB

Legal Officer Clearance ES

[CORPORATE] DIRECTOR'S SIGNATURE

(*electronic*)..... 

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.

Appendix A – Retail Rate Relief Discount – Brief Overview

A.1 Properties that will benefit from the relief will be occupied hereditaments with a rateable value of less than £51,000, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments.

A.2 **Eligible** retail business use

For the purposes of this discount the Council, following the MHCLG guidance, considers shops, restaurants, cafes and drinking establishments to mean:

i. Retail properties that are being used for the sale of goods to visiting members of the public:

Shops (such as: florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licence, chemists, newsagents, hardware stores, supermarkets, etc.)

Charity shops

Opticians

Post offices

Furnishing shops/ display rooms (such as: carpet shops, double glazing)

Car/ caravan show rooms

Second hand car lots

Markets

Petrol stations

Garden centres

Art galleries (where art is for sale/hire)

ii. Retail properties that are being used for the provision of the following services to visiting members of the public:

Hair and beauty services (such as: hair dressers nail bars, beauty salons, tanning shops, etc.)

Shoe repairs/ key cutting

Travel agents

Ticket offices e.g. for theatre

Dry cleaners

Launderettes

PC/ TV/ domestic appliance repair

Funeral directors

Photo processing

Tool hire

Car hire

iii. Retail properties that are being used for the sale of food and/ or drink to visiting members of the public:

Restaurants

Takeaways
Sandwich shops
Coffee shops
Pubs
Bars

B.1 The list below sets out the types of uses that the Council, following the MHCLG guidance, does not consider to be retail use for the purpose of this relief

B.2 **Non-eligible** retail business use:

i. Retail properties that are being used for the provision of the following services to visiting members of the public:

Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers)

Other services (e.g. estate agents, letting agents, employment agencies)

Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)

Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)

Post office sorting office

ii. Retail properties that are not reasonably accessible to visiting members of the public.

The lists set out above are not intended to be exhaustive as it would be impossible to list the many and varied retail uses that exist. There will also be mixed uses.

TRAFFORD COUNCIL

Report to: Executive
Date: 28 January 2019
Report for: Decision
Report of: Executive Member for Children's Services

Report Title

Determination of the 2020 Admission Arrangements for Community and Voluntary Controlled Schools and Approval of Associated Documents

Summary

The Local Authority (LA), in its role as Admission Authority for community and voluntary controlled schools, is required to determine the 2020 admission arrangements for these schools by 28 February 2019.

- a) **Trafford Primary/Infant/Junior Community and Voluntary Controlled Schools - 2020 admission arrangements**
- For the 2020 admission round the LA proposes two changes to the current arrangements:
1. Proposal to Combine the Templemoor/Moorlands/Worthington Catchment Area
 2. Introduce priority for children who were previously in state care outside of England, and have ceased to be in state care as a result of being adopted
- b) **Lostock College – 2020 Admission Arrangements**
- For the 2020 admission round the LA proposes to include priority for children who were previously in state care outside of England, and have ceased to be in state care as a result of being adopted
- c) **2020 Community School Published Admission Numbers (PAN)**
- are proposed unchanged
- d) **Co-ordinated Admission Schemes – Primary and Secondary**
- The LA is responsible for the determination of co-ordinated admission schemes; both primary and secondary. These documents have also been included in the consultation process.

Recommendations

That the Executive determines the 2020 admission arrangements as proposed in Annexes 1,2,3 and 4

- Annex 1 2020 Community School Published Admission Numbers (PAN).
 Annex 2 Trafford Primary/Infant/Junior Community and Voluntary Controlled Schools –
 2020 Admission Arrangements (including priority for children who were
 previously in state care outside of England, and have ceased to be in state
 care as a result of being adopted)
 Annex 3 Proposal to Combine the Templemoor/Moorlands/Worthington catchment
 areas
 Annex 4 Lostock College – 2020 Admission Arrangements

and

That the Executive approves the Schemes as proposed in Annexes 5 and 6:

- Annex 5 2020 Co-ordinated Admissions Scheme (Primary)
 Annex 6 2020 Co-ordinated Admissions Scheme (Secondary)

Contact person for access to background papers and further information:

Name: Marilyn Golding
 Extension: 912 1853

Background Papers: None

Implications:

Relationship to Policy Framework/Corporate Priorities	Preserving and improving educational excellence for all our children.
Relationship to GM Policy or Strategy Framework	N/A
Financial	There are no financial implications
Legal Implications:	The proposed admission arrangements comply with School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 and the School Admissions Code.
Equality/Diversity Implications	None
Sustainability Implications	None
Resource Implications e.g. Staffing / ICT / Assets	None
Risk Management Implications	None
Health & Wellbeing Implications	None
Health and Safety Implications	None

1. Background

Admission authorities must determine their 2020 admission arrangements by 28 February 2019. Where changes are proposed to admission arrangements, the admission authority must first publicly consult on those arrangements. Consultation must be for a minimum of 6 weeks and must take place between 1 October 2018 and 31 January 2019. This consultation period allows parents, other

schools, religious authorities and the local community to raise any concerns about proposed admission arrangements.

Trafford LA has undertaken consultation with regard to the following policies and procedures:

a) **2020 Community/Voluntary Controlled School Published Admission Numbers (PANs)**

the 2020 PANs are proposed unchanged.

b) **Trafford Primary/Infant/Junior Community and Voluntary Controlled Schools - 2020 admission arrangements;**

i) **Looked After and Previously Looked After Children**

School admission authorities are currently required to give looked after children and previously looked after children highest priority in their oversubscription criteria. On 4 December 2017, Nick Gibb, Minister of State for School Standards, announced that when the opportunity arose he intended to amend the School Admissions Code to ensure that children who were previously in state care outside of England, and have ceased to be in state care as a result of being adopted, also receive the same highest priority for admission into a school in England.

The DfE have now issued new guidance on this issue to admission authorities because:

“... we believe such children are also vulnerable and may have experienced abuse and neglect prior to being adopted. We believe it is right that we put these children on an equal footing for the purposes of admission into school to those children who are looked after and previously looked after by a local authority in England.

We are committed to making this change; however, any changes to the Code are subject to consultation and the will of Parliament.

Nevertheless, and until changes can be made to the Code, we are keen to ensure that such children are given the highest possible priority for school admission as soon as possible.” Therefore, the LA proposes that the oversubscription criteria for community and voluntary controlled schools have been amended to include priority for children who were previously in state care, outside of England, and have ceased to be in state care as a result of being adopted. The amendment is in line with the example of how priority can be written into oversubscription criteria, until the relevant changes can be made to the School Admissions Code, in Annex A of the guidance:

“2. Children who have been in state care outside of England and ceased to be in state care as a result of being adopted. A child is regarded as having been in state care in a place outside of England if they were accommodated by a public authority, a religious organisation or any other provider of care whose sole purpose is to benefit society.”

ii) **Proposal to Combine the Templemoor/Moorlands/Worthington Catchment Areas**

Oversubscription in the Sale East area continues to be an issue for families living in the area at the normal point of entry (reception class) and for those families moving into the area with children already of school age. In the 2018 admission round, every reception class place in the Sale East area was allocated and both Templemoor and Worthington have waiting lists for admission to their reception classes. At the end of the 2017 academic year, the Foundation and Key Stage 1 classes, in every school in the Sale East area were full and 5 classes contained more than 30 pupils, under the allowed exceptions to the Infant Class Size Regulations.

Therefore the LA proposes to combine the Templemoor/Moorlands/Worthington catchment areas. In the first instance this will provide families in the combined area with

further options and give an element of protection against the impact of increasing oversubscription in the area. The LA continues to consider schools for expansion in accordance with the sufficiency of places in each area and the feasibility of the schools available. Any additional places created in the combined area in the future would be prioritised for those children living in the combined catchment area.

iii) **Lostock College - 2019 Admission Arrangements**

The oversubscription criteria for Lostock College are amended to include priority for children who were previously in state care, outside of England, and have ceased to be in state care as a result of being adopted.

iv) **2020 Co-ordinated Admissions Scheme (Primary)**

The 2020 Primary Co-ordinated Admissions Scheme is proposed unchanged.

v) **2020 Co-ordinated Admissions Scheme (Secondary)**

The 2020 Secondary Co-ordinated Admissions Scheme is proposed unchanged.

2. Consultation

The governing bodies or trusts of all Trafford maintained and state funded schools, other LAs and diocesan representatives from the Diocese of Chester, Manchester, Shrewsbury and Salford were advised that consultation would take place between 1 October 2018 until 7 December 2018 and advised that consultation documents could be viewed on Trafford's website. Notification of the consultation was included in Trafford's weekly update for childcare providers and also through social media channels for both early years providers and parents. Announcements were placed in a local newspapers advising "relevant parents" and "other groups with an interest in the local area (for example, community groups)" that consultation papers were available on Trafford's website.

Trafford LA undertook consultation and published documents, inviting comments and objections, with regard to the following policies and procedures:

a) **Trafford Primary/infant/junior Community and Voluntary Controlled Schools - 2020 Admission Arrangements**

i) **Looked After and Previously Looked After Children**

One comment, supporting the proposal, was received

ii) **Proposal to Combine the Templemoor/Moorlands/Worthington Catchment Areas**

Comments were received from 4 governing bodies:

Templemoor Infant School;
Moorlands Junior School;
Wellfield Infant School;
Worthington Primary School

The Governing Bodies of Templemoor Infant School and Moorlands Junior School supported the proposal in principle, although they did seek reassurances from the LA that the proposal would not unduly disadvantage local residents or schools.

The Governing Body of Worthington Primary School supported the proposal.

The Governing Body of Wellfield Infant School did not comment on the proposal to combine the catchment area. Rather the Governing Body sought information about the possible expansion of schools in the area in the future.

No other consultees responded.

The comments received, and the responses provided by the LA are included in Appendix A

b) **Lostock College - 2020 Admission Arrangements**

No comments or objections were received.

c) **2020 Community/Voluntary Controlled School PANs**

No comments or objections were received.

d) **2020 Co-ordinated Admissions Scheme (Primary)**

No comments or objections were received.

e) **2020 Co-ordinated Admissions Scheme (Secondary)**

No comments or objections were received.

3. Other Options

- a) Not to include priority for children who were previously in state care outside of England, and have ceased to be in state care as a result of being adopted, at this time.

The LA is not required to give priority to children who were previously in state care outside of England although it is the intention of the Minister of State for School Standards, to amend the School Admissions Code and Regulations at the earliest opportunity. Once amended, the inclusion will be a statutory requirement and the admission arrangements can be amended to reflect that requirement without the need for consultation.

- b) Determining not to combine the Templemoor/Moorlands/Worthington catchment area. This will leave families resident in the area, at risk of not achieving a place at a local school and would reduce the ability to target the allocation of any additional places that may be provided in the area in the future.
- c) The governing bodies of Templemoor Infant School and Moorlands Junior School have requested that the LA consider another option (unstated) that would protect the interests of a section of the current catchment area. However, the School Admissions Code does not allow the use of subjective or conditional criteria. In any event, consideration of an additional proposal, or a substantial change to the existing proposal that would affect the outcome of admission allocations, would require the LA to consult in accordance with the requirements of the School Admissions Code. Given the limited window for consultation; requiring a minimum period of 6 weeks between 1 October and 31 January, a new proposal could not be made for implementation in the 2020 admission round.

4. Reasons for Recommendation

Failure to reach a determination on the 2020 admission arrangements by 28th February 2019 would be in contravention of the School Admissions Code and the School Admissions Regulations 2012.

The recommendations are made in order:

- a) to enable the admission authority, the LA, to meet its duty to provide sufficient places and to allocate school places within a reasonable distance; and
- b) to meet the requirements of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 and the School Admissions Code.

Key Decision Yes

If Key Decision, has 28-day notice been given? Yes

Finance Officer Clearance GB
Legal Officer Clearance PD

CORPORATE DIRECTOR'S SIGNATURE *(electronic)*.....

A handwritten signature in black ink, appearing to be a stylized name followed by a horizontal line and a flourish.

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.

APPENDIX A

TRAFFORD 2020 COMMUNITY/VOLUNTARY CONTROLLED SCHOOL ADMISSION ARRANGEMENTS

COMMENTS AND RESPONSES

COMMENT 1

Please could you send me a copy of the data analysis you referred to during the meeting and other relevant data to include:

- The current and future forecast shortfall of places across Templemoor and Worthington
- For the last 5 years, the number of children from Manchester LA that have gained places at Worthington school and future predicted numbers if known
- The forecast improvements in admissions for Trafford families resulting from the proposal
- How many children in Templemoor's catchment area in the last 5 years have not achieved places at the school and where have they been accommodated?
- Which parts of Templemoor's catchment area are most affected by oversubscription due to their distance from the school?
- Please can you distinguish between admissions at the "normal" admissions point and those who are being considered in-year?

RESPONSE 1

1. The current and future forecast shortfall of places across Templemoor and Worthington

The 2018 SCAP (School Capacity Survey) is provided on the basis of the whole of Sale where there are 854 places available.

CLUSTER	GP DATA 2014-15	RECEPTION 2019-2020	% COHORT SURVIVAL	CLUSTER	GP DATA 2015-16	RECEPTION 2020-2021	% COHORT SURVIVAL
SALE	sep 14 to aug 15 793	FORECAST 826	Est. % 104	SALE	sep 15 to aug 16 869	FORECAST 905	Est. % 104
CLUSTER	GP DATA 2016-17	RECEPTION 2021-2022	% COHORT SURVIVAL	CLUSTER	GP DATA 2017-18	RECEPTION 2022-2023	% COHORT SURVIVAL
SALE	sep 16 to aug 17 823	FORECAST 857	Est. % 104	SALE	sep 17 to aug 18 797	FORECAST 830	Est. % 104

In the Templemoor and Worthington Catchment Areas the data does not contain planned housing but does include a growth percentage.

	2018 GP Data	2019 GP Data	2020 GP Data	2021 GP Data	Current Places
Templemoor	91	77*	96	89	87
Worthington	51	29*	41	55	52
Totals	142	106*	137	144	139
Sufficiency (including minimum 5% surplus required)	-10	26*	-5	-12	

*The 2019 data is subject to an accuracy check which will be ratified with October GP data.

2. For the last 5 years, the number of children from Manchester LA that have gained places at Worthington school and future predicted numbers if known

The 2018 May Census reports 34 Manchester resident children on roll at Worthington Primary School.

May 2018 Census	
Reception	3
Y1	3
Y2	3
Y3	10
Y4	7
Y5	7
Y6	5

In the 2018 admission round, 1 Manchester resident child achieved a place at the school.

3. The forecast improvements in admissions for Trafford families resulting from the proposal

Templemoor Infant School is routinely oversubscribed, and, in some year groups, catchment area children have been or are close to being, at risk of not achieving a place. Worthington Primary School, being located close to the Manchester border, admits children resident in Manchester LA, that live closer to Worthington Primary School than other Trafford residents, particularly those in the Templemoor catchment area. Giving the Templemoor catchment area children category 3 priority at Worthington Primary School will safeguard the existing places at the School for Trafford residents and, as advised in the consultation notice *“the LA continues to consider schools for expansion in accordance with the sufficiency of places in each area and the feasibility of the schools available. Any additional places created in the combined area in the future would be prioritised for those children living in the combined catchment area”*.

It is not the intention of the proposal to advantage or disadvantage any school against another. Rather it is to ensure that children living in Sale East have an increased opportunity of achieving a place at a school in Sale East in the future.

4. How many children in Templemoor's catchment area in the last 5 years have not achieved places at the school and where have they been accommodated?

- In the 2018 admission round all category 3 applicants, that applied on time, were allocated a place at the School. 1 Category 4 applicant (a child with a sibling already attending the school) **could not** be allocated a place. The last Category 3 applicant lived 0.65 miles from the School.
- In the 2017 admission round all Category 3 applicants, that applied on time, were allocated a place at the School. 1 Category 4 applicant (a child with a sibling already attending the school) **could not** be allocated a place. The last Category 3 applicant lived 0.66 miles from the School.
- In the 2016 admission round 5 Category 3 applicants, that applied on time, could not be allocated a place at the School:

Winstanley Road (allocated Firs Primary School) 0.466 miles

Arnesby Avenue (allocated Holy Family) 0.47 miles

Dane Road (allocated Firs Primary School) 0.499 miles

Priory Road (allocated Firs Primary School) 0.505 miles

Merlyn Avenue (allocated Firs Primary School) 0.581 miles

9 category 4 applicants (children with a sibling already attending the school) could not be allocated a place.

- In the 2015 admission round 5 Category 5 applicants were allocated places at the School.
- In the 2014 admission round 5 Category 5 applicants were allocated places at the School.

DfE advises that the LA should plan provision to provide 5% to 10% surplus places in order to ensure capacity. The figures provided demonstrate that the LA has not met the lower limit of these targets since the 2015 admissions round.

5. Which parts of Templemoor's catchment area are most affected by oversubscription due to their distance from the school?

All the roads listed in the 2016 data are less than 0.6 miles from the school and are along or north of Dane Road. In the 2017 and 2018 admission rounds, the furthest category 3 applicants lived 0.66 and 0.64 miles from the School. Lynne Avenue and Cranford Avenue should also be considered vulnerable depending on where children are resident in the admissions round.

In the event that the closest unsuccessful applicant is considered; Winstanley Road at 0.466 miles, Priory Road, Woodlands Road and Irlam Road might also be at risk. Again, depending on the pattern of applications and residence.

6. Please can you distinguish between admissions at the "normal" admissions point and those who are being considered in-year?

All the information above relates to the normal admission rounds. Templemoor Infant School is routinely oversubscribed and, as a result, does not have standing vacancies. Since the Council runs a waiting list for Templemoor Infant School, any casual vacancies that arise are allocated to the next child on the list. Therefore, children moving into the catchment area cannot be allocated places at the School.

Waiting lists currently contain 1 Category 3 child and 2 Category 4 children waiting for places in the Reception Class and 3 Category 3 children waiting for places in Year 1.

COMMENT 2

We have received data from Trafford's data unit that indicates that there won't be an increase in demand for school places in Sale Moor which is different to the reason given for the changes proposed. Below is a direct quote from the provider of the data and we would like to understand the reasons for this discrepancy and if the demand for places isn't the reason for the changes, what is?

"Taking all this into consideration, there is nothing in these figures to suggest any increasing demand for school places from Sale Moor resident pupils – the two best indicators being that the number of 3 & 4 year olds have remained very stable over the years shown. The other indication being age 0 – whilst at mid-16 this had reduced from the 2 previous years, it is higher than the 2 years prior to that, and we can expect similar increase over time to those seen in other cohorts."

Secondly we noted the below statement in your email and was wondering if those places have already been identified with additional places at Worthington being the most obvious?

"Any additional places created in the combined area in the future would be prioritised for those children living in the combined catchment area."

Finally at the meeting on the 18th of September you told us that there had been some objections at the combining of the Brooklands/Springfield Catchments and that a number of roads had been excluded from the combined catchments in order to protect the places at the schools for some of the residents. Please could you give us some more detail on that, i.e. what specific roads, were those roads near the schools or at the periphery of the catchments and has excluding them from the catchment had the desired effect?

RESPONSE 2A

In the first instance I asked Trafford’s data lab to provide a copy of the data and their methodology since the data seems at odds with our place planning data. However, Trafford’s Data report that they have not provided any data and could not make the statement quoted below.

Trafford’s place planning is based on GP data received at postcode level, for the number of actual Trafford residents registered with a GP anywhere. The data is received 3 times a year, to coincide with the census and the data received to coincide with the May census is used to populate the DfE’s SCAP Survey which must be submitted in June.

Following that survey the DfE awards a basic need allocation. The DfE Basic Need Allocations Summary calculates that Trafford needs to provide 427 additional primary places in the Sale area. That equates to 61 places in each year group; that is 2 forms of entry.

This is supported by the fact that there are currently a very limited number of primary places available in Sale West, although not in every year group. However, in Sale East, every school is full (or over full in some cases), in Reception, Year 2, Year 3, Year 4, Year 5 and Year 6 and only 2 vacancies exist at 1 school in Y1 at the time of responding.

School Name	YR on Roll	YR PAN	Y1 on Roll	Y1 PAN	Y2 on Roll	Y2 PAN	Y3 on Roll	Y3 PAN	Y4 on Roll	Y4 PAN	Y5 on Roll	Y5 PAN	Y6 on Roll	Y6 PAN
Brooklands Primary	90	90	90	90	84	70	70	70	70	70	70	70	70	70
Holy Family Catholic Primary	30	30	30	30	30	30	30	30	29	30	30	30	30	30
Lime Tree Primary Academy	60	60	60	60	60	60	60	60	60	60	60	60	60	60
Moorlands Junior	0	0	0	0	0	0	60	60	60	60	60	60	61	60
Springfield Primary	90	90	90	90	91	90	90	90	90	90	90	90	60	60
St. Anne's C.E. Primary	30	30	28	30	30	30	31	30	35	30	33	30	35	35
St. Joseph's Catholic Primary	60	60	60	60	60	60	60	60	60	60	60	60	60	60
Templemoor Infant	60	60	60	60	60	60	0	0	0	0	0	0	0	0
Worthington Primary	45	45	45	45	45	45	48	45	46	45	46	45	48	45

As soon as I can track down the source and methodology of the data you quote I will respond.

In the meantime, the next meeting of the Capital/Place Planning Group is due to be held at the end of October. This group will consider and recommend where further places might be established, although the final decision will rest with elected members and be subject to consultation.

RESPONSE 2b

I understand that the information you have received was not provided by Trafford’s Data Lab but was provided by Trafford’s Business Relationship Partner (Performance) who reports that he has provided Office for National Statistics (ONS) ward mid-year population estimates for Sale Moor and Priory Wards for Mid-12 to Mid-16, by year of age, 0-5. and confirms that the information provided is correct and goes on to state:

“there is nothing in the (ONS) figures to suggest that there will be an increase in demand from pupils resident in Sale Moor. The number of 4 year olds in Sale Moor has been pretty stable over those 5 years. Whilst the ward breakdown is not yet available for mid-17, there is nothing to suggest any significant change any time in the near future.

What you should also note is that the numbers of children in the 0-4 age group is falling....(Table 2) & predicted to carry on falling (Table 3). Whilst this latter only shows to 2026 here, the full data set shows a reduction to 14,300 by 2033, recovering to 14,700 by 2041. What this does not (and cannot) take account of are external factors, such as large housing developments leading to significant inward migration: this caveat was in the narrative, as was the fact that we/I do not have the mid-2017 breakdown by ward. As a final point, the numbers included in this years’ EYFSP return by schools & academies, at 2928, were the lowest since 2015, and 6% lower than in 2017. It remains to be seen what this years figures will be.”

However, the facts of the matter are somewhat different than those suggested by the low level population estimates provided. When the actual position is considered, the actual numbers on roll (today) show a distinct pattern of growth across the year groups in the Sale East Planning area:

School Name	REC	Y1	Y2	Y3	Y4	Y5	Y6	
Brooklands Primary School	90	90	84	70	70	70	70	
Holy Family Catholic Primary School	30	30	30	30	29	30	30	
Lime Tree Primary Academy	60	60	60	60	60	60	60	
Moorlands Junior School	0	0	0	60	60	60	61	
Springfield Primary School	90	90	91	90	90	90	60	
St. Anne's C.E. Primary School	30	28	30	31	35	33	35	
St. Joseph's Catholic Primary School	60	60	60	60	60	60	60	
Templemoor Infant and Nursery School	60	60	60	0	0	0	0	
Worthington Primary School	45	45	45	48	46	46	48	
	465	463	460	449	450	449	424	3160

As you can see from the actual numbers included in the table above, the Brooklands cohort has increased from 70 to 90 and the Springfield cohort has grown from 60 to 90. Yet both those schools are full and have waiting lists. Brooklands Primary school has been required by the admission authority to admit 14 children above its published admission number in Y2 in order that Trafford can meet its statutory duty to provide sufficient places in its area.

The Admission Authority has also allocated places above the published admission number at Worthington Primary School in Years 3, 4, 5, and 6 to meet that same duty.

St. Anne’s C.E. has also determined to admit extra children in KS2, and these places have assisted the LA’s provision.

The actuals show an increase of 41 children from 424 (admitted in September 2012) to 465 (admitted in 2018) although this increases to 49 when the over allocation of places at St. Anne’s and Worthington in Year 6 is taken into account. That is an increase of more than 1 form of entry. In addition to this every school (apart from St. Anne’s that has 2 casual vacancies in Y1) is full or has already exceeded its admission number.

The Table above shows the actual number of children on roll today in Sale East; **3160**.

In contrast the table below, taken from the 2014 May census shows an actual number on roll in May 2014; **2732**. That is an increase in the total cohort of **428 pupils**. A two form entry primary school would be expected to contain 420 pupils.

School	Planning Area	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Brooklands Primary School	Sale East	70	70	69	70	69	71	70
Holy Family Catholic Primary School	Sale East	30	27	29	27	27	25	25

Lime Tree Primary Academy	Sale East	61	61	54	30	29	25	24
Moorlands Junior School	Sale East	0	0	0	63	58	55	54
Springfield Primary School	Sale East	61	61	60	60	60	59	59
St. Anne's C.E. Primary School	Sale East	30	30	30	29	33	32	27
St. Joseph's Catholic Primary School	Sale East	61	61	88	58	60	60	60
Templemoor Infant and Nursery	Sale East	60	60	59	0	0	0	0
Worthington Primary School	Sale East	42	41	41	40	40	38	39
		415	411	430	377	376	365	358

All this belies the statement, concluding from the consideration of the ONS population estimates, that:

“The number of 4 year olds in Sale Moor has been pretty stable over those 5 years. Whilst the ward breakdown is not yet available for mid-17, there is nothing to suggest any significant change any time in the near future”

Specific Place Planning, rather than the collection of statistical ward data, is a process that the LA is required to undertake by the DfE. The DfE requires that SCAP submissions are made annually and the responsibility for this function sits in Trafford’s Access and Inclusion Directorate. The DfE makes clear in its instructions that parental preference is the overarching principle and that LAs must provide sufficient places in each area, regardless of whatever administrative area those pupils may be resident. That means it may be the case that some of places in Sale East, recorded in the actuals, are occupied by children from other LAs, Manchester in particular, especially since 3 of the 9 schools in the area are faith schools where priority is given on the basis of faith practise rather than administrative boundaries, so a catholic child from Manchester will have priority over a non catholic living next door to a school. Since the DfE receives pupil level data through the school census, the number of other LA pupils is already known to them and is considered in the allocation of basic need funding. In fact the DfE have access to data at a much higher level than LAs and know much more than LAs about under 5s nationally. Therefore the purpose of the LAs involvement is not to provide statistical information, but is to add contextual information; local knowledge, for their consideration.

The DfE prescribes how the SCAP data should be presented although it does allow the LA to choose its own method of collecting that data. Trafford, along with most of its neighbouring authorities, use GP Data, where individual children are identified at postcode level, sorted by academic year age and the LA’s predetermined planning areas, Sale East in this case, to determine the number of children expected to start in YR and to predict how that cohort grows from birth to starting school and through its school life.

