

CABINET Agenda

Date Monday 15th April 2019

Time 6.00 pm

Venue Lees Suite, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

Notes 1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Sian Walter-Browne in advance of the meeting.

2. CONTACT OFFICER for this Agenda is Sian Walter-Browne Tel. 0161 770 5151 or email sian.walter-browne@oldham.gov.uk

3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Wednesday, 10 April 2019.

4. FILMING – This meeting will be recorded for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be recorded, except where there are confidential or exempt items and the footage will be on our website. This activity promotes democratic engagement in accordance with section 100A(9) of the Local Government Act 1972. The cameras will focus on the proceedings of the meeting. As far as possible, this will avoid areas specifically designated for members of the public who prefer not to be filmed. Disruptive and anti social behaviour will always be filmed.

Any member of the public who attends a meeting and objects to being filmed for the Council's broadcast should advise the Constitutional Services Officer who will instruct that they are not included in the filming.

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Recording and reporting the Council's meetings is subject to the law including the law of defamation, the Human Rights Act, the Data Protection Act and the law on public order offences.

MEMBERSHIP OF THE CABINET IS AS FOLLOWS:

Councillors Chadderton, Chauhan, Fielding (Chair), Jabbar, Jacques, Mushtaq, Roberts, Shah and Ur-Rehman

Item No

- 1 Apologies For Absence
- 2 Urgent Business
Urgent business, if any, introduced by the Chair
- 3 Declarations of Interest
To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 4 Public Question Time
To receive Questions from the Public, in accordance with the Council's Constitution.
- 5 Minutes of Previous Meeting (Pages 1 - 8)
The Minutes of the meeting of the Cabinet held on 23rd March 2019 are attached for approval.
- 6 Expansion of Mayfield Primary School (Pages 9 - 16)
- 7 Approval of New Warm Homes Delivery Agents (Pages 17 - 22)
- 8 Empty Homes Pilot Procurement Approval (Pages 23 - 28)
- 9 Exclusion of the Press and Public
That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they contain exempt information under paragraph 3 of Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.
- 10 Approval of New Warm Homes Delivery Agents (Pages 29 - 36)
- 11 Empty Homes Pilot Procurement Approval (Pages 37 - 44)

Present: Councillor Fielding (Chair)
Councillors Chauhan, Jabbar, Jacques, Roberts, Shah and Ur-Rehman

1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED - That the minutes of the meeting held on 25th February 2019 be approved as a correct record.

6 **GREATER MANCHESTER'S CLEAN AIR PLAN -
TACKLING NITROGEN DIOXIDE EXCEEDANCES AT THE
ROADSIDE - OUTLINE BUSINESS CASE**

The Cabinet gave consideration to a report of the Director of Environmental Management which summarised the key features of Greater Manchester's feasibility study and Outline Business Case (OBC) to reduce nitrogen dioxide exceedances in Oldham and across Greater Manchester, in the shortest possible time including the introduction of Clean Air Zones.

The OBC had been developed by Oldham Council collectively with all the Greater Manchester Local Authorities and Greater Manchester Combined Authority (GMCA) and coordinated by Transport for Greater Manchester (TfGM) in line with Governmental direction and guidance.

It was reported that a 'public conversation' was proposed to run between early May and mid June to help further inform the work, this would supplement the more targeted stakeholder engagement that was ongoing with affected business. The engagement process would inform the further development of the measures identified in the Outline Business Case.

It was noted that it was important to recognise the clear differences between Clean Air Zones and Congestion Charging Systems, the objective of any penalty in a Clean Air Zone was for all vehicles which drive within the zone to have engines which complied with emissions standards, unlike a congestion charge which sought to reduce the number of vehicles on the road.

Members welcomed the proposals and discussed the involvement of schools in the promotion of Clean Air.



It was further noted that consultation with stakeholders including Private Hire Taxis had been very positive.

Options/Alternatives

Option 1 – Approve the Outline Business case for submission to the Government’s Joint Air Quality Unit

Option 2 – Do not approve the Outline Business case for submission to the Government’s Joint Air Quality Unit.

RESOLEVD – That:

1. The feasibility study undertaken to date be adopted.
2. Further stakeholder engagement and public consultation was an essential part of the process to help inform and refine ongoing work to produce a Full Business Case by the end of the calendar year;
3. The Outline Business Case (for submission to the government's Joint Air Quality Unit) be approved.
4. The commencement of the public conversation and engagement activity from 15 May 2019 be approved.
5. Further reports would be submitted to Cabinet on:
 - the proposals for statutory consultation, informed by the outcome of the public conversation and engagement.
 - formal approval of the Full Business Case.
6. Transport for Greater Manchester to continue with the activity to produce the Full Business Case on their behalf under the direction of the Greater Manchester Clean Air Steering Group; and
7. Authority be delegated to Deputy Chief Executive (People and Place) and the Portfolio holder (Neighbourhoods) for the approval of submission of supplementary information.

7

PROPOSED REVISIONS TO THE CO-OPERATIVE APPROACH TO THE USE OF COUNCIL ASSETS POLICY

Consideration was given to a report of the Deputy Chief Executive, People and Place which sought approval for proposed revisions to the existing Co-operative Approach to the Use of Assets with a view to promoting an alternative approach to improve and streamline the process.

It was noted that the revised policy would:

- Limit applications to 12 months otherwise the group would have to reapply
- A standard approach similar to the model used by other Councils
- A range of tools, programmes and initiatives to make the process simpler

Options/Alternatives considered

Option 1 – To retain the current approach to the use of Council Assets policy and the Council’s approach to community assets transfer.

Option 2 - In order to improve / streamline the CAT process and as a means of objectively filtering expressions of interest from community groups etc to agree to:-

- The proposed revisions to the Co-operative Approach to the Use of Council Assets Policy.

