

Oldham Borough Council



**Council Meeting
Wednesday 17 June 2020**

OLDHAM BOROUGH COUNCIL

To: ALL MEMBERS OF OLDHAM BOROUGH COUNCIL,
CIVIC CENTRE, OLDHAM

Tuesday, 9 June 2020

You are hereby summoned to attend a virtual meeting of the Council which will be held via TEAMS on Wednesday 17 June 2020 at 6.00 pm for the following purposes:

- 1 To receive apologies for absence
- 2 Attendance and Declarations of Interest
- 3 The Mayoralty and Meetings of the Council 2020/21 (Pages 1 - 4)
- 4 To order that the Minutes of the meeting of the Council held on 8th January 2020 and 26th February 2020 be signed as a correct record (Pages 5 - 58)
- 5 To deal with matters which the Mayor considers to be urgent business
- 6 To receive communications relating to the business of the Council
- 7 To receive and note petitions received relating to the business of the Council (Pages 59 - 60)

(time limit 20 minutes)

- 8 Allocation of Portfolios to Cabinet Members 2020/21 and Determination of the Delegation of Executive Functions (Pages 61 - 66)
- 9 Opposition nominations to the Shadow Cabinet 2020/21 (Pages 67 - 68)
- 10 Youth Council

(time limit 20 minutes)

There is no Youth Council business to consider.

- 11 Questions Time
 - a Public Question Time
(time limit 15 minutes)
 - b Questions to Leader and Cabinet
(time limit 30 minutes)
 - c Questions on Cabinet Minutes (Pages 69 - 108)

(time limit 15 minutes)

16th December 2019

27th January 2020

24th February 2020

23rd March 2020

d Questions on Joint Arrangements (Pages 109 - 238)

(time limit 15 minutes)

Oldham Leadership Board	23 January 2020
Police and Crime Panel	14 November 2019
Commissioning Partnership Board	28 November 2019
	30 January 2020
MioCare Board	23 October 2019
Peak Park District Authority	1 November 2019
	6 December 2019
	14 February 2020
GM Health and Care Board	25 October 2019
Greater Manchester Combined Authority	29 November 2019
	7 January 2020
	31 January 2020
Greater Manchester Transport Committee	8 November 2019
	17 January 2020
	21 February 2020
Greater Manchester Waste and Recycling Committee	14 November 2019
	16 January 2020

12 Notice of Administration Business

(time limit 30 minutes)

Councillor Chadderton to MOVE and Councillor Ur-Rehman to SECOND:

Black Lives Matter

This council notes with great sadness the murder of George Floyd in the United States, and the hurt and anger made more visible as a consequence. Racism and racial inequality remain shameful aspects of our lives in Oldham as elsewhere and must be confronted.

In recent weeks Greater Manchester has seen Desmond Ziggy Mombeyarara tasered in front of his small child when stopped by police for a driving offence, and the collapse of a police misconduct trial after Greater Manchester Police declined to submit any evidence against the officer who shot Anthony Grainger through the chest as he sat in his car. A judge last year found GMP to be entirely to blame for Mr Grainger's death. This council notes that since 1991 there have been more than 1,500 deaths in police custody or following police contact in the UK, but no police officers have been found guilty of murder or manslaughter related to any of them. Meanwhile, as highlighted by the Lammy review, disproportionality in the criminal justice system remains significant.

Looking at just one metric, black people were searched by GMP at nearly seven times the rate of white people using stop and search powers in 2018/19.

This council resolves to:

- Produce a new Equalities Strategy, setting out how it will make the council a more equal organisation and make Oldham a fairer place in which to live, work and feel safe
- Request that the Chief Executive writes to the Mayor of Greater Manchester, reaffirming our support for the creation of a GM Race Equality Panel and for the publication of a quarterly Race Equality Policing Report

13 Notice of Opposition Business

(time limit 30 minutes)

Motion1

Councillor Harkness to MOVE and Councillor Hamblett to SECOND:

Tax relief for Public Transport

This Council notes that:

- In his article for the Daily Telegraph 'Tax Relief just the Ticket' (6 October 2013), then journalist Boris Johnson called for employees to be 'allowed to pay for their season tickets from their pre-tax income.'
- Mr Johnson advocated for the introduction of a new tax relief scheme, limited to the basic rate, whereby 'the employer would buy the season ticket and deduct the cost from his or her (employee's) pay packet – and only then would the employee be assessed for tax.'
- The impact of such a scheme would mean that employees would have less taxable income reducing their liability for income tax and national insurance and the employer would also save on national insurance contributions.
- The economy has been hit by the Coronavirus Pandemic. This would be an easing measure for people returning to public transport.
- An annual season ticket costs a Metrolink tram commuter from Shaw to Manchester £1,154, a Train commuter from Greenfield to Manchester is £1,208, and a Bus commuter with First Manchester is £670.
- Such a tax-relief scheme would represent a significant financial saving for Oldham Borough's commuters and be a real kickstart to the local economy.
- Council further notes that now Mr Johnson is Prime Minister he has it within his power to put his aspirations for tax relief on seasonal travel tickets into practice.

Council resolves to:

- Council resolves to ask the Chief Executive to write to the Prime Minister and Chancellor of The Exchequer to request that this Government introduce such a tax-relief scheme.
- This would be on seasonal travel tickets (following the principles outlined in Mr Johnson's Telegraph article in 2013) making this effective as soon as possible.
- Write to the Mayor of Greater Manchester saying that we all should support such a scheme.

Motion 2

Councillor Williamson to MOVE and Councillor H Gloster to SECOND:

Accessible Shopping Districts

Council notes that:

- Regulations are in place so that future improvements are Disability Discrimination Act compliant.
- That there are low-cost improvements businesses can make.
- Charities and Oldham Council can support and provide better guidance as to what those improvements might be.
- There is proven success in directly investing in our town and district centres.
- That all members need to be aware of dementia awareness training available.
- Oldham Council knows simple steps that can be taken to improve the use of the shops for people with dementia in our communities.
- The Coronavirus has pushed elderly people from our high streets. This motion aids those made vulnerable by Covid-19 to make an easier return to shopping.
- Improvements such as these would help and support the local economy.

Council resolves to:

- Set aside funding for adaptation to offer improved access for those with mobility issues. This could include, but not limited to: the provision of ramps, hand rails, additions to entrances, removal of steps. Any necessary alterations needed to make our district shopping centres become more accessible.
- Set up a district panel like that of the High Street Grants scheme. This is where local elected members have an input and approval of applications to ensure an accessible commercial centre with the Cabinet Member having the final say on applications.
- To ask Highway Engineers to carry out inspections of shopping area footways to ensure they meet current guidelines. It doesn't matter if this is in a town centre or a row of shops on an estate, accessible shopping must take place right across our Borough.
- Ask that an assessment of shopping area and town centre signage is clear and that brail information points are installed across these zones.
- Ask that Oldham Council partners with Age UK, Alzheimer's Society, Royal National Institute of Blind People (RNIB), Action on Hearing Loss and others to carry out assessment of buildings and shopping areas.
- Prepare a guidance campaign for businesses that could be used to raise accessibility awareness in commercial districts.
- Refer motion to Overview and Scrutiny and ask the mover and seconder to be part of any investigation.
- Read the report on Town Centres by Trailblazers a group of disabled campaigners from across the UK titled "Short-changed" to see if there is anything that we can learn from the report findings.

Motion 3

Councillor D Murphy to MOVE and Councillor C Gloster to SECOND:

Chatty Checkouts and Cafés

Social isolation impacts on personal mental health and physical health. This also has

a negative impact on the community. Councillors should be committed to looking at innovative ways of addressing this issue. This commitment must form part of Oldham Borough aspiring to be an Age-Friendly local authority.

Council notes that:

- In the UK the Chatty Café Scheme (<https://thechattycafescheme.co.uk/>) has been established with 900 participating outlets so far offering opportunities for customers to converse at Chatter and Natter Tables. Costa Coffee has become the scheme's first national partner.
- The Pub in the Hub scheme is offering support to public houses joining the scheme.
- In the Netherlands Chatter Checkouts have been introduced in supermarkets, dedicated lanes where interaction between the customer and staff member is purposefully expected to take longer as conversation forms part of the transaction.
- Local authority run premises, such as libraries, leisure centres, and the local markets; health centres and hospitals run by the NHS; and pubs, cafes, shopping centres and retail parks run by business partners have potential to host such schemes.
- Operators of supermarkets and other retailers in the Borough may wish to establish Chatter Checkouts, maybe at quieter times of the trading week.
- There will be many people suffering from mental ill-health from the isolation of lockdown measures following the Coronavirus Pandemic.

Council resolves to:

- Ask the Chief Executive to write to the Chatty Café Scheme offering this Council's support after Coronavirus lockdown measures have lifted.
- Ask the Overview and Scrutiny and Health Scrutiny Boards, in consultation with Age UK Oldham and District Teams, to 1. Examine the practicalities of introducing Chatter and Natter Tables in Council premises, 2. Identify where they could be established, 3. Identify how referrals to such provision might form part of social prescribing.
- Ask the Chief Executive to write to Town Centre Partnership Board and major supermarket chains in the Borough for their views and suggestions for establishing Chatter and Natter Tables and Chatter Checkouts.
- Ensure that the Council's website has a link to the Chatty Café Scheme.
- Engage with local market stall holders and vendors asking them to participate.

- 14 Oldham's COVID-19 Response (Pages 239 - 256)
 - 15 Update on Actions from Council (Pages 257 - 290)
 - 16 Corporate Peer Challenge - Feedback Report (Pages 291 - 312)
 - 17 Political Balance Review - Composition of Political Groups - Outstanding Committee Appointments and Outside Bodies Appointments
- To follow
- 18 Constitutional Amendments (Pages 313 - 504)
 - 19 Members Allowances Scheme (Pages 505 - 512)

- 20 Appointment of Independent Person - Independent Remuneration Panel (Pages 513 - 514)
- 21 Council Meetings and Municipal Calendar 2020/21 (Pages 515 - 532)
- a) To confirm the meetings of Full Council will be held on the undermentioned dates during the 2020/21 Municipal Year, Commencing at 6.00pm unless otherwise shown:
- 15 July 2020
 - 9 September 2020
 - 4 November 2020
 - 16 December 2020
 - 24 February 2021 (Budget)
 - 24 March 2021
 - 19 May 2021 (Annual at 12.00 noon)
- b) To approve the calendar of meetings for the 2020/21 Municipal Year.

NOTE: The meeting of the Council will conclude 3 hours and 30 minutes after the commencement of the meeting.

A handwritten signature in black ink, reading 'Carolyn Wilkins'. The signature is fluid and cursive, with the first name 'Carolyn' written in a larger, more prominent script than the last name 'Wilkins'.

**Carolyn Wilkins
Chief Executive**

PROCEDURE FOR NOTICE OF MOTIONS **NO AMENDMENT**

MOTION – Mover of the Motion to MOVE



MOTION – Secunder of the Motion to SECOND – May reserve right to speak



DEBATE ON THE MOTION: Include Timings



MOVER of Motion – Right of Reply



VOTE – For/Against/Abstain



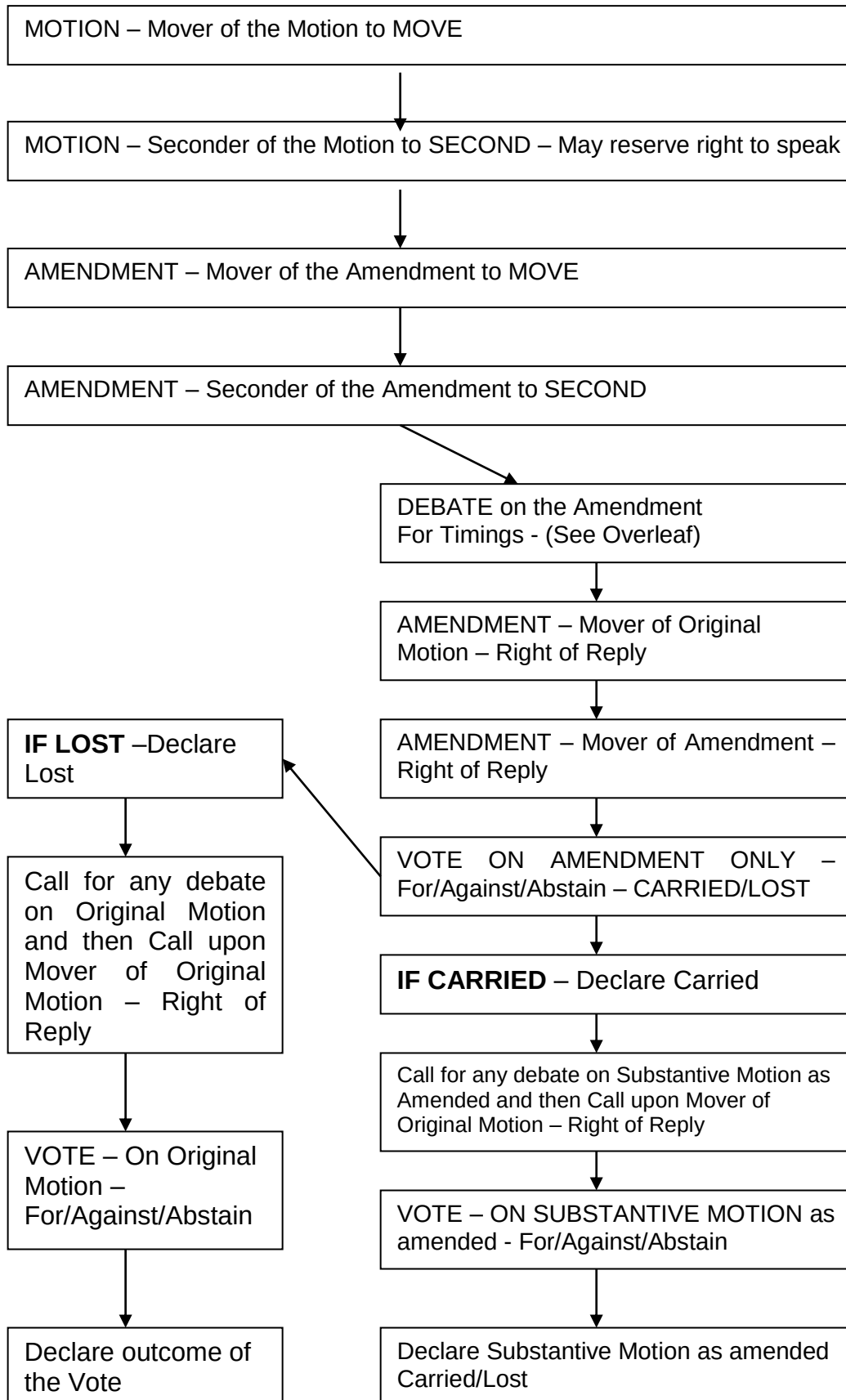
Declare outcome of the VOTE

RULE ON TIMINGS

(a) No Member shall speak longer than four minutes on any **Motion or Amendment**, or by way of question, observation or reply, unless by consent of the Members of the Council present, he/she is allowed an extension, in which case only one extension of 30 seconds shall be allowed.

(b) A Member replying to more than one question will have up to six minutes to reply to each question with an extension of 30 seconds

WITH AMENDMENT





Report to COUNCIL

The Mayoralty and Meetings of the Council 2020/21

Officer Contact: Liz Droган, Head of Democratic Services, Mark Hardman, Constitutional Officer

17th June 2020

Reason for Decision

To advise of the implications of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 for the Mayoralty and for meetings of the Council between May 2020 and May 2021.

Recommendations

That the implications of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 for the Mayoralty and for meetings of the Council between May 2020 and May 2021 be noted.

The Mayoralty and Meetings of the Council 2020/21**1 Background**

- 1.1 Responding to the COVID-19 pandemic, the Coronavirus Act 2020 (the “Act”) came into force on 25th March 2020. Among other matters, the Act provided that the ordinary election of Councillors in England that would otherwise be held on the ordinary day of election in 2020 would be held instead on 7th May 2021, the ordinary day of election in 2021, and that any Councillor who would otherwise have retired on the fourth day after the ordinary day of election in 2020 would have their term of office extended accordingly.
- 1.2 Subsequently, the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (the “2020 Regulations”) came into force on 4th April 2020. Among the provisions contained therein, local authorities were permitted to hold such meetings as they may determine and, should a Council not hold an annual meeting, such appointments that would otherwise have been made at the annual meeting would continue until the next annual meeting or until such time as the Council might determine.
- 1.3 Members will be aware that the Annual Meeting of Council scheduled for 20th May 2020 has not been convened. In accordance with s4 of the 2020 Regulations the terms of office of Councillor Ginny Alexander as Mayor and of Councillor Jenny Harrison as Deputy Mayor will therefore continue to the Annual Meeting of the Council to held in May 2021 or such other time as the Council might determine.
- 1.4 Similarly, current Council Committee memberships will continue to the Annual Meeting of the Council to held in May 2021 or such other time as the Council might determine, subject to political balance considerations required by the Local Government (Committees and Political Groups) Regulations 1990. A report considering Political balance and the opportunity to vary some appointments is elsewhere on the agenda for this meeting of the Council.
- 1.5 With further reference to the provisions within the 2020 Regulations concerning the holding of meetings, a report presenting the Municipal Calendar 2020/21 is elsewhere on the agenda for this meeting of the Council.

2 Options

- 2.1 There are no options presented within this report which provides a position statement related to certain provisions of the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

3 Consultation

- 3.1 None undertaken in respect of this report which presents a position statement regarding the Mayoralty and Council meetings 2020/21.

4 Legal Services Comments

- 4.1 Legal comments are provided in the body of the report.

5 Background Papers

- 5.1 None.

6 Appendices

- 6.1 None.

This page is intentionally left blank

Present: The Mayor – Councillor G. Alexander (Chair)

Councillors Ahmad, Akhtar, Al-Hamdani, Ali, Alyas, Ball, M Bashforth, S Bashforth, Brownridge, Byrne, Chadderton, Chauhan, Cosgrove, Curley, Davis, Dean, Fielding, Garry, C. Gloster, Goodwin, Hamblett, Haque, Harkness, Harrison, Hewitt, Hudson, Hulme, A Hussain, F Hussain, Iqbal, Jabbar, Jacques, Judd, Leach, Malik, McLaren, Moores, Murphy, Mushtaq, Phythian, Price, Roberts, Salamat, Shah, Sheldon, Shuttleworth, Stretton, Surjan, Taylor, Toor, Ur-Rehman, Williamson and Williams

1 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Councillor Briggs, Councillor H. Gloster, Councillor Hobin, Councillor Ibrahim and Councillor Sykes.

2 TO ORDER THAT THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 6TH NOVEMBER 2019 BE SIGNED AS A CORRECT RECORD

RESOLVED that the minutes of the Council meeting held on 6th November 2019 be agreed as a correct record.

3 TO RECEIVE DECLARATIONS OF INTEREST IN ANY MATTER TO BE DETERMINED AT THE MEETING

In accordance with the Code of Conduct, elected members declared the following interests:

Councillor C. Gloster declared a pecuniary interest at Item 8d by virtue of his employment by Greater Manchester Police.

Councillor Garry declared a pecuniary interest at Item 8d by virtue of her husband's employment by Greater Manchester Police.

Councillor Roberts declared a personal interest at Item 8c, Cabinet Minutes, 18 November 2019, by virtue of her appointment to the Positive Steps Board.

Councillor Harkness declared a personal interest at Item 8c, Cabinet Minutes, 18 November 2019, by virtue of his appointment to the Positive Steps Board.

Councillor Shuttleworth declared a personal interest at Item 8c, Cabinet Minutes, 18 November 2019, by virtue of his appointment to the Positive Steps Board.

Councillor Malik declared a personal interest at Item 8c, Cabinet Minutes, 18 November 2019, by virtue of his appointment to the Positive Steps Board.

Councillor Haque declared a personal interest at Item 8c, Cabinet Minutes, 18 November 2019, by virtue of his appointment to the Positive Steps Board.

Councillor Chauhan declared a personal interest at Item 8c, Cabinet Minutes, by virtue of his work with the Homeless Friendly Charity.

Councillor Chadderton declared a pecuniary interest at Item 9, Motion 2, by virtue of her employment with Manchester City Council.

Councillor Hamblett declared a personal interest by virtue of his appointment to the MioCare Board.

4 **TO DEAL WITH MATTERS WHICH THE MAYOR CONSIDERS TO BE URGENT BUSINESS**

There were no items of urgent business.

5 **TO RECEIVE COMMUNICATIONS RELATING TO THE BUSINESS OF THE COUNCIL**

The Mayor made reference to the recent death of former Councillor and Mayor Derek Heffernan.

Council held a minute's silence.

Councillors C. Gloster, Harkness, Hudson, Fielding, Ball, Ur-Rehman and Williams paid tribute to the work of former Councillor and Mayor Derek Heffernan.

Council congratulated Councillor Chauhan, Cabinet Member Health and Social Care, on the award of his OBE.

Council also congratulated Mohammed Ashraf Ali on being awarded an MBE, Ibrahim Yousaf, the youngest person in the country to be awarded a BEM and Subnum Harrif-Khan and Hilda Broadbent on being awarded a BEM.

The Mayor informed the meeting that a request had been received from Councillor Fielding, Leader of the Council, who wished to make statement. Councillor Fielding, Leader of the Council, provided the following statement:

"Since allegations of malpractice around historic child sexual exploitation cases first surfaced, we have taken them seriously. It is important that residents feel assured that the Council and its partners are doing everything possible to keep children safe. For that reason I, along with Henri Geller, the chair of the Safeguarding Partnership for Oldham, wrote to Andy Burnham requesting that an independent review into historic safeguarding in Oldham take place as part of a major piece of work looking to improve safeguarding across Greater Manchester. I'm now providing an update to councillors and the public on progress. Mayor Burnham also holds the role of Police and Crime Commissioner. In September 2017 he launched an independent assurance exercise to consider how Greater Manchester does and should respond to child sexual exploitation.

Using the same methodology and approach for the Oldham review makes it possible to utilise the same team, expertise and processes. This will make the Oldham review as effective and thorough as possible.

As for the first stage of the Greater Manchester review into historical CSE, the Oldham workstream will be led by Malcolm Newsam CBE and Gary Ridgway. Malcolm and Gary will bring their huge experience in children's social care and policing to the work, and I can assure residents that they will have the full cooperation of the council for anything they require. Malcolm and Gary will bring a level of knowledge, true independence and expertise that is unsurpassable, which includes looking at cases in other places like Rotherham and Manchester.

The terms of reference for the review, which set out its scope, methodology, governance and resourcing, will be confirmed next week. These will be publicly available. Timelines for reporting will be determined by the review team themselves, to make sure their report is conducted thoroughly, while also recognising the need for public clarity as soon as possible in relation to historic allegations.

For the review team to conduct their work effectively it is absolutely vital that anyone with evidence of historic failings presents this for consideration. As we have previously said, if anybody has evidence of offences, recent or historic, or concerns about the safety of an individual or group of individuals, please contact Oldham's multi-agency safeguarding hub in the first instance. If the reviewers do not have full information our ability to learn lessons from the past is restricted, and may put young people at risk.

Child sexual exploitation is abhorrent. It would be naïve to think that cases of child sexual exploitation don't take place, and the council and our partners must be equipped to prevent and detect it in all its forms. Our systems and services are relied upon by young people to keep them safe. I am grateful to the survivors who have spoken about their experiences, and am confident that if the council or our partners could have done more to protect or support them and others that Malcolm and Gary will identify this."

6

TO RECEIVE AND NOTE PETITIONS RECEIVED RELATING TO THE BUSINESS OF THE COUNCIL

The Mayor advised that two petitions had been received for noting by Council:

People and Place

Reference 2019-11: Petition regarding the Footpath on the Bridge on Delph New Road (Saddleworth North Ward) received on 8 November 2019 with 483 signatures

Reference 2019-02: Petition requesting a 20 MPH Scheme for Dobcross (Saddleworth North Ward) received on 8 November 2019 with 523 signatures

RESOLVED that the petitions received since the last meeting of the Council be noted.

7

YOUTH COUNCIL

The Youth Council PROPOSED the following MOTION:

Make Your Mark

“Make Your Mark is a UK wide consultation on issues important to young people aged 11 – 18. This ballot goes out to all high schools in Oldham, so that pupils can vote on what they feel is important in their lives and what they think Members of the Youth Parliament should campaign on for the year ahead. For the last 7 years the Youth Council has co-ordinated the consultation for Oldham.

Due to the devolved nature of politics and services such as the NHS and Policing, this year the consultation changed and young people were given 3 different categories with 5 issues within each category to vote upon. The 3 categories with 5 issues within each category to vote upon. The 3 categories were:

- UK wide issues
- Devolved issues
- Local issues.

The issues for UK wide and devolved categories were debated and chosen by the UK Youth Parliament and the local issues were debated and chosen by the Oldham Youth Council. Young people taking part in the consultation had the opportunity to vote for 1 issue from each category.

This year approximately 11,500 young people across Oldham were involved in the consultation which represents over 45% of Oldham’s 11 – 18 population.

Of the 5 issues in the UK wide issues category, unsurprisingly, ‘Protect the Environment’ was the top UK wide issue for Oldham’s Young People, with 4,515 votes. This represented nearly 40% of all votes cast and was over double the number of votes cast on any other issue. There was a similar in the Devolved issues category with ‘Put an end to Knife Crime’ gaining 4,199 votes (36.7% of votes cast) again nearly double the votes cast any other issue.

The local issues category results had a clear winner, public transport was the top issue with 3,855 (34.8% of the votes cast). The Youth Council have drafted a report, with a full breakdown of the Make Your Mark results both locally and nationally, that elected Members should have received. The report also breaks down the results by school which will allow Members to see how young people in your ward voted.

The results of the consultation have enabled the Youth Council to prioritise our work on environment, knife crime and youth violence and looking at public transport. We had already started work on environmental issues through a programme named Pioneers of Sustainable Hope (or POSH). A charter of young people’s environmental rights has been developed (that is out for consultation), are creating resources to help young people be more environmentally friendly – which will be handed out at our Eco festival (as part of our youth summit) and we have joined your cross-party climate change group.

Knife crime will also be one of the topics that we look at during our youth summit in February 2019. We are also researching how other areas of the UK, such as Glasgow and Brixton, have tackled youth violence through the public health model and hope to visit some places to see what could work here in Oldham.

We feel public transport will be a difficult issue to tackle as we are not sure how much influence we can have over private companies. However, we plan to consult young people to see if it is the cost, safety concerns, reliability or a combination of all 3 that needs to be addressed.

While we have already started the hard work on addressing these issues, we realise our influence on decision makers and those responsible for making a difference may be limited, therefore we ask that Full Council resolved to:

1. Note the results of the Make Your Mark consultation.
2. Hold a task and finish group with relevant Cabinet members to explore what is being in Oldham to address these issues.”

Councillor Chadderton MOVED and Councillor Williamson SECONDED the RESOLUTIONS as outlined in the MOTION presented by the Youth Council.

Councillor Chadderton asked that the Make Your Mark outcomes be addressed at the Corporate Parenting Panel. Councillor Williamson requested feedback be provided on the issues.

Councillor Shah spoke in support of the Youth Council Motion.

On being put to the vote, the MOTION was CARRIED UNANIMOUSLY.

RESOLVED that:

1. The results of the Make Your Mark Consultation be noted.
2. A task and finish group with relevant Cabinet Members be held to explore what was being done in Oldham to address these issues.

NOTE: Councillor S. Bashforth entered the meeting during this item.

8

QUESTION TIME

a

Public Questions

The Mayor advised that the next item on the agenda was Public Question Time. Questions had been received from members of the public and would be taken in the order in which they had been received. Council was advised that if the questioner was not present, the question would be read out by the Mayor.

The following questions were submitted:

1. Question received from Ruth Major via email:

“I’m an active member of the community and regularly encourage residents to partake in litter picking activities, not only in Oldham but across the country. You can see all the work I do if you follow me on twitter @ruthmajor44 and on my blog page:

www.rubbishruthsrambles.co.uk. I am aware of the Leader's investment in street cleaners so please could you tell me if recruitment to the new posts has now been completed? I'm also interested to know what we, as a town, are doing to actively engage schools/ communities/ businesses & commerce in the reduction of littering and in the encouragement of people to 'love where they live'."



Councillor Ur-Rehman, Cabinet Member for Neighbourhoods Services, thanked Ms. Major for her fantastic campaign and service to the community. While the Council had invested to increase the amount of street cleaning in the borough, Oldham would only be clean and tidy with the support and efforts of residents and Ms. Major represented the very best in that regard. It was confirmed that all the appointments had now been made with the additional funding put into street cleaning and the Council continued to work with local schools on a variety of campaigns often supported by the work of local communities which varies in each of the local Districts. For a more detailed update in each area and how best to engage with local activity, residents were encouraged to contact the local District officers. A full list was available on the Council's website.

2. Question received from Maureen Aldred via email:

"My husband and I took our Grandchildren to the Oldham Christmas Lights Switch On and I just want to say what a fantastic event it was. It was well organised and the Grandchildren particularly enjoyed Hey Duggee from CBeebies. Despite the cuts, and the criticism which I am sure you must get from some quarters for spending money on this, I want to praise the Council for continuing to run this event. It is great for families and, of course, is free. I hope that you will continue to run these types of events and wonder if you could tell us what other free Council-organised events we have to look forward to over the coming months?"

Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise thanked Mrs. Aldred for her question and feedback. The Leader responded that there was no better place to be at Christmas than Oldham. There were a number of free high-quality events lined-up across the festive season which included Santa's Reindeer Parade, Oldham's Christmas Lights Switch-On and Brass Monkeys. There was no shortage of fantastic entertainment to enjoy and a penny did not have to be spent. In February 2020 Oldham would be seen in a new light as three of the town centre's most iconic venues played to the borough's late-night arts festival, 'Illumnate', followed by 'Accelerate' in May, part of the UK's only festival of art dedicated to transport, travel and motion – 'SpareParts'. Oldham Pride in July was a community led day of celebration which included a parade and participatory programme. Whilst Oldham Histories Festival in September will be the largest heritage festival in Greater Manchester including heritage open days and other events. The Council would also have the 'Big

Bang Festival of Fire' in November to mark Bonfire Night with fire drawing, live performances and a fantastic fireworks display. There were also loads of free activities and exhibitions at Gallery Oldham and Oldham Libraries or take a look at the visitor website at VisitOldham.com for more inspiration of things to do, many of which were free.



3. Question from Huma Bibi via email:

“The council has faced almost a decade of cuts since 2010 under governments run by the Conservatives. Does the cabinet member for finance expect this new government to be any different and allow Oldham council’s financial position to improve?”

Councillor Jabbar, Deputy Leader of the Council and Cabinet Member for Finance and Corporate Services, responded that the Provisional Local Government Finance Settlement was notified to the Council on 20 December 2019. It advised the Council of major grant funding allocations for 2020/21 which would enable the budget for 2020/21 to be finalised. The settlement confirmed that the Government had halted the continuing reduction in Government funding experienced since 2010. Instead, general grant funding had been uplifted for inflation and other major grants had been continued at 2019/20 values. Additional funding had also been allocated for Social Care. This was much better than the initial estimated budget reduction. However, £208m had been taken out of the Council’s budget under austerity and there were still major funding shortages which included social care, Dedicated Schools Grant and Home to School Transport. The local government sector had been the first to face cuts. It was hoped that when the new budget was set more funding would be provided. The Council had lost one-third of its workforce but continued to provide the same services, especially in social care.

4. Question received from Mark Rooney via email:

“The council leader posted on Facebook that he has made a bid to greater Manchester for money from the housing investment loans fund to support residential developments in Oldham town centre. He said that this could offset green belt allocations in the GMSF. Is the Leader confident that there is a market for residential property in Oldham town centre?”

Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise responded that the Council had approved a refreshed vision for the town centre in June last year, whereby a town centre would be created where people would want to live. The vision comprised a number of priority areas and work on these was underway. Public realm improvements in the town centre would begin this summer. The Council had set up a Night-time economy task force which was looking at how the leisure offer in the town centre could be improved. Work on the refurbishing the former library on Union

Street into the new Heritage and Arts Centre would start in the spring. The Council continued to work with the Coliseum and Arts Council to bring forward plans for a new performance space in the town. The Leader was confident that these improvements, together with emerging plans for Tommyfield Market, would transform Oldham Town Centre and an attractive place to visit, work and live be created. Further announcements and other proposals would be forthcoming in the next few weeks. If there was interest in the Greater Manchester Spatial Framework (GMSF) further announcements would be made over the next few weeks.



5. Question received from Deborah Barratt via email:

“Can the council tell the people of Oldham why they have sold land at under-market value to communities who have or did not pay for nearly 20 years like with Oldham Central Mosque and not pay one penny in interest in all that time and can the council tell the people of Oldham why they sold Glodwick Baths during the time of purdah when the bidding system had already closed and can the council tell the people of Oldham who allowed the land to be sold for yet another place of worship on Copsterhill road when the land could have been used to build the much needed homes.”

Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise responded that the question referred to three separate land transactions. In respect to the terms and sale price of land to Oldham Central Masjid and Mosque, this was agreed by the Council in 1995 at a price below market value. In accordance with the agreed procedure for selling land at under value, the consent of the Secretary of State (Environment) was sought and agreed in August 1997. The sale of this land at under value was therefore subject to independent scrutiny by Central Government and followed due process and provided independent scrutiny of the sale price and process. With regard to Glodwick Baths, a full response had already been given to a Freedom of Information request submitted and published in the public domain. The property was declared surplus on 17 November 2015 and a tender exercise was undertaken as per the Land and Property Protocols. Cabinet agreed to this sale at its meeting on 25 January 2016 and the transaction was then progressed by officers which resulted in the sale and the Council received the full amount of the agreed sale price. The decision by the Cabinet to agree to sell this surplus asset was not in the purdah period which began on 23 March 2016. With regard to the disposal of the former Copsterhill Road, the Council undertook a restricted tender exercise of interested parties to sell the site which included a housing provider. The outcome of this was considered by Cabinet at its meeting on 26 February 2018. At this stage, the transaction was not yet completed therefore the Leader could not be specific about the price submitted by the successful bidder. However, the Council accepted the most economically advantageous offer and had to-date received the stage

payments expected from the sale of the land. The transaction had followed the Council's Land and Property Protocols.



Oldham
Council

6. Question received from Shirley Blower via email:

"I have heard talk of a new secondary school in Oldham possibly being run by Blue Coat. If this is true I think it would provide more choice for parents. Is it true and if so would it be open in time for my daughter who is in year 3 to attend there?"

Councillor Mushtaq, Cabinet Member for Education and Skills, responded that the Council was working with the Cranmer Trust who had made a successful bid to the ESFA to build a free school in Oldham. The Cranmer Trust ran Bluecoat. Preparations were still early but it was anticipated the new school may be ready for opening by September 2022. If this timing remained on track, this would mean that the child in year 3 would be eligible to apply for a place in the new school. The new Blue Coat School would be a significant addition to Oldham, providing more place for Oldham children to gain an excellent education and an excellent start in life.

At this point in the meeting the Mayor advised that the time limit for this item had expired.

RESOLVED that the questions and responses provided be noted.

- b Questions to Leader and Cabinet

The Deputy Leader of the Main Opposition, Councillor C. Gloster, raised the following two questions:

Question 1: Adopt the 50 Point Climate Action Plan

"I hope that all members present will agree that arguing and debating for green policy at a local level makes all the difference when we take the challenge to central government. The Liberal Democrats bringing the issue of climate change to council sets us on the right track, but it does not take us all the way. The threat of climate change can be seen globally and locally as our weather becomes increasingly unpredictable. Although some here might chuckle that Oldham weather has always been unpredictable. In all seriousness, it's one thing declaring a climate change emergency, but we must follow this through. We are part of this world, and if we fail to acknowledge it, we fail in every other purpose we strive towards. We must act on the declaration and make headway towards achieving an environmentally friendly Oldham Borough. The environmental charity Friends of the Earth have realised a 50-point plan for Councils. This is to help authorities like Oldham enact on our emergency climate change declaration. As Councillors we campaign through Council to make our voice heard by the UK government. I will not sound off every single points of the plan here tonight, but I do ask the Leader if he will prescribe this Borough to the Friends of the Earth 50 point climate action plan so that officers and members can be made best aware of how to tackle the issue of climate change in Oldham Borough."



Oldham
Council

Councillor Fielding, Leader of the Council, wished the Leader of the Opposition, Councillor Sykes, a speedy recovery.

Councillor Fielding, Leader of the Council confirmed that as a result of a Liberal Democrat motion the Council had declared a Climate Emergency. Prior to that the Labour Administration had put forward a motion to establish a Green New Deal. Declaring a Climate Emergency was not enough and it was the action that followed that determined how the authority would tackle the climate emergency. In time, the Green New Deal would be declared and contained measures intended to take on energy efficiency, improve recycling rates, reducing the use of plastics and combatting climate change generally. The Leader welcomed the support from the Opposition on this matter. It was incredibly important which had been brought home particularly by the Australian bushfires. The Leader was keen that the Council was at the forefront of plans in Local Government to tackle Climate Emergency and would be when the Green New Deal was published.

Question 2: Interserve £10 Million Scheme

“In October 2019 it was revealed that Interserve will receive 13 million pounds of Oldham Council money to redevelop Oldham’s cultural art centre. Culture is incredibly important, it defines who we are and our civilisation. Teaching old and young about our local worth, arms our economy and society with confidence to do great deeds themselves. A 13-million-pound scheme must be incredibly complex to finance, but I wonder if this Council made any effort to find a firm locally that could have done the same as Interserve? For members that do not know, Interserve is a firm based in Reading. How on earth are we keeping the money in Oldham by spending millions of pounds down south? The point is, is that we not spending locally. Although there will be a cultural return on the project, the workers of Oldham Borough will see little economic benefit. I find it highly unlikely that this council will reverse such a large contractual decision with Interserve. It is a shame we cannot now procure a local firm to envision the development of the Heritage and Arts centre. Considering this, I must ask what efforts will be made by the recently established Cultural Governance Board. Will these efforts be concentrated on finding local businesses and contractors from Oldham Borough, to work on the project throughout its duration? We must procure locally if we are to improve locally.”

Councillor Fielding, Leader of the Council, highlighted the heritage and arts centre which was going ahead and would be an incredible cultural asset for the town. The Leader also referred to the the ambitious regeneration plans that would be forthcoming around Oldham Town Centre. The Leader had been vocal in how key cultural assets would be in the ambition for Oldham through the establishment of the night-time economy, the continued commitment to the Oldham Coliseum and supporting the Music Service when other authorities had made cuts to that type of service. The Leader said it was correct that the Council should be spending as much money as possible in the borough for the creation of jobs, well-paid jobs and use local firms. The process to the contract for the development of the Heritage and Arts Centre was part of a pre-determined tender process. The Leader added that there was a commitment to significant increase in the amount of money spent

locally within Oldham with a target of 60%. In terms of spending money within the Borough's boundaries, this compared favourably to neighbouring authorities in Greater Manchester and across the country. The Leader was proud of the amount of money the Council kept within the borough which sustained local jobs into the pockets of local people. Where the Council could do more, it would but sometimes that was not entirely possible.

Councillor Hudson, Leader of the Conservative Group, asked a question related to Troubled Families and was due to receive a £165m boost. Councillor Hudson said the fund had been launched in 2012 by David Cameron and the programme had proved a success in transforming lives. The programme had been revamped in 2015 to help 4000 families. Councillor Hudson asked if the authority had made any claims on this fund to date.

Councillor Fielding, Leader of the Council, responded that the number of families with significant needs had increased significantly and whilst any money to support Council was welcome, the programme labelled Troubled Families was an insult. The Council would make bids to the scheme and also needed a local government settlement to properly help those who needed it. The Leader would find out the amount of funding received through the programme to date.

The Mayor reminded the meeting that the Council had agreed that, following the Leaders' allocated questions, questions would be taken in an order which reflected the political balance of the Council.

1. Councillor Davis asked the following question:

"Non-driving staff members of Private Hire and Taxi companies deal with personal and sensitive information. Can the Cabinet Member for Social Justice and Communities confirm whether it is a requirement that these staff be trained in GDPR and be DBS checked on a regular basis?"

Councillor Shah, Deputy Leader and Cabinet Member for Social Justice and Communities advised that Private Hire Operators who ran the companies had already received training on Data Protection which the Council had supplied last year. It was for the Operators to implement that knowledge and convey it to their staff. In terms of staff DBS checks, this was currently being implemented by the Council's Licensing Team and would be rolled out this spring. The Deputy Leader also said that staff DBS checks, staff recruitment and data protection policies were included in the Greater Manchester Minimum Licensing Standards which was to be consulted upon in the coming months.

2. Councillor Shuttleworth asked the following question:

"The Government has handed more than 100 councils across England a share of around £4m to crack down on criminal landlords and letting agents. Has Oldham received any of this funding?"

Councillor Roberts, Cabinet Member for Housing, responded that the Government had announced a number of one-off short-term funding opportunities which sounded more impressive than they were in reality. This money was one of those schemes. The Government announced a £3.8m pot for tackling rogue landlords across the country on 1st November 2019 with a very tight closing date for applications of the 1st December 2019. The funding had to be spent by 31st March 2020 and could not be used for permanent staffing roles so would not have helped the Council's main priority of inspecting people's homes and taking action when necessary, including prosecution. Given competing priorities for a team which like many Council services was under great pressure, a decision was taken to focus efforts on the next phase of private rented sector consultation that was due to start in the middle of January 2020. This consultation would explore the opportunity to continue with the good work surrounding the selective licensing scheme in some neighbourhoods within the Borough and this approach was something that was more sustainable over a longer timescale. What the Council needed was long-term revenue funding to enable the provision of effective and quality public services and not stop gap and one-off funding announcements.

3. Councillor Surjan asked the following question:

"In recent years there has been a huge increase in the number of people driving, particularly in the Coldhurst area as it leads to the main Town Centre, Colleges and has crucial links to the motorway. With many drivers using the big Tesco roundabout off Chadderton Way and Featherstall Road, local people have asked what will be done to reduce road traffic accidents and to make it safer for all drivers? During rush hour traffic cars on Chadderton Way are usually backed up all the way to Rochdale Road making it difficult for residents to cross safely despite zebra crossings or for drivers to turn on to side streets, and cars coming down Featherstall Road North (Oldham Hospital side) and also the bypass, form long queues causing huge risks for those at the give way with oncoming cars approaching at great speed. Does the Cabinet Member for Neighbourhoods agree with me that it is time traffic lights are installed at this busy roundabout for the safety of both local residents and drivers?"

Councillor Ur-Rehman, Cabinet Member for Neighbourhoods Services, responded that the Council's Traffic and Road Safety officers were already working closely with colleagues at Transport for Greater Manchester into the viability of the introduction of traffic signals at the Featherstall Road Roundabout to ease congestion particularly at busy periods. In recent years changes were made to the road markings on the roundabout that resulted in significant improvements to road safety and ultimately far fewer road traffic injury collisions at the junction – this was closely monitored and reflected in Greater Manchester Police's accident figures. It was also to be noted that the road safety measures, which included Zebra Crossings

and road humps along Featherstall Road continued to contribute to the road safety of the area since their introduction a number of years ago.



Oldham
Council

4. Councillor Harkness thanked the Cabinet Member for the work which addressed road safety in Dobcross, recognised the hard work put in by the Dobcross community and hoped the petitions as noted would be reviewed. Councillor Harkness referenced the closure of Thurston Clough Road and the decision to suspend gritting without consultation with local councillors. Councillor Harkness asked if this could be looked at again and to support gritting so residents did not become isolated.

Councillor Ur-Rehman, Cabinet Member for Neighbourhoods Services, responded that he would look into the issue, establish why the gritting service had been suspended, review if it could be reinstated and involve local ward councillors.

5. Councillor Hulme asked the following question:

“I welcome the allocation of funding from the new Local Government Fund to tackle speeding in Denshaw, an issue of concern for many residents. Can the Cabinet Member for Neighbourhoods confirm the timescale for the work to be completed?”

Councillor Ur-Rehman, Cabinet Member for Neighbourhoods Services, responded that it was hoped that the measures could be introduced during this financial year, likely toward the end of March 2020. The process would begin with a residents’ consultation on the proposals followed by the compilation of the TMU Report which summarised the initial consultation phase with key stakeholders (Emergency Services, Public Transport, Ward Councillors and local residents). On completion, the TMU report would form the basis of the subsequent ModGov report. This document would include the outcomes of the consultation process, detailed estimates and comments from both legal and finance heads and was necessary to acquire scheme approvals and authority to proceed with the works which included all Statutory Advertising of the associated Road Hump Notices, etc. Once the ModGov report had been approved, the Statutory Advertising of the proposals could begin which takes 28 days to complete. Following this, actual construction works on site should take no more than a week or so.

6. Councillor Leach asked the following question:

“I welcome the decision to move to the new process of using development funding via the Local Improvement Fund and the decision to grant the funds for improvement to Lees Village. I want to commend the work of the active Lees, Springhead and Grotton business hub, as well as Council district officers who have made this a practical project with such excellent prospects for success. Can the Cabinet member confirm the arrangements for implementing the improvement work?”

Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise responded that in advance of the work commencing, the District Team with the support of Environmental Services, would engage with surrounding properties and stakeholders to discuss these and potential future uses of the space surrounding the library. The proposals and designs set out within the LIF project would also be shared to ensure that the layout appeals to visitors, businesses and residents and that any positive suggestions could be included where possible. Some elements of the scheme were designed to be flexible which meant that there could be future changes to the layout should they be required. The work would be implemented with Environmental Services acting as main contractor with some aspects potentially being carried out by sub-contractors. There would be lead-in times for street furniture which would be factored into the scheduling and a design meeting would be held within the next couple of weeks in order to develop the detail of the programme moving forward. It was anticipated that the work would also act as a catalyst for discussions with private landowners in the village and that there would be scope for further improvements to take place in due course.

7. Councillor Phythian asked the following question:

“Royton has recently concluded what will now be round 1 of a bidding process for match funding of shop front improvements on the Middleton Road and Rochdale Road areas of the town centre. A second round will now be made available by an additional £25,000 from the Local Improvement Fund. This is helping to deliver the long-standing commitment of this Labour Council to regeneration of the Royton Town Centre following the opening of the Leisure Centre and the Health and Wellbeing Centre and inclusion of Royton in the GM Mayor’s town centre challenge. Could the relevant Cabinet Member comment on the difference this investment will make to Royton?”

Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise responded that along with the ambitious programme for the development of Oldham Town Centre, the Council was also committed to investing in improvements in the Districts. This was the idea behind the instigation of the Local Improvement Fund. The Councillors in Royton had been extremely pro-active in supporting the recent Business Improvement Grant scheme for independent businesses along Middleton Road and Rochdale Road. This had now been matched with an additional £25K from the Local Improvement Fund, which would enable the scheme to be expanded. This investment, alongside the inclusion of Royton in the GM Mayor’s Town Centre challenge, and investment in Royton Town Hall, would make real differences for the community of Royton. It would bring jobs and trade opportunities for local people, attract new customers to Royton, spend money locally and show Royton as a well looked after

area with inward investment. Changes in shopping habits and the arrival of national brands and supermarket chains to District Centres provided a wider choice for residents so it was essential that independent traders were supported in order to retain their local, unique distinctiveness.

8. Councillor C. Gloster asked a question related to the Local Improvement Fund and noted how well Royton had done and gained in excess of what had been available under the old area scheme, but Shaw had received nothing. Despite an evidenced application which included a survey of local youth who wanted improvements to the skate park. Councillor C. Gloster asked when the park could be improved?

Councillor Fielding, Leader of the Council and Cabinet Member for Economy and Enterprise responded that the size of the Shaw bid was £250k. There was not an upper limit on bids but the Leader made reference to the previous arrangements which had allocated £10,000 per ward to spend. The Leader advised that not all money under the LIF had been allocated and another mini-bidding round would be arranged. The Leader encouraged submission of another bid. The Leader stated that £500K had been made available for the entire borough and significant investment had been awarded across the Borough including Saddleworth and Crompton.

9. Councillor M. Bashforth asked the following question:

“Cabinet has resolved that Oldham Council pledge to become Homeless Friendly, this and the decision to take the Housing Options service back in-house to me is welcome news. Can the cabinet member responsible explain the Homeless Friendly culture and how this will be adopted and implemented by the council?”

Councillor Roberts, Cabinet Member for Housing responded that Homeless Friendly was a registered charity that was founded in 2017 as part of not-for-profit social enterprise Beacon GP Care. The charity asked that services examine the way business was conducted and pledge to make them accessible to homeless people. The aim was to promote a cultural shift in how homeless people were viewed and treated, for example offering understanding and flexibility in terms of difficult circumstances. Oldham Council had agreed to adopt the following Homeless Friendly pledges:

- Help meet the needs of homeless people;
- Speak to homeless people with understanding and compassion;
- Examine policies and procedures to ensure they were homeless friendly;
- Train staff in the needs of Homeless People;
- Work with partners and including and encourage they care for the homeless; and
- Act as a hub for communities in efforts to help the

homeless.

At this point in the meeting, the Mayor advised that the time limit for this item had expired.

RESOLVED that the questions and responses provided be noted.

c

Questions on Cabinet Minutes

Council were requested to note the minutes of the Cabinet meetings held on the undermentioned dates and to receive any questions on any items within the minutes from members of the Council who were not members of the Cabinet and receive responses from Cabinet members. The minutes of the Cabinet meetings held on 21st October 2019 and 18th November 2019 were submitted.

Members raised the following questions:

1. Councillor Hamblett, Cabinet Minutes 18 November 2019, Item 9, Homeless Friendly. Councillor Hamblett referred to the Housing Options service being returned in-house and sought assurance that those who were homeless without means of travel could access the service.

Councillor Roberts, Cabinet Member for Housing, responded that a review was being undertaken on the way housing options was delivered as it had been in operation for six months and would ensure that the issue would be taken into account with staffing structures.

2. Councillor Al-Hamdani, Cabinet Minutes 21 October 2019, Item 7, Saddleworth School Update. Councillor Al-Hamdani welcomed the work to have a school of a decent standard and the additional funding. Councillor Al-Hamdani had been notified of work being initiated before the licence related to bat roofs. What engagement was in place between the Council and residents to manage the process to address concerns and if any oversight was in place so this did not happen on this or any development.

Councillor Roberts, Cabinet Member for Housing, responded that she was aware of the issue with the bats and would have an answer later in the week. With regard to the issue of addressing concerns, Councillor Roberts explained that the issue had already been raised between the Council's responsibility and the construction company's and had asked that when work was about to begin understand what resident needed to know and contact information be made available about relevant works with clear indications as to whom to approach on any issues.

3. Councillor C. Gloster, Cabinet Minutes, 18 November 2019, Item 10 Proposed Charging Scheme for Pre-Application Advice for Planning Proposals. Councillor C. Gloster asked about the reasons behind the decision, when charging would start, was it

intended to recruit additional staff or just receive the money for same staff and an overworked service?



Councillor Roberts, Cabinet Member for Housing, responded that it was not yet clear what the level of income would be. The intention was to use the income to support the service and this would be reviewed. There would be a charge for advice which was not different from other local authorities and it was not sure what would happen with the workload.

RESOLVED that:

1. The minutes of the Cabinet meetings held on 21st October 2019 and 18th November 2019 be noted.
2. The questions and responses provided be noted.

d Questions on Joint Arrangements/Partnerships

Council was asked to note the minutes of the following Joint Authority and Partnership meetings and the relevant spokespersons to respond to questions from Members.

The minutes of the following Joint Authorities and Partnerships were submitted as follows:

Greater Manchester Waste and Recycling Committee	12 th September 2019
Oldham Leadership Board	21 st November 2019
Health and Wellbeing Board	24 th September 2019
Police and Crime Panel	23 rd September 2019
Commissioning Partnership Board	31 st October 2019
Greater Manchester Combined Authority	25 th October 2019
Greater Manchester Transport Committee	11 th October 2019

Members raised the following questions:

1. Councillor Murphy, Greater Manchester Waste and Recycling Committee Minutes, 12 September 2019, Item WRC 19/27 – Waste Management Contract Update. Councillor Murphy asked about the recent changes to the number of journeys residents could make to local tips, what the mechanics were, how the system would be operated and what would happen if residents exceeded the number of visits?

Councillor Fielding, Leader of the Council responded that there was only a problem if visits were made more than 52 times a year. This would cause the vehicle to be flagged up and the vehicle checked. The system had been introduced as there had been an abuse of the system with commercial operations and people from outside Greater Manchester. The introduction of this scheme brought Greater Manchester into line with other parts of the country.

2. Councillor Hamblett, Health and Wellbeing Board, 24th September 2019, Item 11 GM Common Standards for Population Health – Update. Councillor Hamblett asked about

what management would be put into place to ensure the borough became a healthier place to live.



Oldham
Council

Councillor Harrison, Chair of the Health and Wellbeing Board, responded that she would respond to Councillor Hamblett's question regarding each section. In terms of public health interest across Greater Manchester attainment of similar standards across GM had been highlighted to Board. Councillor Chauhan, Cabinet Member for Health and Social Care added that there were a number of areas to address related to prevention which included keeping future generations happy and working with schools which would include health checks. Councillor Chauhan also highlighted tackling obesity, designing specialist services and other issues at a good level.

3. Councillor S. Bashforth, Greater Manchester Combined Authority, 25th October 2019, Item 224/19 Greater Manchester Armed Forces Covenant Delivery, Bullet Point 8. Councillor S. Bashforth asked if the change in housing policy to assist veterans to be rehoused quickly had been implemented.

Councillor Roberts, Cabinet Member for Housing, responded that the policy had been adopted.

4. Councillor Hulme, Greater Manchester Transport Committee, 11 October 2019, GMTC 47/19, GM Prospectus for Rail & Strategic Rail Update: HS2 / NPR and Tram-Train. Councillor Hulme asked about progress regarding potential of expansion with a train station in Diggle.

Councillor Fielding, Leader of the Council, responded that he had raised the issue as it had not been represented in the 2014 Master Plan and Saddleworth was underserved with transport links. It was important to secure a station given the lack of transport links in the vicinity.

5. Councillor Ball, Oldham Leadership Board, 21 November 2019, Item 4 Poverty Truth Commission. Councillor Ball commented on the success of the Commission.

RESOLVED that:

1. The minutes of the Joint Authorities and Partnership meetings as detailed in the report be noted.
2. The questions and responses provided be noted.

9

NOTICE OF ADMINISTRATION BUSINESS

Motion 1 – Tackling Harassment and Abuse in Public Life

Councillor Shah MOVED and Councillor Hamblett SECONDED the following MOTION:

“This Council acknowledges the announcement in the Queens Speech that ‘Ministers will develop legislation to improve internet safety for all’ and note many recent reports on online harassment and abuse of those in public life.

This council also notes representations made by the cross party Local Government Association where they state; ‘Harassment, threats and intimidation of local elected representatives are completely unacceptable, and must be dealt with robustly at all levels. This includes the Government, by councils, private sector; by the police and, where relevant, by the social media companies which provide platforms for specific forms of abuse’. This council believes in the right of those democratically elected by the residents of the Metropolitan Borough of Oldham to carry out their duties without the fear of harassment and abuse. We therefore support any efforts by government and those of the Local Government Association in ensuring the protection of our democracy, while recognising the importance of free speech and expression.

This Council resolves:

- To write to the borough’s MPs to seek their support in tackling harassment and abuse in public life.
- To write to the Minister for the Cabinet Office to seek a cross government response in tackling harassment and abuse in public life.
- To write to the Chair and Chief Executive of the Local Government Association to thank them for representations made to date on the issue.”

Councillor Mushtaq spoke in support of the Motion.

Councillor Al-Hamdani spoke in support of the Motion.

Councillor Taylor spoke in support of the Motion.

Councillor Ur-Rehman spoke in support of the Motion.

Councillor Toor spoke in support of the Motion.

Councillor S. Bashforth spoke in support of the Motion.

Councillor Fielding spoke in support of the Motion.

Councillor Shah exercised her right of reply.

On being put to the vote, the MOTION was CARRIED UNANIMOUSLY.

RESOLVED that:

1. The Borough MP’s be written to, to seek their support in tackling harassment and abuse in public life.
2. The Minister for the Cabinet Office be written to, to seek a cross government response in tackling harassment and abuse in public life.
3. The Chair and Chief Executive of the Local Government Association be written to, to thank them for their representations made to date on the issue.

Motion 2 – Government-funded Pay Rise for Council Staff

Councillor Stretton MOVED and Councillor Phythian SECONDED the following motion:

“This council notes that since 2010 Oldham Council has lost £208million from its annual budget following government cuts, with local councils facing a funding gap of £8 billion by 2025 according to the LGA. These cuts have meant the local

government workforce has endured years of pay restraint with the majority of pay points losing 22 per cent of their value since 2009/10. At the same time workers are asked to do more, taking on additional responsibilities and heavier workloads. Without the professionalism and dedication of our staff, the council services Oldham residents rely on would not be deliverable. Government funding has been cut to the extent that a proper pay rise could result in a reduction in local government services. This council believes that the government needs to take responsibility and fully fund increases in pay; it should not put the burden on local authorities whose funding has been cut to the bone.

This Council resolves to:

- Support the NJC pay claim submitted by GMB, UNISON and Unite on behalf of council and school workers for a 10 per cent uplift across paypoints in 2020/21.
- Call on the Local Government Association to make urgent representations to central government to fund the NJC pay claim.
- Write to the Chancellor and Secretary of State to call for a pay increase for local government workers to be funded with new money from central government.
- Meet with local NJC union representatives to convey support for the pay claim.
- Encourage all local government workers to join a union.

Councillor Stretton did not exercise her right of reply.

On being put to the vote, the MOTION was CARRIED UNANIMOUSLY.

RESOLVED that:

1. The NJC pay claim submitted by GMB, UNISON and Unite on behalf of council and school workers for a 10 per cent uplift across paypoints in 2020/2021 be supported.
2. The Local Government Association be called upon to make urgent representations to central government to fund the NJC pay claim.
3. The Chancellor and Secretary of State be written to, to call for a pay increase for local government workers to be funded with new money from central government.
4. A meeting be held with Local NJC union representatives to convey support for the pay claim.
5. All local government workers be encouraged to join a union.

10

NOTICE OF OPPOSITION BUSINESS

Motion 1 – Confronting the school's cuts crisis

Councillor Harkness, as MOVER of the MOTION had indicated that he wished to alter the MOTION. The ALTERED MOTION was SECONDED by Councillor Williamson.

Councillor Harkness MOVED and Councillor Williamson
SECONDED the following motion:

“This Council notes that:

- Although additional funding has been allocated to schools for 2020/21, this does not compensate for the lack of real terms funding to reflect pay and price increases in previous years.
- Oldham Borough is ranked 73 out of 149 local authorities (149 being the lowest funded) in England for 2020-2021 school funding.
- Schools are struggling to maintain the standard of education due to the cumulative effect of underfunding over many years, particularly as the level of High Needs funding has not kept pace with the increase in pupils with Special Educational Needs.
- Some schools are attempting to reduce the number of special needs pupils accepted because of the funding gap.

The Council resolves to:

- Have the Leader of the Council write to the Minister of Education asking for recognition of the harm that the understanding of schools has had on the standard of education in this country and in Oldham Borough and to do more to address the shortfall in funding for schools.

AMENDMENT

Councillor Mushtaq MOVED and Councillor Moores
SECONDED the following AMENDMENT:

“Add new section after this Council notes:

This Council further notes the pledges made during the 2019 General Election on school funding by the 3 main UK-wide parties:

- The Conservatives’ manifesto confirmed previously committed funding through to 2022/23 only. Schools will have £2bn less spending power in 2020/21 than they did in 2015/16.
- Labour pledged to reverse school cuts in the first year of Government and introduce ‘a fairer funding formula’ that would have left ‘no child worse off’. As a result, schools would have had £1.4bn more spending power in 2020/21 than they did in 2015/16. Funding would have been £3.2bn higher than the 2015/16 baseline in 2023/24.
- The Liberal Democrats promised to restore school funding to the 2015/16 per-pupil baseline in real terms. They pledged the same real terms spending power in 2020/21 as schools had in 2015/16. However, their manifesto did not address historic underfunding prior to 2015/16.

The amended motion to read:

This Council notes that:

- Although additional funding has been allocated to schools for 2020/21, this does not compensate for the lack of real

terms funding to reflect pay and price increases in previous years.

- Oldham Borough is ranked 73 out of 149 local authorities (149 being the lowest funded) in England for 2020-21 school funding.
- Schools are struggling to maintain the standard of education due to the cumulative effect of underfunding over many years, particularly as the level of High Needs funding has not kept pace with the increase in pupils with Special Educational Needs
- Some schools are attempting to reduce the number of special needs pupils accepted because of the funding gap.

This Council further notes the pledges made during the 2019 General Election on school funding by the 3 main UK-wide parties:

- The Conservatives' manifesto confirmed previously committed funding through to 2022/23 only. Schools will have £2bn less spending power in 2020/21 than they did in 2015/16.
- Labour pledged to reverse school cuts in the first year of Government and introduce 'a fairer funding formula' that would have left 'no child worse off'. As a result, schools would have had £1.4bn more spending power in 2020/21 than they did in 2015/16. Funding would have been £3.2bn higher than the 2015/16 baseline in 2023/24.
- The Liberal Democrats promised to restore school funding to the 2015/16 per-pupil baseline in real terms. They pledged the same real-terms spending power in 2020/21 as schools had in 2015/16. However, their manifesto did not address historic underfunding prior to 2015/16.

This Council resolves to:

Have the Leader of the Council write to the Minister of Education asking for recognition of the harm that the underfunding of schools has had on the standard of education in this country and in Oldham Borough and to do more to address the shortfall in funding for schools."

Councillor Jacques spoke in support of the Amendment.

Councillor Hudson spoke against the Amendment.

Councillor Harkness exercised his right of reply.

Councillor Mushtaq exercised his right of reply.

A vote was then taken on the AMENDMENT.

On being put to the vote, 44 votes were cast in FAVOUR of the AMENDMENT and 3 votes were cast AGAINST with 6 ABSTENTIONS. The AMENDMENT was therefore CARRIED.

Councillor Chadderton MOVED and Councillor Mushtaq SECONDED to MOVE to the VOTE. The MOVE to the VOTE was AGREED.

Councillor Harkness did not exercise his right of reply.

On being put to the vote, 51 votes were cast in FAVOUR of the SUBSTANTIVE MOTION and 2 votes were cast AGAINST with 0 ABSTENTIONS. The SUBSTANTIVE MOTION was therefore CARRIED.



RESOLVED that the Leader of the Council write to the Minister of Education asking for recognition of the harm that the underfunding of schools has had on the standard of education in this country and in Oldham Borough and to do more to address the shortfall in funding for schools.

NOTE: Councillor Sheldon was not in the room during the vote on the Amendment or the Substantive Motion.

Motion 2 – Urban Meadows and Bee Corridors for a greener Oldham

The Chief Executive had been notified that Councillor Sykes was unable to attend the meeting and was unable to Move the Motion and notice had been given that Councillor Al-Hamdani would Move the Motion in his absence which was AGREED. Councillor Al-Hamdani MOVED and Councillor Murphy SECONDED the following MOTION:

“This Council notes that:

- Recent work in other areas of the country has seen grass verges and dual carriageway centres transformed into wildflower corridors teeming with flora and fauna.
- These urban Meadows have multiple benefits for the areas that have been created. They enhance the support for wildlife thus delivering biodiversity and increasing the natural beauty and appeal of an area.
- Nature sites attract new visitors who come to see the colourful arrays created.
- Bee Corridors will reduce the maintenance costs due to the low maintenance of such areas.
- With bits of wood and plastic and in partnership with schools and youth groups, Insect Hotels will be built along the flowery corridors to attract as much wildlife as possible.
- The purpose of this scheme is to combat the dramatic loss of habitat and falling bee numbers. Insect numbers influence plant pollination and other species depend upon their existence.
- Although these urban Meadows are not for every community space and roadside, by increasing the local biodiversity in Oldham borough will have a positive effect on learning, mental health and overall appeal in the area.
- If a green Oldham is the ambition, this motion takes us a step forward to achieving that.

This Council resolves to:

- Have officers assess the feasibility of establishing Wildflower corridors, insect hotels and urban meadows across the Borough. Officers should also work closely

with Parish Councillors and Borough Councils on this matter.

- A report highlighting potential locations and areas suitable should be presented to Cabinet before work can begin in 2020.
- The report will focus on working with the local community, businesses and Councillors to distinguish good and bad practice areas for this scheme.

AMENDMENT

Councillor Chadderton MOVED and Councillor Judd
SECONDED the following AMENDMENT:

“Bullet point 1 of this council notes:

Delete ‘in other areas of the country’

Bullet point 8 – delete ‘If’ and insert ‘As’

In This Council resolves:

Bullet point 1

Delete ‘Have officers assess the feasibility of establishing’ –
insert ‘Welcome’

Delete ‘insect hotels

After ‘urban meadows’ insert already in place across the
borough

Delete last sentence

Bullet point 2 delete and insert, ‘Support further work to extend
this approach and ask officers to investigate including insect
hotels’

Bullet point 3

Delete ‘The report will focus on working’

Insert ‘Encourage local councillors to work with’

Insert ‘and’ between community and ‘businesses’

Delete ‘and Councillors to distinguish’

Insert ‘in identifying suitable sites and’

Delete: ‘areas for this scheme’ and insert ‘in promoting urban
wildflower sites’.

Amended motion to read:

“This Council notes that:

- Recent work has seen grass verges and dual carriageway centres transformed into wildflower corridors teeming with flora and fauna.
- These urban Meadows have multiple benefits for the areas that have been created. They enhance the support for wildlife thus delivering biodiversity and increasing the natural beauty and appeal of an area.
- Nature sites attract new visitors who come to see the colourful arrays created.
- Bee Corridors will reduce the maintenance costs due to the low maintenance of such areas.
- With bits of wood and plastic and in partnership with schools and youth groups, Insect Hotels will be built along the flowery corridors to attract as much wildlife as possible.

- The purpose of this scheme is to combat the dramatic loss of habitat and falling bee numbers. Insect numbers influence plant pollination and other species depend upon their existence.
- Although these urban meadows are not for every community space and roadside, by increasing the biodiversity in Oldham borough will have a positive effect on learning, mental health and overall appeal in the area.
- As a green Oldham is the ambition, this motion takes us a step forward to achieving that.

This Council resolves to:

- Welcome wildflower corridors and urban meadows already in place across the borough.
- Support further work to extend this approach and ask officers to investigate including insect hotels.
- Encourage ward councillors to work with local community and business groups in identifying suitable sites and good practice in promoting urban wildflower sites.

Councillor Al-Hamdani did not exercise his right of reply.
Councillor Chadderton did not exercise her right of reply.

A vote was then taken on the AMENDMENT.

On being put to the vote, the AMENDMENT was CARRIED UNANIMOUSLY.

Councillor Al-Hamdani did not exercise his right of reply.

On being put to the vote, the SUBSTANTIVE MOTION was CARRIED UNANIMOUSLY.

RESOLVED that:

- Wildflower corridors and urban meadows already in place across the borough be welcomed.
- Further work to extend this approach be supported and officers investigate insect hotels.
- Ward Councillors be encouraged to work with local community and business groups in the identification of suitable sites and good practice in the promotion of urban wildflower sites.

Motion 3 – A sensible approach to firework displays

The Chief Executive had been notified that Councillor H. Gloster was unable to attend the meeting and was unable to Second the Motion and notice had been given that Councillor Williamson would Second the Motion in her absence which was AGREED. Councillor Al-Hamdani MOVED and Councillor Williamson SECONDED the following MOTION:

“This Council notes that:

- The Royal Society for the Prevention of Cruelty to Animals (RSPCA) says the law is failing. It does not prevent or sufficiently reduce the risk of fireworks causing

distress, injury or anxiety to people, as well as death, injury or distress to animals.

- That further research is needed to properly understand the impact of noise on animals and people. In the meantime, several things can be done to improve the situation for wildlife and people at risk of being affected by firework explosions.
- Applying the same Challenge 25 legislation to fireworks as there is with Alcohol will ensure that less young people will be injured by fireworks.
- Review of the licensing all public firework displays is needed, ensuring displays are better advertised to the public informing of noise levels and how it may affect people and animals.

This Council resolves to:

- Ensure all public firework displays within Oldham Borough to be advertised in advance of the event, with appropriate advertising for the size of the display, allowing residents to take precautions for people in their care and pets.
- Actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks.
- Encourage local suppliers of fireworks to separate ‘quieter’ fireworks from the loud ones so people can choose which ones they prefer with animal and people safety in mind. And give large labels to sticker the products with: green for quiet, red for loud.
- Applying Challenge 25 legislation to the sale of fireworks in Oldham Borough. Challenge 25 is a scheme that encourages anyone who is over 18 but looks under 25 to carry acceptable ID when they want to buy alcohol. With the danger that Fireworks carry, the same policy should be applied for people who want to possess fireworks.

Councillor Roberts MOVED and Councillor Chauhan SECONDED that under Council Procedure Rule 8.4(d) the motion be referred to the Overview and Scrutiny Board.

Councillor Al-Hamdani did not exercise his right of reply.

On being put to the VOTE, that the MOTION be REFERRED to Overview and Scrutiny was CARRIED UNANIMOUSLY.

RESOLVED that under Council Procedure Rule 8.4(d) the motion be referred to the Overview and Scrutiny Board.

11

UPDATE ON ACTIONS FROM COUNCIL

Consideration was given to a report of the Director of Legal Services which informed members of actions that had been taken following previous Council meetings and provided feedback on issues raised at those meetings.

Councillor Fielding spoke on the report.

12

RESOLVED that the actions taken regarding motions and actions from previous Council meetings be agreed and correspondence and updated received be noted.

LEVY ALLOCATION METHODOLOGY AGREEMENT

Consideration was given to a report of Director of Environmental Services and the Director of Finance which provided an update on the Levy Allocation Methodology Agreement (LAMA).

The Waste Management Levy Allocation Methodology (LAMA) was a proposed 6-year agreement between the 9 District Authorities subject to the Combined Authority waste disposal arrangements which fairly allocated fixed and variable disposal costs through the levy. A review of current methodology, the Inter-Authority Agreement (IAA) was deemed appropriate following the recent procurement exercise which resulted in a fundamentally revised contract to deliver waste disposal. Agreement to the methodology was sought partially through the first year of a 7-year contract. There was the option to extend the contract by a further 3 years following a review with the contractor. The LAMA, as outlined at Appendix A to the report, was the proposed method for allocating the Waste and Resources budget between the constituent Districts and replaced, for 2019/20, the current Inter Authority Agreement (IAA).

The revised agreement had been subject to scrutiny by the Overview and Scrutiny Performance and Value for Money (PVFM) Select Committee at its meeting held on 7th November 2019 and was considered and agreed by Cabinet on 18th November 2019.

Council must give formal approval to comply with the requirements of the Greater Manchester Combined Authority (GMCA).

RESOLVED that the contents of the Levy Allocation Methodology Agreement (LAMA) report be noted and that the LAMA be accepted as the new agreement between the Greater Manchester Combined Authority.

13

TREASURY MANAGEMENT MID-YEAR REVIEW

Consideration was given to a report of the Director of Finance which advised on the performance of the Treasury Management Function of the Council for the first half of 2019/2020 and provided a comparison of performance against the 2019/2020 Treasury Management Strategy and Prudential Indicators.

The Council was required to consider the performance of the Treasury Management function in order to comply with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2017). The report therefore set out the key Treasury Management Issues for Members information and review and outlined:

- An economic update for the first six months of 2019/20;

- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- The Council's capital expenditure, as set out in the Capital Strategy, and prudential indicators);
- A review of the Council's investment portfolio for 2019/20;
- A review of the Council's borrowing strategy for 2019/20;
- Why there had been no debt rescheduling undertaken during 2019/20; and
- A review of compliance with Treasury and Prudential Limits for 2019/20.

The mid-year 2019 treasury management position had been scrutinised by the Audit Committee at its meeting on 14 November 2019 and was considered by Cabinet at its meeting on 18 November 2019. Both the Audit Committee and Cabinet were content to commend the mid-year report to Council for approval.

RESOLVED that:

1. The Treasury Management activity for the first half of the financial year 2019/2020 and the projected outturn position be approved.
2. The amendments to both Authorised Limit and Operational Boundary for external debt as set out in the table at Section 2.4.5 of the report be approved.
3. The amendments to the Capital Financing Requirement (CFR) as set out in the table at Section 2.4.5 of the report be approved.
4. The addition to the Treasury Management Strategy 2019/2020 with regard to specified investments as presented at Appendix 3 to the report be approved.

14

CONSTITUTIONAL AMENDMENTS

Consideration was given to a report which sought approval for amendments to the Council's Constitution.

A refresh of the Council's Constitution had been undertaken with two principal objectives. The first was to ensure that all legislative and procedural references were current and up to date, including cross referencing to detailed procedures from more descriptive content and, secondly, looked to simplify, so far as possible, what would always be a complex procedural document to aid both understanding and application to practical circumstances.

The Council's Constitution was based around guidance and a suggested model proposed in conjunction with the Local Government Act 2000. Whilst the Council's procedures and principal references in the Constitution had been updated over time, the piecemeal nature of the legislative developments had likewise been reflected in the piecemeal amending of the Constitution. Amendments over time had been made to deliver the immediate implication of the legislation. As a result, content might not 'flow', cross referencing might not be complete and incidental change not always be appreciated. The Review sought to bring coherence to these piecemeal amendments and

ensure that incidental and cross references were incorporated in full.

The highlights of the review included:

- Part 1: Summary and Explanation;
- Part 2: Articles;
- Part 4A: Council Procedure Rules;
- Part 4B: Access to Information Procedure Rules;
- Part 4C: Budget and Policy Framework Procedure Rules; and
- Part 4D: Executive Procedure Rules.

RESOLVED that:

1. The suggested amendments to the Constitution as detailed at Appendices 1 – 6 of the report be agreed.
2. Any consequential amendments arising from the suggested amendments be delegated to the Director of Legal.

15

FINANCIAL PROCEDURE RULES

Council gave consideration to a report of the Director of Finance on Revision to Finance Procedure Rules.

There was a requirement to review the Financial Procedure Rules (FPRs) on a regular basis. Over the past few months a detailed review had been undertaken by officers from Finance, Internal Audit and Constitutional Services Teams. This had resulted in a range of proposed changes to improve the Financial Procedure Rules so they reflected current best practice.

Whilst the currently rules had served the Council well and remained fully functional, the revised Financial Procedure Rules as outlined at Appendix 1 to the report was recommended for approval. The summary of changes was quite extensive and outlined at Section 2.3 of the report. It was essential that the Council's FPRs reflected best practice and were updated with recent local and national changes.

RESOLVED that the revisions to the Financial Procedure Rules be approved.

16

CIVIC APPRECIATION NOMINATION 2020

Consideration was given to a report of the Director of Legal Services which sought approval for the nomination of Myra Wyers to receive the Council's Civic Appreciation Award.

The nomination was in recognition of Ms. Wyers' significant voluntary contribution and dedication to the local community and borough of Oldham.

RESOLVED that:

1. The nomination of Myra Wyers to receive the Civic Appreciation Award be agreed.
2. The ceremony for the award to take place at the Council meeting to be held on 18th March 2020.

MUNICIPAL CALENDAR 2020/2021

Council gave consideration to a report of the Director of Legal Services which sought approval of the draft Calendar of Meetings for the 2020/2021 Municipal year.

**RESOLVED that:**

1. The Council's Calendar of Meetings for the Municipal Year 2020/2021 as set out in Appendix 1 of the report be approved.
2. Approval of any outstanding dates be delegated to the Chief Executive in consultation with Group Leaders.

The meeting started at 6.00 pm and ended at 9.08 pm

Present: The Mayor – Councillor G. Alexander (Chair)

Councillors Ahmad, Akhtar, Al-Hamdani, Ali, Alyas, Ball, M Bashforth, S Bashforth, Briggs, Brownridge, Byrne, Chadderton, Cosgrove, Curley, Davis, Dean, Fielding, Garry, C. Gloster, H. Gloster, Goodwin, Hamblett, Haque, Harkness, Harrison, Hobin, Hudson, Hulme, A Hussain, F Hussain, Iqbal, Jabbar, Jacques, Leach, Malik, McLaren, Moores, Murphy, Mushtaq, Phythian, Price, Roberts, Salamat, Shah, Sheldon, Shuttleworth, Stretton, Surjan, Taylor, Toor, Ur-Rehman, Williamson and Williams

1 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Councillor Chauhan, Hewitt, Judd and Sykes.

2 TO RECEIVE COMMUNICATIONS RELATING TO THE BUSINESS OF THE COUNCIL

The Mayor made reference to the recent death of the former Ashton-under-Lyne MP, Lord Robert Sheldon whose constituency included Failsworth and Hollinwood.

Councillor Dean paid tribute to the work of Lord Sheldon.

Council held a minute's silence.

3 TO RECEIVE DECLARATIONS OF INTEREST IN ANY MATTER TO BE DETERMINED AT THE MEETING

The Mayor informed the meeting that the Standards Committee had granted a dispensation to allow members who had an interest arising from ownership or occupation of property in Oldham, to participate and vote on the setting of the Council Tax and matters directly related to such decision including the budget calculations. All members declared a pecuniary interest in Item 4 – Budget Proposals, but the dispensation was applicable allowing members to participate and vote on Item 4.

Councillor C. Gloster declared a pecuniary interest by virtue of his employment with Greater Manchester Police.

Councillor H. Gloster declared a pecuniary interest by virtue of her husband's employment with Greater Manchester Police.

Councillor E. Garry declared a pecuniary interest by virtue of her husband's employment with Greater Manchester Police and a personal interest at Item 4g by virtue of her membership in the USDAW Trade Union.

Councillor Ball declared a personal interest at Item 4g by virtue of her membership in the UNITE Trade Union.

Councillor Dean declared a personal interest at Item 4g by virtue of his membership in the UNITE Trade Union.

Councillor M. Bashforth declared a personal interest at Item 4g by virtue of her membership in the GMB Trade Union.

Councillor Leach declared a personal interest at Item 4g by virtue of her membership in the UNITE Trade Union.

Councillor Ur-Rehman declared a personal interest at Item 4g by virtue of his membership in the UNITE Trade Union.

Councillor Chadderton declared a personal interest at Item 4g by virtue of her membership in the UNISON Trade Union.

Councillor Fielding declared a personal interest at Item 4g by virtue of his membership in the GMB and UNISON Trade Unions.

Councillor Shah declared a personal interest at Item 4g by virtue of her membership in the GMB and Communications Trade Union.

Councillor Jabbar declared a personal interest at Item 4g by virtue of his membership in the UNISON and UNITE Trade Unions.

Councillor Mushtaq declared a personal interest at Item 4g by virtue of his membership in the UNITE Trade Union.

Councillor Roberts declared a personal interest at Item 4g by virtue of her membership in the GMB Trade Union.

Councillor Jacques declared a personal interest at Item 4g by virtue of her membership in the UNISON Trade Union.

Councillor Haque declared a personal interest at Item 4g by virtue of his membership in the UNITE Trade Union.

Councillor F. Hussain declared a personal interest at Item 4g by virtue of his membership in the GMB Trade Union.

Councillor Ahmad declared a personal interest at Item 4g by virtue of his membership in the GMB Trade Union.

Councillor Briggs declared a personal interest at Item 4g by virtue of his membership in the UNITE Trade Union.

Councillor S. Bashforth declared a personal interest at Item 4g by virtue of his membership in the GMB Trade Union.

Councillor Ali declared a personal interest at Item 4g by virtue of his membership in the GMB Trade Union.

Councillor Goodwin declared a pecuniary interest at Item 4g by virtue of his employment by UNITE the Union and a personal interest by virtue of his membership in the UNITE Trade Union.

Councillor Williams declared a personal interest at Item 4g by virtue of his membership in the USDAW Trade Union.

Councillor Phythian declared a personal interest at Item 4g by virtue of his membership in the GMB Trade Union.

Councillor Surjan declared a pecuniary and personal interest at Item 4g by virtue of her membership in the UNITE Trade Union.

Councillor Hulme declared a personal interest at Item 4g by virtue of his membership in the GMB Trade Union and a Saddleworth Parish Councillor.

Councillor Malik declared a personal interest at Item 4g by virtue of his membership in the UNITE Trade Union.

Councillor Taylor declared a pecuniary interest at Item 4g by virtue of her employment by Communication Workers Union (CWU) and a personal interest by virtue of her membership in the GMB and CWU Trade Unions.

Councillor Davis declared a personal interest at Item 4g by virtue of his membership in the UNITE Trade Union.

Councillor Akhtar declared a personal interest at Item 4g by virtue of his membership in the UNITE Trade Union.

Councillor Salamat declared a personal interest at Item 4g by virtue of his membership in the UNISON Trade Union.

Councillor Shuttleworth declared a personal and pecuniary interest at Item 4g by virtue of his membership in the GMB Trade Union.

Councillor Moores declared a personal interest at Item 4g by virtue of his membership in the UNITE Trade Union.

Councillor Toor declared a personal interest at Item 4g by virtue of her membership in the UNISON Trade Union.

Councillor McLaren declared a personal interest at Item 4g by virtue of his membership in the NEU Trade Union.

Councillor Brownridge declared a personal interest at Item 4g by virtue of her membership in the GMB Trade Union.

Councillor Cosgrove declared a personal interest at Item 4g by virtue of her membership in the UNITE Trade Union.

Councillor Price declared a personal interest at Item 4g by virtue of her membership in the GMB Trade Union.

Councillor Stretton declared a personal interest in Item 4g by virtue of her membership in the GMB Trade Union.

Councillor Iqbal declared a personal interest at Item 4g by virtue of his membership in the CWU Trade Union.

Councillor Alyas declared a personal interest at Item 4g by virtue of his membership in the CWU Trade Union.

Councillor Harrison declared a personal interest at Item 4g by virtue of her membership in the NEU Union.

Councillor Alexander declared a personal interest at Item 4g by virtue of her membership in the UNITE Trade Union.

4

TO NOTE THE MINUTES OF THE BUDGET CABINET MEETING HELD ON 10TH FEBRUARY 2020 AND TO CONSIDER THE RECOMMENDATIONS OF CABINET IN RELATION TO THE BUDGET FOR 2020/21 AND FURTHER TO THE FOLLOWING ATTACHED REPORTS;

The Mayor requested and it was RESOLVED that Council Procedure Rule 14 (Rules of Debate) be suspended to enable the Leader of the Council to exceed the time limit for his contribution in moving the Administration Budget to 15 minutes with a 30 second extension and the Deputy Leader of the Main Opposition Group in moving the Main Opposition Budget, a time limit of 10 minutes with a 30 second extension. All other speakers would be limited to 4 minutes with a 30 second extension.

The Mayor requested and it was RESOLVED to amend the order of business in the summons to enable the debate on the Capital Programme and the Revenue Budget to take place at the same time in accordance with Council Procedure 12.4(c). The order of business would be Item 4(a), Item 4(d), Item 4(e), Items 4(b) and (f) at the same time, Item 4(g) and then Item 4(c).

The Mayor informed members that regulations had been implemented which required recorded votes on specific decision at the Budget Council meeting. Members would be advised when a recorded vote was required.

Prior to the consideration of the Budget Proposals, the Mayor asked the Council to note the draft minutes of the Cabinet meeting held on 10th February 2020.

On a vote being taken, the recommendation was **CARRIED UNANIMOUSLY**.

RESOLVED that the minutes of the Cabinet meeting held on 10th February 2020 be noted.

a) Housing Revenue Account Estimates for 2020/21 to 2024/25 and Proposed Outturn for 2019/20

Councillor Roberts MOVED and Councillor Jabbar SECONDED a joint report which set out the latest Housing Revenue Account (HRA) outturn estimate for 2019/2020, the detailed budget for 2020/21 and strategic estimates for the four years 2021/22 through to 2024/25. The report also set out the recommended dwelling, non-dwelling rents and service and concierge charges to be applied from April 2020.

It was noted that HRA activities were a key element of the Council's Housing Strategy which had been approved by Council on 10 July 2019 and aimed to provide a diverse Oldham housing offer that was attractive and met the needs of different sections of the population at different stages of their lives. After all relevant issues were taken into account, the project financial position for 2019/2020 was estimated to be a £2.273m positive variance when compared to the original budget forecast for 2019/2020 approved at the Budget Council meeting on 27 February 2019. Most of the variance was attributable to the re-profiling of the HRA funded capital schemes into later years due to revisions to planned spending profiles. The balance at the end of 2019/2020 was projected at £21.750m.

The financial position for 2020/21 showed an estimated HRA closing balance of £18.230m which was sufficient to meet future operational requirements and the potential financial pressures identified in the risk assessment.

The 2020/21 position had been presented after allowing for an increase in dwelling rents of 2.7%, the increase in non-dwelling rents in line with individual contracts, the freezing of all service charges and the setting of Extra Care Housing and Holly Bank concierge charges to fully recover costs.

Members were reminded that the Government had previously advised that PFI properties were exempt from Central Government's 1% Social Rent Reduction policy. This policy was due to end on 31 March 2020. In preparation, Central Government had recently issued updated guidance for the period 2020 – 2025 for all properties, confirming a return to rents being set based on the Consumer Price Index (CPI) rate at September of

the preceding year plus 1%. All Oldham's budget projections for the 2020/2021 budget would follow the rent setting guidance of CPI plus 1%, resulting in an increase of 2.7% (CPI was taken as at September 2019). The financial projections for the HRA over the period 2019/20 to 2024/25 showed an overall reduction in the level of balances from £21.750m at the end of 2019/20 to £7.713m at the end of 2024/25. This was because HRA resources were to be used to support several major approved housing capital projects which included development at Princes Gate Site C, developing temporary accommodation to meet homelessness demands, developing purchase and repair/lease and repair pilot schemes in the private rented sector and financing the purchase of additional housing to add to the Council's HRA stock.

The HRA detailed budget for 2020/21 and strategic estimates for the four years 2021/22 to 2024/25 and the outturn estimate for 2019/20 had been presented to the Overview and Scrutiny Performance and Value For Money Select Committee on 23 January 2020. The Select Committee was content to commend the report to Cabinet without amendment. Cabinet duly considered the report at its meeting on 10 February 2020 and commended the report to Council.

No members who spoke on this item.

RESOLVED that:

1. The Forecast HRA outturn for 2019/20, as outlined at Appendix A of the report, be approved.
 2. The Proposed HRA budget for 2020/21, as outlined at Appendix B of the report, be approved.
 3. The strategic estimates for 2020/21 to 2024/25, as outlined at Appendix D of the report, be approved.
 4. The proposed increase to dwelling rents for all properties of 2.7% be approved.
 5. The proposed increase to non-dwelling rents as per individual contracts be approved.
 6. The proposal that service charges were unchanged be approved.
 7. The proposal to set Extra Care Housing and Holly Bank concierge charges to fully recover actual costs be approved.
- d) Statement of the Chief Financial Officer on Reserves, Robustness of Estimates and Affordability and Prudence of Capital Investments

Councillor Jabbar MOVED and Councillor Fielding SECONDED a report of the Director of Finance which sought agreement to the level of balances necessary to support the 2020/21 budget underpinned by the agreed policy on Earmarked Reserves, setting a properly balanced revenue budget which includes the

financing of capital investments within the present investment proposals.

Members were informed that in order to comply with Section 25 of the Local Government Act 2003, the Authority's Chief Financial Officer (the Director of Finance) was required to report on the robustness of the estimates made for the purposes of the revenue budget calculations and the adequacy of the proposed reserves. This information enabled a longer-term view of the overall financial resilience of the Council to be taken. It also reported on the Director of Finance's consideration of the affordability and prudence of capital investment proposals. The level of general balances to support the budget and an appropriate level of Earmarked Reserves maintained by the Council in accordance with the agreed Council Policy on Earmarked Reserves were an integral part of its continued financial resilience supporting the stability of the Council. Whilst the Council had prepared a detailed revenue budget within a five year Medium Term Financial Strategy (MTFS), a five year Capital Programme and continued the closure of accounts within an appropriate timeframe which allowed early focus on the upcoming challenges and a robust financial transformation programmed, there continued to be a reliance on the use of reserves to balance the revenue budget.

Since 2016/17, reserves of £22.937m had been used to underpin the Council's revenue budget. For 2020/21, there was another proposed use of reserves of £10.008m combined with a number of one-off measures totally £5.150m. The continued use of reserves and one-off measures had had the impact of deferring the changes that were required to balance the revenue budget by on-ongoing sustainable means. The implementation of the next phase of the transformation programme in 2020/21 was expected to begin to address this challenge. The expected benefits of the transformation would be phased over several financial years. It was anticipated that there would continue to be a need to utilise reserves until the programme was complete. As detailed in the Council's Audit Completion Report, presented alongside the Statement of Accounts, the External Auditors concluded that for 2018/19 the Council had made proper arrangements to deliver financial sustainability in the medium term. However, it was also pointed out the "the use of reserves to support revenue budgets in the longer term is not sustainable, and the Council will need to ensure that its longer term financial sustainability does not deplete its reserves to unsustainability low levels".

Members noted that financial resilience did depend in part on the Council maintaining an adequate level of reserves as set out in the report. In order to scrutinise the level of reserves held by the Council, the policy on Earmarked Reserves was considered by the Audit Committee in June 2019 and it was proposed to action the same review again in 2020/21 after the closure of the accounts for 2019/20.

Whilst the Council utilised a number of reserves to support the 2020/21 revenue budget, members were assured that the Council currently remained financially resilient and was working hard to address the pressures that had arisen over of a number

of years and therefore still continued to be well placed to meet the difficult financial challenges that it faced. Members were advised of the robustness of the estimates and the affordability and prudence of the capital estimates for 2020/21. Despite the use of reserves over recent years, the level of reserves was adequate to support the 2020/21 financial position and demonstrated financial resilience. This is only the case provided that action was taken to ensure that the balances are set at the level of £14.991m for 2020/21 as calculated in the report and that all budget options, or in year alternatives, are delivered as planned and monitored.

The Statement of the Chief Financial Officer had been presented for scrutiny to the Overview and Scrutiny Performance and Value for Money Select Committee on 23 January 2020. The Select Committee was content to commend the report to Cabinet. The report was duly considered by Cabinet who approved the report at its meeting on 10 February 2020 and commended the report to Council.

No members who spoke on this item.

RESOLVED that:

1. The proposed General Fund Balance currently calculated for 2020/21 at £14.991m be approved.
2. The initial estimate of General Fund Balances to support the Medium Term Financial Strategy be noted as follows:
 - £15.187m for 2021/22 and
 - £15.241m for the years 2022/23, 2023/24 and 2024/25.
3. The intended report to be presented to the Audit Committee on Earmarked Reserves to ensure this area was subject to the appropriate scrutiny be approved.
4. The actions necessary to secure a properly balanced budget as presented in paragraph 3.6 of the report be noted.
5. The actions necessary to ensure the prudence of the capital investments as noted in Section 4 of the report be approved.

e) Council Tax Reduction Scheme 2020/21

Councillor Jabbar MOVED and Councillor Fielding SECONDED a report of the Director of Finance which presented the proposed Council Tax Reduction Scheme for 2020/21 for approval.

Members were reminded that there was a requirement to have a Council Tax Reduction (CTR) scheme to support residents who qualified for assistance in paying Council Tax. The Local Government Finance Act 2012 placed a requirement that each year a billing authority must consider whether to revise its Council Tax Reduction Scheme or to place it with another scheme. Any change to the 2020/21 scheme must be agreed by Full Council in line with budget setting and no later than 10 March 2020. For Oldham, this

required the Council to agree a revised 2020/21 scheme at the 26 February 2020 Council meeting. Any proposed change must be subject to prior consultation with the major preceptors and the public.

The Council's current CTR scheme limited CTR to a maximum of 85% of Council Tax for a Band A property and removed second adult rebate for those of working age. Following a public consultation exercise in Autumn 2018, the scheme was amended from April 2019 which introduced a range of changes to the scheme largely aimed at supporting those CTR claimants who received Universal Credit (UC). These included the application of some earnings disregards and treatment of information received from the Department for Work and Pensions (DWP) about UC as a claim for CTR. As more working Housing Benefit (HB) cases moved to UC, Local Authority CTR schemes were in transition as the number of cases aligned to the HB model of assessment reduced and the number of UC cases aligned to the UC structure increased. It was therefore considered pragmatic to wait until more cases had migrated to UC to introduce a fully revised CTR scheme which would appropriately link with the design of UC. This would avoid the administrative complexity of running two distinct working age CTR schemes concurrently and would mean that the 2019/20 CTR scheme would remain unchanged in 2020/21.

At its meeting on 23 January 2020, the Overview and Scrutiny Performance and Value for Money Select Committee (PVFM) scrutinised the proposed Council Tax Reduction Scheme for 2020/21. The Select Committee was content to agree to the proposal that there were no changes to the 2019/20 CTR scheme for 2020/21. It was therefore content to commend the proposed CTR scheme for 2020/21 to Cabinet without additional comment. On 10 February 2020, Cabinet duly considered the proposal that there were no changes to the 2019/20 CTR scheme for 2020/21 and agreed to commend the report without amendment to Full Council.

No members spoke on this item.

RESOLVED that the proposed Council Tax Reduction Scheme for 2020/21, which was unchanged from the 2019/20 scheme, be approved.

b) Capital Strategy and Capital Programme 2020/21 to 2024/25

Councillor Fielding MOVED and Councillor Jabbar SECONDED a report of the Director of Finance which set out the Capital Strategy for 2020/21 to 2024/25 and thereby the proposed 2020/21 capital programme which included identified capital investment priorities, together with the indicative capital programme for 2021/22 to 2024/25, having regard to the resources available over the life of the programme.
Capital Strategy

The Council's Capital Strategy and Capital Programme were set over a five-year timeframe. The proposed Capital Strategy and Programme for 2020/21 to 2024/25 took the essential elements of the 2019/24 and previous years' strategies and programmes and moved them forward in the context of the financial and political environment for 2020/21. The Strategy included a longer term vision, a forward look at those projects that were likely to run beyond the five-year strategy and programme period or be initiated subsequently. This covered a timeframe for the 10 years from 2025/26 to 2034/35. The format of the Capital Strategy reflected the requirements of the latest Prudential and Treasury Management Codes issued by the Chartered Institute of Public Finance and Accountancy (CIPFA). The Strategy therefore presented:

- A high-level long-term overview of how capital expenditure, capital financing and treasury management activity contributed to the provision of services;
- An overview of how the associated risk was managed; and
- The implications for future financial sustainability.

The Capital Strategy was presented at Appendix 1 of the report and ensured that all Council Members were presented with the overall long-term capital investment policy objectives and resulting Capital Strategy requirements, governance procedures and risk appetite. The Strategy incorporated the refreshed and updated elements of the Medium-Term Property Strategy, the Creating a Better Place Strategy, Commercial Property Investment Strategy and Fund, Housing Strategy and Income Strategy. Annex C of Appendix 1 of the report set out the proposed capital expenditure and financing for the period covered by the Capital Strategy, 2020/21 to 2024/25. The Strategy also advised that the Council was proposing to continue the use of the flexibility provided by the Ministry of Housing, Communities and Local Government (MHCLG) to use capital receipts to fund the revenue cost of transformation. The 2020/21 revenue budget would rely on up to £3.750m of such funding from capital receipts. Annex D of the report set out the required Flexible Use of Capital Receipts Strategy which advised of the summary of planned receipts, use and savings.

Capital Programme

The 2019/20 Month 8 Capital Monitoring Position was approved at the Cabinet meeting held on 10 February 2020 and the projections included in that report were a key determinant of the 2020/21 programme. The projected outturn spending position for 2019/20 was £63.945m. The People and Place Directorate which managed all of the major regeneration projects, constituted the main area of expenditure (£33.406m). Ringfenced and Un-Ringfenced grants (£29.888m) followed by Prudential Borrowing provided the main source of financing (£18.967m). Actual expenditure to 30 November 2019 was £33.031m (51.63% of forecast outturn). This spending profile was in line with previous years. However, the position would be kept under review and budgets would continue to be managed in accordance with forecasts.