When submitting the SCAP data, which includes building developments under construction, cross border migration, and the pattern of applications and attempts to build in spare capacity (5% to 10% as required by DfE) to take account of the growth of the cohort through in year admissions which are particularly affected by families moving to the area in time for grammar school entrance exams.

Regulations also require the LA to provide a statement explaining the method by which the forecast is made. The data must also be accompanied by a Trafford focused commentary “to assist the DfE in its analysis of current and projected pupil place pressures and available capacity”. All these elements must meet the DfE’s exacting requirements and are used to determine what Basic Need funding the LA will receive.

Trafford has recently received its 2020 allocation summary (extract below) in which the DfE reports the number of additional places it determines that the LA should provide and that it will fund.

This summary reports that Trafford LA needs to provide 427 additional places in the Sale area.

Step 3b: Aggregate the planning area data to give a local authority total		
We add up the number of additional places needed in each year group and planning area (from Step 3a). This gives a total figure. We do not assume that surplus places in one planning area reduce the number of new places needed in another.		
Places needed		
Planning area	Primary	Secondary
ALTRINCHAM PRIMARY	388	0
ALTRINCHAM SECONDARY	0	472
PARTINGTON PRIMARY	17	0
PARTINGTON SECONDARY	0	0
SALE PRIMARY	427	0
SALE SECONDARY	0	33
STRETFORD PRIMARY	178	0
STRETFORD SECONDARY	0	0
URMSTON PRIMARY	222	0
URMSTON SECONDARY	0	0
LA TOTAL	1,232	506

In conclusion, the population data provided does not contain sufficient content or context to be suitable for place planning purposes and, as a method of forecasting, would certainly be rejected by the DfE. There is no other unstated purpose for the proposal other than that already explained in the Report to the Executive Member and included in the consultation notice. The proposal does not give any school in Sale East advantage over another school in Sale East and I am sure that both Templemoor Infant and Worthington Primary Schools will continue to be oversubscribed at the normal point of entry into the future. However, it is hoped that the proposal will ensure that children living in Sale East in the future have an increased opportunity of achieving a place at a school in Sale East. Admittedly, for a very few children, that might be a different school than it may have been in the past, but it will at least be a local school. It should also be noted that families with children already attending Templemoor Infant School or Worthington Primary School, will not be disadvantaged by the proposal since younger children in the family will have Category 2 priority.

Children that may be affected will be those first born children, born after 31st August 2015, resident at the margins of the Templemoor/Moorlands catchment area, prior to the publication of the proposal, although these children may already be at risk of not achieving a place at the School because of the levels of over subscription. Other children, moving into the area after the publication of the proposal may also be affected.

As I reported in my previous email, the next meeting of the Capital/Place Planning Group is due to be held at the end of October. This group will consider the DfE's summary and recommend where further places might be established. Although the final decision will rest with elected members and be subject to further consultation, any interested party might speculate on the feasibility of schools in Sale East. As I have previously reported, 3 of the 9 schools are faith schools and give priority to children on the basis of their faith practices. Although the LA has expanded faith schools, most recently Bowden C.E. and St. Hugh's Catholic, it is difficult to guarantee that additional places at those schools will be allocated to local children. 2 of the 9, Brooklands and Springfield, have already been expanded to accommodate 90 children in every year group and it is unlikely that the LA would recommend the consideration of a 4 form entry primary school. That leaves 3 options; Lime Tree Primary School, Templemoor Infant/Moorlands Junior and Worthington Primary school.

I hope you find this information useful. All consultation comments and responses will be included in the final Report to the Executive Member and will be published on Trafford's website.

COMMENT 3

We the Governing Body of Worthington Primary School were unanimous in our support for the proposed amalgamation of Worthington/Templemoor/Moorlands Catchment Areas. We would also welcome the positive implications of the Local Authority's consideration regarding any potential school expansion in the Sale East area, as we feel strongly that local children need to attend a local school with their siblings.

Kind Regards

The Full Governing Body of Worthington Primary School

16-10-18

RESPONSE 3

Thank you. Your comments will be included in a Report to Trafford's Executive Member for consideration as part of the democratic process to determine the 2020 admission arrangements. The final arrangements must be determined by 28th February 2019.

COMMENT 4

I would like to state my support for this change to the Admission Arrangements.

I believe it is the right thing to do, to treat those children who have now been adopted in the same manner as those who are currently looked after, as I recognise that they could still be very vulnerable.

RESPONSE 4

Thank you. Your comments will be included in a Report to Trafford's Executive Member for consideration as part of the democratic process to determine the 2020 admission arrangements. The final arrangements must be determined by 28th February 2019.

COMMENT 5

Many thanks for inviting Cheshire East to comment on the proposed changes to the admission arrangements, Cheshire East Council has no comments or objections to make.

COMMENT 6

In response to the Consultation re the Sale East catchment area over subscription, the Governing Body of Wellfield Infant and Nursery School would like to put forward the following response:-

We are concerned about the proposed plans to increase the PAN at some Sale schools. Our reasons for this are that we are aware that there appears to be no clear evidence that more school places are required long term in the area has been presented and we are also aware that creating more places on a long term basis than are required will be detrimental to schools. Empty places leave schools who already have challenging budgets in a very vulnerable state as we have personally found in recent years.

Before a final decision is made, we are requesting you provide us with the following information:-

1. What classes/ year groups currently have more than 30 children in a class in schools in the Sale East area

2. How many funded 3-4 year olds are there who reside in the Sale east area and will be due to start Reception in September 2019 and how does this number compare with the current school places available in Reception in the area and the proposed changes to Reception numbers in the area
3. Confirmation from the LA that there will be no further increase in PAN in any other Sale school in the next 3 years
4. Disclosure of hard evidence regarding birth rates in the area that justifies an increase being made for school places

Please can you provide us with all of the above information as soon as possible.

RESPONSE 6

As part of the 2020 Consultation process, the LA proposes to combine the Templemoor/Moorlands/Worthington catchment areas. The stated reason for the proposal is that oversubscription in the Sale East area continues to be an issue for families living in the area at the normal point of entry (reception class) and for those families moving into the area with children already of school age. In the 2018 admission round, every reception place in the Sale East area was allocated and both Templemoor and Worthington have waiting lists for admission to their reception classes. At the end of the 2017 academic year, the Foundation and Key Stage 1 classes, in every school in the Sale East area were full and 5 classes contained more than 30 pupils, under the allowed exceptions to the Infant Class Size Regulations.

The stated purpose of the proposal is that, in the first instance, the proposal will provide families in the combined area with further options and give an element of protection against the impact of increasing oversubscription in the area. The LA continues to consider schools for expansion, in accordance with the sufficiency of places in each area and the feasibility of the schools available. Any additional places created in the combined area in the future would be prioritised for those children living in the combined catchment area.

That is the full extent of the proposal, which will take effect in September 2020, and any further changes would be subject to consultation in accordance with the requirements of the School Admissions Code.

In responding to the questions posed, I have changed the order of the questions to enable a fuller response:

1. Disclosure of hard evidence regarding birth rates in the area that justifies an increase being made for school places

The School Admissions Team do not hold birth rate data, since it does not contain sufficient content or context to be suitable for place planning purposes and would likely be rejected by the DfE as a reliable forecasting method. All LA's are required to make SCAP (School Capacity) submissions annually and the DfE prescribes how the SCAP data must be presented, although it does allow the LA to choose its own method of collecting that data. Trafford, along with most of its neighbouring authorities, uses GP Data, where individual children are identified at postcode level, sorted by academic year age and the LA's 5 predetermined planning areas:

1. Altrincham;
2. Partington;
3. Sale;
4. Stretford; and
5. Urmston

The object of the SCAP is to forecast the number of children expected to start in YR over the next 4 years, up to and including 2022, and to predict how that cohort will grow from birth to starting school and on through its school life.

When submitting the SCAP data, which includes building developments under construction, cross border migration, and the pattern of applications, the LA attempts to build in spare capacity (5% to 10%) to take

account of the growth of the cohort through in year admissions which, in Trafford, are particularly affected by families moving to the area in time for grammar school entrance exams.

The submission must be accompanied by a statement explaining the method by which the forecast is made and a Trafford focused commentary “to assist the DfE in its analysis of current and projected pupil place pressures and available capacity”. All these elements must meet the DfE’s exacting requirements and are used to determine what Basic Need funding the LA will receive.

Trafford has recently received its 2020 allocation summary from the DfE (extract below Fig 1) in which the DfE reports the number of additional places it determines that the LA should provide and that it will fund. This DfE summary reports that Trafford LA needs to provide 427 additional places in the Sale area. This is equivalent to 61 places per year group (2 forms of entry).

Fig 1

Step 3b: Aggregate the planning area data to give a local authority total		
We add up the number of additional places needed in each year group and planning area (from Step 3a). This gives a total figure. We do not assume that surplus places in one planning area reduce the number of new places needed in another.		
Places needed		
Planning area	Primary	Secondary
ALTRINCHAM PRIMARY	388	0
ALTRINCHAM SECONDARY	0	472
PARTINGTON PRIMARY	17	0
PARTINGTON SECONDARY	0	0
SALE PRIMARY	427	0
SALE SECONDARY	0	33
STRETFORD PRIMARY	178	0
STRETFORD SECONDARY	0	0
URMSTON PRIMARY	222	0
URMSTON SECONDARY	0	0
LA TOTAL	1,232	506

It is the role of Trafford’s Capital/Place Planning Group to consider the DfE’s summary and recommend where further places might be established, considering the pattern of applications, where oversubscription has the most impact, affordability and feasibility. The final decision on any recommendation will be made by the Council’s Executive.

In addition to forecasting the number of pupils that might arrive in the future, the LA must also consider children that are already of school age. Trafford’s population is not fixed and, as partners in the Greater Manchester Spatial Framework, the LA has been set a target, which is set out in the [Trafford Local Plan: Core Strategy](#) adopted in 2012, to provide land sufficient to accommodate a minimum of 12,210 new properties over the Plan period which ends in 2026. This represents approximately 587 new properties per year. A new Local Plan is currently under consideration and it is expected that the target for the next plan period will be significantly uplifted. Trafford’s LLPG (Local Land and Property Gazetteer) includes 572 new properties added to the Sale Planning Area since May 2014. A number of these properties will be taken up by families moving to the area. This is particularly evident in Sale East where oversubscription is not just an issue for families at the normal point of entry, YR, but throughout the primary phase. Families moving to the North West, particularly professionals moving to work in the Greater Manchester Teaching Hospitals and Universities, are attracted to live in Trafford for a number of reasons, not least because primary schools in Sale are successful and popular and the area offers excellent transport links to all 7 of Trafford’s grammar schools. Altrincham Grammar School for Boys, Altrincham Grammar School for Girls and Sale Grammar School all give catchment area priority to pupils resident in the Sale Planning Area. The 2 faith grammar schools; Loreto Grammar School and St. Ambrose Catholic College also give priority to pupils resident in nominated local pastoral areas located in the Sale Planning Area. This link to the grammar schools attracts families to the area, especially

those with eldest children in Years 5 and 6, seeking to improve their chances of achieving a place at one of these schools.

This is demonstrated in the table below (Fig 2 - data captured on 31st October 2018). Standing vacancies are indicated in red and casual vacancies (those that are likely to be filled quickly) are shown in Green.

Fig 2

Sale Planning Area	YR on roll	YR PAN	Y1 on roll	Y1 PAN	Y2 on roll	Y2 PAN	Y3 on roll	Y3 PAN	Y4 on roll	Y4 PAN	Y5 on roll	Y5 PAN	Y6 on roll	Y6 PAN
Sale West														
All Saints' Catholic Primary	30	30	25	30	30	30	31	30	28	30	31	30	30	30
Firs Primary	49	60	45	60	60	60	60	60	54	60	57	60	62	60
Park Road Primary (Sale)	60	60	60	60	60	60	61	60	60	60	48	45	34	30
St. Margaret Ward Catholic Primary	30	30	30	30	31	30	30	30	30	30	30	30	31	30
St. Mary's C.E. Primary (Sale)	35	35	35	35	35	35	35	35	35	35	35	35	35	35
Tyntesfield Primary	60	60	60	60	60	60	60	60	60	60	60	60	60	60
Wellfield Infant/Junior	60	60	59	60	59	60	64	60	51	60	64	60	64	60
Woodheys Primary	58	60	60	60	60	60	66	60	64	60	67	60	67	60
Totals	382	395	374	395	395	395	407	395	382	395	392	380	383	365
Sale East														
Brooklands Primary	90	90	90	90	84	70	70	70	70	70	70	70	70	70
Holy Family Catholic Primary	30	30	30	30	30	30	30	30	29	30	30	30	30	30
Lime Tree Primary Academy	60	60	60	60	60	60	60	60	60	60	60	60	60	60
Moorlands Junior	0	0	0	0	0	0	60	60	60	60	60	60	61	60
Springfield Primary	90	90	90	90	91	90	90	90	90	90	90	90	60	60
St. Anne's C.E. Primary	30	30	28	30	30	30	31	30	35	30	33	30	35	35
St. Joseph's Catholic Primary	60	60	60	60	60	60	60	60	60	60	60	60	60	60
Templemoor Infant and Nursery	60	60	60	60	60	60	0	0	0	0	0	0	0	0
Worthington Primary	45	45	45	45	45	45	48	45	46	45	46	45	48	45
Totals	465	465	463	465	460	445	449	445	450	445	449	445	424	420

Analysis of this (actual) data shows that:

- In the Sale West Planning area the total published admission number is 2720. The total number on roll is 2715 giving a surplus of just 5 places against the published admission number
- In the Sale East Planning area the total published admission number is 3130. The total number on roll is 3160 giving an overall deficit of 30 places against the published admission number
- Only 2 schools in the whole of Sale have any vacancies in YR
- No schools in Sale East have any vacancies in YR
- Only 4 schools in the whole of Sale have vacancies in Y1
- Only 1 school in Sale East has vacancies in Y1
- Only 1 school in Sale has a vacancy in Y2 while 3 schools have admitted pupils above the published admission number
- No schools in Sale have vacancies in Y3 while 6 schools have admitted pupils above the published admission number
- Only 3 schools in Sale West have vacancies in Y4 and 1 school in Sale East, a faith school, had 1 vacancy at the time of capture

- Only 1 school in the whole of Sale, in Sale West, has vacancies in Y5 while 6 schools have admitted pupils above the published number
- No schools in Sale have any vacancies in Y6 while 7 schools have admitted pupils above the published admission number

1. What classes/ year groups currently have more than 30 children in a class in schools in the Sale East area

See Fig 2

2. How many funded 3-4 year olds are there who reside in the Sale east area and will be due to start Reception in September 2019 and how does this number compare with the current school places available in Reception in the area and the proposed changes to Reception numbers in the area

The School Admissions Team do not hold this data and cannot use this data as it is too current to be useful in the SCAP submission which is submitted in July of the current year and forecasts for the next 4 academic years (e.g. 2018 SCAP submitted in July 2018, forecasting pupil numbers in all year groups for September 2019, 2020, 2021 and 2022). Trafford's Early Years Team report that they are still awaiting the school census data for autumn 2018, so do not currently have the full picture. The Team advises that the data should be finalised and available around the end of November.

3. Confirmation from the LA that there will be no further increase in PAN in any other Sale school in the next 3 years

It is important to note that Place Planning is a requirement because of the duty placed upon the LA to provide sufficient places for all the pupils in its area, including a small surplus for pupils that move into the area, regardless of how or when they arrive here. Therefore, whilst it is understood that optimal funding is achieved when a school is full, the driver for the LA must always be to meet its statutory duty to provide sufficient places. Since the DfE considers that the LA should provide 61 additional places in each year group, the LA must now consider whether some, or all, of those places will be provided and where. Although the final decision will rest with elected members and be subject to further consultation, the current proposal focuses on Sale East rather than Sale as a whole. Any interested party might speculate on the feasibility of schools in Sale East. 3 of the 9 schools in Sale East are faith schools and give priority to children on the basis of their faith practices. Although the LA has expanded faith schools, most recently Bowdon C.E. and St. Hugh's Catholic, it cannot guarantee that additional places at faith schools will be allocated to local children. 2 of the 9, Brooklands and Springfield, have already been expanded to accommodate 90 children in every year group and it is unlikely that the LA would recommend the consideration of a 4 form entry primary school. That leaves 3 options; Lime Tree Primary School (which is an academy), Templemoor Infant/Moorlands Junior School and Worthington Primary School.

At this time no recommendations have been made and no Executive Decisions are pending. However, I cannot confirm that recommendations will not be made or that there will be no further increase in the PAN in any school in Sale.

The LA, in its role as the admission authority for Community and Voluntary Controlled Schools, determine the Published Admission Numbers for those schools. However, other own authority schools are free to increase the published admission number without reference to the LA.

I hope you find this information useful. All consultation comments and responses will be published on Trafford's website and included in the final Report to Trafford's Executive Member for consideration as part of the democratic process to determine the 2020 admission arrangements. The final arrangements must be determined by 28th February 2019.

COMMENT 7

I write on behalf of the Governing Body of Templemoor Infant and Nursery School in response to the current consultation regarding the proposal to combine the Templemoor/Moorlands and Worthington catchment areas. This letter represents Templemoor's formal response to the consultation which closes on 4th December 2018. It outlines our response to the proposal, our concerns and our suggestions for consideration to alleviate these concerns. It also outlines our views regarding future school expansion in the Sale East area. We have worked closely with Moorlands Junior School in considering the proposal and formulating our response.

Firstly we would like to say that we appreciate the current difficulties faced by the Council with over subscription in the Sale East area, Templemoor already having been obliged to take excepted pupils in all of its classes during the last two years. We know that the Trafford area in general terms has seen an increased level of migration due to commercial developments in its vicinity such as the growth of Media City in Salford Quays.

Consequently, there has been in the last 5 years and continues to be a substantial increase in the number of new homes being built in Templemoor's catchment area including a total of 24 4/5 bed houses at The Place, Northenden Road, 7 4/5 bed houses and 11 apartments at Hazlemere Gardens, Northenden Road and the current development of 14 5 bed houses on Clarendon Crescent due for completion in 2019. Clearly, all of these developments attract families to the area increasing the strain on school places in our School's Catchment zone. It is not clear to us how the resulting increase in demand for school places has so far been planned for by Trafford Council.

In terms of the impact of the proposed amalgamation of the catchment areas, from data supplied by yourself, it would seem that if increased school numbers are not in place for the start of the 2020 admissions round, the benefits of the merger will be negligible. The number of Manchester resident children currently on roll at Worthington Primary School is relatively low with only 1 Manchester resident child achieving a place there in the 2018 admissions round.

The Governing Body does appreciate that the merger of the catchment areas will benefit local residents by making them Category 3 applicants at both schools and therefore improving their chances of gaining a place at a school within Sale East. The Governing Body sees this as a positive benefit of the proposed Scheme.

However, the close geographical proximity of the schools, their location within their current catchment areas and the possible impact of these two factors under the new proposal does give us some cause for concern. Templemoor and Moorlands are located to the East of their current catchment area and Worthington is located to the West of its zone meaning that there is a relatively narrow corridor between the schools with Old Hall Road running through it. Our concern is that under the proposed merger, Templemoor and Moorlands may see an increase in applications from residents from the Worthington Road side of Old Hall Road meaning that families on the northern and western outskirts of the Templemoor catchment area (including Arnesby Avenue, Dane road and Winstanley Road) may still be disadvantaged in terms of their ability to access a place at what is currently their catchment school. We appreciate that they will stand a better chance of securing a place at Worthington Primary School rather than being forced to travel to Sale West but we are concerned that families often buy a property in an area with a particular school choice in mind. Another factor is that the 3 schools in question are not currently comparable in terms of the provision they offer: phase specific education versus vertically grouped provision and parents will almost certainly have a preference for their child's education.

On Tuesday 30 October, myself, Mr Stuart Hodgson and Miss Alison Kelly met with Councillor Andrew Western and Alison Milne to discuss our concerns. As a result of that meeting, it was agreed that the Council would start to look into the feasibility and impact of retaining the current school catchment areas within the immediate vicinity of the 3 schools with Old Hall Road remaining the point where the areas meet. This would mean the creation of the new joint catchment area outside of these zones giving families living further away a better chance of securing a place at their nearest school. At the meeting we did acknowledge that this scheme could have both its advantages and disadvantages from a parental point of view which would need to be taken into account.

Due to the few numbers of places occupied at Worthington Road by Manchester residents, it is clear that the success of the proposal to amalgamate catchment areas hinges on school expansion in the Sale East area. From what we have been told, the Council has not yet embarked on the process of how and when this might happen but will be

doing so shortly. Without the expansion of numbers coming on stream in line with the new admissions policy in 2020, it may be the case that the Council is still not in a position to be able to satisfy the demand for places within the combined catchment area.

Our position regards expansion is that we are clear that new school places need to be created but we firmly wish that the “status quo” of the 3 separate schools be preserved and that the expansion of 1 school should not disadvantage the others. Also, the over expansion of numbers could potentially lead to the schools being undersubscribed and within the current financial climate, for a school to lose numbers on roll would be extremely detrimental.

In conclusion, we support the merger of the catchment areas in principle as it aims to ensure that children are able to attend a local school but we do have reservations regarding how this is carried out. We wish Trafford council to investigate ways to ensure that families resident at the northern and western boundaries of our current catchment area are not unduly disadvantaged in their ability to secure a place at Templemoor as a result of the scheme. In terms of school expansion, we are clear that this is necessary but we would not wish for our school to be closed or merged as result of any scheme nor would we wish to be disadvantaged in terms of a fall in the number of pupils on roll at Templemoor.

Finally, we would ask for clear and open lines of communication with the Council as to the next steps in terms of the consultation itself, our suggestions as outlined in this letter but also the plans for the expansion of school numbers in the Sale East area which the Council has indicated it will be embarking on in the near future.

Response 7

In the first instance the LA notes the Governing Body’s acceptance of the level of oversubscription currently experienced in the Sale East area, and its awareness of the impact on school admissions arising from the considerable number of developments in the area and that the Governing Body supports the merger of the catchment areas in principle. However, the Governing Body’s formal response does raise a number of concerns:

1. It is not clear to us how the resulting increase in demand for school places has so far been planned for by Trafford Council.
2. if increased school numbers are not in place for the start of the 2020 admissions round, the benefits of the merger will be negligible.
3. Our concern is that under the proposed merger, Templemoor and Moorlands may see an increase in applications from residents from the Worthington Road side of Old Hall Road meaning that families on the northern and western outskirts of the Templemoor catchment area (including Arnesby Avenue, Dane road and Winstanley Road) may still be disadvantaged
4. investigate ways to ensure that families resident at the northern and western boundaries of our current catchment area are not unduly disadvantaged in their ability to secure a place at Templemoor as a result of the scheme
5. the 3 schools in question are not currently comparable in terms of the provision they offer: phase specific education versus vertically grouped provision and parents will almost certainly have a preference for their child’s education
6. the creation of the new joint catchment area outside of these zones
7. the “status quo” of the 3 separate schools be preserved and that the expansion of 1 school should not disadvantage the others
8. clear and open lines of communication with the Council.

1. **It is not clear to us how the resulting increase in demand for school places has so far been planned for by Trafford Council.**

The LA’s response to the Governing Body’s initial comments, posted as Comment 1 and Comment 2 in the Comments and Responses documents, contains detailed information on:

- the method used by the LA to forecast pupil numbers

- the process employed by the DfE to allocate Basic Needs Funding; and
- the role of the Capital/Place Planning Group in recommending options to Trafford's Executive which is the final decision maker

This forecasting and planning process has been successfully used to provide 595 additional places in Sale East at:

Lime Tree Primary School (210 additional places)
 Springfield Primary School (210 additional places)
 Brooklands Primary School (140 additional places) and at
 Worthington Primary School (35 additional places)

In providing additional places, the LA must ensure that the places are affordable and effective in dealing with oversubscription, and that the expanding school remains viable as a result. Therefore, although it might be considered appropriate to provide 10 additional places at a school where a new development has been completed in its catchment area, or 5 additional places at another where an office block has been converted, the relevant schools would be financially disadvantaged by such an approach. Rather places need to be provided in sensible numbers to allow a school to operate most efficiently. As a result, the LA has provided additional places either by a full form of entry (30 to 60 or 60 to 90) or to expand a school from a part form of entry to full forms of entry (45 to 60 or 70 to 90).

Trafford's Capital/Place Planning Group is currently considering the feasibility of various options for expansion in Sale East, in order to meet rising demand. 3 of the 9 schools in Sale East are faith schools and give priority to children on the basis of their faith practices. Although the LA has expanded faith schools, most recently Bowdon C.E. and St. Hugh's Catholic, it cannot guarantee that additional places at faith schools will be allocated to local children. 2 of the 9, Brooklands and Springfield, have already been expanded to accommodate 90 children in every year group and it is unlikely that the LA would recommend the consideration of a 4 form entry primary school. That leaves 3 options to consider:

- Lime Tree Primary School to expand from 60 to 90. Since Lime Tree Primary School is an Academy and, as a result, controls its own catchment area, it would not be the Council's decision how any additional places would be prioritised;
- Templemoor Infant/Moorlands Junior School from 60 to 90; and
- Worthington Primary School from 45 to 60 or 90

The LA notes the Governing Body's statement that "new school places need to be created" and its concerns, echoed by the Governing Body of Wellfield Infant School, that "over expansion of numbers could potentially lead to schools being undersubscribed". These concerns will be factored into the LA's recommendations when considering whether to provide 45, 30 or 15 places in the first instance.

The final decision on any expansion will rest with elected members and be subject to further consultation. It is expected that recommendations for consideration will be reported to the Executive in the Spring term.

In the meantime, the LA is proposing to combine the current Templemoor/Moorlands catchment area with the current Worthington catchment area, to ensure that all the places currently available can be prioritised for residents living in that combined area. This is a strategy that has been successfully employed previously in Altrincham, Stretford and Sale. The objective is to allow the allocation of places at schools across the area in a controlled manner so that places are allocated to local children. The LA has been cautious in allocating scarce resources to provide places that may not benefit Trafford residents because of a school's proximity to the LA administrative boundary.

2. **if increased school numbers are not in place for the start of the 2020 admissions round, the benefits of the merger will be negligible.**

It is correct to say that a number of Manchester residents have achieved places at Worthington Primary School in the past. The Governing Body correctly cite the fact that only 1 place at Worthington Primary School was allocated to a Manchester resident in the 2018 admission round and question whether it is appropriate to combine the

catchment area when only 1 place is available. However, this place was only 1 of 16 places that were allocated to children that did not live in the Worthington catchment area. This means that those 16 surplus places could be prioritised for children living in the Templemoor/Moorlands catchment area.

At Templemoor Infant School in the 2018 admission round, 59 of the 60 available places at Templemoor Infant School were allocated to catchment area children with the 1 remaining place being allocated to a child living in the Springfield catchment area with a sibling already attending the School. At the same time 7 children resident in the Templemoor catchment area, predominantly resident along Old Hall Road and the east end of Broad Road, listed Worthington Primary School as the preferred school and were allocated places at the School. Had all these 7 children requested places at Templemoor Infant School, 6 other children resident in the Templemoor/Worthington catchment area, further away than these 7, could not have been allocated a place at Templemoor Infant School and the younger sibling would have been allocated a place elsewhere.