- Use of the application form and assessment matrix with effect from the 1 April 2019.
- The Council limiting applicants to a period of 12 months in which to complete a lease otherwise the group had to either re-apply or the Council may opt to withdraw and re-categorise the asset to the Surplus Estate for subsequent disposal if substantive / meaningful progress towards a CAT is not made by the applicant / group.
- Where the Council had yet to receive a full business case from existing CAT applicants (ie as indicated in Appendix 2), then they were to be requested to complete the application form and also advised of the assessment matrix / the revised process / time limits to progress matters as outlined above.
- Note that groups occupying Council assets and where no formal lease was currently in place that the Council would no longer be in a position to cover the running costs and repairs & maintenance. Notice periods and engagement with groups would follow if this was approved.

RESOLVED – That the proposed amendments to the Council’s current Cooperative approach to the Use of Council’s Assets policy be approved to clarify the process of Community Asset Transfer from both the Council’s and Applicant’s perspective.

8

3-YEAR HIGHWAYS IMPROVEMENT PROGRAMME (2019/20 - 2021/22)

Consideration was given to a report of the Deputy Chief Executive, People and Place which sought approval of the 3 year Highways Improvement Programme as discussed and agreed with Members during January 2019 based on good practice and ensuring best value for future investment. The report also sought approval for all tender awards decisions, including those of a value of over £400,000 in the 3 year Highways Improvement Programme to be delegated to the Cabinet Member for Neighbourhood Services and the Deputy Chief Executive, People and Place to meet delivery timescales. Members welcomed the report and the input from elected Members at District level.

It was noted that the list of programmed works would be published on the Council’s website ensuring it was clear to residents which highways were in scope for the 3 year programme.

Options/Alternatives considered

Option 1 – Members to agree:

- The 3-Year Highways Improvement Programme, as appended to this report;
- That all tender award decisions, including those with a value of over £400,000, in the Highways Improvement Programme be delegated to the Cabinet Member for

Neighbourhood Services and the Deputy Chief Executive – People and Place;

- That any underspend generated across the programme be used to deliver further schemes on the approved list in priority order (although lower priority schemes may be selected depending on available budget, value for money and type of treatment) without having to gain further approval.

Option 2 – Members do not agree the report recommendations.

RESOLVED – That:

1. The 3-Year Highways Improvement Programme, as appended to this report be approved.
2. All tender award decisions, including those with a value of over £400,000, in the Highways Improvement Programme be delegated to the Cabinet Member for Neighbourhood Services and the Deputy Chief Executive – People and Place;
3. Any underspend generated across the programme be used to deliver further schemes on the approved list in priority order (although lower priority schemes may be selected depending on available budget, value for money and type of treatment) without having to gain further approval.

9

REVENUE MONITOR AND CAPITAL INVESTMENT PROGRAMME 2018/19 MONTH 9 - DECEMBER 2018

The Cabinet gave consideration to a report of the Director of Finance which provided Members with an update on the Council's 2018/19 forecast revenue budget position and the financial position of the capital programme as at 31 December 2018, (quarter 3) together with the revised capital programme 2018/23.

Revenue Position

The current forecast outturn position for 2018/19 was a projected favourable variance of £0.255m after allowing for approved and pending transfers to and from reserves.

The most significant area of concern was the People and Place Portfolio, and an update on the major issues driving the projections were detailed at Annex 1 of the report.

The overall corporate position was being managed by offsetting favourable variances, most notably from Capital, Treasury and Corporate Accounting budgets, in part caused by the anticipated cost of borrowing and capital finance being lower than budgeted and the availability of additional Treasury Management income and unringfenced grants not allocated to service budgets.

Housing Revenue Account and Dedicated Schools Grant

Information on the quarter 3 position of the Dedicated Schools Grant (DSG) and Housing Revenue Account (HRA) and collection fund was also outlined in the report.

There were no significant issues of concern in relation to the HRA and Collection Fund however the DSG continued to be an area facing a financial challenge with an increase in the projected year-end deficit. Action was being taken to bring the DSG towards a balanced budget.

Capital Position

The most up to date capital spending proposals for 2018/23 were provided to Members. The revised Capital programme budget was £48.267m at the close of month 9, a net decrease of £41.706m from the original budget of £89.658 and a reduction of £0.571m from the £49.391m reported at month 8.

Actual expenditure to 31st December 2018 was £36.507m (75.64% of forecast outturn).

It was reported that at this stage in the financial year, the forecast position would continue to change with additional re-profiling into future years.

Options/Alternatives considered

Option 1 – To approve the forecast revenue and capital positions presented in the report including proposed changes.

Option 2 – To approve some of the forecasts and changes detailed within the report.

Option 3 – Not to approve any of the forecasts and changes detailed within the report.

RESOLVED – That:

1. The forecast revenue outturn for 2018/19 at Quarter 3 being a £0.255m under spend be approved.
2. The forecast positions for the Housing Revenue Account and Collection Fund and Dedicated Schools Grant as detailed within the report be approved.
3. The use of reserves as detailed in Appendix 1 to Annexe 1 of the report be approved.
4. The revised capital programme for 2018/19 to the extended period of 2022/23 as at 31st December 2018, Quarter 3 be approved.

10

LOCAL TAXATION AND BENEFITS DISCRETIONARY POLICIES 2019/20

Consideration was given to a report of the Director of Finance which sought approval for Local Taxation and Benefits Discretionary Polices for 2019/20, covering Discretionary Council Tax Discounts, discretionary Business Rate Relief, Local Welfare Provision and Discretionary Housing payments. The report provided the full detail of proposed updates to the discretionary policies used to support Local Taxation and Benefits administration i.e. Council Tax, Business Rates, Housing Benefits and Council Tax Reduction administration.