Capital Programme 2020/21 to 2024/25

The Council had set out its Capital Programme for the period 2020/21 to 2024/25 based on the principles of the Capital Strategy. The Capital Programme and Capital Strategy had been influenced by the level of resources considered available. The level of prudential borrowing included reflected the financing available in the revenue budget, capital receipts aligned with forecasts and grant funding and other contributions based on already notified allocations or best estimates at the time of preparation. If additional resources became available, projects that met the Council's strategic capital objectives would be brought forward for approval.

The Capital Strategy 2020/21 to 2024/25 had seen a significant increase in the level of investment compared to that previously projected. This was due to the incorporation of the spending plans associated with the recently approved Creating a Better Place Strategy which encompassed housing initiatives together with town centre and borough wide regeneration. It also included the findings of the independent review of the Medium-Term Property Strategy. The Capital Strategy also reflected the refreshed Commercial Property Investment Strategy and the Income Strategy as well as the approved Housing Strategy. Members were informed that the anticipated expenditure over the five-year life of the 2019/20 to 2023/24 strategy was £272.939m, taking 2019/20 aside (£63.945m) left £208.994m for the remainder of the approved 2020/21 to 2023/24 Capital Programme. Following the approval of the new and refreshed strategies including Creating a Better Place and moving forward the planning period by one year, the Capital Strategy for 2020/21 to 2024/25 totalled £479.581m. The significant increase in investment to deliver change for Oldham was therefore evident.

A review of the Capital Programme had highlighted that there was already a full range of commitments for the period 2020/21 to 2024/25 but additional funding allocations totalling £270.587m had been added to support the ambitious regeneration programme. The Capital Programme included proposed expenditure for 2020/21 of £147.632m with the largest area of expenditure being on regeneration, transport and infrastructure projects within the People and Place Directorate. Total expenditure decreased to £131.467m in 2021/22, then to £102.510m and £40.999m in 2022/23 and 2023/24 respectively, and in the final year of the current programme 2024/25 spend increased to an estimated £56.973m.

The Government continued to provide significant levels of grant funding, after an initial reduction at the start of the austerity period. The main source of grant income remained education related with Based Need capital grant funding totalling £25.535m over the life of the programme. The grant funding provided by Government could be split into two categories: un-ringfenced and ringfenced resources as explained in Section 10 of the Capital Strategy. The 2020/21 capital programme relied on £22.504m of un-ringfenced and £11.209m of ringfenced grants.

As in previous years, a major source of financing remained prudential borrowing. The amount required in 2020/21 (£99.070m) included borrowing attributed to schemes that had

been reprofiled from prior years and the new borrowing attributed to scheme that had been reprofiled from prior years and the new borrowing associated with the regeneration programme. It was expected that £30m of this prudential borrowing would be financed by income provided from property acquisition and investment. In addition, the timing of the borrowing was linked to the cash position of the Council and may therefore not mirror the spending/financing profile set out above.

There would be a continued review of the capital spending requirements as the Council had further regeneration ambitions, but affordability and deliverability would be a key consideration in this regard. It was possible that the capital position may change prior to the start of 2020/21 and during the year.

Therefore, the overall Capital Programme position would be kept under review and any new information about funding allocations would be presented to Members in future reports.

There had been consultation on the proposed Capital Strategy and Capital Programme for 2020/21 to 2024/25 including the Capital Investment Programme Board on 20 December 2019 and the Overview and Scrutiny Performance and Value for Money Select Committee on 23 January 2020. The Select Committee was content with the report and commended the report to Cabinet.

Cabinet duly considered and approved the report at its meeting on 10 February 2020 and commended the report to Council. In responding to the recommendations of the Overview and Scrutiny Performance and Value for Money Select Committee held on 4 February 2020 with regard to the Liberal Democrats Budget Proposals, Cabinet also recommended that when a review was undertaken to determine the schemes to be included within the Capital Programme for 2021/22 and future years, that additional health care centres for Saddleworth and Chadderton be considered.

No members spoke on this item.

RESOLVED that:

1. The Capital Strategy for 2020/21 to 2024/25 as detailed at Appendix 1 of this report and summarised at Section 2.1 of the report be approved.
2. The Capital Programme for 2020/21 and indicative programmes for 2021/22 to 2024/25 at Annex C of Appendix 1 to the report and summarised at Sections 2.2 to 2.6 of the report be approved.
3. The consideration of additional health care centres for Saddleworth and Chadderton when a review was undertaken to determine which schemes are included within the Capital Programme for 2021/22 and future years be approved.
4. The Flexible Use of Capital Receipts Strategy as presented at Annex D of Appendix 1 to the report be approved.

f) Revenue Budget 2020/21 and Medium Term Financial Strategy 2020/21 to 2024/25



Councillor Fielding MOVED and Councillor Jabbar SECONDED a report of the Director of Finance which provided Council with the forecast budget reduction requirement and the Administration's budget proposals for 2020/21 together with forecast budget reduction requirement estimates for the period 2021/22 to 2024/25 having regard to the Provisional Local Government Finance Settlement published on 20 December 2019 and subsequent Final Local Government Finance Settlement published on 6 February 2020, which at the time of report publication, was awaiting Parliamentary approval although no changes were expected.

The report set out the proposals for the Council's Revenue Budget for 2020/21 and the Medium-Term Financial Strategy (MTFS) for 2020/21 to 2024/25. The report advised Members of the key financial challenges and issues which would be faced by the Council over the forecast period and set out the Administration's revenue budget proposals for 2020/21 together with updated budget reduction requirement estimates for the period 2021/22 to 2024/25. The report presented the purpose and scope of the MTFS and how it had a vital role to play in enabling the translation of the Council's ambition and priorities into action. The report also advised of the national policy landscape and economic context in which the Council was setting its revenue budget for 2020/21 and MTFS to 2024/25. Section 4 of the report highlighted the local strategies and policies relevant to the MTFS which included the Oldham Plan and Corporate Plan, Financial Policies and Strategies as well as other major strategies which had an influence on the allocation of Council resources. Developments in Local Government Finance were included at Section 5 incorporating the new released Financial Management Code together with a commentary on the Council's financial resilience. The report also highlighted policy announcements and implications arising from the Local Government's 2019 Spending Round presented on 4 September 2019, the Local Government Finance Settlement 2020/21 Technical Consultation, the Provisional Local Government Finance Settlement (LGFS) published on 20 December 2019 and the Final Local Government Finance Settlement published on 6 February 2020 which, at the time of report publication, was awaiting Parliamentary approval. Members were advised that should there be any changes to the information already received it would not impact on the Council Tax recommendation and any implications for the 2020/21 budget would be reported to 18 March 2020 Council meeting. Key adjustments to funding confirmed in the 2020/21 LGFS were:

- An increase in expected Core Government Funding over previous estimates of £6.664m (estimates assumed the continuation of austerity); and
- An additional £10.596m of Government Grants over and above the expected level – primarily the continuation of previously time limited Improved Better Care Fund and

Winter Pressures Grants (totalling £2.708m) and the 2020/21 Social Care Support Grant (£6.954m).

The LGFS confirmed referendum limits for a general purpose Council Tax increase and the Government would permit rises of up to 2% per annum for 2020/21 without the need to hold a referendum. The Government also confirmed the continued ability to charge an Adult Social Care Precept allowing up to a 2% increase in Council Tax for 2020/21 (ringfenced for use for Adult Social Care). The Council Tax referendum limits for 2020/21 applicable to the Council therefore allowed an overall increase of 4%.

Members were reminded that the Council Tax policy approved within the 2019/20 budget was that for 2020/21, the previous policy would continue. The Council would therefore increase Council Tax by 2% for the Adult Social Care Precept (ASCP) and 1.99% for general purposes; an overall increase of 3.99%. The referendum limits for 2020/21 as advised above would permit this approach. However, mindful of the financial position of the Authority, but also the impact of a further increase in Council Tax on the citizens of Oldham, a revision to Council Tax Policy was proposed. Whilst the 2% increase related to the ASCP would continue, Council Tax for general purposes would increase by 0.99% rather than 1.99%. In overall terms the Oldham Council Tax would increase by 2.99%.

The Government had not proposed Council Tax referendum principles for Mayoral Combined Authorities in 2020/21 but had set referendum principles for Police and Crime Commissioners (including the GM Mayor). These were provided alongside the Police Funding Settlement on 22 January 2020 and the Government had given Police and Crime Commissioners the flexibility to increase funding by setting the Council Tax referendum limit to £10 for a Band D property. An increase of £14 had been approved by the Greater Manchester Combined Authority (GMCA) for the Mayoral General Precept (which included Fire and Rescue Services) and the Mayor had approved an increase of £10 for the GM Police and Crime Commissioner precept.

Members were informed the starting point for preparing the 2020/21 revenue budget estimates was the Month 8 2019/20 revenue budget forecast outturn position, which was approved by Cabinet on 10 February 2020 and was summarised at Section 8 of the report. It highlighted a current adverse projected variance for 2019/20 of £1.367m but advised that it was expected that at year end at least a balanced position would be achieved.

Section 9 of the report detailed key budget adjustments and expenditure pressures underpinning the forecasts that provided the backdrop for the Council's Medium Term Financial Strategy and were detailed in the report. Based on the latest estimates the budget reduction requirement for 2020/21 had decreased from the previously reported figure of £22.871m to £18.169m. Section 10 of the report detailed the Administration's budget reduction proposals. There were a total of seven proposals expected to deliver savings of £3.011m in 2020/21. If approved in full, these proposals further reduced the budget reduction requirement to £15.158m for 2020/21.

Sections 11 and 12 of the report explained the approach to balancing the 2020/21 budget. In order to remove the requirement for further spending reductions, it was proposed to part finance the 2020/21 budget by using the opportunities provided by the ability to use Capital Receipts to support spending on transformational projects up to a value of £3.750m and from an available Collection Fund Surplus of £1.400m. A number of specific and corporate reserves would be used to address the balance as follows:

- £1.413 from gains anticipated in 2019/20 from the Greater Manchester 100% Business Rates Retention Pilot Scheme;
- £1.300m of further benefit made available by the GMCA from the Greater Manchester 100% Business Rates Retention Pilot Scheme in 2019/20;
- £3.113m from reserves related to a refund of the 2019/20 Waste Levy; and
- £4.182m from Corporate Reserves.

Approval of the proposals as set out in this report in full by Budget Council would deliver a balanced revenue budget for 2020/21. The budget reduction requirement for subsequent years was forecast to be £23.251m for 2021/22, £13.018m for 2022/23, £13.568m for 2023/24 and £12.922 for 2024/25. Other key sections in the report summarised the forecast reserves and balances position supporting the Council's financial resilience, set out the Administration's proposals in relation to Fees and Charges, and detailed the Council's Pay Policy Statement (as required by Sections 38 to 43 of the Localism Act 2011).

Members were asked to note that as the Government had only provided grant funding notifications for 2020/21, the MTFS estimates for 2021/22 to 2024/25 were based on a series of assumptions and therefore must be considered indicative at this stage. This had generated significant uncertainty and hindered effective planning by the Council, both financially and operationally as future Government funding intentions were difficult to assess. This position, together with the transformational and organisational plans for change that the Council would implement to address the financial challenge were outlined at Section 18 of the report.

The MTFS highlighted the plan to deliver significant savings from 2021/22 onwards. Whilst it was anticipated that the Council would continue to rely on the use of reserves to support its budget setting processes until 2023/24, this would gradually be phased down as the change programmes gathered momentum and sustainable budget reductions were identified. The Revenue Budget 2020/21 and Medium Term Financial Strategy 2020/21 to 2024/25 were presented to the Overview and Scrutiny Performance and Value for Money Select Committee for consultation and scrutiny on 23 January 2020. The Select Committee scrutinised the budget report and the other reports on the agenda that formed a core part of the Council's strategic planning framework. The Select Committee was content to commend the report to Cabinet without additional comment. Cabinet duly considered and approved the report as

its meeting on 10 February 2020 and commended the report to Council.

A further meeting of the Select Committee took place on 4 February 2020 to consider the budget amendments put forward by the Main Opposition Party. Whilst the Select Committee did not accept all of the investment or budget reduction proposals presented, it did make some recommendations to Cabinet. At its meeting on 10 February 2020, Cabinet considered these recommendations and agreed that four be commended to Council. The information in this regard was set out at Section 17 of the report and those related to the revenue budget were addressed at recommendation 15 of this report.

Members who spoke on the item:

g) AMENDMENT

Councillor C. Gloster MOVED and Councillor Al-Hamdani SECONDED the amendment to budget as circulated and detailed in the Council Summons. Councillor C. Gloster expressed his thanks to staff who had assisted in the preparation of the report.

Councillors Hamblett, Harkness, Murphy, H. Gloster and Williamson spoke in support of the Amendment.

Councillors Roberts, Hudson, Curley, Jabbar and Leach spoke against the Amendment.

Councillor Byrne spoke on the Amendment.

Councillor Fielding exercised his right of reply.

Councillor C. Gloster exercised his right of reply.

A recorded vote, in line with the Regulations was then taken on the AMENDMENT as follows:

Councillor		Councillor	
Ahmad	AGAINST	Hussain, A.	AGAINST
Akhtar	AGAINST	Hussain, F.	AGAINST
Al-Hamdani	FOR	Ibrahim	ABSENT
Ali	AGAINST	Iqbal	AGAINST
Alyas	AGAINST	Jabbar	AGAINST
Ball	AGAINST	Jacques	AGAINST
Bashforth, M.	AGAINST	Judd	ABSENT
Bashforth, S.	AGAINST	Larkin	ABSENT
Briggs	AGAINST	Leach	AGAINST
Brownridge	AGAINST	Malik	AGAINST
Byrne	AGAINST	McLaren	AGAINST
Chadderton	AGAINST	Moores	AGAINST
Chauhan	ABSENT	Murphy	FOR
Cosgrove	AGAINST	Mushtaq	AGAINST
Curley	AGAINST	Phythian	AGAINST
Davis	AGAINST	Price	AGAINST

Dean	AGAINST	Roberts	AGAINST
Fielding	AGAINST	Salamat	AGAINST
Garry	AGAINST	Shah	AGAINST
Gloster, C.	FOR	Sheldon	AGAINST
Gloster, H.	FOR	Shuttleworth	ABSENT
Goodwin	AGAINST	Stretton	AGAINST
Hamblett	FOR	Surjan	ABSENT
Haque	AGAINST	Sykes	ABSENT
Harkness	FOR	Taylor	ABSENT
Harrison	AGAINST	Toor	AGAINST
Hewitt	ABSENT	Ur-Rehman	AGAINST
Hobin	FOR	Williams	AGAINST
Hudson	AGAINST	Williamson	FOR
Hulme	AGAINST	Alexander	AGAINST

On a recorded VOTE being taken, 8 VOTES were cast in FAVOUR of the AMENDMENT with 43 VOTES cast AGAINST and 0 ABSTENTIONS. The AMENDMENT was therefore LOST.

NOTE: Councillors Goodwin, Shuttleworth, Surjan and Taylor declared a pecuniary interest in this item and left the Chamber during this item and did not take part in the discussion or vote thereon.

The following Councillors then spoke on the ORIGINAL MOTION:

Councillors S. Bashforth, Shah, Toor, Ball, Ur-Rehman, Dean, Roberts, Surjan, Jacques and Williams spoke in support of the Original Motion.

Councillor Fielding exercised his right of reply.

A recorded VOTE, in line with regulations was then taken on the ORIGINAL MOTION as follows:

Councillor		Councillor	
Ahmad	FOR	Hussain, A.	FOR
Akhtar	FOR	Hussain, F.	FOR
Al-Hamdani	ABSTAIN	Ibrahim	ABSENT
Ali	FOR	Iqbal	FOR
Alyas	FOR	Jabbar	FOR
Ball	FOR	Jacques	FOR
Bashforth, M.	FOR	Judd	ABSENT
Bashforth, S.	FOR	Larkin	ABSENT
Briggs	FOR	Leach	FOR
Brownridge	FOR	Malik	FOR
Byrne	ABSTAIN	McLaren	FOR
Chadderton	FOR	Moores	FOR
Chauhan	ABSENT	Murphy	ABSTAIN
Cosgrove	FOR	Mushtaq	FOR
Curley	ABSTAIN	Phythian	FOR
Davis	FOR	Price	FOR
Dean	FOR	Roberts	FOR

Fielding	FOR	Salamat	FOR
Garry	FOR	Shah	FOR
Gloster, C.	ABSTAIN	Sheldon	ABSTAIN
Gloster, H.	ABSTAIN	Shuttleworth	FOR
Goodwin	FOR	Stretton	FOR
Hamblett	ABSTAIN	Surjan	FOR
Haque	FOR	Sykes	ABSENT
Harkness	ABSTAIN	Taylor	FOR
Harrison	FOR	Toor	FOR
Hewitt	ABSENT	Ur-Rehman	FOR
Hobin	ABSTAIN	Williams	FOR
Hudson	ABSTAIN	Williamson	ABSTAIN
Hulme	FOR	Alexander	FOR

On a recorded VOTE being taken, 42 VOTES were cast in FAVOUR of the ORIGINAL MOTION with 0 cast against and 12 ABSTENTIONS. The ORIGINAL MOTION was therefore CARRIED.

RESOLVED that:

1. The policy landscape and economic context in which the Council was setting its revenue budget for 2020/21 and MTFS to 2024/25 be approved.
2. The impact of Oldham Council Policies and Strategies on the Council's budget setting process and the development of its Medium Term Financial Strategy be approved.
3. The financial forecasts for 2020/21 to 2024/25 having regard to the Local Government Finance Settlement and associated funding announcements be approved.
4. The key issues to be addressed in continuing to respond to the financial challenges facing the Council be approved.
5. The 2020/21 Budget Reduction Proposals at a value of £3.011m be approved.
6. The use of £1.400m of Collection Fund Surplus resources to support the 2020/21 budget be approved.
7. The flexible use of £3.750m of capital receipts to finance expenditure on activities promoting the transformational programme be approved.
8. The use of £5.826m of reserves for specific purposes and £4.182m of corporate reserves to balance the 2020/21 budget be approved.
9. The fees and charges schedule included at Appendix 7 of the report be approved.
10. A Council Tax increase of 2.99% for Oldham Council services resulting in the Band D charges set out at paragraph 15.3 of the report and in detail at Appendix 8 of the report be approved.
11. The proposal to draw on the Collection Fund for major preceptors of £113.721m for Borough Wide Services and £96.466m for Council services be approved.
12. The proposed budget for 2020/21 for the Council set at £233.524m be approved.

13. Revised estimated budget reduction targets of £23.251m for 2021/22, £13.018m for 2022/23, £13.568m for 2023/24 and £12.922m for 2024/25 be approved.
14. The Pay Policy Statement included at Appendix 12 of the report be approved.
15. The review during 2020/21 of the three revenue budget issues put forward by the main Opposition Party and commended to Council by Cabinet be approved.

c) Treasury Management Statement 2020/21

Councillor Jabbar MOVED and Councillor Fielding SECONDED a report of the Director of Finance which presented the strategy for 2020/2021 Treasury Management activities including the Minimum Revenue Provision Policy Statement, the Annual Investment Strategy and Prudential Indicators together with linkages to the Capital Strategy.

The Council was required through regulations supporting the Local Government Act 2003 to 'have regard to' the Prudential Code and to set Prudential Indicators for the next three years to ensure that the Council's capital investment plans were affordable, prudent and sustainable. The Council was also required to produce an Annual Treasury Strategy for borrowing and to prepare an Annual Investment Strategy that set out the Council's policies for managing its investments and for giving priority to security and liquidity of those investments.

The Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management 2017 (the Code) also required the receipt by full Council of a Treasury Management Strategy Statement.

The Strategy for 2020/21 covered two main areas:

Capital Issues:

- The Capital expenditure plans and the associated Prudential Indicators
- The Minimum Revenue Provision (MRP) Policy Statement

Treasury Management Issues:

- The Current Treasury Position
- Treasury Indicators which limit the treasury risk and activities of the Council
- Prospects for Interest Rates
- The Borrowing Strategy
- The Policy on Borrowing in Advance of Need
- Debt Rescheduling
- The Investment Strategy
- The Creditworthiness Strategy
- The Policy regarding the use of external service providers.

The report outlined the implications and key factors related to each of the above Capital and Treasury Management Issues and made recommendations with regard to the Treasury Management Strategy for 2020/21. The report also included an economic background commentary which had been updated to reflect the latest position, especially in relation to the UK leaving the EU on 31 January 2020.

The Audit Committee, as the body charged with the detailed scrutiny of Treasury Management activities considered the proposed Treasury Management Strategy report at its meeting on 20 January 2020. The report was also presented to the Overview and Scrutiny Performance and Value for Money Select Committee on 23 January. Both the Audit Committee and the Overview and Performance and Value for Money Select Committee were content to commend the report to Cabinet. The Cabinet duly considered and approved the report at its meeting on 10 February 2020 and commended the Treasury Management Strategy Statement 2020/21 to Council.

No members spoke on this item.

RESOLVED that:

1. The Capital Expenditure Estimates as per paragraph 2.1.2 of the report be approved.
2. The MRP Policy and method of calculation as per Appendix 1 of the report be approved.
3. The Capital Financing Requirement (CFR) Projections as per paragraph 2.2.4 of the report be approved.
4. The projected treasury position as at 31 March 2020 as per paragraph 2.3.3 of the report be approved.
5. The Treasury Limits as per Section 2.4 of the report be approved.
6. The Borrowing Strategy for 2020/21 as per Section 2.6 of the report be approved.
7. The Annual Investment Strategy as per Section 2.10 of the report which included risk management and the creditworthiness policy at Section 2.11 of the report be approved.
8. The level of investment in specified and non-specified investments as detailed at Appendix 5 to the report be approved.

Resolutions 1 and 2 related to the Council Tax Base for the Financial Year 2020/2021 as approved by the Cabinet on 16th December 2019 and the Council Tax Requirement for the Council's own purposes for 2020/2021

No members who spoke on this item.

A recorded vote, in line with the Regulations, was then taken on the Resolutions as follows:

Councillor		Councillor	
Ahmad	FOR	Hussain, A.	FOR
Akhtar	FOR	Hussain, F.	FOR
Al-Hamdani	FOR	Ibrahim	ABSENT
Ali	FOR	Iqbal	FOR
Alyas	FOR	Jabbar	FOR
Ball	FOR	Jacques	FOR
Bashforth, M.	FOR	Judd	ABSENT
Bashforth, S.	FOR	Larkin	ABSENT

Briggs	FOR	Leach	FOR
Brownridge	FOR	Malik	FOR
Byrne	FOR	McLaren	FOR
Chadderton	FOR	Moores	FOR
Chauhan	ABSENT	Murphy	FOR
Cosgrove	FOR	Mushtaq	FOR
Curley	FOR	Phythian	FOR
Davis	FOR	Price	FOR
Dean	FOR	Roberts	FOR
Fielding	FOR	Salamat	FOR
Garry	FOR	Shah	FOR
Gloster, C.	FOR	Sheldon	FOR
Gloster, H.	FOR	Shuttleworth	FOR
Goodwin	FOR	Stretton	FOR
Hamblett	FOR	Surjan	FOR
Haque	FOR	Sykes	ABSENT
Harkness	FOR	Taylor	FOR
Harrison	FOR	Toor	FOR
Hewitt	ABSENT	Ur-Rehman	FOR
Hobin	FOR	Williams	FOR
Hudson	FOR	Williamson	FOR
Hulme	FOR	Alexander	FOR

On a recorded VOTE being taken, the RESOLUTION was CARRIED UNANIMOUSLY.

RESOLVED that:

1. It be noted that on 16 December 2019, the following amounts were approved by the Cabinet as the Council's Council Tax Base for the Financial Year 2020/21:
 - a) 57,663 for the whole Council area [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act").
 - b) 8,707 for dwellings in the Saddleworth Parish area to which a Parish precept related.
 - c) 5,494 for dwellings in the Shaw and Crompton Parish to which a Parish precept related.
2. The Council Tax Requirement for the Council's own purposes for 2020/21 (excluding Parish Precepts) as being £96,465,586 be approved.

Resolution 3 related to the amounts calculated by the Council for the year 2020/2021 in accordance with Sections 31A to 36 of the Local Government Finance Act 1992

No members who spoke on the item.

A recorded vote, in line with the Regulations, was then taken on the RESOLUTION as follows:

Councillor		Councillor	
Ahmad	FOR	Hussain, A.	FOR
Akhtar	FOR	Hussain, F.	FOR

Al-Hamdani	FOR	Ibrahim	ABSENT
Ali	FOR	Iqbal	FOR
Alyas	FOR	Jabbar	FOR
Ball	FOR	Jacques	FOR
Bashforth, M.	FOR	Judd	ABSENT
Bashforth, S.	FOR	Larkin	ABSENT
Briggs	FOR	Leach	FOR
Brownridge	FOR	Malik	FOR
Byrne	FOR	McLaren	FOR
Chadderton	FOR	Moores	FOR
Chauhan	ABSENT	Murphy	FOR
Cosgrove	FOR	Mushtaq	FOR
Curley	FOR	Phythian	FOR
Davis	FOR	Price	FOR
Dean	FOR	Roberts	FOR
Fielding	FOR	Salamat	FOR
Garry	FOR	Shah	FOR
Gloster, C.	FOR	Sheldon	FOR
Gloster, H.	FOR	Shuttleworth	FOR
Goodwin	FOR	Stretton	FOR
Hamblett	FOR	Surjan	FOR
Haque	FOR	Sykes	ABSENT
Harkness	FOR	Taylor	FOR
Harrison	FOR	Toor	FOR
Hewitt	ABSENT	Ur-Rehman	FOR
Hobin	FOR	Williams	FOR
Hudson	FOR	Williamson	FOR
Hulme	FOR	Alexander	FOR

On a recorded VOTE being taken, the RESOLUTION was CARRIED UNANIMOUSLY.

RESOLVED that the following amounts be calculated by the Council for the year 2020/21 in accordance with the Sections 31A to 36 of the Local Government Finance Act 1992 be approved as follows:

a)	£598,556,880	Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account any Precepts for the Saddleworth and Shaw & Crompton Parish areas
b)	£501,800,494	Being the aggregate for the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
c)	£96,756,386	Being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax Requirement for the year (Item R in the formula in Section 31B of the Act)

d)	£1,677.96	Being the amount at 3(c) above, all divided by Item T(1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council tax for the year (including Parish precepts).
e)	£290,800	Being the aggregate amount of all special items referred to in Section 34(1) of the Act, being the Saddleworth and Shaw & Crompton Parish precepts.
f)	£1,672.92	Being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by the amount by Item T(1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings on those parts of its area to which no special item related.
g)	£1,695.68	Saddleworth Parish Area Being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items related to dwellings in those parts of the Council's area mentioned at 3(e) above divided by the amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items related.
h)	£1,689.78	Being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items related to dwellings in those parts of the Council's area mentioned at 3(e) above divided by the amount at 1(c) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items related.

Resolution 4 – Relating to the Mayoral Police and Crime Commissioner Precept and the Mayor General Precept (including Fire Services)

No members who spoke on this item.

On being put to the VOTE, the RESOLUTION was CARRIED UNANIMOUSLY.

RESOLVED that for the year 2020/21 the Mayoral Police and Crime Commissioner Precept and the Mayoral General Precept (including Fire Services) for Greater Manchester had been issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated in the table below be noted.



NOTE: Councillors Garry, C. Gloster and H. Gloster declared a pecuniary interest in this item and left the Chamber during this item and did not take part in the discussion or vote thereon.

Resolution 5 – Relating to the Setting of the Council Tax for 2020/2021

No members who spoke on this item.

A recorded vote, in line with the Regulations, was then taken on the RESOLUTION as follows:

Councillor		Councillor	
Ahmad	FOR	Hussain, A.	FOR
Akhtar	FOR	Hussain, F.	FOR
Al-Hamdani	FOR	Ibrahim	ABSENT
Ali	FOR	Iqbal	FOR
Alyas	FOR	Jabbar	FOR
Ball	FOR	Jacques	FOR
Bashforth, M.	FOR	Judd	ABSENT
Bashforth, S.	FOR	Larkin	ABSENT
Briggs	FOR	Leach	FOR
Brownridge	FOR	Malik	FOR
Byrne	FOR	McLaren	FOR
Chadderton	FOR	Moores	FOR
Chauhan	ABSENT	Murphy	FOR
Cosgrove	FOR	Mushtaq	FOR
Curley	FOR	Phythian	FOR
Davis	FOR	Price	FOR
Dean	FOR	Roberts	FOR
Fielding	FOR	Salamat	FOR
Garry	FOR	Shah	FOR
Gloster, C.	FOR	Sheldon	FOR
Gloster, H.	FOR	Shuttleworth	FOR
Goodwin	FOR	Stretton	FOR
Hamblett	FOR	Surjan	FOR
Haque	FOR	Sykes	ABSENT
Harkness	FOR	Taylor	FOR
Harrison	FOR	Toor	FOR
Hewitt	ABSENT	Ur-Rehman	FOR
Hobin	FOR	Williams	FOR
Hudson	FOR	Williamson	FOR
Hulme	FOR	Alexander	FOR

On a recorded VOTE being taken, the RESOLUTION was CARRIED UNANIMOUSLY.

RESOLVED that the Council, in accordance with Sections 30 to 36 of the Local Government Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2020/21 for each part of its area and for each of the categories of dwellings:



Authority/Parish	Council Tax Bands (£)							
	A	B	C	D	E	F	G	H
Oldham Council	1,115.28	1,301.16	1,487.04	1,672.92	2,044.68	2,416.44	2,788.20	3,345.84
Mayoral Police and Crime Commissioner Precept	138.86	162.01	185.15	208.30	254.58	300.87	347.16	416.60
Mayoral General Precept (including Fire Services)	60.63	70.73	80.84	90.95	111.16	131.37	151.58	181.90
Saddleworth Parish Precept	15.17	17.70	20.23	22.76	27.81	32.87	37.93	45.52
Shaw and Crompton Parish Precept	11.24	13.11	14.98	16.86	20.60	24.35	28.10	33.72

Authority/Parish	Council Tax Bands (£)							
	A	B	C	D	E	F	G	H
Saddleworth Parish Area	1,329.94	1,551.60	1,773.26	1,994.93	2,438.23	2,881.55	3,324.87	3,989.86
Shaw & Crompton Parish Area	1,326.01	1,547.01	1,768.01	1,989.03	2,431.02	2,873.03	3,315.01	3,978.06
All other parts of the Council's area	1,314.77	1,533.90	1,753.03	1,972.17	2,410.42	2,848.68	3,286.94	3,944.34

The meeting started at 6.00 pm and ended at 8.34 pm



COUNCIL

Petitions

Portfolio Holder: Various

Officer Contact: Various

Report Author: Elizabeth Droган, Head of Democratic Services
Ext. 4705

17th June 2020

Reason for Decision

The decision is for Elected Members to note the petitions received by Council in accordance with the Petitions Protocol.

Petitions Received

People and Place

Reference 2020-02: Petition regarding Proposed Time Restricted Parking on Beal Lane, Shaw (Shaw) received on 9th January 2020 with 113 signatures.

Reference 2020-04: Petition requesting the Re-opening of Bolton Street, Oldham OL4 1BW (St. Mary's) received on 28th February 2020 with 251 signatures.

Recommendations

It is recommended that Council note the petitions received.

This page is intentionally left blank



Report to COUNCIL

Allocation of Portfolios to Cabinet Members and Determination of the Delegation of Executive Functions

Portfolio Holder: Councillor Fielding , Leader of the Council

Report Author: Liz Droган, Head of Democratic Services
Ext. 4705

17th June 2020

Reason for Decision

For the Leader to allocate portfolios to Cabinet Members and Deputy Cabinet Members and to determine the executive functions for 2020/21.

Recommendations

For Council to note the allocation of portfolios to Cabinet Members and Deputy Cabinet Members and delegation of the executive functions for 2020/21.

Allocation of Portfolios to Cabinet Members and Determination of the Delegation of Executive Functions**1 Background**

The Leader of the Council has responsibility for the appointment of members to the Cabinet, the allocation of portfolios and the delegation of executive functions. The scheme of delegation is made pursuant to the Local Government Act 2000 as amended by the Localism Act 2011. The Leader may in respect of those functions not specially allocated under the scheme of delegation discharge any of those functions himself or arrange for the discharge of those functions:

- a) by the Executive;
- b) by another Member of the Executive;
- c) by a Committee of the Executive;
- d) by an Area Committee
- e) by an officer of the Council.
- f) by a Joint Committee

In accordance with the Local Government Act 2000, the Cabinet is not required to be politically balanced.

The executive portfolios are detailed as attached at Appendix 1 to the report. The delegation of executive functions are confirmed to be:

- those described in the relevant sections of Part 3 of the Constitution ("Responsibility for Functions")
- To permit Executive Members to make key decisions individually in accordance with their portfolios areas in consultation with the relevant Chief Officer and make decision in relation to contracts which have a value of £100k-£400k in consultation with the relevant Chief Officer.

Leader of the Council and Cabinet Member for Economy and Skills • Councillor Fielding Deputy – Councillor Ali	• City region and devolution • External Relations • Policy and Performance • Communications and media • Regeneration and Infrastructure • Enterprise and Business Support • Corporate property and assets • Oldham Town Centre and Markets • Get Oldham Working • Employability • Work and Skills Strategy
Cabinet Member for Children and Young People • Councillor Moores Deputy – Councillor Leach	• GM Children’s Partnership • GM Children’s Services Review • Adoption and Fostering • Children in care • Child safeguarding • Children’s Health and Wellbeing • Youth Service • Early Years
Cabinet Member for Education • Councillor Mushtaq Deputy - Councillor Goodwin	• Education and skills commission • Education Alliance • School place planning • Looked after children – educational performance
Cabinet Member for Health and Social Care • Councillor Chauhan Deputy -Councillor M Bashforth	• Adult Social Services • Adult Safeguarding • Provider Services • Disability Services and adaptations

	• Family Support • GM Adult Services Review • Health Devolution • Oldham Locality Plan • Health Improvement • Mental Health
Cabinet Member for COVID- 19 Response (and Statutory Deputy Leader) • Councillor Shah Deputy - Councillor Ball	• Community cohesion • Community Wealth Building • Unemployment • Isolation • Community Engagement • Poverty
Cabinet Member for Neighbourhoods and Culture • Councillor Brownridge Deputy – Councillor Ur-Rehman	• Transport • Highways • Trading Standards • Registrars and Cemeteries • Car Parking and Enforcement • Street Lighting • Environmental Services • Libraries, Heritage and Local Studies • Culture and Arts • Waste and Recycling • Licensing
Cabinet Member for Housing • Councillor Roberts	• Strategic Housing • Housing Quality Enforcement • Planning and Building Control • Homelessness
Cabinet Member for Finance and Green (and Deputy leader) • Councillor Jabbar Deputy - Councillor Hulme	• Finance • Capital Projects and Investment • ICT and Transactional Services • Internal Business Support Unit

	• Revenues and Benefits • Customer Services (Including Contact Oldham) • Energy • New Green Deal • Unity Partnership
Cabinet Member for HR and Corporate Reform • Councillor Chadderton Deputy – Councillor Williams	• HR and Organisational Development • Council Workforce and Work Progression • First Response • District Working • Early Help • Public Service Reform • Community Safety and policing • Youth Justice • Community Justice • Probation Services

This page is intentionally left blank

Shadow Cabinet 2020/21

Councillor Sykes MBE	Economy and Skills (Opposition Leader) HR & Corporate Reform
Councillor Harkness	Education
Councillor H Gloster	Children and Young People
Councillor Hamblett	Health and Social Care
Councillor Murphy	Neighbourhoods and Culture
Councillor Williamson	COVID-19 Recovery
Councillor C Gloster	Finance and Low Carbon (Opposition Deputy Leader)
Councillor Al-Hamdani	Housing and Homelessness

This page is intentionally left blank

Present: Councillor Fielding (Chair)
Councillors Chadderton, Chauhan, Jabbar, Mushtaq, 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 THE CABINET MEETING HELD ON 18TH
NOVEMBER 2019**

RESOLVED – That the minutes of the Cabinet meeting held on
18th November 2019 be approved.

6 **INCOME STRATEGY 2020/21 TO 2024/25**

The Cabinet gave consideration to a report of the Director of
Finance which set out the Council's strategy for income
generation for the next medium-term financial planning period
(2020/21 to 2024/25).

The Cabinet were informed that the proposed Income Strategy
set out in Appendix 1 of the report covered all material sources
of revenue that financed day to day service provision including:

- Government Grants;
- Council Tax;
- Business Rates;
- Fees, charges and other contributions.

The Strategy also considered:

- Investment opportunities;
- Opportunities relating to traded services and other chargeable activities;
- The process for setting charges and collection efficiency.

Members noted that the Council's current Income Strategy covering the period 2018/19 to 2021/22 was approved by Cabinet on 18 September 2017. The impact of the recently published one-year spending round by HM Treasury together with the approval of key strategies covering housing, capital investment, property and commercial investment meant it had been necessary to refresh the Strategy. The Strategy had been developed with regard to the latest Chartered Institute of Public Finance and Accountancy (CIPFA) guidance covering income

generation and had also been rolled forward to cover the next financial planning period of 2020/21 to 2024/25.

Options/Alternatives considered:

- Option 1 – Approve the Income Strategy for Oldham Council for the period 2020/21 to 2024/25;
- Option 2 – Do not approve the Income Strategy for Oldham Council for the period 2020/21 to 2024/25 and suggest an alternative approach

RESOLVED – That the Income Strategy included at Appendix 1 of the report be approved.

7

COMMERCIAL PROPERTY INVESTMENT STRATEGY

Consideration was given to a report of the Director of Finance and Director of Economy, which sought approval for the updated Commercial Property Investment Strategy and to continue an Investment Fund to facilitate development of a robust, property and alternative investment portfolio in order to generate a sustainable future income stream to support the Council's mainstream service delivery.

The Cabinet was informed that the Council continued to be faced with an unprecedented financial challenge, with uncertainty around funding arrangements. This proposal, to revise the Commercial Property Investment Strategy (CPIS) and continue the Investment Fund, presented an opportunity to reduce this pressure by increasing revenue income to support the Council's budget, by way of additional income streams from the acquisition of new investment property assets and alternative investments.

Members noted that the Chartered Institute of Public Finance and Accountancy (CIPFA) had recognised that commercial investment was an option for Local Authorities for future financial sustainability and had revised their Prudential Code of Practice in 2018 to take into account these new initiatives.

CIPFA had also recently issued a document entitled "Prudential Property Investment" which provided guidance on the provisions in the Prudential Code that related to the acquisition of property intended to make investment returns. It clarified a range of issues including changes to statutory guidance. The CPIS had been prepared having regard to the revised Prudential Code and the most recent CIPFA guidance.

The Cabinet was informed that there were a number of ways in which the Council could deliver elements of the Commercial Property Investment Strategy, whether in-house, via a property vehicle company or through arm's length investment in a property fund. Since the adoption of the CPIS in 2017, management of the property estate had remained in-house and this was planned to continue in the short term, although the strategy allowed for external professional advisors to be engaged.

It was recommended that specialist professional advice was secured as and when required. In addition, as it was possible that some of the acquisitions may be out of borough, geographically use of external resource including on-going property management, may be more appropriate. Any acquisition costs including specialist fees would be included within the business case.

Options/Alternatives considered:

- Option 1 - Do not agree the Strategy and reallocate funds within the Capital Programme.
- Option 2 - Agree the Strategy and continuation and increase of the fund.

RESOLVED – That the Cabinet would consider the commercially sensitive information contained at Item 18 of the agenda before making a decision.

8

CREATING A BETTER PLACE

The Cabinet gave consideration to a report of the Deputy Chief Executive People and Place which requested approval to revise the level of planned expenditure and investment within the Council's Capital Strategy and Programme, to support wider regeneration and investment ambitions. This would align to the emerging property strategy review 'Creating a Better Place' which aimed to deliver a balance between public sector projects, to meet the needs of the local community, and to support accelerated economic growth and thriving communities across the borough.

The Cabinet noted that Oldham Council was ambitious and bold, and it was on the cusp of an exciting programme of significant change, which was essential to achieve its wider objectives. Corporate land and property assets were critical to this agenda and therefore the previously approved Medium-Term Property Strategy (MTPS) had been reviewed as it needed to meet the scale of the change required.

Members were informed that this report set the framework for the Council's regeneration ambitions and there was much more to follow in the New Year.

At a strategic level, the review had confirmed that the property portfolio could be a catalyst for building new homes, creating job opportunities, re-skilling residents through new apprenticeship opportunities, and re-engaging communities and partners through property/estate co-location and collaboration.

New core areas of focus had been identified for property services through the MTPS, which incorporated key priority projects: Investments (direct and indirectly into property), Housing, Regeneration (especially the Town Centre) and the Corporate Estate.

This required changes to be made to the governance arrangements, and service delivery structures to ensure the right

resources were in place for effective and enhanced delivery across this programme.

Options/Alternatives considered:

- Option 1 - Do not agree the proposals
- Option 2 - Agree the proposals

RESOLVED – That the Cabinet would consider the commercially sensitive information contained at Item 19 of the agenda before making a decision.

9

COUNCIL TAX TAX BASE AND NON-DOMESTIC RATES TAX BASE FORECAST 2020/21

Consideration was given to a report of the Director of Finance which presented to Cabinet the Council Tax Tax Base and provisional Non-Domestic Rates (NDR) Tax Base forecast for 2020/21, which would underpin the forthcoming Council Budget and Medium-Term Financial Strategy scheduled for consideration at Budget Council on 26 February 2020.

The report also sought delegated authority to finalise the 2020/21 Non-Domestic Rates (Business Rates) forecast in order to reflect the information contained in the Local Government Finance Settlement for 2020/21 and up to date Non-Domestic Rates details, to be submitted to Central Government via the annual NNDR 1 return by the statutory deadline of 31 January 2020.

Additional approval was sought approval to delegate the final decision to join the pooling of Business Rates in 2020/21 with other Greater Manchester Districts, Cheshire East & Cheshire West and Chester Councils. Oldham had pooled Business Rates with neighbouring Authorities since 2015/16. The receipt of the Provisional Local Government Finance Settlement marked the start of a 28-day period for confirming Oldham's membership within the 2020/21 Business Rates Pool and the timing might not align with future Cabinet meetings.

Members were asked to note that the General Election of 12 December 2019 had affected the timetable for budget setting and related activities across all billing and precepting authorities. Delays to the publication of information such as the Provisional Local Government Finance Settlement might impact on billing authorities' ability to submit government returns (such as the NNDR 1) and notify preceptors of tax base information on or before normal statutory deadlines. This, in turn, might impact on the timetable for scrutinising and considering budget reports at Committees and meetings leading up to Budget Council planned for 26 February 2020.

Cabinet noted the report set out information on the Council Tax Tax Base for 2020/21 using the most up to date valuation list and all other information and estimates available.

The total number of chargeable properties included in the Council Tax Tax Base calculation in Oldham for 2020/21 was 95,071. This figure was reduced to 86,290.25 after allowing for discounts and exemptions and translated to the equivalent of 68,454 Band D properties. After applying adjustments for the Local Council Tax Support scheme offset by the additional charging for empty properties and an anticipated increase in the number of properties to be included in the valuation list over the forthcoming year, the number of Band D equivalent properties reduced to 59,446. The final Tax Base after the application of the anticipated collection rate of 97% was 57,663 which was an increase of 970 over the Council Tax Tax Base for 2019/20 of 56,693.

The 2020/21 Tax Bases for Saddleworth and Shaw and Crompton Parish Councils of 8,707 and 5,494 respectively, had been calculated using the same methodology.

Members were reminded that statute required local billing authorities to prepare and submit to the Ministry of Housing, Communities and Local Government (MHCLG) a locally determined and approved Business Rates forecast through the NNDR 1 return by 31 January each year. This forecast would be used to determine the 2020/21 “demand” and payment schedule for Business Rates between Oldham Council and the Greater Manchester Combined Authority. Being a participant in the Greater Manchester 100% Rates Retention Pilot Scheme (now extended by at least a further year until 31 March 2021) meant the Council no longer paid a share of Business Rates to Central Government. Instead, Oldham currently retained 99% of the income with 1% being paid to the Greater Manchester Combined Authority for Fire and Rescue services.

The estimated rating income for 2020/21 attributable to Oldham Council was currently £50.547m. Delegation was sought to enable the Business Rates forecast to be updated to take account of the 2020/21 Local Government Finance Settlement and up to date Non-Domestic Rates information, enabling the submission to Central Government of the annual NNDR 1 return by the statutory deadline of 31 January 2020 to Central Government.

Members noted that Oldham had pooled Business Rates revenues with other Greater Manchester districts and the two Cheshire Unitary Authorities since 2015/16 (Cheshire West & Chester joined the pool from 2016/17). The aim of pooling was to retain the benefits of any Business Rates growth within Greater Manchester for the benefit of the region. This report sought approval to continue these arrangements into 2020/21 (subject to the notification of the 2020/21 Local Government Finance Settlement).

Cabinet noted that traditionally, the Chancellor of the Exchequer delivered an autumn budget statement, which had been used to announce policy changes to the business rates system and Members had been provided with updates on those changes

within previous tax base reports. However, due to the calling of the General Election for 12th December 2019, the Chancellor cancelled his autumn budget statement, meaning no national policy changes to the business rates system for 2020/21 had been proposed.

Significant changes were proposed for the Retained Business Rates system from 1 April 2021. Changes included:

- A move to 75% rates retention nationally (increased from 50%) and the likely ending of the Greater Manchester 100% rates retention pilot scheme;
- The resetting of business rates baselines which could see locally retained growth fully or partially taken away from individual local authorities and redistributed through the funding formula;
- The implementation of recommendations from the fair funding review which could also impact on business rates baselines and the calculation of tariff payments and top up grants (designed to equalise the difference between an authority's need for business rates revenue compared to what could be generated from local ratepayers);
- The revaluation of Business Rates leading to the national adjustment of rateable values and multipliers.

Options/Alternatives considered:

- Option 1 - The Council had little discretion in the calculation of the number of properties incorporated into the Council Tax Tax Base given the legislative framework that was in place. However, there was some discretion over-estimating the number of new properties that would be included on the Council Tax register during 2020/21. A prudent view had been taken in this regard. The main area for an alternative approach was over the level of assumed collection rate. An increase in the collection rate would boost the anticipated Council Tax income and a decrease in the rate would decrease income. The Council had chosen to maintain its 2019/20 collection rate at 97%. This decision had been influenced by a continuing and targeted focus on Council Tax collection rates.
- Option 2 - The NNDR1 return generated the figures upon which the Business Rates Tax Base was prepared. It was not therefore appropriate to consider an alternative approach. However, as the figures included on the NNDR1 return on 31 January 2020 may vary from the estimated level, delegation was sought to allow the opportunity to revise the Business Rates forecast and approve a revised and more accurate position for budget setting.

RESOLVED – That:

1. the following be approved:
 - a) The Council Tax Tax Base for 2020/21 at 57,663 Band D equivalent properties.
 - b) The latest estimate for 2020/21 Business Rates revenue that is

- attributable to Oldham Council as being £50.547m.
2. Cabinet noted the Tax Bases for Saddleworth and Shaw and Crompton Parish Councils of 8,707 and 5,494 respectively.
 3. The decision to vary the final Business Rates forecast and hence the Business Rates Tax Base, be delegated if required, to the Deputy Leader and Cabinet Member for Finance and Corporate Services, in consultation with the Director of Finance.
 4. The final decision of the Council's membership of the proposed Greater Manchester, Cheshire East & Cheshire West and Chester Councils Business Rates Pool or 2020/21 (subject to the information contained in the 2020/21 Local Government Finance Settlement) be delegated to the Deputy Leader and Cabinet Member for Finance and Corporate Services in consultation with the Director of Finance.

10

SCHOOLS FUNDING FORMULA

Consideration was given to a report of the Director of Finance which requested Cabinet to consider how the funding for Schools and Academies should be distributed in 2020/21, following the Government announcement in October 2019 regarding School Funding for 2020/21.

The report provided a breakdown of the Dedicated Schools Grant (DSG) for 2020/21 and provided information about the National Funding Formula (NFF) for the Schools and High Needs Blocks for Oldham. It also presented a recommended approach for the distribution of the Schools Funding Block of the DSG to Schools and Academies for 2020/21.

A preferred option (Model B) was presented, to move to the 2020/21 NFF cash values in full, except for the Area Cost adjustment where it was proposed that the factor applied in Oldham was reduced from 1.00535 to 1.00000. It was also proposed that there was a 0.5% movement of funding from the Schools Block to the High Needs Block, in order to ensure that the DSG (which is currently in a deficit position) could be managed, so that there was a balanced position over a three-year timeframe (in accordance with the requirements of the Recovery Plan submitted to the Department for Education (DfE)).

The report highlighted that the continued agreement of the Schools Forum to the proposed 0.5% movement of funds between the Schools and High Needs Blocks was essential. At its meeting of 27 November 2019, the Schools Forum voted to support the 0.5% transfer between blocks, in recognition of the challenging financial position in relation to the High Needs Block and to show a positive movement towards delivering a DSG Recovery Plan.

Options/Alternatives considered:

- Option 1 – Adopt Model A;
- Option 2 – Adopt Model B

RESOLVED – That Model B outlined in the report be approved, which was a move to the 2020/21 NFF cash values in full except for the Area Cost Adjustment factor which was reduced to 1.00000, together with a 0.5% transfer of DSG funding between the Schools and the High Needs Funding Blocks.

11

RISK MANAGEMENT STRATEGY AND FRAMEWORK

The Cabinet considered a report of the Head of Corporate Governance that proposed a refreshed Risk Management Strategy and Framework. They noted that, under the Financial Procedure Rules, Cabinet was responsible for approving any revision in the corporate risk management arrangements of the Council.

The Cabinet was informed that the Council produced a Corporate Risk Management Strategy and Framework, which was subject to regular review.

It was proposed that the existing Risk Management Policy be replaced with two separate documents i.e. Risk Management Strategy and a Risk Management Framework. The proposed Risk Management Strategy was a high-level document that set out the Council's strategic approach to risk management (Appendix 1). The proposed Risk Management Framework provided the detailed approach to risk management, including the risk matrix and risk appetite tables for measuring the level of risk and ensuring that risks were managed within the Council's risk appetite (Appendix 2).

The refreshed Risk Management Strategy and Framework was presented for review. Members noted that the matrix was now simpler, with fewer options and clear parameters.

Options/Alternatives considered:

- Option 1 – Consider and approve the revised Risk Management Strategy and Framework;
- Option 2 – Consider but not approve the revised Risk Management Strategy and Framework.

RESOLVED – That the refreshed Risk Management Strategy and Framework be approved.

12

UPDATE ON THE OLDHAM HEALTHCARE ECONOMY

Consideration was given to a report of the Director of Finance which presented a proposal to increase the Council's proposed contribution to the pooled budget managed via a Section 75 Funding Agreement which operated between Oldham Council and Oldham Clinical Commissioning Group (CCG). In addition to transferring budgets for existing services into the pooled arrangement, it was proposed to increase the Council's contribution by £5.9m in 2019/20. This would support the financial resilience plan of the CCG whilst it was undergoing transformation to achieve future efficiencies and in turn support the wider Oldham healthcare economy over the next four

financial years. It was anticipated that the investment would be reversed and that the Council would then pay a reduced contribution into the pool between 2021/22 and 2023/24.

The report outlined the issues around the potential allocation of £5.9m of Oldham Council reserves to support the financial recovery plan of Oldham CCG in 2019/20 and support the wider Oldham healthcare economy benefiting all our residents.

The Cabinet were informed that, as the 2019/20 Section 75 Pooled Funding Agreement between the Council and the CCG was currently being reviewed, a revision to the phasing of previously anticipated contributions could be agreed. It was proposed that the use of reserves of £5.9m would increase the Council's contribution to the pooled budget for the financial year 2019/20, with reduced contributions from 2021/22 to 2023/24. This would allow the Council to put investment into the CCG so that the CCG could initiate work that could otherwise be delayed at this stage of the integration process. This would support the delivery of longer-term savings and efficiencies across the CCG, the Council and the wider Oldham healthcare economy.

Cabinet noted the CCG would subsequently contribute an additional £5.9m to the pool over the period 2021/22 to 2023/24, thereby enabling the Council to reverse the investments made and replenish reserves. The use of reserves in this way demonstrated the great progress made with regards to integration and how this was of benefit to the people of Oldham.

Options/Alternatives considered:

- Option 1 – Do nothing.
- Option 2 – Increase the Council contribution to the pooled fund in 2019/20 by £5.9m to support the CCG, recognising in doing so that the Council must be satisfied that there are clear and demonstrable benefits to the Council Taxpayers of Oldham.

RESOLVED – That the use of £5.9m of Council reserves to provide additional investment supporting transformation to Oldham CCG in 2019/20 be approved.

13

CARE LEAVERS AND HOMELESSNESS

Consideration was given to a report of the Director of Economy. The Cabinet were informed that Oldham Council's Corporate Parenting Strategy supported the principle that children looked after should be supported on their journey to independence and, as part of the Strategy's review, the role of housing as part of the Corporate Parenting offer was being strengthened. This, supported by wider discussions at a Greater Manchester level, had led to proposals to ensure that care leavers who became homeless received the support of full rehousing duties up to the age of 25.

The Cabinet were informed that, with a focus on homelessness, the proposals in the report would help emphasise Oldham's commitment to supporting and genuinely caring for the care

leavers across the borough. This built upon existing provisions such as free prescriptions, discretionary council tax rates and free bus passes. The report gave an outline of work streams which had been taking place within the Council and Greater Manchester around care leavers, and the resulting recommendations which referred to how homelessness legislation was applied, and how this set Oldham apart – in a positive way – from many other local authorities in England. The report sought approval for the adoption of the recommendations and a new approach to enhancing the support available for care leavers through the homeless service provision in Oldham.

The Cabinet noted that Oldham was at the forefront of the development of services for care leavers and was setting a national example, despite difficult financial circumstances.

Options/Alternatives considered:

- Option 1: Agree the proposals
- Option 2: Do nothing

RESOLVED – That the following be approved:

1. Oldham Council adopted the principle that all care leavers up to the age of 25 were to be found as being in ‘priority need’ under homelessness legislation;
2. Oldham Council adopted the principle that no care leaver up to the age of 25 should be found intentionally homeless.

14

SELECTIVE LICENSING OF THE PRIVATE RENTED SECTOR.

Consideration was given to a report of the Head of Public Protection which informed the Cabinet that a review of the Selective Licensing Scheme had been completed, in line with the legislative requirements. The existing designation was in the 5th and final year. The report sought permission to carry out a statutory consultation exercise into the future use of Selective Licensing in Oldham, considering the results of the review into the Scheme and its impact.

The Cabinet noted that the Housing Act 2004 gave the power to introduce the licensing of the private rented sector with the aim of improving the management of those properties, to tackle low housing demand or antisocial behaviour. In 2014 Oldham Council had designated a selective licensing scheme in 8 neighbourhoods which were seen to be exhibiting signs of low housing demand, following a statistical analysis of the whole borough. Low housing demand was where there was a high number of private rented properties, people were moving and only staying for short periods, house prices and rental prices were low, meaning owner occupiers were often in negative equity. This resulted in it being very difficult for a strong community to be developed and maintained in the area.

Members were informed that the current designation was due to expire from the 30th April 2020 and therefore another statistical analysis of the whole borough had recently taken place. This

review had indicated some improvements in the neighbourhoods concerned and showed that other neighbourhoods were now exhibiting signs of low housing demand.

On the expiry of the scheme the Council could not just continue the scheme or introduce another, as it was required to carry out the designation process as dictated in the Housing Act. This included obtaining Cabinet approval to consult on the proposed licence conditions and fees, and this consultation needed to take place for a minimum period of 10 weeks. Once the consultation had concluded, the analysis and findings would be reported back to Cabinet with any subsequent considerations. Approval was sought to commence the consultation exercise, to establish whether another designation of selective licensing of the private rented sector was needed and in which neighbourhoods.

The Cabinet noted the approach as outlined in the report was part of the Council's commitment to place-based working and a piece of work was ongoing to establish the preferred model for the deployment of resources, to enable the strategic approach to wider private sector housing issues across the Borough.

Options/Alternatives considered:

- Option 1: To note the findings of the review of the existing selective licensing scheme. To approve the consultation of the minimum 10-week statutory consultation required prior to designation of any new scheme. To report back to Cabinet on the outcome of the consultation and any further recommendations relating to any new designation of schemes.
- Option 2: Not to carry out consultation and allow each of the Selective Licensing designations to close at the expiry date.

RESOLVED – That:

1. The findings of the review of the existing selective licensing scheme be noted;
2. The carrying out of the minimum 10-week statutory consultation required prior to any future designation of any new scheme in the neighbourhoods highlighted be approved;
3. The Cabinet would receive a further report on the outcome of the consultation and any further recommendations relating for any new designation.
4. The Cabinet would also receive a further report regarding the wider approach to private sector housing enforcement and use of available powers.

15

EXPANSION OF MAYFIELD PRIMARY SCHOOL

Consideration was given to a report of the Director of Economy which sought approval to allocate Basic Needs Funding previously identified to facilitate a one form entry (1FE) expansion at Mayfield Primary School of up to £3.3m. This would enable the replacement of two car parking areas required for the significant increase in staff numbers, an all-

weather pitch and the redesign of the Nursery WC, all of which were considered necessary to the scheme.

The Cabinet noted that Mayfield Primary School was located in the St James area of Oldham and was part of the Cranmer Trust. As part of the Basic Needs Programme of Work, Cabinet had given its approval (April 2019) for £2.5m of basic need funding towards a 1FE expansion at Mayfield primary school. This would facilitate the requirement for an increased number of places in East Oldham to be available and sufficient surplus places would be provided to ensure that an element of parental choice was facilitated.

Initial early costings by the Cranmer Trust's project design team estimated the work at £2.85m. Since then the design process for the expansion had made good progress. The pre-tender cost estimate was now £3.3m and the Trust had requested confirmation of additional funding to ensure works could continue and the school be able to open by September 2020.

The changes to the early estimate were due to the replacement of two car parking areas required for the significant increase in staff numbers, an all-weather pitch and a requirement to redesign the Nursery WC, all of which were considered necessary to the scheme. The preliminary estimates, risk allowance and design fees had also been adjusted upwards to reflect these additions.

Options/Alternatives considered:

- Option 1: Approve the revised cost for a 1 FE expansion to Mayfield Primary School. The cost of this expansion circa £3.3 M and could be accommodated from the School's Capital allocation.
- Option 2: Do not approve the revised cost of expansion by 1 FE for Mayfield Primary School. This would not fulfil the Local Authority's statutory obligation to provide the necessary additional places in East Oldham by 2020.

RESOLVED – That:

1. A funding award of up to £3.3m from the Basic Needs Fund for a 1 FE expansion at Mayfield Academy be approved.
2. Authority be delegated 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.

The Cabinet gave consideration to a report of the Head of Strategy and Performance which provided a review of Council performance to September 2019.

The report provided the Cabinet with an overview of the Council's performance against priorities outlined within the

Corporate Plan, which had been monitored in the period July to September 2019.

Options/Alternatives considered:-

To note the Council performance July to September 2019.



RESOLVED – That the Council Performance Report September 2019 be noted.

17

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 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.

18

COMMERCIAL PROPERTY INVESTMENT STRATEGY

The Cabinet gave consideration to the commercially sensitive information in relation to Item 18 – Commercial Property Investment Strategy.

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

19

CREATING A BETTER PLACE

The Cabinet gave consideration to the commercially sensitive information in relation to Item 19 – Creating a Better Place.

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

The meeting started at 6.00 pm and ended at 6.20 pm

This page is intentionally left blank

Present: Councillor Fielding (Chair)
Councillors Chadderton, Chauhan, Jabbar, Mushtaq, 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 THE CABINET MEETING HELD ON 16TH
DECEMBER 2019**

RESOLVED – That the minutes of the Cabinet Meeting held on
16th December 2019 be approved as a correct record.

6 **CREATING A BETTER PLACE**

Consideration was given to a report of the Deputy Chief Executive which sought approval of a comprehensive vision and strategic framework for the Borough, 'Creating a Better Place'. The report provided details of the 'Creating a Better Place' vision which consisted of building more homes for residents, creating new jobs through Town Centre regeneration and ensuring Oldham was a great place to visit with lots of family friendly and accessible places to go.

At a strategic level, work had been undertaken over the last eighteen months including the revised Town Centre Vision, the Housing Strategy and a review of the Medium Term Property Strategy to provide an approach for the Council to support inclusive growth, thriving communities and the co-operative agenda.

Delivery of the ambitious programmes of work within 'Creating a Better Place' required efficient and effective systems and processes in place. Significant work had already taken place during 2019 to ensure the right resources were in place for robust, fit for purpose governance and effective delivery. Changes to the Council's Land and Property Protocols were also proposed to further strengthen governance.

Members were advised that funding for development and delivery of the programme would be in alignment with the Cabinet decision taken in December 2019 in support of the holistic programme to *Creating a Better Place* and in alignment with the Capital Strategy being proposed to Budget Council. Members noted that this was an enormous plan that was very exciting, with investment across the Borough. It was intended

that social value would be maximised, with 1000 new jobs and 100 apprenticeships, to skill up the people of Oldham for their future lives. This was a huge investment, using the Council's own capital and all projects would be subject to detailed due diligence before approval. The projects would also deliver income that could be used to improve other services. The projects would encourage young people to stay in Oldham and provide safe, warm, affordable homes that met their needs. The 2000 homes in the town centre would help make the Council's "Brownfield First" strategy a reality. These were financially sound initiatives that would deliver the Council's vision across the Borough.

Members asked that their thanks be passed to all the officers whose hard work had enabled this project to come forward.

Options/Alternatives considered:

The options/alternatives considered were set out in the report in the restricted part of the agenda.

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

7

GEOGRAPHICAL ALIGNMENT ACROSS PUBLIC SERVICES AT POPULATIONS OF 30-55,000

Consideration was given to a report of the Strategic Director of Reform which sought approval of 5 geographical footprints at populations of 30,000-50,000 that would align with key public services in the Borough including Primary Care Networks, Adult Health and Social Care Community providers, neighbourhoods police beats and housing management areas.

This meant that the full workforce, capacity, leadership and resources of all our public services did not align which ultimately limited the ability for public services to work in an integrated way to improve the lives of people and communities in the borough. This would ultimately lead to more responsive public services and prevent unnecessary demand being placed on public services in the long term.

This report asked the Cabinet to agree a preferred option for 5 geographical footprints at populations of 30-55,000 across the borough.

These 5 footprints would align the geographical footprints of Council Districts with that of key public services in the borough including Primary Care Networks (GPs), Adult Health and Social Care Community Providers, neighbourhoods police beats and housing management areas.

Members noted that, following approval by Cabinet, a report would be submitted to Full Council seeking an amendment to Article 10 of the Constitution to implement the introduction of 5 geographical footprints on which public services can work in a unified way.

Options/Alternatives considered:

Option 1 – Do not seek Geographical alignment.

Option 2 – Geographical alignment on 7 or 6 footprints.

Option 3 – Geographical alignment on 5 footprints close to primary care networks but using wards as building blocks as detailed within the report.

RESOLVED – That:

1. The geographical alignment on 5 footprints close to Primary Care Networks, using wards as building blocks as detailed within the report be approved.
2. A report be submitted to Full Council in March 2020 to amend Article 10 of the Constitution to reflect the geographical alignment changes in the Borough.

8

LOCAL DEVELOPMENT SCHEME UPDATE

Consideration was given to a report of the Deputy Chief Executive which sought approval of the updated the Council's Local Development Scheme (LDS) 2020.

The Council was required to prepare a Local Plan to ensure that the Borough had an up to date and comprehensive planning framework to support the Borough's economic, environmental and social objectives. The LDS was the project plan for the Local Plan which set out details and timetables in relation to the planning documents the Council would prepare including Oldham's Local Plan and incorporating site allocations and Greater Manchester's Plan for Homes, Jobs and the Environment. The update, (issue 10) would be effective from 28th January 2020 if Cabinet approved the document.

The timetable set out at paragraph 2.7 of the report linked with that for the Greater Manchester Spatial Framework.

Options/Alternatives considered:

Option 1 – To update and publish the LDS.

Option 2 – Not to update and publish the LDS.

RESOLVED – That:

The revisions to the Local Development Scheme be approved and published with effect from 28th January 2020.

9

GREATER MANCHESTER'S CLEAN AIR PLAN - TACKLING NITROGEN DIOXIDE EXCEEDANCES AT THE ROADSIDE - UPDATE

Consideration was given to a report of the Director of Environmental Services which provided Members with details of the progress that had been made following the Government's response to Greater Manchester's Outline Business Case to tackle Nitrogen Dioxide Exceedances at the Roadside and the implications for the 10 Greater Manchester Local Authority in relation to the schedule of work and statutory consultation on the Clean Air Plan.

Following Ministerial feedback and the 2019 Ministerial Direction the Greater Manchester Authorities sought clarification on the 2019 Ministerial direction and the accompanying letter, questioning the Government's lack of assurances around financial support for the broader Greater Manchester Clean Air Plan, outlined Greater Manchester's approach to the requests for further option analysis and detailed the issues Greater

Manchester faced in preparing to implement the scheme in terms of the timetable for the Full Business Case and statutory consultation.

In the interests of the ongoing working relationship between the 10 Greater Manchester Authorities and the Government's Joint Air Quality Unit, in developing the Greater Manchester Clean Air Plan, a total of 29 draft technical reports and notes have been issued to the Joint Air Quality Unit and are subject to approval (Detailed in appendix 1 to the report).

The delay of over two months in receiving ministerial feedback on the Outline Business Case, compounded by the request for Greater Manchester to submit further options appraisal information had a material impact on the timetable for the Greater Manchester Clean Air Plan and consultation would now take place later than originally planned and a date could not be confirmed for the commencement of the consultation.

Despite the delay in undertaking the consultation, in view of the Ministerial direction Greater Manchester must continue to proceed towards developing the implementation and contract arrangements of a charging Clean Air Zone in Greater Manchester utilising the initial tranche of funding.

The commencement of a charging Clean Air Zone scheme and other measures were subject to consultation and to the Greater Manchester Authorities receiving the required government funding to enable them to meet the legal limits for nitrogen dioxide concentrations.

Officers would continue to work with the Joint Air Quality Unit to clarify Ministerial direction and Greater Manchester's legal obligations relating to the appraisal process, continue to secure a clear response from Government on the Council's clean vehicle funding asks and continue stakeholder engagement and awareness with groups and the general public, the scope of the Clean Air Plan.

Options/Alternatives considered:

Option 1 – Agree the recommendations as detailed within the report.

Option 2 – Not to agree the recommendations within the report.

RESOLVED – That:

1. The progress to date be noted.
2. The ministerial direction under the Environment Act 1995 (Greater Manchester) Air Quality Direction 2019 which requires all ten of the Greater Manchester local authorities to implement a charging Clean Air Zone Class C across the region be noted.
3. Agree the need to continue to proceed towards developing the implementation and contract arrangements of a charging Clean Air Zone in Greater Manchester utilising the initial tranche of £36m of funding as required by the ministerial direction / feedback;
4. Authority be delegated to the Deputy Chief Executive in consultation with the Cabinet Member for Neighbourhood Services, to determine the preparatory implementation and contract arrangements that need to be undertaken utilising the initial tranche of £36m of funding to deliver

the CAZ and other GM CAP measures, as set out at paragraph 4.11 of the report.

5. The report to determine the timings for commencing the consultation will be received in the Spring of 2020.
6. The outstanding need to secure a clear response from the Government on clean vehicles funding asks be noted.
7. Highways England have not been directed to act in relation to tackling NO₂ exceedances in the same way as the Greater Manchester local authorities, and that this would leave some publicly accessible areas of GM adjacent to trunk roads managed by Highways England, with NO₂ exceedances that were not being addressed by the Highways England plan.
8. Authority be delegated to the Deputy Chief Executive, in consultation with the Cabinet Member for Neighbourhood Services, to agree the final content and submission of the documents listed in Appendix One for formal submission to Joint Air Quality Unit and note their publication status.
9. Authority be delegated to the Deputy Chief Executive in consultation with the Cabinet Member for Neighbourhood Services, to determine any further technical reports for formal submission to Joint Air Quality Unit.
10. The Cabinet Member for Neighbourhood Services would co-sign a letter from the Greater Manchester Authorities to the Transport Secretary asking them to bring forward the launch of a statutory consultation to strengthen rules on vehicle idling.

10

ROYTON TOWN HALL - SELECTION OF CONTRACTOR

Consideration was given to a report of the Director of Economy which sought approval of the progress of Royton Town Hall and Library into the next phase of contractor procurement.

The report provided details of the previously approved £2.9m of funding to deliver the refurbishment of Royton Town Hall and Library and a detailed design had been drawn up and a cost plan finalised meaning the Council would be able to tender the works.

As the cost of the works was over the threshold for a delegated decision, given the timescales of the project, approval was sought to delegate the procurement and award of the contract to the Director of Economy in consultation with the relevant Cabinet Member, S.151 officer and the monitoring officer.

Options/Alternatives considered:

Option 1 – To agree that delegation be given to the Director of Economy to procure, negotiate and award the contract.

Option 2 – Not to agree delegation be given to the Director of Economy to procure, negotiate and award the contract.

RESOLVED – That authority be delegated to the Director of Economy, in consultation with the Cabinet Member for Economy and Enterprise, the Cabinet Member for Finance, the Director of Legal Services and the Director of Finance to procure, negotiate, re-negotiate award and execute a main contractor for the works.

DISPOSAL OF LAND AT BLACKSHAW LANE, ROYTON

Consideration was given to a report of the Deputy Chief Executive, which sought approval to dispose of the Freehold Interest of land at Blackshaw Lane, Royton (Asset No: L02076). The land, shown edged red at appendix 1 to report had been designated as Phase 1 Housing allocation in the Joint Core strategy and Development Management Policies, Development Plan documents adopted in November 2011.

It was proposed to put the site back onto the open market and an outline planning application had been resubmitted. If this was approved, the land would be marketed with the benefit of any such consent.

Options/Alternatives considered:

Option 1 – Retain the land.

Option 2 – To dispose of the land on either a conditional or unconditional tender basis. As part of this option, authority to approve the preferred tender was recommended to be delegated to the Deputy Chief Executive in consultation with relevant Portfolio holder for Economy and Enterprise.

The tender would be based on the following:

- Freehold sale
- A 'Buy back' option with a deadline included if the site had not been developed within 3 years
- Payment of the Councils professional fees.
- A non-refundable deposit of 10% payable at the point of exchange of contracts which was to occur within six weeks of acceptance of the preferred tenderer's offer.

In the event the tender exercise was not successful due to a change in terms by the developer, officers can with the approval of the Deputy Chief Executive in consultation with the portfolio holder for Economy and Enterprise withdraw from negotiations and then re-tender the site or enter the site into the next available auction.

Option 3 – To dispose of the land at auction to be approved by the Director of Economy. The recommended terms of sale were:

- Freehold sale
- A 'Buy back' option with a deadline included if the site had not been developed within 3 years
- Payment of the Councils professional fees.

RESOLVED – That the Cabinet would consider the commercially sensitive information contained at Item 16 before making a decision.

DISPOSAL OF LAND AT WARD LANE DIGGLE

Consideration was given to a report of the Deputy Chief Executive which sought approval to extend the existing authority to dispose of land of Ward Lane Diggle and to include the Council's freehold interest in the disposal of the asset.

Following unsuccessful attempts to dispose of the asset, the report recommended a revised strategy for the sale of Ward Lane Diggle and to put the site back onto the open market on

the basis of a freehold disposal subject to, where possible appropriate safeguards to ensure that development proceeded.

Options/Alternatives considered:

Option 1 – Retain the land.

Option 2 – To dispose of the land on either a conditional or unconditional tender basis. As part of this option, authority to approve the preferred tender was recommended to be delegated to the Deputy Chief Executive in consultation with relevant Portfolio holder for Economy and Enterprise.

The tender would be based on the following:

- Freehold sale
- A 'Buy back' option with a deadline included if the site had not been developed within 3 years
- Payment of the Councils professional fees.
- A non-refundable deposit of 10% payable at the point of exchange of contracts which was to occur within six weeks of acceptance of the preferred tenderer's offer.

In the event the tender exercise was not successful due to a change in terms by the developer, officers can with the approval of the Deputy Chief Executive in consultation with the portfolio holder for Economy and Enterprise withdraw from negotiations and then re-tender the site or enter the site into the next available auction.

Option 3 – To dispose of the land at auction to be approved by the Director of Economy. The recommended terms of sale were:

- Freehold sale
- A 'Buy back' option with a deadline included if the site had not been developed within 3 years
- Payment of the Councils professional fees.

RESOLVED – That the Cabinet would consider the commercially sensitive information contained at Item 17 of the agenda before making a decision.

13

PFI - BLESSED JOHN HENRY NEWMAN COLLEGE HEATING IMPROVEMENTS

Consideration was given to a report of the Deputy Chief Executive which sought to update the Cabinet on the preferred option for implementing improvements to the heating system at the Blessed John Henry Newman College.

On 15 December 2010 a contract was agreed between Oldham Council and Oldham BSF Limited (PFI Contractor) to construct Blessed John Henry Newman College. Oldham BSF Limited (then owned by Balfour Beattie) completed construction in September 2012.

In 2016 Balfour Beattie sold its majority shareholding in Oldham BSF Limited to an investment fund within the Amber Infrastructure Group. Since the school opened in 2012, the day to day operational management of the school has been undertaken by Engie Limited (the Facilities Management subcontractor).

Following practical completion of the School in 2012, several building defects became apparent including:

- Issues with the heating system,

- Roof leaks in the atrium area,
- Inability to control temperatures in certain rooms due to a variety of factors.

Between 2015-2017, works have taken place to improve the heating system.

In late-2017, Oldham BSF Limited committed to undertake and finance remedial works to improve the heating system across the School.

In April 2019 the Council was informed that Oldham BSF Limited was no longer prepared to finance the works until the outcome of an adjudication with its subcontractors was known. The adjudication process was intended to establish liability for the rectification works.

At this time, the adjudicator's decision had been repeatedly delayed from summer 2019 to January 2020. The remedy of failing to rectify building defects and other performance shortfalls was by way of deducting monies from the monthly Unitary Charge that the Council paid to the contractor. To date, the Council has levied deductions in respect of the building issues and other service performance shortfalls.

The Council had commissioned an external contractor to carry out a full investigation to assist with implementing improvements to the heating system.

In December 2019 the Council set out its required expectations and actions of the PFI Contractor from January 2020.

The Council confirmed works had been carried out over the Christmas period and it was recognised this was a short-term solution and the longer-term solution required was detailed at Item 18 of the agenda.

Options/Alternatives considered;

Option 1 - Continue to monitor the contract and levy deductions where applicable.

Option 2 - The Council to prepare for implementing improvements to the heating system using its own subcontractor

Option 3 - Issue a formal warning notice to the Contractor with a view to ultimately terminating the contract.

RESOLVED – That the Cabinet would consider the commercially sensitive information contained at Item 18 of the agenda before making a decision.

14

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.

15

CREATING A BETTER PLACE

The Cabinet gave consideration to the commercially sensitive information in relation to Item 6 – Creating a Better Place.

RESOLVED – That:

1. 'Creating a Better Place' as the comprehensive vision and strategic framework for the Borough be approved.
2. The proposed approach to accelerate delivery of new homes, new jobs, enhanced training, places to visit and ensure Oldham was a place for investment be approved.
3. The ambition to deliver 'Creating a Better Place' in ways that contribute to a reduction in carbon in support of the Green New Deal be approved.
4. All further recommendations as outlined within the commercially sensitive report be approved.

16

DISPOSAL OF LAND AT BLACKSHAW LANE, ROYTON

The Cabinet gave consideration to the commercially sensitive information in relation to Item 11 – Disposal of Land at Blackshaw Lane.

RESOLVED – That:

1. Disposal of the Council freehold interest in land at Blackshaw Lane as edged red at appendix 1 to the report via a tender exercise be approved.
2. Authority be given to the Deputy Chief Executive in consultation with the Portfolio holder (Economy and Enterprise) to accept the highest tender received.

17

DISPOSAL OF LAND AT WARD LANE DIGGLE

The Cabinet gave consideration to the commercially sensitive information in relation to Item 12 – Disposal of Land at Ward Lane Diggle.

RESOLVED – That:

1. Disposal of the Council freehold interest in land at Ward Lane Diggle as edged red at appendix 1 to the report via a tender exercise be approved.
2. Authority be given to the Deputy Chief Executive in consultation with the Portfolio holder (Economy and Enterprise) to accept the highest tender received.

18

PFI - BLESSED JOHN HENRY NEWMAN COLLEGE PIPEWORK REPLACEMENT

The Cabinet gave consideration to the commercially sensitive information in relation to Item 13 – PFI- Blessed John Henry Newman College Heating Improvements.

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

The meeting started at 6.00 pm and ended at 6.43 pm

This page is intentionally left blank

Public Document Pack

CABINET
24/02/2020 at 6.00 pm



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

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Chauhan.

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 THE CABINET MEETING HELD ON 10TH
FEBRUARY 2020**

RESOLVED – That the minutes of the Cabinet Meeting held on
10th February 2020 be approved as a correct record.

6 **MERIDIAN DEVELOPMENT COMPANY: LAND AND
PROPERTY AT MERIDIAN CENTRE AND CROSSBANK
STREET, PRIMROSE BANK [WERNETH]**

The Cabinet gave consideration to a report of the Director of
Economy which provided information relating to a Council-
owned joint venture and its landholding in and around
Crossbank Street, Primrose Bank.

Members were informed that, in 1995, the Council had set up
the Meridian Development Company with private sector partners
Interurban Limited. In setting up the joint venture, the Council
had acquired an interest in the Meridian Business Centre and
used the company to develop Saddleworth Business Centre,
which was completed in 1998 using European Regional
Development Funding. The joint venture was established in
such a way that the agreement of all shareholders was required
in order to facilitate any changes to the company structure.

A second company had been set up in 2001, to facilitate the
development of second phase of the Albert Mill site. The second
company was needed as one of the shareholders in the original
company had died and his descendants did not want to
participate in developing Phase 2 of the site. The shareholding
in the new company was split between the Council and the two
private shareholders. The two private sector partners were now
keen to retire and sell their shares.

The Council had procured a valuation of the Company assets
and, due to their increasing years and the need to remove
themselves from the Company and retire, the private sector
shareholders had suggested that they would be prepared to
consider a sale at the values identified in the independent
valuation report.

Options/Alternatives considered:

Option 1 - Do Nothing

Option 2 - Offer the opportunity for sale on the open market
Option 3 - Proceed to acquire the assets held by the company based on the recently secured valuation.

RESOLVED – That the Cabinet would consider the commercially sensitive information contained at Item 13 of the agenda before making a decision.

7 **FITTON HILL- SELECTION OF DEVELOPER PARTNER**

The Cabinet was informed that further information had been received which required consideration.

RESOLVED - That this Item be deferred to a later meeting.

8 **PRIMROSE BANK ACQUISITION, WERNETH**

The Cabinet gave consideration to a report of the Director of Economy which sought approval of the purchase of 19 x five-bedroom homes currently being built at Primrose Bank.

The Cabinet noted that 'Creating a Better Place' incorporated significant programmes of work that had been progressed over the past eighteen months in order to set out a comprehensive vision and strategic framework for the borough. These included the:

- Updated vision for Oldham Town Centre;
- Housing Strategy 2019; and
- Updated Medium Term Property Strategy.

Creating a Better Place focused on building more homes for Oldham residents, creating new jobs through town centre regeneration, and ensuring Oldham was a great place to visit with lots of family-friendly and accessible places to go.

The proposed acquisition was in accordance with the strategic framework to Create a Better Place approved by Cabinet in January 2020 and was in accordance with the Housing Strategy adopted in 2019.

The Cabinet was informed that there was a severe shortage of four and five-bedroomed properties for rent in the Borough and that these properties would ensure that 19 families were re-housed into decent and affordable homes.

The Cabinet also noted that these properties would be very energy-efficient and would be powered by renewable energy in a unique project which enabled Oldham to lead on the delivering the green agenda.

Options/Alternatives considered:

Option 1 - complete the purchase using S106 Contributions.

Option 2 - complete purchase not using S106 Contributions.

Option 3 - Do not complete the purchase.

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

9 **OCCUPATIONAL HEALTH AND ASSOCIATED SERVICES CONTRACT**

Consideration was given to a report of the Strategic Director of Communities and Reform which sought approval for the

Council's re-contracting of Occupational Health and associated services from 1 April 2020, as part of a Greater Manchester (GM) Human Resources collaboration.

The Cabinet was informed that the Council currently used Occupational Health, Physiotherapy and Employee Assistance (including Counselling) services in order to support employees, meet statutory obligations and help reduce sickness absence. These services were presently delivered, through contract, by Health Management Limited. The Occupational Health element was delivered directly via the supplier, Physiotherapy and the Employee Assistance Programme (EAP) were subcontracted. The contract was a collaborative one entered into by Bolton, Oldham, Rochdale, Stockport, Tameside, TfGM, Trafford and Wigan Councils and the current arrangement terminated on the 31st March 2020.

In 2019 the collaborative group reviewed the current contract arrangements and, having considered the ever-challenging Occupational Health market and the requirement to provide these proactive services to the workforce, it was agreed to retender as a group. Bury and Salford Councils had joined the collaborative group for the procurement of the Employee Assistance Programme element of the contract. Following advice from the GM Procurement Hub, it was agreed that the group would use the existing Crown Commercial Services Occupational Health Services Framework.

This was based on:

- All organisations having an outsourced service
- The majority of service requirements being the same
- A shared view that services provided by the current provider can be inconsistent in quality
- Bury's EAP arrangements expiring at the end of March 2020 and Salford not currently having EAP provision.

Collaboration with other Authorities provided the Council with the following advantages:

- A more cost-effective Occupational Health Service delivered through greater economies of scale achieved by the successful supplier, and
- A forum through which benchmarking, the sharing of practice and contract management continued to be made more effective.

Supplier selection had taken place between the 6th November 2019 and 6th December 2019, with all collaborating bodies agreeing the outcome of the selection process. Selection included assessment of questions asked via the mini-competition process and extensive clarification responses. The outcome identified Optima Health Ltd as the selected provider for Occupational Health and Physiotherapy, and People Asset Management Ltd for the delivery of the Employee Assistance Programme.

Options/Alternatives considered:

Option 1 - Do nothing

Option 2 - run a separate procurement process independently

Option 3 - award the contract to the preferred suppliers as outlined above.

RESOLVED – That the Cabinet would consider the commercially sensitive information contained at Item 16 of the agenda before making a decision.

10

GROUND'S MAINTENANCE REPLACEMENT VEHICLE FLEET

Members gave consideration to a report of the Deputy Chief Executive which sought approval to purchase 17 Grounds Maintenance vehicles. A mini competition had been held via the TPPL framework for the Vehicles.

The Cabinet was informed that the Council's Grounds Maintenance Service required a fleet of 17 double cab tipper vehicles to ensure efficient and effective working methods across the Borough. After exploring the options available, the service was seeking approval to purchase the new vehicle fleet through the procurement framework.

The Cabinet was informed that the current fleet had already passed its end life of 7 years. After this point the cost of maintaining and repairing vehicles generally exceeded the borrowing costs of a new vehicle fleet. The Service used double cab tippers to enable the teams to get around the Borough as a group, without the need for extra vehicles.

There was a commitment to replace the fleet with compliant vehicles to ensure that the air quality strategy was fully supported. An electric option for this style of vehicle was largely untested, with availability and costs still major factors. Each those vehicles showed a cost of £80,000 as against the procured cost proposed of £27,322. The replacement vehicles would be euro 6 diesel engines and therefore deemed fully compliant.

Options/Alternatives considered:

Option 1 - purchase 17 new Grounds Maintenance vehicles via the TPPL Framework as approved in the Fleet Management Replacement Programme.

Option 2 - not purchase the new vehicles.

RESOLVED – That the Cabinet would consider the commercially sensitive information contained at Item 17 of the agenda before making a decision.

11

COUNCIL PERFORMANCE REPORT DECEMBER 2019

The Cabinet gave consideration to a report of the Head of Strategy and Performance which provided a review of Council performance to December 2019.

The report provided the Cabinet with an overview of the Council's performance against priorities outlined within the Corporate Plan, which had been monitored in the period October to December 2019.

Options/Alternatives considered:-

To note the Council performance October to December 2019.

RESOLVED – That the Council Performance Report December 2019 be noted.

12

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 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.

13 **MERIDIAN DEVELOPMENT COMPANY: LAND AND PROPERTY AT MERIDIAN CENTRE AND CROSSBANK STREET, PRIMROSE BANK [WERNETH]**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 6 – Meridian Development Company: Land and Property at Meridian Centre and Crossbank Street, Primrose Bank [Werneth].

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

14 **FITTON HILL- SELECTION OF DEVELOPER PARTNER**

The Cabinet was informed that further information had been received which required consideration.

RESOLVED - That this Item be deferred to a later meeting.

15 **PRIMROSE BANK ACQUISITION, WERNETH**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 8 – Primrose Bank Acquisition, Werneth.

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

16 **OCCUPATIONAL HEALTH AND ASSOCIATED SERVICES CONTRACT**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 9 – Occupational Health and Associated Services Contract.

RESOLVED – That all recommendations as set out within the commercially sensitive report be approved.

17 **GROUND'S MAINTENANCE REPLACEMENT VEHICLE FLEET**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 10 – Grounds Maintenance Replacement Vehicle Fleet.

RESOLVED – That all recommendations as set out within the commercially sensitive report be approved.

This page is intentionally left blank

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

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Chadderton, Mushtaq and Roberts.

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 THE CABINET MEETING HELD ON 24TH FEBRUARY 2020**

RESOLVED – That the minutes of the Cabinet Meeting held on 24th February 2020 be approved as a correct record.

6 **NORTHERN ROOTS PROJECT**

Consideration was given to a report of the Strategic Director of Communities and Reform which sought approval for the activation of the Northern Roots (Oldham) Limited Charitable Company and nomination of Directors to the board of the Company.

In January 2019 Cabinet had approved both the capital investment for the redevelopment of the Alexandra Park depot into an Eco-Centre (Northern Roots phase 1), and the allocation of two-years' revenue funding to enable the further development of the wider Northern Roots project, including issues of planning, branding, project delivery and community engagement.

The Cabinet was informed that both projects were proceeding well through feasibility, in close coordination with each other. The design team for the Eco-Centre project had been appointed, designs were under development and a planning application would be submitted shortly.

The report provided an update on progress in developing the wider Northern Roots project. The main purpose of the report was to seek approval for specific steps necessary to establish the governance of Northern Roots so that the project was able to accept offers of external funding. The aspiration was that charitable funders and social investors would provide funds both to complement the current Northern Roots revenue budget for the inception

phase, and for the ultimate capital development of the Snipe Clough site. Such funders required Northern Roots to be incorporated as an independent charity to become eligible to receive their funds.

Options/Alternatives considered:

Option 1 - Retain the management and delivery of the Northern Roots project within Oldham Council. Do not set up the Northern Roots project company.

Option 2 - Establish the Northern Roots company as a wholly owned and controlled Council Company.

Option 3 - Activate the Northern Roots company as a Charitable Company, Limited by Guarantee. Register the company with the Charity Commission so that it is eligible to receive charitable funding.

It was recommended that Cabinet:

1. Approve the activation of Northern Roots Oldham Limited as a charitable company limited by guarantee with a board of Directors
2. Delegate authority to the Director of Communities and Reform to appoint further Directors to the Board, with ratification by the Board.

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

7

OLDHAM GREEN NEW DEAL STRATEGY

Consideration was given to a report of the Strategic Director of Communities and Reform which sought approval of the Oldham Green New Deal Strategy for adoption by the Council.

At full Council in July 2019, the Council announced its intention to develop an “Oldham Green New Deal Strategy” to replace the Climate Change Strategy 2013-2020. At the same meeting, a new carbon neutrality target was declared for the Council as an organisation by 2025. The Oldham Green New Deal approach reflected the national Labour Party Green New Deal target in setting a target for carbon neutrality by 2030 for the borough. These commitments were in the wider context of the Greater Manchester Combined Authority (GMCA) target for carbon neutrality for the city region by 2038, with a programme of delivery set out in the GMCA five-year Environment Plan.

These targets were extremely challenging and would require a step change in activity in Oldham and across the rest of GMCA. Success would also depend on the national policy landscape for this area, set by central government.

The Cabinet was informed that there may be a significant opportunity to harness Oldham’s potential to be a major player in the key growth Green Technology and Services economic sector. Oldham had the assets that could potentially make this a success – a solid engineering base, connectivity and proximity to Manchester, high-quality green infrastructure and a strong

tourism offer, as well as affordable residential and business premises.



Oldham's five-year Green New Deal Strategy focused on how investment in projects and programmes to meet these targets could generate economic and social value for Oldham residents and businesses, as well as the Council and its strategic partners, whilst cementing Oldham's reputation a destination for green business and tourism.

The programme of delivery aimed to harness investment from the Council and the public, private and community sectors to create a thriving local economy which delivered both environmental excellence (and hence quality of life) and a rising standard of living in the borough.

The Green New Deal approach brought opportunities both for Oldham to lead the way, as it had done in several areas over the past few years, and also gain extra capacity and economies of scale by taking advantage of GMCA-level initiatives and external funding streams to secure extra capacity to deliver the Oldham Green New Deal programme.

Options/Alternatives considered:

Option 1: Agree the Oldham Green New Deal Strategy.

Option 2: Do not agree the draft Oldham Green New Deal Strategy.

RESOLVED – That:

1. The challenge and ambition of the two new carbon neutrality targets for 2025 and 2030 be noted.
2. The Oldham Green New Deal Strategy be recommended to the Council for adoption.
3. The Oldham Green New Deal programme of delivery to be developed over the coming months, with workshops for individual service areas and engagement with Cabinet Members, managers and officers be noted.

8

REVENUE MONITOR AND CAPITAL INVESTMENT PROGRAMME 2019/20 MONTH 9 – DECEMBER 2019

The Cabinet gave consideration to a report of the Director of Finance which provided an update on the Council's 2019/20 forecast revenue budget position at Annex 1. It also advised, at section 2 of Annex 2, of the financial position of the capital programme as at 31 December 2019 (month 9) together with the revised Capital Programme covering the period 2019/20 to 2024/25 reflecting the approval of the updated capital programme by Council on 26 February 2020.

Revenue Position

The current forecast outturn position for 2019/20 was a projected favourable variance of £0.065m compared to an adverse variance of £1.367m at month 8. This was after allowing for approved and pending transfers to and from reserves.

Continuing to be the most significant areas of concern were the People and Place, Children's Services and Community Services & Adult Social Care portfolios. Management action had been taken and would continue up to the end of the financial year to address variances and take mitigating action as detailed in the report.

The overall corporate position was, to a large extent being managed by offsetting the adverse variances with favourable variances, most noticeably from Capital, Treasury and Corporate Accounting budgets. An update on the major issues driving the projections was set out in Annex 1, paragraphs 2.13.1 to 2.13.54.

Management action had continued across all service areas to review and challenge planned expenditure and to maximise income generation. Whilst progress had been made there were some underlying on-going challenges. Cabinet noted that the approved 2020/21 budget had been prepared so that issues identified by the 2019/20 budget monitoring process had, where necessary, been addressed. This, together with continuation of management action and the implementation of new ways of working arising from the transformation programme, was expected to reduce the level of overall in-year variance in 2020/21.

Information on the month 9 position of the Dedicated Schools Grant (DSG), Housing Revenue Account (HRA) and Collection Fund was outlined in the report. There were currently no significant issues of concern in relation to the HRA, however the Collection Fund, whilst forecasting an in-year deficit of £0.127m, remained in a cumulative surplus position. The DSG continued to be an area which was facing financial challenge, with a projected deficit increase in 2019/20. Action was being taken with the aim of reducing the cumulative deficit and bringing the DSG towards a balanced position.

Capital Position

The report outlined the most up to date capital spending position for 2019/20 as at 31 December 2019 (month 9) having regard to new developments and changes expected before the year end. The revised Capital Programme budget was £52.048m, a net decrease of £32.284m from the original budget of £84.332m. Actual expenditure to 31 December 2019 was £41.685m (80.09% of forecast outturn). It was probable that the forecast position would continue to change before the year end with additional re-profiling into future years.

The Capital Programme projections for years beyond 2019/20 reflected the Capital Strategy and Capital programme approved at Budget Council on 26 February 2020. This extended the capital planning period to 2024/25 and included a significant increase in forecast spending arising from the Creating a Better Place strategy.

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 included in the report.
Option 3 - Not to approve any of the forecasts and changes included in the report.

RESOLVED – That:

1. The forecast revenue outturn for 2019/20 at month 9 being a £0.065m underspend be approved.
2. The forecast positions for the DSG, HRA and Collection Fund be approved.
3. The use of reserves as detailed in Appendix 1 to Annex 1 be approved.
4. The revised Capital Programme as at month 9 for 2019/20 and the projections for the period 2020/20 to 2024/25 be approved.

9

LOCAL TAXATION AND BENEFITS DISCRETIONARY POLICIES 2020/21

Consideration was given to a report of the Director of Finance which sought approval for a number of amended Local Taxation and Benefits Discretionary Policies for 2020/21.

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

- Speeding up the timeline for the decision making for Exceptional Hardship payments
- Setting out of the process for considering requests for the removal of the Empty Property Premium.

The Discretionary Business Rate Relief Policy

- 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 for the final year of the scheme.
- An adjustment to the process for approving applications for Discretionary Rate Relief
- Incorporation of and expanded list of additional discounts and reliefs for the 2020/21 financial year that Central Government has introduced.

The Cabinet was informed that the Local Welfare Provision (LWP) and Discretionary Housing Payments (DHP) policies had also been subject to an annual review. No proposals for changing the policy had been identified for 2020/21.

It was noted that, due to the coronavirus, there was a rapidly-changing range of Government policy revisions. Government guidance on the allocation of funds to support to support Council

Tax payers suffering financial hardship and businesses had not yet been received and policies may be required to be created. The amendment of discretionary policies or the creation of new policies may be required. Action around these would be taken under delegation to the Cabinet Member for Finance and Corporate Services and the Director of Finance.

RESOLVED - That :

1. The amendments to the Discretionary Council Tax Discounts Policy and the Discretionary Business Rates Relief Policy summarised at Section 2 of the report be approved.
2. The Local Taxation and Benefits' Discretionary Policies for the 2020/21 financial year as presented at Appendices 1 to 4 be approved.
3. The delegation to the Cabinet Member for Finance and Corporate Services and the Director of Finance to amend policies or create new ones to align to revisions to Government guidance or new Government guidance or local circumstances be approved.

10

CHARGING ORDER AND INSOLVENCY POLICY

Consideration was given to a report which sought approval for an updated Charging Order and Insolvency Policy.

The report set out an updated policy for the use of Charging Orders and Insolvency to recover unpaid Council Tax, Business Rates (also known as Non-Domestic Rates), Housing Benefit Overpayments and Sundry Debt.

The report advised of:

- Legislative changes
- Details of the process for enforced sale
- Details of the process for determining the vulnerability of the debtor prior to taking action.

Members noted that all cases considered for Charging Order and/or Insolvency Action were subject to approval by the Debt Recovery Panel. This was a cross-service Council panel who considered and approved enforcement action for proposed cases for Insolvency, Charging Order and Enforced Sale and consisted of representatives from The Unity Partnership Ltd, Corporate Governance, Legal, and Finance.

Any action taken to enforce sale to collect debt would be recommended by the Debt Recovery Panel and agreed with the Cabinet Member for Finance and Corporate Services before proceedings were begun. The proposed policy detailed the updated procedure for Enforced Sale.

The Cabinet was informed that the enforcement actions set out in the report would only apply to a small number of cases overall. The Council's overarching approach to debt recovery was to encourage early payment and engagement with the debtor. It was only in cases where this approach failed and the

debtor had the means to pay, that the Council would enforce payment of the debt.

Options/Alternatives considered:

Option 1 - Do nothing

Option 2 – Approve the Charging Order and Insolvency Policy

RESOLVED – That the updated Charging Order and Insolvency Policy be approved.

11

FITTON HILL- SELECTION OF DEVELOPER PARTNER

Consideration was given to a report of the Director of Economy which reported the outcome of the selection process for a developer partner for vacant land at Fitton Hill and recommended the selection of Bidder A as the preferred developer to work in partnership with Oldham Council and ForViva.