3. Our concern is that under the proposed merger, Templemoor and Moorlands may see an increase in applications from residents from the Worthington Road side of Old Hall Road meaning that families on the northern and western outskirts of the Templemoor catchment area (including Arnesby Avenue, Dane road and Winstanley Road) may still be disadvantaged.

Although the LA cannot know definitively why 7 applicants chose Worthington Primary School, ease of access from the home address to Worthington Primary School can be easily demonstrated. The map below shows a small section of the area immediately around Templemoor Infant School and Worthington Primary School.

The section map demonstrates that, although the schools are close when considered as the crow flies, access to Templemoor Infant School from the properties west of Worthington Primary School (Massey Road, Norley Drive, Rutland Lane and the small roads off) is not direct. When walking, the journeys to Worthington Primary School from these addresses, are very direct. For example the walking distance from 21 Norley Road to Worthington Primary School is 0.3 miles and would require the child to cross Worthington Road.

The walking distance to Templemoor Infant School from the same address is 0.6 miles and requires the child to cross Old Hall Road and negotiate the busy one-way system at Sale Moor village.

The walking distance from 22 Massey Road to Worthington Primary School is 0.1 miles and again, would only require the child to cross Worthington Road, whilst the walking distance to Templemoor Infant School is 0.5 miles and must negotiate Old Hall Road.

Direct access to Worthington Primary School from the Templemoor/Worthington catchment area is easier to

achieve, since the School is on a through road leading from Broad Road or Dane Road providing easy onward travel for parents, particularly those delivering children by car on their journey to work.



On that basis it is unlikely that a family living in the Worthington catchment area would apply for Templemoor Infant School on the basis that it is easier to get to. The most recent comparative data published by the DfE; Overall performance at the end of KS2 in 2017 - Trafford - positions Worthington Primary School at the top of a table of all relevant Trafford schools on the basis of the score for progress in reading; 6th on the basis of the score for progress in maths and 7th on the basis of the percentage of pupils meeting the expected standard. Whilst it may be the case that an applicant expresses a preference for any number of personal reasons, such as childcare or proximity to work, there is no geographical or educational

evidence to suggest that children resident in the Worthington catchment area would choose Templemoor Infant School over Worthington Primary School.

4. investigate ways to ensure that families resident at the northern and western boundaries of our current catchment area are not unduly disadvantaged in their ability to secure a place at Templemoor as a result of the scheme

A map showing the full proposed area is attached (Appendix 1) with circles denoting the straight line distances from Templemoor Infant School. When addresses at the furthest extent of the Templemoor/Moorlands catchment area are considered, the differences between the distances and the journey times between schools are negligible. For example, Lynn Avenue is the furthest road from Templemoor Infant School where the distance is 0.9 miles. At medium walking speed that is a walk of 18 minutes and a drive time of 3 minutes. The distance to Worthington Primary School is 1.2 miles, at medium walking speed that is a walk of 23 minutes and a drive time of 4 minutes. However, access to Templemoor Infant School by car is restricted by the fact that the School is at the bottom of a narrow cul de sac, whilst Worthington Primary School allows easy access in and out of Worthington Road.

Similarly, Arnesby Avenue is almost equidistant from both school, being 0.6 miles from Templemoor Infant School, an 11 minute walk, and 0.7 miles from Worthington Primary School a 15 minute walk. The drive time is 3 minutes to either school.

Of course schools and the LA do try to encourage families to walk to school, but in many instances children do travel to school by car.

It is undeniably the case that families resident at the northern and western boundaries of the Templemoor/Moorlands catchment area are currently disadvantaged because of the sheer distance from these addresses to the School. However, families that have siblings already attending Templemoor Infant School or Moorlands Junior School will not be affected by the proposal, since they will have sibling priority. In addition, those that are attending Worthington Primary School will now be considered under Category 2, children resident in the catchment area, rather than Category 4.

If the LA's view that there is no evidence to suggest that families resident in the current Worthington catchment area would have reason to apply for places at Templemoor Infant School, other than whatever personal circumstances might pertain, is accepted, then families currently resident in the Templemoor/Moorlands catchment area, expecting to have children in the future or with first born or only children due to start school in September 2020 onwards, will not be further disadvantaged or "unduly disadvantaged". That is; that they will be no more disadvantaged than they already are. Rather, they will be protected by the new priority afforded to them at Worthington Primary School. Families moving into the area in the future will do so in the knowledge of their priority at both schools. Given the pattern of recent applications, it may be that more families resident in the Templemoor/Moorlands catchment area may apply for places at Worthington Primary School, so improving the chances of these pupils achieving places at Templemoor Infant School.

Your formal response refers to the practise of families moving to a property particularly to improve their chances of achieving a place at a particular school. This is recognised by the LA, however, it is usually the case that properties within the immediate area around a school are favoured. It is hard to understand why a family, anxious to achieve a place at Templemoor Infant School would purchase a property as far away as Lynn Avenue.

5. the 3 schools in question are not currently comparable in terms of the provision they offer: phase specific education versus vertically grouped provision and parents will almost certainly have a preference for their child's education

It is a long standing policy of the LA to remove vertically grouped provision at every opportunity. In considering where additional places might be provided, increasing a part form of entry to a full form of entry is a major consideration as explained in Section 1. Although there is no determined proposal to expand Worthington Primary School at this point, it is an option for discussion.

It is also the Local Authority's long standing strategic aim to amalgamate separate infant and junior schools where there are no contrary indicators to a proposal although there is no indication that the circumstances that would trigger the LA's presumption to amalgamate are imminent.

6. the creation of the new joint catchment area outside of these (the current catchment addresses) zones

The School Admissions Code requires that admission authorities must ensure that the practices and criteria used to decide the allocation of school places are fair, clear and objective. The use of catchment areas to determine priority is commonplace and is expressly referred to in the School Admissions Code:

"1.14 Catchment Areas

Catchment areas must be designed so that they are reasonable and clearly defined. Catchment areas do not prevent parents who live outside the catchment of a particular school from expressing a preference for the school."

In order to meet the requirements of the School Admissions Code, an admission authority, the LA in this case, must ensure that a catchment area is determined in an objective way, that is in an impartial, unbiased and non-partisan way. The suggestion by the Governing Body does not provide any detail, only requests that the LA scope a proposal that would protect a small enclave of children that live further away from Worthington Primary School than the vast majority of children in the Templemoor catchment area, including those children that live in the Templemoor /Moorlands catchment area that chose to apply for places at Worthington Primary School, and that live further away from Templemoor Infant School than a significant number of the children resident in the Worthington catchment area. Given that the evidence provided in Section 4 demonstrates no further disadvantage is caused to any of the current or future residents by the current proposal, other than that which they already suffer, there can be no objective justification to further prioritise any group of properties.

7. the "status quo" of the 3 separate schools be preserved and that the expansion of 1 school should not disadvantage the others

This proposal does not affect the status of any school and is not made with the intention of disadvantaging any one school against another. Rather the proposal is an objective proposal intended to ensure that families in Sale East can be confident that they can achieve a school place within a reasonable distance. Any proposals to expand or amalgamate or close any school would be subject to full statutory procedures including consultation.

8. Clear and open lines of communication with the Council.

The admission arrangement consultation process is a statutory process and the requirements are laid out in Chapter 3 of The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements)(England) Regulations 2012 and the School Admissions Code. This consultation has been carried out in compliance with all the requirements of the Regulations and the School Admissions Code. The consultation process closes on 7th December 2018 and then the Council's own democratic processes, regulated by the Local Government Act 2000, will be followed to finally determine the admission arrangements which must be determined by 28th February 2019.

All consultation comments and responses will be included in a Report to Trafford's Executive Member for consideration and the determination will be published on Trafford's website, subject to a 5 day call in period. Following this 5 day period, the arrangements will be determined. At this point the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements)(England) Regulations 2012 and the School Admissions Code will require the admission authority, the LA, to notify the appropriate bodies of the determination and publish a copy of the determined arrangements on its website. Any objections to the arrangements must be made to the Schools Adjudicator by 15 May 2019.

Impact on Moorlands Junior School

Finally, it can be seen that the LA's response does not make specific reference to the impact of the proposal on Moorlands Junior School. Oversubscription criteria are most often used at the normal point of entry which is

commonly admission to the reception year. Technically, admission to Year 3 at Moorlands Junior School is a normal point of entry, except that in Trafford's Community Schools, the Policy is not to require children attending the partner infant school to apply again, rather all the children in Year 2 at the partner infant school automatically transfer to the junior school. Therefore oversubscription might only be used to determine waiting lists at Moorlands Junior School. This means that where the school has vacancies in a year group there is no waiting list and the next in year applicant is allocated a place, and so on until the School is full. Where the School is full when an in year application is received, the application is refused and the child is invited to join a waiting list. Only in the event that 2 in year applications are received for the same vacancy, will the oversubscription criteria be used to determine the priority of each of the two candidates. Moorlands Junior School is currently full in every group. Therefore, so long as this pertains, the oversubscription criteria will not need to be applied.

Comment 8

This letter represents Moorlands Junior School's formal response to the consultation which closes on 7th December 2018. We have worked closely with Templemoor Nursery and Infant School reviewing the proposal. There has also been a meeting with Councillor Andrew Western and Alison Milne. We have also taken into consideration the likelihood of further school places being created within the Sale East area as indicated by Trafford Council and the additional impact of this on the proposed merger of the catchments.

Firstly I would like to thank you for your time attending our Governors Board meeting and your responses and communications following our initial questions regarding this consultation. It was much appreciated.

The Governing Body agrees that the merger of the catchment areas will benefit local families by making them Category 3 applicants at both schools and therefore increasing their chances of a place at a school in Sale East. However as stated by yourself the other main reason for the merger was to prevent Manchester children taking Trafford places with Worthington Primary School, due to its proximity to the border, the most likely to be affected. While we can appreciate the reasons behind this, our main concerns as Moorlands Junior School Governors are ensuring that our school and current catchment families are not disadvantaged now or in the future.

Our position with regards to the additional school places is that we agree that new school places need to be created but it is critical that the expansion of one school should not disadvantage others. Also it is evident whilst reviewing the proposal of the catchment merger that the timing and the location of the additional school places within Sale East will have an impact and would be an added complication to the effects of the merging of the catchment areas.

There is a concern that as a result of the merger of catchments and if future increases in reception places were to be at Worthington Primary School, there would be a risk of a reduction in numbers on roll at Temple moor and subsequently at Moorlands. This and the loss of funding for Moorlands Junior School would be wholly unacceptable.

We are also concerned that the merger of the catchments would disadvantage those families on the north-west periphery of the current Templemoor/Moorlands catchment as, due to their distance from the school, most of the current Worthington Primary catchment families would take preference for a place at Templemoor/Moorlands over those families on the periphery once the catchments are merged.

Although those families would benefit from still having a place in Sale East they would have a longer distance to travel, increasing road traffic down one of the two very busy roads (Dane Road or Broad Road) and having to cross Old Hall Road to get to Worthington Primary, then further exacerbating the parking problems around Worthington Primary School as those families are much more likely to drive to school. This may be mitigated if the increase in school places were to be at Worthington Primary School but, without knowing where those places are going to be, this remains a very real concern.

We would therefore ask the council to look at ways and means to ensure that school places are protected for those families that live at the extremity of the current Templemoor/Moorlands catchment area, on roads such as Lynn Avenue, Dane Road and Winstanley Road so they are not disadvantaged in preference for Worthington Primary Catchment families.

We would also ask for the right to review and if required have the ability to reverse the change in catchment arrangements should there be any detriment to the school i.e. fall in numbers or to the families in the catchment as a result of the catchment change and or increase in places in Sale East.

Finally, we would ask for clear and open lines of communication with the Council as to the next steps in terms of the consultation i.e. when your Statement of Response is due by and particularly with regard to the plans for the expansion of school numbers in the Sale East area which the Council has indicated it will be embarking on in the near future.

To conclude, we would support the merger of the catchment areas if our concerns are addressed as discussed above and with confirmation that this would be reviewed and the merger reversed should our school or current catchment families be disadvantaged by the change.

Response 8

I am writing in response to your comments, made on behalf of the Governing Body of Moorlands Junior School regarding the above proposal.

The LA notes that the Governing Body has worked closely with the Governing Body of Templemoor Infant School in considering and responding to the proposal. A number of concerns are shared by both bodies; primarily the concern that families, living on the north-west periphery of the current Templemoor/Moorlands catchment area, will be disadvantaged by the proposal.

The increasing level of oversubscription in the Sale East area is acknowledged by all parties and is the driver for the LA's proposal; *"In the first instance this will provide families in the combined area with further options and give an element of protection against the impact of increasing oversubscription in the area"*. It is not the purpose of the proposal to stop Manchester residents taking places at Worthington Primary School, it is to ensure that children, resident in the Templemoor/Moorlands/Worthington area have priority for the places at schools in the area.

Although all the schools in the area are routinely oversubscribed, the impact has been most keenly felt by families in the Templemoor/Moorlands catchment area or by those from outside the area with siblings already attending the schools. In the 2018 admission round there was only 1 surplus place at Templemoor Infant School. That is, all but 1 of the available places at Templemoor Infant School were allocated to catchment area children with that 1 remaining place being allocated to a child living in the Springfield catchment area who had a sibling already attending the School. 1 other child with a sibling already attending the School could not be allocated a place. However, 7 children resident in the Templemoor catchment area listed Worthington Primary School as the preferred school and were allocated places at the School. Had all these 7 children requested places at Templemoor Infant School, 6 other children resident in the Templemoor/Worthington catchment area, living further away, could not have been allocated a place at Templemoor Infant School and the younger sibling would have been allocated a place elsewhere. The situation was saved by the availability of places at Worthington Primary School.

The situation was similar in the 2017 admission round, where there were only 4 surplus places whilst 4 catchment area children applied for and were allocated places at Worthington. The 4 surplus places were all allocated to children with siblings already attending the school, although another child with a sibling could not be accommodated and had to be allocated a place elsewhere. Again, where it not for availability of places at Worthington Primary School, the number of places would only just met the needs of the catchment area children and the 4 siblings would have been allocated places at different schools than the older siblings.

The 2016 admission round provides evidence of the worst outcomes for families in the area of concern. 5 catchment area children, from the following addresses, that had applied on time, could not be allocated a place at Templemoor Infant School;

Winstanley Road (allocated Firs Primary School) 0.466 miles

Arnesby Avenue (allocated Holy Family) 0.47 miles

Dane Road (allocated Firs Primary School) 0.499 miles

Priory Road (allocated Firs Primary School) 0.505 miles

Merlyn Avenue (allocated Firs Primary School) 0.581 miles

and 9 other children, with a sibling already attending the school, could not be allocated places. In addition, 4 catchment area children resident in the Templemoor/Moorlands catchment area applied for, and were allocated, places at Worthington Primary School, offering a small alleviation to the problem for 4 other children living further away from the School.

Although the School Admissions Code does not expect or allow an admission authority to offer parents a guarantee of a place at the catchment area school, where an admission authority employs catchment areas it must be a target to ensure that there are sufficient places for children resident in those areas.

The pattern of oversubscription, as it increases, is to move from the expectation of sufficient places every year, through uncertainty as to whether there will be sufficient places or not, to there being insufficient places year on year. The LA believes that this will be the pattern in the Sale East area in the future, if no further action is taken, especially when the number of the new properties being provided in the area is factored in to the considerations.

This see-sawing of availability must be a continuing concern, particularly to those families resident at the northern and western boundaries of the Templemoor/Moorlands catchment area. Combining the two areas would offer parents, resident in the Templemoor/Moorlands catchment area, reassurance that sufficient places will be available in the area for all the children that may be resident there. Families that have siblings already attending Templemoor Infant School or Moorlands Junior School will not be affected by the proposal, since they will have sibling priority. In addition, those that have been allocated places for older siblings at Worthington Primary School will be afforded sibling priority at that school and will be considered under Category 2, children resident in the catchment area, rather than Category 4.

A map showing the full proposed area is attached (Appendix 1) with circles denoting the straight line distances from Templemoor Infant School. Templemoor Infant School has been used as the destination rather than Moorlands Junior School since it is admission to the Reception class where the use of the catchment area criteria is most relevant.

When addresses at the furthest extent of the Templemoor/Moorlands catchment area are considered, the differences between the distances and the journey times between Templemoor Infant School and Worthington Primary School are negligible. For example, Lynn Avenue is the furthest road from Templemoor Infant School where the distance is 0.9 miles. At medium walking speed that is a walk of 18 minutes and a drive time of 3 minutes. The distance to Worthington Primary School is 1.2 miles, at medium walking speed that is a walk of 23 minutes and a drive time of 4 minutes. However, access to Templemoor Infant School by car is restricted by the fact that the School is at the bottom of a narrow cul de sac, whilst Worthington Primary School allows easy access in and out of Worthington Road.

Similarly, Arnesby Avenue is almost equidistant from both school, being 0.6 miles from Templemoor Infant School, an 11 minute walk, and 0.7 miles from Worthington Primary School a 15 minute walk. The drive time is 3 minutes to either school. Although schools and the LA do try to encourage families to walk to school, in many instances children do travel to school by car.

The LA considers that families currently living at the north-west periphery of the Templemoor/Moorlands catchment area are already disadvantaged because of the sheer distance from these addresses to Templemoor Infant School. These families can currently have no confident expectation that they might achieve a place at Templemoor Infant school, so will not be further disadvantaged by the proposal. Rather, they will be protected by the new priority afforded to them at Worthington Primary School. Families moving into the area in the future will do so in the knowledge of their priority at both schools.

Oversubscription criteria are most often used at the normal point of entry which is commonly admission to the reception year. Technically, admission to Year 3 at Moorlands Junior School is a normal point of entry, except that in Trafford's Community Schools, the Policy is not to require children attending the partner infant school to apply again, rather all the children in Year 2 at the partner infant school automatically transfer to the junior school. Therefore oversubscription might only be used to determine waiting lists at Moorlands Junior School. This means that where the school has vacancies in a year group there is no waiting list and the next in year applicant is allocated

a place, and so on until the School is full. Where the School is full when an in year application is received, the application is routinely refused and the child is invited to join a waiting list. Only in the event that 2 in year applications are received for the same vacancy, will the oversubscription criteria be used to determine the priority of each of the two candidates. Moorlands Junior School is currently full in every group. Therefore, so long as this pertains, the oversubscription criteria will not need to be applied.

As to the Governing Body’s concern that the LA might over provide places, so leaving some schools in the area to carry significant vacancies; Trafford has recently received its 2020 allocation summary in which the DfE reports the number of additional places it determines that the LA should provide, based on the SCAP submission, and that it will fund. This summary reports that Trafford LA needs to provide 427 additional primary school places in the Sale area. This equates to approximately 2 forms of entry across the whole of Sale (east and west). The DfE also provides basic need funding for these places at the rate of £12,705 per place. The DfEs estimation of the need for 427 places would only provide funding of approximately £5.4 million, which would not be sufficient to build a two form entry primary school, even without the cost of purchasing a new site. Therefore, the LA must explore the best value options and ensure that the places are only provided in the area that they are needed and that scarce resources are not spent simply to meet parental preference. However, it is the case that the DfE advises that LAs should seek to ensure a 5% surplus to allow for families that move into the area. The table below shows the current position (10.12.2018) in Sale East, where there are only 4 vacancies exist in 3 year groups at 2 faith schools, in the whole of Sale East and many schools have already admitted children above their published admission number.

	YR PAN	YR on roll	Y1 PAN	Y1 on roll	Y2 PAN	Y2 on roll	Y3 PAN	Y3 on roll	Y4 PAN	Y4 on roll	Y5 PAN	Y5 on roll	Y6 PAN	Y6 on roll
Sale East (10.12.2018)														
Brooklands Primary	90	90	90	90	84	70	70	70	70	70	70	70	70	70
Holy Family Catholic Primary	30	30	30	30	30	29	30	30	29	30	30	30	30	30
Lime Tree Primary Academy	60	60	60	60	60	60	60	60	60	60	60	60	60	60
Springfield Primary	90	90	90	90	91	90	90	90	90	90	90	90	60	60
St. Anne's C.E. Primary	30	30	28	30	30	30	31	30	35	30	33	30	35	35
St. Joseph's Catholic Primary	60	60	60	60	60	60	60	60	60	60	60	60	60	60
Templemoor/Moorlands	60	60	60	60	60	60	60	60	60	60	60	60	61	60
Worthington Primary	45	45	45	45	45	45	48	45	46	45	46	45	48	45
Totals	465	465	463	465	460	444	449	445	449	445	449	445	424	420

This provides no allowance for children moving into the area and falls far short of the target of 5% surplus. In addition to the annual SCAP submission which the LA is required to make, the DfE also asks the LA to complete a sufficiency survey every autumn term. The survey is designed to help the DfE understand the availability of pupil places across all year groups in the new academic year. The survey asks:

Question 5 (Please tick as appropriate)
 Are there any **primary** planning areas in your authority where you do not think you will have sufficient capacity in 2018/19, in any year group, to offer in-year applicants a place?

The survey then allows LA’s to submit a commentary:

We would like to understand more about your Local Authority and ask that you provide more detailed information in the boxes below to explain further your pupil place planning issue(s) and any actions that you intend, or are currently taking, to address this. In your response please identify the year groups and planning areas that require additional school places.

Every year the LA restates the fact that, given the success of Trafford schools, and the requirement of the School Admissions Code to allocate a place where a place is available, maintaining even a small surplus is impossible. In the 2018 survey Trafford reported:

“The LA continues to consider the provision of additional places, particularly in the Sale planning area. However, given the success of schools in the area, any additional places are quickly taken up by pupils resident in other planning areas or in neighbouring LAs so cannot be reserved for families that may, or may not, move to the area.”

Given that the total PAN for the reception year in 2018 is 465, the DfE expectation is that the LA will have 23 vacancies in that year group. However, every school in Sale East is full in the Reception year group. Whilst the LA considers that maintaining vacancies at 5% is impossible, a small margin for movement needs to be achieved to allow movement in and out of schools. To that end the LA must plan to allow for that small surplus even though it is anticipated it will be quickly used up.

The table below shows the current number of pupils on waiting lists for schools in Sale East.

Sale East (10.12.2018)	YR Waiting List	Y1 Waiting List	Y2 Waiting List	Y3 Waiting List	Y4 Waiting List	Y5 Waiting List	Y6 Waiting List
Brooklands Primary	9	4	5	18	9	14	14
Lime Tree Primary Academy	12	4	4	6	3	2	1
Springfield Primary	11	10	19	19	6	9	14
Templemoor/Moorlands	11	4	0	1	0	0	1
Worthington Primary	13	5	0	5	0	0	2
Total 1st Preferences	33	16	20	24	10	15	15

Since it is likely the case that children will be on more than one waiting list, the data provided in the “Total 1st Preferences” row shows the number of individuals on waiting lists in the area.

After considering all the data available, the LA is confident that any additional places that may be created will be quickly taken up although though it should be noted that no decision on where, or how many, additional places might yet be provided. Once a proposal to expand the provision is made, full consultation will be undertaken as required.

Representatives of Templemoor Infant School and Moorlands Junior School met with Cllr Western, Leader of the Council and with Alison Milne, Head of Access and Inclusion and requested that the LA explore options that would “protect” places at Templemoor Infant School and Moorlands Junior School for families “living at the extremities” of the current catchment area.

The School Admissions Code requires that admission authorities **must** ensure that the practices and criteria used to decide the allocation of school places are fair, clear and objective. The use of catchment areas to determine priority is commonplace and the School Admissions Code specifically requires that catchment areas must be designed so that they are reasonable and clearly defined. In order to meet the requirements the LA must ensure that a catchment area is determined in an objective way, that is in an impartial and unbiased way. Although the governing bodies has not suggested a strategy, any proposal to treat one set of children in a category, in this case Category 3, differently than the other children in that category, particularly where that one set of children lives further away from the school than the other, could not be considered objective, especially since the evidence considered by the LA demonstrates no further disadvantage is caused to any of the current or future residents by the Proposal, other than that which they already suffer.

In the event that a different, compliant, proposal could be formulated, the LA would need to undertake full consultation with all the required consultees:

- a) parents of children between the ages of two and eighteen;
- b) other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions;

- c) all other admission authorities within the relevant area (except that primary schools need not consult secondary schools);
- d) whichever of the governing body and the local authority who are not the admission authority; and
- e) any adjoining neighbouring local authorities where the admission authority is the local authority.

Given the limited window for consultation; requiring a minimum period of 6 weeks between 1 October and 31 January, a new proposal could not be made for the 2020 admission round.

Once an admission authority has determined its arrangements those arrangements pertain until such time as the admission authority determines a change. However, any changes can only be made following full consultation and in accordance with the statutory timetable for admission consultation.

The 2020 admission arrangements, whatever they are determined to be, must be determined by 28th February 2019. Those final arrangements will be published along with a statement that advises that any person, or body, that considers that the determined arrangements are unlawful, or not in compliance with the School Admissions Code or relevant law relating to admissions, can make an objection to the Office of the Schools Adjudicator. Objections must be submitted to the Office of the Schools Adjudicator by 15 May 2019.

Although it is case that admission arrangements, including catchment areas, are reviewed every year to ensure that they continue to be fit for purpose, the arrangements are reviewed in the summer term in order to propose any changes in the autumn term. In accordance with that timetable, the first review of the 2020 admission arrangements will take place in the summer term of 2020 and changes will be proposed in the 2020 autumn term. However, given the long lead-in time for admission consultation, that consultation will propose changes to the 2022 admission round.