The policies and proposed changes were:

The Discretionary Council Tax Discounts Policy

- To widen the Council Tax discount for Care Leavers to support Care Leavers up to the age of 25.
- To introduce criteria to set out the circumstances in which the Council will support those experiencing exceptional financial hardship in paying their Council Tax.
- To incorporate these two areas of discretionary support into one overarching Discretionary Council Tax Discounts Policy.

The Discretionary Rate Relief Policy

- To incorporate details of the new Retail Discount Policy

- Revision of the policy to reflect the removal of Central Government funded Pub Relief and Local Newspaper Relief schemes
- An adjustment to the Discretionary Revaluation Relief policy to re-introduce the requirement for businesses to apply for this relief and to reflect reduced Government funding in the third year of the scheme.

The Local Welfare Provision Policy

- To include reference to supporting care leavers up to the age of 25 via this scheme

The Discretionary Housing Payment Policy

- To include reference to supporting care leavers under 25
- To adjust the criteria setting out the period of time for which an award will be granted to support those needing help in meeting their housing costs. This will normally be 26 weeks.

Members welcomed the changes to the policies particularly the proposal to widen the Council Tax discount for Care Leavers to support Care Leavers up to the age of 25.

Options/Alternatives

Option 1 - Members could choose to not to agree the changes in relation to each of the proposed revisions to discretionary policies.

Option 2 – Approve the Local Taxation and Benefits Discretionary Policies.

Option 2 – Approve some of the proposed changes to Local Taxation and Benefits Discretionary Policies.

RESOLVED - The Local Taxation and Benefits' Discretionary Policies for the 2019/20 financial year (as presented at Appendices 1 to 4) be approved, including revisions to address legislative and local issues.

11

HUMAN RESOURCE PAYROLL BUSINESS SYSTEM

Consideration was given to a report of the Deputy Chief Executive, Corporate and Commercial which sought approval of the procurement and implementation of a new proprietary Human Resources Payroll System.

The system was required to meet the ambition of the Council and its partners to implement a single system predicated on next generation technology on a cloud based architecture which aligned with the Council's IT and digital strategy, enabled greater efficiency and effectiveness in the delivery of support services and created an opportunity of growth of HR and payroll as a traded service in the future.

Options/Alternatives

Option 1 – Do nothing.

Option 2 – Consolidate to one of the systems.

Option 3 – Outsource to 3rd party- Managed Service

Option 4 – Procure and Implement new propriety HRP System.

RESOLVED – That the Cabinet would consider the commercially sensitive information contained at Item 14 before making a decision.

12 **NON-DOMESTIC RATES 2019-20**

Consideration was given to a report of the Director of Finance which sought approval to a request for deferment on Non-Domestic Rates payments for part of the financial year 2019/20. The Council had been approached by a local business with a request to defer its Non-Domestic Rates payments 2019/20.

Options/Alternatives

Option 1 – Refuse the proposed deferment of Non-Domestic Rates.

Option 2 – Accept the proposed deferment of Non-Domestic Rates.

RESOLVED – That the Cabinet would consider the commercially sensitive information contained at Item 15 of the agenda before making a decision.

13 **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they contain exempt information under paragraphs 3 of Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.

14 **HUMAN RESOURCE PAYROLL BUSINESS SYSTEM**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 11 - Human Resource Payroll Business System.

RESOLVED – That the recommendations as detailed within the commercially sensitive report be approved.

15 **NON-DOMESTIC RATES 2019-20**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 12 - Non-Domestic Rates 2019-20.

RESOLVED – That the Cabinet approved the request for the deferment of Non-Domestic Rates Payments for 2019/20 from the Local business as detailed within the commercially sensitive report.

The meeting started at 6.00pm and finished at 6.27pm

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Report to CABINET

Expansion of Mayfield Primary School

Portfolio Holder: Cllr Paul Jacques (Cabinet Member of Education and Culture)

Officer Contact: Andrew Sutherland (Director of Education and Early Years)

Report Author: Andy Collinge, Head of School Support Services
Ext. 4239

15th April 2019

Reason for Decision

The Local Authority has a statutory duty to provide sufficient school places within its area. There is a forecasted shortfall in the East Oldham planning area from September 2018 and ongoing. In order to meet this demand the Local Authority is under a statutory obligation to provide an additional 2 FE in East Oldham by 2020. Current predictions show that an additional 2 FE will be needed by 2020, increasing to 3 to 4 FE by 2023. One additional form of entry at Clarksfield Primary School has already been agreed by Cabinet in July 2018. There is now a requirement to secure an additional form of entry to satisfy demand. Four schools were considered for expansion (Greenhill Academy, Woodlands Academy (formerly Watersheddings Community Primary School), Greenacres Academy, and Mayfield Academy. Following site visits and a desk top analysis EPG (Education Provision Group) has recommended that Mayfield Academy be expanded by 1 FE to ensure that demand is met. Only good and outstanding schools can be expanded and Mayfield Primary School was given an Ofsted rating of good in June 2018. In addition Mayfield Primary School is the most oversubscribed school of the 4 considered. The cost per place represents good value for money and is the most cost effective option.

Recommendations

It is recommended that Cabinet:

1. Approves the basic need funding of up to £2.5m for a 1 FE expansion at Mayfield Academy.
2. Delegates authority to the Director of Education and Early Years to develop, consult, procure and arrange for the execution by the Director of Legal Services of any relevant contracts and incidental and ancillary documentation in accordance with the agreed school expansions programme.