‘Creating a Better Place’ incorporated significant programmes of work that had been progressed over the past eighteen months, in order to set out a comprehensive vision and strategic framework for the borough. These included the:

- Updated vision for Oldham Town Centre;
- Housing Strategy 2019; and
- Updated Medium Term Property Strategy.

‘Creating a Better Place’ focused on building more homes for Oldham residents, creating new jobs through town centre regeneration, and ensuring Oldham was a great place to visit, with lots of family-friendly and accessible places to go.

The proposed development is in accordance with the strategic framework to *Create a Better Place* approved by Cabinet in January 2020 and was also in accordance with the Housing Strategy adopted in 2019.

Options/Alternatives considered:

Option 1 – Appoint Bidder A to develop the site as proposed within their bid.

Option 2 - Do not appoint.

Option 3 – Do nothing.

Option 4 – Appoint Bidder B or Bidder C.

The Cabinet was asked to consider the following recommendations:

1. A contract be awarded to Bidder A as the preferred bidder for the development of Fitton Hill.
2. That the finalisation of the legal documentation be delegated to the Leader of the Council in consultation with the Director of Economy and Skills, and the Director of Legal Services or his nominated representative to be authorised to seal the development agreement and any incidental and ancillary documentation referred to in this report and/or required to give effect to the recommendations in this report.
3. The land be sold on a freehold basis.

4. The partnership with ForViva, who also own vacant land in the area that will jointly be developed at the same time, be supported.

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

12

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 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.

13

CREATING A BETTER PLACE 2

The Cabinet gave consideration to the commercially sensitive information in relation to Item 13 – Creating a Better Place 2.

RESOLVED – That all the recommendations set out in the report be agreed.

14

NORTHERN ROOTS PROJECT

The Cabinet gave consideration to the commercially sensitive information in relation to Item 6 – Northern Roots Project.

RESOLVED – That:

1. The activation of Northern Roots Oldham Limited as a charitable company limited by guarantee with a board of Directors be approved.
2. Authority be delegated to the Director of Communities and Reform to appoint further Directors to the Board, with ratification by the Board.

15

FITTON HILL- SELECTION OF DEVELOPER PARTNER

The Cabinet gave consideration to the commercially sensitive information in relation to Item 11 – Fitton Hill – Selection of Developer Partner.

RESOLVED – That:

1. A contract be awarded to Bidder A as the preferred bidder for the development of Fitton Hill.
2. That the finalisation of the legal documentation be delegated to the Leader of the Council in consultation with the Director of Economy and Skills, and the Director of Legal Services or his nominated representative to be authorised to seal the development agreement and any incidental and ancillary documentation referred to in this report and/or required to give effect to the recommendations in this report.
3. The land be sold on a freehold basis.
4. The partnership with Forviva who also own vacant land in the area that would jointly be developed at the same time, be supported.

The meeting started at 6.00pm and finished at 6.27pm

This page is intentionally left blank

Oldham Leadership Board Minutes

23 January 2020, 10am until 12noon
Crompton Suite, Civic Centre, Oldham

Present:	
Cllr Sean Fielding (Chair)	Leader, Oldham Council
Judith Crosby	Pennine Care
Fran Lautman	Customer Development Manager, Oldham Council
Dominic Whelan	Chief Operating Officer, Unity Partnership
Helen Lockwood	Deputy Chief Executive, Oldham Council
Jeremy Broadbent	Business Leader
Rebekah Sutcliffe	Strategic Director of Communities and Reform, Oldham Council
Liz Windsor-Welsh	Chief Executive, Action Together
Vicky Sugars	Head of Reform, Oldham Council
Majid Hussain	Chair of CCG Governing Body
Dr Carolyn Wilkins, OBE	CEO, Oldham Council and Accountable Officer, Oldham Cares
Matt Drogan	Head of Strategy and Performance, Oldham Council
Simon Jones	Assistant Director Communications, Strategy and Performance, Oldham Council
Stuart Lockwood	CEO, Oldham Community Leisure
Molly Brown	DWP
Cllr Arooj Shah	Deputy Leader
Cllr Zahid Chauhan	Cabinet Member for Health and Social Care
Colette Rose	Supt, Greater Manchester Police
Heather Green	Oldham College
Bren McNery	Peer Review Team
Sarah Reed	Peer Review Team
Richard Kemp	Peer Review Team
Apologies:	
Cllr Jenny Harrison	Chair of the Health and Wellbeing Board
Dr John Patterson	Chief Clinical Officer/Deputy Accountable Officer, Oldham CCG,
Donna McLaughlin	Northern Care Alliance NHS Group
Katrina Stephens	Director of Public Health, Oldham Council
Nicola Frith	Oldham Royal Hospital
Alun Francis	Oldham College
Carole Griffiths	DWP
Vinny Roche	First Choice Homes
Julie Price	DWP
Cllr Abdul Jabbar	Deputy Leader

	Introductions Cllr Sean Fielding welcomed the three members of the LGA Peer Review Team, who were in Oldham from 21st to 24th January, to the meeting. Apologies were noted as above. The meeting was informed that the last hour would be for non-council Members/employees to meet with the Peer Review Team.

1	Minutes and key updates/progress since the meeting in November 2019 Cllr Sean Fielding, Leader of the Council (Chair) The minutes of the meeting were approved as a correct record and verbal updates were provided on the following: (a) The Poverty Truth Commission – Liz Windsor-Welsh, Action Together Liz informed the meeting that: • A selection of Leaders had confirmed their participation and a co-production group has been formed called – <i>Pies the limit</i>. • The commission will be sharing learning across GM • The planning and timeline for the work is still to be confirmed • Developments were outlined • Kings Fund leadership work was raised– connections ACTION: That the update be noted. (b) Local Wealth Building – Vicky Sugars, Head of Reform, Oldham Council Vicky updated as follows: • Various workforce and procurement leads have now met including those from the Council, First Choice Homes and Northern Care • Opportunities to work together within the hospital have been identified • Insight work has started • still to confirm which partner organisations are involved and an action plan • Firm targets and commitments to be agreed ACTION: Agree commitment from each part of the system and bring back to the next Board meeting. (c) Place Based Integration and Reform –Vicky Sugars, Head of Reform, Oldham Council Vicky informed the meeting that a report on the geographical footprint and the new cluster arrangements was being submitted to Cabinet w/c 27th January for approval ACTION: Following the final agreement on geographical alignment, a discussion item on how we progress our place-based model be brought to a future meeting of the Board (d) Review actions from previous meeting: - Corporate plan in the process of being developed, via consultation processes. - Green Strategy is going to Cabinet in February/March ACTION: Detailed report to come back on Green Strategy be brought to new meeting of the board. (e) Update from Carolyn Wilkins, Chief Executive and Accountable Officer Draft CLES will be ready to launch in March 2020.

	ACTION: Circulate revised draft
2	Digital (Presentation and Report) Presented by Dominic Wheelan, Chief Operating Officer Unity Partnership and Fran Lautman, Customer Development Manager, Oldham Council In response to the presentation, feedback was provided by Board Members as follows: <u>Digital linked to Health</u> • No mention of health, activity and wellbeing – need to map into the strategy • Health for Team Oldham – a critical matter which needed to be addressed from a digital perspective • Opportunities to link with Oldham Community Leisure – share information • Need to link to the NHS digital strategy and digital approach in GP surgeries <u>Voluntary Sector</u> • Workforce development – potential to polarise (unintended consequences) • How do we recognize challenges within the voluntary sector? • Potential to work with the Poverty Truth Commission was raised • Use of data and the safeguarding element in relation to data The meeting was informed of a successful bid for GMCA funding around digital inclusion. ACTION: That the presentation and comments made be noted
3	Town Deal Board (Presentation and Report) Presented by Helen Lockwood, Deputy Chief Executive and Managing Director Unity Partnership The following was noted: • Creating a Better Place Report was going to Cabinet on 27th January • The town deal board connects with digital strategy ACTION: That nominations to sit on the Town Centre Board be forwarded to HL
4	Peer Review Session Non-Council Board members met with the Peer Review Team. The remainder of those in attendance left the meeting.
	Date and Time of Next Meeting: Thursday 28 May 2020, 10am until 12noon, Lees Suite, Civic Centre, Oldham

This page is intentionally left blank

**MINUTES OF THE ANNUAL MEETING OF THE POLICE AND CRIME PANEL HELD ON
THURSDAY 14 NOVEMBER 2019 AT THE MECHANICS CENTRE, MANCHESTER**

PRESENT:

Councillor Nadim Muslim	Bolton Council
Councillor Nigel Murphy	Manchester City Council – (In the Chair)
Councillor Steve Williams	Oldham Council
Councillor Janet Emsley	Rochdale Council
Councillor David Lancaster	Salford City Council
Councillor Warren Bray	Tameside Council
Councillor Mike Freeman	Trafford Council
Councillor Kevin Anderson	Wigan Council
Angela Lawrence MBE	Independent Member
Majid Hussain	Independent Member

ALSO PRESENT:

Baroness Beverley Hughes	GM Deputy Mayor

OFFICERS:

Richard Paver	GMCA Treasurer
Jeanette Staley	Salford City Council & GM Police and & Crime Policy Lead
Clare Monaghan	Director Policing, Crime and Fire, GMCA
Gwynne Williams	Deputy Monitoring Officer, GMCA
Steve Annette	GMCA Governance and Scrutiny
Peter Langmead-Jones	Head of External Relations, GMP
Sarah Barnes	Principal Researcher, GMCA
Alison Connelly	Principal (Criminal Justice and Victims), GMCA
Laura Mercer	Principal (Victims and Vulnerability), GMCA
ACC Chris Sykes	GMP

PCP/19/36

APOLOGIES

Apologies were received on behalf of Carolyn Wilkins, Chief Executive, Oldham Council, Councillor Sharon Briggs, Bury Council, Councillor Paula Boshell, Salford City Council, Councillor Amanda Peers, Stockport Council and Alison Gwynne, Tameside Council.

PCP/19/37

CHAIRS ANNOUNCEMENTS AND URGENT BUSINESS

The Chair announced the recent passing of councillor Steve Smith a former Chair of the GM Police Authority and placed on record the Panel's appreciation of his services and extended condolences to his family.

PCP/19/38

INFORMATION SERVICES TRANSFORMATION PROGRAMME (iOPS)

ACC Chris Sykes, GMP provided a verbal update in relation to the Information Services Transformation Programme, in particular the iOPS products. He reported that the OCB's were now back to the position they were prior to the launch of iOPS, and that the data quality was much improved in the OCB with less failings, such as mapping, which had been one of the concerns under the old system. He reported that mobile technology was working well and police officers were now equipped with brand new devices, which provided better information and also reduced the need for officers to return to the police station as often. The focus remained on building confidence across the workforce, but specifically with front line staff on the operation of the new system during the period of transition, including training and understanding on how to get the most out of the system. Staff were finding some things slower and others slower and fine-tuning of the performance system would address those slower elements. The next phase in returning GMP to 'business as usual' would be a clear understanding of what the new norm is for the new operating system which has already demonstrated its capability in terms of the Force's response to specific, demands, for example the recent climate change demonstrations.

A Member sought assurance that (a) crime incidents with positive leads of enquiry were not being closed down as part of the efforts being made to reduce the open crime lists, (b) that incidents involving vulnerability and children were being appropriately actioned and (c) what feedback was available from the recent HMIC visit. In response, ACC Sykes said that there had been no change to GMP's closing down policy since iOPS had gone live. There was a real focus in relation to crimes involving vulnerability and extra resources had been introduced and crime queues were coming down; HMIC had been involved primarily in terms of giving additional reassurance, its report was awaited, and would be brought to a future meeting.

Members enquired whether the level of progress made was in line with planning and if any contract issues had arisen with Capita, and what level of service improvement had been achieved to date. ACC Sykes said that Capita had been fully supportive at every stage and the planned upgrade completed in the preceding week had been on track. The record management system was the area that had set back progress, all the previous data had been saved to the new system but staff still needed to be educated in terms of where and how to

fully access that data, and whilst it was difficult to quantify in percentage terms the level of improvement achieved overall, was estimated that this was in the region of 10% at this stage.

Members emphasised that communications were critical and ACC Sykes fully accepted this indicating that weekly engagement emails went out to every district so that everyone was kept in the loop.

The Deputy Mayor in concluding the discussion reminded members of the imperative that had driven the introduction of these system improvements. Detailed scrutiny of the system as it changes and develops would continue, and in this respect effective channels of communication remained key, especially at district and local level, and she welcomed all the support that had been given by the Districts during the implementation phase.

RESOLVED/-

To note the report and to thank ACC Sykes for his detailed responses to all the issues raised by members.

PCP/19/39 DECLARATIONS OF INTEREST

Members were asked to declare any personal or prejudicial interests in relation to any of the items appearing on the agenda for the present meeting.

Councillor Mike Freeman declared a personal declaration of interest in Item 6 - Police Precept Setting Process and took no part in the discussion and decision making process.

PCP/19/40 MINUTES OF THE POLICE AND CRIME PANEL HELD ON 23 SEPTEMBER 2019

The minutes of the meeting of the Police and Crime Panel held on 23 September 2019 were submitted.

RESOLVED/-

That the minutes of the meeting of the Police and Crime Panel held on 23 September 2019, be approved as a correct record, subject to Councillor Warren Bray, Tameside Council, being included in the list of attendees and Majid Hussain, being deleted from the attendance list

PCP19/41 PERFORMANCE OUTCOMES FRAMEWORK

The GM Deputy Mayor introduced a presentation that described the current position with regards to the Standing Together Outcomes Framework.

She said that this had first been embraced in the Police and Crime Panel's Outcomes Framework around the commitments in that Plan, so that together all our partners could get a view of progress made at both GM level and District Level, and the report now presented is the outcome of the first independent survey. These surveys would continue quarterly and

would provide progress which could be interrogated at GM level and by district breakdown and enable tracking of impacts being made.

Peter Langmead-Jones, GMP and Sarah Barnes, GMCA provided a comprehensive overview of the Standing Together Outcomes Framework, highlighting key outcomes from the survey of 2500 residents across Greater Manchester. The outcome would be published by the end of the month once remaining analysis had been completed.

Members generally welcomed the findings of the survey, they were interested to see the data drilled down to District level to enable hotspots to be identified in crime types such as domestic abuse, which could then focus local responses.

A member questioned how the information presented would find expression in other mainstream neighbourhood policing models and the Deputy Mayor accepted the importance of this being tied into community safety partnerships because that was the point of citizen access. She accepted the need to strengthen links between Neighbourhood Policing and Community Safety Partnerships and to this end had already assigned one of her team to be a direct link with each CSP.

RESOLVED/-

1. That the update be noted.

PCP/19/42

POLICE PRECEPT SETTING PROCESS

Richard Paver, Treasurer GMCA introduced a report which detailed the statutory duties of the Police and Crime Panel in relation to the setting of the police precept. He indicated that the impending Parliamentary General Election presented a central decision making vacuum and that it was likely therefore to be mid-January before the Home Office made any announcements about grant levels for 2020/21; the timetable was therefore very tight and it may require a special meeting of the Panel in the early part of the New Year.

RESOLVED/-

1. To note the statutory duties of the Police and Crime Panel in relation to the setting of the police precept.
2. To note the timetable for the setting of the 2020/21 police precept and that arrangements be made for an additional meeting to take place in mid-January 2020.

PCP/19/43

RICHARD PAVER

On the occasion of his impending retirement, the Chair paid tribute to the support that Richard Paver had given to the work of the Panel, and members wished him well for the future.

The Deputy Mayor introduced the report and then Alison Connelly, Principal (Criminal Justice and Victims), GMCA provided an update on progress against the commitments under priority two of the Standing Together Police and Crime Plan - Reducing Harm and Offending.

She reported that some remarkable progress had been made in this area of work which was underpinned by a multi-agency Justice and Rehabilitation Executive, in particular a Memorandum of Understanding had been agreed with the Ministry of Justice to take forward developments to a new phase, as part of which a strong and successful bid had been made to establish a Head of Probation in Greater Manchester, and an appointment was to be made imminently

Alison Connelly then went through the presentation and answered specific questions on matters of detail. Members, whilst welcoming the news in relation to the Head of Probation for GM, were concerned to establish whether there were any funding or staffing consequences involved. Alison indicated that the Probation Service was nationally funded and that a GM Transition Board of which the Deputy Mayor would be a member would begin work in February, and that would be the forum for the debate about how resources were divided between Greater Manchester and the rest of the North West.

RESOLVED/-

1. That the report and the progress being made be noted.
2. That the establishment of a Head of Probation Office for Greater Manchester and the opportunity that this provides for a strong and coordinated approach to probation services be welcomed.

Consideration was given to a report which highlighted decisions made by the Deputy Mayor in the period from 23 September to 31 October 2019.

RESOLVED/-

1. To note the report.

Members emphasised the importance of maintaining an overview of iOPS at each meeting, until at least the end of the financial year. Reference was made to a previous request for a review of CCTV, and the Panel was reminded that a report had been presented (this would be recirculated) and if there was a wish for a further update this could be brought back.

RESOLVED/-

To note the report.

PCP/19/47

DATES OF FUTURE MEETINGS

Tuesday 28 January 2020

Tuesday 24 March 2020



COMMISSIONING PARTNERSHIP BOARD
28/11/2019 at 1.00 pm

Present: Councillor Hussain (Vice-Chair, in the Chair)
Councillors Chadderton, Fielding and Shah

Ben Galbraith
Dr. Ian Milnes

Chief Finance Officer CCG
(Deputy Chief Clinical Officer CCG)

Also in Attendance:
Carolyn Wilkins OBE
Mike Barker

Chief Executive / Accountable Officer
Strategic Director of Commissioning/Chief
Operating Officer
Strategic Director, Communities and Reform
Director, Adult Social Care
Lay Member for Patient and Public Involvement
Hospital Consultant Representative
Executive Nurse
CCG
Constitutional Services

Rebekah Sutcliffe
Mark Warren
Graham Foulkes
Dr. Mudiur Gopi
Claire Smith
Nikki Boaler
Sian Walter-Browne

1 ELECTION OF CHAIR

RESOLVED that Majid Hussain be elected Chair for the duration of the meeting.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Chauhan, Dr John Patterson, Dr Andrew Vance, Helen Lockwood and Anne Ryans.

3 URGENT BUSINESS

The Chair advised that there was an item of urgent business and it would be considered as the final item of the meeting.

4 DECLARATIONS OF INTEREST

There were no declarations of interest received.

5 PUBLIC QUESTION TIME

There were no public questions received.

6 MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Commissioning Partnership Board held on 31st October 2019 be approved as a correct record.



7

OLDHAM LOCALITY PLAN

The Commissioning Partnership Board gave consideration to a report regarding the Oldham Locality Plan.

The Board was informed that in June 2019, the Greater Manchester Health and Social Care Partnership Executive Board approved a paper on developing the Implementation Plan for the Greater Manchester Health and Social Care Prospectus. This paper had described that the Implementation Plan would include how Greater Manchester intended to deliver on its requirements under the NHS Long Term Plan.

The NHS had published the Long-Term Plan Implementation framework which had required all Integrated Care Systems (ICS's) and Sustainability & Transformation Partnerships (STP's) to publish a strategic plan for their footprint. In the case of Oldham, this was at Greater Manchester level. The GM Health & Social Care Partnership (GMH&SP) requested that all 10 localities refresh their Locality Plans to feed into the GM submission at the end of November. The report brought forward Oldham's refreshed Locality Plan.

The Board noted that the revised Locality Plan also:

- Reaffirmed the outcomes sought to be influenced;
- Described progress against those outcomes since 2016;
- Outlined plans for the local system in terms of integrated neighbourhood delivery and place-based commissioning - particularly in the context of the GM Prospectus's core aim of creating a population health system in Greater Manchester and the approach to public service reform set out in the White Paper.

The report set out the following key areas of the Long Term Plan Implementation Framework:

- Fully Integrated Community-based Care (including Primary Care Networks) Reducing Pressure on Emergency Hospital Services
- Giving people more control over their own health and more personalised care
- Digitally-enabling primary care and outpatient care
- Improving Cancer Outcomes
- Improving Mental Health Services
- Shorter Waits for Planned Care
- More NHS Action on Prevention
- A Strong Start in Life for Children and Young People
- Learning Disability and Autism
- Cardiovascular Disease
- Stroke Care
- Diabetes
- Respiratory Disease
- Genomics

- Giving NHS Staff the Backing they Need
- Delivering digitally-enabled care across the NHS
- Using taxpayers' investment to maximum effect
- Engagement with Staff, Stakeholders and Communities



For each area of the Long Term Plan, a programme lead had co-ordinated an

Oldham system response that included:

- The specific asks of the Long Term Plan and Implementation Framework for that service area or objective;
- An assessment of the extent to which Oldham is already delivering against the area in the LTP - building on the last three years of implementation;
- A translation of the level of resource required to deliver those asks for which fair shares resource is indicated;
- A translation of the level of resource required to deliver those asks for which targeted resource is indicated.

The Board was informed that, to support the Greater Manchester approach to Long Term Plan implementation, localities would need to provide detailed returns on finance and activity covering the period to the end of 2023/24.

Included within the guidance were five key financial tests that all organisations would need to demonstrate adherence to within their plans:

- i. return to, or maintain financial balance
- ii. achieve cash-releasing productivity growth of at least 1.1% per year with the requirement for providers in deficit to deliver an additional cash-releasing productivity benefit of 0.5%.
- iii. reduce growth in demand for care through better integration and prevention
- iv. reduce variation in performance across the health system
- v. make better use of capital investment and its existing assets to drive transformation

As well as undertaking a refresh of the Locality Plan, the opportunity had been taken to contribute to the overarching Greater Manchester response to the Long Term Plan deliverables.

In order to provide the finance, activity and narrative on how GM would address the Long term Plan within the NHSE timescale, GMH&SP would develop a proforma for the response areas to NHSE, that indicated:

- The sections the GM team could fill in because they already knew about current position and plans to meet requirements, (with support of GM leads from localities for cross-cutting themes as needed); and

- The sections each locality needed to provide information on and the date for completion



The Board noted the refreshed Oldham Locality Plan narrative had been broader and deliberately place-focussed in order to help clarify how public services would work together to deliver the intended outcomes. Work would commence immediately on re-developing the governance and delivery programme for the Locality Plan, including strengthening the programme leadership arrangements.

Options/Alternatives Considered

- a) Not to refresh the Locality Plan which technically expires in 2020. Ruled out as provides insufficient direction for the development of the health and care system in Oldham.
- b) Simply refresh the plan in a light touch way. Also ruled out as much of the original Locality Plan is outdated.
- c) Rewrite the Locality Plan to reflect the current position in Oldham

RESOLVED that Oldham's refreshed Locality Plan be approved.

8

GEOGRAPHICAL ALIGNMENT OF PUBLIC SERVICES AT POPULATIONS OF 30-55,000

The Board gave consideration to a report which asked it to endorse the development of 5 geographical footprints at populations of 30-55,000 across the borough. These 5 footprints would align the geographical footprints of key public services including Primary Care Networks, Community Health and Adult Social Care IMDTs (Community Provider), Council Districts, Police beats and Housing management. The Board was asked to endorse the decision and recommend that the respective partner organisations - the Council and CCG and others – seek geographical alignment on 5 common footprints.

The report detailed the preferred option for developing 5 common geographical operational footprints. The Board were informed that place-based, multi-agency integration was key to the transformation and reform of public services and communities both in Oldham and across Greater Manchester. Only by developing a single approach to building resilience, that is informed by insight into what drives demand and shapes behaviour in communities, would the stubborn inequalities that existed within the borough be shifted. Place based integration was not new to Oldham and was not a “project” unrelated to the way mainstream services are delivered. Rather it was the way mainstream services should be delivered across the whole system and in partnership with residents.

The Board noted the forms of multi-agency integration that had already been put in place and the benefits of these. They were informed that the model for place-based integration across the whole system was currently being developed, that would articulate how the mainstream delivery of services would be

fundamentally reshaped by bringing staff together in a common geographic footprint, operating to a shared purpose and working in a holistic way with people and communities.



Members were informed that, without geographical alignment, it was unlikely that the full integration and reform of public services would be progressed, as staff, resources and capacity would not align. The building blocks for Locality Care Organisations and public health management, police beats and district working were at a 30-55,000 footprint. This was the optimum size for services to organise themselves as it was big enough to create economies of scale and small enough to be locally sensitive. Any footprint below this would make it difficult for services to align their capacity and resources to a place-based model. However, more localised and focused approaches could be needed below this footprint and natural communities could be defined at this population size.

Discussions and negotiations had taken place across public services over the past 12 months. This had included engagement with elected members, GPs and colleagues from across the whole system of public services. Following this, 5 geographical footprints appeared to be the most feasible both operationally and financially and this was the current number of health and social care Primary Care Networks (PCNs). To increase the number to more than 5 would have both financial, resource and logistical implications as staff and assets were already co-located on this footprint. However, whilst 5 footprints were the most operationally sound, there was agreement that the current PCN boundaries were not sustainable and that any new arrangements should use ward boundaries as the legitimate building blocks for service footprints.

Via the Oldham Leadership Board, the Clinical Commissioning Group, Greater Manchester Police and First Choice Homes, along with other key Oldham partner agencies had agreed to change and amend their existing boundaries to align to the same geographies. This would enable the full integration of services at this footprint, as it was expected other agencies would follow-suit.

Options/Alternatives Considered

- a) Not to endorse geographical alignment across public services at 30-55,000 populations.
- b) Not to endorse geographical alignment on 5 common geographical footprints (but ask to recommend 6 or 7 footprints).
- c) To endorse geographical alignment on 5 footprints, close to PCNs but using wards as building blocks and the preferred option.

RESOLVED that geographical alignment on 5 footprints, close to PCNs but using wards as building blocks and the preferred option for doing this be endorsed.

S.75 BUDGET MONITORING REPORT - MONTH 6



Urgent BusinessThe Board gave consideration to a report which asked them to consider the 2019/20 Oldham Cares Section 75 pooled budget monitoring position as at month 6.

The report set out the 2019/20 Oldham Cares Section 75 (S75) pooled budget monitoring position as at month 6. It showed a budget of £148.92m and a year-end forecast of £152.18m, producing an adverse variance of £3.26m. Most of this variance related to Oldham Council services, some of which was offset by favourable variances outside the S75 budget areas, whilst the rest was expected to be brought back to balance by the year-end after the application of management action.

The Board noted that there was work ongoing in relation to the assessment of the further pooling of resources and the benefits of this to the population.

Options/Alternatives Considered

- a) To note the contents of the report.
- b) To challenge the contents and recommendations in the report.

RESOLVED that the Oldham Cares S75 financial monitoring report at month 6, 2019/20 be noted.

URGENT BUSINESS

The Board gave consideration to an item of urgent business in relation to the Transformation Fund.

The Board noted that Transformation Funding would be considered alongside the new Locality Plan rather than progressing with schemes from the previous Locality Plan. Those aspects of the previous Plan that had been fully signed off would proceed and a fresh look would be taken at those matters which had not been finalised. There was an opportunity to consider alternative approaches that may offer greater benefits.

Members were informed that Oldham was the only area in Greater Manchester to achieve its savings target. The Chair gave his thanks to everyone involved in this huge achievement.

RESOLVED that the approach be noted.

The meeting started at 1.00 pm and ended at 2.00 pm

COMMISSIONING PARTNERSHIP BOARD

30/01/2020 at 1.00 pm



Present: Councillor Chauhan (in the Chair)
Councillors Fielding and Roberts

Majid Hussain
Ben Galbraith
Dr Andrew Vance

Lay Chair, CCG
Chief Finance Officer, CCG
GP Governing Body
Representative

Also in attendance
Mike Barker

Rebekah Sutcliffe
Mark Warren

Anne Ryans
Graham Foulkes

Claire Smith
Nadia Baig
Erin Portsmouth
Mark Hardman
Kaidy McCann

Strategic Director of
Commissioning/Chief
Operating Officer
Strategic Director, Reform
Director of Adult Social
Services
Director of Finance
Lay Member, Patient and
Public Involvement
Executive Nurse
Director of Commissioning
Director of Corporate Affairs
Constitutional Services
Constitutional Services

1 ELECTION OF CHAIR

RESOLVED – that Councillor Chauhan be elected Chair for the duration of this meeting.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Chadderton and Shah, Carolyn Wilkins OBE, Dr Shelley Grumbridge, Dr Ian Milnes, Dr John Patterson, Helen Lockwood and Nicola Hepburn.

3 URGENT BUSINESS

There were no items of urgent business received.

4 DECLARATIONS OF INTEREST

There were no declarations of interest received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that, subject to the recording of Majid Hussain (as opposed to 'Councillor Hussain') as Chair of the meeting, the minutes of the meeting of the Commissioning Partnership Board held on 28th November 2019 be approved as a correct record.

6 **PUBLIC QUESTION TIME**

There were no public questions received.

7 **IMPLEMENTATION UPDATE - ADULTS CARE AT HOME
CATEGORY 1**

The Board received a report advising of an update being provided on the implementation project for the Adults Care at Home tender – category 1 which considered some of the issues and barriers that had been encountered to date and the steps to be put into place to manage the project going forward. The update, along with the options for going forward with the project, was considered in detail on the basis of a submitted report within the private agenda as the considerations contained exempt information.

8 **INVESTMENT REVIEW - TRANSFORMATION FUNDS**

The Board received a report proposing changes to the use of Transformation Funds in 2019/20 and 2020/21. Oldham had been allocated £21.3m of locality transformation funding by the Greater Manchester Health and Social Care Partnership (GMHSCP) to be utilised between 2017/18 and 2020/21 across a range of transformational services. A recent review had identified slippage of £3.0m by 2020/21, principally under the Primary Care Express Care Hub, Previously Uncommitted Funds and Cluster Gateways schemes/headings.

The GMHSCP transformation funding would cease in March 2021 and, with the risk that Oldham might lose funding and therefore the benefits of the additional funding, it was necessary to further consider the use of these resources against current operational and financial pressures in both Oldham and Greater Manchester. To this end, discussions had been held with GMHSCP to discuss rephasing funds from 2020/12 to 2021/22 for those schemes experiencing delay, and for 2019/20 slippage being used to support Greater Manchester pressures, in return for the funding being returned in 2020/21. Members sought and received confirmation of the conditional support of Greater Manchester included the return of funds in 2020/21.

To ensure that the Oldham Locality made full use of Transformation Funds, a number of proposals had been discussed between stakeholders in the Oldham Locality to use Transformation Fund slippage in 2019/20 and 2020/21 and

these were detailed at Table 1 within the submitted report. Members queried the process for determining the proposals, what assurance could be given at this time that these were justified proposals which the Board would wish to support, and what the anticipated benefits of the proposals were. While there was concern at the detail provided to the Board, there was also an acknowledgement of the limited time available to achieve spend in 2019/20.

The sustainability of schemes within the Transformation Fund, and what would happen at the end of the funding was queried. It was noted that the intention of the Transformation Fund was that new services would provide good impacts thereby releasing funds from elsewhere in the system to provide ongoing support to the new services. While this was not necessarily happening, the schemes were included in the 2021/22 CCG budget forward planning process for consideration.

Slippage had also been identified against the ringfenced funding for the Community Engagement Scheme and proposed schemes suggested to use this slippage in 2019/20 and 2020/21 were detailed at Table 2 within the submitted report. Further to the earlier discussion concerning detail provided to the Board, it was further noted that there was an intention to present a business case for Community Engagement to the Board in March 2020.

RESOLVED that

1. the proposals for the planned use of Transformation Funds for 2019/20 as set out in Tables 1 and 2 to the submitted report be supported;
2. proposals for the use of Transformation Funds in 2020/21 be considered on the basis of the Board's current objectives and include factors such as achievable delivery and value for money;
3. the intention to present a business case for Community Engagement to the Board in March 2020 be noted;
4. the planned re-phasing of Oldham's spend in order to secure funding for new schemes and the support of Greater Manchester-wide system requirements be noted.

9

CARE AT HOME NOVATION

The Board received a report providing an update regarding Simply Caring, a preferred care at home cluster provider, and the sale of the company to another CQC registered care provider, Nobilis Care West Limited, and the implications arising from this situation. The update was considered in detail on the basis of a submitted report within the private agenda as the considerations contained exempt information.

10

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 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.

11

IMPLEMENTATION UPDATE - ADULTS CARE AT HOME

CATEGORY 1

The Board received a report providing an update on the implementation project for the Adults Care at Home tender – category 1 which considered the issues arising within the early stages of implementation of the Adults Care at Home contract, an assessment of the communications and consultation undertaken in respect of the implementation, and quality issues arising as a result of service user choices. The report further considered the proposed implementation of Individual Service Funds to help provide flexible support and financial transparency.

The Board noted that personal choice was a significant factor in the provision of care at home services, and that the Council had limited legal powers to intervene in such circumstances. Issues with communications and the role of providers were considered, along with proposals intended to address such issues as the tender roll out progressed.

The three options for going forward, each of which was presented and assessed in detail leading to a recommendation that Option 2 be adopted, together with the intent behind the new model of care at home delivery, were considered.

RESOLVED that

1. The information provided and the proposed plan to implement Individual Service Funds be noted;
2. The timescales and costs associated with the implementation of the project be noted;
3. Option 2 as presented within the submitted report be supported to take forward the implementation of the cluster model.

12

CARE AT HOME NOVATION

The Board received a report providing an update regarding Simply Caring, a preferred care at home cluster provider, and the sale of the company to another CQC registered care provider, Nobilis Care West Limited. The report considered the implications for the sale in respect of the care at home contract novating to Nobilis Care West Limited; the circumstances which led to the sale; detailed information in respect of the due

diligence checks into Nobilis Care West Limited that have been undertaken; and the options that existed in respect of novating the contract for care at home services to the purchasing provider or alternative proposals.

The Board was advised of various options that had been considered, the assessment of which had determined that novation of the existing contract to Nobilis Care West Limited was the preferred option. The Board was further advised that the option had been implemented following consultation with lead Members due to the timing of circumstances leading to the sale and to ensure continuity of care.

RESOLVED that the actions taken in respect of the novation of the contract be supported.

The meeting started at 1.00 pm and ended at 2.21 pm

This page is intentionally left blank

**(MioCare Group CIC, Oldham Care and Support Ltd,
MioCare Services Ltd)**

Minutes of the Board of Directors' Meeting

23rd October 2019

Public Minutes

Present:	Board Members Cllr Steven Bashforth (Cllr SB) - Chair Peter White – Deputy Chair, Non-Executive Board Member (PW) – Chair Jeff Jones – Non-Executive Board Member (JJ) Cathy Butterworth – Non-Executive Board Member (CB) Cllr Louie Hamblett (Cllr LH) Karl Dean – Managing Director (KD)	In attendance Valerie Perrins – Associate Director QPC (VP) June Rainford – Associate Director OPS & COoH (JR) Diane Taylor – Associate Director LD & MH (DT) Mark Warren – Shareholder's Advisor & DASS (MW) Paul Wilkinson – Finance Manager (PWi) Karen Wilson – Business Support Manager (Minutes)
Apologies:	Cllr Zahid Chauhan (Cllr ZC)	Rick Vogan – Director of Care

No	Agenda Item	Action
1	In Confidence Section There were no items to discuss.	
2	Welcome, Introduction, attendees and apologies KD offered that Cllr ZC had sent apologies but everyone else was expected and that Cllr SB would arrive shortly. KD asked PW to Chair the meeting pending Cllr SB arrival. PW welcomed all attendees.	
3	Declaration of Interest MW is the MD of the Community Health and Adult Social Care Service (CHASC), Shareholder's Advisor & DASS for Oldham.	
	For Information	
4	Minutes of Last Meeting a) The confidential minutes of the last Board meeting held on 8 th July 2019 were agreed as a true and accurate record. b) The public minutes of the last Board meeting held on 8 th July 2019 were agreed as a true and accurate record. c) The Board action log was discussed and updated accordingly. d) The minutes of the last Operations Committee held on 10 th July 2019 were agreed as a true and accurate record. e) The minutes of the last Finance, Audit and Risk (FAR) Committee held on 30 th August 2019 were agreed as a true and accurate record.	

	f) Board Away Day notes 18th September 2019 JJ enquired if an external auditor had been appointed. KD informed members that the Council are planning a mini competition for the audit tender for MioCare, Unity, Housing Benefit and Schools. Unfortunately, the competition will not be completed for the MioCare financial year and Grant Thornton will be appointed again. KD also advised that MioCare Group's financial year will change from April 2021 to align MioCare with the Council and the most common business year.	
5	MioCare Group Calendar Cllr LH joined the meeting. VP informed the members that the calendar had been produced as a forward work plan for the Board and provided a brief explanation of its format. It was proposed the calendar would be reported this way in future. VP presented a programme of events across the group and invited members to attend. JJ questioned when the 2020 budget will be shown on the calendar and if it will be a 15-month budget due to the proposed change in the financial year. JJ stated that the Board needs to see a financial model of next year's budget at January's meeting and all pay more attention to see its impact on the balance sheet. PW informed there is one Operations Committee date in 2020 that he cannot attend and KD agreed to rearrange outside of the meeting. Actions: KD to advise auditors of change in financial year and seek advice on the transition. KW to liaise with PW to rearrange Operations Committee	KD KW
	For Discussion	
6	Committee Updates Cllr SB joined the meeting. PW began with an update of the Operations Committee meeting and advised the meeting was reflected well in the paper. At the next meeting more information around the response to the levels of staff absence will be explored and also how Board members can have a better view of service user feedback and complaints. A discussion was held around service user matrix and a service user panel and PW offered his opinion whilst there is lots of data on performance the data sets are not as robust as he would like. PW offered that the group needs to learn from any complaints, near misses and safeguarding reporting. JJ provided an update of the FAR Committee meeting and began with the risks associated with the repatriation of a service user to the family home. The repatriation had gone as well as could be expected. JJ also advised that digitalisation is something required to progress and protect everyone associated with MioCare and that better recording will be a fit and proper defence should it ever need to be demonstrated. CB enquired of the timescale when a digitisation business case would be available to members for review. KD advised that there was now real momentum in the Council that will only assist MioCare's aim to introduce digital care planning and RV will present a business case to	

	Board in January. An application will be made to the Council's capital budget to fund the project. PW queried if the system will speak to the NHS. KD offered that all the systems MioCare have reviewed to date are NHS compliant. CllrLH enquired if IT systems and updates would become a standing item on the agenda. KD concluded a paper will be brought to January's Board meeting and regular updates provided in the MD report if required.	
7	Strategic Plan Update KD reminded members of the strategic plan discussion at the recent Board Away Day and updated members of the 5 key areas that were focused on and that SLT recently had developed further into objectives. These were: • Customers • Workforce • Stakeholders • Finance and Resources • Quality KD closed the discussion by saying that despite the change in funding arrangements in 2019, on the whole the company is in good health and aspirations remain high. In January the strategic plan will be presented to the Board when all stakeholders have had the opportunity to contribute. It will be a 3-year plan, but the detailed focus will be on the next 12 months. Members were invited to work with KD and get involved and CB and JJ volunteered to contribute.	
8	Performance and Assurance Report VP informed members that this was the first time this report had been presented and the aim was to provide assurance on key areas of performance and compliance. This consolidates and summarises the data presented to committees and allows all members to be sighted on assurance matters. It also includes the corporate dashboard and the risk register as appendices rather than stand alone items. There is an issue around the timings of the data, but it will be more aligned from January 2020 onwards. VP asked members to consider the new report and provide feedback on the content, format and purpose and feedback was provided. Actions: PW and VP to meet to discuss the paper's content ahead of January's meeting.	VP
9	MD Update KD gave an update in the following areas: – The transfer of the Community Health contract from PCFT to NCA has gone as well as could be expected. – The Oldham Locality Plan is currently being rewritten to reflect the plans going forward for the Health and Social Care system. – MioCare has partnered with AgeUK in a tender to provide consultancy and expertise in care and integrated working for 1 day per month. – The Getting in the Know staff events that took place in September were a great success. – MW and KD will be meeting regarding the proposed governance changes from the Council (shareholder) and how they manage it. There is likely to be a shareholder committee similar to what currently exists at Unity for reserved matters. JJ offered that the Council should take advice as members of the	

	shareholder's committee may become de facto Board members of the MioCare Group. MW noted this and said that he would feed this back. A paper will be presented to the Board in January – The repatriation of a service user to his family home has been successful. MW added he would like to thank DT and the team, who have worked exceptionally well. This has been an opportunity for lots of learning. – There are further delays with the handover of Holly Bank and the expectation is that the handover will be early November. MW requested he be kept updated. Actions: DT to update MW on the problems regarding the delays Holly Bank. The Council as shareholder to provide a paper for January's Board meeting in respect of the governance changes it requires.	DT KD/MW
10	Management Accounts Period 9 PW advised that at period 9 across the Group on a turnover of £10.8 million there is a deficit of £93k against a budget deficit of £45k. The split between companies shows MioCare Group has a deficit of £14k, OCS has a deficit of £84k and MioCare Services has a surplus of £5k. The latest forecast for the year is a deficit of £181k against a £135k budget, a variance of £46k on an expected turnover of £14.5 million. PW enquired if any areas of opportunity had been identified to reduce the deficit. PWi advised extensive work has been carried out, looking at rotas, hours worked and identifying the small items that make the difference between surplus and deficit. KD advised that during the last quarter some work has been completed with managers that should show dividends next quarter but the real issue was the shortfall in the funding of the OCS pay rise and the challenge to close a large funding gap in year in order to deliver the budget. JJ suggested a balance sheet be visible for members to understand the cash flow over the next 15-month budget and the impact on the cash reserves. VP advised she will look into the information around finances being included on the dashboard. Action: VP to consider how cash flow/balances can be represented on the dashboard.	VP
11	Enablement Update KD gave a presentation on Enablement and the vision, objectives and benefits and outcomes were explained to members. KD advised that the co-location of ORCAT and Whitney Court has provided the opportunity to share resources, knowledge and intelligence that has allowed the teams to respond together and deliver better outcomes to people. The clinical triage system for the bed base was proving to be very effective and improving safer admissions. KD stated that Phase 2 will see the service move to a truly integrated service with one front door (SPOC) with clinical triage and service offers. An integrated crisis response service is needed.	
12	AOB and Close CB asked for some investment and development around the role of NED's. Action: Chair to consider how this can be progressed.	SB
	Next Meeting Thursday 23rd January 4pm – 6pm Ena Hughes Resource Centre	



MINUTES

Meeting:	National Park Authority
Date:	Friday 1 November 2019 at 10.00 am
Venue:	The Board Room, Aldern House, Baslow Road, Bakewell
Chair:	Cllr A McCloy
Present:	Cllr D Chapman, Mr P Ancell, Cllr J Atkin, Cllr W Armitage, Mr J W Berresford, Cllr P Brady, Cllr M Chaplin, Cllr C Farrell, Cllr C Furness, Cllr A Gregory, Mr Z Hamid, Cllr A Hart, Mr R Helliwell, Cllr I Huddleston, Cllr C McLaren, Cllr V Priestley, Miss L Slack, Mr K Smith, Cllr P Tapping, Ms Y Witter and Cllr B Woods
Apologies for absence:	Cllr D Birkinshaw, Dr J Haddock-Fraser, Cllr Mrs G Heath, Cllr B Lewis, Cllr Mrs K Potter, Cllr R Walker, Mrs C Waller and Cllr G D Wharmby.

57/19 CHAIR'S ANNOUNCEMENTS

- The Chair announced that tickets for this years' Staff Committee Christmas Raffle were now available to purchase and that the proceeds from the sales would be going to the Bakewell and Eyam Community Transport.
- The Chair also informed Members of the sale of a calendar and that proceeds from that would be going to the Peak District National Park Foundation.
- A Member discussion on the Landscape Review – Final Report would follow the Authority Meeting.

58/19 URGENT BUSINESS

There were no urgent items.

59/19 MEMBERS DECLARATIONS OF INTEREST

Item 11

It was noted that all Constituent Authority Members had an interest in the Statements of Common Ground Protocol as part of the duty to cooperate in producing Local Plans.

60/19 PUBLIC PARTICIPATION

There were no members of the public present to speak.

61/19 MINUTES OF PREVIOUS MEETING OF 6 SEPTEMBER 2019

The minutes of the last Authority Meeting held on 6 September 2019 were approved as a correct record.

62/19 AUTHORITY CHAIR UPDATE

The Chair gave the following updates:

- 2 books have recently gone on sale – “The Land that Made Us” and “Reading the Peak District Landscape” the latter of which was written by Mr John Barnatt former Archaeologist at the Peak District National Park.
- The Parishes Day took place on the 12 October 2019 and the Climate Change Summit on the 15 October, both of which were very well attended. Thanks were given to Officers and Members for their input.
- The launch of the first Ambassador Centre at St Michaels, Hathersage took place on the 2nd October 2019
- Attended an away day for the Peak District National Park Foundation Trustees with Zahid Hamid.
- Attended the Stanage Forum Open Day.
- Attended the National Parks UK Conference in September with Robert Helliwell in the Yorkshire Dales.
- Attended the National Parks England AGM.

63/19 CHIEF EXECUTIVE'S REPORT (SF)

The Chief Executive had provided a written update on some key items since the previous Authority Meeting.

RESOLVED:

That the report be noted.

64/19 2019/20 QUARTER 2 CORPORATE PERFORMANCE & RISK MANAGEMENT REPORT (HW)

Holly Waterman, the Senior Strategy Officer – Research introduced the report.

Members considered the report which provided monitoring information on the review of performance against the second quarter (July – September 2019) of the first year of the new Corporate Strategy, together with monitoring of the corporate risk register, Freedom of Information and Environmental Information Regulations requests and complaints.

The Chair then took the Members through each of the Performance Report Outcomes.

Members welcomed the report and the Officer recommendation as set out in the report, was moved, seconded, put to the vote and carried.

RESOLVED:

1. That the Q2 performance report, given in Appendix 1 of the report, was reviewed and any actions to address issues agreed.
2. That the Q2 corporate risk register given in Appendix 2 of the report was reviewed and status of risks accepted.
3. That the status of complaints, Freedom of Information and Environmental Information Regulations requests, given in Appendix 3 of the report, was noted.

65/19 EXTERNAL AUDIT (MAZARS): 2018/19 ANNUAL AUDIT LETTER (A1362/ DH)

Members considered the annual audit letter of the External Auditors' (Mazars) for 2018/19. John Pressley, of Mazars was present to introduce the report and answer any questions from Members.

The recommendation as set out in the report was moved, seconded, voted on and carried.

RESOLVED:

That following consideration, the receipt of the 2018/19 Annual Audit Letter be noted.

66/19 INTERNAL AUDIT REPORT BLOCK 1, 2019/20 (A1362/7/PN)

Ian Morton, Internal Auditor from Veritau was present to introduce the report which gave details of the internal auditors' recommendations for the first block of the 2019/20 audit programme and the agreed actions for consideration. He reported that in general things were very good with 1 or 2 slight adjustments, and when adjustments had been suggested, they had received a positive response from Officers. He thanked Officers for their support, and informed Members that the next planned audit visit was the 13th January 2020.

The recommendation as set out in the report was moved, seconded, put to the vote and carried.

RESOLVED:

That the internal audit reports for the three areas covered under Block 1, for 2019/20 as set out in the Appendices 1-3 in the report, were received and the agreed actions considered and noted.

67/19 AGREEING THE PROTOCOL FOR STATEMENTS OF COMMON GROUND (BJT)

Brian Taylor, Head of Policy & Communities introduced the report which was to agree the arrangements for the National Park Authority to agree and approve the Statements of Common Ground, which form an important role in addressing cross boundary strategic planning issues.

The Chair requested an amendment to Recommendation 2 so Members were informed when the Statements of Common Ground were approved, and Members asked that the wording to Recommendation 2 be amended to include the Chair of Planning being consulted. Both amendments were accepted.

The recommendations subject to the agreed amendments was moved, seconded, put to the vote and carried.

RESOLVED:

- 1. To note the role and status of Statements of Common Ground and the arrangements for developing statements with constituent authorities.**
- 2. To delegate to the Chief Executive, the authority to approve Statements of Common Ground, subject to consulting with the Chair of the Authority and the Chair of Planning before doing so with the Members being informed of the Statements of Common Ground as they are agreed.**

68/19 OUTSIDE BODY AND CONFERENCE FEEDBACK REPORTS

The Chair thanked Members for the reports that had been received, and encouraged all Members to feedback on any Outside Body and Conferences that they attend using the agreed template.

RESOLVED:

That the reports be noted.

The meeting ended at 11.20 am



MINUTES

Meeting:	National Park Authority
Date:	Friday 6 December 2019 at 12.30 pm
Venue:	The Board Room, Aldern House, Baslow Road, Bakewell
Chair:	Cllr A McCloy
Present:	Cllr P Brady, Prof J Haddock-Fraser, Mr Z Hamid, Mr R Helliwell, Cllr I Huddleston, Cllr C McLaren, Cllr Mrs K Potter, Cllr V Priestley, Mr K Smith, Cllr P Tapping, Mrs C Waller, Ms Y Witter and Cllr B Woods
Apologies for absence:	Cllr D Chapman, Mr P Ancell, Cllr W Armitage, Cllr M Chaplin, Cllr C Farrell, Cllr C Furness, Cllr A Gregory, Cllr A Hart, Cllr Mrs G Heath, Cllr B Lewis, Miss L Slack, Cllr R Walker and Cllr G D Wharmby.

69/19 CHAIR'S ANNOUNCEMENTS

The Chair confirmed he would be sending out to Members a brief update on his current activities in advance of the next Authority meeting and wished everyone a Happy Christmas.

70/19 URGENT BUSINESS

There was no urgent business.

71/19 PUBLIC PARTICIPATION

There was no public participation.

72/19 MEMBERS DECLARATIONS OF INTEREST

Item 7

Cllr A McCloy declared a prejudicial interest as a director of the company National Parks UK Limited.

Cllr McCloy vacated the Chair and left the room, Mr Z Hamid took the Chair.

73/19 NATIONAL PARKS UK LIMITED

Members considered the report which gave details of a proposal by the Directors of National Parks UK Ltd that the Company, of which the Authority was a Member, should go into voluntary liquidation and be wound up.

Following the prejudicial declaration of interest by the Chair of the Authority it was agreed to amend recommendation 2 of the report to authorise the Chief Executive to make any further decisions after consultation with the Deputy Chair of the Authority instead of the Chair.

The recommendation as amended was moved, seconded, put to the vote and carried.

RESOLVED:

- 1. To authorise the Chief Executive to complete the relevant forms to confirm that the Authority supports the proposal to wind up National Parks UK Limited and appoint Francis Clark LLP as the liquidator.**
- 2. To authorise the Chief Executive, after consultation with the Deputy Chair of the Authority, to make any further decisions on behalf of the Authority as a member of the Company.**

The meeting ended at 12.41 pm

MINUTES

Meeting: **National Park Authority**

Date: Friday 14 February 2020 at 10.00 am

Venue: The Board Room, Aldern House, Baslow Road, Bakewell

Chair: Cllr A McCloy

Present: Cllr W Armitage, Mr J W Berresford, Cllr P Brady, Cllr M Chaplin, Cllr C Furness, Prof J Haddock-Fraser, Mr Z Hamid, Cllr Mrs G Heath, Mr R Helliwell, Cllr B Lewis, Cllr C McLaren, Cllr V Priestley, Miss L Slack, Mr K Smith, Cllr P Tapping, Cllr R Walker, Mrs C Waller, Cllr G D Wharmby, Ms Y Witter and Cllr B Woods

Apologies for absence: Cllr D Chapman, Mr P Ancell, Cllr J Atkin, Cllr D Birkinshaw, Cllr C Farrell, Cllr A Gregory, Cllr A Hart, Cllr I Huddleston and Cllr Mrs K Potter.

1/20 MINUTES OF PREVIOUS MEETINGS HELD ON 1 NOVEMBER AND 6 DECEMBER 2019

The minutes of the Authority meetings on 1 November and 6 December 2019 were approved as a correct record.

2/20 URGENT BUSINESS

There was no urgent business.

3/20 PUBLIC PARTICIPATION

There were no members of the public present to speak.

4/20 MEMBERS DECLARATIONS OF INTEREST

There were no declarations of interest from the Members.

5/20 AUTHORITY CHAIR UPDATE

The Chair confirmed that the Authority was still awaiting news from Defra on the Grant for 2020/21 and that National Parks England were pressing officials for an update.

The Chair had attended the National Parks England Board meeting on 29 January and had been appointed chair of a new Climate Change Group which would work on a

collective approach across all 10 English National Parks. The Chair had also met with the Leader of Derbyshire Dales District Council to discuss Climate Change.

The Chair had attended the National Park Management Plan Advisory Group and was meeting Robert Largan MP for High Peak with the Chief Executive on Friday 21 February.

The Chair reminded Members that there was a Members Forum meeting following the Authority meeting at which Officers would provide an update on the Landscape Strategy with a focus on Tree Planting as previously requested by Members.

6/20 CHIEF EXECUTIVE'S REPORT

The Chief Executive had provided a written update on some key items since the previous Authority Meeting.

RESOLVED:

That the report be noted.

7/20 BUDGET 2020/21 (PN)

The report was introduced by the Head of Finance.

The Authority was asked to approve the 2020/21 Budget. It was noted that details of the Defra Grant had not yet been confirmed and that the planning assumption made in the report was that the national park grant would be inflation protected, at 2% for 2020/21, which is the equivalent of a roll over of the situation for the previous 4 years. The report identifies a range of savings options, of up to £218k, should the national park grant be frozen to the same level at 2019/20. Appendix 1 of the report had taken this into account and noted a possible shortfall in the budget.

The Head of Finance highlighted the increased difficulty that a flat rate budget will present, especially if it continued past the next financial year and advised that large budget cuts would be required.

The meeting was informed that the Permanent Secretary had confirmed that European Grants would be underwritten following the UK's departure from the EU if there were any issues with European Funding.

Members raised questions on :

- Planning advertising fees – currently it is a legal requirement for planning authorities to advertise in newspapers, there have been requests to government to change the rules to allow for online advertising only which would reduce costs. However, for now this is not possible and so some work to use lower cost publications have produced savings.
- VAT Recovery – Work was continuing to look at those activities not exempt including tax on rent of Authority owned property
- Fundraising – work continued to look at best ways to use the limited resources and Officers were working to ensure outcomes and targets would be met.
- ParkLife - Members asked if there were opportunities to reduce the cost of producing the Parklife magazine by changing the type of paper it was printed on. Officers confirmed that work was ongoing to reduce costs including changes to the distribution of the magazine.

The Head of Finance confirmed that the savings identified would remain in the current budget if the cuts were not needed and that the decision on the proposed savings would be delegated to the Chief Executive as per the recommendations of the report.

The recommendation as set out in the report was moved, seconded, voted on and carried.

Officers confirmed that any information received regarding the future grant would be shared as soon as possible.

RESOLVED:

- 1. The base budget for the 2020/21 financial year shown in Appendix 1 and 2 of the report was approved.**
- 2. That the savings proposed in Appendix 5 of the report was approved and delegated to the Chief Executive to balance the budget should the National Park Grant be different from the assumptions contained within Appendix 1 of the report, with an updated report to be prepared for the Authority immediately following any settlement announcement.**
- 3. That the medium term financial position of the Authority in the period up to March 2024 be noted as explained in paragraph 8 of the report.**

8/20 CORPORATE PROPERTY ASSET MANAGEMENT PLAN (CPAMP) (CBM)

The report was introduced by the Corporate Property Officer.

The report included a summary of the up to date portfolio of the Authority's property including a full condition survey. Due to a number of suggested minor changes from Members to the documents attached to the report an additional recommendation had been proposed by the Head of Law to allow the final published version of the report to be delegated to the Chief Executive in consultation with the Corporate Property Officer, Head of Law and the Chair of the Authority.

The Chair thanked the Corporate Property Officer and the team for their work preparing the report and emphasised that the Authority had the largest and most diverse asset portfolio of any English National Park. It was acknowledged that the outcomes from the Micro Scrutiny of Minor Property Panel approved by Programme and Resources Committee would have input into the final document.

Members asked if there was scope for a carbon offset scheme within the National Park. Officers confirmed that this was being considered as part of work by Moors for the Future, however current trading schemes support carbon works in developing countries only and any scheme here would need to take account of who the landowner was, as the Authority owns only a small proportion of land

Members discussed the tool kit for disposal and if earlier consultation with stakeholders would be required. This would be looked at as part of the Micro Scrutiny Panel.

Cllr Barry Lewis left the room at 10.45 and returned at 10.50.

Members requested clarification on the position of Defra on property ownership by the National Park Authority when considering its national park grant. The Head of Finance confirmed that Defra do not consider the ownership of property by the National Park Authority in making its grant.

The Chair welcomed the support offered in the plan to help move the property portfolio to net zero carbon by 2050, and recognised this will be challenging for some of the properties within the portfolio.

The recommendations including the amendments proposed by the Head of Law, were moved, seconded, put to the vote and carried.

RESOLVED:

- 1. To approve the Corporate Property Asset Management Plan and associated appendices**
- 2. To delegate the final wording of the plan and the associated appendices following the conclusion of the Micro Scrutiny on minor properties to the Chief Executive in consultation with the Corporate Property Officer, Head of Law and Chair of the Authority.**

The meeting adjourned for a short break at 11.00 and reconvened at 11.10.

Mr Robert Helliwell and Mrs Caroline Waller left the meeting.

9/20 2019/20 QUARTER 3 CORPORATE PERFORMANCE REPORT (A91941/HW)

The Senior Strategy Officer – Research, introduced the report that provided Members with monitoring information for the end of Quarter 3 2019/20 (October to December 2019) to review progress against the first year of 2019-24 Corporate Strategy and confirmed that the performance against KPIs would be included in quarter 4.

An additional issue included in the report for information – the suspension of pre application planning advice for six months. Also included was a summary of commentaries.

It was noted that a change to the wording on page 91 of the report was needed to Corporate Risk status at the end of quarter 3 (not 2 as stated in the report).

Carbon offsetting was covered in KPI13 with a focus on peat, grassland and trees. Also includes a focus on reducing flood risk. The Authority is using a carbon calculator, which had recently been demonstrated to representatives from Defra, to engage with farmers to enable the inclusion of more grassland and woodland for carbon reduction. Members requested that they were kept informed of this work. The Director of Conservation and Planning confirmed that a report would go to the Performance & Resources Committee later in the year on the ELMS scheme and the pilot in the White Peak to keep members informed.

Members requested that clarification is given on the tools used to measure against KPIs, particularly KPI8. The Director of Commercial Development & Engagement confirmed that an Audience Plan which cuts across a number of the KPI's would be presented to the Performance & Resources Committee during Qtr. 2 to ensure clarification and assurance.

Further discussion would be arranged with James Beresford, Director of Commercial Development & Outreach, Chief Executive and Authority Chair outside the meeting on ensuring clarity.

Members sought clarification regarding the up-coming 6-month suspension of Pre Application Planning Advice. The Director of Conservation and Planning explained that there was currently a resourcing challenge in the Development Management Team and it was important this team were able to meet the statutory planning application targets measured by Government. It was hoped that the suspension would not be for the full six months and some advice would be available for major planning applications and grade 1 and 2* listed buildings. Agents and parishes would be notified of the change. Following concerns raised by Members the Chief Executive acknowledge the points raised and confirmed that other options had been investigated.

The Senior Strategy Officer confirmed that the wording of Risk 3 & 5 on page 135 of Appendix 1b of the report had been amended to bring them in line with government's 25-year environment plan.

The recommendation subject to the agreed amendments was moved, seconded, voted on and carried.

RESOLVED:

- 1. That the Quarter 3 performance report, given in Appendix 1b of the report, was reviewed and any actions to address issues agreed.**
- 2. That the Quarter 3 risk register given in Appendix 2 of the report is reviewed and status of risks accepted.**
- 3. That the status of complaints, Freedom of Information and Environmental Information Regulations requests, given in Appendix 3 of the report, was noted.**
- 4. That the temporary suspension for up to 6 months of the pre-application advice service was noted.**

Mr Zahid Hamid left the meeting at 12.00 and returned at 12.05

10/20 ANNUAL REPORT ON MEMBER LEARNING AND DEVELOPMENT

The Democratic Services Manager introduced the report which set out the Member learning and development framework, which was tabled, and the proposals for the next annual programme of Member learning and development events (January to December 2020).

Members thanked Officers for the report and asked if the annual planning training is required or if a refresher course could be introduced instead. The Head of Law explained that due to the importance of the decisions made by the Authority on Planning matters the annual training was required. The Director of Conservation and Planning confirmed that the training was due to be shortened to a half a day a year with effect from 2020.

The Member Representative for Member Learning & Development and the Chair of the Authority would go through the New Member Induction Programme to assess if changes were required and would report back to Members.

The Chair of the Authority encouraged Members to take advantage of the development plans and the training options offered. The Chair welcomed suggestions of additional training for Members and asked for these to be passed to the Democratic & Legal Support Team.

The recommendation as set out in the report was moved, seconded, voted on and carried.

RESOLVED:

- 1. Agreed the Member learning and development framework (Appendix 1 of the report) and the events programme for January to December 2020 (Appendix 2 of the report).**
- 2. To continue to record Member learning and development activities in terms of hours and include personal learning and development by Members outside of events organised by the Authority, with the target of 20 hours per member in every 12 months.**
- 3. To bring future annual Member learning and development reports to the Authority meetings held in September of each year.**

12.10 Cllr Gill Heath, Cllr B Woods & Cllr Chris Furness left the meeting

11/20 EXTERNAL AUDIT - 2019/20 AUDIT STRATEGY (A1362/DH)

The report was introduced by the External Audit Manager from Mazars, Mr John Pressley, and Members were asked to consider the 2019/20 External Audit Strategy Memorandum.

The Chair of the Authority thanked Mr Pressley for the report and welcomed the proposed change to the Value for Money conclusion which was to be more detailed.

The recommendation as set out in the report was moved, seconded, voted on and carried.

RESOLVED:

- 1. That the 2019/20 External Audit Strategy Memorandum was considered and acknowledged.**

12/20 CORPORATE STRATEGY (2019-24) - STRATEGIC INTERVENTIONS 2020/21 (A91941/HW)

The Senior Strategy Officer – Research introduced the report which identified the proposed strategic interventions that would be undertaken during the second year (2020/21) of the Authority's five year Corporate Strategy (2019-2024).

Members requested a change to KPI8 on Page 201 of Appendix 1 of the report to change the wording to remove 'Scheduled' and replace with 'Buildings and Monuments'.

The recommendation, subject to the agreed amendments, as set out in the report was moved, seconded, voted on and carried.

RESOLVED:

- 1. Members noted the strategic interventions for 2020/21 in Appendix 1 of the report.**

13/20 OUTSIDE BODY FEEDBACK REPORT - NATIONAL PARKS ENGLAND

RESOLVED:

That the report was noted.

The meeting ended at 12.30 pm

This page is intentionally left blank

GM HEALTH AND CARE BOARD

MINUTES OF THE MEETING HELD ON 25 OCTOBER 2019 AT SALFORD CIVIC CENTRE

Bolton Council	Councillor Susan Baines Councillor David Greenhalgh Sue Johnson
Bury Council	Councillor Tamoor Tariq Geoff Little
Manchester CC	Councillor Bev Craig Councillor Sue Murphy Joanne Roney
Oldham Council	Councillor Sean Fielding Councillor Eddie Moores Carolyn Wilkins
Rochdale Council	Councillor Allen Brett Councillor Wendy Cocks Councillor Ray Dutton Councillor Sara Rowbotham Steve Rumbelow
Salford CC	Mayor Paul Dennett Gillian McLauchlan Charlotte Ramsden
Stockport MBC	Councillor Tom McGee Councillor Keith Holloway Councillor Jude Wells Mark Fitton Chris McLoughlin
Tameside Council	Councillor Brenda Warrington Jane Traverse
Trafford Council	Councillor Andrew Western
Wigan Council	Councillor David Molyneux Councillor John O'Brien Councillor Peter Smith (Chair) Alison McKenzie-Folan

Manchester Health and Care Commissioning	Ruth Bromley
Salford CCG	Anthony Hassall Tom Tasker
Stockport CCG	Andrea Green
Wigan CCG	Paul McKeivitt
Bolton NHS FT	Joanne Street
GM Mental Health NHS Trust	Rupert Nichols
Manchester Foundation Trust	Chris McLoughlin John Wareing
Salford Royal FT	Chris Brookes
Wigan, Wrightington & Leigh NHS Trust	Tony Warne
GM Commissioning Hub	Rob Bellingham
GM Deputy Mayor	Baroness Beverly Hughes
GM Mayor	Andy Burnham
GMCA	Eamonn Boylan Julie Connor Lindsay Dunn Jane Forrest Andrew Lightfoot Liz Treacy Thomas Whitney
GMEC Maternity Voices Partnership	Cathy Brewster
GMEC Strategic Clinical Networks	Karen Bancroft Carol Ewing Julie Flaherty
GM Health and Social Care Partnership Team	Julie Cheetham Julie Dawes Claire Norman Sarah Price Jon Rouse (Chief Officer)
Healthwatch	Heather Fairfield

Primary Care Board

Varun Jairath
Tracey Vell

Sport England

Lauren Barclay
Justine Blomley
Tim Hollingsworth
Chris Perks

TfGM

Simon Warbuton

Youth Focus NW

Nathan Randels

HCB 44/19 WELCOME AND APOLOGIES

The Chair welcomed all to the meeting and apologies for absence were received from

Adrian Belton, Stephanie Butterworth, Tim Dalton, Craig Harris, Warren Heppolette, Karen James, Councillor David Jones, Councillor Richard Leese, Jane McCall, Daren Mochrie, Silas Nichols, Tony Oakman, Steven Pleasant, Jim Potter, Louise Robson, Councillor Andrea Simpson, Pam Smith, Roger Spencer, Neil Thwaite, Sara Todd, Ian Williamson, Alex Whinnom, Janet Wilkinson, Councillor Elise Wilson and Steve Wilson.

HBC 45/19 CHAIR'S ANNOUNCEMENTS AND URGENT BUSINESS

There were no items of urgent business.

HCB 46/19 MINUTES OF THE MEETING HELD 26 JULY 2019

Consideration was given to the minutes of the meeting held on 26 July 2019.

RESOLVED/-

That the meeting minutes be approved as a correct record.

HCB 47/19 CHIEF OFFICER REPORT

Jon Rouse, Chief Officer, GM Health and Social Care Partnership (GMHSCP), provided the GM Health and Care Board (the Board) with an update on activity relating to health and care across the Partnership. The update included key highlights relating to performance, transformation, quality, finance and risk. A summary of the key discussions and decisions of the Partnership Board were also provided. An overview of the context for the agenda of the meeting was provided.

It was reported that the revised index for deprivation had been recently published. This was the first update since 2015 and indicated that Greater Manchester had become more

deprived since 2015 against the basket of indicators used to measure deprivation. However, there was some good news within the publication of the index in relation to health and wellbeing. It was reported that in nine of the ten districts in GM rankings had improved and in all ten districts there were now less low output areas in the bottom 10%.

It was recognised that the improvements were based on a low starting position and any significant improvements over the next generation would need to start from the very beginning of life in order to provide children and young people with the best chance to maximise their health and wellbeing outcomes.

An overview of the work taking place in GM to provide the best potential for children and young people would be a focus of the meeting. The role of all stakeholders to provide children and young people with the platform to maximise life opportunities was emphasised to the Board.

The university and student mental health programme was highlighted as an example of what could be achieved under devolution by working in partnership to provide the most comprehensive offer in the country for student mental health support.

The Chief Officer was requested to provide an update with regards to capital funding in relation to the full business case for Healthier Together. The process for the business case to HM Treasury was outlined to the Board and it was advised that as this was the number one capital priority, further follow up with Treasury would be undertaken to obtain final approval for the release of the capital resources.

RESOLVED/-

1. That the content of the report be noted.
2. That the update with regards to English indices of deprivation 2019 be noted.
3. That the opportunities for stakeholders to improve the life chances of children and young people and successively the indices of deprivation be further considered.
4. That the update with regards to Healthier Together capital funding be noted.

HCB 48/19 GM MOVING – SPORT ENGLAND MEMORANDUM OF UNDERSTANDING REFRESH

Sarah Price, Executive Lead, Population Health and Commissioning reported the unique relationship which had led to an innovative partnership with Sport England and £10m of funding being realised across Greater Manchester. Since the initial MOU, GM had seen an increase in physical activity by 1.7% (three times the national average) which was a significant step towards the GM Moving target and was beginning to reduce the gap between the least and most active.

Based on her personal experience, Lauren Barclay, Trustee and Founder of Youth Mental Health Matters explained to the Board the importance of sport and physical activity. She asked leaders to recognise that inactivity was not as simple as the result of people's individual lifestyle choices and further support lasting change to create the conditions to support moving back into daily life.

Tim Hollingsworth, Chief Executive Sport England was introduced to the Board and shared his reflections on the partnership work and progress on the delivery of the framework to tackle inactivity and promote movement to significantly improve health and wellbeing of residents across GM. He highlighted the inequalities and social and economic barriers which exist and the importance of developing support and solutions to improve opportunities to become more active and lead healthier and happier lives.

In summary, Sarah Price highlighted that one of the priorities she wanted to promote to the Board was the business case for active workplaces and demonstrated some of the benefits which could be achieved. Members were encouraged to join the GM Moving #activesoles movement.

The Chair thanked Sport England for the support received across GM to encourage communities to become more active and highlighted the two major sporting events to take place in GM in 2021. Namely UEFA Women's European Championship football and the Rugby League World Cup.

The GM Mayor added that the inaugural Walking Football World Cup would be hosted in 2020 in Greater Manchester. He highlighted that sport was the life blood of communities and from a health view point was encouraged by the statistics presented on the increase of people's physical activity and the progress against the ambitious target. He spoke about the important message of emphasising physical activity was for all ages and to assist everybody to be as physically active as they could be and thanked Sport England for their backing and encouraging comments with regards to progress in GM.

RESOLVED/-

1. That the progress and impact of GM Moving to date be noted.
2. That the refreshed MOU (appendix 1), the direction of travel and the shared priorities of focus be agreed.
3. That it be agreed to continue the GMCA's commitment to support the ambitions of GM Moving and the whole system approach needed to have population scale impact.
4. That it be agreed that the refreshed MOU will continue to be steered by the GM Moving Executive, chaired by Steven Pleasant with senior representatives from GMCA, GM Health and Social Care Partnership, Transport for Greater Manchester, Sport England, GreaterSport, GM Active and representatives from the VCSE.

Progress against the GM Moving Plan will be tracked with regular updates to the GM Health and Social Care Board.

HCB 49/19 IMPROVING MATERNITY OUTCOMES FOR MOTHER AND BABIES ACROSS MATERNITY SERVICES IN GREATER MANCHESTER AND EASTERN CHESHIRE (GMEC)

Julie Cheetham, Associate Director Strategic Clinical Networks (SCN's) provided an update on the progress of the GM Maternity programme since the publication of the GM Maternity Implementation Plan in 2018 and the direction of travel for the programme moving forward.

Karen Bancroft, Maternity Clinical Lead SCN's presented some of the highlights in the progress and achievements since implementation in 2017 in line with the vision that women and babies will receive kinder, safer and more personalised maternity services in Greater Manchester and Eastern Cheshire.

These included;

- 123 stillbirths avoided last year in Greater Manchester
- 8 less babies born with brain injury
- 250 additional babies born smokefree in GM in the last year

As co-chair of Greater Manchester Maternity Voices Partnership (MVP), Cathy Brewster supplemented this with an overview of some of the co-produced guidelines developed to standardise the management of care for various conditions, continuity, choice and personalisation.

In support of the report and commendable achievements, further information with regards to how post-natal care was being supported was requested. It was confirmed the maternity and newborn implementation plan outlined improving postnatal care as a key programme of work acknowledging there was further work to be done.

It was reported that Greater Manchester's midwifery unit, Ingleside, Salford had been described by England's first chief midwifery officer as the most innovative model of its kind in England. The Board enquired how the GM programme was responding to expectant mothers being able to exercise choice. It was advised that in line with safety considerations, continuity of care was assisting with informing women of the different options available.

RESOLVED/-

1. That the contents of the report be noted.
2. That the ongoing quality improvement programme across all maternity providers be supported.

HCB 50/19 EARLY YEARS AND SCHOOL READINESS UPDATE

Jane Forrest, Assistant Director, Public Service Reform, Greater Manchester Combined Authority (GMCA) provided the Health and Care Board with an update on the School Readiness programme in Greater Manchester and highlighted the activity taking place and impact the work is beginning to have on early years outcomes.

It was reported that the latest data for pupils eligible for Free School Meals have improved consistently since 2015 closing the gap between the GM and England average. This highlighted the success of work to date to strengthen support for children from the most disadvantaged communities.

Members highlighted that as a prerequisite organisations work to assist parents and carers to recognise the ambitious objective of the programme. It was confirmed that support for parents and carers to develop and enable their children's needs from an early stage was recognised. Furthermore, it was advised that the programme sits within the broader scope of the Public Service Reform model which focuses on integration and enabling the front line workforce to develop positive relationships working with parents within their communities.

The significant progress which has already been made across GM to improve school readiness levels was acknowledged. However, it was recognised that further work was required to address remaining gaps and challenges which had been identified by localities as barriers to improving early year's outcomes.

RESOLVED/-

That the contents of the report and the accompanying presentation be noted.

HCB 51/19 GREATER MANCHESTER CHILDRENS HEALTH AND WELLBEING PROGRAMME

Carole Ewing, children's health and wellbeing clinical lead and clinical adviser to the Greater Manchester and Eastern Cheshire Strategic Clinical Network provided the Health and Care Board with an update on the progress of the Children's Health and Wellbeing Framework since its launch in May 2018. Alongside this, the challenges and opportunities for further improvements were also outlined.

Nathan Randels, Youth Focus North West advised members of the opportunities for participation and engagement with children and young people which had led to the co-production of the framework and provided tangible ownership and a sense of belonging to the services which they use. In order to demonstrate that GMHSCP value the voice of young people, a GM Youth Agreement had been developed alongside youth rights in connection with confidentiality materials. It was advised that moving forward, the third sector would oversee a coordinated approach to young people evaluating health services against the GM Youth Agreement.

The GM Mayor noted that whilst the statistics for mental health treatment were improving, the level of response was still not matching the level of concern. Jon Rouse provided an explanation with regards to the indicator and acknowledged that whilst GM was the third

highest performing area in the country and some localities, namely Rochdale where performing at 60%, there was room to aspire for further improvement.

RESOLVED/-

1. That the achievements made within the first year of the programme be noted.
2. That the ongoing direction of travel for the children's and young people's programme be supported.

HCB 52/19 SALFORD LOCALITY PRESENTATION

Anthony Hassall, Accountable Officer, Salford CCG provided the Board with an update on Children's Integrated Health and Social Care in Salford.

An overview with regards to the integrated relationship of services for children, transformational priorities and an insight into the change being delivered was presented in conjunction with Director for People, Salford City Council, Charlotte Ramsden.

RESOLVED/-

That the presentation be noted.

HCB 53/19 DATES AND TIMES OF FUTURE MEETINGS

Members were notified of the following dates and times of future meetings:

- Friday 31 January 2020, 10am, Guardsman Tony Downes House, Droylsden

**MINUTES OF THE GREATER MANCHESTER GMCA MEETING
HELD ON 29 NOVEMBER 2019 AT NO 1 RIVERSIDE, ROCHDALE**

PRESENT:

Greater Manchester Mayor	Andy Burnham (In the Chair)
Greater Manchester Deputy Mayor	Baroness Bev Hughes
Bolton	Councillor David Greenhalgh
Manchester	Councillor Richard Leese
Oldham	Councillor Sean Fielding
Rochdale	Councillor Allen Brett
Salford	City Mayor Paul Dennett
Stockport	Councillor Elise Wilson
Tameside	Councillor Brenda Warrington
Trafford	Councillor Andrew Western
Wigan	Councillor David Molyneux

IN ATTENDANCE:

Rochdale	Councillor Janet Emsley
Rochdale	Councillor Sara Rowbotham
Tameside	Councillor Leanne Feeley
GM Transport Cttee	Councillor Roger Jones

OFFICERS IN ATTENDANCE:

GMCA – Chief Executive	Eamonn Boylan
GMCA - Deputy Chief Executive	Andrew Lightfoot
GMCA – Monitoring Officer	Liz Treacy
GMCA - Treasurer	Richard Paver
Bolton	Tony Oakman
Bury	Geoff Little
Manchester	Joanne Roney
Rochdale	Steve Rumbelow
Salford	Jim Taylor
Stockport	Pam Smith
Tameside	Steven Pleasant
Trafford	Sara Todd
Wigan	Alison McKenzie-Folan
Office of the GM Mayor	Kevin Lee
GMCA	Simon Nokes
GMCA	Julie Connor
GMCA	Sylvia Welsh

BOLTON
BURY

MANCHESTER
OLDHAM

ROCHDALE
SALFORD

STOCKPORT
TAMESIDE

TRAFFORD
WIGAN

GMCA
TfGM
TfGM

Nicola Ward
Simon Warburton
Kate Brown

GMCA 235/19

APOLOGIES

RESOLVED /-

That apologies for absence were received and noted from Councillor David Jones and Councillor Andrea Simpson (Bury), Councillors Sue Murphy and Councillor Bev Craig (Manchester), Councillor Tom McGee (Stockport), Councillor Mark Aldred and Councillor Jenny Bullen (Wigan) and Carolyn Wilkins (Oldham).

GMCA 236/19

CHAIR'S ANNOUNCEMENTS AND URGENT BUSINESS

a) Fire - Bolton Cube

The GM Mayor thanked members of the Greater Manchester Fire and Rescue Service (GMFRS) for their exemplary and professional response to the recent fire at Bolton Cube student accommodation. He reported that thankfully there had been no fatalities or serious injuries and acknowledged how learning exercises in relation to command and evacuation procedures following the Grenfell fire had made a significant difference as to how the fire service responds to incidents of this scale. He further thanked both students and staff from Bolton University who offered outstanding support to those affected.

This incident highlighted further the ongoing situation regarding cladded buildings, and emphasised the important role of the High Rise Task Force in supporting frontline services to better respond and also continue to lobby Government on this issue.

City Mayor Paul Dennett, Portfolio Lead for Housing, Homelessness and Infrastructure, added that the Bolton Cube building had been inspected by GMFRS in 2017, and it was reported that the cladding did not include any aluminium composite. In 2018 a further assessment was undertaken an appropriate action undertaken. Following the incident at Bolton Cube, a full investigation was underway. Alongside this, the High Rise Task Force have undertaken an independent review of building regulations and the Fire Safety Order which has highlighted that the current legislative system was not fit for purpose. Government austerity was contradicting any promise of prioritisation for the removal and replacement of combustible cladding. The criteria in relation to the height of the building, and the composition of the cladding materials were also too restrictive, with the burden of the costs of replacing cladding being borne by residents. The Task Force would be urgently lobbying Government to re-consider this issue again on a person centred risk based approach rather than the current restrictive building focus.

Councillor David Greenhalgh, Leader of Bolton Council, echoed the views expressed, and added his own personal thanks to the Fire Service, emergency services, community and students for their response to the incident. He further added that the building regulations classification did need to be reviewed.

Dawn Docx, Deputy Chief Fire Officer, GMFRS, thanked members of the GMCA for their comments and offered to pass them on to the fire crews directly. She further added her support to the need for Government to review the cladding criteria to ensure that further incidents of this nature are minimised.

RESOLVED /-

1. That the GMCA record its thanks to GM Fire & Rescue colleagues for the professionalism of the response to the fire at the Cube in Bolton.
2. That the GMCA recognised and praised the response of Bolton MBC officers, local residents, students and the business community in responding to the fire.
3. That the actions of the fire officers in implementing the learning from the Grenfell Tower tragedy be noted.
4. That the GMCA record its thanks to the City Mayor, Paul Dennett, for the work of the High Rise Task Force in raising the profile of this issue and providing greater opportunities to respond to and lobby Central Government.
5. That the GMCA submit a joint submission to Government requesting a review of the criteria for replacing cladding and the establishment of a hardship fund to remove non-compliant cladding materials, irrespective of the height of the building, and application of legislation following the Grenfell Tower Enquiry.

b) 'Dippy on tour North West' – Natural History Adventure

Councillor Allan Brett invited Councillor Janet Emsley to deliver a presentation which informed the GMCA of the forthcoming National History Adventure Tour, whereby Rochdale would be the only place in the North West to host a Diplodocus skeleton for 20 weeks from the 10 February 2020.

Councillor Allen Brett informed members they would be receiving an invitation to the official launch early in 2020.

RESOLVED /-

1. That the GMCA record its support to the National History Adventure Tour, and where possible, promote the events being held in Rochdale between the 10 February and 28 June 2020.

2. That it be noted that the GM Mayor, GM Leaders and GM Chief Executives would be invited to the official launch on 10 February 2020.

GMCA 237/19 DECLARATIONS OF INTERESTS

RESOLVED /-

There were no interests declared.

GMCA 238/19 MINUTES OF THE GMCA MEETING HELD ON 25 OCTOBER 2019

RESOLVED /-

That the minutes of the GMCA meeting held on 25 October 2019 be approved.

**GMCA 239/19 GREATER MANCHESTER TRANSPORT COMMITTEE - MINUTES
OF THE MEETING HELD 8 NOVEMBER 2019**

RESOLVED /-

That the minutes of the GM Transport Committee held on 8 November 2019 be noted.

**GMCA 240/19 GMCA OVERVIEW & SCRUTINY COMMITTEES – MINUTES OF THE
MEETINGS HELD IN NOVEMBER 2019**

a) ECONOMY, BUSINESS GROWTH & SKILLS - 8 NOVEMBER 2019

RESOLVED /-

That the minutes of the Economy, Business Growth & Skills Overview & Scrutiny Committee held on 8 November 2019 be noted.

b) HOUSING, PLANNING & ENVIRONMENT - 14 NOVEMBER 2019

RESOLVED /-

That the minutes of the Housing, Planning & Environment Overview & Scrutiny Committee held on 14 November 2019 be noted.

c) CORPORATE ISSUES & REFORM - 19 NOVEMBER 2019

RESOLVED /-

That the minutes of the Corporate Issues & Reform Overview & Scrutiny Committee held on 19 November 2019, in particular the comments made in relation to the report on Electric vehicles at minutes HPE/178/19, be noted.

GMCA 241/19

GMCA WASTE & RECYCLING COMMITTEE - MINUTES OF THE MEETING HELD 14 NOVEMBER 2019

RESOLVED /-

That the minutes of the GMCA Waste & Recycling Committee held on 14 November 2019 be noted.

GMCA 242/19

GM LOCAL ENTERPRISE PARTNERSHIP – MINUTES OF THE MEETING HELD 11 NOVEMBER 2019

RESOLVED /-

That the minutes of the GM Local Enterprise Partnership Board held on 11 November 2019 be noted.

GMCA 243/19

GMCA APPOINTMENTS

a) EXTENSION OF THE TERMS OF OFFICE OF THE INDEPENDENT MEMBER OF THE STANDARDS COMMITTEE AND INDEPENDENT PERSON FOR STANDARDS

Liz Treacy, Monitoring Officer to the GMCA, presented a short report which sought approval of the GMCA to extend the term of office of the Independent Person and Independent Member of the GMCA Standards Committee.

RESOLVED /-

1. That the extension of the term of office of Geoff Linnell (the Independent Co-opted Member and Chair of the GMCA Standards Committee) until the date of the Annual Meeting of the GMCA in 2021 be approved.
2. That the extension of the term of office of Nicolē Jackson (the Independent Person for Standards) until the date of the Annual Meeting of the GMCA in 2021 be approved.

b) APPOINTMENT OF ADDITIONAL INDEPENDENT MEMBERS TO THE AUDIT COMMITTEE

RESOLVED /-

That it be noted that the report on the appointment of additional Independent members to the Audit Committee would be submitted to the GMCA in January 2020 following the conclusion of the interview process.

The GM Mayor introduced a report which highlighted the work of the charity Remembering Srebrenica, including its motion for local authorities to support its work. Members were reminded that 2020 will mark the 25th Anniversary of the genocide in Srebrenica where the national forces killed many Muslim men and boys. The Remembering Srebrenica Charity had launched a national day of remembrance on 11 July to promote awareness of the atrocity, and members of the GMCA were requested to support the work of the charity where possible.

RESOLVED /-

1. That the GMCA pass the following motion to support the work of Remembering Srebrenica:

- That it be noted that 2019 is the twenty-fourth anniversary of the Srebrenica genocide in Bosnia and Herzegovina, which saw over 8,000 Muslim men and boys killed by Serbian nationalist forces.
- That it be noted that in 2009 the European Parliament passed a resolution that 11 July should be recognised as the day of commemoration of the Srebrenica genocide all over the EU; and in 2015 urged the development of educational and cultural programmes that promote an understanding of the causes of such atrocities and raise awareness about the need to nurture peace and to promote human rights and interreligious tolerance. All UK political parties have supported the work of Remembering Srebrenica in this regard.
- That the work of those involved in the pursuit of justice for the victims and their surviving relatives, including the International Commission of Missing People (ICMP) and the Mothers of Srebrenica, whose courage and humility in the face of unthinkable horror is an inspiration to us all be applauded.
- That the work of the charity, Remembering Srebrenica, in raising awareness of this tragic and preventable genocide and working in communities across Britain to help them learn the lessons of Srebrenica be commended.

2. That it be agreed to:

- To offer support to Remembering Srebrenica delegates from Greater Manchester who visited Bosnia on the 'Lessons from Srebrenica' education programme and have been working tirelessly in the community to raise awareness of the genocide and learn the lessons of Srebrenica.
- To support Srebrenica memorial events in July each year throughout Greater Manchester as part of the UK-wide Remembering Srebrenica Memorial Week.

- To support the work of Remembering Srebrenica in communities across Greater Manchester to learn the lessons from Srebrenica to tackle hatred and intolerance to help build a better, safer and more cohesive society for everyone.
- To support the work of schools and education providers to bring the lessons of Srebrenica to young people across Greater Manchester.

GMCA 245/19

GM SCHOOL READINESS PROGRAMME UPDATE

Geoff Little, Portfolio Lead Chief Executive for Young People and Cohesion, took Members through a report which provided an update on school readiness performance for the academic year 2018/19 and sought approval, in principle, to award £250,000 investment to develop and implement a universal digital platform to provide advice and resources for parents and professionals to support child development.

He reported that although there remained a gap between GM and the UK average for school readiness, individual Local Authorities were continuing to make good progress, especially in relation to Pupil Premium children.

Members of the GMCA recognised the importance of early years support, and the essential requirement for an online resource.

Members were assured that Directors of Children Services have been consulted and have been fully involved in the development of the proposals. The allocation of long term funding in place via Local Authority public health budgets was also confirmed

RESOLVED /-

1. That the school readiness performance update for the academic year 2018/19 be noted.
2. That the recommendation of the Reform Investment Fund Panel to allocate £250,000 from the Reform Investment Fund, as set out in paragraph 4.1, to obtain a digital platform providing universal and targeted advice and resources to parents in relation to supporting good early year's outcomes, be approved.
3. That authority be delegated to the GMCA Treasurer to obtain through an appropriate commercial arrangement the digital platform outlined in the report.

GMCA 246/19

METROLINK FARES AND TICKETING

The GM Mayor introduced a report which set out and sought approval of proposed changes to Metrolink fares and the introduction of two Metrolink ticketing products, 'earlybird' and 'carnet' style tickets from early 2020. He explained how the price increase proposals were just below inflation, with an average increase of 2.2% across

all ticket types. Furthermore, there would be an increase of better value tickets for cheaper off peak travel and the ability to purchase a book a day tickets.

The GM Mayor confirmed that TfGM would investigate the potential to extend the 'earlybird' scheme to cash paying customers.

The 'carnet' ticket which would allow ten 'one day' tickets to be purchased together resulting in cheaper day travel rates over 28 day period, TfGM would also investigate the potential to extend the valid period beyond 28 days.

In relation to safety on the Metrolink, Baroness Beverley Hughes, GM Deputy Mayor, informed the GMCA that the new Transport Unit, working with the Travelsafe team, to be deployed across the transport network in partnership with GMP had been launched. Fifty warranted officers, with enforcement powers, would now replace PCSOs on the transport network. She further reported that since its launch, there had already been a number of arrests and charges.

The GM Mayor summarised that 2020 would mark a significant year for the Metrolink system with the opening of the Trafford Park line and the introduction of these new ticketing options.

RESOLVED /-

1. That the implementation of a weighted average fare increase of 2.2% in early 2020 be approved.
2. That it be agreed that a further report be submitted to the GMCA in early 2020.
3. That the introduction of an Early Bird product for Metrolink customers be approved.
4. That it be noted that the GM Mayor had requested TfGM to review the potential for the Early Bird products being made available to cash customers in addition to those using contactless cards.
5. That the introduction of a 'carnet' style Metrolink ticket be approved and that authority be delegated to the Chief Executive Officer, GMCA & TfGM, in consultation with the GM Mayor, to agree the pricing of this product.
6. That authority be delegated to the to the Chief Executive Officer, GMCA & TfGM, in consultation with the GM Mayor to agree the decision on the precise implementation dates of both the fare increase and the introduction of the Early Bird product and the 'carnet' style tickets.
7. That the update on the additional Police Officers present on the transport network across GM be noted.

Eamonn Boylan, Chief Executive of the GMCA & TfGM, introduced a report which set out and sought approval to introduce a tariff on the Greater Manchester Electric Vehicle charging network from 2020. He reported that it had been subject to extensive scrutiny review and that elements including the potential for a membership scheme and a charge for overstaying had been amended as a result of this scrutiny.

Members asked for clarification of the terms 'rapid' and fast' and urged that the use of terminology be simplified and consistent before introduction to members of the public.

Members of the GMCA also expressed their support for the scheme, confirming the importance of the introduction of infrastructure at the earliest opportunity and not waiting for the introduction of the Clean Air Plan. The early introduction of infrastructure would encourage the purchase of electric vehicles.

In summary, the GM Mayor commented that the Electric Vehicle network would play a significant role in contributing to GM's de-carbonisation ambitions.

RESOLVED /-

1. That the comments made by the Housing, Planning & Environment Overview & Scrutiny Committee be noted, confirming that all the comments had been considered and addressed within the report, in particular:
 - Confirmed that proposals were in line with other schemes introduced in other areas across the country
 - Confirmed that the introduction of the scheme would be rolled out as planned to ensure the network was expanded and available as quickly as possible
2. That the introduction of the proposed electric vehicle charging tariff on the publicly owned GMEV charging network, subject to the development of a satisfactory Membership Scheme, be approved.
3. That authority be delegated to the Chief Executive Officer, GMCA & TfGM, in consultation with the GM Mayor, to approve the Membership Scheme and to implement the proposed electric vehicle charging tariff.
4. That the market research undertaken and used to develop the tariff structure be noted.
5. That the potential financial impact of introducing a tariff, and the uncertainty surrounding electric vehicle charging demand be noted.

6. That it be noted that the electric vehicle charging market was a developing market, and a review of the tariff's performance may be required in response to changing demand and supply conditions.

GMCA 248/19

THE MAYORS CYCLING AND WALKING CHALLENGE FUND

The GM Mayor took members through a report which provided an update on the progress of the fifth tranche of schemes and sought approval for tranche 6x for programme entry to the Mayor's Cycling and Walking Challenge Fund.

Work was underway to develop a pipeline of schemes which would strengthen further funding requests of Government.

RESOLVED /-

1. That the progress on the first five tranches previously granted Programme Entry for inclusion in the MCF be noted.
2. That the sixth tranche of cycling and walking schemes be approved for Programme Entry for inclusion in the MCF.
3. That the progress made in developing a prioritised list of schemes for development and delivery through the Mayor's Challenge Fund, as the first phase of the Bee Network, be noted.
4. That it be noted that a pipeline of schemes was being develop, to strengthen further funding requests of Government.

GMCA 249/19

GM GROWTH DEAL – SALFORD BOLTON NETWORK IMPROVEMENT PROGRAMME: SALFORD DP3 (A666/A6) AND BOLTON DP5 (MANCHESTER ROAD GATEWAY) REQUEST FOR FULL APPROVAL AND FUNDING RELEASE

Eamonn Boylan, Chief Executive of the GMCA and TfGM, took Members through a report which sought full approval and the release of necessary funding to enable the delivery of the Salford Bolton Network Improvement DP3 (A666/A6) and the Bolton DP5 (Manchester Road Gateway).

RESOLVED /-

That the Salford Bolton Network Improvement Salford Delivery Package 3 (A666/A6) and Bolton Delivery Package 5 (Manchester Road Gateway) and the associated release of funding of £3.984m from the Local Growth Deal (£3.708m and MCF (£0.276m) to enable the delivery of Salford DP 3 (A666/A6) and the Bolton DP 5 Bury Road/Crompton Way schemes be granted full approval.

City Mayor Paul Dennett, Portfolio Lead for Housing, Homelessness and Infrastructure, introduced a report which sought approval in principle to provide GM Housing Investment Loan Fund (HILF) monies to the Rochdale Riverside Phase 2 scheme, in conjunction with further funding from Rochdale Council as part of their Town Centre Challenge.

Members of the GMCA commended Rochdale for their developments to date, and in particular the proposed phase two development at Riverside, which will underpin the growth of town centre living opportunities.

Councillor Allan Brett, Leader of Rochdale Council, added that in support of the town centre regeneration an integrated transport ticketing option for rail and Metrolink would be welcomed. The GM Mayor confirmed that he had commissioned TfGM to explore the potential for the introduction of a pilot integrated ticketing scheme for rail and Metrolink in Rochdale Town Centre

Members further added that a precedent for town centre development had been set by Stockport MBC, and that the Housing Investment Loans Fund could support this type of development, albeit that GM faced some larger viability challenges. Members were reminded that alongside the GM Spatial Framework, the GMCA has published the Infrastructure Framework, that still required Government's commitment and support.

The GM Mayor echoed this, and reported some high level market interest across all the town centres taking part in the Town Centre Challenge and that an update would be submitted to the GMCA in early 2020.

RESOLVED /-

1. That the current position in relation to Rochdale Riverside Phase 2, a Mixed Use Development in Rochdale Town Centre, be noted.
2. That the request to invest up to £4m for the Rochdale Riverside Phase 2 Mixed Use Development be approved, in principle, subject to a further request for the full approval of the investment being submitted to the GMCA in due course.
3. That it be agreed that a proposal for the introduction of a pilot scheme which will measure the impact of an integrated ticketing offer for Rail and Metrolink Services in Rochdale to support Town Centre living, be submitted to the GMCA in early 2020.
4. That an update on the Town Centre Challenge be submitted to the GMCA in early 2020.

Councillor David Molyneux, Portfolio Lead for Investment and Resources, introduced a report which sought approval of a series of loans from re-cycled funds through the GM Investment Framework. The report also sought approval to delegate authority to GMCA officers, in the absence of a meeting of the GMCA in December, to approve projects for funding from the GM Investment Framework or GM Housing Investment Loans Fund.

Members of the GMCA urged that within the application process, companies were requested to sign up to the Good Employment Charter, once it is formally launched.

RESOLVED /-

1. That the funding applications for Swim Sports Company Limited (loan facility of £500,000), Salford Evolution (loan facility of £5,800,000), Intechnica Limited (convertible loan of £150,000) and Erlson Precision Holdings Limited (loan facility of £700,000) be approved and progressed to due diligence.
2. That authority be delegated to the GMCA Treasurer and Monitoring Officer to review the due diligence information in respect of the companies, and, subject to their satisfactory review and agreement of the due diligence information and the overall detailed commercial terms of the transactions, to sign off any outstanding conditions, issue final approvals and complete any necessary related documentation in respect of the investments.
3. That authority be delegated to the Chief Executive Officer, GMCA & TfGM and GMCA Treasurer, in consultation with the relevant Portfolio Leads for the period 30 November 2019 to 30 January 2020 to approve funding from the GM Investment Framework and GM Housing Investment Loans Fund. Recommendations approved under the delegation will be subject to the usual due diligence processes and will be reported to the GMCA at the next available meeting.
4. That any future loans made through the Housing Investment Loans Fund would be subject to the Company having signed up to the Good Employment Charter (once it is approved).
5. That it be noted that the membership criteria of Good Employer Charter was still under development, however as a point of principle discussions should have been held with the applicants and that the GM Mayor would confirm whether the discussions had been with Swim Sports Company Limited, Salford Evolution, Intechnica Limited and Erlson Precision Holdings.