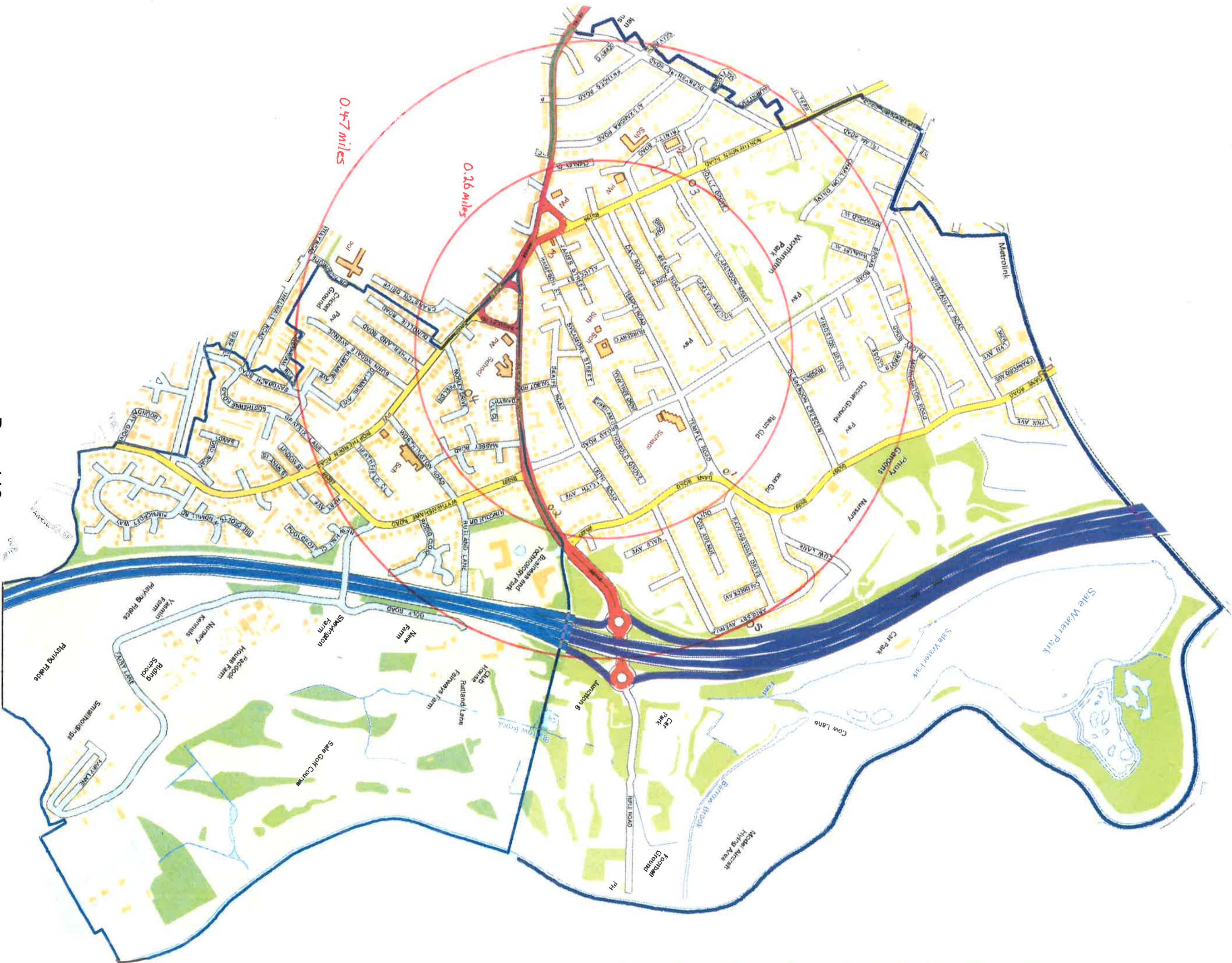
Admission arrangement consultation is a statutory process and the requirements are laid out in Chapter 3 of The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements)(England) Regulations 2012 and the School Admissions Code. This consultation has been carried out in compliance with all the requirements of the Regulations and the School Admissions Code.

All consultation comments received and responses made will be included in a Report to Trafford's Executive Member for consideration, and the determination will be published on Trafford's website, subject to a 5 day call in period. Following this 5 day period, the arrangements will be determined. At this point the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements)(England) Regulations 2012 and the School Admissions Code will require the admission authority, the LA, to notify the appropriate bodies of the determination and publish a copy of the determined arrangements on its website.

As well as any statutory requirement, consultation is an important element in the LA's decision making process. To ensure that the LA's consultation is effective, Elected Members and Officers are always available to meet and listen to concerns from interested parties. The provision of any additional places through the expansion of one school or another will also be subject to statutory consultation procedures which will be carried out in a separate process, through a specific proposal.

A number of concerns raised by the Governing Body of Moorlands Junior School were also raised by the Governing Body of Templemoor Infant School and I have included a copy of the LA's response for your information. All the comments received and LA's responses to them are available to read online at [2020 Admission Arrangements/Comments and Responses.pdf](#)

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TRAFFORD COMMUNITY SCHOOLS – PUBLISHED ADMISSION NUMBERS (PANs)

SCHOOL	2019 PAN	2020 PAN
Barton Clough Primary School	30	30
Bollin Primary School	60	60
Broadheath Primary School	90	90
Brooklands Primary School	90	90
Broomwood Primary School	60	60
Cloverlea Primary School	30	30
Davyhulme Primary School	70	70
Firs Primary School	60	60
Flixton Primary School	60	60
Gorse Hill Primary School	50	50
Heyes Lane Primary School	90	90
Highfield Primary School	40	40
King's Road Primary School	90	90
Kingsway Primary School	30	30
Lostock College	148	148
Moorlands Junior School	60	60
Moss Park Infant School	60	60
Moss Park Junior School	60	60
Navigation Primary School	60	60
Oldfield Brow Primary School	60	60
Partington Primary School	60	60
Seymour Park Community Primary School	84	84
Springfield Primary School	90	90
St. Matthews CE Primary School	30	30
Stamford Park Infant School	70	70
Stamford Park Junior School	70	70
Templemoor Infant and Nursery School	60	60
Tyntesfield Primary School	60	60
Urmston Primary School	70	70
Victoria Park Infant School	60	60
Victoria Park Junior School	60	60
Well Green Primary School	30	30
Wellfield Infant and Nursery School	60	60
Wellfield Junior School	60	60
Willows Primary School	45	45
Woodheys Primary School	60	60
Woodhouse Primary School	30	30
Worthington Primary School	45	45

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TRAFFORD 2020 PROPOSED ADMISSION ARRANGEMENTS

COMMUNITY AND VOLUNTARY CONTROLLED PRIMARY, INFANT AND JUNIOR SCHOOLS

Infant/Primary School Admissions

A child reaches compulsory school age on the prescribed day following his or her fifth birthday (or on his or her fifth birthday if it falls on a prescribed day). The prescribed days are 31 December, 31 March and 31 August. In Trafford, all children may commence primary education earlier than the legal admission date, if parents so wish, through a single intake in September of children who will become 5 between 1 September and 31 August in the admission year. Parents can defer their child's entry until later in the school year. In this instance, the place will be held for the child and is not available to be offered to another child. However, parents cannot defer entry beyond the beginning of the term after the child's fifth birthday, nor beyond the academic year for which the original application was accepted. Parents can choose for their children to start school on a part time or full time basis, and can also choose a place at a nursery or other early learning setting. In addition, the parents of a summer born child may submit a request for their child's entry to be delayed until the September following the child's fifth birthday, so that the child is admitted out of their normal age group – to reception rather than year 1. Alternatively, parents can choose to provide efficient full-time education otherwise than at school.

Applications for children born between 1st September 2015 and 31st August 2016 can be submitted from the beginning of the 2019 autumn term. The closing date for applications is **15 January 2020**.

Decisions regarding the allocation of places will be posted to parents on **16 April 2020**. Applications received after the closing deadline, 15 January 2020, will only be considered after all other applications received on time have been processed.

Oversubscription Criteria

Quite often, there are not enough places at a school to satisfy every parent who wants to send their child there. This is what is meant when a school is "oversubscribed". When schools are "oversubscribed" the admissions authority has to adopt criteria for deciding which children are to be offered the available places.

All children whose Education, Health and Care (EHC) Plan names a school, **must** be admitted to that school.

Trafford is the Admission Authority for all community and voluntary controlled schools in Trafford (listed in Annex 1).

Where the number of applications for a Trafford community or voluntary controlled school exceeds the number of places available at the relevant school, the following over-subscription criteria will apply:

1. Looked after children and children who were previously looked after. A looked after child is a child who is in the care of a local authority in England, or is being provided with accommodation by a local authority in England in the exercise of their social services functions. Previously Looked After Children are children who were looked after but ceased to be so because they were adopted (or became subject to a child arrangements order or special guardianship order)[‡].
2. *Children who have been in state care outside of England and ceased to be in state care as a result of being adopted. A child is regarded as having been in state care in a place outside of England if they were accommodated by a public authority, a religious organisation or any other provider of care whose sole purpose is to benefit society.*
3. Children who live in the catchment area of the requested school, who will have a sibling attending the requested primary, infant or partner junior school **at the time of the applicant's**

[‡] Section 14A of the Children Act 1989 defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).

proposed admission (This includes half/step/adopted/foster brothers or sisters, and any other children, who are living at the same address as part of the same family unit).

4. Children who live in the catchment area of the requested school.
5. Children, who live outside the catchment area of the requested school, with a sibling attending the requested primary, infant or partner junior school **at the time of the applicant's proposed admission** (This includes half/step/adopted/foster brothers or sisters, and any other children, who are living at the same address as part of the same family unit).
6. Children who live nearest to the requested school, calculated in a direct straight line from the child's permanent place of residence to the school.

The distance from the home address will be calculated from the seed point of the property, which is defined by co-ordinates held in Trafford's Local Land and Property Gazetteer (BS7666), and are available on request from Trafford's School Admission Team. For applicants resident outside Trafford, the seed point data will be provided by the Home Authority. Royal Mail Postal Address Information may be used in some instances. The co-ordinates used for each school are held in Trafford's School Admissions and Transfer system and are listed in the Directory of Primary Schools contained in Trafford's Composite Prospectus, published on Trafford's website under the title "Starting Primary School"

In the case of a child living in a block of flats, co-ordinates will be obtained in the same way.

If there are more applicants than can be accommodated at a school in criteria 1 to 5, places will be offered to those children in each criterion, whose place of residence is nearest to the school, as defined in criterion 6.

Where two or more applications cannot be otherwise separated, the final place will be determined through a random draw, conducted and scrutinised by persons independent from the School, and from the Children, Families and Wellbeing Directorate.

Final Tie Break Arrangements

Each random allocation event only holds for the allocation of the currently available school place. On any waiting list, the remaining applicants remain equally ranked and any further place is offered as the result of a further random exercise.

The Draw

The draw will be made by a person independent of the relevant school and from the Children, Families and Wellbeing Directorate.

The draw will be scrutinised by another person independent from the relevant school, and from the Children, Families and Wellbeing Directorate.

The application reference number for each pupil to be included in the draw will be recorded in Part 1 of the 'Random Draw Record Sheet'.

Each application reference number will be recorded on a separate sheet and sealed into an envelope. The envelopes will be shuffled by the person designated to make the draw and an envelope will be chosen.

The person designated to make the draw will open the chosen envelope and record the name in Part 2 of the 'Random Draw Record Sheet'

This process will be repeated until all the available places are allocated.

The person designated to make the draw and the Independent Scrutineer will sign the declarations in Part 3 of the 'Random Draw Record Sheet' to confirm that the process has been carried out in accordance with this procedure.

Junior School Admissions

Trafford Community Junior Schools will admit into Year 3 **all** pupils from year 2 of their partner Infant school whose parents so wish, regardless of their published admission number. Other pupils will be admitted provided that the prospective Year 3 age group has not reached the School's published admission number.

Should the School receive more applications from “non partner infant school” pupils than can be accommodated, places will be offered in accordance with the published oversubscription criteria.

Home Address

The criteria used by Trafford in determining admissions to Community and Voluntary Controlled Schools refer, in every instance, to the child's home address. This means the address where the child normally and permanently lives, not the address of any child-carer, grandparent or other relative, or any other or temporary address. In the case of parents who are separated and where child-care arrangements are shared between two addresses in the catchment area, the average of the distances of the two addresses from the school will be used for the purposes of determining priority for admission. Where one of the addresses is outside the catchment area, the applicant will be regarded as living outside the catchment area.

It is always assumed that the correct factual information will be provided when an application for a school place is submitted. However, proof of the child's residency may be requested so that the application can be considered correctly alongside other applicants.

Applications for children who move into or within Trafford by the 15 January 2020, who have submitted an on time application, will be considered in light of the new address details. Applications for children who move after the 15 January 2020 will be considered from the new address in the review of allocation decisions in May 2019, following the same criteria as used for initial allocations.

The Admissions Team must be informed immediately of a change of address, or of an intention to change address, at any time during the transfer process, as this may change a child's priority for a particular school. Failure to advise a proposed change of address may be considered as a misleading application.

Trafford takes very seriously any attempt to gain an unfair advantage in the admissions process by giving false information and will make every effort to ensure that sufficient documentary evidence is provided to support a claim. **If a place is offered at a school and then it is discovered that the offer was made on the basis of fraudulent or misleading information (for example, a false claim to living at an address) the place will be withdrawn and offered to the next eligible child.** A place may also be withdrawn even after a child has started school.

Catchment Areas

All Trafford Community/Voluntary Controlled Infant and Primary Schools have a catchment area. Property information on catchment areas is held in Trafford's Local Land and Property Gazetteer which complies with BS7666. A number of community schools share an area with an adjacent community school and children who live in such a "shared" area are considered, for admissions purposes, to live within the catchment area for both schools.

Delayed Entry of Summer Born Children

In a very few circumstances, a parent may feel that their summer born child is not ready to begin school before their fifth birthday. In this case, where a child is born between 1 April and 31 August a parent can request that their child's admission to school is delayed, so that the child is admitted into the reception class, out of their normal age group, at the point at which other children in their age range are beginning Year 1.

1. Request Process

Parents will be required to approach all the preferred schools to discuss their child's circumstances by 15th January 2020. Each school will complete a Delayed Entry Request Form with the parent. Each school will consider the information provided and complete the Decision Outcome Section of the Delayed Entry Request Form.

2. Decision Making Process

A Decision Panel will be constituted. The Panel will include at least 3 headteachers; this will be the headteachers from all the preferred schools and any other nominated headteachers and 2 officers from Trafford's primary Team. The Panel will consider the decision outcomes from the

relevant schools and a final decision will be agreed. All schools participating in the Scheme will abide by the final decision of the Panel.

3. Notification of Decision

Parents will be advised of the outcome of their request by 16th April 2020. Where the request is agreed, the application for the normal age group will be withdrawn and no place will be offered.

If the request is refused, the parent will receive the offer of a school place for admission to the normal age group on 16th April 2020. The parent must decide whether to accept the offered place, and may choose to defer admission until later in the reception year, or to refuse it and make an in year application for admission to year one in the September following the child's fifth birthday.

4. Application/Allocation Process

Where a request is agreed, this is an agreement in principle and does not reserve a place or guarantee that the child will be allocated a place at a preferred school in the next admission round. Therefore, where a parent's request is agreed, they must make a new application as part of the main admissions round the following year. That application will be considered, alongside all the other applications received for admission that year, according to the published oversubscription criteria. Where a place cannot be allocated at any of the preferred schools, a place will be allocated at the nearest participating school with a vacancy. Again, the parent must decide whether to accept the offered place, and may choose to make an in year application for admission to year one at a preferred school.

Parents who are refused a place at a school for admission to the normal age group have the right of appeal to an independent appeal panel. They do not have a right of appeal if they have been offered a place and it is not in the year group they would like. However, they may make a complaint. In the case of schools participating in the Scheme they should complain through Trafford's complaints procedure. For all other schools or academies, parents should make a complaint under the school's complaints procedure.

Although it is the case that one admission authority cannot be required to honour a decision made by another admission authority, all participating schools agree to abide by the decision of the Panel and will consider the delayed entry application, if required, in accordance with the published oversubscription criteria, for admission in the next admission round.

In Year Applications

Applications received outside the normal admissions round "In Year", will be determined by the same oversubscription criteria.

Children in public care, who require admission to a school outside the normal admissions round, will normally be offered a place at the school serving the address at which the pupil is living, subject to the requirements of Infant Class Regulations. Applications will normally be processed within ten school days of the application.

Nursery Places

Applications for admission to a nursery class should be made to the Headteacher of the school who decides on admissions, in accordance with the policy adopted by the Governing Body of the School. Attendance at a nursery class attached to a community/voluntary controlled school does not give a child any additional priority when applying for a place in the reception class of the school.

Right of Appeal

In accordance with the School Standards and Framework Act applicants have the right to appeal against any decision made by the Admission Authority. An Independent Appeals Panel has been set up specifically for this purpose. To exercise this right, an appeal form must be requested from the Legal and Democratic Services Team, Town Hall, Talbot Road, Stretford, M32 0YT, telephone number 0161 912 4221.

Annex 1

Trafford Community/Voluntary Controlled Primary, Infant, Junior Schools

Broadheath Primary School	Seymour Park Community Primary School
Brooklands Primary School	Springfield Primary School
Broomwood Primary School	St. Matthew's C.E. Primary School
Cloverlea Primary School	Stamford Park Infant School
Davyhulme Primary School	Stamford Park Junior School
Firs Primary School	Templemoor Infant and Nursery School
Flixton Primary School	Urmston Primary School
Gorse Hill Primary School	Victoria Park Infant School
Heyes Lane Primary School	Victoria Park Junior School
Highfield Primary School	Well Green Primary School
King's Road Primary School	Wellfield Infant and Nursery School
Kingsway Primary School	Wellfield Junior School
Moorlands Junior School	Willows Primary School
Moss Park Infant School	Woodheys Primary School
Moss Park Junior School	Woodhouse Primary School
Navigation Primary School	Worthington Primary School
Oldfield Brow Primary School	

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PROPOSAL TO COMBINE THE TEMPLEMOOR/MOORLANDS/WORTHINGTON CATCHMENT AREA

Oversubscription in the Sale East area continues to be an issue for families living in the area at the normal point of entry (reception class) and for those families moving into the area with children already of school age. In the 2018 admission round, every reception class place in the Sale East area was allocated and both Templemoor and Worthington have waiting lists for admission to their reception classes. At the end of the 2017 academic year, the Foundation and Key Stage 1 classes, in every school in the Sale East area were full and 5 classes contained more than 30 pupils, under the allowed exceptions to the Infant Class Size Regulations.

Therefore the LA proposes to combine the Templemoor/Moorlands/Worthington catchment areas. In the first instance this will provide families in the combined area with further options and give an element of protection against the impact of increasing oversubscription in the area. The LA continues to consider schools for expansion in accordance with the sufficiency of places in each area and the feasibility of the schools available. Any additional places created in the combined area in the future would be prioritised for those children living in the combined catchment area.

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LOSTOCK COLLEGE - 2020 ADMISSION ARRANGEMENTS

Trafford is the Admission Authority for Lostock College. The closing date for applications for transfer to secondary school in September 2020 is 31st October 2019. Applications received after the closing date will only be considered after all other applications received on time have been processed.

Over-Subscription Criteria

Quite often there are not enough places at a school to satisfy every parent who wants to send their child there. This is what is meant when a school is "oversubscribed".

All children whose statement of special educational needs (SEN) or Education, Health and Care (EHC) plan names the school **must** be admitted. If the number of other applications exceeds the number of places available the following criteria will apply:

1. Looked After Children and all previously Looked After Children. A looked after child is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority, in the exercise of their social services functions (as defined in Section 22(1) of the Children Act 1989). Previously Looked After Children are children who were looked after but ceased to be so because they were adopted (or became subject to a child arrangements order or special guardianship order)¹.
2. *Children who have been in state care outside of England and ceased to be in state care as a result of being adopted. A child is regarded as having been in state care in a place outside of England if they were accommodated by a public authority, a religious organisation or any other provider of care whose sole purpose is to benefit society.*
3. Children who live in the catchment area of the School who will have a sibling attending the School at the time of the applicant's proposed admission (This includes half/step/adopted/foster brothers or sisters, and any other children, who are living at the same address as part of the same family unit).
4. Children who live in the catchment area of the School,
5. Children who live outside the catchment area who will have a sibling attending the School **at the time of the applicant's proposed admission** (This includes half/step/adopted/foster brothers or sisters, and any other children, who are living at the same address as part of the same family unit),
6. Children who live nearest to the School, calculated in a direct straight line from the child's permanent place of residence to the School. The co-ordinates that will be used for Lostock College are 378147, 395323. For the home address the distance will be calculated using property co-ordinates provided from Trafford's Local Land and Property Gazetteer (BS7666) (Royal Mail postal address Information may be used in some instances). In the case of a child living in a block of flats, co-ordinates will be obtained in the same way.

If there are more applicants than can be accommodated at a school in criteria 1. to 5. places will be offered to those children in each criterion whose place of residence is nearest to the school as defined in criterion 6.

Where two or more applications cannot be otherwise separated the final place will be determined through a random draw conducted and scrutinised by persons independent from the School, and from the Children, Families and Wellbeing Directorate.

Final Tie Break Arrangements

Each random allocation event only holds for the allocation of the currently available school place. On any waiting list the remaining applicants remain equally ranked and any further place is offered as the result of a further random exercise.

¹ Section 14A of the Children Act 1989 defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).

The Draw

The draw will be made by a person independent of the relevant school and from the Children, Families and Wellbeing Directorate.

The draw will be scrutinised by another person independent from the relevant school, and from the Children, Families and Wellbeing Directorate.

The application reference number for each pupil to be included in the draw will be recorded in Part 1 of the 'Random Draw Record Sheet'.

Each application reference number will be recorded on a separate sheet and sealed into an envelope. The envelopes will be shuffled by the person designated to make the draw and an envelope will be chosen.

The person designated to make the draw will open the chosen envelope and record the name in Part 2 of the 'Random Draw Record Sheet'

This process will be repeated until all the available places are allocated.

The person designated to make the draw and the Independent Scrutineer will sign the declarations in Part 3 of the 'Random Draw Record Sheet' to confirm that the process has been carried out in accordance with this procedure.

Catchment Area

The catchment area for Lostock College – All M32 postcodes

Your home address

The criteria used to determine admission, refer in every case to the child's home address. This means the address where the child normally and permanently lives, not the address of any child-minder or relative. In the case of parents who are separated and where child-care arrangements are shared between two addresses, the average of the distances of the two addresses from the school will be used for the purposes of determining priority for admission. Where one of the addresses is outside the catchment area the applicant will be regarded as living outside the catchment area and the average of the distances of the two addresses from the School will be used. You may also be required to provide proof of residency. Failure to do so may result in the offer of a place being withdrawn.

In Year Applications

Applications received outside the normal admissions round "In Year", will be determined by the same oversubscription criteria.

The information you provide to the LA

We assume that you will always provide us with the correct factual information when you apply for a school place and you may be required to provide proof of residency at your stated address. You should be aware that any place that has been offered on the basis of false or misleading information may be withdrawn and the place may be offered to another child.

Right of Appeal

In accordance with the School Standards and Framework Act you have the right to appeal against any decision made by the Admission Authority and an Independent Appeals Panel has been set up specifically for this purpose. If you wish to exercise your right of appeal you must contact the Legal and Democratic Services Team, Town Hall, Talbot Road, Stretford, M32 0YT, telephone number 0161 912 4221, to obtain an appeal form.

2020 PRIMARY CO-ORDINATED ADMISSIONS SCHEME

This Scheme is formulated in accordance with School Admissions Code which came into force on 19th December 2014.

Trafford LA has formulated this Scheme in relation to each school in the Trafford area.

The Governing Bodies/Trusts of the following schools and academies are the admission authorities for the primary schools to which this scheme applies:

Acre Hall Primary School	Partington Central Academy
All Saints' Catholic Primary School	St Alphonsus RC Primary School
Altrincham CE Primary School	St Anne's CE Primary School
Barton Clough Primary School	St Ann's RC Primary School
Bollin Primary School	St Hilda's CE Primary School
Bowdon CE Primary School	St Hugh of Lincoln RC Primary School
Elmridge Primary School	St Hugh's Catholic Primary School
English Martyrs' RC Primary School	St Joseph's Catholic Primary School
Forest Gate Primary School	St Margaret Ward Catholic Primary
Holy Family Catholic Primary School	St Mary's CE Primary (Davyhulme)
Lime Tree Primary School	St Mary's CE Primary School (Sale)
Old Trafford Community Academy	St Michael's CE Primary School
Our Lady of Lourdes Catholic Primary	St Monica's RC Primary School
Our Lady of the Rosary Catholic Primary	St Teresa's RC Primary School
Park Road Sale Primary School	St Vincent's Catholic Primary School
Park Road Academy Primary School	Tyntesfield Primary School

Trafford LA is the admission authority of the following primary schools to which this scheme applies:

Broadheath Primary School	St Matthew's CE Primary School
Brooklands Primary School	Seymour Park Community School
Broomwood Primary School	Springfield Primary School
Cloverlea Primary School	Stamford Park Infant School
Davyhulme Primary School	Stamford Park Junior School
Firs Primary School	Templemoor Infant School
Flixton Primary School	Urmston Primary School
Gorse Hill Primary School	Victoria Park Infant School
Heyes Lane Primary School	Victoria Park Junior School
Highfield Primary School	Well Green Primary School
King's Road Primary School	Wellfield Infant School
Kingsway Primary School	Wellfield Junior School
Moorlands Junior School	Willows Primary School
Moss Park Infant School	Woodheys Primary School
Moss Park Junior School	Woodhouse Primary School
Navigation Primary School	Worthington Primary School
Oldfield Brow Primary School	

1. APPLICATION PROCEDURE

- i) By 12th September in the offer year the primary application process will be open to all Trafford residents who wish to apply for places in state funded primary schools for following admission year. Applications can be submitted on line at www.trafford.gov.uk, and paper application forms can be obtained from Trafford primary schools, and on request from the Trafford's School Admissions Team.
- ii) An advertisement will be placed in the local press inviting parents whose children may not currently be attending a nursery class in a Trafford primary school to submit an application.
- iii) Applications must be submitted by **15 January** in the offer year.
- iv) Parents can apply for upto 5 schools, ranked in order of preference. It will be made clear that parents should include preferences for **any** state funded school where they wish their child to be considered for a place.

2. EXCHANGE OF DATA WITH OTHER AUTHORITIES

- i) The LA will process the common application form and by 7 February¹, lists will be sent to all LAs informing them of parents who have expressed a preference for a school in their area. Similarly Trafford will receive list of parents resident outside Trafford who have expressed a preference for a Trafford maintained school.
- ii) By **21 February** Lists will be sent to all academies and voluntary aided schools informing them of parents who have expressed a preference. The order of preferences will not be included in the lists sent to these schools.
- iii) Academies and voluntary aided schools will be asked to apply their own admission criteria and to send back their lists by **7 March**. The list will indicate the order in which all children, for whom application to the school has been made, have priority by reference to those over-subscription criteria.
- iv) The LA will draw up similar lists for the community primary schools for which it is the admission authority.

3. ALLOCATION PROCEDURE

- i) By **7 March** the LA will have a list for each of its maintained schools and will compare the lists from all the schools in its area. When a child qualifies for one of the available places at more than one school, the LA will provisionally allocate a place at the school ranked highest by the parent on the CAF. The LA will also adjust the list for any other school for which a preference was expressed by that parent, moving another child who was previously not eligible to be allocated a potential place, up the list to the provisional place which has been vacated.
- ii) Where a child is eligible to be granted admission to more than one school a place will be allocated at whichever of those schools is ranked highest by the parent. Where Trafford determine that a child is to be granted or refused admission to a school for which the governing body are the admission authority (see above), Trafford will notify the school's governing body of its determination.