Mayfield Primary School 1 FE Expansion

1 Background

- 1.1 Mayfield Primary School is located in the St James area of Oldham. The school has pupils on roll. The school was inspected by Ofsted in June 2018. The school is part of the Cranmer Trust. The Trust are keen to expand the provision of this significantly oversubscribed school.

2 Current Position

- 2.1 The LA has a statutory obligation to create additional primary places in the East Oldham District.
- 2.2 A number options were considered in relation to the expansion of provision in East Oldham, cost analysis reveals that the expansion of Mayfield Primary School to be the most cost effective option and given its over subscription rates would prove popular with parents.

3 Options/Alternatives

- 3.1 Option One: Expand Mayfield Primary School by 1 FE. The cost of this expansion up to £2.5m. No significant planning/structural issues are anticipated and this school is the most oversubscribed of the options available.

Option two: Expand Woodlands Primary school. The cost of this expansion is circa £2.5 M. The school is not oversubscribed.

Option Three: Expand Greenacres Primary School by 1 FE. This expansion could only be achieved by a school rebuild next to the existing site, the cost of this expansion would be circa £6 m.

Option Four: Expand Greenhill Primary School by 1 FE. The cost of this expansion is circa £3 M. There are significant structural/site issues with this expansion.

4 Preferred Option

- 4.1 It is recommended that a 1 FE expansion to Mayfield Academy be approved.

5 Consultation

- 5.1 Full consultation in line with statutory requirements will be undertaken.

6 Financial Implications

- 6.1 Capital Implications

The Council contribution to expansion works to the school will be capital expenditure and will be a charge against the People and Place capital programme. The total contribution is estimated to up to £2.5m and can be met from within the balance of currently unallocated Basic Needs Grant. The cost estimation is based on early drawings, a cost per square foot and previous costs for the build of a 1 form entry expansion. There is a risk that costs could be over this estimate, should this occur the remaining balance for the use at other schools, shown in the table below, would reduce.

The Council has a total Basic Needs Grant allocation of £48.1m for the period 2017/21 (£15.4m 2017/18, £22.8m 18/19, £9.9m 19/20 and nil in 20/21). Notification on Basic Needs Grant for 2021/22 will not be given until after the Comprehensive Spending review. The allocation of £34.367m (including this proposal) and the remaining amount of £13.730m are shown in the table below.

Capital Project	Basic Needs Grant Allocation (£m)
Crompton House	10.829
Oldham Academy North	5.000
Feasibility Costs	0.100
Greenfield CP	1.862
Royton and Crompton	5.000
Holy Trinity	0.250
Oasis Academy – Dining Room	0.575
Oasis Academy – UTC adaptations	0.350
North Chadderton Expansion	3.400
Kingfisher (Expansion)	0.750
Kingsland School (Laurel Bank)	0.240
Clarksfield Primary (Oasis)	2.904
Hollinwood Academy contribution	0.390
St Herberts	0.217
Mayfield (this report)	2.500
Total Allocated	34.367
Total Grant	48.097
Amount Available for Allocation	13.730

The ESFA may use a portion of the remaining Basic Needs funding to cover the cost of building the new Oasis Free School (Leesbrook). The exact amount for the build costs and initial fit out of the school are not currently known. However, there will be ongoing negotiations with the ESFA and the impact on the Council's available Basic Need funding will be reported once known. (James Postle)

6.2 Revenue Implications

The revenue funding of the expansion will have to be met from the Dedicated Schools Grant (DSG).

The Council will not receive any additional funding in the DSG for the estimated increase of 30 pupils in 2020/21 as the DSG settlement is based on the October 2019 census and will not be re-determined in the 2020/21 financial year.

The cost for 30 new pupils for September 2020 – March 2021 will be £48,778, with the same increase in resources required across future years. This will be funded from the growth fund as illustrated in the table below.

From 2019/20 Local Authorities are funded for Growth via a formula according to actual levels of lagged pupil number growth and is within schools block NFF allocations. Growth funding for 2020/21 will be based on funding of growth in schools in a geographical area (middle layer super output area between the October 2018 and October 2019 school censuses. The growth allocation for each LA is based on an amount per primary growth

pupil and an amount per secondary growth pupil, plus a lump sum amount for each new school. Each LA decides how to allocate funding to individual schools locally.

If the allocation of growth funding to schools becomes unaffordable it will be essential to review the method by which growth funding is allocated to schools within the available resources and if necessary increase the 'top slice' on the overall schools block or review the allocation criteria for individual schools.

The table below details how based on the current agreed criteria the explicit growth will be allocated to schools from 2019/20 to 2022/23.

School	Additional Places	Cost 2019/20 (£)	Cost 2020/21 (£)	Cost 2021/22 (£)	Cost 2022/23 (£)
East Crompton St Georges	30	48,778	48,778	0	0
Mills Hill	30	48,778	48,778	0	0
Propps Hall	10	16,259	16,259	0	0
Watersheddings	15	24,389	24,389	0	0
Oasis Academy Limeside	30	48,778	48,778	48,778	0
St Herberts	5	8,130	8,130	8,130	8,130
Holy Trinity Dob Cross	5	8,130	0	0	0
Blue Coat	47	107,738	0	0	0
Saddleworth School	10	22,923	22,923	22,923	0
Greenfield School	30	48,778	48,778	48,778	48,778
Crompton House	112	323,215	323,215	323,215	323,215
Oldham Academy North	60	137,538	137,538	137,538	137,538
North Chadderton	30	68,769	68,769	68,769	68,769
Clarksfield	30	48,778	48,778	48,778	48,778
Mayfield			48,778	48,778	48,778
TOTAL Estimated Additional Place/Cost Already Allocated	587	960,981	893,891	755,687	683,986

(Liz Caygill)