GMCA 252/19

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED /-

That, under section 100 (A)(4) of the Local Government Act 1972 the press and public should be excluded from the meeting for the following items on business on the grounds that this involved the likely disclosure of exempt information, as set out in the relevant paragraphs of Part 1, Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

GMCA 253/19

**GREATER MANCHESTER INVESTMENT FRAMEWORK AND
CONDITIONAL PROJECT APPROVAL**

Clerks note: This item was considered in support of the Part A report at item 17 on the agenda (minute GMCA 251/19 refers).

This page is intentionally left blank

**MINUTES OF THE MEETING OF THE GREATER MANCHESTER COMBINED AUTHORITY
HELD TUESDAY, 7TH JANUARY 2020 AT BOARDROOM, CHURCHGATE HOUSE, OXFORD STREET,
MANCHESTER, M1 6EU**

PRESENT:

Greater Manchester Mayor	Andy Burnham (In the Chair)
Greater Manchester Deputy Mayor	Baroness Bev Hughes
Bolton	Councillor David Greenhalgh
Bury	Councillor David Jones
Manchester	Councillor Richard Leese
Oldham	Councillor Sean Fielding
Rochdale	Councillor Allen Brett
Salford	City Mayor Paul Dennett
Stockport	Councillor Elise Wilson
Tameside	Councillor Brenda Warrington
Trafford	Councillor Andrew Western
Wigan	Councillor David Molyneux

OFFICERS IN ATTENDANCE:

GMCA – Chief Executive	Eamonn Boylan
GMCA - Deputy Chief Executive	Andrew Lightfoot
GMCA – Monitoring Officer	Liz Treacy
GMCA - Treasurer	Steve Wilson
Bury	Geoff Little
Rochdale	Steve Rumbelow
Stockport	Kathryn Rees
Trafford	Sara Todd
Wigan	Alison McKenzie-Folan
Office of the GM Mayor	Kevin Lee
GMCA	Simon Nokes
GMCA	Julie Connor
GMCA	Sylvia Welsh
GMCA	Phil Swan
TfGM	Steve Warrener

GMCA/1/20 APOLOGIES

RESOLVED/-

That apologies for absence were received and noted from Councillor Councillor Andrea Simpson (Bury), Councillors Sue Murphy and Bev Craig (Manchester), Councillor Janet Emsley & Sara Rowbotham (Rochdale), Councillor Tom McGee (Stockport), Councillor Leanne Feeley (Tameside) and Councillor Mark Aldred & Councillor Jenny Bullen (Wigan) and Tony Oakman

BOLTON
BURY

MANCHESTER
OLDHAM

ROCHDALE
SALFORD

STOCKPORT
TAMESIDE

TRAFFORD
WIGAN

(Bolton), Joanne Roney (Manchester), Jim Taylor (Salford), Pam Smith (Stockport) and Steven Pleasant (Tameside).

GMCA/2/20 CHAIRS ANNOUNCEMENTS AND URGENT BUSINESS

There were no Chairs announcements or items of urgent business

GMCA/3/20 DECLARATIONS OF INTEREST

There were no interests declared.

GMCA/4/20 MINUTES OF THE GMCA MEETING HELD ON 29 NOVEMBER 2019

RESOLVED/-

That the minutes of the GMCA meeting held on 29 November 2019 be approved as a correct record.

GMCA/5/20 TFGM EXECUTIVE BOARD - RECRUITMENT OUTCOMES

The GM Mayor introduced a report which provided an update on the recruitment process for the appointment of new Non-Executive Directors of Transport for Greater Manchester (TfGM) and confirming the outcome of the recruitment process, whereby two candidates were recommended for appointment.

RESOLVED

1. That the appointment of Jo Kaye and Tracey Matthews as Non-Executive Directors of TfGM be approved.
2. That authority be delegated to the Chief Executive Officer, GMCA & TfGM, to formalise the terms of the appointments.

GMCA/6/20 APPOINTMENT OF INDEPENDENT MEMBERS OF THE AUDIT COMMITTEE

Councillor David Molyneux introduced a report which requested GMCA approval of the appointment of the two proposed individuals as independent members to the GMCA's Audit Committee.

RESOLVED/-

That the appointment of Mr Grenville Page and Ms Susan Webster, as Independent Members of the Audit Committee, be approved subject to completion of required pre-employment checks, with immediate effect.

GMCA/7/20 GM TRANSPORT COMMITTEE - APPOINTMENTS

RESOLVED/-

1. That the appointment of Councillor Shah Wasir to replace Councillor Liam O'Rourke (Rochdale) as a member of the Committee by the GM Mayor be noted.

2. That the appointment of Councillor Paul Prescott to replace Councillor Carl Sweeney (Wigan), as a substitute member of the Committee, be noted.

GMCA/8/20 GMCA ECONOMY, BUSINESS GROWTH & SKILLS OVERVIEW & SCRUTINY COMMITTEE

RESOLVED/-

That the appointment of Councillor John Walsh to replace Councillor Mudasir Dean (Bolton) be approved.

GMCA/9/20 GMCA CULTURAL & SOCIAL IMPACT FUND COMMITTEE/STATUTORY FUNCTIONS COMMITTEE

RESOLVED/-

That the appointment of Councillor Paul Prescott to replace Councillor Carl Sweeney (Wigan) be approved

GMCA/10/20 GREATER MANCHESTER LOCAL FULL FIBRE NETWORK PROGRAMME

Councillor Elise Wilson introduced a report which summarised the outcome of the tender process for the Greater Manchester Local Full Fibre Network (LFFN) programme.

Members were advised that a preferred provider had been identified for each GM Arc (North and South) to deliver the Public Sector Anchor Tenancy (PSAT) element of this programme following a PCR2015 compliant procurement process.

The report also confirmed partner capital investment and sought agreement on a simplified and consistent approach across all GM Local Authorities for the way in which digital infrastructure is delivered (see GM Prospectus at Appendix A of the report).

Members were reminded that investing in digital infrastructure was a key priority in the GM Digital Strategy as an important enabler for the delivery of GM Strategic priorities.

From a public perspective, the investment will enable GM to provide better services across the City region, connecting community libraries children's and early years centres, council buildings, transport facilities, underpinning the ambition to be a smarter City Region.

There was a strong social value component alongside investment in apprenticeships, digital skills, free broadband services to arrange of homeless hostels and shelters and professional support to help projects.

Members were assured that there had been a coordinated approach to discussions with GM Local Authorities with a view to minimising potential disruptions to transport and the impact on highways. A key element of the appraisal process focussed on a partner who could work alongside GM Local Authorities, with people at the heart of the process.

The GM Mayor thanked Councillor Wilson and the GM wider Digital Team for the work undertaken to meet Government timescales.

RESOLVED/-

1. That it be agreed to enter into a grant funding agreement with DCMS to secure the grant element from DCMS for the GM LFFN programme for up to £21.3M (this may be up to £1.7m lower to reflect Salford City Council moving to a Public Sector Building Upgrade model – para 2.6).
2. That the allocation of £835,000 from the DCMS LFFN grant, to Manchester City Council for the purposes of Public Sector Building Upgrade be approved.
3. That the allocation of £90,000 from the DCMS LFFN grant, to Salford City Council for the purposes of Public Sector Building Upgrade be approved.
4. That Manchester City Council and Salford City Council be commended to follow a Public Sector Buildings Upgrade model under a separate Grant Funding Agreement direct with DCMS.
5. That it be noted that the decision of the GMCA (1st March 2019) to select up to two providers under single supplier framework contracts was delegated to the GMCA Treasurer.
6. That it be noted that providers will be used by the GMCA, and also each participating Local Authority to enter into a contract in their own right for each locality, in accordance with the recommendations in the Tender Outcome Report (Part B report).
7. That it be agreed that the GMCA enter the Inter Authority Agreement (IAA) with Local Authority partners.
8. That the publication of the GM Prospectus be welcomed and agreed as the agreed basis for all Authorities to work consistently across GM for working with any provider looking to install fibre to minimise disruption to residents, minimise cost of installation and maximise private fibre investment. This prospectus will form an integral part of the IAA and is approved as the basis to work with the successful bidders.
9. That authority be delegated to the GMCA Monitoring Officer to review and complete all necessary legal documentation and award and enter into contracts.

GMCA/11/20 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED/-

That, under section 100 (a)(4) of the local government act 1972 the press and public should be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information, as set out in the relevant paragraphs of part 1, schedule 12a of the local government act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

GMCA/12/20 GREATER MANCHESTER LOCAL FULL FIBRE NETWORK PROGRAMME

Councillor Brenda Warrington left the meeting during the discussion of this item.

Councillor Elise Wilson introduced a report which set out the details of the financial and commercial aspects of the process.

RESOLVED/-

1. That the GMCA record its thanks to Councillor Elise Wilson and the GM Digital Team for the progress of work over the last 2 years.
2. That the recommendations in the report be approved, including the arrangements to enter into grant agreements with DCMS as detailed within the report.
3. That the DCMS grant funding distribution as detailed in the report be approved and that the decision to enter into grant agreements to allocate funding to the GM public sector partners for the anchor tenancy element of the GM LFFN programme be delegated to the GMCA Treasurer.
4. That the allocation from the DCMS LFFN grant, to the GMCA for connecting Fire & Rescue sites for the purposes of Anchor Tenancy across Greater Manchester be approved.
5. That the allocation from the DCMS LFFN grant to the GMCA for connecting Urban Traffic Management Control sites and TfGM assets for the purposes of Anchor Tenancy across Greater Manchester be approved.
6. That an increase to the GMCA capital programme of £19.7M, of which £7.1m was agreed by GMCA in March 2019, be approved, subject to final design to support investment in GMCA/TfGM UTM assets and sites.
7. That an increase in the GMCA capital programme of £1.55M be approved to reflect the GMCA investment in GMFRS sites.
8. That it be noted that the GM led procurement has secured substantially improved value for money than originally anticipated in the GMCA report of 1st March 2019.
9. That Bolton, Bury, Wigan, Rochdale and Oldham Councils be commended to sign their respective contracts in the Northern Arc, in accordance with the recommendations in the Tender Outcome Report.
10. That Trafford and Stockport Councils be commended to sign their respective contracts in the Southern Arc, in accordance with the recommendations in the Tender Outcome Report.

11. That it be agreed that GMCA enters into contracts to connect F&RS and TfGM assets for both the Northern Arc and the Southern Arc, in accordance with the recommendations in the Tender Outcome Report.

**MINUTES OF THE MEETING OF THE GREATER MANCHESTER COMBINED AUTHORITY
HELD ON FRIDAY, 31ST JANUARY 2020**

Greater Manchester Mayor	Andy Burnham (In the Chair)
Greater Manchester Deputy Mayor	Baroness Bev Hughes
Bolton	Councillor David Greenhalgh
Bury	Councillor David Jones
Manchester	Councillor Richard Leese
Oldham	Councillor Sean Fielding
Rochdale	Councillor Allen Brett
Salford	City Mayor Paul Dennett
Stockport	Councillor Elise Wilson
Tameside	Councillor Brenda Warrington
Trafford	Councillor Andrew Western
Wigan	Councillor Keith Cunliffe

IN ATTENDANCE:

Tameside	Councillor Leanne Feeley
Wigan	Councillor Jenny Bullen
GM Transport Cttee	Councillor Mark Aldred

OFFICERS IN ATTENDANCE:

GMCA & TfGM – Chief Executive Officer	Eamonn Boylan
GMCA - Deputy Chief Executive	Andrew Lightfoot
GMCA – Monitoring Officer	Liz Treacy
GMCA - Treasurer	Steve Wilson
Bolton	Tony Oakman
Bury	Geoff Little
Manchester	Carol Culley
Rochdale	Steve Rumbelow
Salford	Jim Taylor
Stockport	Pam Smith
Tameside	Steven Pleasant
Trafford	Sara Todd
Wigan	Alison McKenzie-Folan
Office of the GM Mayor	Kevin Lee
GMCA	Simon Nokes
GMCA	Julie Connor
GMCA	Sylvia Welsh
GMCA	Nicola Ward
GMCA	Lindsay Dunn
TfGM	Simon Warburton
TfGM	Kate Brown

GMCA 13/20 APOLOGIES

RESOLVED /-

That the apologies be received and noted from Councillor David Molyneux (Wigan), Councillor Keith Cunliffe attending, Councillors Sara Rowbotham & Janet Emsley (Rochdale) and Joanne Roney (Manchester), Carol Culley attending.

GMCA 14/20 CHAIRS ANNOUNCEMENTS AND URGENT BUSINESS

RESOLVED /-

1. That the condolences of the GM Mayor and all members of the GMCA be extended to the family of Councillor Guy Harkin, who had recently passed away. Councillor Harkin had been a passionate local councillor for Bolton, being honoured as an Alderman of Bolton in December 2019 and long standing advocate for an improved public transport network.
2. That the Government announcement on 29 January 2020 that the Northern rail franchise agreement would be terminated on the 1 March, 2020, and placed in the hands of the Government's 'Operator of last resort' be noted. It was also noted that a dramatic improvement in delivery would not be seen overnight, but rather a steady improvement and consistency over a short period.
3. That it be noted that discussions regarding the potential split in the franchise and establishment of a North West franchise would be progressed with Government.
4. That it be agreed that the GMCA message to Government was that the successful delivery of rail services was predicated on the need to improve infrastructure. In particular the improvement of the Castlefield Corridor and the business case for the development of platforms 15 & 16 at Manchester Piccadilly Train Station had been made and was 'shovel ready' delivering improvements not just to Greater Manchester but the whole of the North of England.

GMCA 15/20 DECLARATIONS OF INTEREST

RESOLVED /-

That it be noted that Councillor Allen Brett declared a personal interest in relation to item 15 (GM Housing Investment Loans Fund) as an associate of loan applicant, Qumar Zaman.

GMCA 16/20 MINUTES OF THE GMCA MEETING HELD 7 JANUARY 2020

RESOLVED /-

That the minutes of the GMCA meeting held on 7 January 2020 be approved.

GMCA 17/20 MINUTES OF THE GMCA WASTE & RECYCLING COMMITTEE HELD ON 16 JANUARY 2020

RESOLVED /-

That the minutes of the GMCA Waste & Recycling Committee held on 16 January 2020 be noted.

GMCA 18/20 MINUTES OF THE GMCA AUDIT COMMITTEE HELD ON 21 JANUARY 2020

RESOLVED /-

That the minutes of the GMCA Audit Committee held on 21 January 2020 be noted.

GMCA 19/20 MINUTES OF THE GM TRANSPORT COMMITTEE HELD ON 17 JANUARY 2020

RESOLVED /-

That the minutes of the GM Transport Committee held on 17 January 2020 be noted.

GMCA 20/20 MINUTES OF THE GM LOCAL ENTERPRISE PARTNERSHIP BOARD HELD ON 21 JANUARY 2020

RESOLVED /-

That the minutes of the GM Local Enterprise Partnership Board held on 21 January 2020 be noted.

GMCA 21/20 APPOINTMENT OF THE CHAIR OF THE GM LOCAL ENTERPRISE PARTNERSHIP BOARD

Richard Leese, GM Deputy Mayor and Portfolio Lead for the Economy introduced a report which set out the results of a recent recruitment campaign for a new Chair of the GM Local Enterprise Partnership (LEP) and detailed a proposal from the LEP Board to appoint Co-chairs.

RESOLVED /-

1. That the report be noted.
2. That the appointment of Mo Isap and Lou Cordwell as Co-Chairs of the GM LEP Board be approved.
3. That the GMCA record its thanks to the outgoing Chair, Mike Blackburn for his years of strategic leadership of the GM Local Enterprise Partnership.

GMCA 22/20 GM CULTURE & SOCIAL IMPACT FUND COMMITTEE - APPOINTMENT

RESOLVED /-

That the appointment of Cllr Liz Patel to replace Cllr Jane Baugh (Trafford) be agreed.

GMCA 23/20 MAYORAL GENERAL BUDGET & PRECEPT PROPOSALS

Andy Burnham, GM Mayor took Members through a report which set out the proposal for the Mayoral General Budget and precept for 2020-21. Unique amongst Mayoral Combined Authorities, the proposal for consideration included a significant element for the Fire Service (£66.20 pa) totalling a proposed increase of £90.95 per annum for a Band D property. He explained how in determining the precept level, it was important to ensure a minimal impact to residents whilst continuing to maintain a substantial level of frontline services, and that there were increased pressures being put

on the Fire and Rescue Services which required further allocated resources to be able to address. Specifically, the implementation of the recommendations from the 'Programme for Change' review which included retaining 50 fire pumps across GM, and ensuring crews of 5 firefighters per single pump vehicle. He added that the Fire Service would also have a greater role in fire safety and prevention, and that it was therefore important to ensure there were the required levels of available frontline staff.

In relation to the Mayoral element of the precept, this proposed increase was significantly lower than the precept levels for 2019, however, additional resources were vital to ensure Greater Manchester's ability to deliver the bus reform agenda and continue its ambitions to end rough sleeping through schemes such as 'A bed every night'.

Members of the GMCA recognised the increased pressures on the Fire and Rescue Service, specifically in relation to the work required to address concerns highlighted by the 'High Rise Task Force' regarding cladded buildings, and the outcomes of the recent Independent Review of Building Regulations which stated that they were currently not fit for purpose. Therefore, additional resources were required to be able to deliver on this significant agenda, which had not been reflected in the latest Government grant which had again seen no uplift. Furthermore, Members were concerned about the drift towards using council tax to fund frontline services, which could be seen as regressive taxation that would disproportionately affect the poorest communities and urged the GMCA to further campaign for a fairer settlement to ensure this was minimised in the future.

The GM Mayor concurred with these views, and reported on the severe impact that issues with cladded buildings were having on people's lives. It was a national issue that needed urgently addressing, however GMFRS were taking steps to support people currently trapped in a limbo state in anticipation of significant Government policy change. Funding for frontline fire services was just one element of the impact of the negative impact to the North following the Government's recent 'Fairer Funding Review' which the Mayor planned to address directly with the Chancellor of the Exchequer.

RESOLVED /-

1. That the proposals to set an overall Mayoral General Precept of £90.95 (Band D) comprising of £66.20 for functions previously covered by the Fire and Rescue Authority precept and £24.75 for other Mayoral General functions be noted.
2. That it be noted that the proposal for the Mayoral General Precept for 2020/21 was part of a multi-year strategy for setting the Mayoral precept baseline which will be adjusted in future years as further Mayoral functions are covered by the funding raised.
3. That the following be noted:
 - i. the overall budget proposed for the Fire and Rescue Service, noting that it was proposed to defer a number of operational changes in relation to Programme for Change
 - ii. the use of the reserves to support the revenue and capital budgets, and the assessment by the GMCA Treasurer that the reserves as at March 2021 were adequate
 - iii. the proposed Fire Service capital programme and proposals for funding
 - iv. the medium term financial position for the Fire and Rescue Service covered by the Mayoral precept
4. That the detailed budget proposals for other Mayoral Functions be noted.
5. That the proposal to allow £0.5 million of Earnback grant to be used to support GMCA costs relating to bus related activity, including bus reform be agreed.

6. That it be noted that if a decision was made to introduce bus franchising a further report would be submitted to GMCA to increase the statutory charge by £17.8 million for the year 2020/21.
7. That the use of reserves, as set out in section 3 of the report, be noted.
8. That members be requested to submit any written comments to the Mayor in line with the legal process and timetable described in this report.
9. That it be noted that at the GMCA meeting on 14 February, a revised budget would be submitted, consistent with the precept proposals, reflecting final tax base and collection fund calculations and the final Revenue Support Grant settlement.
10. That it be noted that the GM Mayor was proposing to undertake a National lobby of Parliament on Tuesday 25 February 2020 at 1.00pm, in relation to the removal of cladding from high rise buildings and the financial burden being laid with residents, inviting all GM Leaders and Metro Mayors to support the lobby.

GMCA 24/20 GM DIGITAL STRATEGY REFRESH

Councillor Elise Wilson, Portfolio Lead for the Digital City Region took the GMCA through a report which summarised the refreshed Greater Manchester Digital Strategy, now referred to as the 'Blueprint' which was a result of significant stakeholder engagement and a reflection of the speed at which the digital economy in Greater Manchester has progressed since the first GM Digital Strategy was adopted by the GMCA in February 2018. This Blueprint further evidenced Greater Manchester's progress towards being one of the top 5 digital city regions in the UK, the impact of growth within the digital sector being significant for all communities as GM becomes a better place to live, work and grow.

Members of the GMCA commented that this was a very exciting piece of work, which would have an influence within all portfolio areas through the positive impact of investment, job creation and economic development, and already this was being evidenced through the recent investment of some of the UK's top tech and digital companies moving to Greater Manchester.

RESOLVED /-

1. That the progress on GM Digital be noted and that the refreshed GM Digital Blueprint be approved.
2. That it be agreed that the GM Digital Blueprint be reviewed annually to reflect the dynamic environment in which it was embedded.
3. That it be noted that on the 7 February, Greater Manchester would be hosting its first Digital Skills Day, and that Greater Manchester Local Authorities, community groups, schools, colleges, residents and businesses be encouraged to participate in #dosomethingdigital.
4. That it also be noted that GMACs would be launched next week, providing a single portal access point, whereby young people can view all employment opportunities, including digital, and information on qualification and training required in preparation of pursuing a career.

5. That the GMCA record its thanks to Cllr Elise Wilson for the work undertaken in progressing GM Digital.

GMCA 25/20 BREXIT UPDATE & ECONOMY DASHBOARD

Councillor Richard Leese, Portfolio Lead for the Economy introduced a report which provided the GMCA with the latest position regarding the national Brexit negotiations, and highlighted how GM would continue to prepare for EU exit and trading arrangements. Today marked a significant day, as of the 31 January 2020 legislation stated that the UK would leave the European Union, however uncertainty still remained as the terms of this agreement were still to be determined. At the end of 2020, the UK would potentially still be at risk of a no deal situation.

Through this transition phase the role of the GMCA remained to promote certainty across GM, supported by the Growth Company's recent proposal regarding improving investment to the Northern Powerhouse submitted to Government as part of the budget settlement request. Inevitably there would be constitutional changes ahead, within which the GMCA would need to continue to lobby for further devolution to ensure that future decision making could be made locally, this would be especially relevant to the Shared Prosperity Fund whose details and governance arrangements remained unclear.

Members of the GMCA echoed this view, and expressed their concern that the loss of £400m of European Social Funding would have significant negative consequences for GM if the Shared Prosperity Fund was not available to minimise the impact. Government had been slow to determine its levels, its allocation process and its overall governance which in itself was already affecting GM as plans for any contingencies have not been able to have been made.

RESOLVED /-

1. That the Brexit update and the work underway to ensure Greater Manchester was prepared for EU exit and future trading arrangements be noted.
2. That the latest update of the Greater Manchester Economic Resilience Dashboard be noted.
3. That it be noted that the Brexit transition period would be 11 months, and that the Brexit Act confirms that there would be no extension, with a risk that there could still be 'no deal' at the end of the period.
4. That it be noted that the Growth Company has developed a long term proposal for how Northern Powerhouse performance overall could be improved overall on trade and investment, supported by the NP11 group of Local Enterprise Partnerships across the North, which has been submitted to Government as part of budget proposals from the North.
5. That the GM Mayor be requested to relay a clear message to the Chancellor of the Exchequer that the consultation on the Shared Prosperity Fund was a priority to be addressed, and that the allocation and governance should be devolved from Central Government.

GMCA 26/20 HOMELESSNESS UPDATE

Andy Burnham, GM Mayor took Members through a report which provided an update on the homelessness programme and detailed that a third of people who had been through 'a bed every night' (since its launch in 2018) had now been moved to a fixed address, and overall homelessness figures had reduced by 37% during this timeframe, with only 99 rough sleepers counted across GM on the 30 January 2020. The rate of progress had been sustained through the continual support from Local Authorities, the voluntary sector and recent additional investment from the Health and Social Care Partnership. Currently approximately 450 people were being supported by the scheme every night, and plans for phase 3 were already underway.

The Housing First scheme also reported significant success with over 60 people moved to a permanent home, and it was hoped that by the end of March 2020 the scheme would have benefitted c.140 people as per the Government target.

The recent 'Street Engagement Project' (formerly ARC) pilot in central Manchester had been designed to offer a host of support to daytime beggars, rather than simply an enforcement approach. The GMCA were reminded that the daytime picture of rough sleepers/beggars was very different to the night-time picture and therefore a tailored targeted approach was needed to address some of the root causes to their dysfunctional lives. In relation to this, Richard Leese, Deputy Mayor confirmed that there had been funding allocated to extend the pilot post March 2020.

Further concerns regarding the number of families housed in hostels and B&B facilities were raised by Members of the GMCA, with current numbers of people in unsatisfactory housing in excess of 1470 at a net cost to Local Authorities across GM of £14m per year.

A recent documentary by the BBC highlighted some of the work that Tameside Council and partner agencies were doing to support homelessness people, evidencing individual stories as to how this support has enabled them to turn their lives around. However, many of the determinants to homelessness were governed by Government policy and if reviewed could make a significant difference to those people affected. Members highlighted particular 'quick wins' as a revision of article 21, the elimination of no fault evictions, the introduction of 3 year tenancies, a review of Local Housing Allowance and the suspension of 'right to buy'. Facing a housing crisis, it was crucial that Government begin to address some of these concerns as a matter of urgency so that the symptoms of a failing system could be minimised.

In relation to the Local Housing Allowance (LHA), Members reported that this had been frozen for the last four years despite rents being increased, and a general rise in the cost of living. In 60% of areas across the UK, the LHA did not cover the average rent amount, resulting in the use of food/fuel budgets being used.

'Right to Buy' had also resulted in 9145 social housing properties being lost over the last 10 years, 40% of which had ended up in the private rented sector with limited jurisdiction over the standard of housing they provide.

Members questioned whether the grant awarded to the GMCA was available to private landlords who wished to offer additional accommodation to people identifying as homeless. The GM Mayor confirmed that the Ethical Lettings Agency worked to support private landlords in making housing available for those on low incomes and currently had c.300 properties on their system, however there

had been further potential identified to expand their provision to include Housing First tenants.

In relation to Housing First, Members reported a positive impact within their Local Authorities as a result of continual support across all delivery partners. However, further Government funding to grow its impact would be included in forthcoming conversations with Ministers.

Youth homelessness continued to be a specific concern for Members of the GMCA, especially in relation to the variation in preventative support across GM. Recent data from 'a bed every night' had evidenced that young people under 25 years were the largest cohort accessing the scheme but also that homelessness remained a significant issue for young people, especially those leaving care.

Members of the GMCA urged that the housing sector needed to step up and contribute towards tackling the housing crisis, rather than just benefiting from the desperation for housing. It was suggested that the sector would benefit from signing up to the Good Employment Charter, ensuring that they pay their employees the living wage, and that their companies focused on a host of other benefits for employees and tenants.

RESOLVED /-

1. That the report be noted and very recent count figures showing a further reduction in rough sleeping be welcomed.
2. That the GMCA record its thanks to all partners, specifically Local Authorities and the voluntary sector for their contributions towards the homelessness projects across Greater Manchester.
3. That Local Authorities be encouraged to look for further ways that the Housing First scheme could support residents who were homeless.
4. That Local Authorities be further encouraged to identify whether the Street Engagement Project (formerly ARC) could be rolled out in other areas where street begging was an issue.
5. That it be noted that the GM Mayor would provide further information on the Ethical Lettings Agency to Councillor Brenda Warrington.
6. That future proposals be submitted to the GMCA in relation to linking the Good Employment Charter to all future commissioning and procurement activities.
7. That the GM Mayor be requested to consider young homeless people, and in particular care leavers in future discussions with Government.

GMCA 27/20 CLIMATE CHANGE & TRANSPORT

Councillor Andrew Western, Portfolio Lead for Green City Region introduced a report which set out the scale of the challenge and the transport related actions that GM needed to take and influence to meet its ambition to be a carbon-neutral city region by 2038.

RESOLVED /-

1. That the report be noted.

2. That the GMCA recognised the scale of the challenge to reduce carbon emissions from transport for GM to meet its ambition to be a Carbon neutral city-region by 2038.

GMCA 28/20 GM CLEAN AIR PLAN UPDATE

Councillor Andrew Western, Portfolio Lead for Green City Region took Members through a report which set out the progress that had been made following the Government's response to Greater Manchester's Outline Business Case to tackle Nitrogen Dioxide Exceedances at the roadside, and the implications for the GM Local Authorities in relation to the schedule of work on the Clean Air Plan.

RESOLVED /-

1. That the progress made to date be noted.
2. That it be noted that the ministerial direction under the Environment Act 1995 (Greater Manchester) Air Quality Direction 2019 which requires all ten of the Greater Manchester local authorities to implement a charging Clean Air Zone Class C across the region.
3. That the need to continue to proceed towards developing the implementation and contract arrangements of a charging Clean Air Zone in Greater Manchester utilising the initial tranche of £36m of funding as required by the ministerial direction / feedback be noted.
4. That it be noted that the report to determine the timings for commencing the consultation would be received in the Spring of 2020.
5. That the outstanding need to secure a clear response from the Government on clean vehicles funding asks be noted.
6. That it be noted that Highways England have not been directed to act in relation to tackling NO₂ exceedances in the same way as the Greater Manchester local authorities, and that this will leave some publicly accessible areas of GM adjacent to trunk roads managed by Highways England, with NO₂ exceedances that are not being addressed by the Highways England plan.
7. That it be noted that the GM Authorities would co-sign a letter to the Transport Secretary asking them to bring forward the launch of a statutory consultation to strengthen rules on vehicle idling.
8. That a further report be submitted to the GMCA following further Government discussions on the Clean Air Plan.

GMCA 29/20 GM LOCAL ENERGY MARKET: DESIGN DETAILS

Councillor Andrew Western, Portfolio Lead for Green City Region introduced a report which sought the GMCA's approval to accept a £6m Innovate UK grant funded opportunity for a 'Greater Manchester Local Energy Market' project which aimed to support GM's target for carbon neutrality through the development of Local Area Energy Master planning, design of new services and optimisation of current and future energy assets.

RESOLVED /-

1. That the report be noted.
2. That authority be delegated to the Chief Executive Officer, GMCA & TfGM and the GMCA Monitoring Officer, in consultation with the Portfolio Lead, to finalise the collaboration agreement, commencing with the Detailed Design project in February 2020 and to agree the terms of the grant from the funding provider (Innovate UK) to deliver this opportunity.

GMCA 30/20 GREATER MANCHESTER INTEGRATED HEALTH & JUSTICE STRATEGY

Baroness Beverley Hughes, Deputy Mayor for Policing and Crime presented a report to the GMCA which provided a rich evidence base, described the engagement process and highlighted the priorities of the Integrated Health and Justice Strategy. She reported that this was the only integrated strategy of its kind within the UK and built upon the place based devolution that had already begun to become embedded across the system. In recognition of the number of people in the criminal justice system with complex needs and poorer access to health services, the Strategy looked to address how we could simplify the access points and improve the holistic support available to ensure a unified public service approach.

Members of the GMCA asked what specific role Local Authorities had in delivering the Strategy. It was confirmed that the role of the LA was critical in delivering an integral person-centred service at a local level, ensuring connections between services and as a result having significant impact on delivering their own local priorities on areas such as population health, homelessness, employment and crime reduction.

Members recognised that the causes of violent crime were wide, and in addressing these there would be positive impacts evident in a number of areas including a reduction in domestic violence, anti-social behaviour, truancy etc.

RESOLVED /-

1. That the Greater Manchester Integrated Health and Justice Strategy be approved.
2. That the GMCA record its thanks to the Jon Rouse and the GM Team for developing the GM Integrated Health and Justice Strategy, in particular for their advanced thinking to enable the first strategy of its kind within the UK.
3. That it be recognised that the role of the Local Authorities was key to the delivery of the strategy's ambitions, and that further detail of the Implementation Plan would be submitted to the GMCA in due course.

GMCA 31/20 SOCIAL ENTERPRISE INVESTMENT FRAMEWORK FOR THE GM INVESTMENT FUND

Eamonn Boylan, Chief Executive Officer for the GMCA & TfGM introduced a report which sought GMCA approval for a new Investment Framework to support the analysis of applications from social

enterprises for funding from the GM Investment Fund, and proposed outline terms and conditions for such applications.

Members of the GMCA were keen to support opportunities for the growth of social enterprises, as they had been seen to have a strong positive impact on health inequalities and social deprivation issues. However, the parameters of the loan applications seemed to potentially exclude some smaller social enterprises and Members asked whether these could be reconsidered to ensure the loan offer was accessible to as many organisations as possible.

Members of the GMCA further urged that the voluntary sector be engaged in taking these proposals forward, and that links should be made to the Good Employment Charter.

The GM Mayor added that a recent report from GM's Cooperative Commission had suggested specialist support be made available for the growth of co-operatives which had the potential to be extended to social enterprises in the future.

RESOLVED /-

1. That the Social Enterprise Investment Framework be approved and utilised during consideration of applications for funding from Social Enterprises from the GM Investment Fund.
2. That in implementing the scheme, officers be requested to engage with GMCVO and the Voluntary Sector on how it is taken forward.
3. That the loan criteria considers the principles of Greater Manchester's Good Employment Charter.

GMCA 32/20 STOCKPORT INTERCHANGE MIXED USE SCHEME UPDATE REPORT

Salford City Mayor Paul Dennett, Portfolio Lead for Housing, Homelessness & Infrastructure took Members of the GMCA through a report which asked the GMCA to delegate authority to approve the appointment of the development partner and enter into an interim collaboration agreement in relation to the Stockport Interchange scheme. The scheme had been adapted from its initial conceptual design, to now also include substantial city centre green space and housing offer.

Further to this, Councillor Elise Wilson welcomed the Mayor's recent announcement to pursue plans for a Metrolink extension to Stockport Interchange offering another significant element to this town centre development.

RESOLVED /-

That authority be delegated to the GMCA Treasurer in consultation with the Head of Procurement to approve the recommended Development Partner and sign the necessary Interim Collaboration agreement.

GMCA 33/20 GM HOUSING INVESTMENT LOANS FUND – APPROVALS

Salford City Mayor Paul Dennett, Portfolio Lead for Housing, Homelessness & Infrastructure introduced a report which sought the GMCA's approval for loans to the GM Housing Investment Loans Fund, and detailed three loans which had been made under delegated authority agreed by the GMCA on the 29 November 2019.

RESOLVED /-

1. That the GM Housing Investment Loans Fund loans be approved as follows:

BORROWER	SCHEME	DISTRICT	LOAN
Qumar Zaman	Hillside Avenue	Oldham	£0.525m
Rise Homes SPV	Stagecoach Phase 2	Manchester	£5.132m
Mulbury Homes Ltd	Simpsons Grove	Salford	£2.671m

2. That the following loans, which were approved under delegated authority, be noted:

BORROWER	SCHEME	DISTRICT	LOAN
Terah Ltd.	Withington Bank	Manchester	£2.043m
Watch This Space (Constantine) Ltd.	Richmond Street	Manchester	£2.541m
AH2 Developments Ltd.	The Green, Urmston	Trafford	£1.621m

3. That authority be delegated to the GMCA Treasurer and the GMCA Monitoring Officer to prepare and effect the necessary legal agreements.

GMCA 34/20 EXCLUSION OF PRESS AND PUBLIC

RESOLVED /-

That, under section 100 (A)(4) of the Local Government Act 1972 the press and public should be excluded from the meeting for the following items on business on the grounds that this involved the likely disclosure of exempt information, as set out in the relevant paragraphs of Part 1, Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

GMCA 35/20 GM HOUSING INVESTMENT LOANS FUND UPDATE

Note: This item was considered in support of the Part A – GM Housing Investment Loans Fund Approvals (Minute GMCA 33/20 refers)

RESOLVED /-

That the report be noted.

**MINUTES OF THE GREATER MANCHESTER TRANSPORT COMMITTEE
HELD ON FRIDAY, 8TH NOVEMBER, 2019 HELD AT THE FRIENDS MEETING HOUSE**

PRESENT:

Councillor Mark Aldred (in the Chair)
Councillor Stuart Haslam
Councillor Beth Mortenson
Councillor Roy Walker
Councillor Sean Fielding
Councillor John Leech
Councillor Dzidra Noor
Councillor Angeliki Stogia
Councillor Howard Sykes
Councillor Mohon Ali
Councillor Shah Wazir
Councillor Phil Burke
Councillor Roger Jones
Councillor Matt Wynne
Councillor Peter Robinson
Councillor Doreen Dickinson
Councillor Warren Bray
Councillor Stephen Adshead
Councillor Nathan Evans
Councillor Joanne Marshall

Wigan Council
Bolton Council
Bury Council
Bury Council
GMCA
Manchester City Council
Manchester City Council
Manchester City Council
Oldham Council
Oldham Council
Rochdale Council
Rochdale Council
Salford City Council
Stockport MBC
Tameside Council
Tameside Council
Tameside Council
Trafford Council
Trafford Council
Wigan Council

OFFICERS IN ATTENDANCE:

Eamonn Boylan
Bob Morris
Alison Chew
Peter Boulton
Alex Cropper
Danny Vaughan
Caroline Whittam
Martin Shier
Gwynne Williams
Nicola Ward

Chief Executive GMCA & TfGM
Chief Operating Officer, TfGM
Interim Head of Bus Services, TfGM
Head of Highways, TfGM
Head of Operations, TfGM
Head of Metrolink, TfGM
Head of Rail Franchising, TfGM
Bus Partnerships Delivery Manager, TfGM
Deputy Monitoring Officer, GMCA
Governance Officer, GMCA

GMTC 50/19 APOLOGIES

RESOLVED /-

That apologies were received and noted from Councillor Barry Warner, Councillor David Meller,

Councillor Naeem Hassan and Councillor Ateeque Ur-Rehman.

GMTC 51/19 CHAIRS ANNOUNCEMENTS AND URGENT BUSINESS

RESOLVED /-

1. Delay to the removal of Pacer Trains by Arriva Rail North

- a. That it be noted that a letter had been sent from the Chair of the Transport Committee to the Managing Director of Arriva Rail North in relation to the planned extension of use of the Pacer Trains, and that Chris Jackson had been invited to attend the meeting to address Members' questions.
- b. That it be noted that nine Pacer trains will remain in operation for a few extra weeks due to the delay in the manufacture of the new trains to replace this stock.

2. TfGM Customer Relations officer national award

- a. That it be noted that Anthony Kelly, Customer Relations Officer at TfGM had been recognised for outstanding efforts in customer service and won a national frontline employee of the year award.
- b. That it be noted that the Chair of the Transport Committee write a letter of congratulations to Anthony Kelly on behalf of the Committee.

GMTC 52/19 DECLARATIONS OF INTEREST

RESOLVED /-

That Councillor Phil Burke declared a personal interest in relation to item 10 (Performance Report) as an employee of Metrolink.

GMTC 53/19 MINUTES

RESOLVED /-

That the minutes of the meeting held on 11 October 2019 be approved as a correct record, subject to the inclusion of the attendance of Councillor Moretenson and Councillor Adshead.

GMTC 54/19 TRANSPORT COMMITTEE DRAFT WORK PROGRAMME

Gwynne Williams, Deputy Monitoring Officer for the GMCA took members through the latest work programme for the Greater Manchester Transport Committee.

RESOLVED /-

1. That the work programme for the GM Transport Committee be noted.
2. That consideration be given as to a timely opportunity when the following items could be considered by the Committee as formal reports in addition to any planned informal briefings or site visits –
 - a. GM taxi licensing standards
 - b. Manchester Airport Transformation Plan
 - c. The mis-use of bus lanes

GMTC 55/19 BUS ANNUAL PERFORMANCE REPORT

Alison Chew, Interim Head of Bus Services at TfGM introduced the Annual Performance Report for bus services across Greater Manchester which included data from September 2018 – August 2019 and specifically focussed on the subsidised bus network. The headlines contained within the report showed that across all operators punctuality remained above target but had been declining. However, the subsidised network (which represents 16% of the total network) reported a positive overall picture.

A Member reported that there was a lack of visible communication at Bury Interchange in relation to late and cancelled services, and asked that consideration be given to increasing staff presence and real-time information. Furthermore, the services 471 and 98 were particularly highlighted as regularly being late or cancelled. Diamond and Go North West reported a number of contributing factors to issues with these services, but offered to review whether improvements could be made to improve their performance.

Members commented that in some instances, bus routes remain too long and as a result punctuality was compromised, it was suggested that in particular the route between Manchester and Bury is considered as splitting the journey at a useful point may aid performance. Operators were asked to review routes where this may work in favour of improving punctuality.

Members asked whether leaving the EU would impact the requirement for all buses to comply with Euro 6 emissions standards. Officers reported that whether the UK is in the EU or not, that Operators would be encouraged to meet the highest standard across their fleet, in line with the current Euro 6 thresholds.

A Member questioned why there was some information in relation to the Bus Annual Performance Report in the private part of the meeting, and whether this could be considered in the public part of the meeting. Officers confirmed that there were commercial sensitivities within this information, and that the disclosure of this information would not be in the public interest. In light of Member's comments, it was suggested that this decision be reviewed by the GMCA Monitoring Officer.

In relation to the Our Pass scheme, Members commented that it had been a success, however punctuality issues with buses was impacting young people as the real-time information on travel apps was not always accurate. In response, Stagecoach informed the Committee that they had just revised their app to include a mapping function and more accurate information about delayed services.

A Member commented that there were significant issues with services 163 and 17 in relation to their punctuality, missing stops and none arrivals, resulting in passengers being left stranded, especially in the early mornings. Diamond Bus offered to review service 163 and respond directly, and Go North West offered to review service 17, and also respond.

In relation to services changes in Oldham, Members reported initial positive feedback as a result of the partitioning of routes to improve reliability but questioned as to whether there was evaluated data to evidence this outcome. Operators reported that these changes had been well received so far.

Members reported that there was a three hour gap between the commercial day service of route 81 and the subsidised evening service, which had potentially contributed to its current low patronage. Officers at TfGM agreed to look at this issue with First Bus and respond directly.

Members expressed their concerns in relation to the planned removal of the North Manchester Ticketing Scheme from January 2020 and the consequential increased cost for passengers, and furthermore, the current issues with Diamond and Go North West buses accepting these tickets. Operators reported no issues with the acceptance of tickets currently, and that the projected impact on passengers following the removal of the North Manchester Ticketing Scheme would be minimal.

A Member commented that there had been some reports of bus stop timetable information not being up to date. Officers commented that there were some issues as a result of the last timetable change, but that these had been dealt with once reported and urged members to report specific incidents as they occur. Further to this, the texting service 8468 was also reporting scheduled times over real time information in some instances. The data available for this was provided by operators and was programmed to revert back to scheduled times if there were any technical issues interfering with transmissions.

As a general point, operators were asked to remind drivers to adhere to scheduled times, especially in relation to evening services.

Members expressed concern that vehicles which only met Euro 4 standards were not of a desired standard for GM, and that an average age of 8.5 was also concerning. Stagecoach reported that they had just purchased an additional 18 new vehicles, which brought the total number of electric vehicles within their fleet to 32. There was also a retrofit scheme underway, to ensure that all the fleet was Euro 6 compliant by mid-2021. Diamond also reported that they have 100 Euro 6 compliant vehicles on order, 50 of which will be working on the network by June 2020. Go Ahead also added that they were currently undertaking a retrofit programme to ensure 100% of their fleet was Euro 6 compliant by 2021.

RESOLVED /-

1. That the Bus Annual Performance Report be noted.
2. That it be noted that Diamond Bus would respond directly to Councillor Walker regarding issues with the performance of service 471.
3. That it be noted that Go North West would respond directly to Councillor Walker regarding

issues with the performance of service 98.

4. That it be noted that all operators agreed to review those extra-long routes where splitting the journey may help improve reliability and punctuality.
5. That officers at TfGM review staff presence at interchanges and how to information to passengers could be improved, especially with regards to late or cancelled services.
6. That Members be encouraged to respond to the 'Doing Buses Differently' consultation.
7. That it be noted that the GMCA Monitoring Officer be asked to review the public interest test as to whether individual bus operators performance data should be considered in part A or part B of the Transport Committee meeting.
8. That it be noted that Diamond Bus will liaise directly with Councillor Burke regarding the punctuality and reliability of the 163 service.
9. That it be noted that Go North West will respond to Councillor Burke in relation to concerns regarding service number 17.
10. That TfGM will review the 81 service in relation to concerns about gaps between the commercial daytime service and the subsidised evening service.
11. That it be noted that First Bus will respond directly to Councillor Fielding in relation to the frequency of services 81 and 180.
12. That it be noted that individual operator's ticketing products will be void across First, Diamond and Go North West services until the end of December 2019, under the North Manchester Ticketing Scheme.
13. That it be noted that all operators would remind their drivers to keep to scheduled times, especially on evening services.

GMTC 56/19 HIGHWAYS ANNUAL PERFORMANCE REPORT

Peter Boulton, Head of Highways TfGM introduced a report which provided an overview of the highways network performance. He reported that the 90% journey reliability target was still work in progress, but that there had been significant improvements since the introduction of a 24/7 shared control room. The most significant contributor to issues on the network was roadworks, with Wednesday afternoon being reported as the period with the most significant delays. In relation to the development of the highways network, he reported a number of major schemes underway and also being planned including some key mayoral schemes including Streets for All, The Mayors Challenge Fund and the Greater Manchester Spatial Framework.

In relation to Smart Motorways, Members reported that recently there had been a report from Coroners in Birmingham regarding the number of incidents that had occurred and questioned as to Greater Manchester's current position on the potential for Smart Motorways within the conurbation. Officers agreed to provide this information within the next report on Highways.

A Member queried as to whether all new roads were being built including cycling lanes as per the aspirations of the BeeNetwork, and reported that some Local Authorities were not including cycle lanes within their own funded schemes. Officers replied that any funding for such schemes was being closely monitored against agreed outcomes.

With regards to traffic signals, Members asked how crossing times could remain in favour of pedestrians with minimal impact to traffic flow. Officers reported that this remained a challenge, but that every set of signals was assessed separately and adjusted accordingly. Trials were currently underway in the city centre to look at ways to increase 'active travel' and would be reported back to the Committee in due course.

A Member asked whether planned highways schemes were ambitious enough and whether TfGM had a strong understanding of the public transport world post 2040. Officers reported that they were continually reviewing new technologies, for example Stagecoach had recently trailed driver-less buses within their depot as they are not currently permitted on UK roads.

In relation to failed traffic signals, a member asked what the most effective way for members of the public to report them to TfGM, as past experience had highlighted twitter as the most effective form of reporting. Officers agreed to review the process by which these issues can be reported, but informed Members that the traffic lights are also set to send an automatic message if they fail.

A Member reported a specific issue with a bollard on Stanley Street which forms part of the Guided Busway and was currently not working, resulting in private vehicles using the cut through and impacting the journey time of the V1 and V2 services. Officers agreed to look into this issue.

With regards to current delays on Regent Road and Water Street for vehicles leaving the city centre, a Member asked whether this was due to the closure of Middlewood Street. It was reported that this may be a contributing factor, but that the issue would be reported back to TfGM engineers to review the current traffic pressures in the area.

A Member reported that recent engagement with Urban Traffic Control at TfGM had been very positive, and that an engineer had met with local councillors to determine the most effective crossing times for the A6.

In relation to implied zebra crossings, Members questioned as to the perceived timeframe on the latest Government proposals. It was suggested that an update on this, and research to date could be included within the Mayor's Challenge Fund report in January.

A Member asked whether there were remedial works planned for the A6MARR following numerous incidents of flooding. It was reported that Stockport Council were currently awaiting the outcome of a recent consultant's review into the cause of the issues.

RESOLVED /-

1. That the Highways Annual Performance Report be noted.
2. That information in relation to the evaluated data and future proposals for smart motorways be included in a future highways report.

3. That the outcomes of the evaluation of traffic signal timings in relation to the time allocated for pedestrians to cross be brought back to a future meeting.
4. That TfGM be asked to review whether members of the public are aware as to how to promote traffic signal failures.
5. That TfGM review the status of the bollard issues on Stanley Street in relation to services V1 and V2 and report back directly to Councillor Marshall.
6. That issues in relation to leaving the City Centre via regent Road/Water Street as a result of the temporary closure of Middlewood Street be considered by engineers and reported back to Councillor Marshall.
7. That information on any proposals for 'implied zebra crossings' be included in the Mayors Challenge Fund report in January 2020.

GMTC 57/19 HIGHWAYS AND CONGESTION UPDATE

Bob Morris, Chief Operating Officer TfGM took Members through an overview of progress of the implementation of the Greater Manchester Congestion Deal since its launch in March 2018. He reported that through travel demand management there had been a visible difference to peak travel times, with the early morning build up beginning one hour earlier. Some major schemes have also contributed to increasing the network capacity (Regent Road has given a 10-15% increase to capacity levels), however as demand remains high this capacity had soon been filled.

Members were aware of continued population growth within Greater Manchester and asked whether officers had forecasted figures as to network demands in the future, and how this would impact congestion. Officers reported that there had been no increase to traffic volume over the past year, but that forecasting over a long period was difficult due to a number of determining factors. TfGM were still pursuing Highways England for a combined approach to their North West Quadrant Survey.

A Member informed the Committee that there had been a recent discussion at the Transport Select Committee regarding the challenges faced by Smart Motorways and suggested that the transcript of this session be shared with other Members. Officers added that there had been some particular successes of smart motorways, especially noted in relation to the M6.

RESOLVED /-

1. That the Highways and Congestion Update be noted.
2. That data in relation to the number of cars on the road, and forecasted levels be included in a future highways report.
3. That a link to the minutes of the recent discussion at the Transport Select Committee on smart motorways be shared with Members.

GMTC 58/19 ROAD SAFETY AND ENFORCEMENT

Peter Boulton, Head of Highways TfGM introduced a report which provided an overview of Greater Manchester's road safety performance and the role of Safer Roads Greater Manchester. He highlighted that there had been a 5% reduction in KSI (killed and seriously injured) cases between 2017 and 2018 but that further reduction would be required in order to meet the Department for Transport forecast for 2020. Over the past 12 months there had been 60 fatal casualties across Greater Manchester, with a clear spike in April 2019 attributed in part to a lengthy period of warm weather. A significant proportion of these and KSIs were vulnerable road users such as children and the elderly.

Members welcomed a downward trend in KSI but were keen to support the ambition to eradicate such incidents and questioned as to whether the necessary funding was available to support this. Officers confirmed that there was partnership funding from Local Authorities, Greater Manchester Police (GMP) and TfGM to support such interventions. Furthermore, to address residents' concerns regarding speeding vehicles, the new Transport Unit for GMP was due to be established in November 2019.

In respect of pavement parking and the problems it raises for vulnerable road users, officers responded that the Transport Unit will also support future campaigns and communications regarding this issue.

A member questioned as to why Greater Manchester appeared as one of the lowest areas for KSI casualties, and it was confirmed that currently GM do not report via CRaSh (Collision reporting and sharing) and therefore information was not available in real-time.

Members raised their concerns regarding pedestrians and cyclists using their mobile phones whilst travelling, and urged that TfGM remind all road users of their personal responsibility for road safety.

In relation to speed cameras, Members questioned as to how many across the network were new generation. Officers confirmed that currently the network had a mixture of analogue and digital cameras, with the ambition to convert the whole network to digital as soon as possible. Further to this, a bid had recently been submitted to the Mayor's Challenge Fund to fund the remaining upgrades.

A Member sought further clarification as to the criteria for determining the location of additional speed cameras, and it was suggested that the Road Safety Partnership be invited to explain this to the Committee at a future meeting, and further explain their governance arrangements.

The report detailed areas where road safety schemes were already being funded and Members suggested that further information could be shared as to the impact of these schemes at a future meeting.

In relation to comparative road safety data, a Member suggested that comparisons could also be drawn with similar sized European cities as this information was already publically available via OECD.

RESOLVED /-

1. That the road safety and enforcement update be noted.

2. That TfGM report back directly to Councillor Adshead on the 'other casualties' as detailed on page 82 of the report.
3. That GMP be invited to attend the next meeting to discuss the digitalisation of speed cameras, and the criteria that the Road Safety Partnership use to determine whether an additional camera should be added to the network.
4. That the impact of previously funded road safety schemes be included in a future report to the Committee.
5. That future reports on road safety should also include comparative data with other similar cities across Europe.

GMTC 59/19 TRANSPORT NETWORK PERFORMANCE REPORT

Bob Morris, Chief Operating Officer TfGM took the Committee through the latest Transport Network Performance Report which provided an overview of the network during September 2019. He reported that despite a number of large scale events and incidents during the period, that there had been minimal impact to the transport network due to effective planning. However, the performance of Metrolink had been slightly below target due to a number of vehicles being out of service.

Members were concerned about the removal of the North Manchester Ticketing Scheme and the impact of increased fares for passengers. Operators reported that their projections showed minimal impact as the future fares had been aligned across operators and there would be increased communication with passengers in the lead up to the changes.

In relation to the train service to Southport being removed from the Atherton line, a Member asked that Salford officers be included in any future conversation about timetable reviews, with respect to the potential impact on Salford residents.

RESOLVED /-

1. That the Transport Network Performance Report be noted.
2. That it be noted that Arriva Rail North will invite Salford Council officers to their next timetable consultation in relation to services to Southport.
3. That it be noted that First and Diamond Bus will review the impact to passengers as a result of the North Manchester Ticketing Scheme ending as part of their next fare structure review.
4. That information on the impact of short formed trains be included in the Rail Performance Report to the Committee in December.

GMTC 60/19 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED /-

That, under section 100 (A)(4) of the Local Government Act 1972 the press and public should be excluded from the meeting for the following items on business on the grounds that this involved the likely disclosure of exempt information, as set out in the relevant paragraphs of Part 1, Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

GMTC 61/19 BUS ANNUAL PERFORMANCE REPORT - PART B

RESOLVED /-

That the report be noted.

**MINUTES OF THE GREATER MANCHESTER TRANSPORT COMMITTEE
HELD ON FRIDAY 17 JANUARY 2020 AT THE FRIENDS MEETING HOUSE**

PRESENT:

Councillor Mark Aldred (in the Chair)
Councillor Stuart Haslam
Councillor Beth Mortenson
Councillor Roy Walker
Councillor Sean Fielding
Councillor John Leech
Councillor Dzidra Noor
Councillor Angeliki Stogia
Councillor Mohon Ali
Councillor Shah Wazir
Councillor Phil Burke
Councillor Roger Jones
Councillor David Meller
Councillor Angie Clark
Councillor Peter Robinson
Councillor Doreen Dickinson
Councillor Warren Bray
Councillor James Wright
Councillor Nathan Evans

Wigan Council
Bolton Council
Bury Council
Bury Council
GMCA
Manchester City Council
Manchester City Council
Manchester City Council
Oldham Council
Rochdale Council
Rochdale Council
Salford City Council
Stockport MBC
Stockport MBC
Tameside Council
Tameside Council
Tameside Council
Trafford Council
Trafford Council

OFFICERS IN ATTENDANCE:

Eamonn Boylan
Bob Morris
Alison Chew
Caroline Whittam
Alex Cropper
Nick Roberts

Chris Boardman
Richard Nickson

Gwynne Williams
Nicola Ward

Chief Executive GMCA & TfGM
Chief Operating Officer, TfGM
Interim Head of Bus Services, TfGM
Head of Rail Franchising, TfGM
Head of Operations
Head of Services & Commercial
Development, TfGM
GM Cycling and Walking Commissioner
Cycling & Walking Programme Director,
TfGM
Deputy Monitoring Officer, GMCA
Governance Officer, GMCA

GMTC 01/20 APOLOGIES

Resolved /-

That apologies were received and noted from Councillor Steve Adshead, Councillor Joanne Marshall and Councillor Howard Sykes.

GMTC 02/20 CHAIRS ANNOUNCEMENTS AND URGENT BUSINESS

Resolved /-

1. Recent Death of Councillor Guy Harkin

That it be noted that the Members of the GM Transport Committee held a minutes silence to express their condolences to the family of Councillor Guy Harkin, a passionate and active Member of the previous Transport for Greater Manchester Committee who had recently passed away.

2. New Member

That it be noted that Councillor Shah Wazir had been appointed by the GM Mayor to replace Councillor Liam O'Rourke on the GM Transport Committee.

GMTC 03/20 DECLARATIONS OF INTEREST

Resolved /-

That Councillor Phil Burke declared a personal interest in relation to item 6 (Performance Report) as an employee of Metrolink.

GMTC 04/20 MINUTES

Resolved /-

1. That the minutes of the meeting held on 8 November 2019 be approved as a correct record.
2. That in relation to minute GM 58/19 it was confirmed that GMP had established their new Transport Unit which had already been noticeably visible on Metrolink.

GMTC 05/20 TRANSPORT COMMITTEE DRAFT WORK PROGRAMME

Gwynne Williams, Deputy Monitoring Officer for the GMCA took Members through the latest version of the GM Transport Committee Work Programme.

Members were advised that a report on Taxi Licensing Standards would be considered in due course, any urgent comments should be fed directly to their Local Authority as the responsible organisation.

Resolved /-

That the work programme for the GM Transport Committee be noted.

GMTC 06/20 TRANSPORT NETWORK PERFORMANCE

Alex Cropper, Head of Operations TfGM introduced the latest Network Performance report which covered the performance of all modes during November 2019. The report highlighted increased delays on the highway network of 2% above the term time average partly attributed to the seasonal impacts of poor weather, shorter days and city centre events. Metrolink performance was positive across the period, however there was a reported knife incident at the Abraham Moss stop, which the Police were proactively addressing. November was a poor month for rail performance, with declines in both punctuality and reliability measures.

Two key successes for the month had been the highest recorded level of patronage for the Leigh Guided Busway and the successful trial of the shuttle bus service at Manchester United football matches.

A Member thanked TfGM for their support in dealing with antisocial behaviour on the Metrolink Rochdale line, however he reported increased levels of antisocial behaviour from homeless people on trams especially in the Oldham and Manchester area. Furthermore, there had been incidents of fare evasion and aggressive begging, all of which needed to be addressed.

A Member also reported incidents of drug dealing at the Abraham Moss Metrolink Station, and issues with the help point and intercom.

Members discussed the impact of changing football match kick off times to the transport network, and whether there was any action that TfGM could take to mitigate last minute changes. Officers reported that recently a proposed 6pm kick off had been altered due to their objection.

Members expressed their concerns in relation to the further decline of rail services, especially in relation to cancelled, delayed and short formed trains leaving people stranded at stations, and highlighted Ryder Brow, Gorton and Moston as areas experiencing significant issues. Further to this, Members sought assurance that the removal of the pacer trains planned for early 2020 would not have a further negative impact on Northern services.

In relation to the new Metrolink line to Trafford Park, Members expressed the need for the new stations near Old Trafford to have significant health and safety measures to manage the peak times with football visitors. Officers confirmed that lessons learnt from the Etihad stop had been implemented and measures agreed in conjunction with Trafford Council.

Members were pleased to hear about the continued success of the Guided Busway in Leigh, which was recording patronage levels of over 70,000 passengers per week. The scale of the impact on the public transport network was immense, and its success had to be attributed to high standards of service that should be replicated elsewhere across the network. Members further noted that approximately 25% of those passengers using the Guided Busway had previously been car drivers.

Members reported some challenges for older people in accessing a place to pick up their rail concessionary passes due to a lack of clarity as to the meaning of a 'pay point shop' and asked for communications to be made clearer, and access for collecting passes to be improved.

Resolved /-

1. That the Transport Network Performance Report be noted.
2. That TfGM would review the working status of the help point and intercom at the Abraham Moss Metrolink Station, and report back directly to Cllr Hassan.

GMTC 07/20 RAIL PERFORMANCE REPORT

Bob Morris, Chief Operating Officer TfGM took Members through a report which provided a summary of rail network performance across Greater Manchester over the period from 21 July – 7 December 2019. He reported that performance had continued to decline over this period, and the introduction of the new timetables had not sustained improved resilience or train reliability. Train Operators had reported issues with rolling stock, crew levels and training schedules, all of which had further negative impact on train performance.

Chris Jackson, Regional Director for Northern Rail described unprecedented levels of change for the company, but he could now report that training for drivers and conductors on the new trains was 2/3 complete, and after 18 months of negotiations with the unions, Sunday services would soon be reinstated. Throughout 2019 there had been many issues to contend with, including delays to the production of new trains, late delivery of proposed infrastructure, delays to electrification of the lines, and congestion across the city, all of which added to the challenge faced by Northern Rail. Throughout 2019 there were 59 Pacer trains removed, and 62 new trains introduced. By March 2020 there would be additional electric/diesel trains on the network to further help to improve the service. Other improvements had included investment to the Wigan Springs Branch and a new shed at Newton Heath. With respect to the December timetable changes, Northern reported improved capacity on the Bolton corridor specifically, and further stabilisation of performance had been evident since the beginning of 2020.

Kathryn O'Brien, Customer Experience Director for Transpennine Express confirmed that their performance had been unacceptable and had been a result of a number of factors including the concurrent introduction of three fleets of new trains as a result of manufacturing delays. This had resulted in significant impact to the availability of drivers due to the requirement for their additional training. Transpennine Express had taken a number of measures to try to counteract this impact, including the introduction of additional diesel trains, prioritising local over some cross country services and providing a compensation scheme for season ticket holders. They reported further new trains would be introduced by May 2020, which was hoped to relieve over-crowding, improve availability and restore customer trust.

Daniel Coles, Network Rail reported high levels of collaboration across all train operators to support the current and planned introduction of new trains and the required infrastructure improvements. However, 2019 had been plagued with extreme weather, both high temperatures, and significantly low temperatures, all of which had had an unprecedented impact on train services. He reported that there had been significant infrastructure improvements undertaken over the Christmas period, including further studies on Platform 13&14 at Manchester Piccadilly to better understand the issues and how to improve the capacity of these platforms. Network Rail fully recognised the importance of small scale improvements for stations or infrastructure having significant long term gains for passengers.

The Committee impressed the need for train operators to fully understand the impact of their

poor performance on people's lives, and shared experiences of residents who had missed appointments, interviews and being awarded contracts all because of train delays. They urged that in addition to the impact on individual lives and businesses that the impact on the GM economy was also recognised.

A Member welcomed the re-introduction of Sunday Services and urged that consideration to services along the Rose Hill line be noted. She further reported particular infrastructure issues with Romiley Train Station due to rain water leakage. Northern reported that additional trains were planned for the Rose Hill line during 2020, and offered to investigate the reported maintenance concerns.

Members reported capacity issues with Transpennine Express services from Greater Manchester to Scotland, often attributed to overhead line problems. Transpennine Express reported that this was a hotspot area often affected by high winds, and work was currently underway to investigate the quality of the steel and if possible find improved solutions. Network Rail added that to improve services to Scotland, improvements to Piccadilly were vital and in support of this a further report on the potential for a platform 15&16 had been prepared for Government in September 2019 and was now awaiting comment.

A member reported that recent station access improvement works undertaken by Northern Rail at Hale Station were unfinished and ugly. Northern Rail offered to review this.

In response to information in the report regarding a 30% increase in staff sickness for Northern over the last period, Members felt that this was disproportionate and needed further explanation.

Members commented that having pacer trains on the network would be better than not enough capacity. In response to comments from Members, Northern agreed to consider whether to keep some pacer trains on over the transition period to minimise the disruption to passengers.

The Committee felt that the impact to driver training as a result of the delayed arrival of new trains was not acceptable as they had been anticipated for a long time. Transpennine Express explained that this impact was inevitable as there was a need for physical access to these trains in order to complete the 20 days of training required per person. Northern Rail added that they too had been required to undertake 11,000 training days over a 9 month period which was beyond the volume that would ever be planned, however only 1/3 of the programme now remained. The Chair added that at every stage of the introduction of new trains there had been delays, and this had compounded the impact on GM residents.

Members urged for the train operators to take some responsibility for the effect on passengers and that passing the blame was unacceptable. All operators acknowledged their responsibility, and reported that the manufacturers had also been held accountable by the Train Minister for the impact of these delays. To mitigate the detriment to passenger relations, all operators had also introduced a compensation scheme for season ticket holders. In addition the 'delay-repay' scheme allowed people who had to buy an alternative ticket as a result of a delay to be compensated.

Members of the Committee spoke on behalf of residents who had reported their experience of faceless, unsympathetic operators who had introduced fares yet brought about no improvements. They questioned as to whether operators were also facing financial penalties for their poor performance, and were informed that there was a well-established penalty regime (Schedule 8)

for service cancellations.

Members expressed their anticipation for improvements following the re-introduction of Sunday services, these would begin on the 26 January 2020.

A Member reported specific issues in relation to the aesthetic appearance of the station at Flowery Field and urged Network Rail to review the location of CCTV cameras to ensure they covered the ticket machines.

In respect of joint ticketing, Members urged that operators look to how they could improve passenger experience through tickets that are transferrable, both within rail and bus services.

Members reported serious concerns regarding the lack of investment in Stockport Train Station which was a hub for high numbers of services, and with some improved capacity could have a significant impact on the wider network. Northern Rail and TfGM both reported that the potential for Stockport Train Station was moving up the political agenda and work was already underway to look at how investment into Stockport could further improve capacity for Piccadilly.

Resolved /-

1. That the Rail Performance Report be noted.
2. That it be noted that following detailed conversations with the unions, from 26 January, Northern would be re-instating their Sunday services timetable.
3. That it be noted that Northern would review the water leakage problems at Romiley Train Station, and report back directly to Cllr Clark.
4. That it be noted that Northern would review the finish of the recent platform access improvements at Hale Station and report back directly to Cllr Evans.
5. That it be noted that Northern would discuss the delays to their new train introduction programme with the Chair in further detail after the meeting.
6. That it be noted that all train operators would forward details of their compensation schemes to Members of the GM Transport Committee.
7. That it be noted that Network Rail would review the status of the foliage and location of the CCTV cameras at Flowery Field Train Station and respond directly to Cllr Robinson.
8. That thanks be noted to Mark Angelucci, TfGM for all his work to support Friends of Stations across GM.

GMTC 08/20 BUS PERFORMANCE REPORT

Alison Chew, Interim Head of Bus Services introduced a report which informed Members of the performance of the bus network across GM during the period from December 2018 to November 2019. It detailed an overall decline in punctuality, however this was still above the national average. The subsidised network reported only 0.6% lost mileage and an upward trend in

passenger satisfaction.

In relation to shared ticketing across operators, a Member raised concern that tickets for services 98 and 71 were no longer transferable across Diamond and Go North West. Officers confirmed that his arrangement ended at the end of 2019 and were no longer interoperable, however System 1 products still allowed for travel across these operators.

A Member asked whether the passenger satisfaction levels included in the report could be broken down to commercial and subsidised services. Officers offered to look at how this, and the impact made from previous decisions for the network could be reported to Members in a way that drew out comparative data.

Members questioned whether the cost per person of the Our Pass scheme had been reviewed, and also whether there had been measures established to determine the success of the scheme. Officers reported that the take up of the scheme had been deemed a success, and within forecasted number, and that further metric information would be brought back for consideration by the Committee.

A Member reported specific issues in complaining to First, as a number of residents had received an acknowledgment to their complaint but then no response. First offered to look into the issues raised and report back.

Thanks were expressed to Brandon Jones, Head of External Relations at First for his work to improve services to Littleborough.

Resolved /-

1. That the Bus Performance Report be noted.
2. That TfGM review the format of the report to include comparative statistics from previous reports to evidence the impact of those decisions taken.
3. That a further report on the outcomes of the initial phase of the Our Pass scheme be brought back to the Transport Committee.
4. That it be noted that First would review comments made in relation to their complaints process and report back directly to Cllr Fielding.

GMTC 09/20 FORTHCOMING CHANGES TO THE BUS NETWORK

Nick Roberts, Head of Services & Commercial Development TfGM introduced a report that informed Members of the changes that had taken place to the bus network since the last meeting of the Committee, and any proposed consequential action to be taken by TfGM.

In relation to service 150, a Member reported that whilst works were being undertaken on the A57, operators were planning to cancel the route between Hyde and the Trafford Centre. Assurances were given from Stagecoach that once the works were completed, this service would be reinstated, and during the works, 9 additional vehicles would be in operation on other affected routes to mitigate the impact on passengers. The Chair added that TfGM had been asked to

review all service changes as a result of roadworks over the past 12 months to check that they had now been restored.

Members were concerned about the impact of the proposed withdrawal of service X41 to the residents of Ramsbottom. Transdev reported that the diversion of the X41 service to Ramsbottom began in April 2018, however, the service had not reached the required capacity to date, with an average of only 75 passengers per week. Alternatives had been provided for the remainder of the route, and residents from Ramsbottom could also use the Metrolink as an alternative.

In response to the planned withdrawal of service 130, Members of the Committee felt this was extremely disappointing and would have a significant impact on a number of communities. It was confirmed that the removal of the GM element of the route was a commercial decision as a result of a financial loss for the last couple of years. Arriva confirmed that they had introduced a series of measures to try and increase patronage, but to no avail. Members urged that options for this route were considered again, as the removal would significantly impact residents attending Macclesfield Hospital, particularly for breast screening appointments as the unit at Stepping Hill Hospital had been closed. Furthermore, there were now no evening services between Manchester and Cheadle.

A Member asked that when looking at the integration of the public transport network, that links to Metrolink were also considered when determining bus routes or changes as per the 130 service. In addition, information should be made available to Members as to how the frequency of a service had been impacted over time, i.e. reduced from 10 minute frequency to 20 minute frequency, but now proposing reduction to 30 minute frequency.

In relation to bus franchising, Members queried as to whether decisions in relation to service subsidies would be put on hold. Officers confirmed that a decision had been taken regarding the proposed future approach to bus services, however through this process flexibility would be required to ensure that commercial decisions could still be taken and supported by the wider network.

A Member reported concerns in relation to the consultation on service 403, as the Crompton ward had a large proportion of elderly residents. The suggestion of service 53 as an alternative was not suitable and further local consideration was required.

Oldham councillors had reported concerns regarding proposals to services 353 and 407 and felt that Local Link as an alternative was not sufficient as there would be many un-served areas, particularly the communities within Delph and Uppermill. Members urged that consideration was given to the terrain within these areas, and that 400m to the nearest bus stop was quite significant if up a steep hill. Furthermore, the planned timetable for the 356 service was not compatible with train services at Greenfield Station.

Resolved /-

1. That the changes to the commercial network and the proposals not to replace the de-registered commercial services as set out in Annex A be noted.
2. That action in respect of changes or de-registered commercial services as set out in Annex A be agreed.

3. That TfGM update Cllr Mortenson on any future options considered for the X41 service.
4. That TfGM review proposals for Service 130 within GM and report back directly to Cllrs Meller, Stogia and Clark.
5. That the proposed action is taken in respect of changes or de-registered commercial services as set out in Annex B subject to panel approval be agreed.
6. That the proposed changes to general subsidised services set out in Annex C be approved.
7. That TfGM review the proposals for Service 403, and report back directly to Cllr Sykes.
8. That TfGM discuss the proposals for Services 353 and 407 with the relevant Oldham Councillors.
9. That TfGM review the 356 timetable to ensure it fits will the Greenfield Train Station timetable.

GMTC 10/20 TRANSPORT AND CLIMATE CHANGE

Simon Warburton, Transport Strategy Director TfGM introduced a report which offered some scene setting for Members regarding the scale of the transport related actions that GM needed and take and influence to meet its ambition to be a carbon neutral city region by 2038. The report highlighted some of the key actions within GM's Five Year Environment Plan, including a significant transport modal shift, a majority of clean engine types and wider investment in public transport and active travel. However, GM were dependent on funding and support from Government in order to accelerate this provision and meet the challenge.

Members raised their concern that the Highways Agency were still not held accountable for their part in the clean air proposals for Greater Manchester, and urged for officers to continue to lobby Government to hold them to account. Officers reported that this had been high on their agenda throughout 2019, and there were plans to continue to lobby Government on a broader based climate change matters that went above and beyond the Clean Air requirements.

Members felt that this was an honest and helpful report as to the current status of carbon neutrality across GM, and impressed the need for urgent investment into the public transport network to encourage a stepped change in the culture of how we travel around the city region. In relation to this, Members urged for parallel work to be undertaken in the energy and building sectors to transform GMs carbon footprint. Officers agreed that transport alone could not meet the target for carbon neutrality, and therefore the Green City Partnership was key to its success.

With regards to the 2040 Delivery Plan, Members of the Committee asked for it to be reviewed in its entirety, as it was felt that the recommendations were not transformative enough, nor had there been significant evidence of action on the ground. In support of this, the spending review asks needed to be very robust as without confirmation of a Clean Air Fund, the support of Government remained uncertain.

Members questioned which roads comprised the Strategic Road Network, officers agreed to circulate further information on this.

In respect of electric vehicle charging points, Members asked for further information on current plans. Officers confirmed that there were currently 160 locations with dual headed points, however proposals within the Clean Air Plan include doubling the provision by 2025, which would be further supported by other EV charging networks.

Resolved /-

1. That the report be noted, in particular the scale of the challenge to reduce carbon emissions from transport for GM to meet its ambition to be a carbon neutral city-region by 2038.
2. That a future report as to how TfGM are moving forward on the climate change agenda be brought back to the Transport Committee.
3. That TfGM circulate further information as to which roads are included within the 'Strategic Road Network' with Members.

GMTC 11/20 STREETS FOR ALL AND MADE TO MOVE PROGRESS UPDATE

Nicola Kane Head of Strategic Planning, Insight and Innovation and Jonathan Marsh, Strategic Planning Manager TfGM introduced a report which provided an update on Greater Manchester's 'Streets for All', designed to tackle a range of issues through one single strategic approach. The culmination of 18 months' work with Local Authorities would be realised in the Streets for All strategic document which was planned to include a set of shared standards. This would be published in summer 2020.

Chris Boardman, GM Cycling and Walking Commissioner and Richard Nickson, Programme Director for Cycling & Walking TfGM, updated Members on the delivery to date of the 'Made to Move' report recommendations. The plans included 1,200m of network to be delivered in the next ten years in order to change the behaviour of residents, where currently 30% of their car journeys were less than 1km and 80% are less than 5km. The GMCA recognised that the urgency for delivery was significant and Leaders had asked for annual action plans to ensure the pace of delivery was maintained, with all Local Authorities having signed up to apply a shared set of standards to all developments within their boroughs.

A third of the network had already been designed, including 6 tranches of schemes being approved and now at varying stages of implementation. The delivery of the final stages of a Cycling and Walking paper for Government was due before the end of January 2020, which would demonstrate GM's strong case for future investment and the potential for delivery at speed.

In support of these ambitions, TfGM were reviewing their training programme to those who delivered cycling and walking schemes in order to speed up the process for delivery and further support the ambitions of the 2040 strategy to reach 1 million cycling or walking journeys per day.

Members commented that delivery on the ground was key as resident expectations for the cycling and walking network were high, and to enable this delivery, the ask of Government needed to be strong.

In respect of a pipeline of potential further projects, officers confirmed that there were a number

of schemes in the pipeline awaiting funding opportunities.

Members were disappointed to see that the road traffic incidents numbers had not reduced as significantly as anticipated, however were assured that a future strategy in partnership with Greater Manchester Police would give more traction to the issue.

Officers highlighted that by 2032 there would be 1 million children in Greater Manchester who deserved a network that ensured they could access other parts of GM safely and efficiently.

In relation to the proposal for a new bike hire scheme, Members asked whether there was a predicted modal shift in people wanting to cycle. Officers confirmed that they had reviewed 22 schemes from across the world, and lessons had been learnt from Mo-bike scheme to ensure that the design of any new scheme would be attractive to people across GM. Furthermore the potential for advertising revenue from such a scheme was being considered.

Resolved /-

1. That the report be noted, in particular the update on Greater Manchester's "Streets for All" approach; and progress in delivering the Cycling and Walking Commissioner's "Made to Move" report recommendations.
2. That a future report on the commercial operation models for Made to Move be brought back to the Transport Committee.

GMTC 12/20 EXCLUSION OF THE PRESS AND PUBLIC

That, under section 100 (A)(4) of the Local Government Act 1972 the press and public should be excluded from the meeting for the following items on business on the grounds that this involved the likely disclosure of exempt information, as set out in the relevant paragraphs of Part 1, Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

GMTC 13/20 BUS ANNUAL PERFORMANCE REPORT - PART B

That the report be noted.

This page is intentionally left blank

**MINUTES OF THE GREATER MANCHESTER TRANSPORT COMMITTEE
HELD ON FRIDAY 21 FEBRUARY 2020 AT THE FRIENDS MEETING HOUSE**

PRESENT:

Councillor Mark Aldred (in the Chair)	Wigan Council
Councillor Stuart Haslam	Bolton Council
Councillor Roy Walker	Bury Council
Councillor Sean Fielding	GMCA
Councillor Angeliki Stogia	Manchester City Council
Councillor Ateeque Ur-Rehman	Oldham Council
Councillor Shah Wazir	Rochdale Council
Councillor Phil Burke	Rochdale Council
Councillor Mike McCusker	Salford City Council
Councillor David Meller	Stockport MBC
Councillor Angie Clark	Stockport MBC
Councillor Matt Wynne	Stockport MBC
Councillor Peter Robinson	Tameside Council
Councillor Doreen Dickinson	Tameside Council
Councillor Warren Bray	Tameside Council
Councillor Steve Adshead	Trafford Council
Councillor Nathan Evans	Trafford Council
Councillor Joanne Marshall	Wigan Council

OFFICERS IN ATTENDANCE:

Eamonn Boylan	Chief Executive GMCA & TfGM
Bob Morris	Chief Operating Officer, TfGM
Alison Chew	Interim Head of Bus Services, TfGM
Kate Brown	Director of Corporate Affairs, TfGM
Caroline Whittam	Head of Rail Franchising, TfGM
Alex Cropper	Head of Operations, TfGM
James Baldwin	Policy Officer, TfGM
Danny Vaughan	Head of Metrolink, TfGM
Guillaume Chanussot	Keolis Amey Metrolink (KAM)
Stephen Rhodes	Customer Director, TfGM
Helen Humble	Head of Ticketing, TfGM
James Lewis	Section Manager, Services Planning, TfGM
Gwynne Williams	Deputy Monitoring Officer, GMCA
Lee Teasdale	Governance Officer, GMCA

GMTC 14/20 APOLOGIES

Resolved /-

That apologies were received and noted from Councillor Howard Sykes (substituted by Councillor Angie Clark), Councillor Naeem Hassan, Councillor Beth Mortenson, Councillor John Leech, Councillor Dzidra Noor, Councillor Roger Jones and Councillor Barry Warner.

GMTC 15/20 CHAIRS ANNOUNCEMENTS AND URGENT BUSINESS

Resolved /-

1. Passing of Councillor Christine Wild

That it be noted that the Members of the GM Transport Committee express their condolences to the family of Councillor Christine Wild, who had been an active member of the previous Transport for Greater Manchester Committee for many years until 2012, and had recently passed away.

2. Leaders in Diversity

That congratulations be passed on to Muhammad Karim for the recent 'Leaders in Diversity' accreditation and the winning of the 'Transportation Organisation of the Year 2020' award for TfGM.

GMTC 16/20 DECLARATIONS OF INTEREST

Resolved /-

1. That Councillor Phil Burke declared a personal interest in relation to Item 9 (Metrolink Performance Update) and to Item 10 (Metrolink Ticketing) in his role as an employee of Metrolink.

GMTC 17/20 MINUTES

Members referenced item 10/20 'Transport and Climate Change' – asking that the follow up report on the climate change agenda be made available as soon as possible after the Mayoral Elections.

It was noted that Northern had not yet responded to Cllr Nathan Evans as had been resolved in item 07/20 'Rail Performance Report' – it was advised that this would be chased up with Northern.

Resolved /-

1. That the minutes of the meeting held on 17 January 2020 be approved as a correct record.
2. That in relation to minute GMTC 10/20 it be requested that a report on how TfGM are moving forward on the climate change agenda be brought to the Committee following the mayoral elections; and
3. That in relation to minute GMTC 07/20 it be noted that Cllr Nathan Evans was yet to receive a response from Northern on the recent platform access improvements at Hale Station, and that this was to be chased up.

GMTC 18/20 GM TRANSPORT COMMITTEE DRAFT WORK PROGRAMME

Gwynne Williams, Deputy Monitoring Officer for the GMCA took Members through the latest version of the GM Transport Committee Work Programme. Members were advised that the April 2020 meeting would receive an additional bus performance update.

Resolved /-

That the Work Programme for the GM Transport Committee be noted.

GMTC 19/20 TRANSPORT NETWORK PERFORMANCE

Alex Cropper, Head of Operations TfGM, introduced the latest Network Performance report which covered the performance of all modes during December 2019.

It was advised that there had been seasonal impacts on performance across the network. With periods of inclement weather (including flooding issues which had continued into early 2020); increased traffic volume resulting from seasonal shopping and the festive markets; and a large number of evening football fixtures all resulting in increased pressures upon the network.

The rail network had been below target throughout the period, with numerous issues resulting in delayed and cancelled services. However, positive news had been received concerning the resolution of Sunday service staffing issues.

Alison Chew, Interim Head of Bus Services TfGM, advised Members that Manchester Community Transport (MCT) had recently announced that, due to financial sustainability issues, they would cease to operate in April 2020. MCT currently operated 35 contracts for TfGM; though 21 of these had been due to expire in April 2020. TfGM would seek to manage the transition of the remaining contracts to other operators. TfGM officers were due to meet with the Local Managing Director of MCT to discuss the matter further and get more information, including the potential impacts on staff. A re-tendering exercise would commence in due course.

Comments and Questions

Members asked that a review of the MCT service, where appropriate, form part of the re-tendering process.

Members asked that councillors for relevant wards that would require a transition of services previously run by MCT, be kept informed of the developments taking place. They also asked that emergency measures be put in place until the tender issues were resolved.

Members made reference to a recent regional news item which had indicated that new trains replacing the previous Pacer stock required even more regular maintenance – was this the case? It was advised that the rail team would look into this and provide feedback.

Resolved /-

1. That the Transport Network Performance Report be noted.

2. That TfGM be asked to review the Manchester Community Transport offer where appropriate as part of the re-tendering process.
3. That relevant Members be kept informed of transition arrangements related to Manchester Community Transport within their wards; and
4. That officers be asked to respond directly to Councillor Steve Adshead regarding reliability issues with new trains replacing discontinued Pacer train services.

GMTC 20/20 A BETTER DEAL FOR BUS USERS

Alison Chew, Interim Head of Bus Services TfGM, took Members through a report that provided further detail following the announcement by the Department for Transport (DfT) in the autumn of 2019 that £220m would be committed to transform bus services, including mechanisms for local and combined authorities to bid for funds.

It was advised that the fund was to be divided up into four separate workstreams:

- £30m revenue funding for supported bus services for local authorities/mayoral combined authorities, of which GM had been allocated up to £1,589,849, dependent upon the need to complete a statement of intent.
- £50m fund for the first all-electric bus town or city.
- Up to £70m for 'Superbus' networks.
- £20m Rural Mobility Fund for on-demand services.

It was agreed at the meeting of the GMCA held on 14 February 2020 that GM would submit its statement of intent for funding as soon as possible, as continued commercial de-registrations meant that this additional funding was more vital than ever. The statement of intent would outline how GM intends to use the funding and demonstrate how it would meet the needs of local people and stakeholders. This would include engagement with local MPs, residents, local bus users (and non-bus users) and bus operators.

To effectively manage the process and ensure that the routes/service interventions with the best outcomes were included in the submission, weighted assessment criteria had been developed to inform the bid. These criteria fitted into within four broad categories: commercial sustainability; strategic fit; social inclusion, and alignment with network planning principles.

Comments and Questions

Members made reference to the 'Superbus' networks. The aim of these pilots was to increase bus patronage, particularly in areas that suffered significant levels of deprivation. It was queried whether this could be extended to places where residents needed to be encouraged to use buses rather than cars, and in turn see benefits in relation to the Clean Air Plan. It was advised that the guidance stressed areas of deprivation as a priority – however, this would be taken away and considered further.

Resolved /-

1. That Greater Manchester's intention to submit a statement of intent to the Department for Transport for £1,589,489 for supported bus services be noted by the Committee;
2. That the approach and bidding criteria which have been developed to inform the Statement of Intent to the Department for Transport, which is planned for submission subject to approval by the Chief Executive of the GMCA and TfGM, in consultation with the GM Mayor, Portfolio Holder for Finance and Chair of the Greater Manchester Transport Committee (GMTC), in accordance with the timescales set out by Government be noted by the Committee.
3. That it be noted that a further report will be submitted to a future GMTC meeting on other opportunities for Greater Manchester to apply for funding as part of the Better Deal for Bus Users programme; and
4. That officers be asked to consider the feasibility of including areas that would benefit through the Clean Air Plan as part of the 'Superbus' network criteria.

GMTC 21/20 CHANGES TO THE BUS NETWORK AND REVIEW OF SUBSIDISED BUS SERVICES

Alison Chew, Interim Head of Bus Services TfGM, and James Lewis, Section Manager, Services Planning TfGM, introduced a report informing Members of changes that had taken place to the bus network since the last meeting of the Committee. Particular attention was drawn to Annex C of the report, which listed the proposed changes to general subsidised services and the reasoning for proposing those changes.

Comments and Questions

Members expressed concern about the proposed withdrawal of the subsidised 375 bus service (Mellor-Marple-Hawk Green-Stockport) and its partial replacement by a new Local Link service from Sunday 19th April 2020. The Chair was presented with two petitions asking for the retention of the service received via William Wragg MP and the Stockport Liberal Democrats Group.

Members expressed concern that there was a significant elderly population who used the 375 service to go from Mellor to Marple in particular, and that the Local Link offer was not a solution as the service would be oversubscribed, and would also need to be booked in advance, requiring prior planning every time someone without a car wanted to travel. It was stated that whilst the 375 service was not heavily used, it did provide vitally important social links to those who relied on it. It was also suggested that the withdrawal of the service could have an impact upon local businesses, such as award winning pubs in Mellor. With all of this in mind, some members of the Committee sought a postponement of the withdrawal decision until alternative funding could be found for the service.

Other members stated that whilst they understood the strength of feeling around this service – it was not possible to sustain the 375 route whilst reliant on a dwindling subsidy year upon year. Therefore as an alternative, it was suggested that a bid be considered via the government's Better Deal for Bus Users funding opportunities. Members stated that it was unfortunate, but the significantly reduced funding pot meant that when the cost per passenger for a service became so high, continued funding on the current basis could not be justified.

The Chair then moved to a Member vote. The first proposal by Councillor Doreen Dickinson was to postpone any decision on the withdrawal of 375 bus route services until alternative funding was secured for the route. The second proposal was by the Chair of the Committee, to accept the recommendations in the paper on the proviso that as part of the Better Deal for Bus Users bidding process, any representations made regarding the continuation of the 375 bus service be assessed against the appropriate criteria – with the findings to be reported back to the Committee. Following a Member vote, the Chair's proposal carried.

A Member also raised concerns regarding the Bolton Combined Local Link, and its importance to local people employed by the Royal Bolton Hospital. It was proposed that any decision on the withdrawal of the service be postponed. Following a vote, this proposal did not carry. The relevant Member would converse directly with officers on arrangements following the withdrawal of the service.

Resolved /-

1. That the changes to the commercial network and the proposals not to replace the de-registered commercial services as set out in Annex A of the report, be noted.
2. That Members agree that no action be taken in respect of changes or de-registered commercial services, as set out in Annex A of the report.
3. That Members agree that no proposed action be taken in respect of changes or de-registered commercial services, as set out in Annex B of the report.
4. That the proposed changes to general subsidised services set out in Annex C of the report, be approved; and
5. That as part of the Better Deal for Bus Users process, the representations made regarding the continuation of the 375 bus service be assessed against the appropriate criteria. With the findings to be reported back to the Committee.

GMTC 22/20 METROLINK PERFORMANCE UPDATE

Danny Vaughan, Head of Metrolink TfGM, was invited to provide an overview to Members of the recent operational performance of Metrolink services.

It was advised that the Metrolink service continued to grow in size, and had seen over 45.5 million passengers in the previous year, an increase of 2.7 million trips over the 2018 period. There had been some issues with punctuality and reliability over the period. Punctuality had fallen below target during periods 9 and 10 – these had resulted from road traffic collisions, signal failures and driver availability.

The road traffic collisions had adversely affected vehicle availability, and had continued to have an impact on longer-term vehicle availability. Work was continuing through a vehicle availability improvement plan to review the processes regarding vehicle repair and to implement and identify efficiencies. A system wide network control failure for 30 minutes on 23rd October 2019 had also caused significant disruption to services on the network.

It was advised that work continued at pace to ensure the Trafford Park line was ready to open to passengers in April 2020. The line would initially operate between Cornbrook and the Trafford Centre – extending fully to Crumpsall by the end of 2020.

Comments and Questions

A member expressed concern that anti-social behaviour remained an issue on public transport, with serious issues on the Rochdale and Oldham tramline being highlighted. There was a public perception that the TravelSafe unit were rarely seen, allowing ASB issues such as aggressive begging on trams and platforms to continue to take place.

It was advised that a lot of positive feedback had been received following the introduction of the TravelSafe unit, and that the forthcoming tactical priorities for the unit were to take place on the Bury and Rochdale/Oldham lines. Danny Vaughan would liaise with the Member directly to address his concerns.

Members expressed concern that the systems wide failure of 23rd October 2019 showed that the core network control infrastructure needed replacing; yet there appeared to be no visible timetable in place for addressing this. It was advised that a timetable was in place, and that progress was being made, with a procurement exercise having taken place and that the bids had been received back for the contract to renew the whole of the fibre optic network. This was a significant task and would take around a year to complete – however to mitigate issues, a lot of resilience work had taken place on the existing network.

Members expressed concern that Cornbrook, noted as the busiest point of any light rail service in Europe, would become even more congested with the introduction of the Trafford Park link. Were there long-term plans in place to alleviate these pressures? It was agreed that this was a significant challenge, an order of 27 trams were due in the summer that would help to alleviate capacity issues later in the year. Longer-term capacity options were being considered as part of the 2040 plan, including possibilities such as longer vehicles, alternative routes and underground metro systems.

Members asked about increasing the number of Metrolink routes to Piccadilly Station. It was advised that HS2 plans would require extensive remodelling of the Station – this would have a significant impact for Metrolink and provide the opportunity to look at the possibility of increasing the number of Metrolink platforms at the station and increasing capacity.

Members welcomed and congratulated the commitment to apprentices within the local community – following the good news that 28 new apprentices and trainees from underprivileged backgrounds across GM had been hired in the past year.

Resolved /-

1. That the performance of Metrolink services be noted; and
2. That Danny Vaughan will liaise directly with Councillor Phil Burke to understand more of Rochdale's concerns, noting that a senior GMP officer will be present when an update on Travelsafe is presented to Members at the March meeting

GMTC 23/20 METROLINK TICKETING

Stephen Rhodes, Customer Director TfGM and Helen Humble, Head of Ticketing TfGM, were invited to provide an update on ticketing changes across the transport network.

Highlights included the introduction of Metrolink Zonal Fares, which meant that 78.5% of individual fares were cheaper than they had been previously. The introduction of contactless travel, which had seen 380,000 individual uses to date and was particularly popular on event days. The introduction of Our Pass for 16-18 year olds, which provided opportunities for the over 60,000 young people who were in the pilot at any one time, and the new 'Early Bird' scheme would allow customers who touched-in before 7am on weekdays to benefit from off-peak daily caps.

Other initiatives included the introduction of an annual £10 charge for off-peak travel on Tram and Train across GM for concessionary pass holders; the extension of eligibility of the Women's Concessionary Travel Scheme and the extension of free bus travel to care leavers in the region.

A point of clarification was raised that the slides had incorrectly indicated that the Women's Concessionary Travel Scheme had extended to those born before and up to November 1955. It was confirmed that this extension was actually before and up to April 1955.

Comments and Questions

Members stated that the combined ticket trial in Rochdale had been very well received and would be welcomed on a permanent basis. It was also asked whether family ticket purchases could be made available through the phone app to allow for ease of purchase when at busy stations. It was advised that whilst there was fair evasion concerns, options around family ticketing availability were being actively looked at as part of new procurement work.

Members noted that some residents were still concerned that the £10 concessionary charge included the use of buses, and that more communication work was still needed to reassure the public that buses remained free and that this was a tram/train add-on. It was also asked whether there was capacity to allow residents to pay this £10 charge at train stations and not just travel shops. It was advised that further work had taken place on communications around the £10 charge, making best use of the media's most likely to be used by this customer group. With regards to paying at stations – unfortunately at present, the technology was not in place to allow for the purchase to be made at train stations, but as technology developed it was hoped that this could be introduced.

Members expressed concern about the cost per head of the Our Pass scheme, which at present worked out at over £300 per registered user. Was a review to be undertaken to consider the success of the scheme, and had there not been a consideration of what would constitute value for money at the outset of the project?

It was advised that an independent review of Our Pass had recently been commissioned, and that the resulting evaluations would be reported back to both the Mayor and the GM Transport Committee. The GM Mayor would also be present at the next GM Transport Committee and could provide further information on his targets for Our Pass.

Members referenced contactless and phone app payments – and whether it was possible to

encourage tap on/off price reduction offers that would make bus use for attractive to casual users. Bus operators present at the meeting advised that this was technically possible, but work would need to be undertaken to establish whether an increase in bus users through offers would offset the revenue lost.

Members expressed concern around continuing instances of card clash – for example, where residents are using a pensioner pass, when kept by a debit card it was charging that card in addition. It was advised that communications work around this had been done previously, and a new set of communications would further remind users of the need to keep cards separate to avoid this issue.

Resolved /-

1. That the presentation on Metrolink ticketing be received.
2. That comments from Members on future ticketing opportunities be noted; and
3. That further communications around the risk of ‘card clash’ in contactless payment be sought by Members.

GMTC 24/20 SOCIAL VALUE

Kate Brown, Director of Corporate Affairs, TfGM, introduced an item updating Members on TfGM’s contribution to wider social value through all of its activities. It was advised that the delivery of social value was predicated on six key policy objectives:

- Objective 1: Promote employment and economic sustainability
- Objective 2: Raise the living standards of local residents
- Objective 3: Promote participation and citizen engagement
- Objective 4: Build the capacity and sustainability of the voluntary and community sector
- Objective 5: Promote equity and fairness
- Objective 6: Promote environmental sustainability

Comments and Questions

Members asked whether TfGM was considering further refreshing its progressive procurement policy in light of increasing climate change concerns – and also sought more information on the collective impact of the social value work being undertaken through the TfGM budget.

It was advised that the Committee had taken a report on climate change at its previous meeting, and that a piece of work had been commissioned to help ensure that TfGM and its partners were meeting the green agenda through procurement and projects. As agreed in GMTC 17/20 a further report would be brought to the Committee on this in the new municipal year. In regards to collective impact frameworks, close work was taking place with the Combined Authority to align policies and ensure consistency throughout GM.

Members referenced the Good Employment Charter for GM, and that this and other levers should be used to reward companies that had proven records of good employment practice.

Resolved /-

1. That the report on TfGM's contribution to social value be noted; and
2. That comments received from Members identifying further opportunities/areas of focus for TfGM to deliver social value in future, be noted.

GMTC 25/20 AGE FRIENDLY TRANSPORT

Kate Brown, Director of Corporate Affairs, TfGM and James Baldwin, Policy Officer, TfGM, introduced a report updating Members on transport initiatives to support the GM Ageing Strategy, developed in response to the opportunities and challenges presented by GM's ageing population.

Three areas of work currently seeing a lot of activity were highlighted:

- Community Transport was making excellent use of voluntary lift services, and looking at models to increase the existing provision.
- A city centre pedestrians crossing trial was in place to look at reducing the amount of time pedestrians have to wait to cross the road whilst also increasing the green man times allowing longer for people with mobility issues to cross. The trial would allow further understand of how to do this whilst also minimising the impact on traffic.
- Support for older drivers continued with 'Safer Driving for Longer' courses continuing to be promoted, and the arrangement of a large-scale seminar for older drivers in April.

Comments and Questions

Members expressed concern about the ability to communicate messages to more vulnerable members of society who may not have access to app technology, regarding network delays for example. Could more effective messaging be relayed on screens at stations, as some found communications through speakers at platforms hard to understand.