¹ Where any published date is not a working day, the next working day will apply

- iii) Where the child is resident in the Trafford area any determination granting or refusing admission to a school will be sent direct to the parent (such determination being sent on behalf of a school's governing body in any case where Trafford are not the admission authority for the school).
- iv) Where the child is resident in a different local education authority's area, Trafford will notify that authority "the home authority", by **21 March**, of their determination. The home authority will send any determination granting or refusing admission to a school in a maintaining authority's area to the parent (such determination being sent on behalf of the school's governing body in any case where they are the admission authority for the school).
- v) Where it appears that a child resident in Trafford is eligible to be granted admission to more than one school for which application has been made a place will be allocated at whichever of those schools is ranked highest. Where that place is in the area of another LA Trafford will write, on behalf of the LA or relevant admission authority.
- vi) Where any Trafford resident child cannot be allocated a place at a preferred school, Trafford will consider how to place that child in a school within the Trafford area. This will usually be the nearest school with a vacancy.
- vii) At this stage in the allocations process, any applications submitted after 15 January will be processed and places will be allocated in line with the published criteria.
- viii) By **31st March** notification of final offers/refusals will be sent to and received from other LAs
- ix) By **31st March** Trafford LA sends the final lists of pupils to be offered places to schools in Trafford and notifies the home authorities of the final determination.
- x) On **16th April** – Trafford LA, as the home authority, will communicate to all parents resident in its area any determination granting or refusing admission. Where the school in question is its own admission authority, the LA will state that the offer is being made on behalf of that school's governing body.

4. REVIEW PROCESS

- i) The offer letter will advise parents that they must inform Trafford LA of their acceptance of the place by **30th April**. The acceptance of all places will be co-ordinated by Trafford LA. Parents will be invited to apply, direct to Trafford LA, for any vacancies that may arise, by **30th April**. Lists of applicants will be sent to other LAs, where the school is in another area and to voluntary aided schools within Trafford by **6th May**. Voluntary aided schools within Trafford will be asked to apply their own admission criteria and to send back their ranked lists by **13th May**.
- ii) At this stage in the review process, any applications received after the closing date of **30th April** will be considered in light of any remaining vacancies and places will be allocated in line with the published criteria.
- iii) On **20th May** – Trafford LA, as the home authority, will communicate to all parents resident in its area any determination granting or refusing admission. Where the school in question is its

own admission authority, the LA will state that the offer is being made on behalf of that school's governing body. This offer letter will advise parents that they must inform Trafford LA of their acceptance of the place by **3rd June**.

iv) Applications for vacancies or applications received after **30th April** will be considered in relation to the number of available vacancies. Where vacancies exist at a preferred school the highest available preference will be offered. Where more applications have been received for the places available the relevant admission authority will apply the admission criteria and advise the LA where places can be offered.

v) Further allocations will be made where possible on the following dates:

13th June or next working day – Closing date for acceptance 14 days from date of offer

9th July or next working day – Closing date for acceptance 14 days from date of offer

Where places are offered to applicants resident in another LA, Trafford will advise that LA that an offer can be made.

vi) Applications received after 9th July will be passed to the relevant admission authority for consideration after 1st September.

5. **RIGHT OF APPEAL**

Where an offer of a place at a preferred school cannot be made parents will be advised of the right to appeal to an independent appeal panel. Appeals relating to on time applications must be heard within 40 school days of the deadline for lodging the appeal.

6. **WAITING LISTS**

Each admission authority must maintain a clear, fair and objective waiting list for at least the first term of the academic year of admission. Each added child will require the list to be ranked again in line with the published oversubscription criteria. Priority must not be given to children based on the date their application was received or their name was added to the list. Children allocated a place at the school in accordance with a Fair Access Protocol, take precedence over those on a waiting list.

The LA will maintain waiting lists for all oversubscribed community and voluntary controlled schools.

7. **IN YEAR APPLICATIONS**

For the purposes of this Scheme an application is an in-year application if it is for the admission of a child to a relevant age group and it is submitted on or after 15th July in the offer year or it is for the admission of a child to an age group other than a relevant age group.

Parents may submit an In Year application to any academy or school. Where the LA is the admission authority (that is in community and voluntary controlled schools) the application must be passed to the LA for consideration.

Where the Governing Body/Trust is the admission authority for the academy or school, the admission authority **must**, on receipt of an in-year application, notify the LA of both the application and its outcome, to allow the LA to keep up to date figures on the availability of places in the area. The admission authority **must** also inform parents of their right to appeal against the refusal of a place².

Parents can also apply for a school place using the LA's on line application system or by completing a copy of Trafford's In Year CAF. Any applications received by the LA for own

² In accordance with 2.22 of the School Admissions Code

admission authority schools will be forwarded to the relevant admission authority for consideration³.

Applications received for admission to community or voluntary controlled schools in advance for the next admission year will be considered after 6th July. Parents will be advised of the outcome of their application before the schools close for the summer break. Applications received between the 15th July and 31st August will be considered at the beginning of the autumn term and parents will be advised of the outcome of their application after the 15th September. Applications received for community or voluntary controlled schools after 31st August will be considered after the initial allocation and parents will be advised of the outcome by the end of September.

³ In accordance with 2.21 of the School Admissions Code

TIMETABLE FOR PRIMARY CO-ORDINATED ADMISSIONS

Common application forms will be available to Trafford residents applying for places in maintained primary schools during the autumn term (offer year). CAFs will be available on line, from Trafford nurseries and primary schools and by telephoning the Trafford School Admissions Team.

Where any published date is not a working day, the next working day will apply.

Closing date for the submission of applications.
15 JANUARY

LAs exchange lists of preferences expressed for schools in their areas.
7 FEBRUARY

LA sends applications to academies/voluntary aided primary schools.
21 FEBRUARY

Academies/voluntary aided primary schools to return ranked data.
7 MARCH

LAs exchange data on potential offers
21 MARCH

LAs confirm acceptance or refusal of potential offers
by 31 MARCH

Lists to primary schools
by 31 March

Offers made to all parents by home LA.
16 APRIL

Closing date for acceptance of offers.
30 APRIL

2020 SECONDARY CO-ORDINATED ADMISSIONS SCHEME

This Scheme is formulated in accordance with the School Admissions Code which came into force on 19th December 2014.

Trafford LA has formulated this Scheme in relation to each school in the Trafford area.

The Governing Bodies/Trusts of the following schools/academies are the admission authorities for the secondary schools to which this scheme applies:

Altrincham College; Altrincham Grammar School for Boys; Altrincham Grammar School for Girls; Ashton-on-Mersey School; Blessed Thomas Holford Catholic College; Broadoak School; Flixton Girls' School; Loreto Grammar School; North Cestrian School; Sale High School; Sale Grammar School; Stretford Grammar School; Stretford High School; St Ambrose College; St Antony's Catholic College; Urmston Grammar School; Wellacre Academy and Wellington School.

Trafford LA is the admission authority for Lostock College.

NORMAL ADMISSION ROUND (transfer from primary to secondary school) SEPTEMBER 2020

1. APPLICATION PROCEDURE

- i) In the autumn term of the offer year all parents of Year 6 children will be invited to submit an application. Information on how to apply will be sent to all parents of pupils resident in Trafford, at their home address.
- ii) An advertisement will be placed in the local press inviting parents who are resident in Trafford whose children may not currently be attending a Trafford primary school to submit an application.
- iii) Information will be sent to all parents by 12 September in the offer year and they will be asked to submit their application by 31 October, thereby ensuring that all parents have the statutory 6 week period in which to express their preferences.
- iv) Parents can submit upto 5 preferences.
- v) Parents will be invited to name their preferred schools, ranked in order of preference. It will be made clear that parents should express a preference for all schools, wherever they are located, where they wish their child to be considered for a place.

2. EXCHANGE OF DATA WITH OTHER AUTHORITIES

- i) The Admission Team will process applications and, by 19 November, lists will be sent to all LAs informing them of parents who have expressed a preference for a school in their area.
- ii) On 29 November lists will be sent to all academies, foundation and voluntary aided schools informing them of parents who have expressed a preference. The order of preferences will not be included in the lists sent to these schools.
- iii) Academies, foundation schools and voluntary aided schools will be asked to apply their own admission criteria and to send back their ranked lists by 17 December. The list will indicate the order in which **all** children, for whom application to the school has been made, have priority by reference to the over-subscription criteria.

- iv) The LA will draw up similar lists for community secondary schools, for which it is the admission authority.

3. ALLOCATION PROCEDURE

- i) By 17 December the LA will have a list for each of its schools and will compare the lists from all the schools in its area. When a child qualifies for one of the available places at more than one school, the LA will provisionally allocate a place at the school ranked highest by the parent in their application. The LA will also adjust the list for any other school for which a preference was expressed by that parent, moving another child who was previously not eligible to be allocated a potential place up the list to the provisional place which has been vacated.
- ii) By 24 January notification of determinations will be sent to other LAs where parents resident in that LA have expressed a preference for a place at schools in Trafford. Also by 24 January Trafford LA will have received similar notifications from other LAs.
- iii) Where a child is eligible to be granted admission to more than one school a place will be allocated at whichever of those schools is ranked highest by the parent. Where Trafford determine that a child is to be granted or refused admission to a school for which the governing body are the admission authority (see above), Trafford will notify the school's governing body of its determination.
- iv) Where the child is resident in the Trafford area any determination granting or refusing admission to a school will be sent direct to the parent (such determination being sent on behalf of a school's governing body in any case where Trafford are not the admission authority for the school).
- v) Where the child is resident in a different local authority's area, Trafford will notify that authority "the home authority" of their determination. The determination will be sent by the home authority on behalf of the school's governing body in any case where they are the admission authority for the school.
- vi) Where it appears that a child resident in Trafford is eligible to be granted admission to more than one school for which application has been made a place will be allocated at whichever of those schools is ranked highest. Where that place is in the area of another LA, Trafford will write, on behalf of the LA or relevant admission authority.
- vii) Where any Trafford resident child cannot be allocated a place at a preferred school, Trafford will allocate a place at the nearest eligible school with a vacancy.
- viii) If no preferred school in Trafford can be offered, there will be no need to look for an alternative place if another LA has determined to offer a place at a preferred school.
- ix) At this stage in the allocations process, any applications submitted after 31 October will be processed and places will be allocated in line with the published criteria.
- x) On 18 February Trafford LA sends the schools in its area the final lists of pupils to be offered places and notifies the home authorities of the determination.
- xi) On the national offer day for secondary school places – 1 March, where 1 March is not a working day, the prescribed day is the next working day – Trafford LA, as the home authority, will communicate to all parents resident in its area any determination granting or refusing admission. Where the school in question is its own admission authority, the LA will state that the offer is being made on behalf of that school's governing body.

4. REVIEW PROCESS

- i) The offer letter will advise parents that they must inform Trafford LA of their acceptance of the place by 15 March (or next working day). The acceptance of all first round offers will be coordinated by Trafford LA. Parents will be invited to apply for any vacancies that may arise, by 15 March (or next working day). Lists of applicants for vacancies will be sent to other LAs, where the school is in another area and to academies, foundation and voluntary aided schools within Trafford by 18 March. Academies, foundation and voluntary aided schools within Trafford will be asked to apply their own admission criteria and to send back their ranked lists by 28 March.
- ii) At this stage in the review process, any applications received after the closing date of 15 March will be considered in light of any remaining vacancies and places will be allocated in line with the published criteria.
- iii) By 8 April – Trafford LA, as the home authority, will communicate to all parents resident in its area any determination granting or refusing admission. Where the school in question is its own admission authority, the LA will state that the offer is being made on behalf of that school's governing body. This offer letter will advise parents that they must inform Trafford LA of their acceptance of the place by 22 April.
- iv) Applications for vacancies or applications received after 8 April will be considered in relation to the number of available vacancies. Where more applications have been received for the places available the relevant admission authority will apply the admission criteria and advise the LA where places can be offered. Where a place can be offered at more than one preferred school the highest available preference will be offered.
- v) Further allocations will be made where possible on the following dates:
 - 31 May or next working day – Closing date for acceptance 14 days from date of offer
 - 21 June or next working day – Closing date for acceptance 14 days from date of offer
 - 9 July or next working day – Closing date for acceptance 14 days from date of offerWhere places are offered to applicants resident in another LA, Trafford will advise that LA that an offer can be made.
- vi) Applications received after 9th July will be passed to the relevant admission authority for consideration after 1st September.

5. RIGHT OF APPEAL

Where an offer of a place at a preferred school cannot be made parents will be advised of the right to appeal to an independent appeal panel. Appeals relating to applications made in the normal admissions round must be heard within 40 school days of the deadline for lodging appeals.

6. WAITING LISTS

Each admission authority must maintain a clear, fair and objective waiting list for at least the first term of the academic year of admission. Each added child will require the list to be ranked again in line with the published oversubscription criteria. Priority must not be given to children based on the date their application was received or their name was added to the list. Children allocated a place in accordance with a Fair Access Protocol take precedence over those on a waiting list.

7. IN YEAR APPLICATIONS

- i) For the purposes of this Scheme an application is an in-year application if it is for the admission of a child to a relevant age group and it is submitted on or after 15th July in the offer year or it is for the admission of a child to an age group other than a relevant age group.
- ii) Parents may submit an In Year application to any academy or school. Where the LA is the admission authority (that is in community and voluntary controlled schools) the application must be passed to the LA for consideration.
- iii) Where the Governing Body/Trust is the admission authority for the academy or school, the admission authority **must**, on receipt of an in-year application, notify the LA of both the application and its outcome, to allow the LA to keep up to date figures on the availability of places in the area. The admission authority **must** also inform parents of their right to appeal against the refusal of a place¹.
- iv) Parents can also apply for a school place using the LA's on line application system or by completing a copy of Trafford's In Year Application Form. Any applications received by the LA for "own admission authority schools" will be forwarded to the relevant admission authority for consideration².

¹ In accordance with 2.22 of the School Admissions Code

² In accordance with 2.21 of the School Admissions Code

TIMETABLE FOR SECONDARY CO-ORDINATED ADMISSIONS

Closing date for submission of applications.

31 October in the offer year

Trafford sends applications to other LAs.

19 November or next working day

Trafford sends applications, including those received from other authorities, to academies/foundation/voluntary aided schools.

29 November or next working day

Academies/foundation/voluntary aided schools to return ranked data.

17 December or next working day

Trafford send other LAs and Academies/Foundation/VA Schools a first cycle list of the places they are proposing to offer.

24 January or next working day

Trafford send other LAs and Academies/Foundation/VA Schools a final list of the places they are proposing to offer.

18 February or next working day

Offers made to all parents by home LA

1 March or next working day

Appeals to be lodged with the appropriate admissions authority.

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TRAFFORD COUNCIL

Report to: Executive 28 January 2019

Report for: Decision

Report of: Executive Member for Environment, Air Quality and Climate Change

Highways Capital Programme 2018/19 - Update on Programme Progress and Additional Proposals for Investment
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Summary

This report sets proposals for the Highway Capital Programme for the remainder of 2018/19 arising from scheme cost changes, efficiencies or reprogramming of existing 2018/19 funding whilst ensuring Capital funds are fully committed in order to maintain the standard of the asset portfolio.

The report reflects:

- Changing condition of the asset
- Dealing with a range of stakeholder identified commitments
- Making suitable provision for works defined in the contract as requiring capital investment as opposed to revenue repairs or make safe

Recommendations

That the Executive:

- | |
|--|
| <ol style="list-style-type: none">1. Approve the updated highways programme as set out in the appendices to this report;2. Delegates authority to the Corporate Director, Place to make subsequent minor changes to the agreed programme. |
|--|

Contact person for access to background papers and further information:

Name: Richard Roe
Telephone No: 0161 912 4265
Background Papers: None

Implications:

Relationship to Policy Framework/Corporate Priorities	This report relates to the corporate priority for economic growth and development.
Relationship to GM Policy or Strategy Framework	The programme aligns itself with the GM policy and strategy framework and the Council maintains regular briefings of GM regarding its highways structural maintenance programme.
Financial	The proposed amendments to the Highways Structural Maintenance Programme will be contained within current budgets and the additional Local Transport Capital Grant
Legal Implications	The Council has a statutory duty to maintain highways which are maintainable at public expense.
Equality/Diversity Implications	No direct implications.
Resource Implications e.g. Staffing / ICT / Assets	No direct implications.
Risk Management Implications	The improvements proposed will reduce risk of claims and trips
Health & Wellbeing Implications	No direct implications.
Health and Safety Implications	The improvements proposed will improve safety for all highway users.

1 BACKGROUND

- 1.1 At its meeting on the 21 February 2018, the Council approved the Council's capital budget for 2018/19. That budget included £3.2m each year for highways maintenance from 2018/19 to 2020/21 and referred to a plan that was being prepared to address the current condition of the highway network.
- 1.2 A review undertaken in line with the adopted Highways Infrastructure Asset Management Plan (HIAMP) established a need for additional funding targeted at reducing year on year deterioration over many years which would achieve an improvement in the overall road condition classification for Trafford, which is extremely important for inward investment, regeneration and keeping the network moving for businesses, residents and visitors in the Borough.
- 1.3 Following the approval for an overall programme of £9.1m for the 2018/19 Highways Structural Maintenance Programme, a contingency was also earmarked at £0.874m, which was later reduced to £0.560m – when a further three additional schemes were allocated scheme specific funding. The contingency was included in case of cost overrun to ensure programme delivery.
- 1.4 It has emerged as work has been completed during 2018 that this contingency

is not required to support scheme overspend or overrun and indeed the cost of delivering the 2018/19 programme so far has in overall terms, been less than the original budget provision, at around 80% of the overall original estimate. This offers an opportunity for Members to consider proposals that will address a number of commitments, engineering issues arising and pressing needs on other aspects of the highway infrastructure that require attention and action between now and the end of March 2019. These are outlined in the following paragraphs. In total, just over £1.56m is available to redirect onto other work that will mean more of the Trafford network can be attended to.

- 1.5 The table below provides a summary of the progress of the current 2018/19 programme and the proposed amendments.

2018/19 Highways Maintenance Programme	Original Programme	Revised Costs	Available budget
	£'000	£'000	£'000
Highway Maintenance Programme	8,019	7,022	997
Contingency	560	0	560
Bridges	422	422	0
Street Lighting, Public Rights of Way	87	87	0
Sub-total	9,088	7,531	1,557
Additional 2018/19 grant award			1,032
Total available resources			2,589
Proposals:			
Patching & Pothole Repair			200
Highways schemes			967
Drainage schemes			120
Structures schemes			100
Road Marking			30
Traffic Signs & Street furniture			90
Flood defence & weather stations			50
Additional Pot Hole & Maintenance Schemes			1,032
Proposals Total			2,589

2 PROPOSALS

2.1 Additional highways schemes - £0.967m

- 2.1.1 As mentioned above, from efficiencies gained through the competitive pricing approach, underspends in some areas of the programme eg. tree work and advanced design and from the contingency, a further twelve schemes have been identified at an estimated cost of £0.967m carriageway work during the remainder of this financial year, the details of which are contained in Appendix A.

2.2 Drainage - £0.120m

- 2.2.1 The original budget of £0.1m has been fully committed for this year in delivering two priority schemes and two excavations. Several prospective schemes have emerged during 2018, related to historic problems, across six locations where intervention is required. It is proposed that a further £0.120m is allocated this

financial year to resolve these drainage issues or provide conclusive reports as to remedy. These drainage issues have impacted the carriageway network movement and caused damage to the structural integrity of the carriageway.

2.3 Road Markings – £0.030m

Throughout the Borough, there is evidence of missing or faded road markings which impact on road safety and the Council's ability to enforce where Traffic Regulation orders (TRO's) exist. This provision will renew markings to improve road safety for motorists and pedestrians, alike.

2.4 Traffic Signs £0.050m

Likewise, it is proposed to prioritise safety and TRO related work; to resolve missing, damaged beyond repair, asset life failings due to corrosion, theft and historical anomalies, which need replacement or rectification.

2.5 Other Patching and Pothole Repair - £0.2m

2.5.1 The Council already has a patching and pothole repair allocation and it is proposed to supplement the original budget of £0.250m, with an additional £0.2m owing to a majority of the original planned schemes within the budget allocation having been delivered. This supplement means that priority schemes based on existing commitments and known problems throughout the Borough can be brought forward from the three year programme, meaning the expenditure on this programme up until March is approximately £0.45m.

2.5.2 From observations and feedback from stakeholders, it is apparent that the Council will continue to experience demand to address large patches and surface course stripping throughout the winter period. Throughout the Borough, there are numerous sites where surface failings, which do not meet the actionable trigger intervention, but, result in surface water holding and poor ride quality. Early intervention would remove the risks associated with surface water damage and complaints arising.

2.6 Street Furniture – £0.040m

It is proposed to replace bollards and pedestrian guardrail on a safety priority basis where the asset life has expired or where the furniture has been damaged beyond repair. It is also proposed that a programme to remove inappropriate street furniture that is no longer required as part of the Council's (DfT) required de-cluttering programme is undertaken.

2.7 Flood Defence Work – £0.025m.

It is proposed that a sum is set aside for emergency relief schemes which will comprise of design and investigation. This is to assist with non-pipe network asset, designated flood zone maintenance and historical flood issues under the Council's duty of the Flood and Water Management Act 2010.

2.8 Weather Stations – £0.025m

It is proposed to finance the one-off replacement of one of the Council's weather stations as it is beyond its working life and is not efficient. Repair and maintenance is high. There will also be repair and testing undertaken with satellite units in Trafford. This will ensure that during the forthcoming months, Trafford's winter service can be delivered with improved local knowledge.

2.9 Structures - £0.1m

New priorities have arisen following analysis from nine accident locations. This road and structural safety related work is not generated through the normal asset management condition process, but, from analysis from these locations provided by Greater Manchester Police and subsequent surveys.

2.10 Local Transport Capital Funding 2018/19 Financial Year - £1.032m

In addition, the Chancellor's recent Budget Statement, DfT has confirmed that Trafford has been allocated an extra £1.032m, for pothole repairs, minor resurfacing and minor structures work in anticipation of another winter where surfaces are degraded as a result of frost, snow, rainfall and sub-zero temperatures. Commonly known as the "Pothole fund", this allocation is welcome in advance of winter 2018/19 and will support the delivery of the previously mentioned patching and pothole repair £0.2m good fund management, which will be spent as in previous years on a demand and priority led basis. In line of the terms and conditions this DfT funding a brief note will be published on the Council's web site, by the end of March 2019, setting out how the funding has been utilised, including where feasible pictorial evidence of the works undertaken.

3.0 OUTCOME

The outcome of the above proposals to the current year's programme is cost neutral and means more of the network can be attended to through additional schemes, projects and works to improve the condition of Trafford's highway infrastructure.

4.0 Other Options

4.1 Maintaining the existing programme and declaring the funding as not required or deferring these proposals to future years will result in the highway infrastructure continuing to decline, stakeholder complaints rising and the Council not being able to resolve or mitigate the effect. It will cause reputational damage and be the subject of external scrutiny at a time when the Council has previously committed to a significant investment in the highway in order to improve its condition.

5.0 Consultation

5.1 Consultation will take place with ward members on the delivery of schemes in their area.

6.0 Reasons for Recommendations

- 6.1 Ongoing capital investment ensures the protection and improvement of the Council's highway infrastructure to meet the expectations and needs of Trafford residents, visitors and businesses and ensure the Council delivers on its objectives and priorities for inward investment, regeneration and good network movement in the Borough and for the benefit of Greater Manchester.

Key Decision: Yes

If Key Decision, has 28-day notice been given? Yes

Finance Officer Clearance - Mark Hughes

Legal Officer Clearance - TR

CORPORATE DIRECTOR'S SIGNATURE



To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.

APPENDIX A

Proposed additional Highway schemes, resurfacing and repairs

Scheme name / Location	Ward	Brief Scheme Description / details	Estimated cost of scheme (£)
Heathlands Farm A6144 Warburton Road,	Bowdon	Historical issue. Failed trench resulting in noise and vibration pollution	£3,200
Woodfield Road, Broadheath	Altrincham	Historical issue. Carriageway depression causing risk to road users. Need intrusive and extensive site investigation I funding and design for programme for prompt action	£174,800
Norris Road, Sale localised areas with emphasis local to Tesco and new build site	Sale Moor	Surface failure mid-way along Norris Road, local to traffic calmed area and Tesco site.	£70,400
A56 Cross Street, Sale	Ashton upon Mersey and Priory	Noise pollution claims near to residential home. Noise pollution derived from numerous trenches and patches near to pedestrian crossing and fringe area.	£38,400
Eaton Road, Bowdon (cul-de-sac only)	Bowdon	A residents complaint was received regarding dust impacting environmental and health matters. The inspection, revealed surface course failure, throughout the cul des sac part of Eaton Road, resulting in the residual surface breaking down and the sub layers of the carriageway being at risk of water ingress and damage .	£14,080
Cecil Road, Flixton	Flixton	Concrete Road with extensive carriageway failure. Carriageway failure in cul-de-sac may also have impacted drainage lines beneath concrete pads. Concrete failure has resulted in pads rock, heavy splintering, chunks of concrete now spalling and removal by hand. Entire cul-de-sac needs concrete removed and a flexible design with drainage repairs. Major risk of claims arising.	£50,400

Sinderland Lane - 2 locations (near Townsend Farm and Caldwell Brook)	Bowdon	National Trust complaints and bus company complaints. Historical issue. Trief kerbs (near Townsend Farm) were put in to stop surface water from local fields impacting highway and to reduce road edge erosion. As time has passed, flooding is now at end of triefs and erosion is apparent. Second site of erosion highlighted near Caldwell Brook length. Again, erosion and flooding in carriageway fringes. Neither site has positive drainage where floods occur. Will require a review of drainage and possible design	£25,600
Stokoe Avenue / Taylor Road	Altrincham	2017/18 saw some small patching repairs at Stokoe Avenue / Acorn Place. However area has further failed in Stokoe and Taylor Road area including along school frontage which is suffering from aggressive failure.	£33,280
Eaton Road, Sale	Priory	25 plus defects on Eaton Road. This is next to Belgrave Road (18/19 scheme). Proposed to do at same time as Belgrave	£70,400
Trafford Park Road, Trafford Park	Gorse Hill	Highlighted as a stripping site. Further failure and now actionable defects arising.	£160,000
Gorse Grove, Stretford	Longford	Gorse Avenue from Great Stone Road to Milton Road is requiring treatment,	£166,000
Green Lane, Ashton on Mersey	Ashton upon Mersey	Raised pedestrian crossing is requiring attention. Constant patching and failures. Need rebuilding from carriageway level up	£8,960
Grange Road, Sale	Ashton on Mersey	Significant historic patching but now need greater intervention	£51,200
South Downs Road, Bowdon (Phase 2)	Bowdon	Continuation of previous schemes	£99,949
			£996 669

APPENDIX B

Proposed Drainage Works

Scheme name / Address	Ward	Brief Scheme Description / details	Estimated cost of scheme (£)
Arthog Road, Hale	Bowdon	Historical flooding. Private landowner impacted. New drainage line and gully pot(s) required	£31,200
26 Moorside Road, Urmston	Davyhulme East	Historical flooding. Private landowner impacted. Present issues with UU capacity	£15,200
133 Church Road, Urmston	Flixton	Historical issue of private residents drive flooding. Scheme required to lift up kerb line along 4 frontages, introduce better highway drainage, resurface footway locally. Pedestrian Crossing in midst of this. Localised drainage cleaned	£20,100
65 Harboro Road, Sale	St Marys	Historical flooding of private resident's drive. Local footway from no 65 to 69 all fall to low point outside number 65 resulting in flood. Footway needs reprofiling and kerbs adjusted. Option of introducing a pedestrian gully outside no 65 will require a highway connection to local gully o/s 65, however this line is impacted by utilities / levels. existing gully pot / line needs replacing as old Kettle pot and silted up. line maybe damaged also. Other gully pots are also kettle pot types and silted. Kettle pot gullies cannot be cleaned using a standard 150mm jettors as apparatus cannot be accessed.	£21,500

o/s 152 Grove Lane, Hale	Hale Barns	The frontage is presently impacted by local flooding with drainage pots too far away for water to reach as channel undulates. Drive way is sump area between two peaks in this line. Carriageway channel will require reprofile, but may impact rest of carriageway. Works deferred because of gas work / building works earlier in year.	£19,200
131/ 133 Stockport Road (near Wellington Road junction)	Timperley	Historical flooding issue. Possible scheme after LOT 2 dig (yet to be done). KRN	£6,400
Beech Avenue	Village	Historical Drainage issues and flooding. Residential issue of water being dispersed onto highway.	£6,400
		<i>Drainage</i>	£120,000

TRAFFORD COUNCIL

Report to: Executive
Date: 28th January 2018
Report for: Decision
Report of: Executive Member for Investment, Regeneration and Strategic Planning

Report Title

Council Development Schemes

Summary

This report seeks approval from the Executive to proceed with formal procurement exercises to select respective development partners for specified Council sites, subject to final business case approval and due diligence on the partner's ability to deliver a viable and acceptable scheme.