7 Legal Services Comments

7.1 The Council has a statutory duty to provide that efficient primary and secondary education is available to meet the needs of the local population and that there are sufficient schools to provide for all pupils the opportunity for appropriate education (Colin Brittain)

8. Co-operative Agenda

8.1 A Co-operative council delivering good value services to support a co-operative borough.

8.2 The provision of sufficient numbers of quality school places is a statutory service and contributes to the Council's outcome around getting the basics right (Andy Collinge)

9 **Human Resources Comments**

- 9.1 There are no HR implications from a statutory perspective. Expansion of existing provision will provide valuable employment opportunities in the borough (Andy Collinge)

10 **Risk Assessments**

- 10.1 By implementing a scheduled and robust programme of capital works and expansions the risk of running short of school places will be reduced and the likelihood of creating high quality places will be increased (Mark Stenson)

11 **IT Implications**

- 11.1 The only ICT service that the school currently takes from the Council is the provision of First Class. The School may need more First Class accounts to be set up if the number of school staff increases. These are available at a cost of £8 per account per annum.

The ICT requirements in the proposed new build should be part of the building project and should include connectivity, active equipment, structured cabling, telephony, Wi-Fi, ICT hardware and software licenses for which financial provision must be made. (Alison Heneghan)

12 **Property Implications**

- 12.1 The proposed expansion will facilitate the expansion of school places in East Oldham to ensure the Local Authority satisfies its statutory duty to ensure sufficient places are available and sufficient surplus places are provided to ensure that an element of parental choice can be facilitated.

- 12.2 The design, procurement and construction of the project will be considered specifically and project proposals will be drawn up based on funding available and design requirements. (Andrew Hall)

13 **Procurement Implications**

- 13.1 Any works and services required associated with school expansions are to be procured carried out in line with EU Regulations and Oldham Council's Contract Procedure Rules.

- 13.2 It would be prudent to ensure that the proposed recommended options, including the expansion proposals are aligned with the council's overall commercial strategy in relation to school expansions. (Dan Cheetham)

14 **Environmental and Health & Safety Implications**

- 14.1 It is essential that any expansion works are completed in compliance with health and safety legislation. It is essential that competent contractors are procured and building works are properly managed. (Laura Smith)

15 **Equality, community cohesion and crime implications**

- 15.1 Admission authorities have a legal duty to comply with the parental preference wherever possible. Consequently, Oldham's school place planning approach takes account of identified demand for places. In terms of equality, the proposal will positively increase the supply of school places in the borough.

- 15.2 The LA makes every effort to ensure that parents are not only aware of which schools are available in their local area and beyond but that the information that is published is clear

and concise so that parents and young people are able to make informed choices about the school that they would like to attend. The level of satisfaction in terms of the availability of places at a preferred school contributes to community cohesion. (Andy Collinge)

16 **Equality Impact Assessment Completed?**

16.1 Advice has been sought on EDI and there are no implications for any vulnerable groups. (Andy Collinge)

17 **Key Decision**

17.1 Yes

18 **Key Decision Reference**

18.1 EDC-01-19.

19 **Background Papers**

19.1 Education Provision Strategy 2016-2020

20 **Appendices**

20.1 East Oldham Places Matrix

EAST OLDHAM Planning Area: Priority Matrix

School (academies in italics) Grouped by latest Ofsted Grade	Primary Planning Area	SCHOOL STANDARDS		PARENTAL CHOICE				DESKTOP PROPERTY ISSUES		PROPERTY ISSUES: Project option appraisal					RANKING POST EVALUATION
		Last Ofsted Grade	Proceed to evaluation YES/NO	Number of 1st prefs Sept 2017 Reception	PAN	% 1st choice preference vs PAN	RANKING	Desktop site appraisal (R/A/G)	Site issue commentary	DETAILED TEST OF EXPANSION PROPOSAL (Y/N)	Developable to meet demand (R/A/G)	Condition issues affecting build proposal (R/A/G)	Likelihood of planning permission (R/A/G)	Order Magnitude Capital Cost (per addt. PAN place)	
<i>Greenhill Academy</i>	EO	Outstanding	Yes	74	60	123%	3	RED / AMBER	Site is already developed heavily with limited play and sport facilities due to having been previously expanded	NO	RED	Loss of natural daylight and ventilation. No additional play area. Difficult to construct	Section 77 issues possible overdevelopment of site	£3 M for 1 FE = £100,000 per place	4
<i>Clarksfield. 1FE expansion on same site</i>	EO	No grading - new academy	Yes	34	60	57%	6	AMBER	N/a	Yes	N/a	N/a	N/a	£2.9 m for 1FE - £ 96 k per place of PAN	1 = Already Approved
<i>Woodlands</i>	EO	No grading - new academy -Inadequate prior to conversion	Yes	35	45	78%	4	AMBER	EXPAND SCHOOL TO 3FE		AMBER	NO SIGNIFICANT ISSUES KNOWN - Recent work (5)	AMBER	£ 2.5 M for 1 FE £ 83,000	3
<i>Greenacres C P</i>	EO	No grading new academy (Requires Improvement prior to conversion)	Yes	37	30	123%	2	RED	New build option on adjacent sports field considered with current school site converting to sports field on demolition .	YES	RED (1)	AMBER/RED	AMBER	£6m for 1FE expansion - £200,000 per place of PAN	5
<i>Mayfield Academy</i>	EO	Good	Yes	47	30	157%	1	AMBER	Site looks to be well developed with little potential for improving play / sport provision if areas lost due to extension	YES - Academy have developed idea	AMBER	GREEN	AMBER	up to £2.5m for 1FE i.e. £ 83,000 place of PAN	1
<i>Woodlands</i>	EO	No grading - new academy -Inadequate prior to conversion	Yes	35	45	78%	4	GREEN / AMBER	EXPAND SCHOOL TO 2FE from current 1.5 FE (Inadequate increase of places)		GREEN (5)	NO SIGNIFICANT ISSUES KNOWN - Recent work (5)	N/a	£200,000 internal alterations only. £13,000 per place	2

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Report to CABINET

Approval of New Warm Homes Delivery Agents

Portfolio Holder: Councillor Hannah Roberts, Cabinet Member – Housing

Officer Contact: Deputy Chief Executive – People and Place

Report Author: Anees Mank, Principal Housing Energy Officer
Ext. 4798

15th April 2019

Reason for Decision

To approve the appointment of new Warm Homes Delivery Agents following an OJEU procurement exercise.