It was advised that in terms of engagement, different channels were employed to ensure that the differing needs of communities were met. The comments on effective messaging at stations would be reported back to the Disability Design Reference Group (DDRG) for their consideration.

A Member advised that officers working on pedestrians schemes should consider a new report from social scientists and architects linked to the Manchester Urban Ageing Research Group (MUARG) titled 'Developing Age-Friendly Communities in the Northern Gateway Urban Regeneration Project' which provided insight into how older people experienced walking within the urban realm. The Member also referenced the need to make the urban realm more convenient for older residents to walk to bus and Metrolink stops, by providing more rest facilities such as benches within close proximity of the amenities.

Members raised the continuing issues around pavement parking across GM – which was a key factor in making walking difficult for many older residents. It was advised that TfGM were working closely with highways officers across the 10 GM boroughs on work that could be done to combat this in the absence of existing legislation. GM would continue to push for further enforcement powers.

Resolved /-

1. That the update report on age friendly transport be noted.
2. That concerns raised about signposting of network issues at stations be forwarded to the Disability Design Reference Group (DDRG) for consideration; and
3. That officers be asked to consider a new report from social scientists and architects linked to the Manchester Urban Ageing Research Group (MUARG) titled 'Developing Age-Friendly Communities in the Northern Gateway Urban Regeneration Project' which provides insight into how older people experience walking within the urban realm.

GMTC 26/20 EXCLUSION OF THE PRESS AND PUBLIC

That, under section 100 (A)(4) of the Local Government Act 1972 the press and public should be excluded from the meeting for the following item of business on the grounds that this involved the likely disclosure of exempt information, as set out in the relevant paragraphs of Part 1, Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

GMTC 26/20 FORTHCOMING CHANGES TO BUS SERVICES - PART B

Resolved /-

1. That the report be noted.

This page is intentionally left blank

MINUTES OF THE MEETING OF THE GREATER MANCHESTER WASTE AND RECYCLING COMMITTEE, HELD ON THURSDAY, 14TH NOVEMBER, 2019 AT GREATER MANCHESTER COMBINED AUTHORITY, CHURCHGATE HOUSE, OXFORD STREET, MANCHESTER

PRESENT:

Councillor Alan Quinn	Bury
Councillor Rabnawaz Akbar (in the Chair)	Manchester
Councillor Yasmin Toor	Oldham
Councillor Ateeque Ur-Rehman	Oldham
Councillor Tom Besford	Rochdale
Councillor Robin Garrido	Salford
Councillor Helen Foster-Grime	Stockport
Councillor Paul Lally	Trafford
Councillor Judith Lloyd	Trafford

OFFICERS IN ATTENDANCE:

Eamonn Boylann	GMCA Chief Executive
David Taylor	GMCA – Executive Director, Waste & Resources
Paul Morgan	GMCA – Waste & Resources
Sarah Mellor	GMCA – Environment Team
Justin Lomax	GMCA – Waste & Resources
Michelle Whitfield	GMCA – Waste & Resources
Paul Harris	GMCA – Governance & Scrutiny

WRC 19/35

APOLOGIES

Apologies for absence were received and noted from Councillors Shaukat Ali (Manchester), Roy Driver (Stockport), Susan Emmott (Rochdale), Allison Gwynne (Tameside), David Lancaster (Salford) and Adele Warren (Bolton).

WRC 19/36

URGENT BUSINESS

a. APPOINTMENT OF CHAIR FOR THE MEETING

The Senior Governance Officer, GMCA sought nominations for the appointment of a Chair for the meeting.

A nomination for Councillor Rabnawaz Akbar to be appointed as Chair was moved and seconded. No other nominations were received.

RESOLVED/-

That in the absence of Councillor Gwynne, Councillor Rabnawaz Akbar was appointed as the Chair for the meeting.

COUNCILLOR RABNAWAZ AKBAR IN THE CHAIR

WRC 19/37 DECLARATIONS OF INTEREST

There were no declarations of interest reported by any Member in respect of any item on the agenda.

WRC 19/38 MINUTES OF THE MEETING HELD ON 12 SEPTEMBER 2019

The minutes of the previous meeting of the GM Waste & Recycling Committee, held on 12 September 2019 were submitted.

RESOLVED/-

That the Minutes of the previous meeting, held on 12 September 2019, be approved as a correct record.

WRC 19/39 WASTE & RECYCLING COMMITTEE WORK PROGRAMME 2019/20

The Executive Director of Waste and Resources, introduced a report which advised Members of those proposed items for consideration at future meetings of the Committee.

RESOLVED/-

That the contents of the Waste and Recycling Committee work programme be noted.

WRC 19/40 REGISTER OF GMCA KEY DECISIONS

The Senior Governance Officer, GMCA introduced a report which summarised those key decisions on the GMCA Key Decision Register, in relation to waste and recycling matters.

RESOLVED/-

That the contents of the Register of Key Decisions, as set out in the report, be noted.

WRC 19/41 WASTE MANAGEMENT CONTRACT UPDATE

The Head of Contract Services, Waste & Resources, introduced a report which provided Members with an overview of the performance of the Waste and Resources Management

Services (WRMS) and the Household Waste Recycling Centre Management Services (HWRCMS) Contracts. The report also provided updates on key issues currently affecting the waste management services during Period 2 of the new contracts. Details of health and safety matters and an update on facility modifications was also presented. A presentation was also provided.

Members noted that the performance of the new contracts is monitored on a monthly basis, in arrears and in consultation with Suez. The key performance categories for the contracts are set out in the table below:

Combined Contracts 1 & 2 Position	Jun & Jul 19
Total arisings	195,818t
Recycling	93,588t
Recycling Rate	47.8%
Landfill disposal	11,089t
Diversion Rate	94.34%
HWRC performance	
Recycling Rate (Household Waste)	41.7%
Diversion (Household Waste)	93.8%
Diversion (Total Arising, incl. rubble)	94.9%
Runcorn CHP	
RDF to Runcorn	120,061t
Steam Exported	68,631t
Electricity Exported (MWh)	43,640t
Raikes Lane TRF	
Electricity Exported (MWh)	-
Longley Lane MRF	
Kerbside Recycling Rejections	126t
MRF Contamination Rate (Commingled)	17.8%

Following an enquiry from a Member regarding contamination rates at the MRF facility and kerbside recycling rejections, officers noted that contamination rates were slightly lower. More focus on communication on contamination of paper and card had taken place. Members noted the current market constraints and the demand for paper and card from cleaner streams. Currently, there was a 10 year low on pricing for paper and card.

A member noted that the Chinese market constraints to 0.5% contamination was challenging. He suggested that given the need to reduce our carbon footprint, more local outsources, such as the facility in Trafford should be used. In response, officers noted that paper and card from GM is currently being treated at a facility in North Wales while the

Trafford facility is under development. The Trafford facility will not be available until September 2020.

A Member asked if a briefing note be provided to inform Members of the details regarding changes to the access arrangements at HWRCs. In response, officer indicated that this was part of the existing Communications Plan and would be shared. Members also noted that the public Communications Plan will be published after the pre-election purdah period had ended. Some concern was raised that a communications campaign so close to the Christmas period might not get the attention needed.

RESOLVED/-

That the performance of Waste and Resources Management Services and the Household Waste Recycling Centre Management Services contracts, as set out in the report, be noted.

WRC 19/42

BUDGET AND LEVY SETTING PROCESS

The Executive Director, Waste and Resources, introduced a report which provided an update for the Committee on the forecast budget outturn position for 2019/20, the proposed budget for 2020/21, the process to update the Levy Allocation Methodology Agreement (LAMA) and the budget consultation process and timetable.

In response to an enquiry from a Member regarding financial planning and Brexit, officers noted that planning included the potential for delays at ports. Members noted that the potential for domestic markets to be developed would be explored, as will the implications of a no-deal Brexit and the World Trade Organisation tariffs.

A Member enquired if provision had been made in the budget for the Plastic Packaging Tax, Extended Producer Responsibility (EPR), Deposit Return Scheme (DRS) and Consistent Collections which the government had recently consulted on. In response, officers noted that such activities would not be enshrined in legislation (if approved) until 2023 and as such they were not included in the proposed budget for 2020/21.

RESOLVED/-

That the update on the forecast budget outturn position for 2019/20, the proposed budget for 2020/21 and the process to update the Levy Allocation Methodology Agreement (LAMA), as set out in the report, be noted.

The Head of Communications and Behaviour Change introduced a report which provided an update to Members on the Recycle for Greater Manchester Communications and Behavioural Change Strategy for 2020. The report also set out those proposed activities that will be delivered in the next municipal year. The 2020/21 Action Plan was appended to the report which detailed activities and associated timescales, Key Performance Indicators and budget costs.

With regard to the introduction of the three re-use shops at the household waste recycling centres, a Member enquired if there is an accessible directory of contacts that specialise in repairing goods that would otherwise go to landfill.

A Member recalled a recent visit to a Waste Recycling Education Centre and outlined how this facility can help younger people to educate the older generation on recycling matters. In response, officers noted that the Communications and Behaviour Change team was to be expanded in order to facilitate more educational trips to both the education centre and to schools across Greater Manchester. In terms of additional staffing, Members suggested that the proposed half of one full time equivalent post might not be sufficient for this work. In response, officers undertook to explore this matter further.

A Member recognised that behavioural change takes a long time to embed. He highlighted the importance in engaging with young people on this matter and on climate change.

Following an enquiry from a Member regarding the re-use shops, officers noted that they will be located at three of the Household Waste Recycling Centres. Members noted that a long communications plan lead up for the launch of these shops has been prepared.

In response to an enquiry from a member, officers noted that a trial was taking place for the recycling of carpets and mattresses. Following concerns from a Member, officers also noted that traders would not be able to use these facilities to dispose of trade waste and would instead be directed to weigh bridges.

RESOLVED/-

That the Recycle for Greater Manchester Communications and Behavioural Change Strategy for 2020 and the associated action plan, as set out in the report.

The Head of Sustainable Consumption and Production, GMCA introduced a report which provided an update on the work being undertaken with local authorities to join the movement

to move Greater Manchester (GM) away from avoidable single use plastics by committing to the Public Sector Plastic Pact along with on-going work on the PlasticFreeGM campaign.

Following an enquiry from a Member, officers noted that there were plans in place to convene a further Plastic Free conference in 2020.

With regard to the Plastic Free GM Pledge, a Member undertook to speak with Manchester City Council in relation to their commitment to sign this Pledge.

A Member highlighted the need for a deposit return scheme for plastics in GM. In response, officers noted that work on this matter was continuing with Defra and WRAP.

RESOLVED/-

That the work being undertaken on the Public Sector Plastics Pact to eradicate single use plastics by 2024, along with on-going work on the PlasticFreeGM campaign, as set out in the report, be noted.

WRC 19/45 ASSET MANAGEMENT PLAN UPDATE

The Head of Engineering and Asset Management, GMCA Waste & Resources, introduced a report which provided Members with an update on all waste related assets including the current asset management plan and capital engineering projects. A presentation was also provided.

A Member enquired what interventions were in place to stop batteries being ingested in shredders at waste facilities. In response, officers noted that a risk assessment had been undertaken and that onsite observation takes place.

RESOLVED/-

That the update on the GMCA Waste and Resources Budget Outturn 2018/19, as set out in the report, be noted.

WRC 19/46 PROGRAMME OF FUTURE MEETINGS

RESOLVED/-

The following future meeting dates for the Committee were noted:-

Thursday 16 January 2020, 2.00 pm

Thursday 12 March 2020, 2.00 pm

WRC 19/47**EXCLUSION OF PRESS AND PUBLIC****RESOLVED/-**

That, under section 100 (A)(4) of the Local Government Act 1972, member of the press and public should be excluded from the meeting for the following items of business on the grounds that this involves the likely disclosure of exempt information, as set out in paragraphs 3 & 5, Part 1, Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

PART B**WRC 19/48****UPDATE ON WASTE MANAGEMENT CONTRACT**

The Head of Contract Management, GMCA Waste and Resources provided a report which updated the Committee on performance and commercial issues relating to the new Waste and Resources and Household Waste Recycling Centre Management Services contracts which commenced on 1st June 2019. Details of the close down of the run off contract with Viridor were also provided.

Members raised questions in relation to:-

- a) Pensions;
- b) Reserves;
- c) Staffing;
- d) Raikes Lane.

RESOLVED/-

That the performance details and key risks of the Waste Management contracts be noted, as set out in the report.

WRC 19/49**INTERIM SERVICES CONTRACT UPDATE**

The Executive Director, Waste and Resources introduced a report which will updated the Committee on the commercial considerations of the Budget and Levy Setting Process including forecast outturn for 2018/19, process and indicative levy for 2019/20.

In response to an enquiry from a Member in relation to reserves, officers undertook to discuss the matter with the member concerned away from the meeting.

RESOLVED/-

That the forecast outturn for 2019/20 and the proposed budget and levy requirements for 2020/21, be noted.

MINUTES OF THE MEETING OF THE GREATER MANCHESTER WASTE AND RECYCLING COMMITTEE, HELD ON THURSDAY, 16TH JANUARY 2020, AT GREATER MANCHESTER COMBINED AUTHORITY, CHURCHGATE HOUSE, OXFORD STREET, MANCHESTER

PRESENT:

Councillor Adele Warren	Bolton
Councillor Alan Quinn	Bury
Councillor Yasmin Toor	Oldham
Councillor Susan Emmott	Rochdale
Councillor Tom Besford	Rochdale
Councillor Robin Garrido	Salford
Councillor David Lancaster	Salford
Councillor Helen Foster-Grime	Stockport
Councillor Roy Driver	Stockport
Councillor Alison Gwynne (Chair)	Tameside
Councillor Paul Lally	Trafford
Councillor Judith Lloyd	Trafford

OFFICERS IN ATTENDANCE:

David Taylor	GMCA – Executive Director, Waste & Resources
Lindsey Keech	GMCA – Waste & Resources
Paul Morgan	GMCA – Waste & Resources
Justin Lomax	GMCA – Waste & Resources
Michelle Whitfield	GMCA – Waste & Resources
Gwynne Williams	GMCA – Deputy Monitoring Officer
Joanne Nuttall	GMCA – Communications & Engagement
Tanya Edwards	GMCA – Communications & Engagement
Garry Parker	Tameside MBC
David Robinson	Salford CC
Helen Ashcroft	Trafford Council
Jo Oliver	Rochdale MBC
Kerry Bond	GMCA – Governance & Scrutiny

WRC 20/01

APOLOGIES

Apologies for absence were received and noted from Councillors Rabnawaz Akbar (Manchester), Shaukat Ali (Manchester) and Ateeque Ur-Rehman (Oldham).

WRC 20/02 URGENT BUSINESS

There are no items of urgent business reported.

WRC 20/03 DECLARATIONS OF INTEREST

There were no declarations of interest reported by any Member in respect of any item on the agenda.

WRC 20/04 MINUTES OF THE MEETING HELD ON 14 NOVEMBER 2019

The minutes of the previous meeting of the GM Waste & Recycling Committee, held on 14th November 2019 were submitted.

RESOLVED/-

That the Minutes of the previous meeting, held on 14th November 2019, be approved as a correct record, subject to the following amendments:

WRC 19/45 ASSET MANAGEMENT PLAN UPDATE

Resolved/-

That the Asset Management Plan Update be noted.

WRC 19/49 INTERIM SERVICES CONTRACT UPDATE

The Executive Director, Waste and Resources introduced a report which updated the Committee on the commercial considerations of the Budget and Levy Setting Process including *forecast outturn for 2019/20, process and indicative levy for 2020/21.*

WRC 20/05 WASTE & RECYCLING COMMITTEE WORK PROGRAMME 2019/20

The Executive Director of Waste and Resources, introduced a report which advised Members of those proposed items for consideration at future meetings of the Committee.

RESOLVED/-

That the contents of the Waste and Recycling Committee Work Programme be noted.

WRC 20/06**REGISTER OF GMCA KEY DECISIONS**

The Executive Director of Waste and Resources, introduced a report which summarised those key decisions on the GMCA Key Decision Register, in relation to waste and recycling matters.

RESOLVED/-

That the contents of the Register of Key Decisions, as set out in the report, be noted.

WRC 20/07**WASTE MANAGEMENT CONTRACT UPDATE**

The Head of Contract Services, Waste & Resources, introduced a report which provided Members with an overview of performance of the Waste and Resources Management Services (WRMS) and the Household Waste Recycling Centre Management Services (HWRCMS) contracts that commenced on 1st June 2019.

Updates were also received on:

- Key issues currently affecting the waste management services during this period.
- Performance reporting that usage verified data to the end of September 2019 (quarter 2 of the year, month 4 of the new contracts).
- Contract issues and developments, with details of how these have impacted contract performance.

Members noted the annual performance comparison data, which shows the overall position for comparison to the previous year, as set out in the table below:

Annual Performance Comparison (Year to date – April to September)	2019 / 2020	2018 / 2019
Total arisings	589,586.85	584,304.96
Recycling	277,822.05	276,873.44
Recycling Rate	47.12%	47.39%
Landfill disposal	48,741.66	60,186.93
Diversion Rate	91.73%	89.70%
HWRC performance		

Recycling Rate (Household Waste)	42.85%	43.89%
Diversion (Household Waste)	86.57%	71.49%
Diversion (Total Arising, including rubble)	89.16%	77.02%
Rejection of Kerbside Recycling Collections	274.58	526.30
MRF Contamination Rate (Commingled)	18.72%	17.91%

Offices clarified that under the new contract arrangements data displayed was for recycling only. Previously the data had included recycling and diversion figures.

Officers also advised that central Government had not yet confirmed the status of EU funding arrangements for education schemes going forward.

A Member requested that a site performance update be submitted to a future meeting.

RESOLVED/-

1. That the performance of the Waste and Resources Management Services and the Household Waste Recycling Centre Management Services Contracts, as set out in the report, be noted.
2. That a site performance update be submitted to a future meeting.

WRC 20/08

BUDGET AND LEVY 2020/21 AND MEDIUM TERM FINANCIAL PLAN TO 2023/24

The Head of Finance, Waste and Resources, introduced a report which provided an update on the budget and levy for 2020/21 and on the Medium Term Financial Plan (MTFP) for a further three year period to 2023/24. Those plans were to be delivered via:

- A total levy requirement for 2020/21 of £167.242m, representing a 4.2% average decrease over 2019/20. At a district level the levy changes range from -2.3% to -6.6%;
- The Medium Term Financial Plan then proposed levy charges of £164.982m in 2021/22, £168.296m in 2022/23 and £170.643m in 2023/24.

Officers clarified that forecast tonnage figures were provided by districts councils, with specific details to be provided by relevant district council colleagues.

RESOLVED/-

1. That the proposed revised budget for 2019/20 which was expected to be broadly in line with the approved budget after transfers from earmarked reserves, be noted;
2. That the proposed 2021/22 Trade Waste rate of £102.30 which allowed forward planning by Districts, be noted;
3. That the capital programme 2020/21 to 2023/24 as set out in Appendix A of the report, with the inclusion of consequential revenue effects in the budget and levy from 2020/21, be noted;
4. That the budget and levy for 2020/21 of £167.242m (4.2% decrease) and allocation to Districts based on latest estimates of tonnages, including street sweepings, be noted;
5. That the expected levy amounts of £164.982m, £168.296m and £170.643m in 2021/22, 2022/23 and 2023/24 respectively, be noted; and
6. That the risk position set out in the Balances Strategy and Reserves, be noted.

WRC 20/09 HOUSEHOLD WASTE RECYCLING CENTRE ACCESS RESTRICTIONS COMMUNICATIONS PLAN

The Head of Communications and Behaviour Change, Waste and Resources, introduced a report which provided an overview of the communications plan for the implementation of the Access Restrictions Policy at the Household Waste Recycling Centres that will come into effect in February 2020, highlighting:

- The purpose of the access restrictions
- The policies for traders and residents
- Automatic Number Plate recognition (ANPR), height and weight changes
- The Implementation and Communication Plans
- The operational Update, including recruitment and training

Members were advised that a working group has been established, with representatives from Suez and district councils to monitor the and evaluate the effectiveness of the number plate recognition scheme with a view to working with district Councils to mitigate any negative impact on residents. The Committee would be kept apprised of any issues. Members were also advised that traders visits would also be monitored and shared with District Councils and

the GMCA. Districts would be responsible for implementing enforcement and issuing fixed penalty notices and/or court orders to any trader abusing the facilities.

In response to concerns regarding the potential increase in fly-tipping, members were reminded that fly tipping would be managed by districts councils, who have access to the use the flycapture database, with regular updates to be provided to the committee following consultation with district councils.

Members were advised that following discussions with the GM Information Governance Department, all systems are General Data Protection Regulation (GDPR) compliant.

RESOLVED/-

1. That the Household Waste Recycling Centre Access Restrictions Communications Plan, as set out in the report, be noted.
2. That updates on the schemes effectiveness and performance be submitted to a future meeting of the Committee.

WRC 20/10

BIOWASTE TREATMENT CAPACITY PROCUREMENT

The Head of Commercial Services, Waste and Resources, introduced a report which provided details of the procurement of replacement Package B biowaste call-off contracts lasting two years each, and detailed the indicative procurement timetable as set out in the table below:

Activity	Commencement	Completion
Approval to commence procurement	January 2020	January 2020
Preparation of documents	February 2020	Mid-March 2020
Engagement with framework contractors	February 2020	February 2020
Open The Chest and invite bidders	Mid-March 2020	Mid-April 2020
Submission of call-off responses		
Evaluation of call-off response	End-April 2020	
Award of call-offs	Early May 2020	
Service commencement	June 2020	May 2022

RESOLVED/-

To note the report and endorse the procurement approach as set out in sections 2 and 3 of the report.

WRC 20/11**BREXIT PREPAREDNESS**

The Head of Commercial Services, Waste and Resources, introduced a report and gave a presentation which provided Members with an update on the potential risks associated with leaving the EU with all rights and reciprocal arrangements with the EU ending (a “no deal” or “hard” Brexit); and the measures taken to address these risks should they materialise.

RESOLVED/-

That the work undertaken to date to plan for the management and mitigation of any risks impacts from a hard Brexit, be noted.

WRC 20/12**PROGRAMME OF FUTURE MEETINGS****RESOLVED/-**

The following future meeting dates for the Committee be noted:-

Thursday 12 March 2020, 2.00 pm

WRC 20/13**EXCLUSION OF PRESS AND PUBLIC****RESOLVED/-**

That, under section 100 (A)(4) of the Local Government Act 1972, member of the press and public should be excluded from the meeting for the following items of business on the grounds that this involves the likely disclosure of exempt information, as set out in paragraphs 3 & 5, Part 1, Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

WRC 20/14**CONTRACTS UPDATE**

The Head of Contract Services, Waste & Resources, provided a report which updated the Committee on performance and commercial issues relating to the new Waste and Resources and Household Waste Recycling Centre Management Services Contracts that commenced on 1st June 2019.

RESOLVED/-

That the performance details as set out in the report, be noted.

WRC 20/15

BUDGET AND LEVY 2019/20 AND MEDIUM TERM FINANCIAL PLAN TO 2023/4 - COMMERCIAL CONSIDERATIONS

The Head of Finance, Waste and Resources introduced a report which detailed the commercial considerations in respect of 2019/20 and beyond budget and levy prospects, including the remaining budget issues to be finalised from the completion of the Run Off Contract, and other key budget assumptions.

RESOLVED/-

That the budget assumptions for 2020/21 and the associated critical judgements in relation to the Medium Term Financial Plan be endorsed.

WRC 20/16 BIOWASTE TREATMENT CAPACITY PERFORMANCE

The Head of Commercial Services, Waste and Resources, introduced a report which provided details of the procurement of replacement Package B biowaste call-off contracts lasting two years each.

RESOLVED/-

That the commencement of the procurement of 'Package B' biowaste call-off contracts and that authority be delegated to the Executive Director, Waste and Resources in consultation with the Chair of the Waste and Recycling Committee to award the decision.



Report to COUNCIL

Oldham's COVID-19 Response

Portfolio Holders:

Councillor Fielding, Council Leader and Cabinet Member for Economy and Skills

Councillor Shah, Deputy Leader and Cabinet Member for Covid-19 Recovery

Officer Contact:

Rebekah Sutcliffe, Strategic Director of Communities & Reform

Report Author: Jonathan Downs (Corporate Policy Lead)

17.06.2020

Reason for Decision

This report outlines Oldham's partnership response to the COVID-19 pandemic.

Executive Summary

On 31 December 2019, the World Health Organization (WHO) was informed of a cluster of cases of pneumonia of unknown cause detected in Wuhan City, Hubei Province, China. On 12 January 2020 it was announced that a new novel coronavirus had been identified, causing the outbreak. This virus is referred to as SARS-CoV-2, and the associated disease as COVID-19. Since January the virus has spread quickly across the globe, causing a global pandemic.

Manchester and Greater Manchester (GM) declared a major Incident on Friday 20 March 2020. This activated the multi-agency response arrangements in line with the GM generic response plan and the pandemic flu plan. The Prime Minister's unprecedented announcement at 8.30 pm on Monday 23rd March set out the seriousness of the situation and the expectations of all residents, businesses and public services.

New emergency legislation was quickly passed into law to support local authorities in responding to the pandemic, whilst ensuring essential business and services continue. The legislation gives the Council a statutory duty to coordinate food, self-care, medical supplies and other forms of necessary assistance to vulnerable groups in response to COVID-19.

Recommendations: To note the content of the report.

1 Background

- 1.1 On 31 December 2019, the World Health Organization (WHO) was informed of a cluster of cases of pneumonia of unknown cause detected in Wuhan City, Hubei Province, China. On 12 January 2020 it was announced that a new novel coronavirus had been identified, causing the outbreak. This virus is referred to as SARS-CoV-2, and the associated disease as COVID-19. Since January the virus has spread quickly across the globe, causing a global pandemic.
- 1.2 Manchester and Greater Manchester (GM) declared a major Incident on Friday 20 March 2020. This activated the multi-agency response arrangements in line with the GM generic response plan and the pandemic flu plan. The Prime Minister's unprecedented announcement at 8.30 pm on Monday 23rd March set out the seriousness of the situation and the expectations of all residents, businesses and public services.
- 1.3 New emergency legislation was quickly passed into law to support local authorities in responding to the pandemic, whilst ensuring essential business and services continue. The legislation gives the Council a statutory duty to coordinate food, self-care, medical supplies and other forms of necessary assistance to vulnerable groups in response to COVID-19.
- 1.4 In line with other Greater Manchester authorities, Oldham has established a major incident command structure which includes a Gold, Silver and Bronze approach. This includes a Political Gold of Council Leader/Deputy Leaders and the Leader and Deputy Leader of the Main Opposition Group.
- 1.5 This report summarises the Oldham Partnership's response to COVID-19, highlighting the incredible contribution from our partners and communities to tackling the pandemic. As the response covers almost all service areas, for the purpose of this report it has been broken down into six thematic areas:
 1. Protecting our most vulnerable residents
 2. Health and wellbeing
 3. Keeping services going
 4. Helping people back on their feet
 5. Supporting businesses and Oldham's economy
 6. The transition from lockdown to recovery.

2 Protecting our most vulnerable residents

- 2.1 In Oldham we recognise that vulnerability may present itself in many ways. The Government has produced guidance on the approach agreed to supporting those who are clinically extremely vulnerable to COVID-19, referred to as the 'shielded list'. However, there is also work taking place across the Oldham Partnership to protect other vulnerable groups, including individuals and groups with protected characteristics, or people at increased risk during the pandemic.
- 2.2 Community Bronze Group
- 2.3 In the first weeks of the response, the Community Bronze group focused on meeting the immediate needs of people and communities in response to the crisis (food, medicines, mutual aid, volunteering and community intelligence). It focused on responding to health vulnerability in-particular (Oldham's shielded list, over 70s, discharged from hospital, symptoms of CV-19, etc.) and the duty put on us by government to ensure the basic needs of these key 'isolating' groups were being met.

-
- 2.4 The Community Bronze Group was established with joint leads from the Council and Action Together. Within days they had mobilised 5 Hubs to coordinate food, medicines, mutual aid, volunteering and community intelligence and an Emergency Helpline to act as a front door and triage.
- 2.5 Emergency Food Distribution
- 2.6 We have developed a comprehensive food distribution network led by Oldham Food Bank and Action Together with support wrapped around from the Council and OCL. Over time the Foodbank has centralised its offer into Oldham Sports Centre and Clemency House. The centres are heavily supported by a volunteer offer and Council staff. Their roles range from coordination, supporting processes, managing deliveries of food and products, packing and delivering.
- 2.7 There has been a huge breadth of support from across Oldham's voluntary and community sector, with many new mutual aid groups being established to support Oldham's COVID-19 response. These groups have been providing a huge amount of support for local people impacted by the pandemic, including leafletting to reach people who are isolated and to raise awareness of support available; running errands, shopping or other activities self-isolated people cannot perform; and providing emotional support and contact for people who are self-isolating or struggling with the effects of the pandemic.
- 2.8 Volunteering
- 2.9 The Council is working with Action Together who are the volunteer coordinators for Oldham, promoting how people can volunteer their time to support the COVID-19 response across Oldham. Through this joint approach, 529 people have signed-up as volunteers, supporting a variety of causes, including foodbanks.
- 2.10 Supporting Wider Need
- 2.11 The Helpline received calls from people with needs that were broader than emergency food and supplies so by week 3 the group started to co-ordinate clear referral pathways for vulnerable groups from both the Helpline and the 5 Hubs to ensure wider need was being met where appropriate. This included clear referral pathways to Oldham Age UK, CAB, Housing Providers, Early Help, Mental Health, Benefits and Advice and Welfare Rights, as well as strong pathways and relationships with the Community Pharmacies, Community Health and Social Care and primary care (GPs). In addition, a wide range of VCFSE and Crisis Support agencies have also begun to align to the Hub model with the distribution of white goods, furniture, transport and donated items being coordinated between VCFSE, public services and businesses to compliment the food offer.
- 2.12 4088 people have been helped with emergency food and household supplies through a central hub and helped 203 people with urgent access to medicine as at 21 May 2020.
- 2.13 Helpline and Response System
- 2.14 The Helpline went live on the 26th March, offering a wide range of support for residents getting in touch with the Council for emergency help.
- 2.15 The Helpline's offer was enhanced on 15th May to include a language option from 11 – 2pm each day, ensuring inclusivity for residents only able to speak Urdu, Bangla and Punjabi. The team have also been responsible for outbound calling to vulnerable, shielded and hospital discharged residents, which began from 22nd April.
-

-
- 2.16 In addition, a Customer Relationship Management system (CRM) has been developed to support the Helpline and Hub Teams to efficiently capture contacts and cases, allowing them to be cross-check against multiple data sources. This has enabled us to better understand the types and frequency of contact made, ensuring we are providing the right help and support to residents. This system has already proved invaluable in being able to predict demand and flag repeat customers who are now being directed into wider support.
- 2.17 Up to close of business 28th May, the Helpline has:
- Answered 4925 calls
 - Made 1813 outbound calls
 - Made referrals for 2421 residents to receive help with either food or medicine deliveries.

3 **Health and Wellbeing**

- 3.1 The overarching aim of Oldham's health response has been to support the national effort to prevent premature and avoidable harm and deaths and mitigate the negative impact on the health and wellbeing of Oldham residents because of COVID-19. This has been achieved through two primary objectives.
- Reconfiguring the health and care system of Oldham such that it reduces and slows the escalating level of acute and critical care demand.
 - Leading and supporting all measures to reduce and slow the escalating demand on NHS services, particularly focusing on reducing demand on critical health and care services so that those who are seriously unwell get the very best care.
- 3.2 Oldham CCG and Critical Care Services
- 3.3 Oldham CCG has taken emergency steps to protect patients, staff and public to prevent the spread of the virus, aiming to significantly reduce demand on critical care services.
- 3.4 Critical care units (CCUs) are specialist hospital wards that treat patients who are seriously ill and need constant monitoring. These patients might, for example, have problems with one or more vital organ or be unable to breathe without support.
- 3.5 These units are staffed by specially trained health care professionals who deliver intensive levels of care and treatment, for example, there is usually one nurse for every one or two patients. Patients in these units are closely monitored and supported by sophisticated equipment, including ventilators that help patients breathe.
- 3.6 To reduce the demand on Critical Care Units the CCG has taken a number of steps, including:
- Postponing all non-urgent elective operations from 15 April at the latest, for a period of at least three months.
 - Stopping walk-in access to Walk in Centres, Urgent Treatment Centres, Emergency Departments or similar, without some form of prior assessment.
 - Assessing patients by telephone or video call and, where necessary, seeing them by appointment only.
- 3.7 Almost all the CCG staff have been set up to work from home. Where clinicians or other support staff have been asked to support the delivery of services during the pandemic, staff who are at high risk or symptomatic are excluded from this. Across primary care the number

of staff who have self-isolated has not risen above 5%, with the total absence rate, including annual leave not rising above 14%.

3.8 Public Health Campaign

3.9 Since the launch of the national public health information campaign in February, Oldham Council has been advising residents on how to slow the spread of COVID-19. This has included promoting the Government's *Stay at Home* messaging (first phase of the national messaging response), which has now become *Stay Alert* (second phase of the national messaging response).

In addition, Oldham has tailored national messaging, ensuring it reflects the local response. This has included messaging encouraging residents to support each other, as well as recent resources for businesses which include posters and signs to support businesses and organisations to re-open safely.

3.10 Mental Health Services

3.11 Significant work has been taking place in relation to increasing and introducing new services to support our population, workforce and their families with their Mental Health. This includes, but is not limited to, a 24/7 mental health helpline for support users and their carers; online support and wellbeing advice, new pathways to access urgent mental health support, increased monitoring of community mental health teams risk stratification along with an embedded process within community hubs for people to be supported by Mind when identified mental health or wellbeing needs. A weekly Mental Health System Support call including all partners across CCG, LA, providers and third/voluntary sector has also been established

3.12 The CCG are working closely with Pennine Care Foundation Trust (PCFT) to model the capacity and demand expected with the increase of the impact of covid-19. This work will be ready for mid-June.

3.13 Personal Protective Equipment

3.14 At an early stage in the pandemic Oldham Council set up a local PPE distribution hub to provide emergency stock to health and care providers who were unable to secure stock through other routes. The hub coordinated supplies coming into the borough from several routes, including supplies distributed to the Local Resilience Forum, stock purchased by GM on behalf of all 10 authorities, as well as stock purchased through our own local procurement routes. This has meant that Oldham has not faced the significant shortages of some items of PPE that we know other areas have faced. Health and Social Care services operating in the community have been able to access stock from this hub 7 days a week, either by collection or delivery. To date the hub has distributed more than 575,000 items of PPE have been distributed to local services.

3.15 Test and Trace

3.16 Testing, contact tracing and isolation have a vital part in keeping our population safe and preventing the spread of infection.

3.17 Contact tracing is a proven method for public health to control the spread of many infectious diseases. In COVID-19 it works by identifying contacts of people who have tested positive and then encouraging them to self-isolate and closely monitor their health, rather than continuing to mix with others and passing the virus on.

3.18 The national Test and Trace service was launched on 28th May 2020. The local and Greater Manchester (GM) arrangements are aligned with this service.

-
- 3.19 All areas of the country are developing local outbreak plans, which will establish local good practice approaches and the leadership role of Local Authorities. Tameside is one of eleven Beacon Councils within this work, on behalf of the Greater Manchester system.
- 3.20 We have worked closely with other local authorities in GM, GM Health and Social Care Partnership and PHE to establish a model for contact tracing ahead of the development of the national system. Systems are in place in Greater Manchester to take referrals from the National Contact Tracing Service and we have established systems in Oldham to accept referrals of local cases from the national and GM systems and are working with partners across Oldham to prevent and manage outbreaks.
- 3.21 Partners in Oldham have formed a Test and Trace group as part of our COVID-19 governance structure. We have recognised that Test and Trace is a key part of our immediate response to COVID-19 but will also be a feature of our locality system for the foreseeable future.
- 3.22 Through this structure we have agreed an outline operating model for contact tracing, consequence and outbreak management, which aligns with the wider GM model for contact tracing. Our initial model public health staff in providing the single point of contact function, and environmental health staff as leads for contact tracing and consequence management, working within our place based operating model and aligned to our community hubs. We anticipate that this model will give us a strong link with our local communities in gathering and responding to local intelligence, and managing the response to positive cases and outbreaks, working in partnership across the system through our place-based model. This model will also ensure that we can build on our effective community hubs model to provide support to vulnerable individuals and communities.
- 3.23 We are now developing our engagement and communications plan to ensure that key stakeholders and higher risk settings understand the system and processes that we will be working to, and the steps that they need to take to support the system, including undertaking health and safety risk assessments, and updating business continuity plans to take account of potential for large numbers of staff being required to self-isolate.
- 3.24 Our approach to testing has focused on promoting the national testing offer to eligible groups and providing local access to testing for health and social care staff. All care home residents and staff in Oldham have been offered testing, and many have now accessed testing on several occasions. Over the coming weeks we will be increasing access to local testing, including provision of a mobile testing unit operated by the military, which visited Oldham Town Centre for the first time 31st May to 2nd June, and will be in the borough again later this month (June).
- 3.25 Care Homes
- 3.26 To support Care Homes during the pandemic, Oldham Council has established a STICH team (Supporting Treatment in Care Homes), bringing together community nurses, allied health professionals and social workers to work directly with care homes that have residents and staff showing possible Covid-19 symptoms.
- 3.27 During each STICH visit, the clinical team carry out face-to-face assessments of each individual patient, working with care home staff to identify, manage and problem solve any health-related issues. The helps Care Homes recognise potential COVID-19 patients at an early stage, to help with initial treatment and to avoid unnecessary hospital admissions by liaising with local primary care services.
- 3.28 In addition to the various elements of support already in place, we are implementing a 90% bed occupancy guarantee payment until 30th June 2020, to support those providers most
-

adversely affected by COVID-19. This will allow time for; individual discussions to take place with key providers, support the development of a longer-term commissioning strategy; and for demand to adjust to the new operating environment to support a more informed assessment of the longer-term impact.

3.29 Bereavement Support

3.30 The Council's response to bereavement has been delivered through close working across a range of services. The work has involved establishing the relationship with guidance delivered by the NHS and CCG on end of life care to ensure that clear and informed guidance was delivered in a consistent way at such a difficult time.

3.31 Services have worked with local partners including funeral directors, the coroner and local faith groups to deliver:

- A single end to end process for issue of death certificates to enable burials and cremations.
- Delivery of online funeral capability for families using the Crematorium Chapel.
- Increased mortuary, burial and cremation capacity at the recent peak of the pandemic.
- Reduced fees in recognition of the financial burden suffered by many families.
- A safe working environment for staff covering the services.
- Constant communication with funeral directors to enable a safe operation informed by public health guidelines.
- Work across GM to inform a consistent message re attendance at funerals.

4 **Keeping Services Going**

4.1 Community Safety and Cohesion

4.2 The Community Service has worked with partner agencies to engage with and encourage individuals and communities to comply with the Coronavirus legislation. In the initial stages of the Pandemic, Community Safety Services and Greater Manchester developed a daily COVID19 Consequence Management Group Meeting. This meeting involves representatives from Community Safety, Greater Manchester Police, Detached Youth Services, Licensing, Parks and Open Spaces, the Stronger Communities Team and the LA Comms team.

4.3 This meeting set out a strategy to identify individuals and business premises that were non-compliant with the COVID legislation, to allow us to address the breaches in a way intended to engage and encourage compliance. Residents were provided with mechanisms to report breaches including use of the 101 police non-emergency number and a link was provided to residents for GMP's on-line reporting portal. A dedicated COVID car was set up with Police Officers who were responsible solely for responding to breach reports.

4.4 The Community Safety Service supplied Greater Manchester Police with a contact card system, to capture the identity of individuals who were breaching the COVID19 legislation. Community Safety Services then drafted an Advisory letter to the individual, explaining the need for compliance, in order to halt the spread of the Virus. This was hand delivered by the Neighbourhood Policing Teams. This included Advisory letters to Juveniles, Adults and the registered keepers of vehicles that were witnessed at the site of breaches.

4.5 When business premises were identified as remaining open in contravention of the COVID legislation, or where they were allowed to remain open and failed to ensure social distancing measures were being adhered to, GMP provided their details to Community Safety Services who passed the details to the relevant teams within the Council. These premises were contacted and received verbal or written advice to ensure future compliance.

-
- 4.6 When hotspot areas were identified during the meeting, it was agreed that the area would be included in the relevant Neighbourhood Policing Teams patrol plans and that the COVID car would default to these locations when not attending breach reports. Where juveniles were being identified at these locations, the Councils detached youth Team were deployed to the area to engage with the groups and explain the need for compliance.
- 4.7 The Stronger Communities Team, have also been scanning social media sites to identify problematic locations allowing GMP and the detached youth team to respond quickly to issues, or for early referrals to be made to the relevant sections of the Local Authority when non-compliance by businesses was identified.
- 4.8 Key messages were also disseminated by the Local Authorities Comms team via Social Media, to reinforce and clarify the Governments restrictions. These messages were changed as the Government eased lockdown to reduce unintended non-compliance.
- 4.9 The meeting allowed for fluidity in meeting different challenges over this period, including the VE day celebrations, Easter and Eid celebrations.
- 4.10 Domestic Abuse
- 4.11 The Council has coordinated a range of activity to address the concern of hidden harm under Covid-19. This has included raising awareness of domestic abuse and promoting support helplines and the white ribbon campaign at local venues such as supermarkets and pharmacies and on social media.
- 4.12 Professionals have also been provided with a range of advice and guidance to increase their awareness of domestic abuse and how to work with families to reduce risks. Early Help teams both within the Council and at Positive Steps have been providing additional assistance in support of the IDVA teams. The Probation Service and Early Help have worked collaboratively on cases where individuals who have committed domestic abuse offences are being supervised by the Probation Service.
- 4.13 Education
- 4.14 On the 20th March all UK schools and colleges were closed, though provision has remained in place for vulnerable children and children of critical workers. This has meant that over 1,000 vulnerable children and children of critical workers have been able to continue attending school.
- 4.15 By working closely with Children's Social Care colleagues, we have ensured that over 3,000 vulnerable children have been safeguarded whilst they are away from school.
- 4.16 Home learning has been available to those children not attending schools, with our entire school population of c45,000 receiving a home learning offer.
- 4.17 We have planned for the phased return of schools, which means that some primary schools will widen their opening to priority year groups from 1st June, with virtually all primary, secondary and special schools doing so from 15th June.
- 4.18 Libraries and Gallery Oldham
- 4.19 All our libraries and Gallery Oldham are currently closed in line with the Government's advice. However, though library buildings are closed, residents have been able to access digital resources, including books and magazines. Since libraries closed there has been a 97% increase in eBook issues and a 66% increase in eAudio issues. There has also been a 19% increase in digital magazine downloads. During the lockdown the Library Service
-

has also moved a number of events online, including Rhyme Times, author events and quizzes, which have been viewed over 15,629 times.

4.20 The Library Service has also continued to support residents, delivering 161 book packs (which equates to 420 books), in partnership with Age UK and the Early Years Team, to families and individuals that are vulnerable and isolating.

4.21 Parks and Greenspaces

4.22 To enable people to exercise during the lockdown, Oldham's parks have remained open. However, car parks, sports courts and bowling greens were closed to encourage social distancing. Following updated government advice, these have now reopened, though play areas, trim trails and outdoor gyms remain closed.

4.23 Safeguarding

4.24 Safeguarding remains a key priority during the pandemic. we have a robust approach to safeguarding in Oldham. For adults, accountability remains with the Adult Safeguarding Board, which holds weekly assurance meetings for all statutory partners to capture safeguarding activity.

4.25 Oldham's Safeguarding Children Partnership have continued to safeguard and promote the welfare of all children in Oldham during the pandemic. As a local authority we have taken steps to protect children during the COVID-19 crisis, risk-assessing and then reviewing the circumstances of every family they are currently working with, ensuring that those facing the highest risks are visited the most frequently.

4.26 Waste and Recycling

4.27 On Monday 30th March temporary general waste weekly collections were introduced by Oldham Council's Waste Management Team. This step was as a measure to ensure that weekly waste collections would continue, with only grey bins collected. This lasted for a short time, with recycling collections starting again on April 27th, following improved staffing levels.

4.28 On the 23rd March all Greater Manchester's recycle centres were closed until further notice to slow the spread of COVID-19. Arkwright Street reopened on May 2nd, with new measures in place to protect the health and wellbeing of residents and staff.

4.29 Accommodation Review

4.30 Officers and Members continue to work remotely where possible to protect the essential frontline services which must operate in workplace settings in conjunction with Government guidance for working safely.

4.31 A programme of risk assessments has been put in place to support the recovery phases for schools / markets / more services returning and re-opening, ensuring social distancing is embedded and safe working practices are in place.

4.32 Communications

4.33 We are utilizing a variety of communication platforms to ensure that key messaging around government policy is communicated in a meaningful and helpful way for our communities. This includes an information hub on the council website, extensive social media activity, newsletters to businesses, direct mail to our most vulnerable groups along with regular engagement with local media channels.

4.34 Workforce

- 4.35 Following government guidance, we adapted to new ways of working at pace, designing or redesigning many different approaches to support our workforce in the most appropriate way possible. This has largely been achieved by delivering services remotely with little / no degradation of service, with most services continuing to proceed with usual activities alongside the response to COVID-19.
- 4.36 Recognising the pressure on staff, a bespoke welfare offer for all #TeamOldham has been developed. This has been very well received with other localities have used this to guide their welfare approach.
- 4.37 New practices have been implemented e.g. self-service payroll, employment checks, remote assessments for recruitment which will become part of new ways of working as relaxation of lockdown continues.
- 4.38 We undertook work early on to ensure we understood how staff worked so that we did not expose any staff to unnecessary risk. This included identifying staff who might be more vulnerable, for example, BAME staff or those with underlying health conditions. This exercise has proved invaluable in helping to work through how to restore services and our approach to relaxation of lockdown.

5 **Helping People Back on Their Feet**

5.1 Financial Support for Residents

- 5.2 The Council has received a Government grant of £3.015m to provide help with Council Tax payments for working age claimants of Council Tax Reduction (CTR) up to a maximum of £150. The estimated cost of the scheme is £2.637m. The balance of funds, an estimated £0.378m, will provide other support for residents facing financial hardship, including those extremely vulnerable households who may not be in receipt of means tested benefits. All Enforcement Agent (bailiff) action, including visits to collect overdue Business Rates and Council Tax, has been suspended until the end of June 2020. Special Payment plans have been made available on request. As at 28 May 2020, 1,937 (£303,077) householders had deferred their Council Tax payment.
- 5.3 The rate of the additional earnings disregard of £17.10 in Housing Benefit has been increased to £37.10. The increase takes into account the temporary increase in the basic element of Working Tax Credit (WTC) for 2020/21 only. The changes made to the Housing Benefit (HB) regulations ensure that there is no negative effect on the award of HB as a result of the change to WTC but would have reduced entitlement to CTR. The Council's CTR scheme had already been set for 2020/21 and cannot be changed in year. In view of this, the excess of the Hardship Fund award from Government has been earmarked to ensure CTR claimants are not detrimentally affected by this earnings disregard change. The relevant shortfall created by the increase in WTC will be funded through s13(a)1(c) of the Local Government Finance Act 1992 i.e. the Council's discretionary Council Tax hardship scheme. The increase has been calculated automatically and claimants do not need to separately apply for this help.
- 5.4 In response to COVID-19, the Government increased Local Housing Allowance (LHA) rates to the 30th percentile of local rents from April 2020. This provides immediate help to claimants on both Housing Benefit (HB) and Universal Credit with their housing costs by alleviating shortfalls between their rent and housing support.
- 5.5 Residents have experienced difficulties in making payments over this period as income levels have fallen or become uncertain. The Council estimates that during 2020/21, the

Council may experience a reduction in income from Council Tax as a result of COVID-19 of £5.160m

- 5.6 There has been a sharp increase in the numbers of new claims and changes in circumstances received for Housing Benefits and Council Tax Reduction during lockdown. There has been an increase in benefit post received with 14,647 items of post received over the period April to 17 May 2020 compared with 9,507 items received over the same period in 2019 (an increase of 5,140). Much of this increase is due to increased number of Universal Credit data share information from the Department for Work and Pensions (DWP) for working age Council Tax Reduction claimants.
- 5.7 Food Donations and Fundraising
- 5.8 Oldham Council has been working closely with the Emergency Food Providers across Oldham, ensuring people who are vulnerable can get access to food and everyday essentials. Since May 3rd 7,806 food items weighing 24,565.6kg have been donated, including personal hygiene products and cleaning products.
- 5.9 In addition over £73,000 has been raised to support local projects responding to coronavirus, with over £28,000 coming from donations.
- 5.10 Housing and Homelessness
- 5.11 Housing support has continued to be provided to residents through a remote operating model, implemented without a break in service, with the full range of housing advice provided via web, emails, and / or phones.
- 5.12 Oldham Council has continued to work with registered social landlords to ensure a steady flow of social housing properties are available to re-house our residents who are homeless or threatened with homelessness. Weekly liaison (virtual) meetings with housing partners are held, mitigating risks and address concerns / support gaps as they arise.
- 5.13 Government guidance on social distancing has meant that 'A Bed Every Night' (ABEN) residents had to be temporarily accommodated through individual self-contained rooms in hotels which were procured through GMCA. We have since procured our own accommodation and re-housed residents at Shaw Road. The Council has also used other additional temporary accommodation units to cope with the increase in demand.
- 5.14 The Housing Options Team continues to work with households who are homeless or at risk of homelessness to explore all housing options available. This includes looking at maximizing income, exploring the private rented sector and allocating social homes via the Council's housing register.
- 5.15 The Housing Team are supporting a cohort of people who have no recourse to public funds. Working in collaboration with GMCA and with funding from the Mayor's fund, we are looking to use one of our accommodation units (Union St) to support this cohort of people.
- 5.16 Wider accommodation has also been provided for hospital discharges and key workers as part of the response.
- 5.17 Oldham is working hard to continue our health and wellbeing priorities and improve the health and wellbeing of our residents. In 2019, Oldham refreshed its Health and Social Care Locality Plan 2019-2024. The Locality Plan describes how we will continue to deliver significant improvements in the health and wellbeing outcomes of our residents as we move towards place-based, person centred provision of care and services.

5.18 Support for Carers

5.19 The current pandemic is causing many people to experience additional stress and anxiety. Oldham Council recognises that carers, or those who are responsible for the welfare of someone else, are likely to find the current situation especially challenging. To support Oldham's carers, Shared Lives Oldham has been able to utilise its existing links within another of the MioCare Group's services – the Wellbeing Service – to set up an improvised, support network.

5.20 Managers and staff from these two teams have been visiting homes to provide support and deliver Personal Protective Equipment (PPE) and medication. They've also provided opportunities for carers to take time out from their placement to go for a walk, offering a welcome break for both service users and carers alike.

5.21 Welfare Rights

5.22 The Welfare Rights team have been unable to carry out outreach sessions over the lockdown period and have supported residents by telephone (including representing residents in appeal hearings conducted over the telephone). The service has received most of its referrals during the lockdown period via the Community Hubs referral for financial support process and internally via social care teams over this period rather than from residents directly via the online form. Referrals for the period 16 March 2020 to 31 May 2020 were 354 (for the same period in 2019 it was 377).

5.23 A total of 138 applications to the Local Welfare Provision (LWP) scheme were made for the period 1 April to 13 May 2020 with 134 awards made. Over the same period in 2019, 195 applications were submitted, and 107 awards made. Although the number of applications made was lower than last year, the proportion of successful applications were higher to support those needing basic furniture and white goods when moving from temporary accommodation into new homes. The delivery of essential furniture, food vouchers and white goods proved challenging in the early days of lockdown because of social distancing requirements and the service has supported efforts across Council services to map out food and furniture provision across the borough. LWP food voucher scheme rules were relaxed over lockdown to enable 2 food vouchers to be issued per month (rather than 2 over 6 months) to those vulnerable residents who were able to get out so were not eligible for the Hub Emergency Food provision but who did not have the money to buy food.

6 **Supporting Businesses and Oldham's Economy**

6.1 The effect of COVID – 19 has had a significant impact on the economy given the requirements of lockdown for businesses and residents which has placed businesses in crisis and has reduced income levels for residents.

6.2 Oldham is committed to minimising the economic impact of COVID-19. We are achieving this by supporting as many businesses as we can, while maximising creation of new jobs, self-employment opportunities and re-training opportunities whilst the private sector recovers.

6.3 Small Business Grants and Retail, Leisure and Hospitality Grants

6.4 The Government has made funding available to support those affected by COVID- 19. Small Business Grants of £10,000 have been distributed to our smallest businesses who on 11 March 2020 were eligible for Small Business Rate Relief (SBRR) or Rural Rate Relief. Businesses in the Retail, Leisure and Hospitality Sector have also been awarded grants of £10,000 (with a rateable value up to and including £15,000) or £25,000 (for businesses in these sectors with a rateable value of between £15,001 and less than £51,000) depending on their rateable value.

-
- 6.5 The issuing of Cash Grants to businesses has been a key priority for the Council during the lockdown period. The Council worked across several service areas including Finance, Economy and Revenues and Benefits to deliver the grants and to ensure that businesses were advised correctly about the support available to them over the lockdown period. The service needed to mobilise and adapt systems and working procedures at pace to deliver funding and the payments started to be issued from 3 April 2020.
- 6.6 At 1 June 2020, the Council has supported 3,589 businesses with Small Business Grants and Retail, Leisure and Hospitality Cash Grants awarding £40.915m. A new discretionary Cash Grant scheme was launched on 28 May 2020 aimed at supporting those businesses not covered by the Small Business Grant and Retail, Leisure and Hospitality Grant schemes.
- 6.7 Business Rate Relief
- 6.8 The Government also introduced new Business Rate reliefs including the Expanded Retail Discount which effectively applies a 100% Business Rates holiday in 2020/21 to occupied properties wholly or mainly used as shops, restaurants, cafes, drinking establishments, cinemas and live music venues, for assembly and leisure or hotels, guest and boarding premises and self-catering accommodation.
- 6.9 The Government has announced a business rates holiday for nurseries in England for 2020/21. Those eligible for the relief are:
- occupied by providers on Ofsted's Early Years Register
 - wholly or mainly used for the provision of the Early Years Foundation Stage
- 6.10 Expanded Retail Discount and Nursery discount has been applied to Business Rates accounts giving eligible businesses a 100% payment holiday in 2020/21. This support has amounted to £24.864m. The Government is providing grant to compensate the Council for the reduction in the Business Rates income it will collect after applying the reliefs.

7 The Transition from Lockdown to Recovery

- 7.1 Building on the learning so far and the anticipated events to come, we are developing comprehensive recovery plans for all service areas. As we move from the immediate response to COVID-19 we will consider both transition and living with COVID-19 in an emerging new normality. We do this whilst we continue to respond to an ongoing critical incident where we are focused each day on saving the lives of Oldham's residents.
- 7.2 Our objectives and approach in Oldham are rooted in the Oldham Model, ensuring as we adapt to a changing world that we build Thriving Communities, an Inclusive Economy and work Co-operatively with each other. Our key objectives are:
- To continue to lead and support measures that manage demand on NHS services, particularly focusing on ensuring that those who are seriously unwell, through COVID-19 or other conditions, get the very best care.
 - To prioritise delivery of health, care services and other public services, including voluntary sector provision, to those who are most vulnerable or in need.
 - To implement measures, prior to and during a phased release of lockdown and beyond that prevent the spread of COVID-19 within health and care settings, places of work and in the community.

- To maintain delivery of all essential public services and to continue to develop new models of public service delivery for each of the phases of recovery.
- To encourage the residents of Oldham to adopt health seeking behaviours, accessing health and care services when they need them and taking steps in their own lives to promote physical and mental well-being.
- Understanding and working together to address the economic impact of COVID-19 on the Oldham economy and its residents.
- To maintain and build community resilience and promote social cohesion.
- To maintain the trust and confidence of the community in the effectiveness of our multi agency response and to provide as much reassurance as possible.

7.3 Though COVID-19 will have significant impacts on our communities and our economy for years to come, we are committed to continuing to maximise the new ways of working that have developed, strengthening and developing the relationships that have formed between the public sector, partner organisations and Oldham's communities.

7.4 Detailed work is currently being undertaken to fully understand the impact that COVID-19 will have on Oldham. This work will be brought back to Council in due course.

8 Consultation

8.1 N/A

9 Financial Implications

9.1 The finances of the Council have been significantly impacted by the COVID-19 pandemic. The financial pressures have been experienced since March but especially since the lockdown was announced on 23 March 2020. This has required the Council to incur additional expenditure to support the residents of Oldham during these extraordinary times. The Council has also lost income from fees and charges including commercial income from its investments and trading activities. The Government has provided some general funding to support the Council as well as some grants for specific initiatives.

General Grant Funding

9.2 The Council has received £14.272m (allocated and paid in two instalments) of general resources to support the financial pressures and this funding has increased the net revenue budget of the Council. In the main this grant is expected to meet the additional costs of Adult Social Care, but it is also to be used to support financial pressures such as:

- a) The increased costs of Children's Social Care.
- b) Increased costs from Homelessness.
- c) Preventative support to those residents deemed at high risk from COVID-19 - the 1.5 citizens that the Government has written to that are deemed to be particularly high risk if they catch the virus.
- d) Other areas within the Council where there is reduced income, rising costs or increased demand.

Without additional support from Government the Council is likely to have an in-year funding shortfall, however, it is expected that further general grant funding will be received from Government. The position is being closely monitored.

9.3 Clearly, a major area of increased spending is in relation to Adult Social Care with a package of support for care homes having been agreed as a priority issue. This is financed by the general Government funding. In addition, Oldham CCG has access to a £1.3bn national fund to support accelerated discharges from hospital as a result of COVID-19. Costs are claimed in arrears and this includes certain costs initially borne by the Council which are then recharged to the CCG. A detailed recording system has been put into place by the Finance Service in order to ensure that all appropriate costs can be charged to the funds provided by the Government or the CCG.

9.4 It is expected that Council Tax and Business Rates income will be lower than anticipated. As highlighted in the following paragraphs, Government has provided some support, but there is still likely to be a cash shortfall in year. The impact will be closely monitored. The budgetary impact will arise in 2021/22 rather than 2020/21.

Specific Grant Funding

9.5 The Council has been notified of specific grant funding which will provide financial support for initiatives and issues outlined above:

- a) Track, Test and Trace Funding Grant - As highlighted at paragraph 3.15, Local Authorities are central to supporting the new test and trace service across England. The Government is providing a new funding package of £300m. The individual Council funding allocations have not yet been announced but will provide support for the work the Council is doing.
- b) Infection Control Fund Grant – In order to support the work of care homes (as outlined in paragraph 3.25), the Council has received an allocation of £2.017m for infection control. This has been paid in recognition that many care providers are facing challenges and that care homes have been particularly susceptible to outbreaks of COVID-19. The funding is being paid in 2 equal instalments and has been allocated according to the number of care home beds in each area, with an adjustment to reflect the costs of operating in each area. There is clear guidance as to how the funding can be used and also detailed monitoring and reporting requirements.
- c) Hardship Grant - A report agreed by Cabinet on 23 April outlined the way in which the Council would use the Government grant of £3.015m. As outlined in Section 5, this will provide help with Council Tax payments for working age claimants of Council Tax Reduction (CTR) up to a maximum of £150 and other residents facing financial hardship.
- d) Small Business Grant Fund (SBGF) and Retail, Hospitality and Leisure Grant Fund (RHLGF) - The Council received £54.738m to support the payment of the small business grants and the retail, hospitality and leisure grants as outlined at paragraph 6.3. At 1 June 2020, 3,589 grants had been paid at a value of £40.915m. The Government has issued guidance on a discretionary grant scheme which will use £2.501m of the £54.738m. The local scheme became operational on 27 May 2020 and will remain open for applications until 12 June 2020. There will be a reconciliation process and any balance of the £54.738m after the SBGF, RHLGF and discretionary grant payments have been made, will be returned to the Government.

Other Government Financial Support

9.5 The Government will provide financial support to the Council as it will be required to pay the increase in the Local Housing Allowance. This will be through increased payments of Housing Benefit Subsidy grant. This will be claimed in arrears.

-
- 9.7 The Government has also introduced new Business Rate reliefs including the Expanded Retail Discount and Nursery Discount schemes. This effectively applies a 100% Business Rates holiday in 2020/21. The Government is providing grant to compensate the Council for the reduction in the Business Rates income it will collect after applying the reliefs. The grant to be received by the Council is £24.864m.

Additional Support from Council Resources

- 9.8 Cabinet, at its meeting on 23 April 2020, agreed to utilise up to £2.359m of Council reserves to supplement the unringfenced general Government grant (now £14.173m). This Council resource can be used to finance increased expenditure pressures but also, for example, offset reductions in parking charges and general fees and charges and introduce other measures to support the Oldham economy including businesses not eligible to take advantage of Government assistance schemes.

10 **Legal Services Comments**

- 10.1 There are no direct legal issues arising from the report, however, Central Government has issued emergency legislation and guidance in relation to many functions affected by the pandemic and it is important that such functions comply with or have regard to such provisions or guidance to ensure that the Council is acting lawfully. Further, the Council is required to maintain its decision-making processes, ensure good governance and that appropriate health and safety risk assessments are in place and operational to avoid legal challenge. (Colin Brittain)

11. **Co-operative Agenda**

- 11.1 As a Co-operative Council, Oldham is committed to tackling the impact of COVID-19, protecting our most vulnerable residents and communities. We are putting the voice of the resident at the heart of our response, ensuring the voice of lives experience and the people impacted by COVID-19 shapes our approach to mitigation and recover. (Jonathan Downs – Corporate Policy Lead)

12 **Human Resources Comments**

- 12.1 N/A

13 **Risk Assessments**

- 13.1 N/A

14 **IT Implications**

- 14.1 N/A

15 **Property Implications**

- 15.1 N/A

16 **Procurement Implications**

- 16.1 N/A

17 **Environmental and Health & Safety Implications**

- 17.1 N/A

-
- 18 **Equality, community cohesion and crime implications**
- 18.1 The response to the global COVID-19 pandemic, and the emergency legislation powers introduced to tackle it, has had a significant impact on Oldham's communities.
- 18.2 The analysis and data are still developing, but there are increasing reports that some groups are being hit harder by the pandemic than others. For example, in addition to the impact on older and disabled people, it is being reported that the illness affects ethnic minority communities more severely.
- 18.3 In Oldham we are committed to minimising the impact of COVID-19 across our communities. The steps we are taking to tackle the pandemic and the subsequent recovery planning, aim to support people, especially those groups with protected characteristics who are often most impacted.
- 18.4 To support this approach we have established an Advisory Group, made up of council, community and partnership representatives, to support Oldham Council and the wider partnership with its commitment to integrate Equality and Diversity throughout its Covid-19 response and subsequent recovery planning.
- 19 **Equality Impact Assessment Completed?**
- 19.1 Yes
- 20 **Key Decision**
- 20.1 No
- 21 **Key Decision Reference**
- 21.1 N/A
- 22 **Background Papers**
- 22.1 N/A
- 23 **Appendices**
- 23.1 N/A

This page is intentionally left blank



COUNCIL

Update on Actions from Council

Portfolio Holder: Various

Officer Contact: Director of Legal Services

Report Author: Elizabeth Droган, Head of Democratic Services
Ext. 4705

17th June 2020

Reason for Decision

The decision is for Elected Members to note the updates to the actions from previous Council meetings.

Executive Summary

1. This report provides feedback to the Council on actions taken at the Council meeting on 8th January 2020.
2. This report also provides feedback on other issues raised at that meeting and previous meetings.

Recommendations

Council are asked to agree the action taken and correspondence received regarding motions and actions agreed at previous Council meetings.

Update on Actions from Council**1 Background**

- 1.1 The report sets out the actions officers have taken on motions of outstanding business and notice of motions approved at the Council meeting held on 8th January 2020.

2 Current Position

- 2.1 The current position from actions as a result of motions is set out in the table at Appendix One. Letters are attached at Appendix Two in response to the actions approved at Council.

3 Options/Alternatives

- 3.1 N/A

4 Preferred Option

- 4.1 N/A

5 Consultation

- 5.1 N/A

6 Financial Implications

- 6.1 N/A

7 Legal Services Comments

- 7.1 N/A

8. Co-operative Agenda

- 8.1 N/A

9 Human Resources Comments

- 9.1 N/A

10 Risk Assessments

- 10.1 N/A

11 IT Implications

- 11.1 N/A

12 Property Implications

- 12.1 N/A

13 Procurement Implications

13.1	N/A
14	Environmental and Health & Safety Implications
14.1	N/A
15	Equality, community cohesion and crime implications
15.1	None
16	Equality Impact Assessment Completed?
16.1	No
17	Key Decision
17.1	No
18	Key Decision Reference
18.1	N/A
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: • Agenda and minutes of the Council meeting held 8th January 2020 are available online at: http://committees.oldham.gov.uk/mgCommitteeDetails
20	Appendices
20.1	Appendix 1 – actions taken following the Council meeting held on 8 th January 2020
20.2	Appendix 2 – Letters and other information received in response to actions approved at previous Council meetings.

This page is intentionally left blank

Actions from Council 8 January 2020

ACTION	ISSUE/RESPONSE	WHO RESPONSIBLE	DATE COMPLETED
Youth Council Motion: Make Your Mark	Task and Finish Group with Relevant Cabinet Members	Cabinet Members / Youth Council	In progress.
Cabinet Member Question from Councillor Harkness regarding suspension of gritting on Thurston Clough Road	Response provided. See Note 1 below.	Councillor Ur-Rehman	5 March 2020
Administration Motion 1: Tackling Harassment and Abuse in Public Life	Letter to be sent to Borough's MPs	Chief Executive	14 January 2020
	Letter to be sent to Minister for the Cabinet Office	Chief Executive	14 January 2020
	Letter to be sent to Chair and Chief Executive of LGA	Chief Executive	14 January 2020
	Response from J McMahon OBE MP dated 20 Jan 20 received 23 Jan 20		
	Response from A Rayner MP dated 21 Jan 20 received 23 Jan 20		
	Response received from Minister for the Constitution dated 12 Feb 2020 received 14 Feb 2020		
Administration Motion 2: Government funded Pay Rise for Council Staff	Support NJC pay claim submitted by the Trades Unions and Meet with local NJC Union representatives	Leader of the Council	13 February 2020

	Call on the LGA to make representations Letter to be sent to the Chancellor and Secretary of State for new funding Encourage local government workers to join a union Response from MHCLG dated 21 Feb 2020 received 28 Feb 2020	Leader of the Council Chief Executive	Letter sent 3 March 2020 14 January 2020 Employees are provided information about joining a trade union when they commence employment with the Council
Opposition Motion 1: Confronting the School's Cuts Crisis	Letter to be sent to Minister for Education Response received from Minister of State for School Standards dated 7 Feb 2020 received 10 Feb 2020	Leader of the Council	22 January 2020
Opposition Motion 2: Urban Meadows and Bee Corridors for a Greener Oldham	Wildflower corridors and urban meadows be welcomed; further work to extend approach be supported; ward councillors be encouraged to work with local community and business groups.	People and Place	See Note 2 below.
Opposition Motion 3: A Sensible Approach to Firework Displays	Motion referred to O&S Board under Council Procedure Rule 8.4(d)	O&S Board	O&S received a report at its meeting on 3 March 2020. It was recommended and agreed that officers from Public Protection would work in

			partnership with Greater Manchester Fire and Rescue Service and the Council's Community Safety Team to develop an action plan that could be reported back to the Board for further recommendations.
Update on the Actions from Council	RESOLVED that the actions taken regarding motions and actions from previous Council meetings be agreed and correspondence and updated received be noted.	Council	Council approved the report on 8 th January 2020.
Levy Allocation Methodology Agreement	RESOLVED that the contents of the Levy Allocation Methodology Agreement (LAMA) report be noted and that the LAMA be accepted as the new agreement between the Greater Manchester Combined Authority.	Council	Council approved the report on 8 th January 2020.
Treasury Management Mid-Year Review	RESOLVED that: 1. The Treasury Management activity for the first half of the financial year 2019/2020 and the projected outturn position be approved. 2. The amendments to both Authorised Limit and Operational Boundary for external debt as set out in the table at Section 2.4.5 of the report be approved.	Council	Council approved the report on 8 th January 2020.

	3. The amendments to the Capital Financing Requirement (CFR) as set out in the table at Section 2.4.5 of the report be approved. 4. The addition to the Treasury Management Strategy 2019/2020 with regard to specified investments as presented at Appendix 3 to the report be approved.		
Constitutional Amendments	RESOLVED that: 1. The suggested amendments to the Constitution as detailed at Appendices 1 – 6 of the report be agreed. 2. Any consequential amendments arising from the suggested amendments be delegated to the Director of Legal.	Constitutional Services	Amendments made by Constitutional Services and uploaded 14 Jan 2020.
Financial Procedure Rules	RESOLVED that the revisions to the Financial Procedure Rules be approved.	Constitutional Services	Amendments made by Constitutional Services and uploaded 14 Jan 2020.
Civic Appreciation Nomination	RESOLVED that: 1. The nomination of Myra Wyers to receive the Civic Appreciation Award be agreed.	Mayor's Office	Council approved the report on 8 th January 2020. Ceremony to be held on 18 March 2020.

	2. The ceremony for the award to take place at the Council meeting to be held on 18 th March 2020.		
Municipal Calendar 2020/2021	RESOLVED that: 1. The Council's Calendar of Meetings for the Municipal Year 2020/2021 as set out in Appendix 1 of the report be approved. 2. Approval of any outstanding dates be delegated to the Chief Executive in consultation with Group Leaders.	Council	Council approved the report on 8 th January 2020.

Note 1: Suspension of Gritting on Thurston Clough Road: Response from Councillor Ur-Rehman – “Having consulted with officers, I can confirm gritting the top of Thurston Clough Road by vehicle is currently not practicable. You will be aware that reconstruction of Stoneswood Road is ongoing, and this has resulted in the road being split in half. As a consequence gritting lorries cannot travel to the top of Thurston Clough Road because they are unable to then turn around safely. While the vast majority of residents live in the area of the road that is still being gritted by lorries, officers have provided five grit bins to the top side for manual gritting if needed. The roads are regularly monitored, and I'm pleased to tell you that residents haven't reported any issues with ice on Thurston Clough Road during the recent cold spell we have experienced. We will continue to monitor the situation until the weather turns milder, as it is expected to shortly. The road works will be completed before next winter, meaning that the full gritting route will be reopened before the weather turns colder again.”

Note 2: Urban Meadows and Bee Corridors for a Greener Oldham - In recent years Oldham mainly through the Bloom initiative has taken steps to replace large open grass areas with Wild flower meadows. The mowing operation - a routine cyclical task has an expectation that it should be cut and maintained to within an inch of its life otherwise the council receives numerous complaints. The new approach where possible and identified on the proposals made will see large grass areas transformed (alongside other already established areas) into meadows, full of biodiversity, bringing the wildlife to the inner parts of the town centre, providing a more welcoming approach for residents, businesses and visitors to Oldham. The additional benefits are those of staff safety, and improved traffic disruption where there will be a reduced frequency for traffic management with the disruption to traffic for mowing purposes reduced to twice per annum rather than the

normal 12 occasions currently taking place. There are some people not only in Oldham but right across the urban landscape of Britain who do not have access to the countryside and the major health benefits that this brings. By introducing these wildflower meadows to the heart of the urban area, we bring the countryside and its biodiversity to them. The introduction of wildflower meadows should not be seen as a way of saving money as there is still a need to develop and manage these areas, it should be seen as introducing a different, interesting, more vibrant and diverse landscape to our town, bring positive outcomes for people, flora, fauna and wildlife. Photographs and plans for sites are available to view in Constitutional Services.

Previous to 8 January 2020 Council:			
ACTION	RESPONSE	WHO RESPONSIBLE	DATE COMPLETED
Opposition Business 1: Keeping Our Villages and Rural Areas HGV Free (12 Sept 2018)	Overview and Scrutiny to examine the merits of establishing a lorry watch scheme	O&S Board	In progress. Lorry watch isn't currently in progress in Delph as some signing issues need rectifying at a cost currently being identified by Traffic Officers.
Opposition Motion 1: Tackling Dog Fouling and Nuisance (20 March 2019)	Consultation be undertaken on application of maximum on the spot penalty and O&S Board asked to examine current examples of best practice and confer with the Dog Trust	People & Place / O&S Board	The motion was taken to the O&S Board at the meeting held on 18 June 2019. The Board has requested that initial investigations be made into examples of best practice and the potential contribution of the Dogs Trust and the matter be considered further at the next meeting in conjunction with the work programme. A further briefing note was discussed at the O&S Board on 23 July. Officers requested a member to work with officers to explore campaign material and initiatives. Councillor Curley agreed to work with officers.

Opposition Motion 2: Tackling Speeding (20 March 2019)	O&S Board asked to identify locations, explore availability of funding, investigate how to work with residents' groups and explore establishing 'bus gates'	O&S Board	The motion was taken to the O&S Board meeting held on 18 June 2019. The Board requested further information and evidence be sought on the issues raised in the Motion including the potential for further work with the police and the community, and the matter be considered further at the next meeting in conjunction with the work programme. The O&S Board again discussed the motion on 23 July 2019. A workshop was held on 24 Sep 2019. Three areas are to be explored further and reported back to the O&S Board.
Opposition Motion 1: Making a Commitment to the UN Sustainable Development Goals (10 July 2019)	Replicate as far as possible to identify work being done and what more can be done by the Council and its partners. O&S Board discussed the motion at the meeting held on 23 July 2019. The Board requested information be sent to relevant officers for a report to be brought back to the O&S Board.	O&S Board and Health Scrutiny	In progress. Report was submitted to O&S Board on 3 March 2020 and will be submitted to Health Scrutiny on 24 March 2020.
Opposition Motion 3: Adopting the Fair Tax Declaration (10 July 2019)	Sign the Councils for Fair Tax Declaration	Head of Corporate Governance	Response attached received 6 March 2020.

Councillor Sykes Question 2: GMSF – Arrangement for Extraordinary Council Meeting (11 Sep 2019)	Arrange meeting to discuss GMSF to discuss proposals	Constitutional Services	In progress.
Opposition Motion 3: Ban on Fast Food and Energy Drinks Advertising (11 Sep 2019)	Referred to O&S Board	O&S Board	The motion has been referred to Health Scrutiny. This will be discussed at the meeting to be held on 7 January 2020. A further report is to be submitted to the Health Scrutiny Committee in March 2020.
Opposition Motion 1: Clean Air Outside Our Schools (6 Nov 19)	Referred to O&S Board	O&S Board	O&S Board received information on 3 March 2020. See Note 1 below and attached report.
Opposition Motion 2: Anti-Bullying Week 2019 'Change Starts with Us' (6 Nov 19)	Communicate with Schools in Oldham about packs for primary and secondary schools Sign up as a supporter of Anti-Bullying week; Joint UK-wide Anti-Bullying Alliance; Develop Anti-bullying training programme for Councillors and review current Council policy; Adopt Anti-Bullying Alliances definition of bullying and encourage staff to undertake online training module – From an HR perspective a standalone employment policy in relation to harassment, bullying and victimisation will be drafted early in the new year. This would go	Education People Services	Information was circulated to schools week commencing 11 November 2019 See Note 2 below.

	through various channels for approval, i.e. officers, trades unions, Council). Subject to approval, communication and training/development activities will be reviewed to support this.		

Note 1: Clean Air Outside Our Schools – The motion was considered on 3 March. Key points within the motion were highlighted and considered in the context of the GM approach to which is the Council is signed up to. The report received by Overview and Scrutiny is attached.

Note 2: Anti-Bullying Week 2019 'Change Starts with Us' Update: The Council is committed to developing a new approach, policy and guidance for dealing with harassment and bullying of employees within the workplace. The current approach to this is embedded in the grievance procedure. The Council is presently reviewing and updating several individual procedures (e.g. disciplinary, grievance, attendance) to reflect legislative changes, ACAS guidance and in response to some recent internal cases. The new approach to dealing with harassment and bullying is influenced by how the Council will deal with grievance, which, in itself, is contingent upon how the Council will deal with disciplinary issues. The first draft of a new disciplinary policy and procedure has been drafted. The feedback received on this this will shape the new grievance policy which, in turn, will shape the approach to harassment and bullying. It is the intention to have all drafted produced for early April which will then be progressed through the normal consultative channels of Officers, Members and Trades Unions.

Jim McMahon OBE MP



HOUSE OF COMMONS
LONDON SW1A 0AA

Dr Carolyn Wilkins
Chief Executive
Oldham Council
Civic Centre
West Street
Oldham
OL1 1UG

20 January 2020

Ref: JM26897

Dear Carolyn

Re: Tackling Harassment and Abuse in Public Life

Thank you for your recent correspondence regarding the Council Resolution.

I am in complete agreement with the Resolution and you can be assured of my full support both in the constituency and in Parliament.

Kind regards

A handwritten signature in cursive script that reads "Jim McMahon".

Jim McMahon OBE MP
Member of Parliament
Oldham West & Royton

Serving the Communities of Chadderton, Royton and Oldham

Constituency Office Address: Textile House, 108 Union Street, Oldham OL1 1DU

Constituency Office: 0161 652 8485 Westminster Office: 020 7219 6039

Twitter: @jimfromoldham Website: www.jimmcmahon.co.uk

This page is intentionally left blank

ANGELA RAYNER MP
Ashton-under-Lyne



HOUSE OF COMMONS
LONDON SW1A 0AA

All correspondence to:
Angela Rayner MP
House of Commons
LONDON
SW1A 0AA

TEL: 0161 342 5800
www.angelarayner.co.uk
angela.rayner.mp@parliament.uk

Our Ref: DM/AR

Dr Carolyn Wilkins
Oldham MBC
Level 3, Civic Centre
West Street
Oldham
OL1 1UG

21/1/2020

Dear Carolyn,

Thank you for your letter regarding a motion debated by Oldham Council earlier this month.

I certainly support the council's drive to develop legislation to improve internet safety for all and welcome any initiative that prevents harassment and abuse of those in public life.

Elected representatives at all levels face abuse and social media platforms have made it much easier for the abusers to connect with public figures.

Those in public life should be protected from abuse and social media platforms must do more to tackle this problem.

There are positives and negatives to the ease and simplicity in which members of the public can contact their councillors and MPs to share their views.

It can be a useful way of gauging constituents' opinions and collecting their thoughts on future plans.

That being said, it's one thing to disagree with an elected representative on an issue of policy or to let them know that you hold a different point of view to theirs, but to direct abuse at them online is a huge step beyond constructive criticism.

I wholeheartedly welcome your efforts to tackle this and you can be assured that you have my full support on this issue.

Kind regards

Angela Rayner MP

This page is intentionally left blank



Chloe Smith MP
Minister for the Constitution
Cabinet Office 70 Whitehall London SW1A 2AS

Dr Carolyn Wilkins OBE
Chief Executive/Accountable Officer
Oldham Council
By email: Carolyn.wilkins@oldham.gov.uk

Our reference: MFC/00512

12th February 2020

Dear Dr Wilkins,

Thank you for your letter of 13 January, about tackling harassment and abuse towards those in public life. I am grateful for your support and commitment to this issue.

Democracy is a cornerstone of British values. Having respectful, vibrant, and open debate is key to a healthy democracy. However, debate cannot be an excuse to cause harm or spread hatred, and a line is crossed when disagreement mutates into intimidation, violence or abuse. It is important we tackle this issue and ensure everyone can participate in our democracy freely.

Intimidation is a wide-ranging and complex issue. We are working across Government to ensure a consolidated approach with key stakeholders, including social media companies, the Police and prosecution authorities, political parties and public bodies like the Local Government Association.

We have removed the requirement for local government candidates to include their home address on the ballot paper. We have also committed to a new electoral offence of intimidating a candidate or campaigner during the run up to an election, either in person or online. As we review the intimidation of candidates and campaigners, we are also reviewing the existing offence of undue influence of voters, which aims to protect voters from improper influences to vote in a particular way, or not to vote at all.

Last year, the Government published the Online Harms White Paper, which sets out our plans for world-leading legislation to make the UK the safest place in the world to be online. The Government intends to establish in law a new duty of care on companies towards their users, overseen by an independent regulator with effective enforcement powers.

We must work together to challenge and report intimidating and abusive behaviour wherever it occurs. Channeling a culture of respect and inclusion should also be a priority for anyone involved in the democratic sphere and we must all lead by example.

Yours sincerely,

Chloe Smith MP

This page is intentionally left blank



Ministry of Housing,
Communities &
Local Government

Dr Carolyn Wilkins
Chief Executive
Oldham Council
Civic Centre
West Street
Oldham
OL1 1UG

Thank you for your letter dated 13 January to the Rt Hon Robert Jenrick MP about your council's resolution seeking government funding to cover council staff pay rises. I have been asked to reply as this matter falls within my ministerial responsibilities.

I agree that local government workers provide an invaluable safety net for people across the country and I recognise and appreciate the commitment of this hard-working group of people. I know that their efforts make a real difference in local communities. This is why we have provided funding certainty and stability to the sector. The 2020/21 settlement for local government responds to the pressures that councils are facing by providing access to the largest increase in spending power since 2015.

Under our proposals, Core Spending Power is expected to rise from £46.2 billion to £49.1 billion in 2020-21, an estimated 4.3% real terms increase. This includes a £1bn cash grant for social care, which means that councils will benefit from having £2.9bn of extra funding for the core services that are so important to residents. Beyond social care, we are protecting vital front-line services by increasing elements of core settlement funding in line with inflation, and we will consult on a 2% core council tax principle for all councils next year.

Outside of the main Local Government Finance Settlement, local government will also see increases from wider resources made available this Spending Round. The Chancellor has confirmed that the NHS' contribution to the Better Care Fund will grow in line with the additional investment in the NHS; and on the vital issue of supporting children and young people, there will be a £700m increase in grant funding for children with Special Educational Needs and Disabilities.

However, it's right that detailed employment matters such as pay are for local government employers to determine, in consultation with local government unions. Ministers do not have a formal role in such matters. Given this, I do not think that it would be appropriate to comment. However, my officials will continue to engage with you on relevant matters.

Thank you for writing in on this important matter.

LUKE HALL MP

Luke Hall MP
Minister for Local Government and Homelessness

Ministry of Housing, Communities and Local
Government

4th Floor
Fry Building
2 Marsham Street
London
SW1P 4DF

Tel: 0303 444 3460
Email: luke.hall@communities.gov.uk

www.gov.uk/mhclg

Our Ref: 5285509
Your ref: Council - Pay Rise - 20200108

21 FEB 2020

This page is intentionally left blank

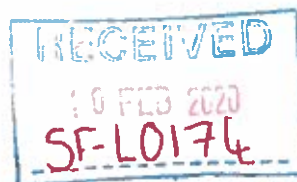


2020-0002394POGibb

Rt Hon Nick Gibb MP
Minister of State for School Standards

Sanctuary Buildings, 20 Great Smith Street, Westminster, London, SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/help/contactus

Councillor Sean Fielding
Leader of Oldham Council
Room 347, Level 3
Civic Centre
West Street, Oldham
OL1 1UL



7 February 2020

Dear Councillor Fielding

Thank you for your letter of 13 January, addressed to the Secretary of State, regarding school funding. I am replying as the Minister of State for School Standards.

We are investing an additional £2.6 billion to core schools funding next year, with increases of £4.8 billion and £7.1 billion in 2021-22 and 2022-23 respectively, compared to 2019-20. This is in addition to the £1.5 billion per year we will continue to provide to fund additional pension costs for teachers over the next three years, meaning the total core schools budget will rise to £52.2 billion by 2022-23. This delivers on the Prime Minister's promise to increase school funding by £4.6 billion above inflation by 2022-23.

This investment means that funding for schools is increasing by 5 per cent next year compared to this year. The national funding formula will continue to ensure that this funding is distributed based on schools' and pupils' needs and characteristics. It will also ensure that per pupil funding for every school can rise at least in line with inflation next year, and faster than inflation for most. We will deliver the greatest gains to areas which have been historically underfunded, while levelling up the lowest funded schools to ensure that every secondary school gets at least £5,000 per pupil next year. We will also ensure every primary school receives at least £3,750 per pupil, increasing to at least £4,000 the following year.

Oldham will receive 4.5 per cent more per pupil in school funding next year, above the national average increase of 4.2 per cent per pupil.

No child or young person should be held back from reaching their potential, including those with complex special needs. That is why we have allocated £780 million of additional high needs funding for next year, which is an increase of 12 per cent compared to this year, bringing the total amount for supporting those with the most complex needs to £7.2 billion.

Every local authority will see an increase in high needs funding, of at least 8 per cent per head of population aged 2 to 18, with some seeing gains of up to 17 per cent per head. This will be the largest year on year increase since the high needs funding block was created in 2013. However, we recognise the need to look at how children and young people with special educational needs and disabilities are supported in the current system, and have launched a cross-government review to that end.

With best wishes.

In mine
Nick Gibb



Department
for Transport

Dr Carolyn Wilkins OBE
Chief Executive, Oldham Council
Oldham MBC
Level 3, Civic Centre
West Street
Oldham
OL1 1UG

From the Secretary of State
The Rt. Hon. Grant Shapps

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: grant.shapps@dft.gov.uk

Web site: www.gov.uk/dft

Our Ref: MC/273922
Your Ref: 20191106

14 JAN 2020

Dear Carolyn,

Thank you for your letter of 18 December 2019 about Oldham Council's resolution regarding Northern's performance.

I am grateful for you taking the time to share the Council's concerns over services on the Northern network. I am aware that Northern's recent performance has not been at all satisfactory.

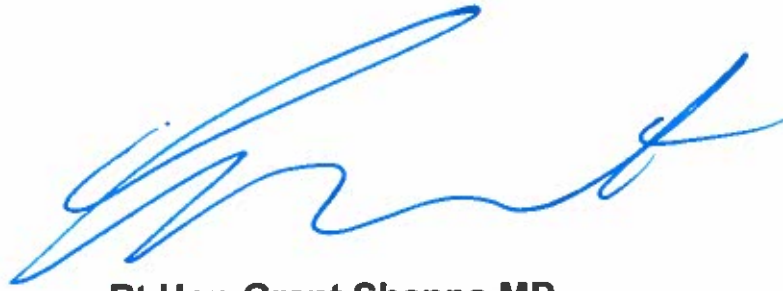
We are developing contingency plans for the replacement of the current franchise with either a new short-term management contract with Northern or the Operator of Last Resort (OLR).

In the context of significant challenges facing the operator, such as delays to infrastructure upgrades and historic underinvestment in the northern rail network, issuing a Request for Proposal enables the Department to examine whether the contract is properly aligned with current operating challenges in the north. It also allows us to determine whether the franchise owner or an OLR would be best placed to tackle these issues and deliver for passengers.

If we find the operator to be in default of its current contract and that default was material and not capable of remedy, we have the right to terminate the current franchise. If such a right is exercised a decision on next steps will be based on a full and rigorous analysis into what delivers the best outcomes for passengers and taxpayers, and what would best enable the implementation of the forthcoming recommendations of the Williams Review.

We will take a decision once we have the full information, and will provide Parliament with a full update on these next steps at an appropriate time.

Yours ever,



Rt Hon Grant Shapps MP

SECRETARY OF STATE FOR TRANSPORT

*None on this
at the end
of Jan.*



Department
of Health &
Social Care

From Caroline Dinénage MP
Minister of State for Care

39 Victoria Street
London
SW1H 0EU

020 7210 4850

Your Ref: Council-Care-20191106

PO-1198854

23 JAN 2020

Dr Carolyn Wilkins OBE
Chief Executive
Oldham Council
Level 3, Civic Centre
West Street
Oldham OL1 1UG

Dear Dr Wilkins,

Thank you for your correspondence of 18 December to Matt Hancock about free personal care.

I note the Council's motion.

Putting social care on a sustainable footing, where everyone is treated with dignity and respect, is one of the biggest challenges we face as a society. The number of people over 75 is expected to rise by 1.5 million in the next ten years, and there is a growing population of people under the age of 65 with care needs, so a social care system that works for everyone has never been more important. High-quality care transforms lives, enabling people to live the lives they want and do the things that are important to them. The fact that 84 per cent of adult social care providers are rated as good or outstanding by the Care Quality Commission is testament to the fantastic job that social care staff are doing. However, we know there is more to be done.

As the Prime Minister said, this Government will deliver on its promises. We will bring forward a plan for social care this year. There are complex questions to address, which is why we will seek to build cross-party consensus, but we have been clear that everyone will have safety and security, and nobody will be forced to sell their home to pay for care.

I hope this reply is helpful.

CAROLINE DINENAGE

This page is intentionally left blank

Council Response to Implementing the Fair Tax Declaration agreed at full Council.

The following actions are in the process of being implemented or planned by the Council

Council Motion	Response
Ensuring contractors implement IR35 robustly and pay any due employment taxes	The Council has a list of approved contractors for Agency staff who were appointed after undertaking an assessment of compliance with IR35. A review is to be commissioned by the Head of Corporate Governance using Internal Audit to determine the use of non-approved contractors to supply Agency staff and quantify the risk of non-compliance with IR35.
Shunning the use of offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.	The Council has not currently acquired any assets for commercial investment. It has agreed a recent Commercial Investment Strategy at December Cabinet but will ensure future investments are consistent with its Fair Tax obligations. One past investment entered a significant number of years whereby the Council has a minority shareholding is Oldham Property Partnerships where the parent company is registered in Luxembourg. This matter will be discussed with the Service going forward.
Undertaking due diligence to ensure that not-for-profit are not being used inappropriately as an artificial device to reduce the payment of tax and business rates.	The Council has in place process to ensure appropriate due diligence is undertaken on new arrangements on this matter. An approach will be agreed with the Head of Procurement for a periodic review of Key Suppliers within the Voluntary Community and Social Enterprise (VCSE) Sector whose circumstances may change as they deliver services to the Council.
Ensuring that there is clarity on the ultimate beneficial ownership of suppliers and their consolidated profit and loss position, given that a lack of clarity could be strong indicators of poor financial probity and weak financial standing.	The Council has in place process to ensure appropriate due diligence is undertaken on new arrangements on this matter. An approach will be agreed with the Head of Procurement for a periodic review of Key suppliers whose circumstances may change as they deliver services to the Council.
Promoting Fair Tax Mark certification to local businesses, our contractors and in any business in which we have a significant stake and where corporation tax is due.	The matter is to be discussed with the Boards of Unity and MioCare with a recommendation they adopt the Fair Tax Mark.

	An approach will be agreed with the Head of Procurement to ensure local contractors look to achieve certification.
Supporting local Fair Tax Week events and celebrating the tax contribution made by responsible business.	The Council in 2020 will participate in this and support the planned events. The date has been set as 13-21 June 2020.
Supporting Calls for Urgent Reform of EU and UK law to enable municipalities to revise their procurement policies and better penalise tax conduct and reward good tax conduct.	The Council will support appropriate suggestions for reforms to UK law on Fair Tax in the future. At present there has been no specific lobbying.

Briefing to Overview and Scrutiny Board

Date: 3 March 2019

Subject:

Council Motion - Clean Air Outside Our School

For Discussion

Report of:

Lori Hughes, Constitutional Services Officer

Summary of the issue:

At the Council meeting on 6th November 2019, the following motion was referred to the Overview and Scrutiny Board:

“This Council notes that:

- Our residents, staff and children are exposed to unsafe levels of pollutants outside of schools at peak times in the morning and afternoon.
- Road transport is one of the biggest contributors to particulate matter and pollution in Oldham Borough.
- Epidemiological studies show that symptoms of bronchitis in asthmatic children increase in association with long-term exposure to pollutants, as well as stunting lung growth.
- Only a handful of schools across the country are trialling ‘No Vehicle Idling zones’ yet they bring many health benefits.
- Air pollution poses a serious threat to the health and development of young people. While many of the policy interventions to rectify this problem would have to come from central Government or the Greater Manchester Clean Air Plan, this Council can do more and needs to be proactive on this issue.
- That there should be No-Vehicle-Idling zones around schools across the Borough.

This Council resolves to:

- Review the work done by No-Vehicle-Idling nationally in other local authorities and work this into Oldham’s action plan for No-Vehicle-Idling Zones.
- Implement No-Vehicle-Idling Zones, around as many primary schools in the Borough as possible, by the end of 2022.
- Work closely with schools that are part of the scheme to inform parents and carers of the No-Vehicle-Idling Zones.
- Encourage local businesses to sponsor green walls on school buildings and tree planting near schools and the appropriate cabinet member include this in their action plan.”

Recommendations to Overview and Scrutiny Board:

It is recommended that Overview and Scrutiny Board address the motion with the GM Clean Air Plan when received by the Board.

1.0 Background

- 1.1 In March 2018 the Secretary of State issued a Direction under the Environment Act 1995 requiring Oldham Council to produce a feasibility study to identify the option which will deliver compliance with the requirement to meet legal limits for nitrogen dioxide in the shortest possible time. The Council complied with this Direction by the production of a feasibility study submitted to the government's Joint Air Quality Unit (JAQU) in July 2018. The Council is also required to address the exceedances that have been identified within its boundary during the Target Determination exercise and the Council confirmed in its supplemental plan that the exceedance identified in Oldham was being addressed as part of the Greater Manchester plan. This has been acknowledged by government.
- 1.2 Oldham Council has therefore been developing the study collectively with the other 9 Greater Manchester local authorities and the GMCA, coordinated by TfGM in line with Government direction and guidance and an Outline Business Case (OBC) was duly submitted in April 2019.
- 1.3 The key features of Greater Manchester's feasibility study and its Outline Business Case (OBC) to reduce nitrogen dioxide exceedances in Oldham and across Greater Manchester in the shortest possible time were approved on 25 March 2019 at the Council's Cabinet meeting for submission to the government's Joint Air Quality Unit (JAQU).

2.0 Current GM Position – Vehicle No Idling Zones

- 2.1 The Clean Air conversation in Spring 2019 highlighted that many people are concerned about vehicle idling, prompting questions about what GM can do to crack down on people who leave their engines idling.
- 2.2 In the UK, it is illegal under the Road Vehicles (Construction and Use) Regulations 1986 to leave a vehicle's engine running unnecessarily while that vehicle is stationary on a public road. Doing this can incur a £20 fixed-penalty fine under the Road Traffic (Vehicle Emissions) Regulations 2002.
- 2.3 This is only imposed if the driver fails to turn off their engine when asked to do so. Enforcement of this legislation, either through a Fixed Penalty Notice (FPN) or via the magistrates' court sits with local authorities.
- 2.4 As the enforcing officer must give the driver the opportunity to switch off the engine first and the penalty for idling is relatively small (£20), Greater Manchester Local Authorities do not consider the Regulation to be an effective deterrent.
- 2.5 In addition, government has recently announced proposals to consult on toughen up rules on vehicle idling and increase fines for drivers who leave their engine running while parked.
- 2.6 Given the limited enforcement deterrent GM Authorities are planning to undertake more awareness raising campaigns to inform of the health impacts that idling has on air quality.

-
- 2.7 In parallel, GM Authorities have written to the Transport Secretary asking them to bring forward the launch of the public consultation on this issue.
- 3.0 Council motion – The key points within the motion are highlighted below and considered in the context of the GM approach to which the Council is signed up to.**
- 3.1 *“Review the work done by No-Vehicle-Idling nationally in other local authorities and work this into Oldham’s action plan for No-Vehicle-Idling Zones.”* – This work will continue alongside the GM commitment to raise awareness on the health risks presented through poor air quality. It is planned to work with schools to increase awareness based on best practice and a further report will follow.
- 3.2** *“Implement No-Vehicle-Idling Zones, around as many primary schools in the Borough as possible, by the end of 2022”* – GM consider that this position should not be pursued at the current time and that the Government should be approached to strengthen the legislation.
- 3.3** *“Work closely with schools that are part of the scheme to inform parents and carers of the No-Vehicle-Idling Zones”* – As given in 3.1 above work to increase awareness through working with schools is to be undertaken. Members views are requested on priority schools to inform the programme.
- 3.4 *“Encourage local businesses to sponsor green walls on school buildings and tree planting near schools and the appropriate cabinet member include this in their action plan.”* – This work would require additional resource to engage with the schools direct. However, the Council does have a contract in place to seek sponsorship of public areas e.g. roundabouts. It is therefore suggested, in the first instance, that work is undertaken to assess the opportunity working through the current arrangement to arrange eco / green messaging on the boards via sponsorship from Immediate Solutions or other 3rd party organisations.
-

This page is intentionally left blank



Report to COUNCIL

Corporate Peer Challenge – Feedback report

Portfolio Holder:

Councillor Sean Fielding, Leader of the Council

Officer Contact: Dr Carolyn Wilkins OBE, Chief Executive, Oldham Council and Accountable Officer, NHS Oldham CCG

Report Author: Lewis Greenwood, Head of Executive Services, Oldham Council and NHS Oldham CCG

Ext. 3542

17th June 2020

Purpose of the report

This report highlights the findings of the LGA Peer Challenge carried out in Oldham between 21 – 24 January 2020.