Recommendation(s)

The Executive are recommended to:-

- a) Note the current position and potential opportunity for each site.**
- b) Approve the proposals, delivery route and tender process as set out in paragraph 2.0 to select a development partner for each site.**
- c) Note the proposal to establish a development team.**
- d) Note that the appropriate community engagement will be undertaken for each site as part of the process**

Contact person for access to background papers and further information:

Name: Richard Roe
Extension: 4265

Background Papers: None

Implications:

Relationship to Policy Framework/Corporate Priorities	Supports the policy for economic growth and development
Relationship to GM Policy or Strategy Framework	Supports GM policy for growth
Financial	The cost of the proposed development team is approximately £550k per annum, inclusive of on-costs and financial management support and this will be capitalised as part of scheme development costs and ultimately financed from capital receipts generated from the schemes.. Detailed business cases will be developed and brought back to Executive for future approval for each development.
Legal Implications:	The Council will carry out robust procurement exercises to minimise any potential challenges. Any legal implications of the developments will be reviewed once the full scope of each development is known.
Equality/Diversity Implications	None
Sustainability Implications	None
Resource Implications e.g. Staffing / ICT / Assets	The Corporate Director, Place will require professional specialist support to optimise scheme viability, produce clear and deliverable development briefs and to properly evaluate and challenge bids received.
Risk Management Implications	There are risks associated with any disposal and development activity but these have been identified and mitigated as follows:- <ul style="list-style-type: none"> • Due diligence on each proposed site including planning, investigations, legal title checks, site surveys and valuation advice • Use of local market knowledge and market testing • Proposed use of Star Procurement to deliver an independent and objective tender invitation, evaluation and selection process • The procurement process will provide the opportunity to gain specific reassurances as to each tenderers track record, corporate structure and financial standing • The Council will not be bound to accept the highest or any bid and will follow existing procedure to ensure “best consideration” is achieved • Legal documentation will seek to ensure delivery is achieved and Capital Receipts are realised within an agreed timescale .
Health & Wellbeing Implications	No direct implications
Health and Safety Implications	No direct implications

1.0 Background

- 1.1 The Strategic Land Review Programme for 2018/19 was approved by the Executive on 23/3/18. This approval noted that the Council pursue direct development of sites, subject to a suitable options appraisal and business cases on a site by site basis.
- 1.2 Sites and opportunities progress at different rates depending on complexity but the Council now has three opportunities where initial investigation work and consideration of the options has confirmed they could be brought to market and development partners sought.

2.0 The Sites

1) Site: The Jubilee Centre, Bowdon

Current use: The site comprises an existing community centre and a large surface car park. It is adjacent to the Cinnamon Club, a wedding and event venue held on a lease from the Council.

Opportunity: The existing community centre is outdated and in need of ongoing repair and investment. It also does not make best use of the available site area. There is the opportunity to maximise the site potential to release land for residential development and generate a capital receipt for the Council whilst creating a new community centre

Proposal and route to market – A development brief will be issued inviting tenders from potential development partners for the site. Options could include residential units to generate a capital receipt on disposal and the specific reprovision of a new community centre. A previous soft market testing exercise indicated clear market interest and the opportunity to meet the Council's objectives for the site. The brief will also request that suitable car parking provision is made for the residential units users of the Cinnamon Club, and community parking for other users such as the Bowdon Croquet Club

2) Site: Stokoe Avenue, Altrincham

Current use: The site was previously used as allotments but these were closed in 1988 and it has remained empty since and is now overgrown with self-seed bushes

Opportunity: The site is in an attractive canal side location and there has been recent and successful residential development immediately adjacent. There is the potential to generate a capital receipt from residential development for the Council. In addition, following initial engagement with Trafford Rowing Club there is also the opportunity to provide a new home for the Club and create an additional facility with wider social and community benefit

Proposal and route to market – A development brief will be issued inviting tenders from potential development partners for the site. Options could include redevelopment of the site to include residential units to generate a capital receipt on disposal and to include the creation of a new Rowing Club and associated community facility. The development brief will note the need to acquire an adjoining land interest and the release of a strip of land currently designated as Public Open Space to maximise the opportunity.

3) Site: The Grafton Centre, Altrincham

Current use: The site was acquired by the Council in 2018 and is a town centre retail investment comprising a number of shop units and anchored by the Travelodge hotel

Opportunity: The site has considerable potential for regeneration and redevelopment to increase revenue and/or capital return to the Council. An Expressions of Interest exercise was undertaken by the Council at the end of 2018 to gauge the appetite of developers to bring forward a scheme. This exercise generated

a strong response and a number of interesting and innovative options for the site including retail, leisure and residential

Proposal and route to market – A development brief will be issued inviting offers from potential development partners to enter into a Joint Venture with the Council. Given the high profile and specialist mixed use of this key strategic town centre site it is considered a Joint Venture (JV) would be the preferred delivery model. The JV partner would share the risk and reward with the Council, and provide development expertise alongside specialist town centre retail experience which will be required in the delivery of this particular scheme. The establishment of a JV will be subject to a robust business case and appropriate legal terms.

Once tender responses for all sites have been received and evaluated a further report will be brought forward for Executive Approval detailing the optimum solution for each site and demonstrating how these are supported by reference to individual business cases.

3.0 Development Team

3.1 The proposal is to establish a new Development Team within the Place directorate, reporting to the Corporate Director for Place. The team will be responsible for taking forward all Council development activity, both direct delivery and management of external contracts. The Director of Development will be a member of Place Shaping Board to ensure that development activity is in line with strategic place shaping activity. The Development Team will be required to work collaboratively with internal and external partners to aid delivery, including with the One Trafford Partnership property team.

3.2 The costs of the team will be fully capitalised against agreed development schemes. The size of the team is based on delivery of three additional schemes, but the structure has the ability to increase in future to support delivery of a larger programme, with a core team of three, supported by a Commercial Manager and a Design Manager.

The structure proposed is as follows:

- A Director of Development, Development Manager and Project Manager as a core team of three.
- A Commercial Manager and Design Manager, who would be able to deliver circa three schemes concurrently.
- Additional Commercial and Design Managers can be brought in to support an expanded development pipeline in future.
- Salaries are subject to job evaluation and market assessment

INTERNAL RESOURCE	ANNUAL SALARY	Annual Salary with On-costs
Programme Director	£100,000	£130,000
Development Manager	£85,000	£110,500
Project Manager	£70,000	£91,000
Commercial Manager 1	£70,000	£91,000
Design Manager 1	£65,000	£84,500
Total	£390,000	£507,000

- 3.3 Also financial management support will be required to develop business cases and provide ongoing financial support.
- 3.4 Establishing a development team will reduce the overhead cost of development, by reducing the use of external development management resources. The team will also provide capacity to accelerate the pace of development on Council sites.

4.0 Other Options

The Council could choose not to seek development partners for each site and either hold the sites with their current use or dispose on the open market. Holding the sites would not generate a financial return from either the Jubilee Centre or Stokoe Avenue, and would not maximise the regeneration benefits for Altrincham, as well as a financial return, from the redevelopment of the Grafton Centre. Disposing of the sites on the market would potentially provide a speedier financial return to the Council, but this would be less than the return from direct development.

The specific development options for each site will be explored as part of the development process.

5.0 Consultation


Consultation will be undertaken with local communities and other stakeholders in assessing the potential development options for each site.

6.0 Reason for recommendation

To enable the procurement of development partners for the three identified sites. Appointment of partners will not commit the Council to proceed with development on any of the sites, and will be subject to community engagement and business case approval. Any development proposals will also be subject to planning permission.

Key Decision (as defined in the Constitution): / No
If Key Decision, has 28-day notice been given? Yes / No N/A

Finance Officer Clearance (type in initials) GB
Legal Officer Clearance (type in initials) JLEF

[CORPORATE] DIRECTOR'S SIGNATURE (electronic) 
 To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.



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The Grafton Centre, Altrincham

1:1,250 when printed at A4

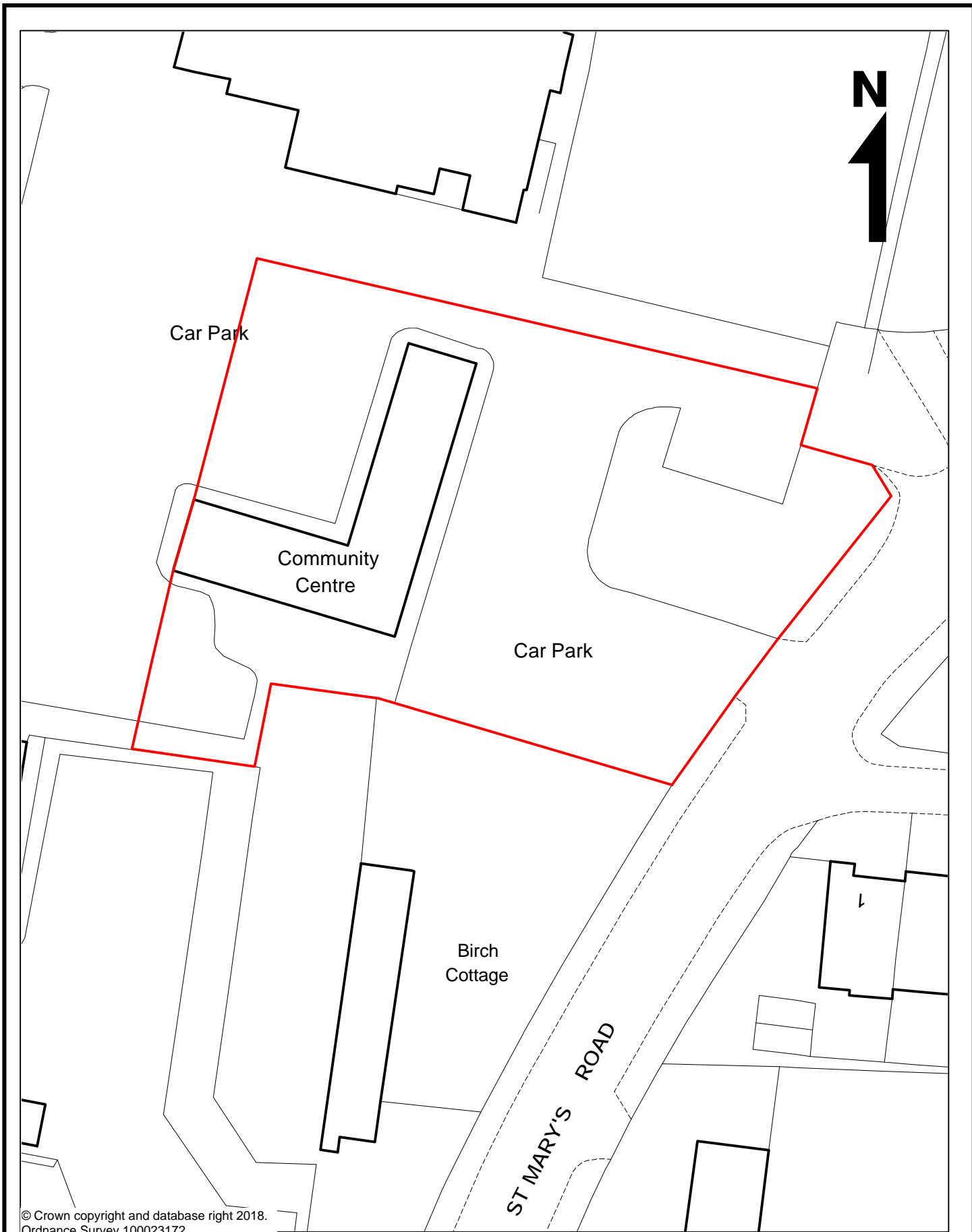
Drawn: **SB**

Area (or Thereabouts):

Date
29 AUGUST 2018

Ref No.

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The Jubilee Centre, Bowdon

1:500 when printed at A4

Drawn: **SB**

Area (or Thereabouts):
0.2487 Ha (0.6145 Ac)

Date
**22 OCTOBER
2018**

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CO37200037

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Page 159



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Land at Stokoe Avenue, Altrincham

1:1,250 when printed at A4

Drawn	SB	Ref No.
Area (or thereabouts):		Date
1.289 Hectares (3.185 Acres)		12 OCTOBER 2018

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TRAFFORD COUNCIL

Report to: Executive
Date: 28 January 2019
Report for: Information
Report of: The Executive Member for Finance and the Corporate Director of Finance and Systems

Report Title:

Budget Monitoring 2018/19 – Period 8 (April to November 2018).

Summary:

The purpose of this report is to inform Members of the current 2018/19 forecast outturn figures relating to both Revenue and Capital budgets. It also summarises the latest forecast position for Council Tax and Business Rates within the Collection Fund.

Recommendation(s)

It is recommended that:

- a) the Executive note the report and the changes to the Capital Programme as detailed in paragraph 21.

Contact person for access to background papers and further information:

David Muggeridge, Finance Manager, Financial Accounting Extension: 4534

Background Papers: None

Relationship to Policy Framework/Corporate Priorities	Value for Money
Financial	Revenue and Capital expenditure to be contained within available resources in 2018/19.
Legal Implications:	None arising out of this report
Equality/Diversity Implications	None arising out of this report
Sustainability Implications	None arising out of this report
Resource Implications e.g. Staffing / ICT / Assets	Not applicable
Risk Management Implications	Not applicable
Health & Wellbeing Implications	Not applicable
Health and Safety Implications	Not applicable

REVENUE BUDGET

Budget Monitoring - Financial Results

1. The approved budget agreed at the 21 February 2018 Council meeting is £164.25m. In determining the budget an overall gap of £22.945m was addressed by a combination of additional resources of £12.972m, including projected growth in business rates, council tax and use of general reserve and £9.973m of service savings and additional income.
2. Based on the budget monitoring for the first 8 months, the year-end forecast outturn is £0.028m below budget, a favourable movement of £0.750m since the last monitoring report, due mainly to the Business Rates Growth Pilot surplus of £0.81m detailed in paragraph 15 below.
3. Detailed below in Table 1 is a summary breakdown of the service and funding variances against budget, with Table 2 providing an explanation of the variances:

Table 1: Budget Monitoring results by Service	2018/19 * Revised Budget (£000's)	Forecast Outturn (£000's)	Forecast Variance (£000's)	Percent- age
Children's Services	32,337	34,082	1,745	5.4%
Adult Services	47,976	48,473	497	1.0%
Public Health	12,227	12,556	329	2.7%
Place	23,851	22,769	(1,082)	(4.5)%
People	2,742	2,907	165	6.0%
Finance & Systems	6,994	6,945	(49)	(0.7)%
Governance & Community Strategy	7,426	7,575	149	2.0%
Total Directorate Budgets	133,553	135,307	1,754	1.3%
Council-wide budgets	30,693	29,720	(973)	(3.2)%
Net Service Expenditure variance	164,246	165,027	781	0.5%
Funding				
Business Rates (see para. 12)	(67,619)	(68,428)	(809)	(1.2)%
Council Tax (see para. 9)	(94,497)	(94,497)	-	
Reserves	(1,630)	(1,630)	-	
Collection Fund surplus	(500)	(500)	-	
Funding variance	(164,246)	(165,055)	(809)	(0.5)%
Net Revenue Outturn variance	0	(28)	(28)	(0.0)%
Dedicated Schools Grant	128,624	128,026	(598)	(0.5)%

* A number of budget virements have been made, under delegated powers, since the Period 6 Budget Monitoring Report and are detailed in Appendix 1.

Main variances, changes to budget assumptions and key risks

4. The main variances contributing to the projected in-year budget saving of £0.028m, any changes to budget assumptions and associated key risks are highlighted below:

Table 2: Main variances	Forecast Variance (£000's)	Explanation/Risks
Children's Services	1,745	<p>Outturn variance £1.745m adverse, a £176k favourable movement since P6:</p> <ul style="list-style-type: none"> ➤ £1.666m above budget in Children's placements Budget (Note 1); ➤ £417k additional Home to School Transport costs (Note 2); ➤ £338k projected underspend relating to staff cost savings, additional grant income and running cost savings, partly offset by an underachievement of other income (Note 3). <p>Note 1 The projected outturn position is a gross overspend of £1.906m, this is partially offset by a one off underspend of £240k on the Regional Adoption Agency.</p> <p>Since the last monitoring report at the end of September the service has experienced cost pressures consistent with those reported at P6.</p> <p>The position assumes that the £900k savings target will be achieved in full. As at 30/11/18 £1.067m of savings has been achieved via the planned de-escalation of Children's placements.</p> <p>Within the projected position there is a contingency for forecasted demand on the service of £0.468m. This will be released throughout the remainder of the financial year, if the service can prevent or decrease new activity then there will be a corresponding reduction in the overspend.</p> <p>The number of children in care as at the end of November was 407, an increase of 13 from that last reported at the end of September.</p> <p>A detailed narrative was included as an appendix to the period 6 report providing further detail on the pressures and initiatives in development in relation to the placements budget.</p>

		<p>Note 2 The Home to School Transport (Trafford Travel Co-ordination Unit) service continues to experience high demand and increasing costs. The full extent of projected costs has now been quantified now that demand has been confirmed following the commencement of the new school year in September 2018.</p> <p>Current forecasts show that the service will be £417k overspent on transport runs at the year end. Although savings have been made on the staffing budget there are a number of new and expanded “runs” which have resulted in higher contractor costs for commissioned transport. The Service continues to promote independent travel training for young people and car mileage payments to parents as a package of flexible travel assistance solutions for families; this helps reduce demand for transport.</p> <p>The increase in the projection of £74k predominately relates to new runs to out of borough Education places. Since Period 6 five new runs have been introduced at a combined cost of £50k, £35k of this increase relates to transportation to and from an establishment in North Wales. The remainder of the variance £24k relates to increases to transportation requirements of existing users.</p> <p>Note 3 The £338k underspend is in relation to staff cost savings (£205k), additional grant income (£93k) and minor savings in running costs (£40k).</p>
Adult Services	497	<p>Outturn variance £497k adverse, a £454k adverse movement since P6:</p> <ul style="list-style-type: none"> ➤ £600k adverse variance in the Adults Client Budget (Note 1); ➤ £103k reduction in costs due to vacancies and one off savings (Note 2); <p>Note 1 The main area of volatility is in the adult client budget as follows:</p> <ul style="list-style-type: none"> ➤ £400k projected overspend due to higher than expected costs of care packages; ➤ £200k overspend in relation to Discharge to Assess beds supporting the reduction in Delayed transfers of Care from hospitals.

		<p>The market continues to be complex and there is a significant challenge for the service to procure care at the council framework prices. As at the end of November 2018 the Council is forecasting to spend around £2.489m on care exceeding framework prices. The cost projection has increased by £173k due to the additional costs above framework price for long term care packages. - Until the end of the financial year.</p> <p>Commissioners have had recent success in reducing exceptional top-ups paid on homecare packages, the success has been realised through a targeted approach and has involved moving people back onto framework providers or negotiating a reduced rate where packages have been historically procured from premium rate providers during winter pressure.</p> <p>Prior to the Period 6 report the government announced £240m of additional funding for winter pressures across Adult Services nationally. Trafford's allocation was confirmed at £0.945m and conditions were subsequently attached to the funding. This has prompted the Council to look to further increase the number of Discharge to Assess beds available to support continuing targets to reduce delayed transfers of care for hospital beds throughout the winter. This has resulted in additional projected costs of around £200k for Discharge to Assess beds until the end of the financial year.</p> <p>Within the budget there is a savings target of £2.620m. The current forecast reflects a projected over achievement of savings by £260k, mainly due to the Stabilise and Make Safe programme as detailed in Appendix 2.</p> <p>Within the current forecast there is a contingency of £0.4m.</p> <p>What is the service doing to prevent an escalation in costs?</p> <ul style="list-style-type: none"> • Commissioners continue to increase the capacity of Homecare available to the council, and have brought another nine SAMS providers on board; this will ensure that some clients can increase/retain their independence in their own home therefore reducing demand for residential/nursing placements. • The service are exploring alternative contracting arrangements particularly in the form of block contracting in order to achieve
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		<p>value for money and to provide security for both the Council and providers.</p> <ul style="list-style-type: none"> Commissioning are actively reviewing the payments the Council are making over and above framework prices, where possible alternative providers will be sourced to reduce the pressure on the budget. However it is important to note that quality will not be compromised. <p>Increases in the use of technology are being promoted and further developments will continue in this area to attempt to decrease the need for human intervention and to promote independence.</p> <p><u>Note 2</u> The outturn position includes an underspend on staffing due to vacancies of £206k, this is partially offset by an overspend on costs relating to ongoing repairs and maintenance of lifts and minor adaptations to client properties of £103k.</p>
Public Health	329	<p>Outturn variance £329k adverse, a £147k favourable movement since P6:</p> <p><u>Community Services Contract</u></p> <p>The Council and Trafford CCG are parties in the above contract with Pennine Care NHS Foundation Trust. The contract is expected to overspend by around £1.8m in this financial year; a risk share agreement has been agreed that will see the Council responsible for around 40% of any overspend at the end of the financial year, this equates to around £700k.</p> <p>The service has estimated that expenditure can be reduced in other areas of the Public Health budget by £371k to mitigate against the pressure in this financial year, the remaining projected overspend is therefore £329k, the service continues to work to decrease the deficit further before the end of the financial year.</p>

Place	(1,082)	<p>Outturn variance £1.082m favourable, a £90k adverse movement since P6</p> <ul style="list-style-type: none"> ➤ staff underspend from vacancies of £472k, which is £278k in excess of the savings target and equates to approximately 8.3% of the overall staffing budget. This is an adverse movement since period 6 of £60k and reflects the continuing effort to fill vacant posts and that a number of services are in the process of restructuring; ➤ net surplus income from property rents, car park income and other fees of £166k, a favourable movement of £127k since period 6; ➤ partly offset by a net budget pressure in running costs of £299k across all services, an increase of £157k since period 6. <p>Including:</p> <ul style="list-style-type: none"> • £116k from waste management disposal costs relating to an increase in trade waste since previously reported; • £138k relating to a recently notified one-off increase in the GM Waste Disposal Levy for 2018/19; • a permanent increase in business rates of £92k relating to a number of Car Parks, offset by one-off business rate refunds (net of fees) of £196k; • other one-off costs of £149k across a number of services. <ul style="list-style-type: none"> ➤ one-off business rate refunds (net of fees) as previously notified relating to Sale Waterside and Trafford Town Hall of £937k. ➤ Note - Planning income (net of costs) is £355k above target and is ring fenced for re-investment in the service in line with government regulations resulting in a neutral impact on the final outturn. <p>Period movement £90k adverse:</p> <ul style="list-style-type: none"> ➤ One-off increase in GM Waste Disposal Levy for 2018/19 of £138k; ➤ reduced underspend on staff costs £60k; ➤ additional income of £76k from Regent Road and Oakfield Road car parks remaining open longer than expected prior to development
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		<p>works;</p> <ul style="list-style-type: none"> ➤ the final fees associated with car park business rate revaluations are lower than previously estimated, £41k; ➤ other minor net movements £9k.
People	165	<p>Outturn variance £165k adverse, a £30k adverse movement since P6:</p> <ul style="list-style-type: none"> ➤ staff underspend from vacancies of £136k, a small increase of £2k since the period 6 report. This is 2.8% of the total staffing budget; ➤ additional income mainly from traded services of £54k, an increase of £20k since the last report; ➤ These match the service savings target of £190k; ➤ one-off costs of £94k relating to changes to the Council's Executive management structure, an increase of £37k since last reported due mainly to an extension of the temporary Chief Executive post; ➤ running costs are slightly higher than budget by £71k, an increase of £15k since the last report, due mainly to additional trading losses at Flixton House during redevelopment.
Finance & Systems	(49)	<p>Outturn variance £49k favourable, a £2k favourable movement:</p> <ul style="list-style-type: none"> ➤ staff underspend from vacancies are £288k, an increase of £9k since last reported, representing 3.9% of the total staffing budget; ➤ underspend on running costs of £40k and an increase in income above budget of £4k means the service savings target of £283k has been exceeded by £49k; ➤ The main areas of vacancy underspending are Exchequer services, where staff turnover is traditionally high, and ICT which reflects the current difficulties in recruiting to this service.