Recommendations

- 1 To appoint the providers listed in this report to the Warm Homes Oldham Framework Agreement.
- 2 To engage the Rank 1 provider in each lot to deliver the Warm Homes Oldham service in Oldham from 1 June 2019.
- 3 To agree a short extension to the contracts with the current providers from 1 April 2019 to 31 May 2019 to maintain continuity of the service during the interim period.

Approval of New Warm Homes Delivery Agents

1 Background

- 1.1 In August 2012, Oldham Council, NHS Oldham Clinical Commissioning Group (CCG) and Oldham Housing Investment Partnership (OHIP) signed the country's first Joint Investment Agreement to help tackle fuel poverty in the borough.
- 1.2 The partnership established 'Warm Homes Oldham' as a brand under which fuel poverty assessments and referrals (Lot 1), income maximisation (Lot 2) and energy efficiency works (Lot 3) are delivered across the borough.
- 1.3 The focus of Warm Homes Oldham is to provide holistic and integrated fuel poverty support by providing a seamless co-ordination of services to enable those in need of assistance to maintain their health and wellbeing in their home for as long as possible.
- 1.4 Warm Homes Oldham also seeks to maximise Energy Company Obligation (ECO) and other grant funding opportunities that are available for heating and insulation measures. In particular, Warm Homes Oldham looks to support those households that are in fuel poverty and vulnerable to the health and wellbeing effects of living in a cold home by providing these measures free of charge.
- 1.5 The Warm Homes Oldham service has a vital role to play in keeping people warm, safe and independent in their own homes. By reducing fuel poverty, the service aims to reduce demand for health and social care services, and thereby make significant cost savings.
- 1.6 In 2016 (the latest data available), there were an estimated 10,976 (11.8%) households in Oldham living in fuel poverty (using the 'Low Income High Cost' indicator) which is slightly lower than the North West average (12.8%) and higher than the National (11.1%).
- 1.7 The partnership has set a target to help bring 1,000 people out of fuel poverty every year through the Warm Homes Oldham service. In the last five years, it has achieved the following:
- Helped 5,785 people stay warm and well in their homes;
 - Brought in over £3.7 million of external grant funding to Oldham for energy efficiency improvements;
 - Installed 1,177 boilers, 257 external wall insulation installs, 574 cavities and lofts – all at no cost to the resident;
 - Installed 4,659 small measures for free (LED bulbs, radiator panels, draught-proofing);
 - Secured £608,654 of extra benefits for residents who weren't claiming what they were entitled to;
 - Secured £215,031 of trust fund grants to wipe off fuel debt or pay for boilers or white goods;
 - Achieved over £350,000 total savings to household bills for Oldham residents per year.

2 **Current Position**

- 2.1 The Warm Homes Oldham service is currently provided by ENGIE Regeneration Ltd (Lots 1 and 3) and Auriga Services Ltd (Lot 2). Both contracts are due to end on 31 March 2019.
- 2.2 An OJEU procurement exercise has been carried out to appoint new providers under a four year framework agreement. This has been done on a 1+1+1+1 basis, which allows for the contract to be terminated at the end of each financial year if funding for the service ceases to be available.
- 2.3 The framework has been split into the following lots:
- Lot 1 – Warm Homes Oldham Assessment and Referral Service Provider
 - Lot 2 – Warm Homes Oldham Income Maximisation Service Provider
 - Lot 3 – Warm Homes Oldham Energy Efficiency Works Service Provider
 - This lot has been further split into two sub lots:
 - Lot 3a – Heating Measures
 - Lot 3b – Insulation Measures
- 2.4 Prospective bidders were able to bid for one or more lots. A maximum of five providers can be appointed to each of the lots. However, inclusion on the framework does not guarantee them any work.
- 2.5 As the similar Greater Manchester Green Deal and ECO framework agreement is due to end on 30 April 2019, the GMCA and the other nine Greater Manchester Local Authorities have also been given access to use the Warm Homes Oldham framework agreement.
- 2.6 All the organisations who wish to call-off the framework can do so by direct award where the terms of the framework are sufficiently precise enough to cover the particular call-off.
- 2.7 The Rank 1 provider is set as the default, subject to capacity and previous performance. If it is evident that capacity and / or performance concerns exist with the Rank 1 provider, then the organisations have the flexibility to approach Rank 2, 3, 4 and 5 respectively.
- 2.8 Where the terms laid down in the framework are not precise enough or complete for the particular call-off, a further competition (i.e. a mini competition) can held with all those suppliers within the framework capable of meeting the particular need.
- 2.9 Due to a delay by the Government in issuing the guidance for funding under the Energy Company Obligation (ECO 3), the OJEU procurement exercise could not start until December 2018. As a result, the framework agreement cannot commence until the middle of May 2019 at the earliest. Therefore, a short extension of the contracts with the current providers from 1 April 2019 to 31 May 2019 is required to maintain continuity of the service during the interim period.