Recommendations

The Council is asked to:

1. Note the contents of this report and the feedback report received which is attached as an appendix to this report;
2. Note that a report will be presented to the Cabinet over the coming months which will set out the Organisation's action plan against each of the key recommendations as set out within this paper.

1.0 Background and Summary of LGA Corporate Peer Challenge Feedback Report

1.1 Oldham Council undertook a voluntary Corporate Peer Challenge between 21 – 24 January 2020 which was facilitated by the Local Government Association and undertaken by Senior Elected Members and Chief Officers across Local Government.

1.2 All Corporate Peer Challenges explore a number of areas as set out below:

1. Understanding of the local place and priority setting;
2. Leadership of Place;
3. Financial Planning and Viability;
4. Organisational Leadership and Governance;
5. Capacity to Deliver.

In addition, the Council sought feedback on our whole system approach to Public Service Reform.

1.3 The Challenge Team spent four days in Oldham and during this time spoke with a large number of Councillors, staff, partners and community groups which focused on the areas above.

1.4 Ahead of the Corporate Peer Challenge, the Council committed to publishing the feedback report. This is set out as an appendix to this report.

1.5 The feedback report highlights that the organisation has a clear vision and energy for the borough, our ambition and future direction of travel, our relentless focus to improving outcomes for our residents and the strong partnership ethos that is in place across the borough.

1.6 The report praises our 'bold, brave and honest' approach to Public Service reform, as well as highlights that our 'Team Oldham' approach is not only real, but that everyone within Oldham has 'commitment, passion and ambition for our organisation and place' and that we pride ourselves on working closely with Communities as a 'Council of Oldham, not in Oldham'.

1.7 The report identifies that the scale of Oldham's ambition is a strength, although this also presents a challenge. The challenge team recommended a number of key points to be considered. These will be addressed in the council's resultant action plan and are set out below:

1. Focus the various priorities into a clear, achievable singular corporate set as part of the forthcoming Team Oldham Plan;
2. Once done, review the levels of oversight and assurance against this more focussed set of priorities to ensure appropriate support and challenge is in place, which is suitably informed;

-
3. Review the additional benefits that Overview and Scrutiny can bring in helping to shape and challenge the delivery of the key priorities for the Council and the borough;
 4. Continue to embed the Strategic Design Authority approach at pace so that it can drive the delivery of transformation and realisation of savings;
 5. Agree a programme of ongoing savings which can be delivered at pace to stop the reliance on one off funding and reserves;
 6. Progress the 'Creating a Better Place' vision and strategic framework given the significant benefits for the borough, as well the medium – longer term financial sustainability of the Council'
 7. Develop a specific set of phased asks from partners both inside Oldham and across Greater Manchester which will help us deliver our vision;
 8. Further develop relationships with partners in the private sector;
 9. Work with partners in the VCFSE to formalise a framework setting out how the Council works with this sector;
 10. Consider holistically how the energy, commitment and creativity of the workforce across Team Oldham can be optimised.

2.0 Appendices

- 2.1 The LGA's Corporate Peer Challenge feedback report is attached to this report as an appendix.

3.0 Recommendations

- 3.1 The Council is asked to:
 1. Note the contents of this report and the feedback report received which is attached as an appendix to this report;
 2. Note that a report will be presented to the Cabinet over the coming months which will set out the Organisation's action plan against each of the key recommendations as set out within this paper.

This page is intentionally left blank

Corporate Peer Challenge

Oldham Council

21st – 24th January 2020

Feedback Report

1. Executive Summary

Oldham is a creative, forward thinking post-industrial borough with a real urban and rural mix. Parts of the borough are located within 5 miles of Manchester City Centre, with a quarter of the borough located within the Peak District National Park. Oldham is home to 235,000 residents – a relatively young population which is forecast to grow significantly to 255,000 by 2041. The population of Oldham is very diverse, with over 120 languages spoken and a Black and Minority Ethnic population, which is twice the size of the North West average.

For a number of years, Oldham Council has been known regionally and on some national platforms for prioritising and advancing co-operative ways of working. More recently, the Council has developed this into a broader 'Oldham Model'. This model presents a high-level vision for Oldham which is endorsed by the wider public service 'system' in Oldham and includes visions for Thriving Communities, Co-operative Services and an Inclusive Economy.

Within this framework officers are empowered to innovate and have supportive working relationships with members, partners and with communities. The energy this has created has led to new ways of working and innovative solutions. Some of which have been led by the Council, some of which the Council has supported partners and the community to lead. Examples of this include the Hilltop GP Practice - which is a co-operative GP Practice that has grown out of the community, and an emerging 'Northern Roots' eco-park.

In leading this strategic agenda, the Leader and Chief Executive are highly respected by colleagues at the Council, by partners in Oldham and in Greater Manchester for their open, supportive and engaging approach as well as their strong working relationship. The Organisation's culture is positive and shares the joint ambition as set out by the Leader and Chief Executive for the Town. Since becoming Leader in May 2018, the Leader of the Council has prioritised Oldham being a 'great place to live'. This has resulted in the Council committing to an existing initiative of a £306m investment of 'Creating a Better Place' which will see investment in jobs, apprenticeships, homes and leisure an extra £37m to increasing the capacity of 'good' and 'outstanding' schools, increasing spending on road improvements by £19m and a £0.6m increase in street cleansing capacity.

The Council's prioritisation of 'a great place to live' fits with the high level 'Oldham Model' as set out in the partnership's Oldham Plan (2017 – 2022). In addition to this, the Council is committed to delivering a wider range of projects and initiatives across a number of other priority areas. Meaning that members and officers will often speak of several different priorities. This energy appears to be born out of a strong sense of ambition for Oldham, an openness to the 'art of the possible' and an awareness of the opportunities presented by being a member of the Greater Manchester Combined Authority.

The scale of Oldham's ambition is a strength, although this also presents a challenge.

Delivering on this scale of ambition will now require a focus both on a smaller set of clearly defined political priorities, as well as the key organisational challenges. Examples of the latter include 'getting to good' in Children's Services following an OFSTED 'Requires Improvement' outcome in 2019, as well as identifying and implementing robust savings proposals which mitigate the reliance on reserves over the period of the Medium Term Financial Plan and deliver

18 Smith Square, London, SW1P 3HZ www.local.gov.uk **Telephone** 020 7664 3000 **Email** info@local.gov.uk

Chief Executive: Mark Lloyd

Local Government Association company number 11177145 Improvement and Development Agency for Local Government company number 03675577

a more resilient financial position. It might also include delivering against some of the local issues which do not have simple solutions – such as in the local private rented housing sector.

This must not dampen but harness the ambition and energy which is clearly evident in Oldham, as this is one of the borough's most important assets. It is equally not about restricting innovation and empowerment from happening more broadly. It is about having a relentless shared focus when required, to ensure delivery of the key corporate priorities.

Communicating this focus clearly internally and externally – both with partners in Oldham and in Greater Manchester will bring real benefits. Partners in Oldham and in Greater Manchester respect the Council as a place leader and are supportive of what the Council is trying to achieve for the place. They are open to what the Council may ask of them in delivering this vision. This is a great opportunity to draw in additional, meaningful capacity and resource.

Whilst the Council has a particularly high number of smaller businesses in Oldham with few larger businesses, engaging with private partners in more depth and building those relationships will also help the Council to further its ambitions to create an inclusive economy and thriving communities.

To help inform this relentless focus on those key priorities, the Council would benefit from refreshing its Performance Management Framework. This will help ensure that there is consistent performance and risk ownership which is both supported and challenged with timely and suitably informed oversight. The targets, milestones and measures this leads to should continue to reflect this ambition, whilst being deliverable. This was acknowledged by the Council during the course of the peer challenge.

Aligning the emerging Transformation Plan and the work of the 'Strategic Design Authority' to this more focussed set of priorities and refreshed corporate performance framework will help the Council to clearly identify the capacity required to deliver against each priority. As well as identify a pipeline of future projects/efficiency savings to stop the Council from continuing to rely on the use of reserves.

Ensuring all of the necessary challenge mechanisms available to the Council are suitably deployed against the key priorities will help the Council in sustainably delivering the vision. This would include considering the information available to the Overview and Scrutiny Committee to support their role.

The Council has a highly respected finance function, which *"has kept the Council safe"* despite a £208m funding reduction since 2008. The function is well respected for its technical expertise and has supported councils elsewhere across Greater Manchester over a number of years. As the budget for 2021/22 is developed, the Council needs to identify and agree a deliverable and ongoing savings proposals that cover the entirety of its MTFS up to 2024/25. The Transformation Plan the Council has will need to then deliver these savings at pace to stop the reliance on balancing the budget by one-off means. Marrying collective responsibility with specific accountabilities will be required to achieve this.

One part of the Transformation Plan is the recently developed 'Creating a Better Place' vision for economic growth and regeneration. This builds on the recent work to develop a new vision

for the town centre and the positive steps the Council took prior to this to improve the leisure offer within the town centre. Most notably this included transforming the old Town Hall into a distinctive £37m cinema and leisure complex. This has helped the local evening economy and will have helped retail performance in the town centre to remain relatively stable, at a time whilst most other similar town centres have struggled. This new vision for the place also has the potential to support the Council's financial sustainability in the medium to longer term, as well as create further platforms for the ongoing development of a 'Team Oldham' way of working across the local public service system.

It is clear in Oldham that the greatest asset the Council has is the pride, energy, connection and commitment towards making Oldham a 'great place to live'. This is evident amongst members, officers, partners and in the community. Focus, supportive challenge and building further platforms for it will help Team Oldham greatly over coming years.

2. Key recommendations

There are a range of suggestions and observations within the main section of the report that will inform some 'quick wins' and practical actions, in addition to the conversations onsite, many of which provided ideas and examples of practice from other organisations. The following are the peer team's key recommendations to the Council:

- 1) **Focus the various priorities into a clear, achievable singular corporate set as part of the forthcoming Team Oldham Plan.** This should include both political and high-risk areas which may affect sustainability if not addressed. Communicate these consistently and clearly inside and outside Team Oldham. Use these to then shape the other key planning documents such as the Medium Term Financial Strategy and the Transformation Plan.
- 2) **Once done, review the levels of oversight and assurance against this more focussed set of priorities to ensure appropriate support and challenge is in place, which is suitably informed.** This will include the approach to performance management and the roles and responsibilities each will play in the Performance Management Framework to ensure delivery is kept on track and any issues are highlighted early.
- 3) **Review the additional benefits that Overview and Scrutiny can bring in helping to shape and challenge the delivery of the key priorities for the Council and the borough.** This may include the areas scrutiny focusses on as well as the means in which Overview and Scrutiny is conducted.
- 4) **Continue to embed the Strategic Design Authority approach at pace so that it can drive the delivery of transformation and realisation of savings.** This will mean clear terms of reference, effective phasing and prioritisation, robust governance, effective communications and appropriate member engagement.
- 5) **Agree a programme of ongoing savings which can be delivered at pace to stop the reliance on one off funding and reserves.** This will require a strategic approach

which builds on – although which is different to - the strengths in operational financial management.

- 6) **Progress the ‘Creating a Better Place’ vision and strategic framework given the significant potential benefits for the borough, as well the medium – longer term financial sustainability of the Council.** Ensuring the Council has the right capacity and connections to deliver on this robustly and at pace will be crucial, given the scale of ambition involved.
- 7) **Develop a specific set of phased asks from partners both inside Oldham and across Greater Manchester which will help you to deliver the vision for Oldham.** This includes the Greater Manchester Combined Authority as well as the Oldham Leadership Board.
- 8) **Further develop relationships with partners in the private sector.** This is both as a means to engage and influence, as well as a way of further embedding the Council’s vision for an inclusive economy and thriving communities.
- 9) **Work with partners in the VCFSE to formalise a framework setting out how the Council works with the sector,** building on the good practice already being seen.
- 10) **Consider holistically how the energy, commitment and creativity of the workforce across Team Oldham can be optimised.** Examples of this include the alignment of resources to the new corporate priorities, embedding the new workforce strategy, the building of digital approaches to help officers to work more efficiently or the further benefits that can be brought from systematically capitalising on the Council’s investments in volunteering and local employment.

3. Summary of the Peer Challenge approach

The peer team

Peer challenges are delivered by experienced elected member and officer peers. The make-up of the peer team reflected your requirements and the focus of the peer challenge. Peers were selected on the basis of their relevant experience and expertise and agreed with you. The peers who delivered the peer challenge at Oldham Council were:

- **Rob Walsh** (CEX of NE Lincs Council and NE East Lincs CCG)
- **Cllr Clare Coghill** (Leader – London Borough of Waltham Forest)
- **Cllr Richard Kemp** (Leader of the Liberal Democrat Group - Liverpool City Council)
- **Jackie Yates** (Executive Director of Resources – Reading Borough Council)
- **Bren McInerney** (Community Volunteer)
- **Sarah Reed** (Strategic Director for People, Communications and Partnerships – Sunderland City Council)
- Shadow: **Nick Searle** (Local Authority Chief Executive Relationships Lead - MHCLG)
- LGA peer challenge manager: **Dan Archer** (LGA Programme Manager)

Scope and focus

The peer team considered the following five questions which form the core components looked at by all Corporate Peer Challenges cover. These are the areas we believe are critical to councils' performance and improvement:

1. Understanding of the local place and priority setting: Does the council understand its local context and place and use that to inform a clear vision and set of priorities?
2. Leadership of Place: Does the council provide effective leadership of place through its elected members, officers and constructive relationships and partnerships with external stakeholders?
3. Organisational leadership and governance: Is there effective political and managerial leadership supported by good governance and decision-making arrangements that respond to key challenges and enable change and transformation to be implemented?
4. Financial planning and viability: Does the council have a financial plan in place to ensure long term viability and is there evidence that it is being implemented successfully?
5. Capacity to deliver: Is organisational capacity aligned with priorities and does the council influence, enable and leverage external capacity to focus on agreed outcomes?

In addition to these questions, the Council asked the peer team to provide feedback on the approach to Public Sector Reform.

The peer challenge process

It is important to stress that this was not an inspection. Peer challenges are improvement focussed and tailored to meet individual councils' needs. They are designed to complement and add value to a council's own performance and improvement. The process is not designed to provide an in-depth or technical assessment of plans and proposals. The peer team used their experience and knowledge of local government to reflect on the information presented to them by people they met, things they saw and material that they read.

The peer team prepared for the peer challenge by reviewing a range of documents and information in order to ensure they were familiar with the Council and the challenges it is facing. The team then spent 4 days onsite at Oldham Council, during which they:

- Spoke to more than 130 people including a range of council staff together with councillors and external partners and stakeholders.
- Gathered information and views from more than 50 meetings, visits to key sites in the area and additional research and reading.
- Collectively spent more than 300 hours to determine their findings – the equivalent of one person spending more than 8 weeks in Oldham.

This report provides a summary of the peer team's findings. It builds on the feedback presentation provided by the peer team at the end of their on-site visit (21st – 24th January 2020). In presenting feedback to you, they have done so as fellow local government officers and members, not professional consultants or inspectors. By its nature, the peer challenge is a snapshot in time. We appreciate that some of the feedback may be about things you are already addressing and progressing.

4. Feedback

4.1 Understanding of the local place and priority setting

Oldham is a Council that has a deep understanding of the needs of its residents as well as the challenges that many people face. The Council prides itself on working closely with communities as a '*Council of Oldham, not in Oldham*'. This can be seen by the way in which the Council goes beyond what many other councils do to understand local communities, examples of which are contained in this section.

Locality neighbourhood working has been in place in Oldham since 2009. The current arrangements include seven district footprints which are supported by six district teams. Each district has a nominated member who acts as a 'District Lead' and works closely with all members in the area to support them in their roles. This model aims to ensure a strong connection with local communities, with each district setting its own priorities and taking decisions at a local level. Members can champion the needs of their district from this – ensuring parallels between district and corporate priorities. In a number of other councils nationally, area based working has been stripped back significantly in recent years, largely as a result of response to budget pressures. It is a clear demonstration of the Council's commitment to working with the community that this remains in place in Oldham.

This experience of area based working has provided a strong foundation for the integration of Health and Social Care in Oldham under the banner of Oldham Cares. In doing so, the Council is changing from seven area footprints to five. This is to match the requirement for health and social care area based working at a population range typically between 30,000 – 55,000. This is the scale which is expected to enable more services to be provided at a local level whilst realising the benefits and economies of scale.

The next stage of this approach will mean identifying which of the other services delivered by Team Oldham would be better delivered at a local level, using these footprints and moving more of those services down to this level. These steps will require great care to ensure service delivery at a local level meets the needs of all local communities as well as the expectations of existing community capacity. During this ongoing transformation, the geography of different area based working arrangements is complex. Ensuring members, officers and partners are clear on the different area boundaries as this evolves into a simpler, consistent structure will be important.

In supporting the vision for 'Thriving Communities', the Council has developed a 'Thriving Communities Index' which provides rich granular level detail on local communities which has further potential to support further targeted, place based working across the system. This is an asset not only for the Council but to partners including the VCFSE sector. There is further potential here in how the Council is able to more consistently and proactively use this level of detail to inform policy development – be that borough-wide or locally, within the Council or across the wider public service system.

The Council has a strong and close working relationship with the VCFSE association 'Action Together' as well as the other VCFSE organisations in Oldham. The maturity of these relationships has led to the Council developing an approach to Social Prescribing which is particularly advanced. This has included the design of a Social Prescribing Service delivered by a Social Prescribing Partnership model (including partners MIND, Action Together, Positive Steps and Age UK). This was made possible through the recent awarding of a three year contract across Oldham Cares. This puts real resource behind an ethos of empowering the VCFSE sector to take on more of the 'design' role, rather than being pinned down to the 'deliver' role by a more discrete commissioning function (as is often the case elsewhere). With these mature, open and close working relationships there are further opportunities. A forward looking framework for how the Council and VCFSE wish to engage – as well as how this shared approach can continue to evolve - will help with this. This might include how Team Oldham will work with the VCFSE sector to draw in investment either from internal or external sources. This might also include the steps the Council is taking to support the sector through its social value procurement policy, use of physical assets and evolving approach to design and delivery.

In speaking to a number of local residents during the course of the peer challenge, issues around housing were raised. This included the impact of poor landlords in the private rented sector, temporary accommodation, the number of empty homes in some areas and how this could affect a sense of community and civic contribution. The Council are clearly aware of these issues and the complexities and demands involved in resolving them. More broadly, a new Housing Strategy has been set out in recent months which is aspirational. The Council will want to ensure that it is clear on how this can be delivered which will require suitably robust plans with timely milestones.

During the course of the peer challenge, the team were fortunate to meet with the Oldham Youth Council who were heralded as *"one of the best youth council's in the country"* and had in recent months managed to achieve the Queen's Voluntary Service Award. The group are proud of Oldham and have managed to harness this enthusiasm to affect significant changes of policy, some of which have then been replicated across Greater Manchester. Examples include the offer of free bus travel for young people and free prescriptions for care leavers. The Council clearly listen to the Youth Council and have a positive relationship. In 2018, the Council launched a 'Voice of the Child' statement, to improve the way in which the Council listens to and acts upon the voice of local young people. How the Youth Council is used across the public service system in Oldham to inform policy direction presents a further opportunity – particularly for vulnerable groups.

Everyone the team met in Oldham demonstrated pride and ambition for Oldham and showed a commitment in different ways to making Oldham 'a great place to live'. If the Council is able to communicate a clear singular set of priorities for making this happen, there is further willing capacity available in the community, VCFSE sector, with partners (e.g. Regenda) and at the Greater Manchester Combined Authority. These priorities will need to reflect the political priorities, the key essential service and system sustainability priorities (e.g. finance). The associated implementation plan should ensure parity of

attention and capacity across the significant people and place based ambitions to avoid the risk of drift and none delivery. This can then lead to specific asks of partners which they are open to.

Oldham is home to around 7,295 businesses which employ roughly 90,000 people. This business base is made up primarily of micro, small and medium sized enterprises with relatively few larger businesses compared to similar areas elsewhere. How the Council is able to develop the role that the local private sector plays in achieving the ambitions for Oldham is a particular area where additional capacity and opportunities may lie. One example of this is in the potential benefits the private sector could bring to growing an inclusive economy and thriving communities (such as through the recognition of corporate social responsibility and use of behavioural insights). Growing this support and channelling this capacity will require developing the breadth and depth of these relationships further.

Officers met by the peer team understood the long-standing ethos for co-operative ways of working. Officers and partners did not always see as consistently where this was happening in some services. Hence there is an opportunity of continuing to embed the model in practical terms at service level. Having a communications approach which spotlights, recognises and encourages these behaviours has an important role to play here.

The Council has clearly worked to prioritise the employment of local residents and monitors this regularly as part of the performance reports to Senior Management Team and Cabinet. In addition to this however, the Council understands the distribution of its workforce at a ward level and is working with partners to undertake a similar assessment. This includes the development of targeted activity to help recruit a balanced workforce which is fully representative of all communities in Oldham. This is backed by emerging plans to make this happen as well as ambitions for how the wider Team Oldham could follow this lead. This is above and beyond what most other councils are doing nationally and represents a real long-term commitment to an inclusive economy. There is also potential in how this could be used to help the Council to understand local communities. Identifying ways of systematically sharing the insights the Council workforce gets from being a part of local communities is one such opportunity. Equally how the workforce might be able to communicate key Council messages back out into their communities is another. Lastly, how this can be used to further help residents navigate the public service / community offer is also worth exploring. If this is meaningfully achieved, this could potentially represent a sector leading approach to local employment and community engagement.

4.2 Leadership of Place

Partners in Oldham and in Greater Manchester recognise Oldham Council as a strong and authentic place leader. Close, open collaboration is consistently seen with examples of this being the Council's approach to food poverty, fuel poverty and homelessness.

The Council works closely with communities and community groups to help them as community leaders which is helping to transform areas for the better. Across the borough, examples of this include the impact of the Green Dividend, Alley Parties and a supportive approach to staff volunteering. Further still the Council has supported others to drive innovation which is based on civic contribution. An example of this is the focussed care model in Fitton Hill and Hollinwood. This model sees GP practices being used to provide social and clinical outreach to the community, drawing on community empowerment and leadership to do so. This is now being rolled out in other GPs across Oldham. The Council can be proud of the innovation shown here which is a great example of integrated health working that many others can learn from.

The strategic partnership has a long-established forum named the Oldham Leadership Board which is chaired by the Leader of the Council and has responsibility for driving forward the Oldham Model. The Oldham Leadership Board benefits from strong support from a number of partners including the VCFSE leaders and business leaders, as well as the other public sector organisations working in Oldham. At this level there is a real buy in to the vision for Oldham and a willingness to work together. This could be further advanced by streamlining partnership structures so that there is more clarity amongst partners on structures as well as the expectations of each other.

In Greater Manchester, the Council is seen as leading the way in a number of ways. An example of this includes the approach to improving early years outcomes in Oldham. The percentage of 5-year-old children achieving a 'good level of development' in Oldham last year improved by 4 percentage compared to an increase of 0.3 percentage points nationally. The Council's reputation for 'a bold, honest and brave approach' to public service reform is also regarded highly across Greater Manchester. Senior Elected Members and officers are seen as being a strong place leader at the Greater Manchester Combined Authority and have *"brought Oldham to the fore"*.

The Council has developed exciting proposals for the place – including plans for 'Northern Roots' which represents the transformation of an ageing depot into a 160-acre eco-park which utilises the latest green technologies whilst also encouraging food growing and community enterprise. Oldham is one of the 100 places being supported by the Government to develop a Town Deal and the Council has also brought forward the 'Creating a Better Place' framework which sets out a £306m vision for economic growth and regeneration across Oldham. For the latter it is important that the Council is able to ensure it has the necessary capacity, capability and exposure required to deliver on this at pace. Further developing the relationships with partners in the private sector is crucial in making this the start of further ongoing success in this field. Getting to a position where there is a more clearly and consistently communicated prospectus for growth – which identifies the specifically targeted growth sectors – will help. This can then be further supplemented with a clear pipeline of projects which will help to deliver on this. This will help in moving this vision along at pace and help the Council to be ready to capitalise on opportunities quickly as they present themselves.

In recent years the Council had significant success in transforming the old Town Hall into a cinema and leisure complex, which has had a considerable impact on the evening economy. Residents are proud of the transformation this has represented and the

distinctive character it brings to the town centre. The job is never finished however, given the pressures on town centres in most parts of the country. Developing and establishing new relationships with the private sector as well as capitalising on the opportunities presented by the GMCA can help significantly with this. The GMCA are open to hearing a clear set of asks which fit with this vision for 'Creating a Better Place'.

4.3 Organisational leadership and governance

Relationships between members and officers in Oldham are good. The distinctive roles are clear and respected with officers and members supportive of each other. Officers speak positively of the role that members play in driving forward an ambitious programme. The Leader and Chief Executive are highly respected within the Council and are seen as approachable, open and supportive.

Relationships between members have also improved in recent years and are now stable. At an officer level, the Council operates a Strategic Leadership Team (SLT) and a Joint Leadership Team (JLT) to reflect the work of the Council as well as the work across the Council and Clinical Commissioning Group. This is an arrangement which has been in place since the Chief Executive became the Accountable Officer for the CCG in May 2018.

There are strong and credible leaders at both SLT and JLT who are evidently open to development and learning. An example of this being the take-up of coaching both collectively and individually. To help the Council to deliver on its corporate priorities, there is an opportunity to consider the collective role that these groups should play in supporting and challenging each other in delivery of the collectively owned corporate priorities. This will help aid oversight and assurance – as well as help manage performance and risks. This is particularly the case for high profile items also such as transformation, regeneration, children's services, adult social care and resources. Providing the SLT and JLT – as well as the Leader and Chief Executive - with timely and comprehensive performance reporting will help ensure all of the corporate priorities are delivered on track.

In regard to the integration of health and social care, as the Council looks to grow the pooled budget, there is an opportunity to further streamline governance arrangements to remove duplication and speed up decision making. This will make decision making more agile and empowered – further empowering the Team Oldham ethos and releasing further capacity. More widely the Oldham system (five organisations) have a complex network of boards, committees and companies which might also be rationalised to clarify the roles and relationships between these bodies which can potentially further speed up decision making and reduce duplication.

The Council's Overview and Scrutiny function is made up of an Overview and Scrutiny Board, a Performance and Value for Money Select Committee and a Health Scrutiny Committee. Issues are considered by a committee on a six-weekly cycle. There is an opportunity to consider the role that Scrutiny could play in bringing the necessary challenge and advice to decision making. This includes how Scrutiny aligns to the most

crucial priorities and challenges (such as transformation, regeneration, children's services, adult social care and resources). These are important checks and balances in delivering an ambitious programme. In addition to this, there is capacity for support and challenge within the Trade Unions who have welcomed in particular the open and engaging approach taken on new proposals in Adult Social Care recently.

4.4 Financial planning and viability

Since 2009/10, the Council has had to make budget reductions of £208m which has meant year-on-year service reductions during a period with substation increases in service pressures. The requirement to balance the budget each year has resulted in significant budget proposals being agreed and implemented over a number of years.

The Council's 2019/20 revenue budget was £224.112m. This budget was balanced through the use of £7.829m of budget reductions, £8.818m use of corporate and specific reserves, £3m of capital receipts to support spending on transformational projects and £2.269m surplus from the Collection Fund. This represents a significant draw on one off monies (including reserves).

At the time of peer challenge, General Fund Balances were estimated at £14.8m with earmarked reserves estimated at £93.6m. Whilst these levels of reserves appear relatively adequate as they currently stand, they are one-off in nature and cannot be used indefinitely. Whilst the Council was forecasting an adverse variance of £1.367m against the 2019/20 budget at the time of the peer challenge, it was expected that a balanced position would be achieved by financial year end.

The Council was in the process of updating its Medium Term Financial Strategy to cover the period 2020/21 to 2024/25 during the course of the peer challenge. This document anticipated a budget reduction requirement of £19.740m for 2020/21. A total of seven budget reduction proposals had been put forward for 2020/21 which totalled £3.011m. This left a remaining budget requirement of £16.729m for 2020/21 which would largely be addressed by the use of one-off funding opportunities including corporate reserves and funding from the business rate retention pilot. These pressures however then return meaning - in the absence of any identified savings - a potential further draw on reserves of £23.366m in 2021/22. Whilst a reducing figure, the current MTFS assumes year on year calls on reserves until 2023/24 which allows time for the delivery of the transformation programme and other organisational changes to embed.

The Council clearly has strengths in operational financial management and technical accounting. The finance function has and continues to be held in high regard within the Council, with the External Auditor and with other councils across Greater Manchester who have turned to Oldham for support and guidance when closing down accounts and dealing with technical issues.

The relationship with the External Auditor is open and proactive, with the Council being described as *"the model client"*. This is important given some of the technical complexities and appetite for innovation in Oldham. It will also be important as the

Council embarks on an ambitious £306m capital programme. The 'Creating a Better Place' programme is expected to deliver a financial return to the Council which will assist with net revenue expenditure in the medium term. It is important that this is delivered at pace and in doing so, the Council will need to assure itself that it has a suitable amount of capacity to deliver this programme, given that it is *"on a scale few at the Council have worked with before"*.

However, in light of the underlying budget pressures, reducing reserves and ambition of the Council, now is the time to recalibrate the budget against a clear set of political priorities over the medium term and identify and agree the ongoing savings required to close the budget gap on a sustainable long term basis. This process can also be used to help ensure that capacity to deliver is aligned to this set of corporately owned priorities. Doing this will require a strategic financial and corporate approach, with ownership and engagement from across the organisation and CCG (where relevant).

The Transformation Programme encompasses a wide ranging set of change projects and programmes. This is overseen by a Strategic Design Authority which is chaired by the Chief Executive/Accountable Officer. This must act as *"the engine"* for the delivery of both the Council's transformation ambitions as well as the realisation of the significant, ongoing savings required. This board is supported by a newly created Design and Assurance Service which brings together the functions required to deliver change programmes and is supplemented by a dedicated Transformation Reserve to support the commissioning of additional expertise and capacity as required. Much of the programme is still in development and it is expected that most of the programme will begin delivery by Spring 2020.

The next 12 – 24 months will be crucial to the Council and CCG. Put simply *"...the Transformation Programme has to deliver. We can't afford to let that slip."*

To help ensure the scale of transformation and associated savings realisation are achieved, the Council should develop this work at pace, ensuring:

- Clear terms of reference are in place.
- Effective phasing and prioritisation of work is done which takes into account programme management factors such as capacity, lag and interdependencies.
- Robust governance arrangements are in place across all of the transformation schemes to ensure accountability for delivery at pace as well as mutual sharing of risks and issues.
- Effective, proactive communications both internally and externally.
- Clear engagement with and oversight by elected members.

As the Council continues to transform, there may be a requirement to review the Unity Partnership business model to ensure it remains fit for purpose and is relevant to the demands of the transforming public service system in Oldham. This might include consideration of whether it is adding additional costs or barriers which would not be necessary under an alternative approach, or whether it still fits with the changing requirements of the customer base within Team Oldham. Equally, there may be further opportunities both for the Unity Partnership and/or the Council in shared service

arrangements with some or all of its partners in Greater Manchester. There are already examples in place which could be built on. Examples of this include a joint website to advertise jobs (www.greaterjobs.com), a joint Occupational Health Offer and a number of training and development initiatives.

Delivery of the Council's aspirations are complex and critical. Having recently agreed a new Risk Management Framework it is vital that all risks are now identified and appropriately owned at the right level with effective mitigations put in place. Supportive challenge will be required against known risks to ensure these have been appropriately identified with effective mitigations. For the key corporate risks, effective oversight will be required which engages senior leaders collectively.

The Council has demonstrated its commitment to Team Oldham and the integration of public services with the steps it has taken in recent months to provide one-off financial support to the CCG through an increase to the pooled budget. There are clearly underlying financial issues at the CCG which will need to be addressed and the Council is developing a commission/procurement delivery plan which will include savings targets linked to both the Council and CCG medium term financial plans which will need to be proactively managed.

4.5 Capacity to deliver

The overriding memory of Oldham for the peer team is the sense of pride, ambition, commitment and dedication to Oldham. This was demonstrated consistently by those the team met with. Officers at the Council enjoy being trusted to lead and innovate. Many officers the team spoke with reported working at the Council for a long period or having actively sought out a return to the Council following a period elsewhere.

The Council is genuinely mindful of the wellbeing of its staff. A number of programmes have been put in place which demonstrates this. The Council's health and wellbeing approach - Fit for Oldham was launched by the Chief Executive and a Mental Health Ambassador scheme has also been established. The Council has also chosen to train 72 'Mental Health First Aiders' – realising parity with the ratio required for other First Aid staff.

Whilst remaining below the Greater Manchester average, sickness absence at the Council reached its highest level in six years in September 2019, with staff turnover also increasing in the last year. This was highlighted in a quarterly performance report to Cabinet and the Council has committed to a 'deep dive' review of this which will report back in February 2020.

Council performance is currently monitored via a monthly report which is submitted to SLT and the political leadership. This includes performance in relation to HR, finance as well as a selection of corporate measures. In addition, a quarterly report is shared with SLT, Leadership, Cabinet and Overview and Scrutiny which is based upon progress against the key priorities within directorate business plans. The Council is currently developing a new Team Oldham Plan for 2020 – 2023 which is due to be

agreed by Council in May 2020. If this includes a clear set of corporate priorities, it is an opportune time for the Council to refresh its Performance Management Framework. This can help ensure there is clear ownership of performance across the organisation, which allows for considered challenge as well as suitable levels of stretch. It can also be used to help ensure suitable corporate oversight of a single set of key corporate priorities.

As the transformation programme progresses the Council should continue to embed its new workforce development strategy and the necessary organisational design. The Council has already taken the step of aligning HR/OD functions with the CCG and a workforce development strategy is in development which is due to be launched in April 2020. As the Council continues to progress integration, increased area based delivery and the continued embedding of the Oldham Model, this strategy will help guide the development of a future workforce which meets these evolving expectations.

The positive approach the Council takes to encouraging staff to use three days of work time to volunteer locally demonstrates the Council's commitment to the VCFSE sector and a 'Team Oldham' way of working. This commitment then has the potential to pay off multiple times over. In the time staff then choose to give in addition outside of their working hours, in the way in which this can help to further socially normalise volunteering and civic contribution for those staff living in local communities, as well as the value of the insights staff bring back from these experiences. Systemically capturing and sharing this could help to further inform the approach to public service delivery across Team Oldham.

The Council has the opportunity to harness more of the energy from its workforce by reviewing the processes and platforms used to 'do the day job'. Just one example of this could be the use of digital platforms and mobile working. Models of technology enabled 'mobile' social work are becoming increasingly common across many councils, enabling social workers to spend more time away from the desk and less time travelling, spending less time filling out forms and more time with families. This equally has benefits for the Council's carbon reduction ambitions.

The Council has recently appointed a new Managing Director of Children's Services (DCS) who had been in post for six weeks at the time of the peer challenge. This is a permanent appointment following a period of interim arrangements within children's services. The new Director is keen to put in place the correct structure and appoint to those posts on a permanent basis which has already commenced, to bring capacity, stability, improvement and efficiencies to this service area. As part of a recent OFSTED and CQC SEND re-visit in September 2019, the Council was able to demonstrate a strong self-awareness and sufficient progress in three out of the five significant weaknesses identified in October 2017. The Cabinet agreed a subsequent SEND Strategy in November 2019 which aims to continue to drive improvement in this service area.

In Oldham, the Council as one part of Team Oldham are at an exciting point. The scale of ambition is infectious. If this is now channelled into a singular set of key priorities, it will help the Council to deliver robustly and at pace. As delivery is then seen at pace,

this progress should be promoted and celebrated to help further build and sustain corporate momentum. Communications will have a crucial role in all of this. Both internally but also with partners and the community. Being able to clearly communicate the Council's 'asks' will attract willing support and help the Council to further capitalise on the right opportunities as they present themselves.

5. Next steps

Immediate next steps

We appreciate the senior managerial and political leadership will want to reflect on the findings within this report in order to determine how the organisation wishes to take things forward.

To support you in your improvement journey the Peer Team have identified a number of key recommendations, some of which you may already have in hand. We welcome your response to these recommendations within the next three months through the development of an action plan.

Your Principal Adviser Claire Hogan (Claire.Hogan@local.gov.uk) will be in contact to assist the council going forward and to provide additional support, advice and guidance on any areas for development and improvement and she will be happy to discuss this.

In the meantime, we are keen to continue the relationship we have formed with the Council throughout the peer challenge. We will endeavour to provide signposting to examples of practice and further information and guidance about the issues we have raised in this report to help inform ongoing consideration.

Follow up visit

The LGA Corporate Peer Challenge process includes a follow up visit. The purpose of the visit is to help the Council assess the impact of the peer challenge and demonstrate the progress it has made against the areas of improvement and development identified by the peer team. It is a lighter-touch version of the original visit and does not necessarily involve all members of the original peer team. The timing of the visit is determined by the Council. Our expectation is that it will occur within the next 2 years.

Next Corporate Peer Challenge

The current LGA sector-led improvement support offer includes an expectation that all councils will have a Corporate Peer Challenge or Finance Peer Review every 4 to 5 years. It is therefore anticipated that the Council will commission their next Peer Challenge before 2025.

This page is intentionally left blank



Report to COUNCIL

Constitutional Amendments

Officer Contact: Liz Droган, Head of Democratic Services, Mark Hardman, Constitutional Officer

17th June 2020

Reason for Decision

A refresh of the Council Constitution has been undertaken with two principal objectives in mind. Firstly, to ensure that all legislative and procedural references are current and up to date, including cross referencing from descriptive content to more detailed procedures and, secondly, to look to simplify content so far as is possible in what will always be a complex procedural document in order to aid both understanding and application to practical circumstances.

The Constitution has been impacted upon by the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 which has introduced certain mandatory provisions for the period to 7th May 2021. While these mandatory provisions are time limited, it is considered good practice to incorporate them into the Council's Constitution at this time to properly present the Council's statutory and procedural requirements under the Regulations.

The Planning Scheme of Delegation should be reviewed on a regular basis to ensure that it is up to date and reflects current practices and policies. Planning Committee procedures have been under scrutiny recently due to a number of issues and it is timely to review practices and procedures. The current system will benefit from updating, simplification and revision to delegated powers and protocols.

At the Cabinet meeting held on 27th January 2020 a suite of reports and recommendations relating to 'Creating a Better Place' as the comprehensive vision and strategic framework for the Borough were approved. These included proposed amendments to the Executive arrangements, including delegation arrangements, contained within the Land and Protocol which is included at Part 5(e) of the Council's Constitution. The approval of the Full Council is therefore required to agree the revision of the Council Constitution.

Recommendations

1. That Council agree the suggested amendments to Part 3 (Responsibility for Functions), Part 4E (Overview and Scrutiny Procedure Rules) and Part 4H (Employment Procedure Rules) as detailed at Appendices 1, 4 and 5 to this report as part of the refresh of the Council's Constitution and the review of Planning Committee and Delegations, subject to the date of the implementation of the revised Overview and Scrutiny Committee arrangements being agreed at a future meeting of the Council.
2. That Council agree the suggested amendments to Part 4A (Council Procedure Rules) and Part 4B (Access to Information Procedure Rules) as detailed at Appendices 2 and 3 to this report in compliance with the statutory provisions of the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and to ensure alignment with the agreed amendments to Parts 3, 4E and 4H of the Council's Constitution.
3. That Council agree to the inclusion of the suggested amendments to Part 5(e) (Land and Property Protocols) into the Council's Constitution as detailed at Appendix 6 to this report.
4. The Council agree the suggested amendments to Part 8 (Appendices) Appendix 3 (Protocols) as detailed at Appendix 7 to this report in respect of procedures relating to the consideration of planning applications as part of the review of Planning Committee and related procedures.
5. That any consequential amendments arising from the amendments to the Council's Constitution as presented in this report be delegated to the Director of Legal.

Constitutional Amendments

1 Background

- 1.1 Given the original Council Constitution was derived from guidance and a draft without practical experience of the current governance style, together with the subsequent piecemeal development of the Constitution in response to legislative and procedural developments, the Constitution may not be presented to best effect. While a full narrative flow that would aid understanding is perhaps not attainable, not least given the complexity of certain procedures and the reliance on the Constitution in law, efforts have been taken to simplify presentation and, where possible, to make the content more focused. The first phase of this exercise, covering Parts 1, 2 and 4A-D, together with a related consideration of Part 4F, was considered by Council in January 2020. The outcome of the review of Parts 3, 4E and 4H of the Constitution are now presented to this meeting of the Council.
- 1.2 In response to the COVID-19 pandemic and the government's requirements and advice relating to lockdown and social distancing, the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (the "2020 Regulations") came into force on 4th April 2020. These Regulations contained certain mandatory provisions, including those related to the convening and holding of virtual meetings and to the publication and availability of related papers, notices etc. The impact of the 2020 Regulations fall into Parts 4A and 4B of the Constitution and these are presented to this meeting of the Council.
- 1.3 The Planning Service and Planning Committee have been under increasing pressure as a result of changes to regulations, increasingly challenging targets for decision making, increasingly varied or complex material considerations and greater levels of public interest and challenge in decision making. The Planning Scheme of Delegation should be reviewed on a regular basis to ensure that it is up to date and reflects current practices and policies. Planning Committee procedures have been under scrutiny recently due to a number of issues and it is timely to review practices and procedures. The current system will benefit from updating, simplification and revision to delegated powers and protocols, and proposals impacting on Part 3 (with regard to Planning Committee terms of reference and Officer delegations) and Part 8 (with regard to procedures related to the consideration of planning applications) of the Constitution are presented to this meeting of the Council.
- 1.4 Within the Council's Constitution, the Land and Property Protocols provide guidance in respect of a range of property related matters including general management principles, the disposal of assets at best consideration as well as at an "undervalue", and a scheme of delegation for Senior Officers to approve transactions within a variety of thresholds based on capital and rental values. The Protocols have been subject to review over the last twelve months to align them with market conditions and the Council's current policies and strategies and to assist Officers in driving the Medium-Term Property Strategy (MTPS) 2020-2025 forward by streamlining the Council's governance and decision-making processes. The revised Protocols are presented to Council for inclusion at Part 5(e) of the Council's Constitution.

2 General Review of the Council Constitution

- 2.1 It should be stressed that the Constitution review has been a 'refresh' exercise, focused on updating and refining content rather than revising procedural arrangements. However, while content might have been redrafted or relocated and in general there should be

nothing 'new' in terms of procedural arrangements, circumstances have driven a more detailed consideration of employment related decision making and overview and scrutiny arrangements. Where potentially contradictory content has been found, this has been considered against the law, current procedural arrangements and a consideration of the intent of the Constitution. Efforts have also been made to enhance cross referencing to aid use of the Constitution in practical circumstances.

2.2 To avoid repetition below, several themes/circumstances have been addressed in various Parts of this Constitution refresh –

- procedural arrangements for the executive and the Council are now better aligned than were suggested by the 2000 Act guidance and the initial draft Constitution. As a result, some previously separate content has now been consolidated;
- current content refers to 'the Cabinet' when sometimes meaning 'the executive' in its wider sense. This reflected the early implementation of the Local Government Act 2000 which saw the Cabinet as the only form of the executive. The subsequent establishment of Cabinet Committees and delegation to individual Members means the use of the term 'Cabinet' is inappropriate when talking about the wider executive; and
- the subsequent statutory establishment of the 'strong leader' model meant that certain former Council functions passed to the Leader of the Council and the review has picked up and redrafted a number of consequential amendments.

2.3 Outside of the above, key points that Council is asked to consider in respect of the review exercise and the 2020 regulations are as follows -

Part 3 - Responsibility for Functions

This Part of the Constitution sets out who is responsible for which function. The effect of the Local Government Act 2000 in establishing a 'Council' branch and an 'executive' branch to the Council's functions and decision making arrangements does not necessarily make for a simple presentation of this Part, but effort has been made to present a clear distinction between 'Council' and 'Executive' functions. Beyond this, when introducing terms of reference and delegation schemes, efforts have been made to present these in consistent manner to aid understanding.

Beyond the above, principal areas addressed in this Part are -

- Section 4 - Council Committees and Terms of Reference -
 - Licensing Committee terms of reference are presented in terms of what the Committee has actually been responsible over recent years as a result of delegations made by the Committee and formalises related delegations to Officers as Council delegations;
 - Employment Committee, Appointments Committee, Investigation and Disciplinary Committee – the Constitutional Working Group has agreed in principle to the establishment of these Committees and detailed terms of reference will be submitted to a future meeting of the Council;
- Section 5 – Overview and Scrutiny Committees - revisions to the terms of reference, and some changes of names, to the Council's three Overview and Scrutiny Committees are proposed and the Council will be asked at a future meeting to confirm the date of implementation of these proposals;
- Section 7 – The Cabinet and Cabinet Sub-Committees and Boards – more specific terms of reference for the Cabinet have been produced, and the terms of reference for the established Cabinet Sub-Committees and Boards are now included.

Part 4E – Overview and Scrutiny Procedure Rules

Amendment to this Part is largely concerned with consolidating content and re-ordering provisions. While the proposals were drafted with the review of overview and scrutiny

arrangements in mind, the proposed Procedure Rules are still applicable to the existing scrutiny arrangements. The principal areas addressed are -

- Work programming and the production of an annual report are now formally recognised;
- The circumstances in which an Overview and Scrutiny Committee can report to Council and the related procedures that apply are clarified; and
- Provision is made for overview and scrutiny to be notified of circumstances when exemption from call-in is agreed by any executive decision maker.

Part 4H – Employment Procedure Rules

Amendment to this Part is largely concerned with consolidating content and re-ordering provisions, particularly around arrangements for the appointment and dismissal of staff.

- 2.4 Taken as a whole, the proposed amendments to the above parts of the Constitution may appear extensive. However, some of the proposed revisions are relatively minor, for example re-ordering content to aid accessibility and understanding. Where more detailed amendments are proposed, it is important that the Constitution reflects both current legislative requirements and procedural practice. The proposals contained within the report will entail consequential amendments to other Parts of the Constitution which are under current consideration. These amendments are related to cross referencing and presentational issues with no impact on the purpose or intent of the Council's Constitution.

3 Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

- 3.1 Proposals to incorporate the mandatory requirements of the 2020 Regulations have been drafted in accordance with advice issued by the Association of Democratic Services Officers (ADSO) and Lawyers in Local Government (LLG). Proposals have also been drafted with regard to certain provisions in the Constitution that rely on a physical attendance (such as standing to speak at Council, signatures etc).
- 3.2 Key points that Council is asked to note in respect of 2020 Regulations are as follows -

Part 4A – Council Procedure Rules

- The removal of the need to convene an Annual Meeting of the Council prior to 7th May 2021;
- Where documents are required to be open to inspection or otherwise available at the offices of the Council, this includes on the Council's website;
- Provisions to allow 'virtual' meetings, including defining what 'open to the public' means in this context and implications of remote attendance for Members and the public;
- Voting, including an alternative to show of hands.
- A further paragraph is added to the scope of questions section to specify that full Council would not be the appropriate forum for conduct questions.

Part 4B – Access to Information Procedure Rules

- Where documents are required to be open to inspection or otherwise available at the offices of the Council, this includes on the Council's website;
- Provisions to allow 'virtual' meetings, including defining what 'open to the public' means in this context.

4 Planning Committee, Delegation and Procedures

- 4.1 There have been recent challenging and difficult Committee meetings that have resulted in an examination of procedures to ensure they are up to date and effective. Observation of Committee meetings has revealed that the time spent in debating and considering applications can sometimes be excessive and can result in speakers disagreeing and debating with Officers or Members and who then appear to become involved in the Committee consideration. Observations also revealed that certain protocols are out of date and should be either deleted or updated.
- 4.2 Referral of applications by Ward Members includes no checks and balances and provides for an automatic right of referral. Planning decisions can only be made by the consideration of planning issues but there is no requirement for planning reasons to be given to support a referral request being accepted as valid. This means there is no provision for a referral to be declined because there is no planning reason for it. This creates a scenario where Planning Committee could be considering an application because of non-planning reasons and potentially making a flawed decision. Changes to the Referral Protocol are suggested to ensure that consideration is based on planning issues and that referrals are justifiable in the interest of transparency and accountability. Although the administration of the requests will be by an officer, there would be member oversight by the Chair of Committee.
- 4.3 Public participation at Committee is a valuable component of the process but can result in disturbance to the meeting by the debate dissolving into a series of exchanges between the Committee and the speaker. This is particularly the case when Ward Members are speaking. In addition, there is no time limit to the speaking time of Ward Members and whilst most appreciate that the committee's time is precious, some speak for lengthy periods. This can include quizzing Officers and Members about the applications being debated. Public speakers, including Ward Members, should simply provide information to the Committee on planning matters for the Members to take into account. If they disagree with an officer's or consultees' recommendation they can say so, but the meeting should not be allowed to descend into an argument or debate. Accordingly, a time limit for Ward Members is proposed, but one that exceeds the time limits imposed on any other speaker in recognition of their role as local representative.
- 4.4 The Planning Committee should focus on dealing with the more complex and sensitive applications rather than becoming embroiled with applications that are more straightforward, policy compliant or involve only local issues. The Officers should be given increased delegated powers to support the Committee by dealing with the more straightforward applications. The amendments to the Planning Scheme of delegation as presented are in the interests of clarification and simplification, updating terminology and references to postholders as well as enabling limited additional scope to officer's delegated powers that will help to reduce the number of applications that have to be reported to Planning Committee thereby enabling the Committee to focus upon the most complex and sensitive applications rather than dealing with more straightforward or policy compliant proposals.
(Helen Lockwood, Deputy Chief Executive/Sean Hannaby, Interim Head of Planning)

5 Land and Property Protocol

- 5.1 At the meeting of the Cabinet held on 27th January 2020 a suite of reports and recommendations relating to 'Creating a Better Place' as the comprehensive vision and strategic framework for the Borough were approved. This approval included proposed amendments to the Executive arrangements, including delegation arrangements, contained within the Land and Protocol which is included at Part 5 of the Council's

Constitution. The approval of the Full Council is therefore required to agree the revision of the Council Constitution.

5.2 The proposed main changes within the Land and Property Protocol are -

Corporate Property Board

The establishment of a joint Member/Officer Board which, for the purposes of consistency and oversight, will consider all acquisitions irrespective of capital value for approval or recommendation, with clear delegation limits established for Officer and Cabinet decision making in respect of all acquisitions, including property purchases and alternative investments, including arrangements in emergency situations. While Cabinet remains the principal decision making body, delegated authority will allow Officers to progress the acquisition of investment assets as part of the Council's Commercial Property Investment Strategy thereby assisting in the delivery of the Medium Term Property Strategy (MTPS); ensure that good investments are not lost through delays in the decision-making process; and permit the securing of additional specialist external advisors as considered appropriate when funded from existing budget allocations.

Office Moves

To ensure the Council uses its' office accommodation in a much more efficient and cost-effective manner in order to contribute to the revenue savings target highlighted within the MTPS it is imperative that Corporate Landlord has full control and oversight in coordinating and monitoring office moves across the Council's portfolio. All Service Managers are therefore to adhere to the Land and Property Protocols and all requests for accommodation or office moves need to be referred to Corporate Landlord for written approval prior to any moves taking place, such requests to include a business case providing an explanation of the rationale for the proposed move as well as confirmation of budget resource to fund any moves. Due to the significant long-term investment involved, expressed written approval from the Director of Economy is required before considering the installation of IT Hubs in Council property.

Guidance

Improved guidance is provided in respect of

- **Protocol on Disposal of Open Space**

The Protocol now includes a Public Open Space Assessment Matrix to assist Officers to determine whether land subject to a proposed sale could be deemed as "open space" as defined within Section 336(1) of the Town and Country Planning Act 1990.

- **Disposals Protocol/Method of Sale**

The Protocol now includes a summary of the various marketing methods together with a Tender Procedure and how to deal with Late Bids.

(Emma Barton, Director of Economy/Peter Wood, Head of Strategic Asset and Facilities Management)

6 Options/Alternatives

- 6.1 Option 1 – To agree the suggested refresh and other proposed amendments to the Council's Constitution.
Option 2 – Not to agree the suggested refresh and other proposed amendments to the Council's Constitution.

7 Preferred Option

- 7.1 Option 1 is the preferred option to ensure and bring coherence to previous piecemeal amendment to the Constitution, to ensure that incidental amendments and cross

references are incorporated in full to aid understanding and implementation of the Constitution, to reflect mandatory procedural requirements that the Council must adopt, and to reflect revised procedures and arrangements for the effective conduct of Council business more generally.

8 Consultation

- 8.1 The Constitutional Working Group have recommended the suggested changes arising from the general review of the Council's Constitution and the mandatory provisions of the 2020 Regulations to the Full Council. The Chairs of the Overview and Scrutiny Committees were consulted in respect of proposals related to the Overview and Scrutiny function.
- 8.2 The Portfolio Holder for Housing and the members of the Planning Committee were consulted about the proposals in respect of planning matters. Members of the Planning Committee unanimously supported all of the proposed amendments to the Scheme of Delegation apart from one member who expressed concern about the increased level of delegation to increase the number of new dwellings that can be dealt with under delegated powers from ten to 20.
- 8.3 The proposals in respect of the Land and Property Protocol were subject to wide ranging internal consultation prior to the Cabinet consideration and approval of the revisions to the Protocol.

9 Legal Services Comments

- 9.1 Legal comments are provided in the body of the report.

10 Background Papers

- 10.1 None.

11 Appendices

- 11.1 Appendix 1 – Part 3 Responsibility for Functions
Appendix 2 – Part 4A Council Procedure Rules
Appendix 3 – Part 4B Access to Information Procedure Rules
Appendix 4 – Part 4E Overview and Scrutiny Procedure Rules
Appendix 5 – Part 4H Employment Procedure Rules
Appendix 6 – Part 5(e) Land and property protocols
Appendix 7 – Part 8 Appendices Appendix 3 Protocols, insofar as the Appendix relates to procedures for the consideration of planning applications



Part 3

Responsibility for Functions

1.	Introduction	4
2.	Local Choice Functions	6
3.	The Council Meeting - Functions and Terms of Reference	8
4.	Responsibility for Council Functions – Council Committees and Terms of Reference	10
4.1	Committees and Memberships	
4.2	Planning Committee	
4.3	Licensing Committee	
4.4	Audit Committee	
4.5	Traffic Regulation Order Panel	
4.6	Commons Registration Panel	
4.7	Charitable Trustee Committee	
4.8	Employment Committee	
4.9	Appointment Committee	
4.10	Investigation and Disciplinary Committee	
4.11	Standards Committee	
4.12	Appeals Committee	
4.13	Independent Panel	
4.14	Health and Wellbeing Board	
5.	Overview and Scrutiny Committees - Terms of Reference	29
5.1	Committees and Memberships	
5.2	Policy Overview and Scrutiny Committee	
5.3	Performance and Value for Money Overview and Scrutiny Committee	
5.4	Health Scrutiny Committee	
6.	The Executive	33
6.1	Executive Functions	
6.2	Roles and general responsibilities of the Leader of the Council	
6.3	Roles and general responsibilities of Cabinet Members	
7.	Executive Bodies – Terms of Reference and Delegations	39
7.1	Cabinet, Cabinet Sub-Committees, Boards etc and Memberships	
7.2	Cabinet	
7.3	Bishops Park Trust Cabinet Sub-Committee	
7.4	Community Asset Transfer Cabinet Sub-Committee	
7.5	Failsworth Trust Committee Cabinet Sub-Committee	
7.6	Local Investment Fund Cabinet Sub-Committee	
7.7	Shareholder Committee	
7.8	Commissioning Partnership Board	

8.	Scheme of Delegation to Individual Cabinet Members	50
8.1	General Conditions	
8.2	Delegations to Individual Cabinet Members	
9.	Scheme of Delegation to Officers	53
	Section 9A – Introduction and Principles	
9.1	Introduction	
9.2	Principles	
	Section 9B – General Delegations to Officers	
9.3	General Delegations	
	Section 9C – Delegations to Specific Officers	
9.4	Chief Executive	
9.5	Deputy Chief Executive	
9.6	Strategic Director Communities and Reform	
9.7	Strategic Director of Commissioning	
9.8	Managing Director of Community Services and Adult Social Care	
9.9	Managing Director of Children and Young People	
9.10	Director of Legal	
9.11	Director of Finance	
9.12	Director of Public Health	
10.	Statutory and Proper Officers	70
11.	Decision Making – Principals and Processes	71
12.	Joint Arrangements	79
13.	The Oldham Partnership	81

PART 3 – RESPONSIBILITY FOR FUNCTIONS

1. INTRODUCTION

1.1 Part 3 of the Constitution sets out who is responsible for the various functions of the Council. Section 9D of the Local Government Act 2000 (as amended by the Localism Act 2011) provides that all the functions of the Authority shall be functions of the Executive except in so far as they are reserved to the Council by the Local Government Act 2000, by subsequent legislation or by Regulations made under the Local Government Act 2000.

1.2 Local Choice Functions

There are some functions which the Council determines as either the responsibility of the Executive (and which are reserved to the Leader of the Council); or the responsibility of either the Executive or the Council, dependent upon circumstances; or the responsibility of the Council at its discretion. These are called ‘Local Choice Functions’.

1.3 Council (or ‘non-executive’) Functions

These are functions which by law cannot be the responsibility of the Executive. For example, adopting the budget and policy framework can only be discharged by Council and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) sets out those functions that are Council functions and which cannot be undertaken by the Executive. In some cases the Council may delegate functions to a Committee or an Officer, and the decisions of the Council regarding delegation form the basis of the terms of reference of Council Committees and the Council (or non-executive) element of the Scheme of Delegation to Officers.

1.4 Executive Functions

All functions that are not Council (or ‘non-executive’) functions are Executive functions. These functions are reserved to the Leader of the Council who determines which decisions will be taken by the Cabinet, by a Board or Committee of the Cabinet, by an area committee, by Officers, or under joint arrangements with another authority or authorities. These delegations form the basis of the terms of reference of the Cabinet and of Cabinet Committees, Sub-Committees and Boards, the Scheme of Delegation to Individual Cabinet Members and the executive element of the Scheme of Delegation to Officers.

1.5 Scheme of Delegation to Officers

Officers have been given delegated authority to exercise both Council (or ‘non-executive’) and Executive functions by the Council and by the Leader of the Council respectively. Where permitted, functions may also be delegated to an Officer by a Council Committee or Sub-Committee or by an executive decision making body or person.

1.6 Decision making – Principals and Processes

Different types of decisions are defined both in law and by the Council. These differing types of decision are detailed in the Constitution, and there are both statutory and internal processes and procedures intended to ensure transparent and efficient decision making.

1.7 Joint Arrangements

The Council is involved in a number of joint arrangements with other local authorities or bodies. These joint arrangements may be formal, in that they may be required by law or the Council or the Leader of the Council has established them to deal with statutory functions, or informal where the Council or the Leader of the Council has chosen to enter into informal partnership with other organisations from the public, private and/or third sector.

2. LOCAL CHOICE FUNCTIONS

- 2.1 The Council determines whether the following functions are to be exercised by the Executive or are to be reserved as Council functions. The Leader of the Council shall determine any delegation of those functions allocated to the Executive. The Council shall determine any delegation of Council functions.

Function	Allocation of Function	Delegation of Function
1 Function under a Local Act, other than those functions which are "not to be the responsibility of the executive" by virtue of the Regulations.	Executive	Deputy Chief Executive/ Strategic Director/ Managing Director for function concerned
2 The determination of an appeal against any decision by or on behalf of the authority.	Council	Appeals Committee
3. Making arrangements for appeals against exclusion of pupils.	Executive	Director of Legal
4. Making arrangements for school admission appeals.	Executive	Director of Legal
5. Making arrangements for appeals by governing bodies.	Executive	Director of Legal
6. Any function relating to contaminated land.	Council	Deputy Chief Executive
7. The discharge of any function relating to the control of pollution or the management of air quality.	Executive	Deputy Chief Executive
8. The service of an abatement notice in respect of a statutory nuisance.	Executive	Deputy Chief Executive
9. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area.	Executive	Deputy Chief Executive
10. The inspection of the authority's area to detect statutory nuisance.	Executive	Deputy Chief Executive
11. The investigation of any complaint as to the existence of a statutory nuisance.	Executive	Deputy Chief Executive
12. Obtaining information under Section 330 of the Town and Country Planning Act 1990 as to interests in land.	Council	Deputy Chief Executive
13. Obtaining particulars of persons interested in land under Section 16 of	Council	Deputy Chief Executive/

	the Local Government (Miscellaneous Provisions) Act 1976.		Strategic Director/ Managing Director/ Director of Legal Deputy Chief Executive Council for non- executive appointments, Leader of the Council for executive appointments
14.	Making agreements for the execution of highway works.	Executive	
15.	The appointment of any individual:	Council/ Executive	
	(i) to any office other than an office in which he is employed by the authority		
	(ii) to any body other than –		
	• the authority		
	• a joint committee of two or more authorities; or		
	(iii) to any Committee or sub-committee of such a body		
16.	The making of agreements with other local authorities for the placing of staff at the disposal of those other authorities.	Executive	Chief Executive/ Strategic Director Communities and Reform

3. THE COUNCIL MEETING - FUNCTIONS AND TERMS OF REFERENCE

3.1 Only the Council will undertake the following functions –

- a) Approving or adopting the Budget and Policy Framework (as defined in Article 4.1 to the Constitution) and any application to the Secretary of State in respect of any Housing Land Transfer;
- b) Making decisions about any matter in the discharge of an executive function which is covered by the Policy Framework or the Budget where the decision maker is minded to make it in a manner which would be contrary to the Policy Framework or contrary to/not wholly in accordance with the Budget, subject to the urgency procedure contained in Budget and Policy Framework Procedure Rules;
- c) Electing the Mayor and appointing the Deputy Mayor;
- d) Electing and removing the Leader of the Council;
- e) Establishing and determining Terms of Reference for Council Committees and the Overview and Scrutiny Committees and, unless otherwise prescribed in law, deciding on their composition and making appointments to them, including the appointment of Chairs and Vice-Chairs unless the Council determines otherwise;
- f) Adopting a Scheme of Members' Allowances;
- g) Determining Mayoral and Deputy Mayoral, financial loss, and attendance at conferences allowances;
- h) Adopting a Code of Conduct for Councillors and co-opted Members;
- i) Confirming the appointment of the Head of Paid Service;
- j) Confirming the dismissal of the Chief Executive, Head of Paid Service, Monitoring Officer or Chief Finance Officer;
- k) Determining the primary delegation of Council (or non-executive) functions as defined in s4 and Schedule 2 of the Local Authorities (Function and Responsibilities) Regulations 2000 as amended;
- l) Duty to consider the statutory reports of the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer submitted in accordance with s5A of the Local Government and Housing Act 1989 and s114B of the Local Government and Finance Act 1988 respectively;
- m) Consideration of Public Interest Reports issued by the External Auditor in accordance with s24 of the Local Audit and Accountability Act 2014;
- n) Receive the annual Pay Policy Statement;
- o) Agree a Council Tax Reduction Scheme; and
- p) All other matters which, by law, must be reserved to the Council.

3.2 Unless specifically delegated to the contrary, only the Council will undertake the following Local Choice Function –

- a) The appointment of any individual:
 - (i) to any office other than an office in which he is employed by the authority;
 - (ii) to any body other than –
 - the authority

- a joint committee of two or more authorities; or
- to any Committee or sub-committee of such a body where such an appointment is not an executive function.

3.3 Unless specifically delegated to the contrary, only the Council will undertake the following Council (or ‘non-executive’) functions as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) –

- a) Functions relating to elections –
 - (i) Duty to appoint an Electoral Registration Officer;
 - (ii) Power to dissolve small parish councils;
 - (iii) Power to make orders for grouping parishes, dissolving groups and separating parishes from groups;
 - (iv) Duty to appoint a Returning Officer for Local Government elections;
 - (v) Duty to divide constituency into polling districts;
 - (vi) Power to divide electoral divisions into polling districts at local government elections;
- b) Functions relating to name and status of areas and individuals -
 - (i) Power to change the name of the district;
 - (ii) Power to change the name of a parish; and
 - (iii) Power to confer title of honorary alderman or woman or to admit to be an honorary freeman or freewoman.
- c) Functions relating to community governance.
- d) Power to make, amend, revoke or re-enact byelaws.
- e) Power to promote or oppose local or personal Bills.
- f) Miscellaneous functions -
 - (i) Power to make standing orders;
 - (ii) Power to make standing orders as to contracts;
 - (iii) Duty to make arrangements for the proper administration of financial affairs etc;
 - (iv) Duty to designate Officer as head of the authority’s paid service, and to provide staff, etc;
 - (v) Duty to designate Officer as the monitoring officer, and to provide staff, etc; and
 - (vi) Powers relating to overview and scrutiny committees (voting rights of co-opted members).

4. RESPONSIBILITY FOR COUNCIL FUNCTIONS – COUNCIL COMMITTEES AND TERMS OF REFERENCE

4.1 Committees and Memberships

4.1.1 The Council has established the following Committees with memberships and quoracy arrangements as follows –

Committee	Membership	Quorum
Planning Committee	14 Council Members	4 Members
Licensing Committee	14 Council Members	4 Members
Audit Committee	9 Council Members	3 Members
Traffic Regulation Order Panel	4 Council Members	3 Members
Commons Registration Committee	5 Council Members	3 Members
Charitable Trustee Committee	5 Council Members	3 Members
<i>Employment Committee</i>		
<i>Appointment Committee</i>		
<i>Investigation and Disciplinary Committee</i>		
Standards Committee	5 Council Members, 2 Parish Councillors and 4 Independent Persons	3 Members, one of which must be an Independent Person
Appeals Committee	3 Members	3 Members
Independent Panel	3 Independent Members	3 Members
Health and Wellbeing Board	At least one Council Member appointed by the Leader of the Council; the Council's Directors of Adult Social Services, of Children's Services, and of Public Health; a CCG representative; a Healthwatch representative; any additional person/body the Board or the Council (subject to consultation with the Board) thinks appropriate.	One Third

NOTE: The Constitutional Working Group has agreed in principle to the establishment of an Employment Committee, an Appointments Committee and an Investigation and Disciplinary Committee and detailed terms of

reference and consequent amendments to the Officer Scheme of Delegation will be submitted to a future meeting of the Council. The current provisions for the Selection Committee and the relevant part(s) of the Officer Scheme of Delegation will continue to apply until such time as Council confirms such amendments.

4.1.2 The ability of appointed Members to serve on certain Council Committees or Panels, or on certain Sub-Committees or Panels established by those bodies, may be dependent upon the appointed Members having attended such relevant training as may be determined by the Council.

4.1.3 The Terms of Reference for each of the above Committees are as follows.

4.2 Planning Committee

1. The Planning Committee will undertake Council (or 'non-executive') functions as defined in Part A of Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) in respect of planning applications and related matters (except where the site is specifically allocated for that purpose in the adopted Development Plan, major development (as defined in the Development Management Procedure) (England) Order 2015) as follows -
 - a) applications for minerals or waste development;
 - b) the provision of: i. 20 or more dwellings; or ii. residential development on a site area of 1 hectare or more;
 - c) the provision of a building or buildings where the floor space to be created by the development is 1000 square metres or more;
 - d) retail, commercial, industrial or other development on a site having an area of 1 hectare or more;
2. Applications which require an environmental statement;
3. Applications which are notifiable departures from the Council's Development Plan, other than applications which The Deputy Chief Executive is minded to refuse;
4. Applications to be considered under the referral procedure or referred at the discretion of the Head of Planning and Development Management;
5. Applications submitted by a Councillor, senior Council Officer (Officers on senior manager pay grade and above) or a member of staff employed within the Planning and Development Management service area, or by an immediate family member or partner of these persons, which would otherwise be delegated to the Deputy Chief Executive;
6. Applications to remove or vary conditions where the relevant planning condition was agreed by the Planning Committee in addition to those recommended in the Officer's report;
7. Consultations from adjoining local authorities, including the Peak District National Park Authority, which fall into the categories 1 (a-d) above, where an objection is raised to the proposed development;
8. The nomination of a Member of the Committee to represent the Council at any subsequent hearing or inquiry where the decision was made contrary to Officer advice.
9. Major applications involving the Council either as applicant or land owner (not including minor developments which accord with planning policy and to which no objection has been made).

4.3 Licensing Committee

4.3.1 The Licensing Committee will undertake Council (or 'non-executive') functions as defined in Paragraph B to Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) to the extent of -

- a) Functions under the Licensing Act 2003
 - (i) Determining applications for, full variations and transfers of Club Premises Certificates (Alcohol and Entertainment) and Premises Licences (Alcohol, Entertainment and Late Night Refreshment) or provisional statements or re-instatement of licence where relevant representations are received and are not withdrawn;
 - (ii) Determining Reviews and Summary Reviews of Club Premises Certificates and Premises Licences unless all parties reach agreement and a hearing is dispensed with;
 - (iii) Making the decision to object to a Club Premises Certificate, Premises Licence or any other relevant application under the Act where the local authority is a consultee and not the lead authority;
 - (iv) Withdrawal of a Club Premises Certificate (Alcohol and Entertainment) where the club ceases to be a qualifying club;
 - (v) Determining applications for new Personal Licences (Alcohol) where relevant representations are made and not withdrawn;
 - (vi) Determining reviews of Personal Licences;
 - (vii) Determining applications to vary a Designated Premises Supervisor where a relevant representation is received;
 - (viii) Determining applications for an Interim Authority where a relevant representation is received;
 - (ix) Determining the Service of a Notice for a Temporary Event Notice where a relevant representation is received.
- b) Functions under the Gambling Act 2005
 - (i) Determining applications for, variations and transfers of Adult Gaming Centre, Betting, Bingo, Family Entertainment Centre and Track Betting Premises Licences or provisional statements or re-instatement of licence, where relevant representations are received and not withdrawn;
 - (ii) Determining applications for, full variations and transfers of Club Premises Certificates (alcohol and entertainment) or provisional statements or re-instatement of licence, where relevant representations are received and not withdrawn;
 - (iii) Reviewing Adult Gaming Centre, Betting, Bingo, Family Entertainment Centre and Track Betting Premises Licences and Club premises Certificates (alcohol and entertainment) unless all parties reach agreement and a hearing is dispensed with;
 - (iv) Decision to object to Adult Gaming Centre, Betting, Bingo and Family Entertainment Centre Premises Licence applications where the local authority is a consultee and not the lead Authority;

- (v) Determining applications and renewals of Club Gaming and Club Gaming Machines Permits where relevant representations are received;
- (vi) Withdrawal of a Club Premises Certificate (alcohol and entertainment) where the club ceases to be a qualifying club;
- (vii) Cancellation of Club Gaming Permits;
- (viii) Cancellation or removal of authorisation for a Licensed Premises Gaming Machine permit;
- (ix) Determination of a representation with regard to an Occasional Use Notice (gambling) or a Temporary Use Notice (gambling);
- (x) Revocation of a Small Society Lotteries registration.
- c) Functions under the Local Government (Miscellaneous Provisions) Act 1972/Town Police Clauses Act 1847 (as amended)
 - (i) Determining, where so referred by the relevant Officer, applications for or renewal of a Hackney Carriage/Private Hire Driver's Licence where convictions, cautions, warnings, ASBOs, bind-overs or other information is disclosed in line with the Council's guidelines;
 - (ii) Determining reviews of Hackney Carriage/Private Hire Driver's Licences, other than suspension/revocation of licences in emergency or urgent circumstances (related to offences, investigations and conduct) pending review;
 - (iii) Determining, where so referred by the relevant Officer, applications and renewal applications for a Private Hire Operator's Licence where unspent convictions are disclosed which would deem the applicant to not be a fit and proper person or as otherwise considered appropriate by the relevant Officer;
 - (iv) Determining reviews of Private Hire Operators Licences;
 - (v) Determining, where so referred by the relevant Officer, applications for or renewal of a Hackney Carriage/Private Hire Vehicle licence;
 - (vi) Determining reviews of Hackney Carriage/Private Hire vehicle licences.
- d) Functions under the Local Government (Miscellaneous Provisions) Act 1982
 - (i) Determining new applications for a Sex Shop/Cinema Licence;
 - (ii) Determining Renewal, Variations or Transfer of Sex Shop/Cinema Licence where relevant representations are received and not withdrawn;
 - (iii) Determining all Licence matters (other than Reviews) in relation to Sex Establishment Licences where relevant representations are received and not withdrawn;
 - (iv) Determining Reviews of Sex Establishment Licence unless agreement has been reached by parties;
 - (v) Determining refusals or revocations of Street Trading Licences (with the exception of daily permissions).

- e) any further functions relating to licensing, registration or a related permission within Paragraph B and more generally within Schedule 1, except for
 - 1. the grant, renewal, refusal, variation, suspension, cancellation or revocation of any licence, registration or permission; and
 - 2. such matters specifically delegated to another Committee or Panel.
- 4.3.2 The Licensing Committee will undertake such functions as may be specifically reserved to the Committee under the Licensing Act 2003 and the Gambling Act 2005.
- 4.3.3 The Licensing Committee may, to the extent permitted in law and after it has consulted with such parties as the law may require and/or whom it considers to be appropriate, establish conditions governing the administration of licensing matters, the conduct and behaviour of licence holders and, for technical requirements and specifications, licenced premises and vehicles.
- 4.3.4 The Licensing Committee may, from time-to-time, receive reports on the cultural, economic and tourism impact of its work and, as required by law or as it considers appropriate, make reports of its activity to other Council or Executive bodies.
- 4.3.5 **Licensing Panel**
 The Licensing Committee shall, as required by the Licensing Act 2003 and the Gambling Act 2005, establish a Sub-Committee or Panel to deal with such matters specified by that legislation and other matters as may be referred to that Sub-Committee or Panel by the relevant Officer, the Committee or the Council, including –
 - a) Licensing Act 2003 – such matters as referred to at 4.3.1(a)(i, ii, iv-x) of the Licensing Committee terms of reference;
 - b) Gambling Act 2005 - such matters as referred to at 4.3.1(b)(i-1iii, v-x) of the Licensing Committee terms of reference; and
 - c) Local Government (Miscellaneous Provisions) Act 1982 – such matters as referred to at 4.3.1(d)(i-iii, v) of the Licensing Committee terms of reference.

The Licensing Panel shall comprise not less than three Elected Members drawn from Members of the Licensing Committee. The quorum for a Licensing Panel will be three Members. The Committee may establish more than one Licensing Panel and the membership of the Panels may be rotated as necessary amongst Members of the Committee.

4.3.7 **Licensing Driver Panel**

The Licensing Committee shall establish a Sub-Committee or Panel to deal with such matters as referred to at 4.3.1(c) of the Licensing Committee terms of reference related to Local Government (Miscellaneous Provisions) Act

1972/Town Police Clauses Act 1847 (as amended) as may be referred to the Panel by the relevant Officer.

The Licensing Driver Panel shall comprise seven Elected Members drawn from Members of the Licensing Committee. The quorum for a Licensing Driver Panel will be three Members.

Audit Committee

- 4.4.1 The Audit Committee will undertake the following Council (or 'non-executive') function as defined in Schedule 1 to the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) –
- a) Duty to approve the authority's statement of accounts, income and expenditure and balance sheet, or record of payments and receipts (as the case may be).
- 4.4.2 The Audit Committee shall, having regard to the CIPFA 'audit committee' guidance –
- a) be responsible for oversight of the Council's Internal Audit arrangements and will
 - (i) approve the Internal Audit Strategy, the Annual Audit Plan and performance criteria for the Internal Audit Service;
 - (ii) review summary findings and the main issues arising from internal audit reports and seek assurance that management action has been taken where necessary;
 - (iii) review and agree any improvements to the effectiveness of the anti-fraud and corruption arrangements throughout the authority;
 - (iv) consider the annual report from the Head of Corporate Governance;
 - (v) assist the Council to achieve Value for Money; and
 - (vi) review the effectiveness of the system of Internal Audit on an annual basis as per statutory requirements and the Public Sector Internal Audit Standards.
 - b) be responsible for oversight of the Council's relationship with the External Auditor, including consideration of
 - (i) the External Audit Plan;
 - (ii) the external auditor's annual letter;
 - (iii) relevant reports issued by the External Auditor (with the exception of Public Interest Reports); and
 - (iv) issues arising from the audit of the Annual Statement of Accounts.
 - c) review Financial Procedure Rules and Contract Procedure Rules and make recommendations to the Council as to any changes considered necessary to those documents and procedures.
 - d) undertake the following activities in respect of corporate governance –
 - (i) approve the local code of corporate governance;
 - (ii) assess the effectiveness of the authority's corporate governance arrangements;
 - (iii) review the annual Statement on Governance and the progress made by the Council to address issues identified as risks when the financial statements are prepared;
 - (iv) liaise, as necessary, with the Standards Committee on any matter(s) relating to the Codes of Conduct for both Members and Officers;
 - (v) review Partnership and Project Governance within the Council;
 - (vi) monitor compliance with data protection legislation;

- (vii) review the Treasury Management Policy and Procedures and make recommendations to the responsible body; and
- (viii) review Treasury Management reports and make recommendations to the responsible body.

4.4.3 The Audit Committee shall undertake the following activities in respect of Risk Management –

- a) assess the effectiveness of the authority's Risk Management arrangements;
- b) review progress on the implementation of Risk Management throughout the authority; and
- c) review the progress made by the Council to address the risks identified in the published Corporate Risk Register.

4.5 Traffic Regulation Order Panel

4.5.1 The Traffic Regulation Order Panel will undertake the following Council (or 'non-executive') functions as defined in Part 1 of Paragraph I to Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) –

- a) Power to create footpath, bridleway or restricted byway by agreement
- b) Power to create footpaths, bridleways and restricted byways
- c) Power to stop up footpaths, bridleways and restricted byways
- d) Power to determine application for public path extinguishment order
- e) Power to make a rail crossing extinguishment order
- f) Power to make a special extinguishment order
- g) Power to divert footpaths, bridleways and byways
- h) Power to make a public path diversion order
- i) Power to make a rail crossing diversion order
- j) Power to make a special diversion order
- k) Power to require applicant for order to enter into agreement
- l) Power to make an SSSI diversion order
- m) Power to decline to determine certain applications
- n) Power to apply for variation of order under section 130B Highways Act 1980
- o) Power to extinguish certain public rights of way
- p) Power to make a modification order
- q) Power to include modifications in other orders
- r) Power to prepare map and statement by way of consolidation of definitive map and statement
- s) Power to designate footpath as cycle track
- t) Power to extinguish public right of way over land acquired for clearance
- u) Power to authorise stopping-up or diversion of footpath bridleway or restricted byway
- v) Power to extinguish public rights of way over land held for planning purposes
- w) Power to enter into agreements with respect to means of access
- x) Power to provide access in absence of agreement

4.5.2 The Traffic Regulation Order Panel shall also consider written representations in respect of the following matters and make recommendations to the Deputy Chief Executive –

- a) Traffic Regulation Orders
- b) Public Space Protection Orders.

4.5.3 Petitioner Panel

The Traffic Regulation Order Panel will meet as the Petitioner Panel for the purposes of the Petitions Protocol at Part 5 of the Constitution.

4.6 Commons Registration Committee

4.6.1 The Commons Registration Committee will undertake the following Council (or 'non-executive') function as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) –

- a) To determine applications to:
 - (i) register common land or town or village greens;
 - (ii) amend or vary the register of common land;
 - (iii) amend or vary the register of town or village greens;which the Director of Legal confirms have been duly made.

4.7 Charitable Trust Committee

4.7.1 The Charitable Trust Committee will discharge the functions of the Council where the Council acts as Trustee of –

- a) Public Open Space of Garden - Jubilee Gardens
- b) Werneth Park
- c) Sandy's Recreation
- d) Oldham Town Lands
- e) Playing Field and Recreation Ground
- f) Bardsley War Memorial
- g) Clayton Playing Fields
- h) William Mullins Legacy Fund
- i) Snipe Clough
- j) Ebenezer Particular Baptist Church Grants
- k) The Charles and Mary A Ward Recreation Ground
- l) Edward Street Gardens
- m) The North Moor Playgrounds
- n) Top O'th' Edge Recreation Ground
- o) Ellen Ludlam for an Open Space or Park
- p) King George's Field Shaw (Wren's Nest)
- q) Werneth Youth Centre
- r) Moorgate Quarry
- s) Lyceum
- t) Land @ Royton (in front of Our Lady's)
- u) Bishop's Park, Ripponden Road, Oldham
- v) 439 Middleton Road, Chadderton

and any further or future Trusts or bequests or arrangements where the Council is identified as the sole Trustee, including the consideration of matters where there is a conflict or potential conflict between the Council's interests and those of the beneficiaries of the charitable trusts.

4.7.2 To seek independent advice in order to make decisions as and when there is a conflict or potential conflict of interests.

4.8 Employment Committee

The Constitutional Working Group has agreed in principle to the establishment of an Employment Committee, an Appointments Committee and an Investigation and Disciplinary Committee and detailed terms of reference and consequent amendments to the Officer Scheme of Delegation will be submitted to a future meeting of the Council.

The current provisions for the Selection Committee and the relevant part(s) of the Officer Scheme of Delegation will continue to apply until such time as Council confirms such amendments.

4.9 Appointments Committee

The Constitutional Working Group has agreed in principle to the establishment of an Employment Committee, an Appointments Committee and an Investigation and Disciplinary Committee and detailed terms of reference and consequent amendments to the Officer Scheme of Delegation will be submitted to a future meeting of the Council.

The current provisions for the Selection Committee and the relevant part(s) of the Officer Scheme of Delegation will continue to apply until such time as Council confirms such amendments.

4.10 Investigation and Disciplinary Committee

The Constitutional Working Group has agreed in principle to the establishment of an Employment Committee, an Appointments Committee and an Investigation and Disciplinary Committee and detailed terms of reference and consequent amendments to the Officer Scheme of Delegation will be submitted to a future meeting of the Council.

The current provisions for the Selection Committee and the relevant part(s) of the Officer Scheme of Delegation will continue to apply until such time as Council confirms such amendments.

4.11 Standards Committee

- 4.11.1 The Standards Committee supports the Council in pursuance of the duties of the Council under Chapter 7 of the Localism Act 2011 -
- a) the promotion and maintenance of high standards of conduct by Councillors, co-opted members, church and parent governor representatives and independent members;
 - b) assisting Councillors, co-opted members and church and parent governor representatives and independent members to observe the Members' Code of Conduct;
 - c) advising the Council on the adoption or revision of the Members' Code of Conduct and responses to consultation documents;
 - d) monitoring the operation of the Members' Code of Conduct;
 - e) advising, training or arranging to train Councillors, co-opted members, church and parent governor representatives and independent members on matters relating to the Members' Code of Conduct;
 - f) dealing with any reports from the Monitoring Officer on any matter which is referred by an investigator appointed by the Monitoring Officer;
 - g) dealing with any complaints in line with the "Arrangements for dealing with complaints about the Code of Conduct for Members"; and
 - h) the exercise of (a) to (g) above in relation to Parish Councils wholly or mainly in the Borough and the members of those Parish Councils.

4.12 Appeals Committee

4.12.1 In accordance with Section 2 (Local Choice Functions) of this Part, unless otherwise provided for in legislation, to hear and determine appeals in accordance with relevant legislation and guidance including:

- employment appeals;
- aids and adaptations appeals;
- home to school transport appeals; and
- terminations of tenancy at will.

4.12.2 To hear Stage 2 hearings under the Chief Executive Grievance Procedure.

4.13 Independent Panel

- 4.13.1 The Independent Panel will discharge the following function in pursuance of the duties of the Council under s2 of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 –
- a) To advise the Authority on the matters relating to the dismissal of relevant Officers of the Authority.

4.14 Health and Wellbeing Board

The terms of reference of the Health and Wellbeing Board are subject to consultation with the Board. The revised terms of reference will be submitted to a future meeting of the Council.

5. OVERVIEW AND SCRUTINY COMMITTEES

5.1 Committees and Memberships

5.1.1 The Council has established the following Overview and Scrutiny Committees with memberships and quoracy arrangements as follows -

Committee	Membership	Quorum
Policy Overview and Scrutiny Committee	8 Non-Executive Council Members	3 Members
Performance and Value for Money Overview and Scrutiny Committee	8 Non-Executive Council Members	3 Members
Health Scrutiny Committee	8 Non-Executive Council Members	3 Members

5.1.2 There are four co-opted members comprising two Church representative and two parent governor representatives who may speak and vote at an Overview and Scrutiny Committee only when education matters are being considered.

5.1.3 The Terms of Reference for each of the above Committees are as follows.

NOTE: *The Council is asked to approve the establishment of the three Committees and their respective terms of reference, but to defer the date of implementation to be agreed at a future meeting of the Council.*

5.2 Policy Overview and Scrutiny Committee

- a) To lead the development of the overview and scrutiny process in Oldham Metropolitan Borough Council, including responsibility for Member development with regard to overview and scrutiny.
- b) To undertake strategic level scrutiny (having regard to the Prioritisation Framework where relating to significant policy/service change or an area of public or local interest) relating to:
 - Oldham Council;
 - Wholly owned Local Authority Companies;
 - Strategic Partners and Partnerships;
 - Greater Manchester Combined Authority (GMCA), Association of Greater Manchester Authorities (AGMA) and the city region generally;
 - Education (ensuring there is appropriate statutory representation of co-opted members);
 - Community issues which would include crime and disorder, cohesion, housing and environment and regeneration issues etc.; and
 - Area based issues.
- c) To develop proposals for submission to the Cabinet and/or to scrutinize proposals of the Cabinet in respect of Policy Framework items, such items being as described at Article 4.1 to the Council Constitution.
- d) To develop proposals for submission to the Cabinet and/or to scrutinize proposals of the Cabinet in respect of the Budget and related strategies etc., such items being as described at Article 4.1 to the Council Constitution.
- e) To be the designated 'crime and disorder' committee pursuant to s19 of the Police and Crime Act 2006.
- f) To establish Task and Finish groups, Inquiries etc to give in depth consideration to issues within the purview of the Committee.
- g) To consider all Call-Ins (with the exception of called in business from the Commissioning Partnership Board) (In the event a call-in related to an education issue, the statutory co-optees would be invited to participate in that matter at the meeting).
- h) To consider relevant matters referred from Council in accordance with Council Procedure Rule 10.11(g).
- i) To make recommendations to the Cabinet or to any partner organisation on issues scrutinised relevant to those bodies, and where appropriate, direct to Council.

5.3 **Performance and Value for Money Overview and Scrutiny Committee**

- a) To monitor and hold to account the performance of service delivery within Oldham Council and of strategic partners such as Oldham Community Leisure Limited (OCLL), Oldham Partnership etc with particular reference to the Corporate Plan and all other strategic plans.
- b) In reviewing the performance of Council and other services, to scrutinize plans for improvement where performance is weak and to maintain oversight until performance improves.
- c) To scrutinise the financial performance of the Council against the approved budget and efficiency savings identified therein.
- d) To scrutinise issues identified as requiring improvement by external assessors (with the exception of social care matters) ensuring that there is appropriate statutory representation of co-opted members in respect of education matters.
- e) To establish Task and Finish groups, Inquiries etc to give in depth consideration to issues within the purview of the Committee.
- f) To consider relevant matters referred from Council in accordance with Council Procedure Rule 10.11(g).
- g) To monitor the implementation of scrutiny recommendations that have been accepted by the Cabinet.
- h) To make recommendations to the Cabinet or to any partner organisation on issues scrutinised relevant to those bodies.

5.4 Health Scrutiny Committee

- a) To discharge all health scrutiny functions of the Council under s 21-23 and 26-27 of The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 including:
 - the review and scrutiny of any matter relating to the planning, provision and operation of the health service in the Council's area;
 - the making of reports and recommendations to relevant NHS bodies and health service providers;
 - responding to proposals and consultations from NHS bodies in respect of substantial variations in service provision and any other major consultation exercises;
 - referral of comments and recommendations on proposals referred to the Committee by a relevant NHS body or relevant service provider to the Secretary of State if considered necessary; and
 - all matters relating to Healthwatch.
- b) To scrutinise the work of the Health and Wellbeing Board, including the development, implementation, review and monitoring of the Joint Strategic Needs Assessment and the Health and Wellbeing Strategy.
- c) To scrutinise the development and implementation of any joint arrangements established under a s75 Agreement between the Council and a relevant NHS organisation.
- d) To scrutinise public health services generally.
- e) To scrutinise issues identified as requiring improvement by external assessors in respect of social care matters.
- f) To establish Task and Finish groups, Inquiries etc to give in depth consideration to issues within the purview of the Committee.
- g) To consider called in business arising from the Commissioning Partnership Board.
- h) To consider relevant matters referred from Council in accordance with Council Procedure Rule 10.11(g).
- i) To make recommendations to the Cabinet, Health and Wellbeing Board, the Commissioning Partnership Board or to any partner organisation on issues scrutinised relevant to those bodies.
- j) To participate in/and or review the considerations of any joint committee established to respond to formal consultations by an NHS body on an issue which impacts on the residents of more than on Overview and Scrutiny Committee area.

6. THE EXECUTIVE

6.1 Executive functions

The executive functions of the Council are those matters that

- are functions that have been identified as executive functions in the Council's consideration of Local Choice Functions;
- are not reserved to the Council in law, whether identified in Section 3 above or not;
- are functions that have not been identified as Council (or non-executive) functions by law, whether identified in Sections 3 and 4 above or not.

6.2 Executive functions of the Council include –

- a) The development, revision and amendment of the Plans, Strategies and Policies which form the Policy Framework as set out in Article 4 at Part 2 of the Council's Constitution for submission to the Council for approval and their subsequent implementation;
- b) The development of the Budget and related budget plans and strategies for submission to full Council for approval and their subsequent implementation;
- c) To be responsible for providing, allocating and the overall management of the financial and land resources of the Council;
- d) To keep under review the organisation and management processes of the Council to ensure they make an effective contribution towards the achievement of the Council's objectives;
- e) To ensure the achievement of effective and efficient service delivery and operational working of Departments within the Council;
- f) Exercising the functions, powers and duties of the Local Education Authority;
- g) To deal with all matters relating to emergencies or disasters under Section 138 of the Local Government Act 1972;
- h) The level of discretionary fees and charges;
- i) To determine the Council's arrangements for dealing with complaints;
- j) To be responsible for the corporate risk management functions and strategy, with the exception of functions under "*any relevant strategy provision*" within the meaning of Part 1 (Health, Safety and Welfare in connection with work and controlled dangerous substances) of the Health and Safety at Work Act 1974 to the extent that these functions are discharged otherwise and in the Council's capacity as an employer;
- k) To deal with matters concerning the Council's parliamentary business;
- l) To amend, modify or vary any plan or strategy which requires amendment after Ministerial approval has been sought and granted to such amendment;
- m) To consider and determine all policy matters in relation to staffing, including consultation and industrial relations arrangements, with the exception of any appeals lodged by employees under the Council's employment procedures, but excluding the conduct of employees and conditions of service;

6.3 All the executive functions of the Council are, by virtue of s9E(2) of the Local Government Act 2000 (subject to any provision made under s9EA or 9EB), vested in the Leader of the Council who determines the allocation of executive functions to the Cabinet and Cabinet Boards, Committees and Sub-Committees; the delegation of executive functions and allocation of Portfolios of responsibilities to individual Cabinet Members; the delegation of executive functions to area committees and to Officers; and any joint arrangements for the delivery of executive functions or for executive functions to be delivered by another authority.

6.4 **Roles and general responsibilities of the Leader of the Council**

The Leader of the Council (the ‘Leader’) is vital to the success of the Council in meeting its aims and objectives, especially in the delivery of the Budget and Policy Framework adopted by Council.

In this role the Leader is the principal “public face” of the Council, the Leader having overall responsibility for the style, priorities and strategic policy and management initiatives of the Council and the processes that are necessary to secure their successful implementation.

The Leader holds responsibility to determine the actions necessary to promote or improve the economic, social and environmental wellbeing of the area under the Local Government Act 2000 as amended and to ensure that the action taken will be directed towards sustainable development.

The Leader is the principal spokesperson of the Council and, as such, has overall responsibility for representing its views to the people and businesses of Oldham; retaining an appropriate citizen focus to the Council’s service delivery and other work; developing the approach to partnership working, both contractual and non-contractual; and for developing effective external relationships generally.

The Leader is the main link point between the Cabinet, as the Council’s Executive arm, and the Council. The Leader leads the Cabinet and Chief Officers in the preparation of the Budget and Policy Framework, will promote the Framework and propose it to Council for approval.

The Leader is the Chair the Cabinet and needs to have an excellent understanding of the range of functions, priorities, resource pressures and opportunities facing the Council. The Leader therefore needs to work closely with, and monitor the performance of, Cabinet Members within their personal; Portfolios and of the Cabinet as a whole.

The role will involve establishing and maintaining effective and practical working relationships with the Leaders of the Opposition Groups and the Chairs and Vice Chairs of the Overview and Scrutiny Committees. The Leader also needs to be

accessible to all non-executive members of the Council and should establish appropriate arrangements to do so.

The Leader will be expected to participate in appropriate local, sub-regional, regional and national forums, international forums, agencies and initiatives affecting the work of the Council.

The Leader must be able to understand and respond appropriately to the views and aspirations of the citizens of the Borough as tax payers and as service users, ensuring that the Council's plans and strategies are aligned to address those interests and to prioritise amongst them when interests compete.

More specifically the role includes:

- a) leading the Community Planning and Consultation processes by working in partnership with voluntary, private and other public sector interests to enhance the economic, social and environmental wellbeing of the local community;
- b) being principal spokesperson for the Council;
- c) ensuring that communications between the Council and the outside world are adequate and timely;
- d) providing political leadership and direction to the style, priorities, strategic policy and strategic management initiatives of the Council;
- e) taking overall political responsibility for the revenue and capital budget strategies and priorities which underpin the Budget and Policy Framework;
- f) taking overall political responsibility for probity and financial monitoring;
- g) representing the view of the Council on matters of corporate or strategic policy, as its Leader, to government, and to other involved bodies and organisations relevant to the Council's work;
- h) providing political leadership to individual Executive Members and to the Cabinet as a whole, and monitoring their performances;
- i) acting as the final political arbiter within the Cabinet when conflicts of priority arise; and
- j) taking the lead on the Localism agenda.

6.5 Roles and general responsibilities of Cabinet members

In addition to the requirements to take decisions under the Scheme of Delegation and exercise their responsibilities in their particular Portfolio, members of the Cabinet will be required:

- a) to work, as appropriate, with the other Executive members and with Chief Officers and their staff to compile and, after approval, implement the approved Budget and Policy Framework. The collective responsibility to implement the approved Budget and Policy Framework includes the monitoring of both service delivery and financial performance during the year, and, when necessary, ensure that remedial action is identified and then carried out;

- b) to represent the Council, or arrange for it to be represented, in all National, Regional and Local forums relevant to their responsibilities;
- c) to work, as appropriate, through formal and informal partnerships with voluntary, private sector and other public sector interests to enhance the economic, social and environmental wellbeing of the local community;
- d) to contribute to the preparation, carrying out and monitoring of performance of the Community Strategy ("The Oldham Plan"), the Corporate Plan, and other Strategies and Plans of equivalent status;
- e) to liaise and work with other members of the Cabinet as and when required, balancing the demands and requirements in relation to personal Portfolio responsibilities with cross cutting corporate perspectives and obligations;
- f) to commission relevant research, especially into better ways of service delivery, in relation to personal Portfolio responsibilities. When doing so, Cabinet members will be expected to place citizens' needs for services and information above the preferences of service providers while recognising the practical, legal and financial constraints which apply;
- g) to liaise with and respond to the Chairs or Vice Chairs of the Overview and Scrutiny Committees as and when required, balancing the demands and requirements of personal Portfolio responsibilities with cross cutting corporate perspectives and obligations;
- h) to be responsible for ensuring that reports of the External Auditor and other Inspectorates are properly considered and responded to;
- i) to ensure that all actions and activities of the Council, especially those in relation to personal Portfolio responsibilities are carried out in a socially inclusive way, in full acknowledgement and discharge of the legislation on gender, race, disability and the environment;
- j) to contribute to the determination, adoption, application and review of operation of the Corporate and Service Strategies, Policies and Standards;
- k) to monitor the effectiveness of and levels of satisfaction in current service delivery; and
- l) to support the localism agenda.