Governance & Community Strategy	149	<p>Outturn variance £149k adverse, a £15k adverse movement:</p> <ul style="list-style-type: none"> ➤ staff underspend from vacancies are £331k, representing 4.9% of the total staffing budget. The main areas include £166k in Legal Services, £110k in Access Trafford and £55k in Partnerships & Communities. This is £71k in excess of the overall savings target for the service of £260k and has been achieved from natural staff turnover across the Directorate; ➤ running costs above budget of £135k, including demand led legal costs of £36k and £87k relating to the trading position of Sale Waterside Arts Centre; ➤ a shortfall in other savings of £111k, mainly relating to projected income at Sale Waterside Arts Centre of £95k. CCTV trading income is also expected to be £16k below the budgeted savings target; ➤ surplus income of £26k, including additional SLA income in Legal Services.
Council-wide budgets	(973)	<ul style="list-style-type: none"> ➤ Outturn variance £973k favourable, a £205k favourable movement since P6: ➤ Treasury Management net savings of £363k. A recent debt restructure where a £20m RBS loan at 7.26% was extinguished and a replacement loan of the same amount taken out with the PWLB at 2.66% has generated a net in-year saving, after costs, of £0.15m. As a consequence of this restructure a sum of £1.5m has been released from the Financial Instruments Adjustment Account (FIAA), previously set aside for the old RBS loan, and added to the £9.9m Investment Fund Reserve to help pay for the recent £11.2m increase in the Council's investment in MAG. A further £0.25m of savings has also been generated arising from other new low rated debt being taken up later in the year than originally forecasted. ➤ £177k additional net income to be generated from the Investment Strategy following recent decisions made by the Investment Management Board. This is an adverse movement of £95k since the last report due

		<p>to net slippage on a couple of investment property completions;</p> <ul style="list-style-type: none"> ➤ The net Housing Benefit budget (payments made, less subsidy and overpayment recovery) is above budget by £210k, largely as a result of the successful collection of prior years' housing benefit overpayments. This has reduced by £140k since the period 6 report due to a combination of a reduction in the forecast overpayment recovery plus an increase in in-year overpayments, resulting in a loss of benefit subsidy; ➤ A number of Council-wide contingencies and provisions relating to service savings not being achieved and doubtful debts are reviewed on a regular basis and it is considered appropriate at this stage of the year, after taking account of one-off costs relating to capital projects no longer proceeding, to release £289k; ➤ The latest monitoring information from Stockport Council has identified a projected budget pressure in Coroners and Mortuary fees of £66k. This is due mainly to an increase in body removal, body storage and post mortem contract costs. The Coroners service is currently looking at ways to reduce some of these costs and the current projection is a worst case scenario. <p>It should also be noted that a 2018/19 Interim MAG dividend was recently received for £2.064m. This is in addition to the £3.571m already received in July 2018 for the final 2017/18 dividend. The total dividend received in the year is therefore £5.635m and is above budget by £2.038m. This one-off saving will be transferred to the MAG Dividend Reserve as a prudent measure to protect against the risk of future volatility of MAG dividend income.</p>
Funding	(809)	See paragraph 15 below.
Dedicated Schools Grant	(598)	<p>High Needs Block: The projected budget pressure within the High Needs block previously reported has reduced from period 6 due to the receipt of additional grant of £594k.</p> <p>Any surplus or deficit will be transferred to the DSG Reserve at year-end.</p>

MTFP Savings and increased income

5. The 2018/19 budget is based on the achievement of permanent base budget savings and increased income of £9.97m (see para. 1 above). At this stage the latest forecast indicates that total savings of £10.24m will be achieved, which is £0.27m above target and this has been included in the monitoring position above.

Table 3 – Transformation & Business as Usual Projects	Savings Target £	Savings Forecast to be Achieved £	Surplus \ (shortfall) £
Original Target Agreed at Budget Council February 2018	9,973,000	10,240,514	267,514
Add savings in 2018/19 brought forward from the 2017/18 programme:-	10,000	0	(10,000)
Adjusted Target	9,983,000	10,240,514	257,514
Of which:-			
Transformation Projects	3,746,000	4,173,514	427,514
Business As Usual	6,237,000	6,067,000	(170,000)

Those projects currently in exception are listed in Appendix 2.

RESERVES

6. The Council's usable reserves at 31st March 2018 stood at £75.02m, of which £43.23m relates to Earmarked revenue reserves which were detailed in the period 6 report. A full review of all commitments on these reserves is being undertaken as part of the current 2019/20 budget process.
7. The remaining reserves consist of the General Reserve at £6.00m, which is the approved minimum level agreed by Council in February 2018, Capital Related Reserves which are fully committed to meet the costs of the Capital Programme to 2021/22 and Schools Related Reserves which are balances belonging to individual schools and are just held by the Council on their behalf.
8. As part of the current monitoring position it is proposed to transfer the following amounts to earmarked reserves in year:-
 - MAG Reserve £2.038m (see Table 2 above);
 - Business Rates Growth Pilot Reserve £2.5m (see Collection Fund paragraph 15);
 - DSG Reserve £598k (see Table 2 above).

COLLECTION FUND

Council Tax

9. The 2018/19 surplus on the Council Tax element of the Collection Fund is shared between the Council (84%), the Police & Crime Commissioner for GM (12%) and GM Fire & Rescue Authority (4%). The total surplus brought forward as at 1 April 2018 was £2.18m of which the Council's share was £1.82m.
10. As at November 2018 the end of year surplus balance is forecasted to be £1.72m, after the application of £0.59m of brought forward surplus and addition of an in-year surplus of £0.23m and £0.10m of backdated valuations. The Council's share of this is £1.64m, and is planned to support future budgets in the MTFP.
11. Council Tax collection rate as at 30 November 2018 was 77.1%, which is ahead of the target of 76.6%.

Business Rates

12. The 2018/19 budget included anticipated growth in retained business rates and related S31 grants of £9.89m. It is still anticipated that the overall budget will be achieved in year, however there has been a net reduction in the underlying amount of Rates collected of £1.5m, as explained further below, offset by a combined one-off increase in Section 31 Grants and a Tariff adjustment relating to previous years of £1.5m.
13. There has been a significant reduction in the underlying total gross rates income, of approximately £5.5m, relating to a number of significant building demolitions

and further temporary reductions due to major building refurbishments. These reductions have largely been offset by a lower provision for rates appeals of £4.0m. The lower provision is a result of a large number of appeals being dismissed by the Valuation Office Agency in respect of major infrastructure projects. This has left an overall net deficit on the Collection Fund of £1.5m. This deficit will need to be made good in 2019/20 by utilising the surplus Section 31 Grants and Tariff adjustment, which will be held in an earmarked reserve for this purpose at year end.

14. The underlying reduction in Rateable Value caused by the permanent demolitions, along with a review of the level of provision being held for appeals are being considered as part of setting the 2019/20 and future years' budgets.
15. In addition to the core rates budget, a one off receipt of £3.31m is due from Greater Manchester Combined Authority which represents Trafford's share of unutilised monies from the 2017/18 Business Rates Growth Pilot contributions. It is proposed that a figure of £2.5m is transferred to the Business Rates Growth Pilot Reserve to smooth any volatility in future year's business rates, as those being experienced in the current year. This will leave a net surplus of £0.81m which can be used to partially offset the in-year forecast budget pressures.
16. Business Rates collection rate as at 30 November 2018 was 74.82% compared to a targeted collection rate of 73.86%.

Transformation Fund

17. In October 2017 Trafford (Council and CCG) was awarded £22m from the Greater Manchester (GM) £450m Transformation Fund. .
18. This investment is to help secure a sustainable health and social care economy by 2021 and will support all Trafford's residents and GP registered population, with interventions specifically targeting those people in the borough with poorer health outcomes and the inequalities and performance issues that need to be tackled.
19. The £22m is pump priming money which is predicated on the basis that benefits will be achieved over this time period, which can then be reinvested to fund expenditure both within that time period and beyond. The benefits are also expected to exceed on-going expenditure and therefore contribute towards reducing the overall gap in funding envisaged by the Trafford locality.
20. Further details of the latest position of the Transformation Fund as reported to the CCG Governing Body can be found at Appendix 3.

CAPITAL PROGRAMME

21. The value of the indicative 2018/19 Capital Programme set in February 2018 was £59.42m and included £5.00m for the Capital Investment Programme phased to 2018/19 (see paragraph 25). Taking into account additional government grant awarded in the autumn budget and other minor changes the budget has moved from £338.65m reported in P6 to its currently estimate of £340.26m.
22. Recent changes to the budget since the last monitoring report are detailed below and are summarised as follows:

Table 6 - Capital Investment Programme 2018/19	P6 Position £m	Changes £m	Current Programme £m
Service Analysis:			
Children's Services	13.30	-	13.30
Adult Social Care	2.34	0.25	2.59
Place	63.88	0.28	64.16
Governance & Community Strategy	1.97	-	1.97
Finance & Systems	1.93	-	1.93
General Programme Total	83.42	0.53	83.95
Capital Investment Fund	255.23	1.08	256.31
Total Programme	338.65	1.61	340.26

23. Amendments to General Capital Programme

➤ Leisure Strategy : Sale Leisure Centre - £(0.87)m

Following the approval of the replacement of both Altrincham and Stretford Leisure Centres it is appropriate to re-profile the planned scheme for Sale Leisure Centre to later years to mitigate the impact on service provision and on Trafford Leisure. In the short term any priority capital condition works will be met from future corporate landlord capital budgets.

➤ New schemes and increases to existing budgets - £1.39m

- Disabled Facilities Grant: £245k - As part of the autumn budget an additional £55m was made available by Ministry of Housing, Communities and Local Government. Trafford's allocation of this amounts to £245k and must be spent before the end of March 2019.
- Local Transport Capital Funding: £1.032m – Nationally the Department for Transport allocated an additional £420m of grant as part of the autumn 2018 budget. Trafford has received an allocation of £1.032m which in line with the terms and conditions of this additional funding a brief note will be published on the Council's website by the end of March 2019, setting out how the structural maintenance funding has been utilised, including where feasible pictorial evidence of the work undertaken.

- Westpoint: DDA works (Student Accommodation): £110k – As part of the student accommodation requirements of the UA92 project the Council has agreed to contribute £110k towards ensuring that the facilities are DDA compliant. The costs will be funded from the Major Projects Reserve.

24. Resourcing of the capital investment programme is made up of both internal and external funding. Details of this are shown in the table below.

Table 7 - Capital Investment Resources 2018/19	P6 Position £m	Changes £m	Current Programme £m
External:			
Grants	16.91	1.28	18.19
Contributions	9.93	(1.01)	8.92
Sub-total	26.84	0.27	27.11
Internal:			
Receipts	17.49	(3.20)	14.29
Borrowing	27.50	2.00	29.50
Reserves & revenue contributions	11.59	1.46	13.05
Sub-total	56.58	0.26	56.84
Total Resourcing	83.42	0.53	83.95

Status and progress of projects

25. On average outturn performance over the last 4 years has been £32.09m and appears to highlight that delivery of the current Capital Programme is quite ambitious. This section aims to give certainty about delivery and the level of outturn performance that can be expected.
26. As part of the monitoring process a record of the “milestones” reached by each project is kept to show the progress of the scheme from inclusion in the Programme through to completion. The table below shows the value of the programme across the milestone categories.

Table 8 - Status on 2018/19 Projects	Current Budget £m	Percentage of Budget
Already complete	27.86	33%
On site	28.58	34%
Programmed to start later in year	24.43	29%
Not yet programmed	3.08	4%
Total	83.95	100%

27. The first three categories give a good indication as to the level of confirmed expenditure to be incurred during the year. As can be seen £80.87m (96%) of the budget has now been committed or is programmed to start in the year.

28. Schemes with a value of £3.08m are classed as “Not yet programmed” and relate to budgets where specific projects have not yet been agreed or budgets that have yet to have a start date, these include:
- School Expansion Programme - £1.12m: An unallocated balance remains following the approval by the Executive of the 2018/19 schools capital investment works. This will be the subject of a separate report to the Executive for inclusion in the 2019/20 programme.
 - City Cycle Ambition Grant Programme - £424k: Negotiations are still ongoing with TfGM to finalise the works to be undertaken.
 - 9/11 Market Street, Altrincham Redevelopment - £239k: The proposed development of these commercial properties has been delayed due to the short term occupation by the developers of the new Health and Well Being Centre. The works are expected to be undertaken in 2019/20.
 - CCTV Transformation Programme (Phase 2) - £513k: The planned work is now expected to start in 2019/20 and will complete in 2020/21.
 - Timperley Sports Club: Pitch contribution - £350k: The council agreed to make a contribution to the replacement of the artificial pitch for use by local schools. This contribution was expected to fall due in 2018/19, however the club are looking into a larger scale development opportunities and as a result it is not expected that the Council contribution will be required until after this financial year.
29. There are a number of schemes which, whilst they have started or are still due to start in year, are not now expected to complete until 2019/20. As a result the outturn projection is now estimated to be £58.36m in 2018/19. The table below provides a summary with scheme details shown in the following paragraph.

Table 9 – 2018/19 Outturn Projection	£m
Current General Programme	83.95
Actual spend to date	39.33
Expected spend for P9-P12	19.03
Outturn Projection	58.36
Variance to current budget	(25.59)
Major Areas which require re-phasing to 2019/20	
- Leisure Strategy - "Increasing Physical Activity"	18.76
- Schools related projects	3.12
- Altair Development, Altrincham	1.14
- ICT – Windows 10 Implementation & rollout	0.75
- City Cycle Ambition Grant	0.55
- CCTV Transformation Programme – Phase 2	0.52
- Timperley Sports Club- Artificial pitch contribution	0.35
- 9/11 Market Street, Altrincham	0.24
- Miscellaneous Building Repairs	0.16
Total re-phasing requirement	25.59

30. Land Sales Programme - Capital Receipts

In order to fund the current Capital Investment Programme there is a requirement for £14.29m of capital receipts (see Table 7). Current projections indicate that in the region of £3.75m will be generated from disposals of surplus assets during the year together with unutilised balances from previous years of £6.52m, giving £10.27m available to support capital expenditure in year. This shortfall of £4.02m would give rise to temporary borrowing costs, unless projects which are planned to be financed from capital receipts are re-phased back to 2019/20.

At this stage in the year it is now known that a number of projects, that were to be funded by capital receipts, are to be re-profiled to later years (see Para 25) meaning that there is unlikely to be a requirement for temporary borrowing in 2018/19.

CAPITAL INVESTMENT PROGRAMME

31. The Council's Investment Strategy was approved by the Executive in July 2017 when approval was given to increase the Capital Investment Fund to £300m, supported by prudential borrowing, to support the approach. The original budget for 2018/19 was £5.00m, however re-phasing from 2017/18 of £250.23m has resulted in a budget of £255.23m.
32. To date ten transactions have been agreed by the Investment Management Board at a total capital cost of £174.15m. This investment will provide a net benefit to support the revenue budget in 2018/19 and later years.
33. There have been two recent approvals:-
 - a) Agreement has been reached for the purchase of a warehouse and distribution facility at Walthew House Lane in Wigan at a value of £13.75m, with the purchase being completed on 10 December 2018;
 - b) The purchase of another strategic property within Trafford has also been agreed at a price of £23.83m with completion expected in the next couple of months.

Table 10: Capital Investment Strategy	2017/18 £m	2018/19 £m	Total £m
Total Investment Fund			300.00
Activity to date :			
Projected Cost			
K Site, Talbot Rd, Stretford	1.24	23.62	24.86
Acquisitions :			
Sonova House, Warrington	12.17		12.17
DSG, Preston	17.39		17.39
Grafton Centre incl. Travelodge Hotel, Altrincham	10.84		10.84
Trafford Magistrates Court, Sale		4.30	4.30
Walthew House Lane, Wigan		13.75	13.75
Committed: Future purchase of a strategic property in Trafford		23.83	23.83
Loan Advances:			
No.1, Old Trafford : Debt financing for residential development	3.13	(3.13)	0.00
The Crescent, Salford : Debt financing for residential development		60.80	60.80
Development Sites :			
Brown Street, Hale		6.21	6.21
Total investments	44.77	129.38	174.15
Balance available			125.85

Issues / Risks

34. The main risk in the area of the capital programme is the timely delivery of the programme and this situation will continue to be closely monitored and any issues will be reported as and when they arise.

Recommendations

35. That the Executive note the report and the changes to the Capital Programme as detailed in paragraph 21.

Other Options

Not Applicable

Consultation

Not Applicable

Reasons for Recommendation

Not Applicable

Finance Officer Clearance GB
Legal Officer Clearance DS

CORPORATE DIRECTOR'S SIGNATURE 

Virements	Children's (£000's)	Adults (£000's)	Place (£000's)	* Central Services (£000's)	Council- wide (£000's)	Total (£000's)
Period 6 Report	32,379	59,979	23,874	17,344	30,670	164,246
Part reversal of previous virement re a Commissioning Post	30	(30)				0
Section 17 budget re-alignment	13	(13)				0
Corporate Director budget split between Children's and Adults	(85)	85				0
Transfer Information Unit budget from Legal Services to Adults Support Services		182		(182)		0
Re-alignment of AGMA budgets across Services			(23)		23	0
						0
Total virements	(42)	224	(23)	(182)	23	0
Period 8 Report	32,337	60,203	23,851	17,162	30,693	164,246

* People, Finance & Systems and Governance & Community Strategy.

Transformation & Business as Usual Projects in exception	Total savings to be achieved 2018/19 £	Total Forecast to be achieved 2018/19 £	Variance £	Reason for variance
Continuation Children's Programme	900,000	1,067,747	167,747	Savings achieved to date through planned de-escalation of Children in care having exceeded expectations, the service is committed to providing care for Children in a home setting and hence reducing the number of high cost placements, this has been demonstrated through the increased recruitment of Foster carers and from the return to home of Children to family members aided by closer working with Social Workers.
Reshaping Continuation Adults Programme	1,479,000	1,257,150	(221,850)	The projection has been amended to reflect the decrease in savings currently coming through as a result of reassessment activity and Panel reductions as is to be expected in the final year of a 5 year programme. Savings achieved to date are in the vast majority savings from client costs transferring to health funding, savings in this area are unpredictable hence the decision to reduce the projection.
Single Handed Care	141,000	42,000	(99,000)	Delays in implementation of the new test and learn pilot have meant that there is slippage in the expected project start date. The forecasted savings for 18/19 have been amended to reflect a phased implementation of the scheme.
Stabilise and Make Safe (SAMS) 2018/19 - moving from 11 - 14 average completions p/w	200,000	780,617	580,617	The Stabilise and Make Safe initiative continues to exceed expectations and this has been reflected in the projected overachievement of savings, the service has been able to reduce the costs of interventions and has been able to maintain a steady flow of clients through the service resulting in higher savings than anticipated.
Sub-total Transformation			427,514	

Transformation & Business as Usual Projects in exception	Total savings to be achieved 2018/19 £	Total Forecast to be achieved 2018/19 £	Variance £	Reason for variance
CCTV New Trading Model	20,000	0	(20,000)	No new schools signed up due to technical issues at Salford delaying the marketing and growth of the service.
Waterside Arts Centre	100,000	0	(100,000)	Ongoing capital investment in the facility and further business development is anticipated to improve the position later in the year to enable a sustainable financial position to be achieved from 2019/20.
Review of PFI contract	250,000	200,000	(50,000)	Negotiations are continuing with the PFI provider to secure savings.
Sub-total Business as usual			(170,000)	
Total			257,514	

GOVERNING BODY – MEETING IN PUBLIC

8TH JANUARY 2018

Title of report	Locality Transformation Fund
Purpose of the report and key highlights	To provide members with an overview and forecast position as at the end of the March 2019 on the transformation Fund across the Locality.

Actions requested	Decision		Discussion	X	Information	
	<i>(Decision and discussion required)</i>		<i>(No decision required. Discussion only which may lead to actions)</i>		<i>(no discussion required)</i>	

Strategic objectives supported by the report (<i>please tick appropriate objectives relating to the report</i>)						
Engagement						
Continually improvement engagement with member practices, patients, the Public, carers, providers, our staff and other partners to effectively contribute to and influence the work of NHS Trafford CCG.						X
Commissioning and Integrated Health & Social Care Community Model						
Working with health and social care partners to deliver the transformation plan for Trafford, including an increasing proportion of services from primary care and community services in an integrated way.						X
Commissioning Intentions and Delivery						
Through effective integrated commissioning, improve the quality of services and reduce the gap in health outcomes between the most and least deprived communities in Trafford						X
Financial Recovery Plan						
To be a sustainable economy both in terms of clinical and financial services						X
CCG Resilience – Workforce and Governance						
To ensure the CCG workforce and governance has the capacity and capability to be resilient						

Commissioning a Local Care Alliance (LCA)	
To work to develop an LCA which deliver integrated care for the Trafford people	
Commissioning Primary Care at Scale	
To work to develop primary in our neighbourhoods and are able to deliver care with partners	

Recommendations	The Governing Body is asked to note the contents of this paper
Discussion history prior to the Governing Body	A background and monitoring report was presented to the Quality, Finance and Performance Committee in September 2018.
Financial implications and approval	The latest position with regards to spend on the transformation fund will be reported on a bi-monthly basis to both Quality, Finance and Performance Committee and Governing Body. Whilst funding is carried forward into future years, where appropriate, it is the impact that this has on benefits that is included in the monthly finance reports and those on the financial recovery plan.
Risk implications	Whilst funding is carried forward into future years, where appropriate, to meet expenditure, there is an impact on the achievement of benefits in year as a result of delays in the implementation of schemes.
Equality Impact Assessment	Quality impact assessments and equality impact assessments will be carried out where appropriate against individual schemes.
Communications Issues	Communications and engagement on the CCG's transformation Fund and actions will be considered against individual schemes and linked to commissioning intentions.
Public engagement summary	Public engagement of new schemes will be channelled through the Trafford Talks Health programme
Legal implications	None
Workforce implications	None

Prepared by	Helen Zammit – Joint Finance Transformation Lead
Responsible SLT Member	Nikki Bishop - Chief Finance Officer
Financial approval	

TRANSFORMATION FUND

1. INTRODUCTION AND BACKGROUND

1.1 The Trafford system was awarded £22m in October 2017 from the Greater Manchester (GM) £450m Transformation Fund which is delegated to Greater Manchester Health & Social Care Partnership (GMHSCP) by NHS England.

1.2 This investment is to help secure a sustainable health and social care economy by 2021, in order to build a strong foundation for delivery of Trafford's vision for 2031. The investment aims to put in place:

- An integrated organisation for Trafford Council and NHS Trafford Clinical Commissioning Group (CCG)
- A new model of care for community health, primary care and social care services, to underpin Trafford's Local Care Alliance (LCA) which will also be established, designed and developed
- An optimised offer from the Trafford Co-ordination Centre (TCC)
- Care Complex which will provide coordinated care for people who are at risk of developing conditions, or exacerbating existing conditions, and allow us to proactively manage them in intermediate care facilitating their onwards journey home.
- A range of enabling activity e.g. workforce development, estates redesign, communications and engagement.

1.3 This work will support all Trafford's residents and GP registered population, with interventions specifically targeting those people in the borough with poorer health outcomes and the inequalities and performance issues that need to be tackled.

1.4 The £22m is pump priming money which is predicated on the basis that benefits will be achieved over this time period, which can then be reinvested to fund expenditure both within that time period and beyond. The benefits are also expected to exceed on going expenditure and therefore contribute towards reducing the overall gap in funding envisaged by the Trafford locality.

1.5 In addition to pump priming monies the Council and the CCG also agreed to provide £10.6m of match funding giving an overall fund value of £32.6m.

1.6 Over the four years of the fund, costs were estimated to be £52m funded from GMHSCP (£22m), match funding (£10.6m) associated benefits (£19.4m). The overall estimated value of benefits over this four-year period was £72m.

2. Performance against the fund for 8 months to 30 November 2018

2.1 Expenditure

Based on the budget monitoring for the first 8 months of this year, the year-end forecast is an underspend of £8.7m, of which £3.3m will be carried forward into 2019/20. Not all was to be funded by transformation fund/match funding; £5.4m was to be met from recycled benefits.

2.2 The reasons for the underspend are mainly as a result of delays in the implementation of some schemes whilst options or requirements are fully scoped out (e.g. homecare) or evaluated to consider roll out on a wider scale. There is also a pause in other schemes (e.g. provider development work stream) whilst

they are being reviewed. This position is being closely monitored to understand the implications on the benefits associated with the schemes currently experiencing delays.

2.3 Funding

The actual expenditure of £8.4m is funded from GMHSCP (£6.1m) and match funding (£2.3m).

2.4 Benefits

The benefits to be realised from these schemes was £13.2m (this has been updated to take account of local agreements in place with providers, non-locality savings and changes to the recording of activity). However due to the reasons outlined in paragraph 1.2 the benefits forecast to be realised is £8.7m an underachievement of £4.5m. The impact of under achieving on benefits is that underspends to be met by recycled benefits cannot be carried forward and each organisation has to find alternative means of bridging the gap, be it through one-off funds which may require repaying back the following year or alternative savings.

The table 1 below outlines the position for each organisation and appendix A provides the detail by scheme.

Table 1	Expenditure				Funded by			Benefits		
Organisation	Revised Budget £'000	Forecast £'000	Variance £,000	Cfwd £'000	GMHSCP £'000	Match Funding £'000	Total £'000	Target £'000	Forecast £'000	Variance £'000
Council	5,439	3,375	(2,064)	411	2,210	1,165	3,375	5,952	5,929	(23)
CCG	10,537	4,561	(5,976)	2,237	3,416	1,145	4,561	7,242	2,745	(4,497)
Joint	1,141	496	(645)	645	496	0	496	0	0	0
Total	17,117	8,432	(8,685)	3,293	6,122	2,310	8,432	13,194	8,674	(4,520)

3. Forecast performance against the fund from October 2017 until March 2019

3.1 Table 2 overleaf sets out the forecast position of the fund to 31 March 2019 based on information as at 30 November 2018 incorporating all expenditure, funding and benefits since the scheme became operative in October 2017. Appendix B provides further detail by scheme for the same period.

Table 2	Expenditure				Funded by			Overall Benefit		
Organisation	Revised Budget £'000	Forecast £'000	Variance £,000	Cfwd £'000	GMHSCP £'000	Match Funding £'000	Total £'000	Target £'000	Forecast £'000	Variance £'000
Council	7,280	5,088	(2,192)	398	2,527	2,561	5,088	9,168	8,514	(654)
CCG	14,234	7,375	(6,859)	2,346	5,330	2,045	7,375	9,764	2,897	(6,867)
Joint	1,221	576	(645)	645	576	0	576	0	0	0
Total	22,735	13,039	(9,696)	3,389	8,433	4,606	13,039	18,932	11,411	(7,521)

3.2 Expenditure

At this stage there is forecast to be an underspend of £9.7m by the 31st March 2019, of which £3.4m will be carried forward. Not all was to be funded by transformation fund/match funding; £6.3m was to be met from recycled benefits.

3.3 Funding

The actual expenditure of £13.0m will be funded from GMHSCP (£8.4m) and match funding (£4.6m).

The overall forecast funding remaining from GMHSCP is £13.6m with match funding of £6.0m. The table 3 below sets this out by organisation and appendix C provides the detail by scheme:

Table 3	Funding Remaining		
Organisation	GMHSCP £'000	Match Funding £'000	Total £'000
Council	3,653	3,439	7,092
CCG	8,830	2,555	11,385
Joint	1,084	0	1,084
Total	13,567	5,994	19,561
Utilised	8,433	4,606	13,039
Remaining	13,567	5,994	19,561
Total	22,000	10,600	32,600

3.4 Benefits

The benefits to be realised from these schemes was £18.9m but due to delays mentioned previously the benefits forecast to be realised is £11.4m an underachievement of £7.5m. The impact of under achieving on benefits is that underspends to be met by recycled benefits cannot be carried forward and each organisation must find alternative means of bridging the gap, be it through one-off funds which may require repaying back the following year or alternative savings.

4. Summary & Recommendations

4.1 Summary

As shown in Appendix B, the locality is forecast to have used £8.4m of the Transformation Funds with a further £4.6m matched from CCG and Council baselines to meet the expenditure requirements to date. The forecast benefits are £11.4m of which £8.5m have been generated in adult's and children's care.

4.2 Recommendations

NHS Trafford CCG Governing Body is requested to note the content of the paper.