3 **Options / Alternatives**

- 3.1 Option 1 – To appoint providers to the Warm Homes Oldham Framework Agreement as detailed in the report in the restricted part of this agenda.

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- 3.2 To engage the Rank 1 provider in each of the lots to deliver the service in Oldham from 1 June 2019.
 - 3.3 To agree a short extension of the contracts with the current providers from 1 April 2019 to 31 May 2019 to maintain continuity of the service during the interim period.
 - 3.4 Option 2 – To not appoint any providers to the Warm Homes Oldham Framework Agreement and discontinue the Warm Homes Oldham service. This option would not meet the need to tackle fuel poverty in the borough.

4 **Preferred Option**

- 4.1 The preferred option is Option 1, as it provides the most economically advantageous bids for the provision of the Warm Homes Oldham service, as identified by the OJEU procurement exercise.

5 **Consultation**

- 5.1 Oldham Council's Warm and Healthy Homes Board and Environment Board have been consulted and they have supported Option 1.

6 **Financial Implications**

- 6.1 The Warm Homes Oldham Service has a budget in 2019/20 within the Fuel Poverty Partnership Cost Centre and is fully funded by grants from NHS Oldham CCG and Public Health. Expenditure will be confined to the amount of grant received.
- 6.2 Funding for future years will be allocated as part of the annual budgeting exercise from these organisations. Should funding be reduced or discontinued, and alternative funding not found, the contract with the successful providers can be terminated at the end of each financial year without penalty. (David Leach/John Hoskins)

7 **Legal Services Comments**

- 7.1 The Council has tendered a framework agreement for the delivery of the three lots of services under the banner of the Warm Homes Oldham Service. The Council has conducted a robust procurement process to select the most economically advantageous bids to appoint the first ranked bidder for each lot.
- 7.2 There is provision to modify a contract under Rule 17.1(c) of the Council's Contract Procedure Rules in unforeseen circumstances provided the modification does not alter the overall nature of the contract and the price does not exceed 50% of the original contract value. The short extension proposed in the narrative of the report would meet the requirements of the Rule. (Elizabeth Cunningham-Doyle)

8. **Co-operative Agenda**

- 8.1 Each successful provider has provided satisfactory details on how they will operate in a socially responsible way in accordance with Oldham Council's Social Value Framework.

9 **Human Resources Comments**

9.1 None.

10 **Risk Assessments**

10.1 Each successful provider has provided satisfactory Risk Assessments for their area of activity.

11 **IT Implications**

11.1 None.

12 **Property Implications**

12.1 The current Lot 1 provider occupies two desks within the Housing Strategy team in Room 310 of Oldham Civic Centre.

13 **Procurement Implications**

13.1 Commercial Services supports the approval of Option 1, as the procurement has been carried out in line with Oldham Council's Contract Procedure Rules and EU Regulations. The outcome proposes the most economically advantageous solution. (Emily Molden)

14 **Environmental and Health & Safety Implications**

14.1 Each successful provider has provided satisfactory details on how they will address Environmental and Health and Safety implications.

15 **Equality, Community Cohesion and Crime implications**

15.1 Each successful provider has provided satisfactory details on how they will provide a fair and equitable services to all residents, regardless of age, disability, gender reassignment, marriage or civil partnership, race, religion or belief, sex, socio-economic status or sexual orientation.

15.2 The Warm Homes Oldham service has a positive impact on tackling fuel poverty.

15.3 There are no community cohesion or crime implications.

16 **Equality Impact Assessment Completed?**

16.1 No.

17 **Key Decision**

17.1 Yes.

18 **Key Decision Reference**

18.1 HSG-02-18.

19 **Background Papers**

19.1 None.

20 **Appendices**

20.1 None.



Report to CABINET

Empty Homes Pilot Procurement Approval

Portfolio Holder:

Councillor Hannah Roberts, Cabinet Member for Housing and Planning

Officer Contact:

Emma Barton, Director of Economy

Report Author: Albert Margai, Principal Housing Market Intervention Officer
Ext. 6583

15th April 2019

Reason for Decision

To report on the outcome of the mini competition to procure contractors for the refurbishment of long-term empty properties and attain Cabinet's approval to appoint the successful contractors.

Executive Summary

The Council's Empty Homes Pilot scheme gained Cabinet approval in October 2018 and proceeded to conduct a mini competition, to procure suitable and reputable building contractors to refurbish the Council's long-term empty homes. The procurement exercise would deliver a framework consisting of the top 3 bidders who could take on the refurbishment projects subject to availability and capacity when required.

The procurement exercise was carried out in accordance with the Council's Contract Procurement Regulations (CPRs). The open tender inviting all qualifying organisations was advertised on the North-West procurement portal; the Chest. Tenderers were able to access the ITT documents via this portal, which included a detailed specification of the opportunity from Oldham Council.

Recommendations

Cabinet is asked to approve that:

1. Contracts for the refurbishment of long-term empty homes are awarded to the successful bidders
2. Contracts should be drawn up by the Council's Legal Department to enable Oldham Council to enter a contractual arrangement with the successful bidders

Empty Homes Pilot Procurement Approval

1 Background

- 1.1 In October 2018, the Cabinet approved for the Empty Homes pilot initiative to be rolled out across the borough. This subsequently kick-started a procurement exercise to tender the services of 3 refurbishment contractors who were capable of refurbishing the Councils private long-term empty properties.
- 1.2 An extensive piece of work was undertaken to compile accurate and sufficient tender documents to provide tenderers with a clear outline of the product specification and the project's acceptance criteria.