6.6 Deputy Cabinet Members

The Leader of the Council may nominate Members of the Council to act as 'Deputy Cabinet Members'. The role of these Members is to assist the Portfolio Holder to whom they are assigned. Deputy Cabinet Members cannot, by law, exercise any formal executive decision making powers, either in a meeting or in connection with any individual delegated powers.

6.7 Cabinet Membership and Portfolios

The 2020/21 Cabinet is comprised of 9 Members who exercise the following Portfolios:

Leader of the Council and Cabinet Member for Economy and Skills • Councillor Fielding Deputy – Councillor Ali	• City region and devolution • External Relations • Policy and Performance • Communications and media • Regeneration and Infrastructure • Enterprise and Business Support • Corporate property and assets • Oldham Town Centre and Markets • Get Oldham Working • Employability • Work and Skills Strategy
Cabinet Member for Children and Young People • Councillor Moores Deputy – Councillor Leach	• GM Children’s Partnership • GM Children’s Services Review • Adoption and Fostering • Children in care • Child safeguarding • Children’s Health and Wellbeing • Youth Service • Early Years
Cabinet Member for Education • Councillor Mushtaq Deputy - Councillor Goodwin	• Education and skills commission • Education Alliance • School place planning • Looked after children – educational performance
Cabinet Member for Health and Social Care • Councillor Chauhan Deputy -Councillor M Bashforth	• Adult Social Services • Adult Safeguarding • Provider Services • Disability Services and adaptations • Family Support • GM Adult Services Review • Health Devolution • Oldham Locality Plan • Health Improvement • Mental Health
Cabinet Member for COVID- 19 Response (and Statutory Deputy Leader) • Councillor Shah Deputy - Councillor Ball	• Community cohesion • Community Wealth Building • Unemployment • Isolation • Community Engagement • Poverty

Cabinet Member for Neighbourhoods and Culture • Councillor Brownridge Deputy – Councillor Ur-Rehman	• Transport • Highways • Trading Standards • Registrars and Cemeteries • Car Parking and Enforcement • Street Lighting • Environmental Services • Libraries, Heritage and Local Studies • Culture and Arts • Waste and Recycling • Licensing
Cabinet Member for Housing • Councillor Roberts	• Strategic Housing • Housing Quality Enforcement • Planning and Building Control • Homelessness
Cabinet Member for Finance and Green (and Deputy leader) • Councillor Jabbar Deputy - Councillor Hulme	• Finance • Capital Projects and Investment • ICT and Transactional Services • Internal Business Support Unit • Revenues and Benefits • Customer Services (Including Contact Oldham) • Energy • New Green Deal • Unity Partnership
Cabinet Member for HR and Corporate Reform • Councillor Chadderton Deputy – Councillor Williams	• HR and Organisational Development • Council Workforce and Work Progression • First Response • District Working • Early Help • Public Service Reform • Community Safety and policing • Youth Justice • Community Justice • Probation Services

7. THE CABINET AND CABINET SUB-COMMITTEES AND BOARDS

7.1 Cabinet and other bodies and Memberships

7.1.1 The Leader of the Council has established the Cabinet and other executive bodies with memberships and quoracy arrangements as follows -

Executive Body	Membership	Quorum
Cabinet	8 Executive Members	Four members
Bishops Park Trust Cabinet Sub-Committee	3 Executive Members	Two members
Community Asset Transfer Cabinet Sub- Committee	3 Executive Members	Two members
Failsworth Trust Committee Cabinet Sub- Committee	3 Executive Members	Two members
Local Improvement Fund Committee Cabinet Sub- Committee	Leader of the Council, Deputy Leader of the Council, and Cabinet Member for Finance and Human Resources	Three members
Shareholder Committee	4 Executive Members	Three members, one of whom must be the Leader or Deputy Leader of the Council
Commissioning Partnership Board	Leader of the Council, Deputy Leader of the Council and Cabinet Member for Social Justice and Communities, Cabinet Member for Children's Services, Cabinet Member for Health and Social Care	Three members

7.1.2 The Terms of Reference for the Cabinet and the other executive bodies listed above are as follows.

7.2 The Cabinet

The Cabinet shall operate to the following terms of reference –

- a) To develop those policies, strategies and all other matters as contained within the Budget and Policy Framework as shown at Part 2, Article 4 to the Council's Constitution, approving draft proposals for consultation and, following consideration of responses to such consultations, determining recommendations for adoption for submission to the Council.
- b) To consider and respond to such matters as are referred to the Cabinet by the Council or by an Overview and Scrutiny Committee in accordance with the Budget and Policy Framework Procedure Rules, Executive Procedure Rules and Overview and Scrutiny Procedure Rules at Parts 4C-E of the Council's Constitution.
- c) To exercise such executive powers as are delegated by the Leader of the Council to the Cabinet which shall include –
 - To approve all new joint ventures arrangements and to receive reports, at least annually, in respect of Joint Venture Companies and quarterly for all major joint venture arrangements;
 - Matters that overlap the Portfolios of two or more Cabinet members; and
 - Matters that would otherwise be determined by a Cabinet Member but the Leader determines should be considered by the Cabinet
- d) To exercise such executive powers as are delegated to an individual Cabinet Member but that Member, in consultation with the Leader of the Council, considers would be more appropriately considered by the Cabinet.
- e) To take such decisions as are referred to the Cabinet in the Council's Financial Procedure Rules and Contract Procedure Rules as contained at Part 4F of the Council's Constitution, in the Land and Property Protocol at Part 5 of the Council's Constitution, and as might be required by any further provision in the Constitution including, but not necessarily exclusively –
 - A. Financial Procedure Rules
 - (i) Approval of the Council's risk management policy statement and strategy and review of the effectiveness of risk management arrangements (1.6 refers);
 - (ii) Receipt of report from the Director of Finance in respect of a breach of Financial or Contract Procedure Rules (where the Cabinet is considered the appropriate body to receive such a report) (1.11(e) refers);
 - (iii) To review performance against the approved capital and revenue budgets on a monthly basis (2.15 refers);
 - (iv) To recommend changes to the Revenue Budget arising from the carry forward process (2.26 refers);
 - (v) Acceptance of a proposed third party grant in excess of £250,000 (2.41 refers);
 - (vi) To consider any motion or report submitted to the Council which, if carried, would increase the Council's net revenue or

- capital budget or might otherwise contravene Financial Procedure Rules (3.2 refers);
 - (vii) Approval of procedures for virements (the transfer of resources) between department, earmarked reserves and service budget headings (3.5 refers);
 - (viii) Disposal of surplus or obsolete goods, materials and inventory items in a manner other than agreed transfer to another Service, competitive sale or public auction in accordance with Contract Procedure Rules and the Land and Property Protocols (8.3 refers);
 - (ix) The amendment of fees and charges (12.1 refers); and
 - (x) The write-off of individual debts over £5,000 (12.17d refers).
- B. Contract Procedure Rules
- (i) To make decisions leading to contracts for the value of £400,000 or over (unless such decision has been delegated to a Cabinet Sub-Committee or the Commissioning Partnership Board) (14.1 refers);
 - (ii) To make decisions relating to the Modification of a contract for the value of £400,000 or over (unless such decision has been delegated to a Cabinet Sub-Committee or Commissioning Partnership Board) (17.4.1 refers); and
 - (iii) To agree exemptions from Contract Procedure Rules in circumstances where the Deputy Chief Executive or a Strategic Director are unable to act (21.4.1/21.4.4 refers).
- C. Land and Property Protocol
- (i) Such decisions regarding the acquisition, disposal and detailed terms for the leasing and appropriation of land, property and assets as specified within the Protocol.
- f) To consider any matters that require the collective consideration of the executive by virtue of any legislation, including
- Reports of the Monitoring Officer submitted in accordance with s5A of the Local Government and Housing Act 1989; and
 - Reports of the Chief Finance Officer submitted in accordance with s114A of the Local Government Finance Act 1988.
- g) Any further matters as might be referred to the Cabinet by the Leader of the Council, including
- making any decision about the establishment, alteration and closure of a maintained school where objections to such proposals have been received by the Council;
 - approve initiatives and priorities for urban, industrial and economic development through Council, Government and any further relevant programmes.

7.3 **Bishops Park Trust Cabinet Sub-Committee**

The Bishops Park Trust Cabinet Sub-Committee (the “Trust”) will use all reasonable endeavours to further the object of the Trust which is that the land at the former Fox Hall and Wotherhead Hill Farms (comprising circa 46-acres acquired from James Elias Ludlam) be used as an open space or park.

7.4 Community Asset Transfer Appeals Cabinet Sub-Committee

The Community Asset Transfer Appeals Cabinet Sub-Committee determines appeals against the decision not to transfer an asset to a Community/Voluntary Group.

7.5 **Failsworth Trust Committee Cabinet Sub-Committee**

The Failsworth Trust Committee Cabinet Sub-Committee (“the Trust”) will use all reasonable endeavours to further the object of the Trust which is that the land to the north of the Lancaster Club (comprising 11 $\frac{3}{4}$ acres of land acquired by the former Failsworth Urban District Council on 4 January 1924 from Constance Mary Solly Flood) be used for the purposes of a recreation ground.

7.6 Local Investment Fund Cabinet Sub-Committee

The Local Investment Fund Cabinet Sub-Committee allocates funding from the Local Improvement Fund to projects across the borough which promote and pursue the aims and objectives of the individual District Priorities.

7.7 The Shareholder Committee Cabinet Sub-Committee

The Shareholder Committee Cabinet Sub-Committee will:

1. Safeguard the Council's investment in the Company and ensure the Company complies with the Council's corporate objectives and maximise outcomes in line with Council policy.
2. Approve the Shareholder's Agreement, where applicable.
3. Receive, review and comment on the annual report and financial accounts of the Council Company and agree how these are to be published and circulated.
4. Appoint (at least annually) and remove Company Directors and ensure directors operate in accordance with the Council Companies' objectives.
5. Agree the employment of any non-executive or external Directors and the basis on which these directors will be remunerated.
6. Appoint the Company auditors.
7. Determine the distribution of any surplus or the issue of any dividends from the Council Company, in accordance with the Shareholder's Agreement, and exercise any other strategic functions flowing from the Council's ownership of shares.
8. Approve any frameworks within which the Council interfaces with the Council Company (e.g. a code of conduct for how Council Officers interact with the Company).
9. Exercise any reserved powers set out in the Company's Shareholder Agreement or Articles of Association.
10. Refer any conflicts arising between the Council Company and other Council-owned companies to the Cabinet for resolution.

7.8 Commissioning Partnership Board

The Commissioning Partnership Board shall:

- a. Take responsibility for the management of partnership arrangements in accordance with such section 75 agreement or agreements that the Oldham Clinical Commissioning Group (CCG) and the Council may from time to time agree, including monitoring the arrangements and receiving reports and information on the operation of the arrangements;
- b. Together with the Commissioning Committee provide assurance to the Governing Body, CCG members and other relevant parties on delivery of statutory functions and responsibilities exercisable by the CCG.

The Commissioning Partnership Board will:

- a. Support the Health and Wellbeing Board to set the high-level commissioning strategy and health and wellbeing outcomes for the Borough in order to meet assessed population, community and individual need within the financial resources of the pooled funds over which the Commissioning Partnership Board has control.
- b. Make commissioning recommendations for the financial resources not controlled by the Commissioning Partnership Board.
- c. Support the dissolving of traditional boundaries between commissioning and provision of services in Oldham to improve outcomes for Oldham population against the agreed Oldham Cares Outcomes Framework.
- d. Have responsibility for all matters relating to the pooled funds as may be set out in a Section 75 agreement.
- e. Develop, implement and monitor those elements of the Alliance contract for the Oldham Integrated Care Organisation that relate to the provision of services that are subject to the integrated commissioning arrangements.
- f. Make recommendations regarding the other elements of the Alliance contract for the Oldham Integrated Care Organisation (ICO).
- g. Recommend the high level parameters for the Strategic Commissioning Function.
- h. Recommend the high level parameters for the Primary Care and Community and Social Care Clusters within the ICO.
- i. Recommend that appropriate contracting mechanisms are in place within the ICO Alliance and outside of ICO arrangements e.g. specialist hospital services.
- j. Maintain a strategic overview and assurance role on behalf of the Health and Wellbeing Board to ensure implementation and delivery of the agreed high level strategies and outcomes set jointly between Oldham CCG and Oldham Council.
- k. Monitor and review high level outcomes and performance data to ensure that the ICO is achieving the goals established by commissioners for the transformation of health and social care services against the Oldham Cares Outcomes Framework.

8. Objectives

The objectives of the Commissioning Partnership Board are;

- a. To govern the arrangements for integrated commissioning in the Oldham borough providing assurance to NHS Oldham CCG and Oldham MBC that their statutory and mandatory responsibilities and strategic objectives are being met and that their combined resources are being utilised to best effect.
- b. To provide assurance to Oldham Health and Wellbeing Board, NHS Oldham CCG and Oldham MBC for the achievement of the agreed outcomes, commissioning strategies and plans within the available financial envelope.
- c. To prepare an annual integrated commissioning strategy, setting out specific goals and outcomes for commissioning in the Borough and the intentions of the whole system to transform health and social care delivery in order to reflect best practice and value for money.
- d. Within the integrated commissioning strategy, describe how the outcomes and objectives set out in the Section 75 Agreement and the high level strategic goals and outcomes of NHS Oldham CCG and Oldham MBC will be achieved.
- e. To commit resource at high level within the pooled fund(s) to achieve the objectives of the integrated commissioning strategy through the Oldham Cares system structure.
- f. To develop a joint financial plan to underpin the overall commissioning strategy and providing direction in relation to investments and savings to be made jointly by the Council and CCG.
- g. To oversee the implementation of the integrated commissioning strategy.
- h. To set the high level quality standards for, and monitor and review the outcomes and performance for commissioned services within the s.75 agreement, identifying areas of good practice and taking action where outcomes and performance fall short of requirements.
- i. To ensure that the prescribed functions of Oldham Council and Oldham NHS CCG are properly and effectively discharged through the pooled funds and the strategic commissioning arrangements as appropriate.
- j. To ensure the engagement of stakeholder groups - including users, patients, carers, providers and community organisations - in the commissioning cycle and the co-design of commissioned services and the formulation of strategy as appropriate.
- k. To provide assurance to the Health and Wellbeing Board, CCG Governing Body, Oldham Council Cabinet and the Council's Overview and Scrutiny Committees of the quality and safety of commissioned services within the Section 75 agreement, of the proper and effective use of resources in the pooled fund and of the achievement of agreed strategy and outcomes.
- l. To conduct all business in accordance with the provisions of the Section 75 Agreement including the standards on partnership behaviours and the code of conduct on conflicts of interest.

- m. To be fully aware of the Greater Manchester integrated commissioning arrangements as they develop in the context of the Greater Manchester Devolution Agreement and ensure full alignment between the arrangements in the Oldham borough, the North East sector, and the city region.
- n. To identify, record, mitigate and manage all risks associated with strategic integrated commissioning, including the maintenance of a risk register which will be included on the risk registers of both NHS Oldham CCG and Oldham MBC.
- o. To review regular high-level performance and financial monitoring reports relating to strategic integrated commissioning and the pooled fund and ensure, if required, appropriate action is taken to ensure annual delivery of expected performance targets and approved schemes within permitted budget for the financial year.
- p. To promote improvement and innovation and demonstrate leadership in pursuing the objectives and upholding the principles underpinning the ways of working in the newly established partnership.

8. INDIVIDUAL CABINET MEMBERS' SCHEME OF DELEGATION

8.1 General Conditions

- 8.1.1 The fact that a function stands delegated to a Cabinet Member under these arrangements and that the matter under consideration falls exclusively within the scope of their individual portfolio, does not preclude the Leader of the Council from either exercising the function directly or from requiring the matter to be determined by the Cabinet, subject to any legal requirement.
- 8.1.2 Whilst the exercise of a function by a Cabinet Member under these arrangements is not made subject to the satisfaction of any prior condition, a Cabinet Member shall, when exercising a discretion remitted to them, be under a duty to consider whether the decision conforms to Council-approved policies and strategies and ensure, in reaching the decision, they have observed approved practices and procedures.
- 8.1.3 Where it appears to a Cabinet Member that a matter delegated to them might require consideration by the Cabinet prior to a decision being taken, they shall consult the Leader of the Council before proceeding.
- 8.1.4 An individual Cabinet Member may not discharge an Executive function where the Scheme of Delegation to Officers requires that the function must be discharged by an officer unless expressly delegated to do so by the Leader of the Council.
- 8.1.5 An individual Cabinet Member may not discharge an Executive function where a Constitutional provision requires that the function must be discharged by an Officer, or where the law requires that function to be undertaken by an Officer.
- 8.1.6 All Key Decisions made by a Cabinet Member in consultation with the Deputy Chief Executive or relevant Strategic Director or Managing Director will be made available as soon as is reasonably practicable.
- 8.1.7 Individual Cabinet Members making decisions in accordance with this Scheme of Delegation shall be mindful of and comply with the requirements of Section 11 - "Individual Decision Making – Principals and Processes" to this Part.

8.2 Delegations to Individual Cabinet Members

8.2.1 These delegations apply in all circumstances, provided that the matter under consideration is not reserved for decision by the Cabinet or the function is not exercisable by a Committee/Sub-Committee/Board of the Cabinet or through joint arrangements.

- a) To make key decisions, in consultation with the Deputy Chief Executive or a Strategic Director or a Managing Director in respect of any matter within their Portfolio, subject to that power not being exercised by the Leader of the Council or being reserved by the Leader to the Cabinet, a Cabinet Committee/Sub-Committee/Board or through joint arrangements.
- b) Virement – in accordance with Financial Procedure Rule 3.5 -
 - (i) To approve, in consultation with the Deputy Chief Executive or relevant Strategic Director or Managing Director, virement which is associated with a significant change in the level of service from that set out in the relevant service plan;
 - (ii) To approve, in consultation with the Deputy Chief Executive or relevant Strategic Director or Managing Director, virement in an approved budget head by a transfer from another approved budget head in excess of £100,000;
 - (iii) To approve, in consultation with the Deputy Chief Executive or relevant Strategic Director or Managing Director, the transfer of resources within a service budget on any one activity in excess of 5% or £50,000, whichever is the smaller;
 - (iv) To approve, in consultation with the Deputy Chief Executive or relevant Strategic Director or Managing Director, an increase in an approved Department budget by a transfer from another approved Department budget where both budget heads are cash limited and the variation exceeds £25,000.
- c) To make decisions leading to contracts for the value of £100,000 up to £400,000 in consultation with the Deputy Chief Executive or Strategic Director of Reform, subject to such decisions not being taken by the Leader of the Council or being reserved by the Leader to the Cabinet, a Cabinet Committee or through joint arrangements. (Contract Procedure Rule 14.1)

8.2.2 Delegations to the Cabinet Member with responsibility for Finance

- a) Approval of proper insurance cover on advisement from the Director of Finance (Financial Procedure Rule 2.33 refers)
- b) Receipt of the report from the Director of Finance relating to the write-off of individual debts deemed irrecoverable prior to the draft annual accounts

being submitted to the Audit Committee (Financial Procedure Rule 12.17 refers).

9. OFFICER SCHEME OF DELEGATION

Section 9A – Introduction and principles

1. Introduction

- 1.1 Non-executive functions of the Council may be delegated to Officers by the Council, Committees and Sub-Committees under Section 101 of the Local Government Act 1972.
- 1.2 Executive functions of the Council may be delegated to Officers by the Leader of the Council ("the Leader") and, unless directed otherwise by the Leader, by the Cabinet, Cabinet Committees and Individual Cabinet Members under s9E of the Local Government Act 2000.
- 1.3 "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions within the confines of the law or the Constitution.
- 1.4 This Scheme of Delegation is set out as far as possible in terms of broad areas of responsibility rather than in specific statutory terms, other than the allocation of non-executive functions as defined by the Local Authorities (Functions and Responsibilities) Regulations 2000 as amended. As a principle, all functions that are not reserved to the Council or a Council Committee, or to the Cabinet or a Cabinet Committee or an individual Cabinet Member are delegated to the Chief Executive, the Deputy Chief Executive, a Strategic Director and/or other specified senior Officer.

2. Principles of Officer delegated decision making

- 2.1 The fact that a function has been delegated to the Chief Executive, the Deputy Chief Executive, a Strategic Director, a Managing Director or the Directors of Legal, Finance or Public Health, does not necessarily require that Officer to give the matter their personal attention and they may generally arrange for such delegation to be exercised by an Officer of suitable experience and seniority. Exceptions to this are
 - if the law or the Constitution specifically requires a particular Officer to take the decision; or
 - key decisions must be taken personally by the Chief Officer they are delegated to.
- 2.2 Where the Chief Executive or a Chief Officer has arranged for a delegation to be exercised by another Officer, the Chief Executive or that Chief Officer remains responsible for any decision taken pursuant to such arrangements.

- 2.3 A Council Committee or Sub-Committee may from time to time delegate functions to the Chief Executive. A Council Committee means any Committee or Panel established by the Council. A Council Sub-Committee means any Sub-Committee or Panel established by a Council Committee.
- 2.4 The Chief Executive, the Deputy Chief Executive, a Strategic Director, a Managing Director or the Directors of Legal, Finance or Public Health may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred to the Council, a relevant Council Committee, or the Cabinet for consideration.
- 2.5 Where a function has been delegated to an Officer by the Council, a Council Committee or Sub-Committee, or the Leader of the Council or other executive body, the body or person that made the delegation may take back the power at any time.
- 2.6 A Cabinet Member may direct that a delegated executive authority should not be exercised by the Officer and that the matter should be referred to the Cabinet or an appropriate Cabinet Committee, Sub-Committee or Board for consideration.
- 2.7 Where a decision is delegated to an Officer in consultation with an elected Member, the law requires that the discretion of the Officer is not fettered.
- 2.8 In exercising their delegated authority, Officers must consult with Members and other Officers, as appropriate. This must include the Monitoring Officer (Director of Legal) and Chief Finance Officer (Director of Finance), and Officers must have regard to any advice given.
- 2.9 Officers should be aware of the requirements to publish a record of certain decisions and supporting papers in accordance with Access to Information Procedure Rules at Part 4B of the Council's Constitution.
- 2.10 The principals and processes for individual decision making are considered further at Section 11 to this Part.

Section 9B - General Delegations to Officers

1. General delegations to Officers

- 1.1 The Chief Executive, the Deputy Chief Executive, a Strategic Director, a Managing Director or other named Officer shall have power to carry into effect without reference to the Council or the Executive, matters of day to day management and administration and, in particular, the following functions:

1.1.1 Financial

To comply with all the requirements of Financial Procedure Rules at Part 4F of the Council Constitution, to ensure that the proper financial controls are maintained, and to act in accordance with the following matters specifically delegated therein –

- General responsibilities of Deputy Chief Executive, Strategic Directors, Service Managing Directors, Directors and Heads of Service. (1.16-19);
- Deputy Chief Executive, Strategic Directors, Managing Directors, Directors and Heads of Service to draft service plans and budgets (2.12);
- Deputy Chief Executive, Strategic Directors, Managing Directors, Directors and Heads of Service to control income and expenditure (2.17);
- Deputy Chief Executive, Strategic Directors, Managing Directors and Directors to managing budgets, delegate authority and review budgets (2.19 – 21);
- Deputy Chief Executive, Strategic Directors, Managing Directors and Directors to establish sound arrangements for their operations and achieving financial performance targets (2.34);
- Deputy Chief Executive, Strategic Directors, Managing Directors and Directors to assist in the closure of their Directorate accounts (2.37);
- Deputy Chief Executive, Strategic Directors, Managing Directors and Directors to approve virement within prescribed limits and circumstances and to notify the relevant Portfolio Holder(s) and the Director of Finance accordingly (3.5);
- Heads of Service to undertake duties to manage capital programmes and projects in consultation with/as specified by the Director of Finance and in accordance with Financial and Contract Procedure Rules (4.13-14, 16-19, 21);
- Heads of Service to comply and adhere to the Council's financial systems and procedures as set by the Director of Finance (5.2-6, 8-9);
- Deputy Chief Executive, Strategic Directors, Managing Directors and Directors to ensure systems are registered in accordance with data protection legislation and staff are aware of responsibilities under freedom of information legislation (5.7);
- Deputy Chief Executive, Strategic Directors, Managing Directors and Directors must respond to Internal Audit and Counter fraud requests for progress and status updates (6.6);

- Chief Executive, Deputy Chief Executive, Strategic Directors, Managing Directors and Directors to ensure members and Officers are aware of the Council's Anti-Fraud and Anti-Corruption Strategy and of the Whistleblowing Policy, operate in a way that maximises internal check against inappropriate behaviour; and are able to undertake training on preventing fraud (6.10);
- Heads of Service to notify Director of Finance concerning loss or irregularity concerning cash, stores or other property or any suspected financial irregularity (6.11);
- Heads of Service responsibilities concerning risk and insurance, including in the event of an insurance claim or occurrence (7.2-4);
- Head of Service responsibilities for the care and custody of assets and contingency plans for those assets in the event of disaster, significant event or system failure (8.1-2);
- Heads of Service responsibilities for recording and checking of stock (8.5-7);
- Heads of Service responsibilities for the maintenance of inventories (8.8-12);
- Heads of Service responsibilities for advising Director of Finance of matters concerning the Asset Register (8.14-16);
- Heads of Service responsibilities ensuring that all staff are aware of and comply with responsibilities under the law and Council procedures concerning the security of information (9.4);
- Heads of Service responsibilities concerning customer/client property and lost property (9.5-7);
- Heads of Service responsibilities relating to imprest accounts (11.7-10);
- Heads of Service responsibilities for the collection and banking income, the recording and investigating of discrepancies, determination of satisfactory credit status if credit is given (12.5-15);
- Deputy Chief Executive, Strategic Directors, Managing Directors and Directors to identify employees to act on their behalf, within limits, in respect of income collection, raising orders (12.16, 13.8);
- Write-off of debts (within the remit of this Part) –
 - Individual debts £60 up to £2,500 by the Head of Service
 - Individual debts up to £5,000 by the Director of Finance. (12.17);
- Heads of Service to identify Officers authorised to raise requisitions etc to set limits and to notify the Director of Finance (13.9);
- Deputy Chief Executive, Strategic Directors, Managing Directors and Directors responsible for ensuring payment of undisputed invoices within 30 days from receipt of invoice (13.18); and
- Heads of Service responsibilities regarding the appointment of staff and the maintenance of related records (15.1-4).

1.1.2 Contractual

To comply with all the requirements of Contract Procedure Rules at Part 4G of the Council Constitution to ensure that the proper contractual procedures are

maintained, and to act in accordance with the following matters specifically delegated therein –

- Deputy Chief Executive or Strategic Directors, Managing Directors to be satisfied as to adequate budget provision and necessary consents before entering into contracts (1.6);
- Deputy Chief Executive or Strategic Directors, Managing Directors to ensure that the Directors of Legal and Finance are consulted throughout the procurement process where contract is a key decision (1.7);
- Deputy Chief Executive or Strategic Directors, Managing Directors, in consult Director of Legal, to determine exemptions from Contract Procedure Rules (1.10.2, 21);
- Deputy Chief Executive or Strategic Directors, Managing Directors to take immediate action in the event of a failure to comply with Contract Procedure Rules and inform and consult the Director of Legal (1.12);
- Deputy Chief Executive, Strategic Directors and Managing Directors to comply with delegations relating to Award of Contracts (14); and
- Deputy Chief Executive or Strategic Directors, Managing Directors to comply with requirements relating to claims arising from contracts and provide mandatory information for the Contracts Register (19).

1.1.3 General Management

- a) Media
 - To produce statements (or appoint a nominee to approve statements) to the communications team dealing with the work of the Department within the policy framework of the Council.
- b) Miscellaneous
 - To authorise employees possessing such qualifications as may be required by law or in accordance with the Council's policy, to take samples, carry out inspection, enter premises and generally perform the functions of a duly authorised Officer of the Council (however described) and to issue any necessary certificates of authority

1.1.4 Personnel

The Constitutional Working Group has agreed in principle to the establishment of an Employment Committee, an Appointments Committee and an Investigation and Disciplinary Committee and detailed terms of reference and consequent amendments to the Officer Scheme of Delegation will be submitted to a future meeting of the Council.

The current provisions of the Officer Scheme of Delegation will continue to apply until such time as Council confirms amendment to the Scheme.

Section 9C - Delegations to Specific Officers

Chief Executive

1. The Chief Executive is the Council's designated 'Head of Paid Service' for the purposes of s4 of the Local Government and Housing Act 1989 and shall fulfil all the statutory duties of that post.
2. The Chief Executive is authorised to discharge any function of the Council and of the Executive, including civic and ceremonial functions of the Council, executive functions and such functions as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) not otherwise remitted to the Council or a Council Committee or Sub-Committee or to the Leader of the Council.
3. The Chief Executive is authorised to take any emergency decisions in respect of Council functions (in consultation, where appropriate, with the Mayor or the Chair of the relevant Committee) which cannot be delayed until the next meeting of the Council or the relevant Committee, as the case may be.
4. The Chief Executive is authorised to take any emergency decisions in respect of the Council's executive functions (in consultation with the Leader of the Council or, in absence of the Leader, the Deputy Leader of the Council) which cannot be delayed until the next Cabinet Meeting.
5. The Chief Executive is authorised to take any action remitted to the Chief Executive within any Part of the Council's Constitution and under corporate policies and procedures.
6. The Chief Executive is authorised to take any act as the Council's "Proper Officer" for the purpose of any function not otherwise delegated under these arrangements.

Deputy Chief Executive

1. With the exception of matters specifically referred to the Council or to the Cabinet, an individual Cabinet Member or other executive body, as shown at Sections 3, 4, 6 and 7 above, the Deputy Chief Executive is authorised to discharge any functions of the Executive in relation to:-

Director of Economy

- Physical Regeneration Development
- Asset Management (client)
- Corporate Landlord (including Facilities Management)
- Car Parking
- Enterprise Development and Inward Investment including Tourism
- Economic Strategy
- Business Engagement
- Town Centre
- Strategic Housing Services and Homelessness
- Strategic Planning and Infrastructure

Director of Environmental Management

- Operational Services
- Environmental Management
- Street Scene and Parks
- Strategic Transportation, Highway (Unity client) Street Lighting
- Building Control
- Public Protection including Pest Control, First Response

Chief Operating Officer, Unity Partnership

2. The Deputy Chief Executive will undertake such Council (or 'non-executive') functions as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) ('the Regulations') as are pertinent to the role of the Deputy Chief Executive and have not otherwise been remitted to the Council, a Council Committee or Sub-Committee or other Officer, specifically including –
 - Town and country planning and development control functions - the Deputy Chief Executive is authorised to undertake all actions in respect of Council (or 'non-executive') functions, subject to referral to the Planning Committee in accordance with the Protocol set out in Appendix 3 of this Constitution
 1. Planning and Other Applications

Apart from matters reserved to the Planning Committee, all those Council functions set out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 which relate to town and country planning and development control, the protection of important hedgerows, the preservation of trees and the regulation of high hedges are delegated to the Deputy Chief Executive.

Development control functions include decisions regarding-

- planning applications
- permitted development
- certificates of lawful use and development,
- enforcement
- listed buildings and conservation areas.

The planning functions are to be construed purposively and broadly, to include anything which facilitates or is incidental to them. For example, the power to determine planning applications under s70 Town and Country Planning Act 1990 will include powers governing environmental impact assessments under the various Town and Country Planning (Environmental Impact Assessment) Regulations. It will also include power to impose conditions, limitations or other restrictions or to determine terms to which approvals are subject, and to modify, vary or revoke approvals.

Where legislation is amended or replaced by new provisions or where new development control provisions are enacted, then the relevant authority delegated in this Scheme shall be construed to apply to those new provisions.

2. Other Matters

These matters are not subject to the referral system:

- a. Declining to accept repeat applications which have previously been dismissed on appeal and raise no significant new issues.
- b. Determination Minor Material and Non-Material Amendment applications.
- c. Determination of Discharge of Conditions applications.
- d. Determination of any application for a certificate of lawful existing or proposed use or development under Section 191 and Section 192 of the 1990 Act.
- e. Authority to determine whether prior approval is required, and subsequent determination of applications (whether or not objections are received) for agriculture and forestry buildings, operations for telecommunications equipment and demolition of buildings under the Town and Country Planning (General Permitted Development) Order 1995).
- f. Authority to issue and serve Planning Contravention Notices under the Town and Country Planning act 1990 and consider and determine representations made thereto.
- g. All matters relating to Tree Preservation Orders.
- h. Authority to instruct the Director of Legal Services to institute proceedings for the grant of injunctive relief under powers contained in the Town and Country Planning Act 1990, subject to:
 - i. prior consultation with the Chair and/or Vice Chair of the Planning Committee; or
 - ii. without such consultation if the matter is one of extreme urgency.

- i. Authority to instruct the Director of Legal Services to issue and serve discontinuance notices for removal of any advertisement displays erected without express or deemed consent which do not comply with Council's policy on outdoor advertising and in the interests of amenity and public safety.
- j. Authority to instruction the Solicitor to the Council to issue and service breach of condition notices under the Town and Country Planning Act 1990, and appropriate consequential action as required.
- k. Determination of applications, on behalf of the Council, for the modification or discharge of any planning obligations in accordance with Section 106A and 106B of the Town and Country Planning Act 1990 and the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992, and to continue to deal with any agreed amendments or discharges which are not covered by the above legislation.
- l. Authority to instruct the Director of Legal Services to issue and serve notices under Section 215 of the Town and Country Planning Act 1990 (power to require the proper maintenance of land adversely affecting neighbourhood amenity).
- m. Authority to instruct the Director of Legal Services to issue and serve enforcement and stop notices under the Town and Country Planning Act 1990.
- n. Authority to institute legal proceedings and statutory procedures in relation to the Council's planning functions, both by The Deputy Chief Executive People and Place and the Director of Legal Services.
- o. The issuing of screen opinions with regard to the need or otherwise for Environmental Impact Assessments and scoping opinions with regard to the matters to be included in Environmental Statements.
- p. Authority to authorise officers to carry out statutory duties and functions in relation to the Town and Country Planning Act 1990 and other current planning related legislation.
- Licensing and registration functions - the Deputy Chief Executive is authorised to undertake all Council (or 'non-executive') functions as defined in Section B Schedule 1 of the Regulations with the exception of those matters reserved by the Council to the Licensing Committee or are referred to the Licensing Committee or to a Sub-Committee or Panel of the Licensing Committee by either the Licensing Act 2003 or the Gambling Act 2005.
- Public rights of way - the Deputy Chief Executive is authorised to undertake all Council (or 'non-executive') functions as defined in Section I, Part 1 Schedule 1 of the Regulations with the exception of those matters reserved by the Council to the Traffic Regulation Order Panel.

Strategic Director Communities and Reform

1. With the exception of matters specifically referred to the Council or to the Cabinet, an individual Cabinet Member or other executive body, as shown at Sections 3, 4, 6 and 7 above, the Strategic Director Communities and Reform is authorised to discharge any functions of the Executive in relation to:-
 - the Director of Public Health, including leisure, libraries and arts (though not to the extent of the statutory functions of the Director of Public Health);
 - the Director of Workforce and Organisational Design
 - Thriving Communities
 - Reform
 - Communications and Research
 - Strategy and Performance
 - Transformation
 - Community Safety and Community Cohesion
3. The Strategic Director Communities and Reform will undertake such Council (or 'non-executive') functions as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) as are pertinent to the role of the Strategic Director Communities and Reform and have not otherwise been remitted to the Council, a Council Committee or Sub-Committee or other Officer.

Strategic Director of Commissioning

1. With the exception of matters specifically referred to the Council or to the Cabinet, an individual Cabinet Member or other executive body, as shown at Sections 3, 4, 6 and 7 above, the Strategic Director of Commissioning is authorised to discharge any functions of the Executive in relation to:-
 - Director of Finance (to the extent as permitted by the Council's Constitution and by corporate policies and procedures generally, but not to extend to the statutory functions of the Chief Finance Officer)
 - Commissioning
 - Procurement
2. The Strategic Director is also the Chief Operating Officer of the Oldham Clinical Commissioning Group.

Managing Director Community Services and Adult Social Care

1. The Managing Director Community Services and Adult Social Care is the Council's designated Director of Adult Social Services in accordance with s6 of the Local Authorities Social Services Act 1970 and is responsible for the undertaking of all statutory duties associated to that post.
2. With the exception of matters specifically referred to the Council or to the Cabinet, an individual Cabinet Member or other executive body, as shown at Sections 3, 4, 6 and 7 above, the Managing Director Community Services and Adult Social Care is authorised to discharge any functions of the Executive in relation to:-
 - Deputy Managing Director Health and Adult Social Care Community Services
 - Adult Social Care (DASS)
 - All Age Disability
 - Client for OCS
 - Preventive Services Care Management
 - Miocare
3. The Managing Director Community Services and Adult Social Care will undertake such Council (or 'non-executive') functions as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) as are pertinent to the role of the Managing Director Community Services and Adult Social Care and have not otherwise been remitted to the Council, a Council Committee or Sub-Committee or other Officer.

Managing Director of Children and Young People

1. The Managing Director of Children and Young People is the Council's designated Director of Children's Services in accordance with s18 of the Children Act 2004 and is responsible for the undertaking of all statutory duties associated to that post.
2. With the exception of matters specifically referred to the Council or to the Cabinet, an individual Cabinet Member or other executive body, as shown at Sections 3, 4, 6 and 7 above, the Managing Director of Children and Young People is authorised to discharge any functions of the Executive in relation to:-
 - Director of Children's Social Care
 - All Age Safeguarding
 - Looked After Children
 - Adoption and Fostering
 - Child Protection
 - Community Safety
 - Community Cohesion
 - Early Help
 - Targeted Youth
 - Family Services (Caf)
 - Mash
 - Director of Education, Skills and Early Years
 - School Improvement
 - School Places Planning
 - Early Years
 - Education Strategy including Attainment
 - Skills and Employment / GOW
 - Community/Adult Learning
3. The Managing Director of Children and Young People will undertake such Council (or 'non-executive') functions as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) as are pertinent to the role of the Managing Director of Children and Young People and have not otherwise been remitted to the Council, a Council Committee or Sub-Committee or other Officer.

Director of Legal

1. The Director of Legal is the Council's designated 'Monitoring Officer' for the purposes of s5 of the Local Government and Housing Act 1989 and shall fulfil all the statutory duties of that post.
2. The Director of Legal authorised to act and to take any action intended to give effect to any decision of
 - the Council;
 - a Council Committee or Sub-Committee acting under delegated powers;
 - the Leader of the Council where the Leader of the Council has determined that they shall be personally responsible for a particular executive decision;
 - the Cabinet or any other executive body or individual acting under delegated executive powers;
 - an Overview and Scrutiny Committee in pursuance of their statutory powers; or
 - an Officer discharging any delegated Council or executive function;in relation to: -
 - a) the making or issuing of orders and notices;
 - b) the commencement, defence, withdrawal or settlement of legal or other proceedings up to a figure of £250k;
 - c) the authorisation of Council employees to conduct legal matters in court and other matters relating to the courts and legal proceedings;
 - d) contractual elements of procurement;
 - e) electoral matters;
 - f) land charges;
 - g) commons registration;
 - h) the recording of decisions of Council, the Executive and all relevant committees;
 - i) Registration Service;
 - j) Civic and Political Support;
 - k) taking any action remitted to the Director of Legal under corporate policies and procedures
3. Further to Paragraph 2 above, the Director of Legal will undertake such Council (or 'non-executive') functions as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) as are pertinent to the role of the Director of Legal and have not otherwise been remitted to the Council, a Council Committee or Sub-Committee or other Officer.
4. The Director of Legal is authorised to act and to take any action as might be referred to the Director of Legal by the Council's Financial Procedure Rules and Contract Procedure Rules as contained within Parts 4F and 4G respectively of the Council's Constitution and within any further Constitutional provision applying.

Director of Finance

1. The Director of Finance is the Council's designated 'Chief Finance Officer' for the purposes of s114 of the Local Government Finance Act 1988 and shall fulfil all the statutory duties of that post.
2. The Director of Finance is authorised to act and to take any action intended to give effect to any decision of
 - the Council;
 - a Council Committee or Sub-Committee acting under delegated powers;
 - the Leader of the Council where the Leader of the Council has determined that they shall be personally responsible for a particular executive decision;
 - the Cabinet or any other executive body acting under delegated executive powers;
 - an Overview and Scrutiny Committee in pursuance of their statutory powers; or
 - an Officer discharging any delegated Council or executive function;in relation to: -
 - a) the administration of benefits
 - b) the collection of revenue (including debt recovery)
 - c) the administration of Council tax and national non-domestic rates including Discretionary and Hardship rate relief up to and including £50,000, in consultation with the Leader and the relevant Executive Member.
 - d) internal audit
 - e) pensions
 - f) creditor payments
 - g) accountancy
 - h) the Council's insurance arrangements and risk management
 - i) information technology
 - j) the management of land (including valuation, acquisition, appropriation, disposal and other dealings with land or any interest in land) subject to the limits reserved to the Executive
 - k) the writing off of debts up to £5,000 and to review in detail all debtors to support the closure of final accounts
 - l) the administration of payroll function
 - m) to decide on the appropriate arrangements for Performance Bonding for all contracts in excess of £75,000 contract sum
 - n) to take any action remitted to the Director of Finance under corporate policies and procedures.
3. The Director of Finance is authorised to act and to take any action as might be referred to the Director of Finance by the Council's Financial Procedure Rules and Contract Procedure Rules as contained within Parts 4F and 4G respectively of the Council's Constitution and within any further Constitutional provision applying.

Director of Public Health

1. The Director of Public Health is the Council's designated 'Director of Public Health' for the purposes of s73A of the National Health Service Act 2006 and shall fulfil all the statutory duties of that post.
2. With the exception of matters specifically referred to the Council or to the Cabinet, an individual Cabinet Member or other executive body, as shown at Sections 3, 4, 6 and 7 above, the Director of Public Health is authorised to discharge any functions of the Executive in relation to:-
 - Health Improvement
 - Health Protection
 - Commissioning Healthcare Services
 - Reducing Health Inequalities
 - Culture and Heritage
 - Leisure
 - Arts and Libraries
3. The Director of Public Health will undertake such Council (or 'non-executive') functions as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) as are pertinent to the role of the Director of Public Health and have not otherwise been remitted to the Council, a Council Committee or Sub-Committee or other Officer.

10. STATUTORY AND PROPER OFFICERS

Legislation requires the Council to appoint specific Officers and to identify Officers for particular responsibilities.

The principal appointments are detailed below:-

Statutory Role	Statutory Requirements	Officer Appointed
Head of Paid Service	Section 4 of the Local Government and Housing Act 1989	The Chief Executive
Chief Finance Officer	Section 114 of the Local Government Finance Act 1988 and responsibilities under Section 151 Local Government Act 1972	Director of Finance
Monitoring Officer	Section 5 of the Local Government and Housing Act 1989	Director of Legal
Director of Children's Services	Section 18 of the Children Act 2004	Managing Director of Children and Young People
Director of Adult Social Services	Section 6 of the Local Authority Social Services Act 1970	Managing Director Community Services and Adult Social Care
Director of Public Health	s73A of the National Health Service Act 2006	Director of Public Health

Certain legislation indicates that the 'Proper Officer' shall undertake or be responsible for undertaking certain actions specified within that legislation. The Chief Executive is authorised to take any act as the Council's "Proper Officer" for the purpose of any function not otherwise delegated under the arrangements in this Part of the Council's Constitution, or to delegate to another Officer of the Council to act as 'Proper Officer' in any particular circumstance.

11. DECISION MAKING BY INDIVIDUALS – PRINCIPALS AND PROCESSES

The significance of decisions taken by individuals under delegated powers will vary and Cabinet Members, Chief Officers and those they empower to make decisions will need to exercise judgement in determining whether decisions are significant enough to require formal recording. In making decisions, Cabinet Members, Chief Officers and others should be aware of the requirements of the Council's Constitution generally and of the Access to Information Procedure Rules at Part 4B of the Constitution more specifically.

The Council has three levels of decision making.

- **Key decisions** - these are executive decisions which are likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which any decision relates; or to be significant in terms of its effects on communities living or working in the area comprising two or more wards in the area of the local Council. The full working definition of a Key Decision is set out at Access to Information Procedure Rule 11.
- **Principal Decisions** – these are decisions in relation to either a Council or an Executive function which is not a key decision but which result in the Authority incurring expenditure or making savings (including receipt or loss of income) of over £100,000 each year; or which are, in the opinion of the Chief Officer, of such significance that a record of the decision would ensure transparency and accountability in relation to decision making within the Authority.
- **Administrative Decisions** – these are decisions below the level of Principal Decisions so long as the decision is within an approved budget, is not in conflict with the Budget and Policy Framework (defined at Article 4 of Part 2 to the Council's Constitution) or other approved policies and does not raise new issues of policy.

There are differing requirements for the publication of information around each level of decision and the detailed requirements are laid out in Access to Information Procedure Rules.

- Key decisions – advance public notice of the intention to take a key decision must be given and the decision and the report on which the decision was based must be published.
- Principal decisions - the decision and the report on which the decision was based must be published.
- Administrative decisions – there is no requirement to publish the decision.

Decision Making – Delegation to Officers

Before taking any decision, an Officer must be satisfied that they have delegated power from the Council or a Council Committee, or from the Leader of the Council, the Cabinet or other Executive body, or through the Council's Constitution to take that decision.

The Officer Scheme of Delegation (as shown at Section 9 of Part 3 to the Council's Constitution) generally provides for delegated authority to take a decision at the highest level, that is by the Deputy Chief Executive, a Strategic Director, a Managing Director or one of the Statutory Officers (hereafter referred to as 'Chief Officers'). However, the Scheme includes the power for those Officers to delegate any function which has been delegated to them under the Scheme to another Officer or Officers of suitable experience and seniority.

Each Chief Officer must prepare a Departmental Scheme of Delegation which sets out how decisions will be made in their Department. These Departmental Schemes should be lodged with the Chief Executive and made available on request. The Departmental Schemes should establish which Officers have been given authority to make decisions under the Chief Officer's delegated powers and any conditions placed on the exercise of those powers. However, while the Chief Officer may authorise other Officers to take delegated decisions, the decisions are still the personal responsibility of the Chief Officer.

Before the Chief Officer, or other Officer so authorised, exercise any delegated executive power to make a Key Decision, they must consult with the relevant Cabinet Member.

In any circumstance, a Chief Officer may decide that a particular issue is such that it should be referred to the Cabinet or a Council Committee, as appropriate, for a decision to be taken. The Officer should seek the agreement of the Chief Executive to this course of action in the first instance.

Similarly, the fact that a function stands delegated to an Officer does not preclude the Council, a Council Committee, or an Executive body from exercising the function itself, subject to the function being within the general remit of the body and any legal requirements.

Whilst the exercise of a function by an Officer is not made subject to the satisfaction of any prior condition, Officers must ensure that the decision conforms to Council approved budget, policies and strategies, and that they have observed approved practices and procedures, including those in relation to community consultation.

Decision Making – Delegation to Individual Executive Members

Before taking any decision, the Cabinet Member must be satisfied that they have delegated power, either from the Leader of the Council or through the Council's Constitution as shown in the Individual Cabinet Members' Scheme of Delegation as shown at Section 8 of Part 3 to the Council's Constitution, to take that decision.

The Individual Cabinet Members' Scheme of Delegation provides for those decisions that may be taken by a single Member alone. Before a Cabinet Member exercises delegated power to make a Key Decision, they must consult

- with the relevant Chief Officers as appropriate to the decision proposed to be taken; and
- with the Leader of the Council/Chair of the Cabinet who may direct that the delegated authority should not be exercised and that the matter should be referred to the Cabinet.

A Cabinet Member may decide that a particular issue is such that it should be referred to the Cabinet, and the Cabinet Member should refer such issues to the Leader of the Council/Chair of the Cabinet in the first instance.

Similarly, the fact that an executive function stands delegated to a single Cabinet Member does not preclude the Cabinet or another Executive body from exercising the function itself, subject to the function being within the general remit of the body and any legal requirements.

Decision making – relevant considerations

Having satisfied themselves as to their ability to take a decision, the Cabinet Member or Chief Officer must determine the facts upon which the decision must be based and consider, where relevant, the following matters:

- a) any legislative requirements;
- b) any Council policy, strategy, plan, initiative or procedure relating to the issue;
- c) any relevant national or regional guidance;
- d) the available options;
- e) the staffing, financial and legal implications;
- f) the views/advice of any appropriate Statutory Officer;
- g) the views of any Ward Member(s) where the report relates to a particular area of the Borough;
- h) any consultations undertaken, the views of any consultees and a summary of any other representations received;
- i) any implications for any other areas of the Council's activities, including the views of any Chief Officer whose services may be affected and whether any consultation has taken place with that Chief Officer; and/or
- j) the Cabinet Member's responsibility within which the issue falls and whether any consultation with the Cabinet Member has taken place.

Chief Officers are also responsible for ensuring that consultation is undertaken where appropriate, including

- when they are aware that the decision is likely to be controversial,
- when further consultation and public participation would be appropriate.

In any case, Chief Officers should prepare a report to the corporate standard for consideration in support of decision making and have regard to the requirements of Access to Information Procedure Rule 7.

Key Decisions – Providing Notice before taking the Decision

Prior to taking a Key Decision, notice of the intention to take that decision must have been published on the Executive's Key Decision Document for at least 28 days, in accordance with Access to Information Procedure Rule 12 or, if less notice is being given, in accordance with either the General Exception or the Special Urgency Provisions at Access to Information Procedure Rules 13 and 14 respectively.

Decision making and interests

It is important that where Members or Officers involved in making decisions have a registrable interest this is declared on the Delegated Decision Form to preserve the probity and integrity of the process. Should a Member have a disclosable pecuniary interest or a prejudicial interest in a decision that Member should not make that decision. Similarly, should an Officer have an interest which might be regarded as prejudicing their consideration of the matter in the public interest, they should not take that decision. (See the 'Challenges' section below).

Members and Officers should pay due regard to their respective Codes of Conduct at Part 5 of the Council's Constitution and should, if necessary, seek advice from the Monitoring Officer as to their interests and, in the event that an individual cannot take a particular decision, who should determine that matter instead.

Decision Making – Recording the Decision

The Chief Officers will maintain a record of all Key Decisions and Principal Decisions and ensure that these decisions are recorded on the Council's decision recording system, including the report upon which each Decision was made, subject to any requirement for confidentiality.

The Chief Executive will, in accordance with Access to Information Procedure Rules, ensure that the record of decisions is available for public inspection on the Council's website and the public has the right to be provided with a copy of any part of that record upon payment of a reasonable copying and administrative charge.

It is essential that the contents of the Delegated Decision Form are clear in conveying the substance of the decision taken. It is not sufficient to state that the recommendations in a report were agreed.

Departments must maintain a central record of all delegated key decisions with copies of the relevant documentation for a six year period.

Even where there is not a requirement to publish a record of decisions, Chief Officers and such staff as they so designate, are responsible for retaining a record of those Administrative Decisions which they and Cabinet Members take and the reasons for such decisions. The record should be sufficient for audit and evidential purposes

(against the eventuality of evidence being required for consideration at/by Judicial Review, Employment Tribunal, Ombudsman, District Audit or other proceedings or investigation).

In addition to the requirement to publish Key and Principal Decisions, Chief Officers are also responsible for ensuring that all those who need to know are informed promptly of the decision.

Decision Making - Giving Reasons

While giving reasons is an accepted 'best practice' principle of good administration, doing so can also be

- a statutory requirement in respect of executive decisions;
- a requirement of the Courts when considering a Judicial Review;
- a requirement of Regulators when considering the Council's actions in respect of regulatory functions, such as the Planning Inspectorate or, in respect of Council and executive functions generally, the Local Government and Social Care Ombudsman; and
- in circumstances where the matter is an interest highly regarded by the law, such as personal liberty, a requirement for fairness to be given as of right, at least for particular decisions.

Clear reasons must be given in the record of Key and Principal Decisions of Cabinet Members and Officers and should be apparent in the Administrative Decisions made. Where reasons are given, these generally cannot be 'corrected' or altered after the time they are given.

If a decision is challenged it is vital to be able to demonstrate that the proper processes were complied with. To be able to do this it is essential that records are kept so they can be referred to and produced if necessary.

These records should include written notes of all relevant meetings and discussions and copies of all papers considered in making a decision. It is best practice to keep a clear note of all considerations taken in to account with reasons why they were considered relevant and why matters not considered were thought not to be relevant.

Where reasons are required, they must be adequate and intelligible. Failure to give reasons may lead to the inference that a decision is unlawful. (See the 'Challenges' section below).

Accountability

Ultimately, Cabinet Members and Officers are accountable to the Council for any decision they make. They may be required to report to, and to answer questions from, an Overview and Scrutiny Committee in respect of any decision made using their delegated powers.

Challenges to Decisions of the Council or of the Executive

Decisions are open to challenge and review in a number of ways and it is therefore important to be able to demonstrate that they have been taken in a manner that avoids legitimate challenge. It is important to remember that decisions which are overturned will invariably have been successfully challenged not because they were 'wrong' but because they have been reached following a flawed process.

The principal avenues for challenge to a decision are –

- a) Overview and Scrutiny Committees – Elected members may 'call-in' executive decisions for the Cabinet a, cabinet Committees, Sub-Committees or Boards, or key decisions taken by Officers, or may seek to review Officers' decisions more generally.
- b) The Council's Complaints System – Members of the public may challenge a decision through the Council's formal complaint procedure.
- c) The Local Government and Social Care Ombudsman – the last stage of the complaints process, investigating complaints of injustice arising from maladministration from the public about Councils and some other public bodies. The law does not define 'maladministration', but it means that there has been a fault in the way the Council has or has not done something.
- d) The External Auditor – undertakes the audit of the Council's accounts and holds a power to carry out examinations into the economy, efficiency and effectiveness with which the Council has used its resources.
- e) Designated Officers - the Council's Head of Paid Service, Chief Finance Officer and Monitoring Officer all have specific statutory duties which involve monitoring and regulation of different aspects of the Council's affairs.
- f) The European Convention on Human Rights – due regard needs to be paid to the Convention, particularly when decisions affect the rights of any individual.
- g) Central Government - controls many of the activities of local government, for example the Council will be bound by ministerial directives and regulations in some areas, and certain decisions may require the approval of a government minister or civil servant. Some of the decisions can be appealed to the courts by a minister or a government department.
- h) The Courts - by a process known as Judicial Review, the courts can examine decisions made by local authorities. The main findings of the Courts against the Council in the case of a judicial review are likely to be of –
 - (i) Illegality (*ultra vires*) - although democratically elected, the Council is not a sovereign body and can only do things authorised by Parliament. If a statutory power is conferred on the Council for one purpose, it is illegal if used for another;
 - (ii) The relevancy or irrationality principle - the court may investigate the action of the Council to see whether the Council has taken into account matters which it ought not to have taken into account, or whether it has refused to take account of matters which it ought to have. A decision can be challenged if a conclusion has been reached that is so unreasonable that no reasonable

- authority could ever have come to it, or if a decision so outrageous in its defiance of logic or of accepted moral standards that no sensible person who had applied his mind to the question to be decided could have arrived at it
- (iii) Unfairness or procedural impropriety (breach of natural justice) - so far as exercise of local authority power is concerned, procedural impropriety consists, principally, of
- Bias - usually occurs in one or more of the following, namely where:
 - a disqualified person participates, such person is one who has a direct pecuniary interest in the subject matter.
 - the case is prejudged.
 - an interested party has improper access to the decision maker.
 - Procedural unfairness – the conduct of any hearing must be fair and a party is entitled to put their case fully. However, fairness will not necessarily require an oral hearing or a legal representation.
 - Breach of legitimate expectation - confers procedural protection on a party where a local authority has either given an express assurance that it will deal with a matter in a particular way, or where it has adopted a past practice to that effect. In such cases the courts have consistently held that no adverse decision may be taken without first giving the affected party the opportunity of making representations.
 - Failure to give reasons - where a statute requires a local authority to give reasons for its decision there is a clear duty to do so. In many cases, however, the courts apply a duty to give reasons even where the statute is silent.

There are a number of areas of action and decision-making by local authorities which typically give rise to challenge, and which fall under one or more of the above main heads. Many overlap with one another. They include:

- failure to take into account relevant considerations, either as required by law or such as would be taken into account by any reasonable person.
- taking into account irrelevant considerations.
- acting so unreasonably such that no reasonable body of persons could have so acted.
- failure to direct itself properly in law.
- exercising a power for a purpose for which it was not conferred
- acting in bad faith or for an improper motive. fettering or failing to exercise discretion, through improper delegation.
- adherence to a fixed policy.
- failure to consult or to consult properly, either as a matter of statute or legitimate expectation.
- failure to act fairly or observe procedural requirements.
- failure to comply with the rule that local government finance must be conducted on an annual basis.
- failure properly to have regard to the extent to which their own resources can be taken into account in deciding whether to make provision.

Giving proper consideration to the matters raised in the 'relevant considerations' and 'interests' sections above should ensure that most, if not all, the above areas of challenge can be avoided.

12. JOINT ARRANGEMENTS

Oldham Council has entered into, or as prescribed by legislation is party to, a number of Joint Arrangements with other local authorities.

Greater Manchester Combined Authority

Oldham Council is a Constituent Council of the Greater Manchester Combined Authority (GMCA) established under the provisions of the Local Democracy, Economic Development and Construction Act 2009. The Constitution of the GMCA is available here - <https://democracy.greatermanchester-ca.gov.uk/documents/s4351/GMCAConstitution2019.pdf>

Greater Manchester Police and Crime

The Police and Crime Panel is a joint committee of the Constituent Councils of the GMCA established under the provisions of the Police Reform and Social Responsibility Act 2011. The role of the Panel is contained within the Constitution of the GMCA.

Greater Manchester Transport Committee

The Greater Manchester Transport Committee is a joint committee of the Constituent Councils of the GMCA, the GMCA and the Mayor of Greater Manchester established under powers contained in the Local Government Act 1972. The Operating Agreement and Terms of Reference for the Committee are available here - <https://committees.oldham.gov.uk/documents/s104828/GM%20Transport.pdf>

AGMA Executive Board

Pursuant to powers in the Local Government Act 2000, the Council has entered into a local agreement with the other nine Councils in the Greater Manchester area to form a Joint Committee, established as the (Joint Arrangements) Committee and called the AGMA Executive Board (AGMA being the acronym for the Association of Greater Manchester Authorities). The AGMA Constitution is available here - https://www.greatermanchester-ca.gov.uk/media/1337/agma_constitution_june12.pdf

Peak District National Park Authority

Oldham Council is a Constituent Council of the Peak District National Park Authority established under the provisions of the Environment Act 1995. The Standing Orders of the Authority are available here - <https://democracy.peakdistrict.gov.uk/documents/s33354/Full%20Copy%20of%20Standing%20Orders%20December%202019.pdf>

Health Scrutiny – Pursuant to powers in the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, the Council has entered into local arrangements and delegated aspects of the health scrutiny

function to joint bodies where the function is linked to the scrutiny of NHS organisations which cover more than one local authority area, including Oldham.

- **Greater Manchester Joint Health Scrutiny Committee**
Terms of Reference available here - <https://www.greatermanchester-ca.gov.uk/media/1348/joint-health-scrutiny-committee-terms-of-reference.pdf>
- **Joint Committee for the Pennine Acute Hospitals NHS Trust**
Terms of Reference available here - <https://www.bury.gov.uk/CHttpHandler.ashx?id=14677andp=0>
- **Joint Committee for the Pennine Care NHS Trust**
Terms of Reference available here - <https://www.bury.gov.uk/CHttpHandler.ashx?id=2199andp=0>

13. THE OLDHAM PARTNERSHIP

Oldham Leadership Board

The Oldham Leadership Board is a partnership of public sector Chief Executives, key elected members, business, community and voluntary sector leaders. It is more than a partnership of organisations but is a body which is responsible for leading Oldham, not just at the Borough level but at Greater Manchester level and beyond. The Board also provides Oldham solutions with an emphasis on leadership, collaboration and joint investment.

The Oldham model has three core components -

- Inclusive Economy;
- Thriving Communities; and
- Co-operative Services.

These core components are wrapped up in a constant commitment to

- Public Sector Reform; and
- Empowering People and Communities.

The Partnership's commitment to these five themes will help drive the improvement in the outcomes for both Oldham's population, and Oldham as a place.

The Board has the ability to hold all parts of the Oldham Partnership to account for the delivery of the Oldham Model.

The three partnership boards will all formally report into the Oldham Leadership Board and drive the delivery of the Oldham Model outlined above. The three partnership boards are

- Co-operatives and Neighbourhoods;
- Health and Wellbeing Board; and
- Economy and Skills.

These Boards are further supported by a range of other partnerships and networks of the Oldham Partnership. These include, for example, the Community Safety and Cohesion Partnership, the Oldham Housing Investment Partnership, the Adult and Children's Safeguarding Boards and the Oldham Community, Voluntary and Faith Partnership.

Delivering Oldham and Greater Manchester Strategy ambitions

The Oldham Leadership Board (with the support of the three partnership boards and wider partners) is responsible for leading Oldham at the neighbourhood level, borough level and at the Greater Manchester level and beyond.

The Greater Manchester Strategy sets the broader framework within which the Leadership Board should focus its efforts and energy to help drive Greater Manchester forward as a whole, whilst also enabling the Leadership Board to develop local solutions and ensure that Oldham benefits from any collective Greater Manchester-wide growth and reform.

The Leadership Board will also ensure that Oldham key transformational and reform ambitions and programmes are on track and supporting the wider Oldham ambition, and not just confined to individual sectors. These include -

- Health and Social Care integration and transformation through Oldham Cares (as outlined in the Oldham Locality Plan for Health and Social Care Devolution);
- Early intervention and prevention across public services;
- The implementation of local service transformation and place-based delivery (as outlined in the Thriving Communities platform of work for Oldham); and
- The Town Centre Masterplan

Oldham will continue to influence Greater Manchester and the national discussion on developing co-operative approaches to public services and continue to ensure a focus on designing public services around people and communities rather than within organisational boundaries.

The Board will also deliver on the growth ambitions for the Borough and Greater Manchester (as outlined in the Oldham Work and Skills Plan) with a focus on investment, skills and good quality jobs for Oldham people. It will also seek to maximise its collective economic power and influence as employers in Oldham.

Membership

The Board comprises of Oldham leaders across the public, private, community and voluntary sector as follows:

- Leader, Oldham Council
- Chief Executive, Oldham Council
- Chair of the Oldham Health and Wellbeing Board
- Chair of the Co-operatives and Neighbourhoods Commissioning Cluster
- Chair of the Economy and Skills Commissioning Cluster
- Deputy Chief Executive and Strategic Director Communities and Reform, Oldham Council (as appropriate)
- Leader of the Opposition, Oldham Council
- Chair/deputy of Oldham Business Leaders Group

Chief Executive Officers of:

- Action Together
- Citizens Advice
- Greater Manchester Police (Oldham Division)
- Oldham Cares

- Pennine Acute
- Oldham Community Leisure Trust
- First Choice Homes
- Greater Manchester Fire and Rescue Authority
- Greater Manchester Probation/Community Rehabilitation Company

The Board may also invite other partners and individuals to join the Board and contribute to meetings where they have a clear role to play.

This page is intentionally left blank



Part 4A

Council Procedure Rules

1.	ANNUAL MEETING OF THE COUNCIL	3
2.	ORDINARY MEETINGS	4
3.	EXTRAORDINARY MEETINGS	5
4.	NOTICE AND SUMMONS TO MEETINGS	6
4A.	REMOTE ACCESS TO MEETINGS	6
5.	CHAIR OF MEETING	6
6.	MEMBERS SPEAKING TO THE COUNCIL	7
7.	QUORUM, INCLUDING MEMBERS IN REMOTE ATTENDANCE	7
8.	DURATION OF MEETING	8
9.	SIGNING OF MINUTES	8
10.	PUBLIC QUESTIONS	8
10A.	REMOTE ATTENDANCE BY MEMBERS OF THE PUBLIC	9
11.	QUESTIONS BY MEMBERS	10
12.	NOTICES OF MOTION	10
13.	NOTICE OF AMENDMENTS	12
14.	RULES OF DEBATE	12
15.	RESCISSION OF PRECEDING RESOLUTION	15
16.	VOTING	15
16A.	REMOTE VOTING	16
17.	MEMBERS' CONDUCT	16
17A.	MEMBERS EXCLUSION FROM MEETINGS	17
18.	SUSPENSION OF SITTING	17
19.	POWER TO RESOLVE INTO COMMITTEE	17
20.	QUESTIONS AND CONFIDENTIAL OR EXEMPT INFORMATION	17
21.	ADMISSION OF THE PUBLIC TO MEETINGS	17
22.	ANNUAL BOROUGH REPORT	18
23.	YOUTH COUNCIL ANNUAL REPORT	18
24.	RULES WHICH APPLY TO COMMITTEES OF THE COUNCIL	18
	ADDENDUM	
	AGENDA AND TIMINGS FOR COUNCIL MEETING	20
	PROCEDURE FOR NOTICE OF MOTIONS (NO AMENDMENT)	21
	PROCEDURE FOR NOTICE OF MOTIONS (WITH AMENDMENT)	22

PART 4 - COUNCIL PROCEDURE RULES

Matters reserved to Council are outlined in the Council Terms of Reference at Section 3 to Part 3 of this Constitution.

1. ANNUAL MEETING OF THE COUNCIL

1.1 Timing and Business

In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the annual meeting will take place on a date to be set by Council.

1.1A The requirement to hold an Annual Meeting is to be disregarded and, prior to 7th May 2021, an Annual Meeting of Council may only take place:

- a) where called by the Chair; or
- b) following a resolution calling for an Annual Meeting being passed at an ordinary or extraordinary meeting of Council.

1.2 The annual meeting will:

- a) elect a person to preside if the Mayor or Deputy Mayor is not present;
- b) elect the Mayor;
- c) appoint the Deputy Mayor;
- d) approve the Minutes of the last meeting;
- e) deal with matters which the Mayor considers to be urgent business;
- f) receive any communications from the Mayor relating to the business of the Council;
- g) receive any petitions relating to the business of the Council (all petitions to be dealt with in accordance with the Council's Petitions Protocol);
- h) elect the Leader (if required);
- i) receive the report of the Leader on executive arrangements;
- j) decide the allocation of seats to political groups in accordance with the political balance rules;
- k) establish at least one Overview and Scrutiny Committee, a Licensing Committee (or such Committee as meets the requirements of the Licensing Act 2003) and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions;
- l) decide, within any statutory restriction, the size and terms of reference for those Committees;
- m) appoint to those Committees, including substitute Members;
- n) appoint a Chair for those Committees;
- o) appoint to outside bodies, except where appointment to those bodies has been delegated by the Council or are executive appointments;
- p) if not previously determined by Council, approve a programme of ordinary meetings of the Council for the year;
- q) consider notices of motion in the order in which they have been received by the Chief Executive (time limit – 30 minutes);

- r) consider motions of opposition business in accordance with Procedure Rules 8 and 10 (time limit – 30 minutes);
- s) agree amendments to and/or re-affirm the Constitution, including the Council (non-executive) Scheme of Delegation; and
- t) consider any business set out in the notice convening the meeting.

2. ORDINARY MEETINGS

2.1 Timings and Business

- 2.1.1 All ordinary meetings shall normally be held at 6.00pm and shall conclude at 9.30pm unless some other time fixed by statute or specified in the summons. The Mayor shall determine whether meetings where significant tranches of Budget proposals or major communications are considered shall conclude at 10.00pm.
- 2.1.2 Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting or by the Council at an ordinary meeting preceding the annual meeting.
- 2.1.3 Subject to any variation in the order of business under Procedure Rule 12.4 (c) or when the Mayor, in consultation with the Leaders of the political groups of the Council, considers it appropriate to move an officer report higher on the agenda, the order of business at every ordinary meeting of the Council will be:
 - a) To choose a person to preside if the Mayor and Deputy Mayor are not present;
 - b) To approve as a correct record the Minutes of the last meeting of the Council; provided that, if a copy has been circulated to each Member of the Council not later than the date of issue of the Summons to attend the meeting, they will be taken as read;
 - c) To receive any declarations of interest from Members;
 - d) To deal with matters which the Mayor considers to be urgent business.
 - e) To receive any communications from the Mayor relating to the business of the Council. At the final ordinary Council meeting of any municipal year, the Mayor will indicate which members have provided notice that they are not returning as members in order to give other members the opportunity to address the meeting on their retirement;
 - f) To receive any petitions relating to the business of the Council (all petitions to be dealt with in accordance with the Council's Petitions Protocol); **(time limit - 20 minutes)**
 - g) To consider a presentation or resolution on a specific topic of relevance to the Borough, from the Youth Council; **(time limit – 20 minutes)**;
 - h) Question Time (see Council Procedure Rules 10 and 11) –
 - 1. Public questions **(time limit – 15 minutes)**;
 - 2. Leader and Cabinet Question Time **(time limit - 30 Minutes)**. (The Leader of the main Opposition group is entitled to 2 questions; the Leader of a Minority Opposition group who gives first notice of a question is entitled to 1 question.) Maximum 2 minutes per question and 2 minutes per response. Following questions from Opposition Leaders, the Mayor will call Members to ask questions on a politically-balanced basis. In the absence of the Leader, a nominated

representative may respond to the questions. In the absence of the Leader of the Opposition, a nominated representative may ask.

3. Cabinet Minutes **(time limit – 15 minutes)**. To receive the minutes of the Cabinet, to receive questions and observations on any items within those minutes from those Members of the Council who are not Members of the Cabinet, and to receive responses from appropriate Cabinet Members or their Deputies. To also receive annually a list of any urgent key decisions taken since the last annual report.
 4. Joint Arrangements / Partnerships **(time limit – 15 minutes)**. To note the submitted Minutes, to receive questions and observations from Members on the discharge of the functions of Joint and Partnership Arrangements, and to receive responses from the relevant spokesperson;
 - i) To consider notices of Administration business in the order in which they have been received by the Chief Executive; **(time limit - 30 minutes)**
 - j) To consider notices of Opposition business in the order in which they have been received by the Chief Executive; **(time limit - 30 minutes)**
 - k) Other business (if any) specified in the Summons, including matters of call-in and any matters expressly required by statute. Without the suspension of Council Procedure Rules, the Chair of the Audit Committee may speak with permission and if requested when Council is considering a report from the Chair of the Audit Committee.
- 2.1.4 Any period of time not utilised in relation to items (a) – (j) in section 2.1 above is to be distributed to items (k).
- 2.1.5 The Council Budget Meeting shall be a sole item meeting, except that a communications item may be included.

3. EXTRAORDINARY MEETINGS

3.1 Calling Extraordinary Meetings

An extraordinary meeting of the Council may be called at any time by:

- a) the Council;
- b) the Mayor;
- c) any five Members of the Council if they have signed a requisition presented to the Mayor and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition; or
- d) the Monitoring Officer or the Chief Finance Officer in pursuance of their statutory duties.

3.2 Business

Any request or requisition for an Extraordinary Meeting of the Council shall specify the reason for the calling of the meeting and give notice of a motion to be debated, unless the purpose is to receive reports or adoption of recommendations of Committees or Officers or any resolutions following from them. No business other than that specified in the summons to the meeting may be considered at an extraordinary meeting.

4. NOTICE AND SUMMONS TO MEETINGS

- 4.1 The Chief Executive or nominated Officer shall give notice to the public of the date, time and place of any meeting in accordance with the Access to Information Procedure Rules at Part 4B of this Constitution. At least five clear working days before a meeting, the Chief Executive or deputed Officer shall send a summons by post or by electronic mail to every Member of the Council or leave it at their usual place of residence. Every Member of the Council will be served with a copy of the summons prior to the meeting, unless they give written notice to the Chief Executive or nominated Officer that they do not wish to receive a physical copy. The summons shall give the date, time and place of each meeting and specify the business to be transacted and shall be accompanied by any reports to be considered.
- 4.1A For all purposes of these Rules and the Constitution in general, the terms “notice”, “summons”, “agenda”, “report”, “written record” and “background papers” when referred to as being a document that is:
- a) “open to inspection”, shall include for these and all other purposes as being published on the website of the Council; and
 - b) to be published, posted or made available at offices of the Authority, shall include publication on the website of the Authority.

4A. REMOTE ACCESS TO MEETINGS

- 4A.1 For all purposes of these Rules and the Constitution in general, the term “meeting” is not limited in meaning to a meeting of persons all of whom, or any of whom, are present in the same place, for which purposes any reference to:
- a) “place” is to be interpreted as where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers: and
 - b) “open to the public” includes access to the meeting being through remote means including (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person; and
- 4A.2 If the Chair is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chair shall adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business will be considered at a time and date fixed by the Chair. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

5. CHAIR OF MEETING

- 5.1 The Mayor shall preside at meetings of the Council and may exercise any power or duty of the Chair in ensuring the proper conduct of the meeting. If the Mayor is absent, the Deputy Mayor shall preside. If both are absent, the

members of the Council in attendance shall appoint one of their number to Chair that meeting.

- 5.2 Whenever the Mayor speaks during a debate, or should the Mayor stand at any point during a meeting, or should the Mayor declare “Mayor standing” at any meeting being held wholly or in part by remote means, any Member speaking or standing shall fall silent, and the meeting shall fall silent also.

6. MEMBERS SPEAKING TO THE COUNCIL

- 6.1 A Member shall speak to address the Council only when called upon by the Chair of the meeting. A Member called to speak shall, if present at the physical location of a meeting and able, stand when speaking and shall address the Mayor. If two or more Members indicate they wish to speak, the Mayor shall call on one to speak.

7. QUORUM

- 7.1 No business shall be transacted at a meeting of the Council unless at least one quarter of the whole number of Members of the Council are present. If, at the expiration of 15 minutes after the time for which any meeting is called, a quorum is not present then the Mayor or in his/her absence the Deputy Mayor or in the absence of both, the Monitoring Officer or his/her representative shall state that no meeting shall take place. If, during a meeting, a quorum is questioned and the Mayor, after counting the number of Members present, declares that there is not a quorum present, the meeting shall stand adjourned for an appropriate period to be determined by the Mayor.

7.2 Members in Remote Attendance

- 7.2.1 A Member in remote attendance is present and attends the meeting, including for the purposes of the meeting’s quorum, if at any time all three of the following conditions are satisfied, those conditions being that the Member in remote attendance is able at that time:
- a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other Members in attendance.
 - b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
 - c) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- 7.2.2 A Member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in Procedure Rule 7.2.1 above are not met. In such circumstance the Chair may, as they deem appropriate;
- a) adjourn the meeting for a short period to permit the conditions for remote attendance of a Member contained in (a) above to be re-established;
 - b) count the number of Members in attendance for the purposes of the quorum; or

- c) continue to transact the remaining business of the meeting in the absence of the Member in remote attendance.

8. DURATION OF MEETING

8.1 Interruption of the Meeting

Unless otherwise stated on the summons or provided for in accordance with Procedure Rule 2.1, at 9.30pm the Mayor will cease all debate and any Member speaking must immediately sit down. The Mayor will call for the vote immediately on the item under discussion. The vote will then be taken in the usual way without any further discussion.

8.2 Motions and Recommendations Not Dealt With

If there are other motions or recommendations on the summons that have not been dealt with by 9.30 pm or such other time arising from Procedure Rule 8.1 above and the mover indicates that he/she wishes it to be determined at the current meeting the Mayor shall then establish whether there is any opposition to the resolution. If that be the case then the Mayor will take one speech from the mover and one other member in opposition before the vote is taken. Any other outstanding motions or amendments will be moved and seconded and the vote will be taken without further debate until each outstanding matter has been concluded.

8.3 Recorded Vote

If during this process a recorded vote is requisitioned in accordance with Procedure Rule 16.3, the vote will be taken immediately.

9. SIGNING OF MINUTES

- 9.1 As soon as the Mayor has put the question that the Minutes of the last preceding meeting of the Council be signed as a correct record, any Member of the Council may put to the Mayor any question which has reference to their accuracy and no motion or discussion shall take place upon the Minutes, except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised, then as soon as it has been disposed of, the Mayor shall sign the minutes.

- 9.2 At an extraordinary meeting of the Council the minutes of the preceding meeting need not be signed and may instead be signed at the next ordinary meeting.

10. PUBLIC QUESTIONS

10.1 Notice of Public Questions

Written notice of the public question must be delivered to the Head of Constitutional Services no later than 4pm of the day of the Council meeting. Delivery includes the submission of questions via electronic media. The notice of the public question must include the questioner's name and full postal address.

10.2 Scope of Questions

Questions can be asked of Cabinet Members. Questions shall not be accepted if the Monitoring Officer considers that the question:

- a) is not about a matter for which the Local Authority has responsibility or which affects the Borough;
- b) requires or is likely to lead to the disclosure of exempt or confidential information;
- c) is defamatory, offensive or factually incorrect;
- d) is substantially the same as a question which has been asked at a Council meeting in the past six months;
- e) is formed to make a statement rather than to receive information.
- f) is about the conduct of individual members

10.3 Order of Questions

Questions from members of the public will be taken in the order received.

Multiple questions by the same member of the public will only be considered after questions submitted singly, and then in the order of all second questions submitted, then all third questions submitted and so on.

10.4 Asking the Question at the Meeting

The Mayor will advise of the name of a questioner and will either read out the question or ask for the question to be read out to the Council.

10.5 Answers to Questions

The relevant Cabinet Member or their Deputy may respond and the time allowed for responses to be limited to a maximum of two minutes each.

10.6 Record of Questions

Notices of questions will be dated and numbered as received and be open to public inspection.

10.7 Time Limit on Public Questions

The time allowed for public questions will be a maximum of 15 minutes.

10A. REMOTE ATTENDANCE BY MEMBERS OF THE PUBLIC

10A.1 A member of the public entitled to attend a meeting in order to exercise a right to speak at the meeting is in remote attendance at any time if all three of the following conditions are satisfied, those conditions being that the member of the public in remote attendance is able at that time:

- a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, Members in attendance;
- b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any other members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- c) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

10A.2 A member of the public in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for

remote attendance contained in Procedure Rule 10A.1 above are not met. In such circumstance the Chair may, as he or she deems appropriate:

- a) adjourn the meeting for a short period to permit the conditions for remote attendance contained in Procedure Rule 10A.1 above to be re-established;
- b) suspend consideration of the item of business in relation to the member of public's attendance until such time as a following item of business on the agenda has been transacted and the conditions for the member of the public's remote attendance have been re-established or, on confirmation that this cannot be done, before the end of the meeting, whichever is the earliest; or
- c) continue to transact the remaining business of the meeting in the absence of the member of the public in remote attendance.

11. QUESTIONS BY MEMBERS

11.1 Questions to Leader and Cabinet Members, on Cabinet Minutes and on Joint Authority and Partnership Minutes

Advance notice of questions to the Leader and Cabinet Members, on Cabinet Minutes and on Joint Authority or Partnership Minutes is not required. However, if a detailed or technical answer is expected at the meeting, notice should be given to the Chief Executive by noon at least two working days before the date of the meeting of Council. The time allowed to put the question shall be limited to a maximum of two minutes for each question.

11.2 Answers to Questions

An answer may be provided in the form of:

- a) A direct oral answer;
 - b) A reference to a publication of the Council containing the desired information; or
 - c) In the case of a detailed or technical response, a written response.
- The time allowed for responses is limited to a maximum of two minutes for each question.

11.3 Supplementary Questions and Observations

After a question has been responded to, a Member may ask one supplementary question or make an observation which must relate to the original question or response.

12. NOTICES OF MOTION

12.1 Notice

Except for Motions which can be moved without notice under Procedure Rule 12.4, written or electronic notice of every motion, including those motions to be submitted by the Youth Council, signed by at least one Member, must be delivered to the Chief Executive no later than noon, seven working days before the meeting of Council. Such notices will be dated and numbered as received, filed in the office of the Chief Executive and be open to public inspection.

12.2 **Scope**

Every notice of motion will be relevant to some matter over which the Council has an influence.

12.3 **Mover of Motion**

12.3.1 No motion of which notice has been given in accordance with Procedure Rule 12 shall be moved in the absence of the Member of the Council in whose name it stands, unless he or she has given their authority in writing to the Chief Executive that the business shall be taken over by some other Member. Unless moved in accordance with this Procedure Rule or postponed by leave of the Council, such motion shall be considered as dropped and shall not be again moved without fresh notice.

12.3.2 A Member shall not speak more than once on any motion except to move or speak to an amendment, except in the exercise of the right of reply, or on a point of order, or by way of personal explanation.

12.3.3 **Seconder of Motion**

No motion of which notice has been given in accordance with Procedure Rule 12 shall be seconded in the absence of the Member of the Council in whose name it stands, unless he or she has given notice in writing to the Chief Executive that the business shall be seconded by another Member.

12.4 **Motions without Notice**

The following motions may be moved without notice:

- a) to appoint a Chairman of the meeting at which the motion is made;
- b) motions relating to the accuracy of the minutes
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a Committee or an individual arising from an item on the summons;
- f) to receive reports or recommendations of the Executive, Committees or officers and determine any resolutions following from them;
- g) to withdraw a motion;
- h) to proceed to the next business;
- i) that the question be now put;
- j) to adjourn a debate;
- k) to adjourn a meeting;
- l) to extend the time limit for speeches as detailed in Procedure Rule 14.5;
- m) that the meeting continue beyond 9.30 pm or such other time as provided for under Procedure Rule 8.1 above;
- n) to suspend a particular Procedure Rule;
- o) that the Council does resolve itself into Committee;
- p) to exclude the public and press in accordance with the Access to Information Procedure Rules;
- q) to give the consent of the Council where the consent of the Council is required by the Constitution.

12.5 Alteration of Motions

A Member may alter a motion which he/she has proposed, or of which notice has been given, with the consent of the seconder and of the Council. The consent of the meeting will be signified without discussion.

12.6 Motions Contravening Financial Procedure Rules

12.6.1 Any motion or report submitted to the Council which, if carried, would increase the Council's net revenue or capital budget or might otherwise contravene Financial Procedure Rules shall stand adjourned without debate and be referred to the Cabinet to receive a report on the detailed financial implications. When the Council reconvenes to consider the motion or report it shall receive the recommendation of the Cabinet on the matter before making a decision on the motion or report and on whether to effect any change to the Council's approved Budget.

12.6.2 In the event of urgency, the Council may consider such an item without delay on receipt of a report from the Cabinet Member with responsibility for Finance as to the financial implications.

12.6.3 Where a report of the Cabinet contains a recommendation at variance with that of another body, the Mayor will call upon the Leader of the Council to move the adoption of the relevant recommendation of the Cabinet. If the matter is then settled or disposed of by the Council, no further discussion on the matter shall take place at that Council meeting and the alternate recommendation shall fall.

13. NOTICE OF AMENDMENTS

13.1 An amendment to any matter contained within the summons to the meeting shall not be discussed unless the mover has given written or electronic notice of the text of the amendment in writing to the Chief Executive not later than noon the day preceding the meeting.

13.2 Where notice has been given of more than one amendment to a recommendation or a motion under Procedure Rule 12.1, those amendments shall be considered and put in the order of receipt of the notice.

13.3 It is not permissible to amend an amendment.

13.4 Amendments may only be merged or composited with the approval of the proposer and seconder of the amendment.

14. RULES OF DEBATE

14.1 No Speeches until Motion or Amendment Seconded

A motion or amendment shall not be discussed unless it has been proposed and seconded.

14.2 Right to Require Motion in Writing

Unless notice of the Motion has already been given in accordance with Procedure Rule 12 or the Motion is to be moved under Procedure Rule 12.4 it

shall be reduced to writing and handed to the Mayor before it is further discussed or put to the meeting.

14.3 Seconders's Speech

Any Member who seconds a motion or amendment without making a speech may reserve his/her right to speak at a later period of the debate.

14.4 Content of Speeches

A Member shall direct their speech to the question under discussion or to a point of personal explanation or to a point of order.

14.5 Length of Speeches

14.5.1 Speeches - No Member may speak for longer than four minutes on any motion or amendment. The Council may consent to one extension of thirty seconds per speech.

14.5.2 Replies - A Member replying to debate on any motion or amendment may speak for six minutes. The Council may consent to one extension of one minute per reply.

14.6 Amendments to Motions

14.6.1 An amendment to a motion must be relevant to the motion and will either be:

- a) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - b) to leave out words;
 - c) to leave out words and insert or add others (It is not permissible to delete a motion in its entirety and replace with a differently worded amendment);
or
 - d) to insert or add words;
- providing the effect of b) and d) is not to negate the motion or introduce a new proposal into the motion.

14.6.2 Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.

14.6.3 If an amendment is rejected, other amendments may be moved on the original motion.

14.6.4 If an amendment is carried, the motion as amended, will take the place of the original motion and will become the substantive motion upon which any further amendment may be moved.

14.7 Withdrawal of Motion

A Member may withdraw a motion which he/she has proposed or of which notice has been given with the consent of the seconder and of the Council, the meeting's consent will be signified without discussion. No member shall speak on the motion after the proposer has asked permission for its withdrawal, unless such permission is refused.

14.8 **Right of Reply**

- a) The mover of a motion shall have a right of reply at the close of the debate on the motion, immediately before it is put to the vote.
- b) If an amendment is proposed, the proposer of the original motion is entitled to reply at the close of the debate on the amendment.
- c) The proposer of the amendment shall have a right to reply at the close of the debate on the amendment immediately before it is put to the vote.
- d) After every right of reply a decision shall be taken without further discussion.
- e) A Member exercising a right of reply shall not introduce a new matter.
- f) If any business is moved by the Leader of the Council at the closing of the debate the main Opposition Party Group Leader shall have a right to speak prior to the Leader exercising their right of reply.

14.9 **Motions which may be Moved During Debate**

When a motion is under debate, no other motion shall be moved except the following procedural motions:

- a) to withdraw a motion;
- b) to amend a motion;
- c) to proceed to the next business;
- d) that the question be now put;
- e) to adjourn a debate;
- f) to adjourn a meeting;
- g) to resolve into a Committee in accordance with Procedure Rule 12.4;
- h) to refer the subject of debate to Cabinet or an Overview and Scrutiny Committee;
- i) to exclude the press and public in accordance with the Access to Information Procedure Rules;
- j) to not hear further, or to exclude from the meeting, a member named under Procedure Rule 17.

14.10 **Closure Motions**

14.10.1 A Member who has not spoken on the matter before the Council may, at the conclusion of a speech of another Member, move without comment:

- "That the matter be now put";
- "That the debate be now adjourned";
- "That the Council proceeds to the next business";
- "That the Council does now adjourn"; or
- "That *the subject of debate* be referred to the Cabinet" or "to an Overview and Scrutiny Committee", as the case may be"

14.10.2 On seconding of any of the above, the Mayor will, if he/she considers that the matter before the meeting has been sufficiently discussed, put that closure motion to the vote. If such a motion is carried, the matter before the meeting shall be put to the vote, subject to the right of reply under Procedure Rule 14.8, or the debate shall be adjourned, or the Council shall proceed to the next business or the Council shall stand adjourned, or the business shall stand referred, as the case may be.

14.11 Points of Order or Personal Explanation

14.11.1 A Member may raise a point of order or make a personal explanation at any time.

14.11.2 A point of order is an objection submitted to the Mayor claiming some irregularity in the Constitution or the conduct of the meeting or a breach of the law such as:

- a) the use of irrelevant or improper language;
- b) a quorum is not present;
- c) an amendment negates the motion before the meeting;
- d) the motion is ultra vires or not within the scope of the notice given;
- e) no question is before the meeting; or
- f) these Procedure Rules are not being complied with.

14.11.3 A point of order relates to procedure only, and not the arguments or principals or political views put forward, nor with the truth or falsehood, correctness or incorrectness of statements made in the course of debate. A Member raising a point of order may not make a speech beyond clarification of the point of order. Any member raising a point of order shall state at the outset the Procedure Rule considered to have been infringed. Every point of order shall be decided by the Mayor, whose ruling shall be final and not open to discussion, before the debate on the business proceeds.

14.11.4 A personal explanation shall be confined to clarifying briefly some material part of a former speech by that Member at the same meeting which may have been misunderstood. A personal explanation may also enable a Member to refute or correct a statement attributed to him/her in any action he/she may have taken. The ruling of the Mayor on a point of order or on the admissibility of a personal explanation shall be final and may not be discussed.

15. RESCISSION OF PRECEDING RESOLUTION

No question or matter which within any Municipal Year has been twice decided by the Council in the same way shall, in the same Municipal Year, again be submitted for consideration, and this Procedure Rule shall not be evaded by the substitution of any motion differently worded, but, in principle, the same.

16. VOTING

16.1 Majority

Unless this Constitution or the law provides otherwise, any matter will be determined by a show of hands, and by a simple majority of those Members voting and present in the room at the time the question was put.

16.2 Chairman's Casting Vote

In the case of equality of votes, the Mayor shall have a second or casting vote.

16.3 Recorded Vote

If required by law or on the requisition of any member supported by five other Members who signify their support by show of hands (or verbally in accordance

with Procedure Rule 16A.1 below) before the voting on any question, the vote shall be recorded as to how each Member present and voting gave his/her vote.

16.4 Individual Member Recorded Vote

Where, immediately after a vote is taken at a meeting of the Council, any Member so requires, the Minutes of Council will record whether that person cast his or her vote for the question or against the question, or whether he/she abstained from voting.

16.5 Voting on Appointments

16.5.1 Where there are more than two persons nominated for any position to be filled by the Council, and of the votes given there is not a majority in favour of one person, the name of the person receiving the least number of votes of those present and voting shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

16.5.2 Where there are at any time two or more vacancies on the same body to be filled by the Council and more persons are nominated to fill those vacancies, each vacancy shall be dealt with separately in accordance with paragraph a) above.

16A. REMOTE VOTING

16A.1 Unless a recorded vote is demanded in accordance with Procedure Rule 16.3 above which may be confirmed by the requisite number of Members confirming the demand verbally when requested by the Chair, the Chair will take the vote

- a) by the affirmation of the meeting if there is no dissent [by assent]; or
- b) by roll-call and the number of votes for or against the motion or amendment or abstaining from voting will be recorded.

17. MEMBERS' CONDUCT

17.1 The Mayor may call the attention of the Council to continued irrelevancy, tedious repetition, unbecoming language or any breach of order on the part of a Member addressing the meeting and, after two warnings, shall not allow the Member to proceed. The Mayor shall call upon another Member to address the Council or, if no Member shall rise (subject to the right of the Mover to reply), put the question to the vote without further debate.

17.2 No Member may impute motives to, or use offensive expressions concerning, any other Member of the Council. In the event of any Member offending against this Rule, the Mayor may call upon the Member to withdraw the offensive remark.

17.3 If any Member of the Council persists in disregarding the authority of the Mayor or behaves irregularly, improperly or offensively or wilfully obstructs the business of the Council, the Mayor may call upon the Member to retire from the meeting for the remainder of the business.

17A. MEMBERS EXCLUDED FROM THE MEETING

- 17A.1 Where a Member is required to leave the meeting, the means of remote attendance and access is to be severed whilst any discussion or vote takes place in respect of the item or items of business in which the Member or co-opted Member may not participate.

18. SUSPENSION OF SITTING

In a case of defiance of the authority of the Mayor, the Mayor may, on obtaining the consent of a majority of the Members of the Council present and voting on the question so to do, have the offending Member or Members of the Council, removed, and either declare the meeting closed (and leave the Chair) or declare the meeting to be adjourned indefinitely or until some stated time. Upon such declaration the meeting shall forthwith be closed or stand adjourned accordingly, and no business shall be transacted until the next duly convened meeting, or until the resumption of the meeting, in accordance with the Mayor's pronouncement.

19. POWER TO RESOLVE INTO COMMITTEE

- 19.1 Should a Motion be moved in accordance with Procedure Rule 11.4(p) at the close of any speech, the Council may pass a resolution resolving itself into Committee.
- 19.2 These Council Procedure Rules shall apply to proceedings of the Council in Committee, except that any Member may speak more than once with the permission of the Mayor.

20. QUESTIONS AND CONFIDENTIAL OR EXEMPT INFORMATION

- 20.1 If any question arises on any matter as to the appointment, promotion, dismissal, salary or conditions of service, or as to the conduct of any person employed by the Council, such question shall not be the subject of discussion until the Council has decided whether or not the power of exclusion of the public under Section 100A(4) of the Local Government Act 1972 shall be exercised.
- 20.2 If any question arises on any matter and it is questioned whether a consideration of that matter will require matters containing confidential or exempt information to be disclosed, such question shall not be the subject of discussion until the Council has decided whether or not the power of exclusion of the public under Section 100A(4) of the Local Government Act 1972 shall be exercised.

21. ADMISSION OF THE PUBLIC TO MEETINGS

- 21.1 The public shall be admitted to all meetings of the Council so far as there is accommodation, but:

- a) at any meeting the Council may temporarily exclude the public from such meeting or any part thereof in accordance with Section 100A(2) or (4) of the Local Government Act 1972;
- b) if a member of the public interrupts the proceedings at any meeting, the Mayor may, after warning, order that he/she be removed from the Council Chamber or that the part of the Chamber open to the public be cleared in accordance with Section 100A(8) of the Local Government Act 1972;
- c) if a member of the public making an audio or video recording of the meeting causes disruption to the meeting or to other members of the public in attendance, the person shall comply with any direction of the Mayor;
- d) a member of the public making an audio or video recording of the meeting shall remove their recording equipment from the room should the Council resolve to exclude the press and public.

21.2 Any person attending a meeting for the purpose of reporting the proceedings is to have reasonable facilities made available for taking their report.

22. ANNUAL BOROUGH REPORT

The Mayor will call upon the Leader to present an Annual Borough Report. After Council has considered the report it will be:

- a) disseminated as widely as possible within the community and to agencies and organisations in the area; and
- b) considered by the Leader in proposing the Budget and Policy framework to the Council for the coming year.

23. YOUTH COUNCIL ANNUAL REPORT

The Mayor will call upon the Youth Council on a date within the Municipal Year to present to Council an annual presentation of work undertaken by the Youth Council.