CCG	Expenditure				Funded by			Benefits			
	Scheme	Revised Budget £'000	Forecast £'000	Variance £,000	Cfwd £'000	GMHSCP £'000	Match Funding £'000	Total £'000	Target £'000	Forecast £'000	Variance £'000
Administration	54	0	(54)	54	0		0				0
Cancer screening LES Payments	33	0	(33)	33	0		0				0
Primary care mental health and wellbeing service	771	0	(771)	0	0		0		3		(3)
Medicines Optimisation team	670	334	(336)	0	89	245	334		1,972	1,557	(415)
Care Workforce	1,273	203	(1,070)	0	203		203		1,717	281	(1,436)
TECHT (Domiciliary MDT)	2,179	1,302	(877)	0	1,302		1,302		1,765	241	(1,524)
Quality and Outcomes Framework	100	0	(100)	100	0		0		487	0	(487)
Clinical and Change Resource	214	24	(190)	190	24		24				0
Provider Leadership Capacity	152	30	(122)	122	30		30				
Quality and Outcomes framework	70	13	(57)	57	13		13		0	0	0
GP Transitional Relief	105	0	(105)	105	0		0				
New Organisational Form	412	176	(236)	236	176		176				
Training Costs	358	73	(285)	285	73		73				0
Urgent Care - Community Enhanced Care	800	0	(800)	800	0		0				
Urgent Care - Ascot House	2,293	2,184	(109)	0	1,284	900	2,184		1,298	666	(632)
Home Care	576	0	(576)	0	0		0				
Programme Management	477	222	(255)	255	222		222				0
Total	10,537	4,561	(5,976)	2,237	3,416	1,145	4,561		7,242	2,745	(4,497)

Council										
Urgent Care - Discharge to Assess Bed Facility	841	869	28	(28)	797	72	869			0
Urgent Care - Social work capacity to improve flow in hospitals	378	302	(76)	76	30	272	302			0
Urgent Care - Discharge to Assess and Process Improvements	63	62	(1)	1		62	62			0
Adult's and Children's Social Care	1,529	1,318	(211)	211	1,275	43	1,318	5,952	5,929	(23)
Homecare	1,907	180	(1,727)	74	108	72	180			0
Programme Management	596	583	(13)	13		583	583			0
Enablers	125	61	(64)	64		61	61			0
Total	5,439	3,375	(2,064)	411	2,210	1,165	3,375	5,952	5,929	(23)
Joint										
Programme Management	351	338	(13)	13	338	0	338			0
Enablers	790	158	(632)	632	158	0	158			0
Total	1,141	496	(645)	645	496	0	496	0	0	0
Grand Total	17,117	8,432	(8,685)	3,293	6,122	2,310	8,432	13,194	8,674	(4,520)

CCG	Expenditure				Funded by			Overall Benefit			
	Scheme	Revised Budget £'000	Forecast £'000	Variance £,000	Cfwd £'000	GMHSCP £'000	Match Funding £'000	Total £'000	Target £'000	Forecast £'000	Variance £'000
Administration	54	0	(54)	54	0		0	0	0	0	0
Cancer screening LES Payments	33	0	(33)	33	0		0	0	0	0	0
Primary care mental health and wellbeing service	936	0	(936)	0	0		0	0	3	0	(3)
Medicines Optimisation team	1,002	364	(638)	0	119	245	364	3,391	1,557	(1,834)	
Care Workforce	1,273	203	(1,070)	0	203		203	2,108	281	(1,827)	
TECHT (Domiciliary MDT)	2,826	1,711	(1,115)	0	1,711	0	1,711	2,127	250	(1,877)	
Quality and Outcomes Framework	100	0	(100)	100	0		0	725	0	(725)	
Clinical and Change Resource	234	44	(190)	190	44		44	0	0	0	
Provider Leadership Capacity	220	98	(122)	122	98		98				
Quality and Outcomes framework	90	33	(57)	57	33		33	0	0	0	
GP Transitional Relief	105	0	(105)	105	0		0				
New Organisational Form	462	226	(236)	236	226		226				
Training Costs	360	75	(285)	285	75		75	0	0	0	
Urgent Care - Community Enhanced Care	800	0	(800)	800	0		0				
Urgent Care - Ascot House	4,473	4,364	(109)	109	2,564	1,800	4,364	1,410	809	(601)	
Home Care	754	0	(754)	0	0		0				
Programme Management	512	257	(255)	255	257		257	0	0	0	
Total	14,234	7,375	(6,859)	2,346	5,330	2,045	7,375	9,764	2,897	(6,867)	

Council

Urgent Care - Discharge to Assess Bed Facility	1,401	1,429	28	(28)
Urgent Care - Social work capacity to improve flow in hospitals	473	397	(76)	76
Urgent Care - Discharge to Assess and Process Improvements	79	78	(1)	1
Adult's and Children's Social Care	2,003	1,792	(211)	211
Homecare	2,100	245	(1,855)	61
Programme Management	1,099	1,086	(13)	13
Enablers	125	61	(64)	64
Total	7,280	5,088	(2,192)	398

797	632	1,429
30	367	397
0	78	78
1,592	200	1,792
108	137	245
0	1,086	1,086
0	61	61
2,527	2,561	5,088

0	0	0
0	0	0
0	0	0
9,168	8,514	(654)
0	0	0
0	0	0
0	0	0
9,168	8,514	(654)

Joint

Programme Management	421	408	(13)	13
Enablers	800	168	(632)	632
Total	1,221	576	(645)	645

408	0	408
168	0	168
576	0	576

0	0	0
0	0	0
0	0	0

Grand Total	22,735	13,039	(9,696)	3,389
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8,433	4,606	13,039
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18,932	11,411	(7,521)
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<u>CCG</u>	Funding Remaining		
Scheme	GMHSCP £'000	Match Funding £'000	Total £'000
Administration	50	0	50
Cancer screening LES Payments	70	0	70
Primary care mental health and wellbeing service	940	0	940
Medicines Optimisation team	491	355	846
Care Workforce	1,067	0	1,067
TECHT (Domiciliary MDT)	919	400	1,319
Quality and Outcomes Framework	200	0	200
Clinical and Change Resource	476	0	476
Provider Leadership Capacity	132	0	132
Quality and Outcomes framework	127	0	127
GP Transitional Relief	180	0	180
New Organisational Form	594	0	594
Training Costs	495	0	495
Urgent Care - Community Enhanced Care	1,040	0	1,040
Urgent Care - Ascot House	476	1,800	2,276
Home Care	760	0	760
Programme Management	813	0	813
Total	8,830	2,555	11,385
<u>Council</u>			
Urgent Care - Discharge to Assess Bed Facility	0	868	868
Urgent Care - Social work capacity to improve flow in hospitals	3	403	406
Urgent Care - Discharge to Assess and Process Improvements	0	62	62
Adult's and Children's Social Care	128	1,070	1,198
Homecare	3,522	783	4,305
Programme Management	0	64	64
Enablers	0	189	189
Total	3,653	3,439	7,092

<u>Joint</u>			
Programme Management	112	0	112
Enablers	972	0	972
Total	1,084	0	1,084
Grand Total	13,567	5,994	19,561

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REGISTER OF KEY DECISIONS: 1 January 2019 – 31 January 2019

Published on 20 December 2018

What is a Register of Key Decisions?

The Register is a published list of the key decisions which are due to be taken by the:

- Greater Manchester Combined Authority (GMCA)
- Greater Manchester Elected Mayor
- Joint GMCA & AGMA Executive Board
- Transport for Greater Manchester Committee;
- GMCA Resources Committee;
- GMCA's Waste Committee;
- Key decisions delegated to officers

These decisions must be published on the Register at least **28 clear days before the decision is to be taken**, whether in public or private. The Register is updated at least once a month.

This Register of Key Decisions has been prepared in accordance with [Combined Authorities \(Overview and Scrutiny Committees, Access to Information and Audit Committees\) Order 2017](#) ('the Order').

The Register is published on the GMCA's website www.greatermanchester-ca.gov.uk and hard copies are available at the offices of:

Greater Manchester Combined Authority
& Greater Manchester Mayor
Churchgate House
Oxford Street
Manchester M1 6EU

What is a Key Decision?

A key decision defined by 'the Order' is a decision which, in the view of the Greater Manchester Combined Authority's Overview and Scrutiny Committee, would result in any of the decision makers listed:

- (i) incurring expenditure over £500,000, or making significant savings of £500,000 or more relating to the budget for the service area to which the decision relates; or
- (ii) be significant in terms of its effects on persons living or working in an area of more two or more wards or electoral divisions of Greater Manchester.

The GMCA's has three thematic Scrutiny Committees:

- Corporate Issues and Reform
- Economy, Business Growth and Skills
- Housing, Planning and Environment

These Committees' role is to contribute to the development of GMCA's strategies and policies, to scrutinise decisions of the decision-makers listed above and to consider any matter affecting those who live, work, study or run businesses in Greater Manchester.

How to find out more on these proposed decisions

The report (other than those which contain confidential or exempt information) relating to these decisions will be published on the GMCA's website five working days before the decision is to be made see www.greatermanchester-ca.gov.uk.

For general information about the decision-making process please contact:

GMCA Head of Governance and Scrutiny
Julie Connor
julie.connor@greatermanchester-ca.gov.uk

Additions to the Register since it was published on 13 December 2018					
Decision title	Decision Maker	Planned Decision Dates	What is the decision?	Documents to be considered	Officer Contact
Manchester Fire and Rescue Service Programme for Change (PFC)	GM Mayor	15 February 2019	Approval to proceed with proposals to change fire cover arrangements and implement structural changes within Greater Manchester Fire and Rescue Service.	Report with recommendations	Jim Wallace wallacej@manchesterfire.gov.uk
Appointment of preferred bidders for provision of future waste management service contracts	GMCA	15 February 2019	To confirm the preferred bidder(s) for the Waste & Resources Management Services (WRMS) and Household Waste Recycling Centre Management Services (HWRCMS) contracts and to delegate authority to officers to conclude the biowaste contracts	Report with recommendations	David Taylor david.taylor@greatermanchester-ca.gov.uk
Approval of levy rebate for 18/19 and setting of Waste budget and allocation of levy to Districts for 19/20	GMCA	15 February 2019	To approve the levy rebate for 18/19 and the Waste & Resources budget and the levy allocation to constituent Districts for 2019/20 and approval of the capital programme and associated scheme spend	Report with recommendations	Richard Paver Richard.paver@greatermanchester-ca.gov.uk

Great Places	GMCA	25 January 2019	Following GMCA's successful bid for Great Place, to agree the Great Place programme.	Report with recommendations	<p>Julie McCarthy Julie.McCarthy@greatermanchester-ca.gov.uk</p> <p>Alison Gordon Alison.Gordon@greatermanchester-ca.gov.uk</p>
Local Full Fibre Network – GMCA role and inclusion of GMCA assets	GMCA /GM Mayor	25 January 2019	To agree the GM Full Fibre programme and capital spend within Fire and Transport and transfer of grant to District Councils	Report with recommendations	<p>Alison Gordon Alison.Gordon@greatermanchester-ca.gov.uk</p>
'IGNITION' Urban Innovation Action project	GMCA	February - March 2019	To approve signing of Project partnership agreement and subsequent 'subsidiary' contract between GMCA and European Commission – expected formal signing and full contracting by Fri 22 March 2019	Report with recommendations	<p>Simon Nokes simon.nokes@greatermanchester-ca.gov.uk</p> <p>Mark Atherton mark.atherton@greatermanchester-ca.gov.uk</p>
5 Year Environment Plan	GMCA	February - March 2019	To approve a 5 Year Environment Plan for Greater Manchester, encompassing what action is needed across GM to deliver our environmental vision and a set of GMCA commitments to support that.	Report with recommendations	<p>Simon Nokes simon.nokes@greatermanchester-ca.gov.uk</p> <p>Mark Atherton mark.atherton@greatermanchester-ca.gov.uk</p>

Housing Infrastructure Fund – Business Case Support Grant	GMCA/GM Mayor	25 January 2019	Approve that the Homes England business case support grant is transferred to the district authorities, in line with the agreed support plans, upon successful draw down of the grant from Homes England	Report with recommendations	Bethan McCaw bethan.mccaw@greatermanchester-ca.gov.uk
Funding Co-production project from the Reform Investment Fund	GMCA/GM Mayor	25 January 2019	Decision to allocate £150k from the Reform Investment Fund as match funding for the second phase of the ‘Elephants’ Co-production project	Report with recommendations	Jacob Botham Jacob.botham@greatermanchester-ca.gov.uk
Early Years Population Health Transformation Funding	GMCA/GM Mayor	25 January 2019	Authorisation to release to District Councils £2.1m population health funding received by GMCA to deliver priority programmes identified in the GM School Readiness programme.	Report with recommendations	Jane Forrest Jane.forrest@greatermanchester-ca.gov.uk
GMCA non-Transport Revenue Budgets	GMCA	January 2019	1) To approve GMCA 2019/20 non -Transport Budget as set out in the report and contributions from District Councils.	Report with recommendations	Richard Paver Richard.paver@greatermanchester-ca.gov.uk

			<p>2) To approve use of reserves as set out in the report.</p> <p>3) To approve levels of funding to MIDAS and Marketing Manchester.</p>		
<p>GMCA Transport Revenue Budget</p> <p style="text-align: center;">Page 201</p>	GMCA / GM Mayor	January – February 2019	<p>1) To approve GMCA 2019/20 Transport Budget and levies on District Councils.</p> <p>2) To approve use of earn back revenue grant for non-mayoral functions.</p> <p>3) To approve use of reserves as set out in the report.</p> <p>4) To approve the revenue support grant to TfGM.</p>	Report with recommendations	<p>Richard Paver</p> <p>Richard.paver@greatermanchester-ca.gov.uk</p>
GMCA Treasury and Capital Management Strategy	GMCA	January – February 2019	<p>1) To approve the proposed Treasury Management and Capital strategy as set out in the report, and the associated prudential indicators including those relevant to</p>	Report with recommendations	<p>Richard Paver</p> <p>Richard.paver@greatermanchester-ca.gov.uk</p>

			the Police and Crime Commissioner function.		
<p>GMCA Capital Programme:</p> <ul style="list-style-type: none"> • Transport • GMCA non-transport • GMFRS • Waste 	GMCA / GM Mayor	January – February 2019	1) To approve 2019/20 capital programme and forward commitments as set out in the report.	Report with recommendations	Richard Paver Richard.paver@greatermanchester-ca.gov.uk
<p>Mayoral Precept Report</p> <p>Page 202</p>	GMCA / GM Mayor	January - February 2019	<p>1) To approve the Mayor’s General budget for 2019/20 including the budget for Fire and Rescue service as set out in the report.</p> <p>2) To approve the calculation of the precepts and Council Tax levels apportioned to bands A to H and agree relevant resolutions.</p> <p>3) To approve use of reserves as set out in the report.</p> <p>4) To approve the resolutions as set out in the report.</p>	Report with recommendations	Richard Paver Richard.paver@greatermanchester-ca.gov.uk

			5) To approve the making of grants to District Councils as set out in the report.		
GMCA Budget Update 2018/19	GMCA / GM Mayor	January 2019	1) To approve budget adjustments as set out in the report. 2) To note and agree distribution of Business Rates 100% pilot proceeds via grants to District Councils. 3) To approve grant payments to Manchester City Council in relation to Care Leavers activity.	Report with recommendations	Richard Paver Richard.paver@greatermanchester-ca.gov.uk
Page 203					
Trouble Families Funding	GMCA/GM Mayor	25 January 2019	Authorisation to allocate Trouble Families Funding including grants to district councils	Report with recommendations	Jacob Botham Jacob.Botham@greatermanchester-ca.gov.uk

Removals from the Register since it was published on 13 December 2018					
Decision title	Decision Maker	Planned Decision Dates	What is the decision?	Documents to be considered	Officer Contact

REGISTER OF KEY DECISIONS

Decision title	Decision Maker	Planned Decision Dates	What is the decision?	Documents to be considered	Officer Contact
GM Infrastructure Framework	GMCA	11 January 2019	To approve the draft Greater Manchester Infrastructure Framework	Report with recommendations	Anne Morgan Anne.Morgan@greatermanchester-ca.gov.uk
Forthcoming changes to the Bus Network	TfGMC Bus Network and TfGM Services Sub-Committee	18 January 2019	The Sub-Committee will be asked to : Approve forthcoming changes to subsidised bus services.	Report with recommendations	Alison Chew Alison.chew@tfgm.com
GM Co-operative Commission	GMCA	25 January 2019	Approval of the Terms of Reference, arrangements, and lines of enquiry for the GM Co-operative Commission	Report with recommendations	Anne Lythgoe anne.lythgoe@greatermanchester-ca.gov.uk
Transforming Cities Fund - Challenge Fund Approval and Funding	GMCA	January - February 2019	The GMCA will be asked to grant Programme Entry, Full or Conditional Approval and/or release funding for cycling and walking schemes within the Transforming Cities Fund – Challenge Fund	Report with recommendations	Steve Warrener Steve.Warrener@TfGM.com

Decision title	Decision Maker	Planned Decision Dates	What is the decision?	Documents to be considered	Officer Contact
GMCA 142 – Provision of Equalities Alterations on 12 Fire Stations	GMCA Treasurer and Chief Fire Officer	January - February 2019	To approve capital schemes	Report with recommendations	Debbie Partington partinde@manchesterfire.gov.uk
Funding for renovation and reconstruction of LGBT+ Centre	GMCA	25 January 2019	To provide £450,000 of funding from retained business rates to the Proud Trust, to support the renovation and reconstruction of the LGBT+ Centre	Report with recommendations	Nick Fairclough nick.fairclough@greatermanchester-ca.gov.uk
Greater Manchester Local Industrial Strategy	GMCA	March - June 2019	To agree the Greater Manchester Local Industrial Strategy	Report with recommendations	John Holden john.holden@greatermanchester-ca.gov.uk
Town Centre Challenge - Mayoral Development Corporation	GMCA	January - February 2019	To agree the proposed approach to a Mayoral Development Corporation in Stockport Town Centre West	Report with recommendations	Anne Morgan Anne.morgan@greatermanchester-ca.gov.uk
Whole System Energy Plan for Greater Manchester	GMCA	January - February 2019	To review and agree adoption of the Whole System Energy Plan for GM	Report with recommendations	Simon Nokes simon.nokes@greatermanchester-ca.gov.uk Mark Atherton

Decision title	Decision Maker	Planned Decision Dates	What is the decision?	Documents to be considered	Officer Contact
					mark.atherton@greatermanchester-ca.gov.uk
Award of Skills Capital	GMCA	January - February 2019	To approve final award to applicants	Report with recommendations	Gemma Marsh Gemma.Marsh@greatermanchester-ca.gov.uk
Digital & Creative Investment Strategy	GMCA	January - March 2019	To consider investment in the Creative & Digital Sector to align with the Local Industrial Strategy.	Report with recommendations	Simon Nokes Simon.nokes@greatermanchester-ca.gov.uk
GM Working Well (Specialist Employment Service)	GMCA	January - February 2019	To approve the commissioning of the GM Working Well (Specialist Employment Service) Programme	Report with recommendations	Mat Ainsworth Matthew.ainsworth@greatermanchester-ca.gov.uk
2040 Strategy Annual Progress Report & Delivery Plan	GMCA	January - February 2019	To approve the publication of the 2040 Strategy Annual Progress Report and Draft 2040 Delivery Plan and agree the resulting activities	Report with recommendations	Eamonn Boylan Eamonn.Boylan@greatermanchester-ca.gov.uk

Decision title	Decision Maker	Planned Decision Dates	What is the decision?	Documents to be considered	Officer Contact
Establishment of the Greater Manchester Disabled People's Panel	GMCA	January - February 2019	To establish the Greater Manchester Disabled People's Panel	Report with recommendations	David Rogerson David.Rogerson@greatermanchester-ca.gov.uk
Greater Manchester Housing Strategy	GMCA	January - February 2019	To approve the Draft Housing Strategy	Report with recommendations	Steve Fyfe steve.fyfe@greatermanchester-ca.gov.uk
Greater Manchester Natural Capital Investment Plan	GMCA	January - February 2019	To review and approve the Natural Capital Investment Plan	Report with recommendations	Simon Nokes Simon.Nokes@greatermanchester-ca.gov.uk Mark Atherton Marl.Atherton@greatermanchester-ca.gov.uk
Enabling Reform through a Common Data Sharing Platform; GM Unified Architecture	GMCA	January - February 2019	To approve the documented funding arrangements and the procurement approach for the Greater Manchester Unified Architecture and associated roadmap	Report with recommendations	Phil Swan Phil.Swan@greatermanchester-ca.gov.uk
Capital Programme Approval and Funding	GMCA	January - February 2019	To grant Full or Conditional Approval and/or release funding / approve expenditure for schemes within the Growth Deal	Report with recommendations	Steve Warrener Steve.Warrener@tfgm.com

Decision title	Decision Maker	Planned Decision Dates	What is the decision?	Documents to be considered	Officer Contact
			1,2,3 and/or the Transforming Cities Fund		
Management and development of A Bed Every Night Winter Homelessness Programme	GMCA/GM Mayor	January - February 2019	To confirm funding mechanism and funding allocations and to monitor progress of the scheme To delegate authority to Chief Executive, in consultation with portfolio lead Chief Executive & Leader to approve service changes as required.	Report with recommendations	Mike Wright Mike.Wright@greatermanchester-ca.gov.uk
Development of Cross-boundary Arrangements and Use of Temporary Accommodation in GM	GMCA	January - February 2019	To approve the scope of the project to monitor, assess and review nature and extent of cross boundary placements of homeless households in GM.	Report with recommendations	Mike Wright Mike.Wright@greatermanchester-ca.gov.uk
Continuing Development of Programmes within the Homelessness Prevention Trailblaze	GMCA/GM Mayor	January - February 2019	To delegate authority to approve spend against agreed trail blazer action programme, including grants to District Councils.	Report with recommendations	Mike Wright Mike.Wright@greatermanchester-ca.gov.uk

Decision title	Decision Maker	Planned Decision Dates	What is the decision?	Documents to be considered	Officer Contact
Business Funds	GMCA	January - February 2019	To conditionally approve business investments to proceed to due diligence and/or note commercial changes to existing investments, including where relevant negotiated settlements.	Report with recommendations	Kirsteen Armitage Kirsteen.Armitage@greatermanchester-ca.gov.uk
Property Funds	GMCA	January - February 2019	To conditionally approve property investments to proceed to due diligence and/or note commercial changes to existing investments	Report with recommendations	Kirsteen Armitage Kirsteen.Armitage@greatermanchester-ca.gov.uk
Housing Funds	GMCA	January - February 2019	To conditionally approve housing investments to proceed to due diligence and/or note commercial changes to existing investments	Report with recommendations	Michael Walmsley michael.walmsley@greatermanchester-ca.gov.uk
Next steps for a Tobacco Licensing System and Extending Smokefree Spaces in Greater Manchester	GMCA	January - March 2019	To agree the process to take forward a tobacco licensing system and extend smokefree spaces in Greater Manchester in line with the Making Smoking History Strategy, including funding	Report and recommendations	Carolyn Wilkins carolyn.wilkins@oldham.gov.uk

Decision title	Decision Maker	Planned Decision Dates	What is the decision?	Documents to be considered	Officer Contact
Greater Manchester Housing Vision	GMCA	January - February 2019	To approve a vision for the future of housing in Greater Manchester	Report with recommendations	Steve Fyfe steve.fyfe@greatermanchester-ca.gov.uk
Young People's Travel	GMCA/GM Mayor	January - February 2019	To approve a proposal with regard to young people's travel	Report with recommendations	Eamonn Boylan Eamonn.Boylan@greatermanchester-ca.gov.uk
Greater Manchester Cultural Strategy	GMCA	January - February 2019	To agree a Greater Manchester Cultural Strategy	Report with recommendations	Alison Gordon Alison.gordon@greatermanchester-ca.gov.uk ;
Greater Manchester Children's Work	GMCA/ GM Mayor	January - February 2019	To agree that the £7.43m funding from the Department for Education for specific areas of work on innovation and improvement in children's services can be used for the intended purpose, overseen by the Children's Board	Report with recommendations	Charlotte Ramsden charlotte.ramsden@salford.gov.uk
Littleborough Fire Station Refurbishment GMFRS00083	GMCA/GM Mayor	January - February 2019	To approve the capital scheme	Report with recommendations	Anthony Hilton hiltona@manchesterfire.gov.uk

Decision title	Decision Maker	Planned Decision Dates	What is the decision?	Documents to be considered	Officer Contact
Refurbishment Works: Fire Training Facility GMFRS0087	GMCA/GM Mayor	January - February 2019	To approve the capital scheme	Report with recommendations	Anthony Hilton hiltona@manchesterfire.gov.uk
Modification of Waste Contract Facilities	Executive Director – Waste & Recycling, in consultation with the GMCA Chief Executive & Chair of the Waste & Recycling Committee	January - February 2019	To approve modification to waste facilities through the operating contract	Report with recommendations	David Taylor david.taylor@greatermanchester-ca.gov.uk
Resource and Waste Strategy – Outline Proposals	GMCA	January - February 2019	To agree outline proposals and to commence public consultation	Report with recommendations	David Taylor david.taylor@greatermanchester-ca.gov.uk
Additional Capital Expenditure on Fire Suppression and Detection	GMCA	January - February 2019	To approve additional expenditure to install fire suppression and detection systems in some waste facilities	Report with recommendations	David Taylor david.taylor@greatermanchester-ca.gov.uk

Decision title	Decision Maker	Planned Decision Dates	What is the decision?	Documents to be considered	Officer Contact
Delivery of Local Authority Asylum Seeker Liaison Programme under Controlling Migration Fund	GMCA/GM Mayor	January - February 2019	To enable the allocation of funding to local authorities to deliver outreach services across Greater Manchester.	Report with recommendations	Andrew Lightfoot Andrew.Lightfoot@greatermanchester-ca.gov.uk
Delivery of Greater Manchester Housing First Programme	GM Treasurer	January - February 2019	To award a contract for the delivery of a GM-wide Housing First programme	Report with recommendations	Mike Wright Mike.wright@greatermanchester-ca.gov.uk
GMCA 111 – Prince’s Trust Team Building and Residential Activity Programmes – Approved Provider Dynamic Purchasing System (DPS)	GMCA	January - February 2019	To approve acceptance of successful Applicants onto the Dynamic Purchasing System (DPS)	Report and recommendations	Debbie Partington partinde@manchesterfire.gov.uk ;
Greater Manchester Housing Package Delivery Plan	GMCA	January - February 2019	To approve the submission of a delivery plan for the implementation of the GM Housing Package to Government	Report with recommendations	Steve Fyfe steve.fyfe@greatermanchester-ca.gov.uk
Greater Manchester	GMCA	January - February 2019	To approve the new Investment Strategy	Report and Recommendations	Andrew McIntosh Andrew.McIntosh@greatermanchester-ca.gov.uk

Decision title	Decision Maker	Planned Decision Dates	What is the decision?	Documents to be considered	Officer Contact
Housing Investment Strategy					

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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