2 Current Position

- 2.1 Following a successful tender and subsequent evaluation process, the Council is now ready to appoint contractors to the mini framework. In reaching this point, the Council conducted an open tender process inviting organisations to bid via the Chest; the Council's procurement portal. Organisations were able to access the invitation to tender (ITT) documents from 13 December 2018, when the tender officially opened, until its closing date on 21st January 2019. Taking into account reduced business activity from the Council and potential bidders alike, it was important to grant bidders sufficient time to review the tender documents and submit a suitable bid. Hence, an open tender for just under 6 weeks was appropriate for this exercise.
- 2.2 The evaluation began on 23 January 2019, over the ensuing 3 weeks members of the panel independently combed through the responses, assigning a score to each one. All bids were assessed against a set weighted criteria (as shown below), in a quest to maintain clarity, impartiality and achieve Best Value for the project.

Assessment Criteria	Weighting
Pricing	50%
Technical Capacity	45%
Social Value	5%

- 2.3 The three weighted criteria are explained below:
- **Pricing:** The pricing assessment was weighted the heaviest due to the importance of remaining within the budgetary limits of the project. It was decided the most effective and accurate way of enticing this information, and minimise future arbitration from inflated rates was to develop a pricing schedule (schedule of rates) for bidders to cost up. Bidders were obligate to adhere to their rates for duration of the contract term while they were part of the mini framework. The schedule included a range of building and construction activities associated with an expansive refurbishment project.
 - **Technical Capacity:** This criterion required tenderers to demonstrate their experience of executing similar contracts and refurbishment work. Questions were designed to tease out bidders' staffing compliment, competence and a qualifications of staffing that would be deployed onto the project. Consequently, this information would provide assurance to the Council that tenderers not only understood the specification but more importantly, previous experience would enable them to navigate around uncertainties without compromising any deliverables.
 - **Social Value:** There was concerted effort made to attract local contractors to this opportunity, in order to capitalise on the local tradesmanship, knowledge and social commitment. Engaging local trades people would undoubtedly deliver wider economic benefits to Oldham.

3 Options/Alternatives

3.1 The two options are:

3.2 Option 1 – Approve the appointment of the top 3 successful tenderers onto a mini framework, from which the Council can select an organisation to carry out refurbishments on empty homes

3.3 Option 2 – Do not approve the appointment of the top 3 tenderers and conduct another procurement exercise

4 Preferred Option

4.1 Option 1 is the preferred option, as it would overcome one of the main dependencies of the project and enable the project initiation stage.

4.2 Evaluation and Moderation

4.2.1 After 3 weeks of evaluating responses, the panel held a moderation meeting on 13 February 2019. The intended purpose of this meeting was to analyse the scores allocated to each bid by deliberating extensively through each response, to reach a consensus on each bidder.

5 Consultation

5.1 Portfolio Holder has been consulted and is supportive of the pilot scheme, including essential activities to overcome the project's dependencies such as; a full procurement exercise to appoint refurbishment contractors.

6 Financial Implications

6.1 A scheme and capital budget exists within the Housing Revenue Account (HRA) Capital Programme for Pilot schemes within the Private Rented Sector. This is phased and financed as follows:

	2019/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000	TOTAL £'000
HRA	200.0	200.0	200.0	200.0	800.0
Homes England Grant	144.0	144.0	144.0	144.0	576.0
TOTAL	344.0	344.0	344.0	344.0	1,376.0

6.2 The works to the individual properties will be let via the mini framework up to the amounts above and will be managed within the approved resources and Grants available on a year by year basis. (David Leach / John Hoskins)

7 Legal Services Comments

7.1 The Council has openly tendered the opportunity encouraging potential bidders by allowing the tendering process to be done over a 6 week period. The procurement process has been successful with 6 bidders. A thorough evaluation process has taken place which was conducted over a 3 week period. The evaluation team has selected the most suitable partner based primarily (50%) on economic viability, but also technical capability (45%) and social value (5%). (Alex Bougatef)

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8. **Co-operative Agenda**
- 8.1 Appointment of the successful bidders would overcome a major dependency of the project and ensure the project progresses towards all three of Oldham Council's agendas; in particular an Inclusive Economy and Thriving Communities.
- 9 **Human Resources Comments**
- 9.1 None
- 10 **Risk Assessments**
- 10.1 A risk register is kept to identify potential risks along with a robust approach to mitigate all risk. Current potential risk identified is in relation to data that would be shared with contractors. Work is on-going with Council Tax Department and Information Governance to ensure the relevant data sharing agreements are in place, underpinned by robust processes that would mitigate identified risks. (Mark Stenson)
- 11 **IT Implications**
- 11.1 None
- 12 **Property Implications**
- 12.1 None
- 13 **Procurement Implications**
- 13.1 As outlined in 2.2 a procurement process was undertaken in accordance with the Council's Contract Procedure Rules and the Public Contract Regulations 2015. The route to market was an Open Tender exercise.
- 13.2 The detail of the procurement process is outlined in Section 2 of this report. (Mohammad Sharif)
- 14 **Environmental and Health & Safety Implications**
- 14.1 None
- 15 **Equality, community cohesion and crime implications**
- 15.1 None
- 16 **Equality Impact Assessment Completed?**
- 16.1 Yes. An Equality Impact Assessment (EIA) was completed as part of the approved cabinet report in October 2018.
- 17 **Key Decision**
- 17.1 Yes.
- 18 **Key Decision Reference**
- 18.1 An exemption from publication in accordance with Rule 16 of the Constitution has been sought from and agreed by the Chair of the Overview and Scrutiny Board.
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19 **Background Papers**

19.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

File Ref: 01

Name of File: Empty Homes Report

Records held in: Strategic Housing, Economy, Skill and Neighborhoods, Civic Centre, Room 310

Officer Name: Albert Margai

Contact No: 0161 770 6583

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