24. RULES WHICH APPLY TO COMMITTEES OF THE COUNCIL

The following Council Procedure Rules will apply to all Committees and Sub-Committees of the Council as described within Section 4 of part 3 of this Constitution -

- Rule 4 Notice and Summons to Meeting
- Rule 4A Remote Access to Meetings
- Rule 5 Chair of Meeting
- Rule 6 Speaking to the Council (except for requirement to stand when speaking)
- Rule 7 Quorum, including Members in Remote Attendance (quorum for individual meetings are specified at Section 4 of Part 3 of this Constitution)
- Rule 9 Signing of Minutes
- Rule 10 Public Questions
- Rule 10A Remote Attendance by Members of the Public

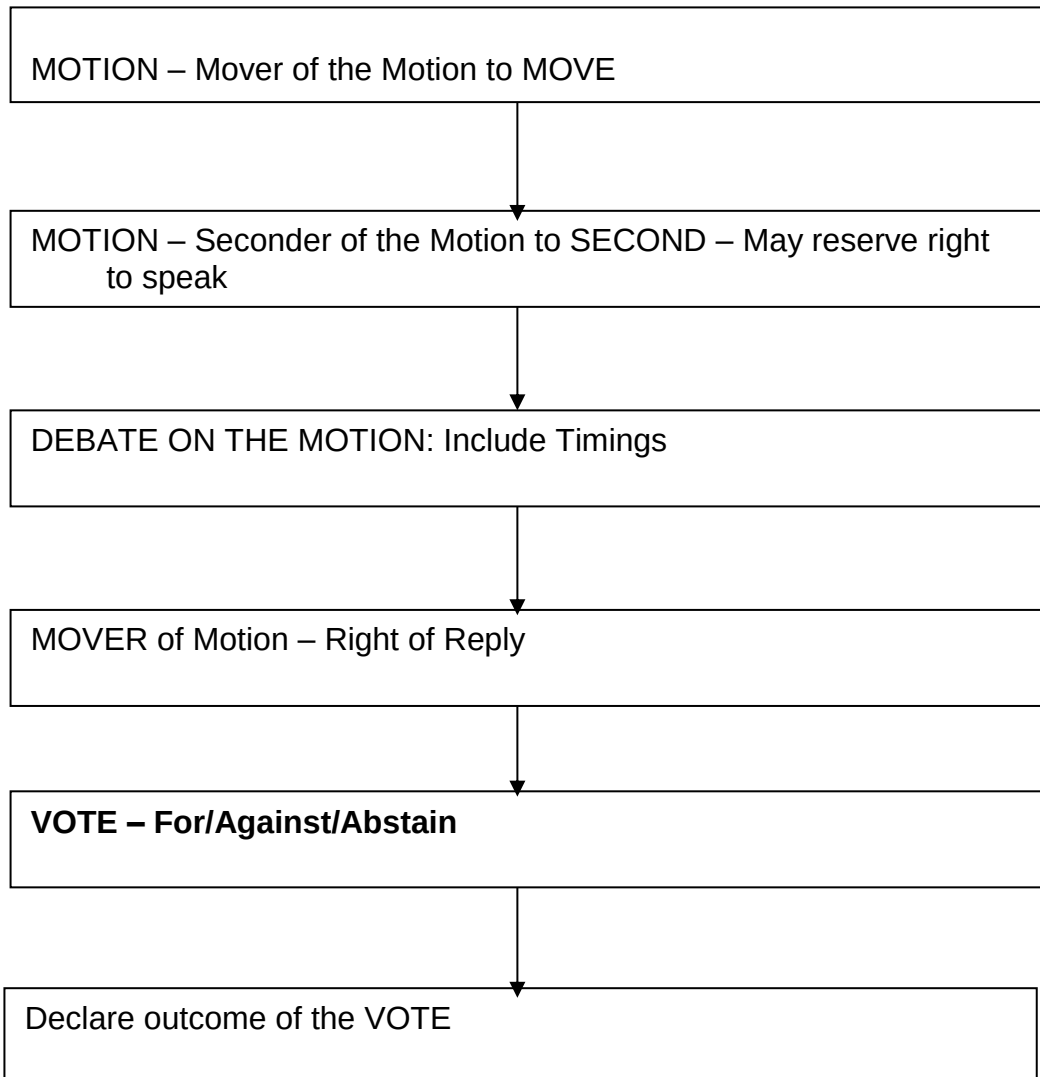
- Rule 14 Rules of Debate (except for time limits on speaking and, with the consent of the Chair, a Member may speak more than once on any matter)
- Rule 16 Voting (but not 16.3)
- Rule 16A Remote Voting
- Rule 17 Members' Conduct
- Rule 17A Members Exclusion from Meetings
- Rule 18 Suspension of Sitting
- Rule 20 Questions and Confidential or Exempt Information
- Rule 21 Admission of the public to meetings

AGENDA AND TIMINGS FOR COUNCIL MEETING

1. Minutes
2. Declaration of interest
3. Urgent business
4. Communications
5. Petitions
6. Youth Council **20 mins**
7. Question Time
 - Public questions **15 mins**
 - Questions to Leader and Cabinet **30 mins**
 - Questions on Cabinet minutes **15 mins**
 - Questions on Joint Arrangements / Partnerships **15 mins**
8. Administration Motions **30 mins**
9. Opposition Motions **30 mins**
10. Other business, including reports

Note Any time not utilised in Items 1 – 9 will be allocated to Item 10.

PROCEDURE FOR NOTICE OF MOTIONS (NO AMENDMENT)

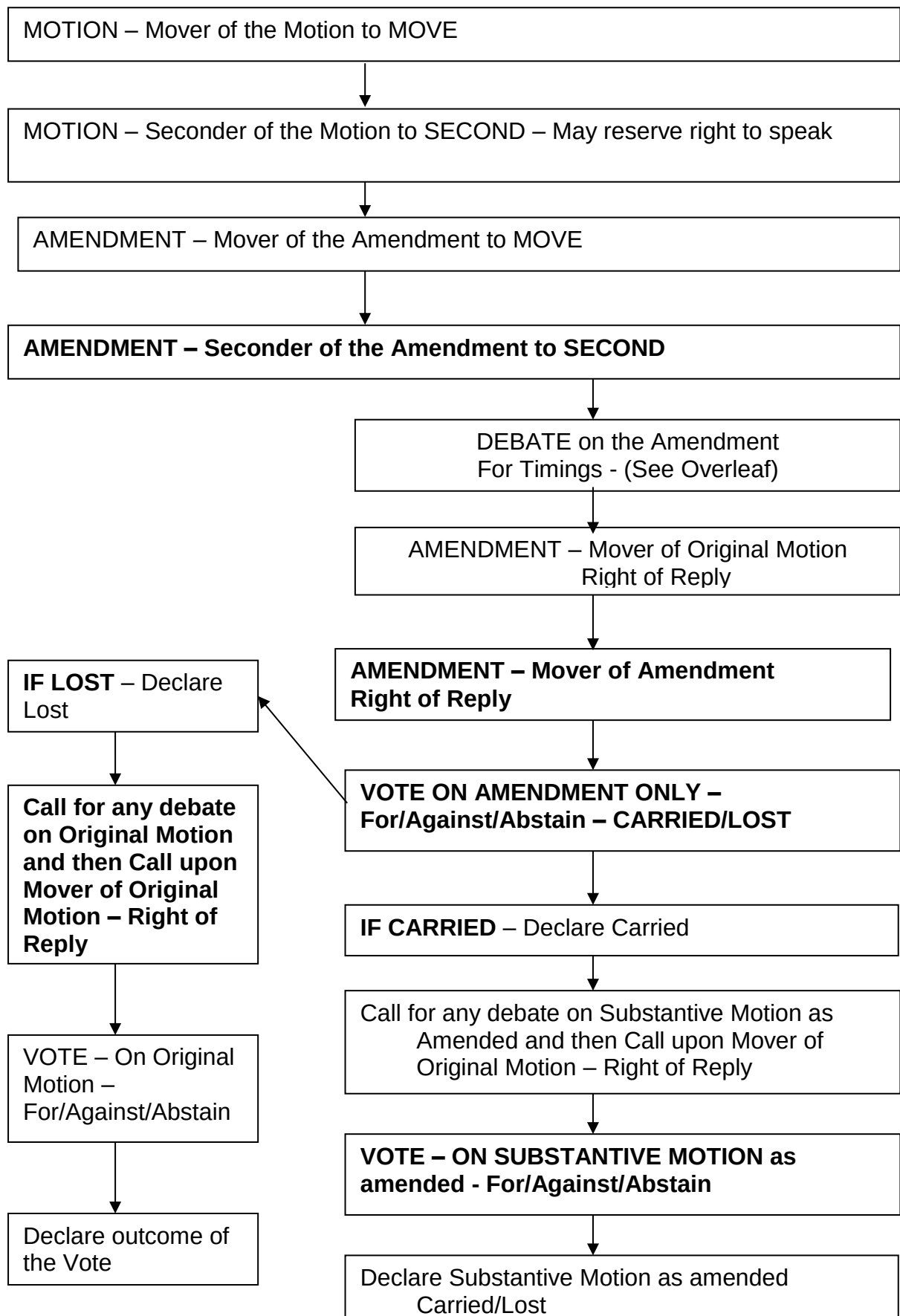


RULE ON TIMINGS

(a) Subject to (b) below, no Member shall speak longer than four minutes on any **Motion or Amendment**, or by way of question, observation or reply, unless by consent of the Members of the Council present, he/she is allowed an extension, in which case only one extension of thirty seconds shall be allowed.

(b) A Member replying to debate or questions shall be entitled to speak for six Minutes, and shall be allowed, with the consent of the Members of the Council present, on extension of one minute. (This would be the MOVER)

PROCEDURE FOR NOTICE OF MOTIONS (WITH AMENDMENT)





Part 4B

Access to Information Procedure Rules

1.	SCOPE	3
2.	RIGHTS TO ATTEND MEETINGS	3
2A.	REMOTE ACCESS TO MEETINGS	3
3.	NOTICE OF MEETING	3
4.	ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING	4
5.	SUPPLY OF COPIES	4
6.	ACCESS TO AGENDA, MINUTES, DECISION RECORDS AND REPORTS	4
7.	MATTERS TO BE CONSIDERED IN EVERY REPORT TO ALL MEETINGS AND TO INDIVIDUAL DECISION MAKERS	5
8.	SUMMARY OF PUBLIC’S RIGHTS	5
9.	EXCLUSION OF ACCESS BY THE PUBLIC TO MEETINGS	5
10.	EXCLUSION OF ACCESS BY THE PUBLIC TO REPORTS	8
11.	KEY DECISION DEFINITION	8
12.	PROCEDURE BEFORE TAKING KEY DECISIONS	9
13.	GENERAL EXCEPTION	10
14.	CASES OF SPECIAL URGENCY	10
15.	REPORTS TO COUNCIL	10
16.	PROCEDURE AFTER TAKING KEY DECISIONS	11
17.	PROCEDURE AFTER TAKING PRINCIPAL AND ADMINISTRATIVE DECISIONS	11
18.	OVERVIEW AND SCRUTINY COMMITTEE ACCESS TO DOCUMENTS	12
19.	ADDITIONAL RIGHTS OF ACCESS FOR MEMBERS	12

PART 4 - ACCESS TO INFORMATION PROCEDURE RULES

1. SCOPE

- 1.1 These Procedure Rules apply to all meetings of the Council, of Council Boards, Committees and Panels (as identified in Section 4 to Part 3 of this Constitution), of Overview and Scrutiny Committees (as identified in Section 5 to Part 3), and of the Cabinet and Committees and Boards of the Cabinet (as identified in Section 7 to Part 3) (together called meetings). These Procedure Rules also apply to individual Members and to Officers when taking decisions on an individual basis.
- 1.2 These Procedure Rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

2. RIGHTS TO ATTEND MEETINGS

Members of the public may attend all meetings unless confidential or exempt information as defined in Procedure Rule 9 is to be considered and the meeting has resolved to exclude the public.

2A. REMOTE ACCESS TO MEETINGS

- 2A.1 For all purposes of these Rules and the Constitution in general, the term “meeting” is not limited in meaning to a meeting of persons all of whom, or any of whom, are present in the same place, for which purposes any reference to:
- a) “place” is to be interpreted as where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers: and
 - b) “open to the public” includes access to the meeting being through remote means including (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person; and
- 2A.2 If the Chair is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chair shall adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business will be considered at a time and date fixed by the Chair. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

3. NOTICE OF MEETING

The Council will give at least five clear days’ notice of any meeting by posting details of the meeting at the Civic Centre, Oldham, and on the Council’s website.

4. ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING

- 4.1 The Council will make copies of the agenda and reports available for public inspection at the Civic Centre, Oldham and on the Council's website at least five clear days before the meeting unless the meeting is convened at shorter notice, in which case the agenda and reports will be available as soon as convened. If an item is added to the agenda later, the revised agenda will be open to inspection from the time the item was added to the agenda. Where reports are prepared after the summons has been sent out, the designated officer shall make each such report available to the public as soon as the report is completed and sent to Councillors.
- 4.2 For all purposes of these Rules and the Constitution in general, the terms "notice", "summons", "agenda", "report", "written record" and "background papers" when referred to as being a document that is:
- a) "open to inspection", shall include for these and all other purposes as being published on the website of the Council; and
 - b) to be published, posted or made available at offices of the Authority, shall include publication on the website of the Authority.

5. SUPPLY OF COPIES

The Council will supply copies of the following documents to any person on payment of a charge for postage and any other costs:

- a) any agenda and reports which are open to public inspection;
- b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- c) if the Chief Executive thinks fit, copies of any other documents supplied to Councillors in connection with an item.

6. ACCESS TO AGENDA, MINUTES, DECISION RECORDS AND REPORTS

- 6.1 The Council will make available copies of the following for six years:
- a) the minutes of a meeting excluding any part which discloses exempt or confidential information;
 - b) records of decisions taken, together with reasons, for all decisions taken by the Cabinet, Cabinet Committees and Boards, and for key decisions taken by individual Cabinet Members and by Officers, excluding any part which would disclose exempt or confidential information;
 - c) a summary of any proceedings of any meeting not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
 - d) the agenda for any meeting; and
 - e) reports relating to any items which would not disclose confidential or exempt information.
- 6.2 The relevant Chief Officer or report author will make available copies of the background papers referenced in any report available to the public for a period of four years.

7. MATTERS TO BE CONSIDERED IN EVERY REPORT TO ALL MEETINGS AND TO INDIVIDUAL DECISION MAKERS

7.1 Every report shall consider under separate headings the following matters:

1. Legal Implications
2. Financial Implications
3. Treasurer's comments
4. Human Resource Implications
5. Co-operative Implications
6. Risk Assessments
7. IT Implications
8. Property Implications
9. Environmental and Health and Safety Implications
10. Procurement Implications
11. Community cohesion, including crime and disorder implications in accordance with Section 17 of the Crime and Disorder Act 1998
12. Equality Impact

7.2 The person compiling a report must also set out a list of those documents (called background papers) relating to the subject matter of the report which in the opinion of the author disclose any facts or matters on which the report or an important part of the report is based and which have been relied on to a material extent in preparing the report.

7.3 The requirement to list background papers does not include published works, documents which would disclose exempt or confidential information (as defined in Procedure Rule 9) or, in respect of executive reports, the advice of a political advisor.

7.4 Background papers must be available for public inspection and where the report relates to an executive decision the background papers must also be available on the Council's website

7.5 If the person compiling the report is to recommend that the public be excluded from the meeting during consideration of the report and/or from having access to the report on the grounds that the report contains exempt information, the person must give a consideration to the balance of public interest when recommending confidentiality.

8. SUMMARY OF PUBLIC'S RIGHTS

A written summary of the public's rights to attend meetings and to inspect and copy documents must be kept at and available to the public at the Civic Centre, West Street, Oldham.

9. EXCLUSION OF ACCESS BY THE PUBLIC TO MEETINGS

9.1. Business to be considered in private – public notice

9.1.1 Prior to any executive meeting, public notice must be given at least 28 clear working days before any meeting of the Cabinet or of a Cabinet Committee or

Board or of an area committee or called under joint arrangements where there is an intention to consider an item of business in private. The reason for the item of business to be considered in private must also be included. The notice provides an opportunity for representations to be made by the public as to why the business should be transacted in public.

9.1.2 A further notice must be published five clear days before the meeting, restating the reasons for consideration of business in private. The notice must also include details of any representations made about why the business should be transacted in public, and the Executive's response to the representations.

9.1.3 If the above timetable is impracticable, the business may still be considered in private if the Executive has had agreement from the Overview and Scrutiny Board Chairman (or if he/she is unable to act, from the Mayor or the Deputy Mayor). Public notice must then be given setting out the reasons why consideration of the business is urgent and cannot reasonably be deferred.

9.2 **Confidential information – requirement to exclude public**

9.2.1 The public must be excluded from any meeting whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

9.2.2 Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

9.3 **Exempt information – discretion to exclude public**

9.3.1 The public may be excluded from any meeting whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

9.3.2 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

9.3.3 In all cases, before the public is excluded the meeting must be satisfied that, in all circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

9.3.4 Exempt information means information falling within the following categories (subject to any condition):

Category	Qualification/Interpretation
1. Information relating to any particular individual. 2. Information which is likely to reveal the identity of any individual	Information is not exempt information unless it relates to an individual of that description in the capacity indicated by the description, i.e. it must relate to and be recognisable as referring to a particular individual in the roles indicated; A

	"protected informant" means a person giving the Council information which tends to show that (a) a criminal offence; (b) a breach of statutory duty; (c) a breach of planning control; or (d) a nuisance, has been, or is being, or is about to be committed.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	"Financial or business affairs" includes contemplated, as well as past or current, activities; Information is not exempt if it must be registered under (a) the Companies Acts (as defined in section 2 of the Companies Act 2006); (b) the Friendly Societies Act 1974; (c) the Friendly Societies Act 1992; (d) the Co-Operative and Community Benefits Societies Act 2014; (e) the Building Societies Act 1986; or (f) the Charities Act 2011. "Registered" in relation to information required to be registered under the Building Societies Act 1986, means recorded in the public file of any building society (within the meaning of that Act).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Council, or a Minister of the Crown, and any employees of, or office holders under, the Council.	"Employee" means a person employed under a contract of service. "Labour relations matter" means— (a) any of the matters specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act); or (b) any dispute about a matter falling within paragraph (a) above; the enactments in paragraph (a) applying, with the necessary modifications, also to office-holders under the authority. "Office-holder", in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented

	or by any person who holds any such office or is an employee of the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	
6. Information reveals that the Council proposes: (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.	
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.	

- 9.3.5 Information falling within any of paragraphs 1-7 is not exempt by virtue of that paragraph if it relates to proposed development for which the local planning authority can grant itself planning permission or permission in principle under Regulation 3 of the Town and Country Planning General Regulations 1992.

10. EXCLUSION OF ACCESS BY THE PUBLIC TO REPORTS

If the Chief Executive thinks fit, the Council may exclude access by the public to reports which in his or her opinion relate to items during which, in accordance with Procedure Rule 9, the meeting is likely not to be open to the public. Such reports will be marked "Not for publication" together with the category of information likely to be disclosed.

11. KEY DECISION DEFINITION

11.1 Key decision definition

A key decision is any decision taken by the Cabinet, a Board or Committee of the Cabinet or by an individual Cabinet member, or by an area committee, under joint arrangements or by an officer under delegated executive powers which -

- a) is likely to result in a local Council incurring expenditure which is, or the making of savings which are, significant having regard to the local

- Council's budget for the service or function to which any decision relates;
or
- b) be significant in terms of its effects on communities living or working in the area comprising two or more wards in the area of the local Council; or
- c) require an application to be made for planning permission, listed building, ancient monument or conservation area consent; or
- d) comprise or include the making, approval or publication of a draft or final scheme which may require, either directly or in the event of objection, the approval of the Secretary of State or of a Minister of the Crown; or
- e) require the passage of local legislation or the adoption by the Council of national legislation or
- f) propose a response on behalf of the Council to consultation by the Secretary of State or a Minister of the Crown, where the consultation response could have a potential impact upon the Council to the extent defined in a or b above; or
- g) propose an alteration in the standard charges which the Council makes for any of its services.

11.2 **Key Decision Definitions – qualification/interpretation**

For the purposes of this definition, 'significant' with regard to expenditure or savings is defined as:

- a) revenue expenditure or saving that is neither provided for within the Budget, nor virement permitted by the Constitution;
- b) capital expenditure that is not provided for within:
 - i. the capital estimate for a specific scheme; or
 - ii. a lump sum capital estimate;
- c) the declaration of land or property, the estimated value of which exceeds £250,000, as surplus to the Council's requirements;
- d) securing approval in principle to the acquisition or disposal of land or property the value of which is estimated to exceed £250,000;
- e) securing approval in principle to the taking of, or the granting, renewal, assignment, transfer, surrender, taking of surrenders, review, variation or termination of any leases, licences, easements or wayleaves, at considerations in excess of £250,000 over the term of the agreement or a premium of £250,000;
- f) any decision which involves expenditure or savings over £250,000.

12. **PROCEDURE BEFORE TAKING KEY DECISIONS**

- 12.1 A key decision may not be taken unless 28 clear days Notice has been given of the intention to take a key decision and that Notice has been made available at the Civic Centre, Oldham and on the Council's website. The Notice will contain matters which will be the subject of a key decision to be taken by the Cabinet, a Board or Committee of the Cabinet, an individual member of the Cabinet, by an Officer or under joint arrangements during the period covered by the plan. It will describe the following in so far as the information is available or might reasonably be obtained:
- a) the matter in respect of which a decision is to be made;
 - b) where the decision taker is an individual, his/her name and title, if any and where the decision taker is a body, its name and details of membership;

- c) the date on which, or the period within which, the decision will be taken;
- d) a list of the documents submitted to the decision taker for consideration in relation to the matter;
- e) the address from which copies of, or extracts from, any document listed is available;
- f) that other documents relevant to those matters may be submitted to the decision maker and;
- g) the procedure for requesting details of those documents (if any) as they become available

12.2 Exempt information need not be included in a Key Decision Document and confidential information cannot be included.

13. GENERAL EXCEPTION

13.1 If 28 clear days notice of a matter likely to be a Key Decision has not been given, then the decision shall only be made:

- a) if the date by which the decision must be taken makes it impractical to defer until it has been included on a later Notice issued in accordance with Procedure Rule 12 above
- b) where the Director of Legal has obtained agreement in writing from the Chair of the appropriate Overview and Scrutiny Committee (or his/her nominee), that the matter about which the decision is to be made cannot be deferred;
- c) where the Director of Legal has made available at the Civic Centre, Oldham and on the Council's website, a 'General Exception Key Decision Notice'; and
- d) after five clear days have elapsed following the day on which the Director of Legal made available the notice referred to in paragraph (c).;

13.2 Where this paragraph is complied with in any matter, Procedure Rule 12 above need not be complied with.

14. CASES OF SPECIAL URGENCY

14.1 Where the date by which an executive decision that would be a key decision must be made makes compliance with Key Decision procedures at Procedure Rule 12 and General Exception procedures at Procedure Rule 13 above impracticable, the decision shall only be made where the decision maker has obtained agreement from the Chair of the relevant Overview and Scrutiny Committee (or his/her nominee) or if not available, the Mayor or in absence of the Mayor, the Deputy Mayor. Where this Procedure Rule applies, the decision is also exempt from call-in.

14.2 As soon as reasonably practicable after agreement has been sought, a notice must be published at the Civic Centre, Oldham, and on the Council's website, setting out the reasons why that the decision is urgent, and why it cannot reasonably be deferred.

15. REPORTS TO COUNCIL

15.1 When an Overview and Scrutiny Committee can require a report

If an Overview and Scrutiny Committee is of the opinion that a key decision has been taken which was not subject to Key Decision, General Exception or Special Urgency procedures, the Committee may require the decision taker to submit a report to the Council within such reasonable time as the committee specifies. The power to require a report rests with the Committee, but is also delegated to the Chief Executive, who shall require such a report on behalf of the Committee when so requested (by the Chair or any 5 members).

15.2 Cabinet's report to Council

The decision taker will prepare a report for submission to the next available meeting of the Council. However, if the next meeting of the Council is within 9 days of receipt of the written notice, or the resolution of the committee, then the report may be submitted to the meeting after that. The report to Council will set out particulars of the decision, the individual or body making the decision, and if the Leader is of the opinion that it was not a key decision the reasons for that opinion.

15.3 Annual report on special urgency decisions

The Leader will submit at least annually a report to the Council on all executive decisions taken in the circumstances set out in Procedure Rule 14 (Special Urgency) since the last such report was submitted. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken.

16. PROCEDURE AFTER TAKING KEY DECISIONS

After any meeting of the Cabinet or any of its Committees or Boards, whether held in public or private, the Director of Legal or, where no officer was present, the person presiding at the meeting, will produce a record of every decision taken at that meeting as soon as practicable. In the event of an individual Member or of an Officer taking a key Decision, the Director of Legal will ensure that the decision taker or a relevant Officer is responsible for the production of a record of that decision. The record will include a statement of the reasons for each decision and any alternative options considered and rejected at that meeting, alongside the date of the decision, and any declarations of interest made.

The Proper Officer will ensure that such minutes and records are published in accordance with Procedure Rule 6 above. Key Decisions taken under delegated authority are eligible for call-in in accordance with the processes contained in the Overview and Scrutiny Procedure Rules at Part 4E of this Constitution.

17. PROCEDURES AFTER TAKING PRINCIPAL AND ADMINISTRATIVE DECISIONS

- 17.1** After a Principal Decision of either the Council or the Executive, as defined at Article 14 of Part 2 and at Section 11 to Part 3 of this Constitution, has been taken, the Proper Officer will ensure that minutes and records of the decision,

including the considered report, drafted in accordance with the requirements of Procedure Rule 16 above, are published in accordance with Procedure Rule 6 above.

- 17.2 After an Administrative Decision of either the Council or the Executive, as defined at Article 14 of Part 2 and at Section 11 to Part 3 of this Constitution, has been taken, Chief Officers must retain a record of the decision and the reasons for the decision, such record being drafted sufficiently for audit and evidential purposes.

18. OVERVIEW AND SCRUTINY COMMITTEE ACCESS TO DOCUMENTS

18.1 Rights to documents

Subject to Procedure Rule 18.2 below, a member of an Overview and Scrutiny Committee will be entitled to copies of any document which is in the possession or control of the executive and which contains material relating to:-

- a) any business transacted at a meeting of the Cabinet or its committees;
- b) any decision taken by an individual member of the Cabinet; or
- c) Any key decision taken by an officer.

- 18.2 This must be provided as soon as reasonably practicable and no later than 10 clear days after the request is made.

18.3 Rights in relation to private decisions of the Cabinet

The Chairs of all Overview and Scrutiny Committees shall be entitled to foresight of papers in relation to private decisions of the Cabinet before the decision is made.

18.4 Limit on rights

A member of an Overview and Scrutiny Committee will not be entitled to:

- a) any document that is in draft form;
- b) any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision they are reviewing or scrutinising or intend to scrutinise in accordance with the Scrutiny Work Programme; or
- c) the advice of a political adviser appointed under s9 of Local Government and Housing Act 1989.

18.5 Rights to make material relating to decisions available

The Cabinet, or other decision making body, is also required to provide a report upon request by the relevant Overview and Scrutiny Committee if:

- a) A Key Decision was taken which was not in accordance with Procedure Rule 12 (Subject to Rule 13 (General Exception) or Procedure Rule 17 (Special Urgency), or;
- b) A decision was taken which was not treated as a Key Decision but in the opinion of the Overview and Scrutiny Committee should have been a Key Decision.

19. ADDITIONAL RIGHTS OF ACCESS FOR MEMBERS

19.1 Material relating to previous business

All members are entitled to inspect any document which is in the possession or under the control of the executive and contains material relating to any business previously transacted in private at a meeting or by an individual Member or by an Officer making a key decision unless it contains confidential information; exempt information insofar as it relates to information relating to the business or financial affairs of any particular person (including the Authority holding that information), with the exception of information that relates to any terms proposed or to be proposed by or to the Authority in the course of negotiations for a contract, or which reveals that the authority proposes to give a notice imposing requirements on a person or make an order or direction under any enactment; or the advice of a political adviser.

19.2 Nature of rights

These rights of a member are additional to any other right he/she may have.

This page is intentionally left blank



Part 4E

Overview and Scrutiny Procedure Rules

1. OVERVIEW AND SCRUTINY ARRANGEMENTS	3
2. MEMBERSHIP OF OVERVIEW AND SCRUTINY COMMITTEES	3
3. APPOINTMENT OF CHAIRS AND VICE-CHAIRS OF OVERVIEW AND SCRUTINY COMMITTEES	3
4. WORK PROGRAMMING AND ANNUAL REPORT	3
5. TASK AND FINISH GROUPS	4
6. OVERVIEW AND SCRUTINY COMMITTEE MEETINGS	4
7. HOLDING ENQUIRIES AND CALLING WITNESSES	5
8. REPORTS FROM OVERVIEW AND SCRUTINY BODIES	6
9. ENSURING OVERVIEW AND SCRUTINY REPORTS ARE CONSIDERED BY THE CABINET	6
10. KEY DECISION DOCUMENT	7
11. RIGHTS OF OVERVIEW AND SCRUTINY MEMBERS TO DOCUMENTS	7
12. ARRENDANCE BY MEMBERS AND OFFICERS TO GIVE ACCOUNT	7
13. ATTENDANCE BY OTHERS	8
14. CALL-IN REQUESTS	8
15. EXEMPTION FROM CALL-IN	9
16. DECLARATIONS OF INTERESTS AND ‘THE PARTY WHIP’	9
17. MATTERS WITHIN THE REMIT OF MORE THAN ONE AREA OF THE COUNCIL’S FUNCTIONS	10
18. MEMBER DEVELOPMENT AND OVERVIEW AND SCRUTINY	10

PART 4E - OVERVIEW AND SCRUTINY PROCEDURE RULES

1. Overview and Scrutiny arrangements

- 1.1 The Council will establish and appoint to such Overview and Scrutiny Committees as it considers appropriate to deliver the statutory scrutiny functions of the Council which are shown at Article 6 in Part 2 to this Constitution. Terms of reference for such Committees established, which may be varied from time to time by the Council to ensure the proper conduct of the overview and scrutiny function, are shown at Section 5 of Part 3 to this Constitution.

2. Membership of Overview and Scrutiny Committees

- 2.1 The Council will appoint such non-executive Members of the Council to serve as members of the Overview and Scrutiny Committees as it considers appropriate. The Leader of the Council and other members of the Cabinet are not eligible to serve on an Overview and Scrutiny Committee. Notwithstanding, no Member may be involved in scrutinising a decision in which he/she has been directly involved.
- 2.2 In line with statutory requirements, co-opted Church and parent/governor representatives will be accorded membership of any Overview and Scrutiny Committee, with voting rights, for consideration of educational matters only.
- 2.3 The designated crime and disorder scrutiny committee may, in line with statutory requirements, appoint co-opted members with voting rights.

3. Appointment of Chairs and Vice-Chairs of Overview and Scrutiny Committees

- 3.1 The Council will appoint the Chairs of the Overview and Scrutiny Committees. Should the Council not appoint to the position of Vice Chair of an Overview and Scrutiny Committee, such appointment will be made by the Overview and Scrutiny Committee concerned.

4. Work Programming and Annual Report

- 4.1 Each Overview and Scrutiny Committee shall be responsible for the preparation and maintenance of a Committee Work Programme. As a means of ensuring consistency of approach to the development of Work Programmes, the Chairs and Vice Chairs of the Overview and Scrutiny Committees may determine to agree a 'Scrutiny Prioritisation Framework' to establish a common approach to work programming and business prioritisation.

- 4.2 The Chairs of the Overview and Scrutiny Committees shall collectively arrange for an Overview and Scrutiny Annual Report to be submitted to the Council for consideration.

5. Task and Finish Groups

- 5.1 The Overview and Scrutiny Committees may establish and appoint such informal Task and Finish groups as they consider necessary in order to undertake in depth consideration of particular matters. Membership of such groups, which may be drawn from outside the membership of the Committee, will comply with the membership arrangements as shown in Procedure Rule 2 above. Any Task and Finish group so established may invite other people as considered necessary to assist in the completion of their work. Such Task and Finish Groups will report their findings and recommendations, in the first instance, to the establishing Committee.
- 5.2 Where considered necessary and appropriate in order to deliver the respective Committee Work Programmes, one-off informal workshops and briefings may also be convened, providing that report is made subsequently to the Committee concerned.

6. Overview and Scrutiny Committee Meetings

- 6.1 The Overview and Scrutiny Committees shall meet on such dates as will be determined by the Council.
- 6.2 Overview and Scrutiny Committees shall meet in public except where a meeting is to consider confidential or exempt information and where the Committee has resolved to exclude the public in accordance with Access to Information Procedure Rules at Part 4B of this Constitution.
- 6.3 At a meeting of an Overview and Scrutiny Committee the following business shall be conducted:-
- a) declarations of interest, if any;
 - b) notice of urgent business;
 - c) consideration of the minutes of the last meeting;
 - d) public question time;
 - e) consideration of any call-in;
 - f) responses of the Council or of the Cabinet to any report of the Overview and Scrutiny Committee;
 - g) the business set out in the agenda for the meeting which shall reflect the terms of reference of the Committee and the agreed Work Programme;
 - h) the Committee Work programme;
 - i) matters set out in the agenda for the meeting for consideration as private business.

- 6.4 Any special meeting of an Overview and Scrutiny Committee shall consider the following business
- a) declarations of interest, if any;
 - b) notice of urgent business;
 - c) the business set out in the agenda for the meeting which shall reflect the terms of reference of the Committee and the agreed Work Programme;
 - d) matters set out in the agenda for the meeting for consideration as private business.
- 6.5 Notwithstanding Procedure Rule 6.3 above, any non-executive Member or any five Members of the Council shall be entitled to give sufficient notice to the Chair of an Overview and Scrutiny Committee that he/she/they wish an item relevant to the functions of that Committee to be included on the agenda for the next programmed meeting of the Committee. The Chair will ensure that the item is included on the agenda for the next programmed meeting, after assessment of the item against the Scrutiny Prioritisation Framework.
- 6.6 Notwithstanding Rule 6.3 above, within their respective terms of reference the Overview and Scrutiny Committees must consider any request for scrutiny made by a Councillor who has been unable to resolve an issue of concern, and in considering the request, the relevant Committee should not consider
- a) any matter relating to a planning decision;
 - b) any matter relating to a licensing decision;
 - c) any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment;
 - d) any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a meeting of the overview and scrutiny committee,
- having regard to the Overview and Scrutiny (Reference by Councillors) (Excluded Matters) (England) Order 2012 (and any successor legislation) for definition of the above matters and the Scrutiny Prioritisation Framework. Should an Overview and Scrutiny Committee decide not to undertake scrutiny of a matter so raised, the Committee shall ensure that the reason is minuted and that the referring Councillor is informed.

7. Holding enquiries and calling witnesses

- 7.1 An Overview and Scrutiny Committee or a Task and Finish Group so authorised by the establishing Committee may hold enquiries and investigate the available options for future direction in policy development and may appoint advisors and assessors to assist them in this process. They may ask witnesses, such as those suggested by Procedure Rule 13, to attend to address them on any matter under consideration. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations.

- 7.2 Where an Overview and Scrutiny body has asked people to attend to give evidence at a meeting, the meeting will be conducted in accordance with the following principles:
- the investigation be conducted fairly and all members of the body be given the opportunity to ask questions of attendees, and to contribute and speak;
 - those assisting the work of the body by giving evidence be treated with respect and courtesy;
 - the investigation will be conducted so as to maximise the efficiency of the investigation or analysis; and
 - any the rules of confidentiality be maintained as and where necessary.

8. Reports from Overview and Scrutiny Committees

- 8.1 Once an Overview and Scrutiny Committee has formed recommendations on proposals for development, it will prepare a formal report and submit it to the Chief Executive for consideration by the Cabinet and/or such other body the Committee considers appropriate.
- 8.2 If the Overview and Scrutiny Committee cannot agree on one single final report, a minority report may, on application by three elected Members of the Committee, also be prepared and submitted for consideration by the Cabinet and/or other body with the majority report. However, the minority report must be submitted together with the majority recommendation or report to prevent delay and to ensure the receiving body/bodies can make an informed decision.
- 8.3 Should an Overview and Scrutiny Committee report propose a variation to the Council's approved Budget and Policy Framework it shall be submitted to the Council with an accompanying recommendation of the Cabinet as to whether or not the Council should adopt the Committee's proposal.
- 8.4 The Cabinet and/or other body shall consider the report of the Overview and Scrutiny Committee within six weeks of it being submitted to the Chief Executive, where practical.

9. Ensuring overview and scrutiny reports are considered by the Cabinet

- 9.1 The agenda for Cabinet meetings shall include an item inviting consideration of reports from Overview and Scrutiny Committees (if any) as required by Executive Procedure Rule 7.5(e) at Part 4D of the Council Constitution, unless the matter referred has been considered in the context of a substantive item on the Cabinet agenda.
- 9.2 In the event that any recommendation of an Overview and Scrutiny Committee made to the Cabinet is not approved or is amended, the relevant Cabinet Member will be required to attend the next available meeting of the relevant

Committee to explain the reasons for the Cabinet's decision and answer any questions.

10. Key Decision Document

- 10.1 Overview and Scrutiny Committees will have access to the Key Decision Document prepared in accordance with Access to Information Procedure Rules and which includes the Executive's timetable for decisions and intentions for consultation. Where an item on the Key Decision Document has implications for policy/service development but has not been considered through the overview and scrutiny function the relevant Overview and Scrutiny Committee will have full opportunity to be able to submit any comments to the relevant Cabinet Member and/or Chief Officer during the course of the consultation process.

11. Rights of Overview and Scrutiny Members to documents

- 11.1 In addition to their rights as Councillors, elected Members involved in overview and scrutiny functions have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules. Further, more detailed liaison between the Cabinet and Overview and Scrutiny bodies may take place as appropriate depending on the particular matter under consideration.

12. Attendance by Members and officers to give account

- 12.1 All Overview and Scrutiny Committees, and any Task and Finish group or other body so delegated by an Overview and Scrutiny Committee, may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, the Committee or other body may require any member of the Cabinet, the Head of Paid Service and/or any Chief Officer or their nominated Officer(s) to attend before it to explain in relation to matters within their remit:
- a) any particular decision or series of decisions; and/or
 - b) the extent to which the actions taken implement Council policy; and/or
 - c) their performance,
- and it is the duty of those persons to attend if so required. However, in the case of a Chief Officer, he/she may decide to send his/her substitute and will determine who that Officer will be.
- 12.2 Should any Member or Officer be required to attend a meeting of any overview and scrutiny body, the Chair of that body will inform the Chief Executive. The Chief Executive or their nominated Officer shall inform the Member or Officer in writing, giving at least five working days' notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account.

- 12.3 If the account to be given to the overview and scrutiny body requires the production of a report, then the member or officer concerned will be given sufficient notice to allow for preparation of that documentation.
- 12.4 Where, in exceptional circumstances, the Member or Officer is unable to attend on the required date, then the Overview and Scrutiny body shall, in consultation with the Member or Officer, arrange an alternative date for attendance to take place within a maximum of a further 10 working days from the date of the original request, where practical.
- 12.5 All Members and Officers must have regard to the Protocol for Member/Officer Working Arrangements contained at Part 5 of this Constitution.

13. Attendance by others

- 13.1 An Overview and Scrutiny body may invite people other than those Members and Officers referred to in Procedure Rule 12 above to address it, discuss issues of local concern and/or answer questions. Such people may be, for example, representatives from partner organisations, other stakeholders or members of the public. Attendance by those persons is entirely optional, except where attendance is required by law.

14. Call-in requests

- 14.1 Any matter decided by the Cabinet or by a Cabinet Board or Committee, or any key decision made by an individual Cabinet Member or an Officer under delegated authority, may be called in immediately after the decision has been made or by not later than five working days after the publication of the Minutes of the relevant meeting which decided the matter or the date the delegated decision was published.
- 14.2 Any two Members of the Council may apply, in writing, to the Chief Executive on the appropriate form for the matter to be called-in. Any matter called-in must be considered at the next meeting of the appropriate Overview and Scrutiny Committee. On consideration of the called-in decision, the Committee may either
- dismiss the call-in thereby allowing the decision to proceed and be implemented; or
 - concur, wholly or in part, with the call-in and refer the decision back to the decision taker for further consideration; or
 - in the event that the Committee considers the decision falls outside the Council's Budget and Policy Framework, the Committee shall refer the matter to the Chief Executive who shall determine whether the issue should be considered by full Council.

- 14.3 Once the above procedure has been used and, in the event of a decision being taken in respect of a matter referred back to the decision maker, that decision cannot be reconsidered further through the call-in procedure.
- 14.4 Once a call-in application is made, it cannot be withdrawn after the expiry of the call-in period, namely after five clear working days following the publication of the delegated decision of the relevant officer, the publication of the Minutes or record of the Cabinet or other executive decision taker which decided the matter. A signature to a call-in application can, however, be withdrawn before the five days but will only take effect if it is withdrawn in writing to the Chief Executive. If a signature is withdrawn, the proposer will be advised of this and he/she will need to obtain an alternative signature and notify the Chief Executive within the five day period. If no signature is submitted within the five day period, then the call-in application will not be a valid application and, as such, will be withdrawn.

15. Exemption from call-in

- 15.1 Notwithstanding the provisions of Access to Information Procedure Rule 14 (Cases of Special Urgency), the Chair of the relevant Overview and Scrutiny Committee shall be advised of any decision pertinent to the terms of reference of that Committee that is taken by the Cabinet or a Cabinet Committee, Sub-Committee or Board, or by any body or person taking a key decision, to exempt that decision from call-in on the grounds of urgency and of the reasons for that urgency. This will allow the Chair to consider whether the relevant Committee should subsequently consider either the decision, or the circumstances as to the urgency, or both.

16. Declarations of Interests and 'The Party Whip'

- 16.1 Members of Overview and Scrutiny bodies must have regard to the Members' Code of Conduct and the regulations relating to the declarations of interests. The Code and further details can be found in Part 5 of this Constitution.
- 16.2 The Party Whip" means any instruction given by or on behalf of a political group to any Councillor who is a member of that group as to how that Councillor shall speak or vote on any matter before the Council or any Committee or the application or threat to apply any sanction by the group in respect of that Councillor should he/she speak or vote in any particular manner.
- 16.3 The Party Whip shall not apply from any of the political groups on their respective members on the Overview and Scrutiny Committees while taking part in overview and scrutiny business.

17. Matters within the remit of more than one Overview and Scrutiny Committee

- 17.1 If a matter appears to fall within the remit of more than one Overview and Scrutiny Committee, or there is disagreement as to the appropriate Committee to consider a matter, the Statutory Scrutiny Officer, in consultation with the respective Overview and Scrutiny Committee Chairs, will determine the appropriate body to consider the matter.

18. Member Development and Overview and Scrutiny

- 18.1 The Statutory Scrutiny Officer shall provide a brief outline of the Council's overview and scrutiny arrangements for all newly elected Members as part of their induction process. Training, support and information appropriate to the needs of Members, having regard to their responsibility to deliver effective overview and scrutiny, will be provided throughout the year.



Part 4H

Employment

Procedure Rules

1.	RECRUITMENT - OPENNESS AND TRANSPARENCY	3
2.	RECRUITMENT OF HEAD OF PAID SERVICE AND CHIEF OFFICERS	3
3.	APPOINTMENT OF STAFF	3
3.1	THE HEAD OF PAID SERVICE	
3.3	CHIEF OFFICERS AND DEPUTY CHIEF OFFICERS	
3.7	OTHER STAFF	
4.	DISCIPLINE AND DISMISSAL OF STAFF	5
4.1	THE HEAD OF PAID SERVICE, MONITORING OFFICER AND CHIEF FINANCE OFFICER	
4.8	CHIEF OFFICERS AND DEPUTY CHIEF OFFICERS	
4.12	OTHER STAFF	

PART 4 - OFFICER EMPLOYMENT PROCEDURE RULES

1. Recruitment - openness and transparency

1.1 Declarations

- a) The Council will draw up a statement requiring any candidate for appointment as an Officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor or Officer of the Council; or of the partner of such persons.
- b) No candidate so related to a Councillor or an Officer will be appointed without the authority of the Council's Chief Officer with responsibility for employment and personnel matters or an Officer nominated by him/her.

1.2 Seeking support for appointment

- a) Subject to paragraph (c), the Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- b) Subject to paragraph (c), no Councillor will seek support for any person for any appointment with the Council.
- c) Nothing in paragraphs (a) and (b) above will preclude a Councillor from giving a written reference for a candidate for submission with an application for appointment.

2. Recruitment of Head of Paid Service and Chief Officers

2.1 Where the Council proposes to appoint a Head of Paid Service or a Chief Officer and it is not proposed that the appointment be made exclusively from among their existing Officers, the Council will:

- a) draw up a statement specifying:
 - i. the duties of the post concerned; and
 - ii. any qualifications or qualities to be sought in the person to be appointed;
- b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

3. Appointment of Staff

3.1. The Head of Paid Service

Where a Committee or Sub-Committee is discharging, on behalf of the authority, the function of the appointment of an Officer designated as the Head of Paid Service, the Council must approve that appointment before an offer of appointment is made to that person.

- 3.2 Where a Committee or a Sub-Committee of the authority is discharging, on behalf of the authority, the function of the appointment of an Officer designated as the Head of Paid Service, at least one member of the Cabinet must be a member of that Committee or Sub-Committee.
- 3.3 **Chief and Deputy Chief Officers**
For the purpose of this Rule, a Chief Officer and a Deputy Chief Officer are defined as
- a) a statutory Chief Officer within the meaning of section 2(6) of the Local Government and Housing 1989 Act (hereafter “the 1989 Act”);
 - b) a non-statutory Chief Officer within the meaning of section 2(7) of the 1989 Act;
 - c) a Deputy Chief Officer within the meaning of section 2(8) of the 1989 Act.
- 3.4 Where a Committee or a Sub-Committee of the authority is discharging, on behalf of the authority, the function of the appointment of a Chief or Deputy Chief Officer, at least one member of the Cabinet must be a member of that Committee or Sub-Committee (hereafter ‘the appointor’).
- 3.5 The authority may delegate the function of the appointment of a Deputy Chief Officer to the Head of Paid Service who may sub-delegate the function to another Officer (hereafter ‘the appointor’).
- 3.6 An offer of an appointment as a Chief or Deputy Chief Officer must not be made by the appointor until-
- a) the appointor has notified the Proper Officer of the name of the person to whom the appointor wishes to make the offer and any other particulars which the appointor considers are relevant to the appointment; and
 - b) the Proper Officer has notified every member of the Cabinet of
 - i. the name of the person to whom the appointor wishes to make the offer;
 - ii. any other particulars relevant to the appointment which the appointor has notified to the Proper Officer; and
 - iii. the period within which any objection to the making of the offer is to be made by the Leader of the Council on behalf of the Cabinet to the Proper Officer; and
 - c) either
 - i. the Leader of the Council has, within the period specified under Sub-paragraph (b)(iii), notified the appointor that neither he/she nor any other member of the Cabinet has any objection to the making of the offer;
 - ii. the Proper Officer has notified the appointor that no objection was received by him within that period from the Leader; or
 - iii. the appointor is satisfied that any objection received from the Leader within that period is not material or is not well-founded.

3.7 Other Staff

Subject to the preceding paragraphs, the function of the appointment of a member of staff of the authority must be discharged, on behalf of the authority, by the Head of Paid Service or by an Officer nominated by the Head of Paid Service.

- 3.8 Notwithstanding, nothing shall prevent a person from serving as a member of any Committee or Sub-Committee established by the authority to consider an appeal by another person against any decision relating to the appointment of that other person as a member of staff of the authority.

4. Discipline and Dismissal of Staff

4.1 The Head of Paid Service, Chief Finance Officer and Monitoring Officer

The Head of Paid Service, the Chief Finance Officer and the Monitoring Officer may only be dismissed by the Council in accordance with the procedure set out in this part.

- 4.2 The authority may appoint a Committee or a Sub-Committee to recommend to the Council any action in respect of the discipline and dismissal of the Head of Paid Service, the Chief Finance Officer or the Monitoring Officer.

- 4.3 The authority must appoint an Independent Panel as a Committee under section 102(4) of the Local Government Act 1972 for the purposes of advising the Council on matters relating to the dismissal of Head of Paid Service, the Chief Finance Officer or the Monitoring Officer. The Panel shall comprise at least two relevant Independent Persons who have been appointed by the authority under s28(7) of the Localism Act 2011 or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the authority considers appropriate.

- 4.4 The Council must appoint to the Panel such relevant independent persons who have accepted an invitation in accordance with the following priority order —
- a) a relevant independent person who has been appointed by the Council and who is registered as a local government elector in the authority's register of electors;
 - b) any other relevant independent person who has been appointed by the Council;
 - c) a relevant independent person who has been appointed by another authority or authorities.

- 4.5 The Council must appoint the Panel at least 20 working days before the relevant meeting.

- 4.6 Before the taking of a vote at the relevant meeting of the Council on whether or not to approve such the dismissal of Head of Paid Service, the Chief Finance

Officer or the Monitoring Officer, the Council must take into account -

- a) any advice, views or recommendations of the Panel;
- b) the conclusions of any investigation into the proposed dismissal;
- c) any representations from the relevant Officer; and
- d) any other matter the Council considers necessary and Proper to consider.

- 4.7 Disciplinary action against the Head of Paid Service, Chief Finance Officer and Monitoring Officer short of dismissal may be taken either by
- a) the Council on receipt of any advice, views or recommendations of an Independent Panel established under dismissal procedures and having taken account of the conclusions of any investigation into the proposed dismissal and any representations from the relevant Officer; or
 - b) the relevant Committee or Sub-Committee.

4.8 Chief and Deputy Chief Officers

For the purpose of this Rule, a Chief Officer and a Deputy Chief Officer are defined as

- a) a statutory Chief Officer within the meaning of section 2(6) of the Local Government and Housing 1989 Act (hereafter “the 1989 Act”); or
- b) a non-statutory Chief Officer within the meaning of section 2(7) of the Act; or
- c) a Deputy Chief Officer within the meaning of section 2(8) of the 1989 Act, but does not include any Officer who is included under Rule 4.1 above.

- 4.9 Where a Committee or a Sub-Committee of the authority is discharging, on behalf of the authority, the function of the dismissal of any of a Chief or Deputy Chief Officer, at least one member of the Cabinet must be a member of that Committee or Sub-Committee (hereafter ‘the dismissor’).

- 4.10 The authority may delegate the function of the dismissal of a Deputy Chief Officer to the Head of Paid Service who may sub-delegate the function to another Officer (hereafter ‘the dismissor’).

- 4.11 Notice of the dismissal of a Chief or Deputy Chief Officer must not be given by the dismissor until-
- a) the dismissor has notified the Proper Officer of the name of the person who the dismissor wishes to dismiss and any other particulars which the dismissor considers are relevant to the dismissal;
 - b) the Proper Officer has notified every member of the Cabinet of the authority of-
 - i. the name of the person who the dismissor wishes to dismiss;
 - ii. any other particulars relevant to the dismissal which the dismissor has notified to the Proper Officer; and
 - iii. the period within which any objection to the dismissal is to be made by the Leader of the Council on behalf of the Cabinet to the Proper Officer; and

- c) either -
- i. the Leader of the Council has, within the period specified in the notice under sub-paragraph (b)(iii), notified the dismissor that neither he nor any other member of the Cabinet has any objection to the dismissal;
 - ii. the Proper Officer has notified the dismissor that no objection was received by him within that period from the Leader; or
 - iii. the dismissor is satisfied that any objection received from the Leader within that period is not material or is not well-founded.

4.12 Other staff

Subject to paragraphs 4.1 to 4.11, the function of the dismissal of, and taking disciplinary action against, a member of staff of the authority must be discharged, on behalf of the authority, by the Head of Paid Service or by an Officer nominated by the Head of Paid Service.

- 4.13** Notwithstanding, nothing shall prevent a person from serving as a member of any Committee or Sub-Committee established by the authority to consider an appeal by a member of staff of the authority against any decision relating to the dismissal of or taking disciplinary action against, that member of staff.

This page is intentionally left blank



Part 5

Codes and Protocols

(e) Land and Property Protocol

LAND AND PROPERTY PROTOCOL

CONTENTS

- 1. GENERAL PROTOCOL**
- 2. CORPORATE PROPERTY BOARD**
- 3. GENERAL MANAGEMENT PRINCIPLES**
- 4. POWERS OF ACQUISITION, APPROPRIATION, HOLDING AND DISPOSAL OF LAND**
- 5. DETAILED LAND AND PROPERTY PROTOCOL**
 - 5.1 Background Matters / General Principles**
 - 5.2 Disposal of Land (Best Consideration)**
 - 5.3 Application of the EU Public Procurement Regime**
 - 5.4 Disposals of land at less than Best Consideration**
 - 5.5 Freehold or Leasehold Disposal**
 - 5.6 Lettings**
 - 5.7 Community Transfer**
 - 5.8 Decision Making – Disposal, Acquisition or Appropriation**
- 6. COMMERCIALPROPERTY INVESTMENT STRATEGY**
- 7. EMERGENCY DECISIONS**
- 8. MEMBER NOTIFICATION**
- 9. DELEGATED DECISION RECODING AND MODGOV**
- 10. COMPULSORY ACQUISITION OF LAND**
- 11. CONTENT OF REPORTS**
- 12. INDEPENDENT VALUATIONS OF LAND AND PROPERTY**
- 13. INSTRUCTIONS TO UNDERTAKE PROPERTY TRANSACTIONS**
- 14. OFFICE MOVES**
- 15. SERVICE REVIEW**
- 16. DEFINITIONS**

17. PROTOCOL ON OPEN SPACE

17.1 General Principles

17.2 Decision Making

17.3 Legal Procedures

17.4 Communications with Potential Purchasers

17.5 Acquisition and Appropriation of Open Space

Appendix A – Public Open Space Assessment Matrix

Appendix B – Disposals Protocol / Methods of Sale

a) Introduction

b) Summary of Marketing Methods

c) Further Guidance

1. Disposal by Private Treaty

a) Private Treaty – with open marketing

b) Private Treaty – sole party without marketing

2. Disposal by Public Auction

3. Disposal by Informal Tender

4. Disposal by Formal Tender

5. Disposal by Exchange of Land

6. Development Partner / Agreement

d) Exceptions

e) Tender Procedure

f) Late Bids

g) Online tendering

Part 5(e) Land and Property Protocol

1 GENERAL PROTOCOL

- The Corporate Property Board is to take a corporate approach to the management of property assets whether Council owned or within the ownership of One Public Estate partners. It will be the strategic decision-making group focusing on best use of the Council's land and property holdings, within the context of the corporate strategic framework, in particular the Council's Medium Term Property Strategy (MTPS).
- The Deputy Chief Executive, People and Place will have overall responsibility/authority for the Council's Corporate Land and Property Portfolio.
- The Director of Economy will be responsible for the management of all Council owned land and property assets as part of the Corporate Landlord function, in addition to delivery of all strategic regeneration projects.
- Directorates will be considered as tenants occupying corporate buildings. Services must therefore seek advice from the Corporate Landlord when considering future service delivery. This will ensure that all property implications are thoroughly understood and maximise the potential for corporate efficiencies / savings from both Placed Based and One Public Estate perspectives. This will enable Services to focus on service delivery.
- The Council's Community Asset Transfer Policy (as amended in March 2019) and the views of Ward Members are to be considered as part of any proposal to declare an asset within the Council's Land and Property Portfolio as being surplus to the Council's operational requirements.

2 CORPORATE PROPERTY BOARD

The main Terms of Reference for the Corporate Property Board are as follows:

It will comprise at least:

- The Leader of the Council
- The Deputy Leader and Cabinet Member for Finance and Corporate Services
- The Deputy Leader and Cabinet Member for Social Justice and Communities
- The Deputy Chief Executive for People and Place
- The Directors of Finance, Legal Services and Economy

The Corporate Property Board's function will be to evaluate business cases and make recommendations to the appropriate decision maker in relation to future property acquisitions aligned the principles of the Council's Commercial Property Investment Strategy.

A quorum of at least 3 members of Corporate Property Board will be required to consider the outline business case of potential investment opportunities, a minimum being one Elected Member, the Director of Finance and the Deputy Chief Executive People and Place. If the outline business case is approved, Corporate Property Board will authorise the Director of Economy to complete the purchase.

- (i) All land and property shall be treated as a corporate resource.
- (ii) The Corporate Property Board will act as the management and decision-making board for the Corporate Landlord, unless directed otherwise within this protocol.
- (iii) Service Directorates will be considered as tenants occupying corporate buildings.
- (iv) To ensure a corporate approach to meet targets to reduce the amount of office space held by the Council, all planned moves and relocations will be subject to review by the Corporate Property Board and approval to any such moves will be via either the Deputy Chief Executive People and Place or the Director of Economy.
- (v) Executive Directors and Directors will be required to account for assets used to deliver services and the Corporate Property Board will challenge existing and future occupation requirements.
- (vi) Service Directorates will be required to work with the Corporate Landlord via the Corporate Property Board in respect of proposals to invest in, acquire or dispose of property.
- (vii) The Corporate Property Board will regularly review the business case for the retention of Council assets. Each of the Council's assets or group of assets is to have a detailed Asset Management Plan and performance including security of income, income growth and costs will be reviewed annually. Decisions will be provided in respect of future capital investment and retention / disposal of assets.

Consequently, the Estates within the Council's Land and Property Portfolio, ie Service Delivery (Direct and Indirect), Income Generation, Regeneration, Co-operative and Surplus as established as part of the

MTPS, will be subject to continual change. As the Estates are rationalised, opportunities to achieve revenue savings / capital receipts and to reduce backlog maintenance expenditure / increase income will arise.

- (viii) Property occupation costs and utilisation will be monitored through the Asset Management process. Any assets considered surplus to the Council's requirements will, in the first instance, be reported to the Corporate Property Board.

3 GENERAL MANAGEMENT PRINCIPLES

The Council has adopted the following key management objectives and principles relating to its' Land and Property Portfolio:

- (i) Capital Receipts (see Definitions at Section 16)

Capital Receipts come from the sale of the Council's assets.

In general capital receipts arising from the disposal of housing assets and for which account is made in the Housing Revenue Account (HRA) are governed by the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003. In summary the regulations require that:

- Receipts arising from Right to Buy (and similar) sales may be retained to cover the cost of transacting the sales and to cover the debt on the properties sold, but a proportion of the remainder must be surrendered to central Government;
- Receipts arising from all other disposals may be retained in full provided they are spent on affordable housing, regeneration or the paying of housing debt.

Where the sale of an asset leads to the requirement to repay grant, the capital receipt will be utilised for this purpose. Once these liabilities have been established and provided for, capital receipts will be available to support the capital programme as a corporate resource.

- (ii) Land and property running costs, including those relating to carbon emissions, will be optimised to ensure expenditure associated with occupation is minimised, in accordance with the Council's Energy Policy.

- (iii) Land and property users have an obligation to significantly reduce running costs.

- (iv) The Council will maintain investment into its land and property assets, in accordance with the Building Maintenance Policy (as approved at EMT on 15 January 2015). The Corporate Landlord will report annually on the level of

investment required to maintain the portfolio / corporate estate to a minimum standard of repair and ensuring compliance with health and safety matters.

(v) Partner organisations including Oldham Integrated Care Organisation and others within the public and voluntary sectors will be encouraged to:

- a) adopt a collaborative approach to service delivery and
- b) share accommodation in order to reduce occupation costs wherever possible,

in accordance with the Council's Co-operative aspirations / objectives (including its' Community Asset Transfer Policy) and the principles of One Public Estate.

(vi) Future developments will incorporate the principles of whole life cycle costing. Capital and revenue programmes will make provision for investment into the Borough's property infrastructure. Provision will depend on the financial resources of the Council and will be determined through the capital and revenue budget planning processes. (See Definitions at Section 16: Capital Expenditure)

(vii) New buildings will be sustainable, based on whole life cycle costing and not initial capital outlay. All new buildings and those subject to significant refurbishment works must have a Building Research Establishment Environmental Assessment Method (BREEAM) rating of not less than good, and/or in accordance with the Council's Energy Policy.

(viii) All reports and Business Cases should incorporate Finance, Legal and Property comments plus any other relevant comments for example, Procurement and Human Resources) and the report author is to confirm that the Council's Land and Property Protocol has been complied with.

(ix) Due diligence will be undertaken including appropriate financial checks to establish whether a potential purchaser / lessee owes the Council any monies as a debt prior to acceptance of any offer for the sale or letting of a Council asset.

(x) The Council is committed to the principle of being a Corporate Landlord.

4 POWERS OF ACQUISITION, APPROPRIATION, HOLDING and DISPOSAL OF LAND

The Council is empowered to acquire, hold, appropriate and dispose of land for its statutory purposes, by a variety of statutes. When preparing an acquisition, disposal or appropriation of land, officers must ensure that the transaction is undertaken using the appropriate powers of the Council for that land and having regard to all legal requirements, including statutory guidance.

Property comments will be required in respect of all reports which have land

and property implications.

5 DETAILED LAND AND PROPERTY PROTOCOL

5.1 Background Matters / General Principles

All land and property, whether held for Service Delivery (Direct or Indirect), Income Generation, Regeneration, Co-operative Use or as part of the Surplus portfolio, will be subject to regular review in accordance with individual Asset Management Plans and the MTPS.

Land owned by the Council acting in its capacity as a charitable trustee should **not** be subject to the regular review process and cannot be disposed of without the permission of the Charitable Trust Committee / The Charity Commission.

The Corporate Landlord will work with Directorates (via DMT's) to ensure that any potential change of direction in service delivery, which has an implication in terms of the Council's future property requirements will be advised at the earliest opportunity.

Any proposed changes will also be in accordance with the Council's Accommodation Strategy.

5.2 Disposal of Land (Best Consideration)

The Local Government Act 1972 Section 123 provides that the Council may dispose of land in any manner it sees fit, subject to the constraint that a disposal must be for the best consideration reasonably obtainable unless the consent of the relevant Secretary of State is obtained.

A disposal includes a lease of more than seven years or an assignment of a lease which has more than seven years to run.

Generally, best consideration will be achieved by offering the land for sale to open competition. Section 123 applies to land held for most of the Council's statutory functions, subject to certain exceptions such as disposal of land held for housing purposes, which are governed by the Housing Acts and for planning purposes which are governed by planning legislation. In such cases, specific legal advice should be sought at the earliest opportunity.

The method and terms of sale will be subject to professional advice on a case by case basis having consideration of paragraph 5.3 below, the Disposals Protocol and Methods of Sale at Appendix B together with the following:

- All disposals and marketing exercises must be carried out observing the principles of transparency, proportionality and equal treatment.

- Techniques can be used to introduce an element of control and these include incorporating options / buy back provisions for the Council should development not be carried out. Buy back provisions should not include repurchasing at less than market value or on any terms which imply a penalty is being imposed for the development not being carried out or completed.
- Heads of Terms should be discussed with Legal Services prior to release.
- Provisions within an agreement can be included to give the Council the ability to approve (as landowner **not** as Local Planning Authority) planning applications before they are submitted.
- The Council is not able to enter into development agreements imposing obligations on buyers / developers to develop sites / carry out works or impose conditions as to how or when a development is carried out unless it has been properly procured.
- The Council can however require that developments are carried out in accordance with planning requirements and any permissions required / obtained, but this cannot include requiring a planning permission to be implemented – it can only condition what happens if a planning permission is implemented [including requiring (where appropriate and reasonable) that once the development is commenced by the carrying out of a material operation then in the interests of the amenity of neighbouring properties the development is brought to practical completion with a specified period (such period to be reasonable in all the circumstances) from the date of commencement (bearing in mind that any obligations relating to the development will be nonetheless difficult for the Council to enforce from a practical point of view save through the exercise or threat of exercise by the Council of a buy back option)].
- The preparation of documents for marketing and any evaluation / scoring mechanisms used must be agreed in advance with Legal Services and (in appropriate cases) Procurement.
- Soft market testing can be conducted where appropriate with advice and support from Legal Services / Procurement.
- Communication with potential bidders and buyers must be clear, consistent and create and maintain a level playing field. Information given out to bidders must be provided to all bidders and records must be kept of all communications.

- Proposals to dispose of high value and / or sensitive disposals and the appropriate route to market should be discussed and agreed in advance with Legal Services and Internal Audit.
- Where a high level of control is desired over specific outcomes on a particular site, then consideration must be given to disposal via a procurement exercise.
- Matters pertaining to best consideration, state aid, public open space and any school / playing field / academy issues need to be taken into account.

5.3 Application of the EU Public Procurement Regime

Certain disposals of land may fall within the definition of “works” contained within the scope of the Public Contracts Regulations 2015, which give effect to European Directive on public procurement. This will need to be considered, for example, where the Council is providing land within a development scheme or is imposing obligations on a developer in order to meet its regeneration objectives, whether through the use of a Section 106 agreement or development agreement.

Care and advice needs to be taken prior to the Heads of Terms stage and advertisement so as to ensure the regulations are not inadvertently triggered for example: the exercise of a decisive influence over the type or design of the works; or works carried out from which the Council either derives an immediate economic benefit; or imposes a legally enforceable obligation to undertake the works (rather than allowing the other party the option of not carrying out or completing the works even if the consequence of that is the loss of the deal).

Officers of the Council should not discuss the details of an individual bid with a prospective bidder before the decision to award the Contract is made. Any discussions as to a potential bidder’s proposals for the site could prejudice the decision making for the award of the Contract. Therefore, any communications should be limited and restricted to writing and all communications should be made with the principles of proportionality, transparency and fairness borne in mind. If the Council wants to test the market for a site to understand its’ best value for money use, then Officers should look to undertake soft market testing, before advertising the site for sale.

This remains a complex area of law and legal advice should be sought at an early stage to determine whether any proposed disposal to a developer should be advertised under the Public Contracts Regulations.

5.4 Disposals of land at less than Best Consideration

The presumption is that land will be sold for the best consideration reasonably obtainable. However, it is recognised that there will be circumstances where the Council will consider it appropriate to dispose of land at less than best consideration; for example to support the Council in achieving its ambitions as a Co-operative Council.

In certain circumstances, the law provides that authorities may dispose of land at less than best consideration. This requires the consent of the relevant Secretary of State, unless a General Disposal Consent (issued by the relevant Secretary of State from time to time) may be relied on. Any decision to dispose of land at less than best consideration may only be made subject to seeking the consent of the relevant Secretary of State where required.

The General Disposal Consent (England) 2003 provides a general consent removing the requirement for the Council to seek specific approval from the Secretary of State for a wide range of disposals at less than best consideration.

The Council have been granted consent in circumstances where:

- (A) the difference between the unrestricted value of the land to be disposed of and the proposed disposal price does not exceed £2million; and**
- (B) the Council considers that the purpose for which the land in question is to be disposed is likely to contribute to the achievement of any one or more of the following objectives in respect of the whole or any part of its area or of all or any persons resident or present in its area:**
 - (i) the promotion or Improvement of the economic well-being;**
 - (ii) the promotion or Improvement of social well-being; and**
 - (iii) environmental well-being.**

It must be considered in each case whether a specific proposal to dispose of land at less than best consideration meets these criteria or continues to require specific consent under Section 123 of the Local Government Act 1972, or other legislation. Land held for specific Housing purposes is subject to additional regulation and early legal advice should be sought in such instances.

Any such proposed disposal of land at less than best consideration will need to consider the possibility that the proposed transaction may result in the giving of unlawful State Aid (European Union Treaty article 87(1)).

In determining whether or not to dispose of land for less than best consideration, the Council should obtain a Red Book Valuation from a Chartered Surveyor (valuer) to determine the likely amount of the undervalue (i.e. the difference between unrestricted value of the land to be disposed of and the proposed disposal price). Legal advice should also be obtained on the question of whether the disposal is capable of falling within the terms of the specific consent. In certain cases, it may be prudent to consult the District Auditor in relation to any action that is proposed.

In considering the application of the well being criteria under the General Disposal Consent, the Council must have regard to the Council's Corporate Plan, the Oldham Plan and Co-operative Council ambition and reasonably consider, via the Director of Finance, the extent, if any, to which the proposed disposal supports the aims and objectives therein.

Any proposal to dispose of land at less than best consideration should in the first instance be referred to the Corporate Property Board for consideration. The Council must demonstrate that it has acted reasonably in approving undervalue transactions in order to be in a position to respond to any potential challenge. Regard must therefore be had to the Medium Term Property Strategy, the terms of the Council's Land and Property Protocols and the Council's fiduciary duty. Accordingly, all decisions will address the following issues:

- Confirmation that the disposal will contribute positively to the Council's priorities.
- A statement that the benefits that the Council will derive from the proposed disposal cannot be achieved unless the sale takes place at undervalue.
- Details of the proposed terms of the transaction which will ensure that the disposal will contribute to the achievement or Improvement of the social, economic and environmental well being of the area.

Following review by the Corporate Property Board, any proposed transactions at less than best consideration shall be approved as follows:

- Where the undervalue is up to and including £100,000 by the Director of Economy.
- Where the undervalue is greater than £100,000 by Cabinet.

For the avoidance of doubt, the Academy Conversions process is excluded from this provision; as such disposals are within a statutory direction.

5.5 Freehold or Leasehold Disposal

For all property disposals considerations will be given to the appropriate tenure of the disposal, whether freehold or long leasehold. The decision will have regard to the benefits of retaining any residual controlling interest against the implications of such action which may for example give rise to on-going estate management responsibilities, maintenance obligations or result in continuing financial costs or charges for the Council either at the time of consideration or at some future date.

The most recent House of Commons Briefing Paper relating to Leasehold and Commonhold Reform (October 2019), outlines amongst other things the Government's intention to legislate and prohibit the creation of new long leasehold tenancies on houses. Consequently, where the disposal of land is intended for residential development purposes, then the Council is to sell its' freehold interest where it currently holds such an interest.

5.6 Lettings

No lettings should be carried out by Service Departments. All proposed lettings should be directed to the Director of Economy in order to protect the Council's interests and Health and Safety obligations.

The taking of or the granting, renewal, assignment, transfer, surrender, taking of surrenders, review, variation or termination of any leases, licences, easements or wayleaves at considerations, delegated as follows:

- For transactions of an Estate Management nature up to a maximum value of £250,000 will be within the delegated authority of the Head of Asset Management and Estates, in consultation with the Director of Economy, Director of Finance and Director of Legal Services and in consultation with the relevant Cabinet Member where the decision is a key decision.
- For transactions up to a maximum of £500,000 per annum or in return for a premium of up to £500,000 will be within the delegated authority of the Director of Economy in consultation with the Deputy Chief Executive, People and Place, Director of Finance and Director of Legal Services and in consultation with the relevant Cabinet Member where the decision is a key decision.
- For all transactions over £500,000 per annum or in return for a premium of over £500,000 shall be referred to Cabinet for approval.

Leases of over 7 years and assignments of leases with over 7 years to run, are defined in law as disposals. This means that the general requirement to dispose at the best consideration reasonably obtainable will apply to them. Any proposal to dispose at less than best consideration should be dealt with as outlined in the section on Disposal (Best Consideration) above.

Under this protocol, the terms of any proposed letting will be considered by reference to the asset category;

a) Income Generation and Regeneration Estates

- The lettings will be based on commercial terms at full market value provided that the Director of Economy may in consultation the Director of Finance and the Director of Legal Services authorise a short term let at below market value where this has commercial justification, for example, to cover running costs prior to redevelopment and the asset falls within the Regeneration Estate.
- Concessionary lettings within the Income Generation Estate are not permitted and should Directorates wish to support such an arrangement it will be required to 'sponsor' / fund the concessionary rent through alternative funding to the level of full market rent.
- Flexibility will be provided in respect of schemes / initiatives specifically directed at supporting businesses, provided that a full business case is in place and the views of the Director of Economy are sought regarding such schemes.
- Legal advice will be required before any concessionary rent is agreed to ensure the Council is not in breach of State Aid Regulations.

b) Service Delivery (Direct and Indirect) Estates:

Lettings to public sector tenants or commissioning partners delivering public sector services will be "at cost".

c) Co-operative Estate:

Letting to community sector tenants may range from "at cost" to an agreed discounted fee ie potential a peppercorn rent dependent on the structure of the organisation, its' relevance to the Council's Social Value Framework and how it benefits the local community.

Legal advice should be sought before any concessionary rent is agreed to ensure the Council is not in breach of State Aid Regulations.

d) Surplus Estate:

Lettings will be based on commercial terms at full market value provided that the Director of Economy may in consultation the Director of Finance and the Director of Legal Services authorise a short term let at below market value where this is beneficial to the longer-term goal of disposing of the asset.

Tenants should not commence occupation of premises in advance of either legal completion of lease or having sufficient legal measures in place to protect the Council's interest.

Rent collection and treatment of arrears should be in accordance with the Council's Protocol for debt recovery.

5.7 Community Transfer

If it is considered that an asset is used for social, community and public purposes and the benefits of that service are deemed to outweigh the value of continuing ownership by the Council on behalf of all Council Tax payers, then the Council may consider the transfer of the asset to a community group. Any such transfer should be in accordance with the Council's Community Asset Transfer policy. See the link below.

https://www.oldham.gov.uk/info/200615/love_where_you_live/2269/community_use_of_council_land_property

If the surplus property has been registered as an "asset of community value", the Council has to ensure that there is opportunity for a Community Right to Bid prior to any disposal process commencing.

5.8 Decision Making

The disposal, acquisition or appropriation of land, including open space, is an executive decision. The Council's Constitution provides for executive decisions relating to land to be made as set out in this document.

A disposal of land that will either generate a capital receipt over £250,000, or result in loss/generation of income over £250,000 will be a key decision and will need to be publicised on the Key Decision Document prior to being submitted to the decision maker. (Full definition of 'Key Decision' within Constitution).

All decisions may be referred to Cabinet if the Chief Executive or the Deputy Chief Executive in consultation with the relevant Cabinet Member, consider that a delegated decision should be referred to Cabinet

In order to improve transparency, all property acquisitions will be reported retrospectively to the Capital Investment Programme Board quarterly on a cumulative portfolio basis.

a) Transactions Subject to Cabinet Approval

1. All recommendations to dispose of land for less than the best consideration reasonably obtainable where the likely undervalue is greater than £100,000.
2. All recommendations to acquire individual plots of land, compulsorily or by agreement, or properties of any value that have not been approved within a scheme of development or regeneration project.
3. All recommendations to acquire by agreement, appropriate or dispose of land or property valued in excess of £500,000.

b) Transactions Delegated to the Deputy Chief Executive, People and Place, for Approval

Subject to paragraph 5.8 a) 3 the Deputy Chief Executive, People and Place, is authorised, (in consultation with the relevant Cabinet Member where the decision is a key decision), to approve property acquisitions, appropriations and disposals of land valued between £250,000 and £500,000.

c) Transactions Delegated to the Director of Economic Development

Subject to paragraph 5.8 a) 3 the Director of Economy, is authorised (in consultation with the relevant Cabinet Member where the decision is a key decision) to approve property acquisitions, appropriations and disposals of land valued at less than £250,000.

d) Transactions Delegated to the Head of Asset Management and Estates

Subject to paragraph 5.8 a) 3 the Head of Asset Management and Estates is authorised (in consultation with the relevant Cabinet Member where the decision is a key decision) to approve property acquisitions, appropriations and disposals of land valued at less than £50,000. Any action taken under this authority will be reported to the Director of Economy, for information.

6 Commercial Property Investment Strategy

All land and property acquisitions for commercial investment will be reported to the Corporate Property Board, specifically those sought to generate a sustainable future income stream to support the Council's mainstream service delivery as part of its' Commercial Property Investment Strategy.

To ensure that good investments are not lost through delays in the decision-making process, it is recommended Cabinet remains the decision-making body, following recommendations from the Corporate Property Board (CPB).

The Board will comprise Directors of Finance, Legal and Economy, Deputy Chief Executive and Portfolio Holders for Finance and Corporate Services and the Leader of the Council. A quorum of at least 3 members of the Board will be required to conduct business, including finance, economy and Member representation.

The Director of Economy, in consultation with the Director of Legal Services, will have delegated authority to complete property purchases of up to £10m subject to the prior recommendations of CPB, after which authority will revert back to Cabinet, unless there is a need to make an emergency decision whereby the emergency decision clause in the Land and Property Protocol will apply.

The Director of Finance, in consultation with the Director of Legal Services, will have delegated authority to complete alternative investments of up to £25m subject to the prior recommendations of CPB, after which authority will revert back to Cabinet, unless there is a need to make an emergency decision whereby Treasury Management Protocols will apply.

Assets, Accommodation and Investment (AAI) Group will replace the Property Rationalisation Group to review and report on performance and risks to the work programme. This needs to include external stakeholders such as CCG / OPE and key internal functions such as the corporate estate, finance, legal and Unity partnership in order to act as one integrated team at Head of Service level;

Notwithstanding paragraph 5.8 c) above, the Director of Economy shall have delegated authority to complete property acquisitions up to a value of £10m subject to the prior decisions of the Corporate Property Board.

Cabinet shall approve all acquisitions in excess of £10m unless there is a need to make an emergency decision in which case the emergency provisions within this Protocol will take effect.

The Directors of Finance and Economy also have delegated authority to secure additional specialist external advisors as considered appropriate subject to compliance with the Council's Contract Procedure Rules.

7 Emergency Decisions

In circumstances where actions are required urgently, e.g. bidding at auction to acquire land and property of strategic significance, where the value of the transaction is greater than £500,000, the Deputy Chief Executive, People and Place in agreement with the Council Leader and in consultation with the Directors of Finance and Legal (or their duly authorised nominees) will have authority to take appropriate action. An Emergency Action will be reported to Cabinet for information at the next available opportunity.

8 Member Notification

The appropriate Cabinet Member and Ward Members will be notified in advance of all property transactions and their views will be recorded as part of the decision-making process.

The exceptions to this are the sale of individual residential ground rents in accordance with Leasehold Enfranchisement legislation, and decisions delegated to the Head of Strategic Assets and Facilities Management where Ward Members will be notified of day to day estate management matters seven days prior to implementation.

9 Delegated Decision Recording

With the exception of those referred to below, all delegated decisions will be reported in the standard short form format, which is available on the Council's Intranet. Following approval, such delegated decisions are also to be recorded on ModGov.

Other general estate management decisions delegated to the Head of Strategic Assets and Facilities Management will be recorded to the schedule template, a copy of which is attached.

10 Compulsory Acquisition of Land

Cabinet approval is required for any acquisition of land (or programme of acquisition) where it is proposed to use the Council's powers of compulsory acquisition. Any approval to acquire the same land by agreement should be sought from Cabinet at the same time as the approval to use compulsory powers.

11 Content of Reports

Cabinet reports seeking consent to dispose of or acquire land should include details of the interest held, appropriate site plans and valuation information provided by an appropriately qualified source.

Reports seeking to dispose of land at less than best consideration should in addition, address those matters set out in paragraph 5.4. above including the provision of a Red Book Valuation in respect of the amount of undervalue.

Reports should demonstrate that all relevant legal issues have been considered and addressed and that there is no legal barrier to prevent a decision from being taken.

Where approval is sought for a development scheme or regeneration project, a plan showing the individual properties whose acquisition it is proposed to seek under the scheme or project must be included in the report which seeks approval for the scheme.

12 Independent Valuations of Land/Property

With regard to those transactions for the disposal and acquisition of property that have not been exposed to the open market it is considered prudent to seek an independent valuation from a Chartered Surveyor (valuer) in accordance with the RICS Red Book .

13 Instructions to undertake property transactions

- For the avoidance of doubt, Legal Services will not accept instructions relating to property transactions from service directorates.
- Only transactions correctly approved as set out in paragraph 5.6 and 5.8 will be accepted.
- All instructions to Legal Services will be via the Council's property and asset management system (currently Concerto).

14 Office Moves

As part of its' Medium Term Property and Office Accommodation Strategies, the Council needs to use its' office space in a much more efficient and cost effective manner in order to contribute to annual revenue savings targets.

To achieve this, Corporate Landlord will have full control and oversight in co-ordinating and monitoring office moves across the Council's portfolio.

All Service Managers are to adhere to the Land and Property Protocol and note that all requests for accommodation or office moves within the portfolio

need to be referred to Corporate Landlord for written approval prior to any moves taking place.

Requests should include a business case or briefing paper outlining the following:

- (i) The reasons for the proposed move including an indicative timescale.
- (ii) Estimates for ICT works (including data and power requirements), any works associated with redecoration or alterations, removal costs and any other incidental costs.
- (iii) Use of existing or surplus office furniture from within the Council's portfolio should be considered at the outset. The purchase of new furniture will only be considered where the proposed move creates a more efficient and cost-effective use of the office space via for example the use of smaller desks.
- (iv) Where a "move request" is Service led as opposed to one proposed by the Corporate Landlord (for example to vacate a building for disposal) then the Service will need to confirm that it has sufficient budget resource to fund its' proposed move.

In the first instance all requests should be directed to the Head of Strategic Assets and Facilities Management for subsequent approval by either the Director of Economy or the Deputy Chief Executive People and Place.

The Director of Economy will be responsible for all office accommodation including relocations in accordance with the Council's Office Accommodation Strategy as part of the wider Corporate Landlord function.

Due to the significant long-term investment involved, express written approval from the Director of Economy is required before considering the installation of IT Hubs in Council property.

15 Service Review

The Corporate Landlord will work with Divisional Management Teams across Services to ensure that strategic and operational property requirements are addressed in line with the Medium Term Property Strategy, the Office Accommodation Strategy and Locality Asset Review.

16 Definitions

Capital Expenditure

Section 16 of the Local Government Act 2003 + Regulation 29A of the Capital Financing Regulations (England) 2003 define capital expenditure as;

1. Expenditure that results in the acquisition, construction, or enhancement of a Fixed Asset.
2. Expenditure where the Secretary of State has made a direction that it can be treated as capital expenditure e.g. exceptional items which would otherwise place an unreasonable strain on revenue budgets.

Capital Receipt

Section 9 (1) of the Local Government Act 2003

"a sum received by the authority in respect of the disposal by it of an interest in a capital asset"

Section 9 (2) defines a capital asset as:

"An asset is a capital asset if, at the time of the disposal, expenditure on the acquisition of the asset would be capital expenditure"

Capital receipts are restricted to use for

- Financing new capital investment
- Reducing borrowing under the Prudential Framework
- To pay a premium charged in relation to any amounts borrowed
- To meet any liability in respect of credit arrangements
- To meet disposal costs (not exceeding 4% of the receipt)

17 PROTOCOL ON DISPOSAL OF OPEN SPACE

17.1 General Principles

The key issue is to make sure that open space (sometimes referred to as public open space) is identified at the earliest possible stage of the disposal process.

As open space is not specifically dealt with in official copies on the Land Registry, the Council has developed an assessment matrix to assist in determining whether the asset is considered to be 'Open Space' and whether

any disposal should follow the Public Open Space disposal process as set in this protocol.

A copy of the assessment matrix is within Appendix A.

17.2 Decision Making

Decisions to dispose of open space must be made in two stages. The first stage report is to recommend disposal of the land in principle, subject to the advertising (in an appropriate publication) of the proposed disposal and allowing time for objections.

The second stage report will make recommendations for disposal or retention of the land having regard to any objections, which have been received to the proposed disposal. This report can be incorporated with the report seeking authority to dispose of the land and the terms recommended.

Consideration of the objections and the decision to dispose to be undertaken in accordance with the appropriate delegations set out in the Land and Property Protocol.

Where the land is put to the open market then any offers received will be subject to completion of a separate tender report in accordance with the delegated authority set out within this Protocol under paragraph 5.7 above.

In the event of a sale of land by private treaty for example to an adjoining householder for say garden use, then the Head of Strategic Assets and Facilities Management has authority to approve such transactions and recorded as such in accordance with paragraph 9.

Sufficient time should be allowed for the completion of the open space disposal procedure, utilising the appropriate delegations and considering any objections. Instructing officers should allow at least 6 weeks between receipt of instructions by Legal Services and the end of the period for objections.

17.3 Legal Procedures

Instructions to advertise a disposal of open space should be sent by the surveyor (via Concerto) to Legal Services (fao. Group Lawyer, - Corporate Group) giving the following information:

- cost code and purchase order number
- plans of the land
- measurements of the land
- a copy of the decision to advertise the land

- name of the person/directorate to receive objections. This should be the instructing officer or other person in the instructing directorate.
- any other relevant information.
- (if applicable) confirmation of whether the purpose of the disposal is to be specified in the notice (and, if it is, the description of the purpose to be included in the notice). The default position will be that the purpose of the disposal will not be specified (as this is not required by law) unless Legal Services are instructed to the contrary.

The instructions will be allocated to an officer in Legal Services who will draft the notice and arrange for it to be placed in a local newspaper for two (2) consecutive weeks.

Notices will follow standard format, the use of the word 'disposal' will be fully explained and (only if the purpose is to be specified in the notice - see above) the purpose of the 'disposal' will be clarified.

Twenty Eight (28) days will be allowed from the date of the first advertisement for objections to be made to the relevant Deputy Chief Executive. 28 days is generally considered to be a reasonable minimum length of time for objections.

17.4 Communication with Potential Purchasers

In communicating with potential purchasers of open space, care must be taken to ensure that officers and/or members do not give the impression, either deliberately or inadvertently, that the need to advertise open space and consider objections is merely an administrative process which will be "rubber stamped".

The decision is a public law decision and must be made in accordance with the principles of public law. In particular it must be reasonable to dispose of the land having considered objections and there must be no pre-determination of the decision.

Potential purchasers should understand that the Council is not able to make any commitment to enter into a contract for sale unless and until a proper decision to dispose of the land has been taken.

17.5 Acquisition and Appropriation of Open Space

Acquisitions (including compulsory acquisitions) and appropriations of open space to other purposes must apply the appropriate legal powers and duties for the purposes for which the open space is being acquired.

Legal advice should be sought before any proposed departure from this protocol.

Appendix A – Public Open Space Assessment Matrix

Introduction

In accordance with the Land and Property Protocol, it is important that the surveyor identifies at the earliest possible stage whether the land subject to a proposed disposal could be considered or deemed to be “open space” (often referred to as Public Open Space) as defined within Section 336(1) of the Town and Country Planning Act 1990, more particularly:

“Open space means any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground.”

If this cannot be determined conclusively from information available to the surveyor then he / she should undertake a site visit and complete the assessment below. This is aimed at assisting the surveyor in determining whether the Council is required to advertise its' intention to dispose of open space to fulfil its' statutory obligation in accordance with the provisions of Section 123 Local Government Act 1972 and / or Section 233 Town and Country Planning Act 1990.

The surveyor is recommended to consider the questions raised in Table 1 and if applicable consider further those issues referred to in Table 2 as part of their assessment.

It is further recommended that the surveyor takes photographs of the site in question.

Table 1 Questions

The following table sets out a series of questions the surveyor should consider as part of his / her initial assessment of the land whilst carrying out a desktop exercise and site visit.

No	Questions	Yes / No	Course of Action
1	Is the land designated within the Local Plan (formerly Local Development Framework / Unitary Development Plan) as recreational open space?	Yes/No	If Yes - advertise
2	Is the land formally laid out and maintained as a garden or landscaped area by the Council's Parks Service?	Yes/No	If Yes - advertise
3	Is the land formally laid out and maintained as a garden or landscaped area by a partner organisation on behalf of the Council?	Yes/No	If Yes - advertise

4	Does a desktop study reveal any evidence that the land was a former burial ground?	Yes/No	If Yes – advertise. NB: If so, also need to consider whether it is consecrated ground.
5	Is the land unfenced and accessible to the public?	Yes/No	If Yes – consider Table 2 issues. If No – note current use of the land, any evidence of site notices or use with permission.

Table 2 Issues

If following completion of the questions within Table 1 the answers are all 'No', then the surveyor is required to consider further the issues in Table 2.

No	Issues to Consider	Comments
1	Degree to which there is evidence of use for recreational purposes by members of the public. For example: dog-walking, trial / mountain biking, kick about area, etc.	
2	Degree to which there is clear evidence of wear or desire lines?	
3	Degree to which any lack of repair or maintenance to the boundary features (i.e. fences, walls, hedges, ditches or bunds) may offer an opportunity to access the land.	
4	Degree to which any access or use of the land might be considered as being unlawful or may constitute trespass?	
5	Degree to which there is evidence that the land is being used with permission?	
6	Degree to which there is evidence of a previous use on the site and when this may have ceased? For example, has the site been temporarily landscaped pending redevelopment e.g. housing clearance programmes – if so how long ago?	

Having completed the above, the surveyor is required to consider / assess the following risks:

Risk Factor	Low		High	
	1	2	3	4
Risk of Challenge i.e. The risk or likelihood of the Council being challenged as a result of a decision to dispose of the land without first undertaking a POS advertising procedure.				
Financial / Reputational Risk The possible effect from a financial / reputational /judicial review perspective of any such challenge.				
Sensitivity How contentious any such disposal may be.				

Scoring

Each of the above risk factors is to be scored between 1 and 4. Total

Score for the subject site =

Assessment and Options

Option 1

If the score is greater than 6, the subject land should be regarded as Public Open Space and as such is subject to a statutory advertising procedure to be undertaken in accordance with the Council's Land and Property Protocol.

Option 2

If the score is 6 or less then the subject land should not be regarded as Public Open Space and as such is not subject to a statutory advertising procedure.

Decision

Having fully completed this Assessment, the surveyor has considered all pertinent information available to him / her and determined that Option 1 / Option 2 * should be followed in respect of the subject site.

Name of Surveyor: _____

Date: _____

*delete as appropriate

Appendix B – Disposals Protocol / Methods of Sale

a) Introduction

Land and Property transactions undertaken by Local Authorities often attract widespread public interest and consequently the Council needs to have a clear code of practice underpinned by procedural guidelines, which are adhered to by both Members and Officers when dealing with such matters.

This protocol applies to the disposal by way of sale or lease of an interest or interests in land and property including fixtures and fittings incidental thereto which has / have previously been agreed by either Corporate Property Board or via the Officer Scheme of Delegation as being surplus to the Council's operational requirements.

b) Summary of Marketing Methods

The Council will usually use one of the following methods to dispose of land and property:

1. **Private Treaty** - a sale of land negotiated with one or a small number of purchasers. The land may or may not have been marketed as available for sale. A binding legal agreement is created on 'exchange of contracts' between the Council and the purchaser.
2. **Public Auction** - a sale of land by open auction available to anyone. The sale will be advertised in advance. A binding legal agreement is created upon the acceptance of a bid by the auctioneer.
3. **Informal Tender** - a sale of land after a public advertisement that requests informal offers or bids that meet a given specification or set of objectives.

A binding legal agreement is not created until the exchange of contracts between the authority and the chosen bidder.

4. **Formal Tender** - a sale of land by a process of public advertisement and tenders submitted by a given date in accordance with a strict procedure. A binding legal agreement is created upon the acceptance of a tender by the Council.
5. **Exchange of Land** - a transaction involving the exchange of Council owned land with another land owner.

The land acquired by the Council will meet at least one of its corporate objectives and will be 'equal' in value to the land exchanged or there can be an equality payment made by either party.

6. **Development Partner / Agreement** – a private sector partner who has been established through appropriate means, to jointly deliver and benefit from redevelopment / regeneration schemes.

c) Further Guidance

1. Disposal by Private Treaty

The main characteristics of a sale by private treaty are:

- 1) The timescales for completion of the transaction are not fixed until exchange of contracts.
- 2) Offers are made Subject to Contract.
- 3) Offers are, or may, not all be received at the same.
- 4) It is usual for the asking price to be quoted.

The steps involved in a private treaty sale will usually include the following:

- i) Openly advertising the property for sale through an agency or direct advertising media.
- ii) Taking offers from interested parties.
- iii) Identifying preferred offers
- iv) Negotiation of bids to ensure best value.

The Council will normally consider the highest bid as representing the best consideration that can be reasonably obtained, subject to ensuring any conditions attached to bids are reflected in the final evaluation.

The process for disposal by private treaty can still include a closing date and be by way of sealed bids if considerable interest is anticipated.

If land is to be sold by private treaty without being marketed, then reasons justifying a private treaty sale must be recorded in writing. In some circumstances, the Council may seek an independent valuation to verify that 'best consideration' is being obtained. An example may include a sale to a special purchaser.

A private treaty sale without the asset being openly marketed may be justified where:

- a) land to be disposed of is relatively small in area and an adjoining

or closely located landowner(s) is (are) the only potential or likely purchaser(s).

- b) The nature of the Council's land ownership and that of the surrounding land ownership is such that the land must be sold to adjoining or surrounding landowners if best consideration is to be obtained.
- c) The Council's corporate objectives and best consideration can best be achieved by a sale to a particular purchaser.
- d) The sale is to a non-profit making organisation and the role of that organisation is conducive to the improvement of public services and facilities available within the borough.
- e) The purchaser has a particular interest in purchasing the premises or a particular association with the premises and where open marketing of the premises may lead that particular purchaser to reduce the value of their offer for the premises or withdraw their interest in the premises altogether.
- f) The purchaser has a particular interest in purchasing the site or a particular association with the site and where in the opinion of the Corporate Property Board / Portfolio Member (Economy and Enterprise) open marketing of the site may cause undue hardship or unrest for that particular purchaser or where the sale of the premises to a party other than that particular individual would substantially and detrimentally affect the normal operation of the business associated with the premises.
- g) The disposal is as a result of the Right to Buy scheme.
- h) The Crichel Down Rules, which are commended but not binding on a local authority, apply and the Council has decided to sell the land to the person from whom it acquired the land. Specific procedures relate to the disposal of property where Crichel Down Rules apply. It is therefore recommended that legal advice is sought in such circumstances.

A legally binding agreement will not be reached until either contracts for the lease or sale of land are exchanged or a development agreement is signed.

a) Private Treaty – with open marketing

After a reasonable period of exposure to the market, negotiations are carried out with interested parties and a clear highest bidder might emerge.

In the event that two or more interested buyers are identified at similar prices, it is possible to consider moving on to the Informal Tender method below.

b) Private Treaty – sole party without marketing

This is to be considered where there is unlikely to be more than one party interested in the property at an open-market price or there is a special interest purchaser likely to pay above the market price.

This generally arises when an application is received from an adjacent or neighbouring owner(s) to purchase the freehold or leasehold interest of a small or inconsequential area of land in the Council's ownership. If the land is deemed to be surplus to requirements and has no development value or potential demand as an open market opportunity, then negotiations with the adjacent or neighbouring owner should be opened in order to achieve the most advantageous financial or economic outcome, for example if the land is 'landlocked' or is difficult or expensive to maintain.

Special circumstances may arise where an adjacent owner can gain advantage by combining land to give rise to a ransom, betterment or overage position. In such cases, it is necessary to establish both the market value and the value advantage to the proposed purchaser.

2. Disposal by Public Auction

Sale by public auction may be appropriate where there is no obvious potential purchaser and where speed and best price can be publicly demonstrated.

An auction reserve is used to ensure that a property is not sold below an agreed level of value and is usually within 10% of the auctioneer's guide price. The reserve may be adjusted upwards or downwards (but within the 10% threshold) depending on the level of interest following a period of marketing. The auctioneer usually advises on the level of the reserve.

Prior to the sale it will therefore be necessary for the appropriate Officer within the Council's Scheme of Delegation to confirm the auction reserve to be applied. It is recommended that an Officer attends the auction to act on behalf of the Council.

Legal Services are to ensure that an appropriate legal pack including a contract for sale or lease is ready in good time prior to the auction.

The binding contract will be made on the acceptance of the highest bid providing it has reached the reserve price. Contracts for the sale or lease will immediately be signed and exchanged. The contract usually specifies that legal completion is to occur within 20 working days, however the Council may choose to specify a longer period within the contract if necessary, provided that the contract also states that the parties may agree to complete on an earlier date.

3. Disposal by Informal Tender

A disposal by informal tender differs from a formal tender in that neither the Council nor the successful bidder is legally obliged to enter into a contract for the disposal of the land.

The informal process allows the Council to identify a preferred bidder with whom it may then negotiate further detailed terms or proposals for the development of the land concerned.

The Council may, as a part of the disposal process, still request best and final offers for a sale, or informal development proposals for land. This process is particularly useful for large or complex development or regeneration sites requiring development and where proposals need to be developed in co-operation with a specific or identified bidder in order to meet the Council's corporate objectives and achieve the best consideration that can be reasonably obtained.

Although not a formal tender, after the closing date, all bids should be recorded by the relevant case officer.

A binding legal agreement is not created until the exchange of contracts for sale or lease or the signing of a development agreement.

This method is suited to sales where there are uncertainties, particularly around Planning, and allows for use of conditional contracts, including clauses which can allow for further sums to become payable upon grant of planning permission at different points in the future.

It is therefore essential that officers considering disposal of property by informal or formal tender consult with Planning and Highways to ensure that if the disposal is dependent upon receipt of planning consent then there is reasonable prospect of that consent being approved.

4. Disposal by Formal Tender

A sale of land by formal tender may be appropriate where:

- a) The land ownership is not complex.

- b) The final form of legal documentation for contracts / transfer are in place together with statutory searches and replies to standard enquiries.
- c) There are no uncertainties as to grant of a planning consent.
- d) The Council is seeking obligations to be placed on the successful tenderer which are clear and capable of specification in advance.

This method can provide a well organised, transparent way of achieving completion when a timeframe is essential. However, it is often more costly and a much longer lead-in period is required.

Formal tenders will not be appropriate where the land ownership position is complex or the development proposals for the land are insufficiently identified or otherwise incapable of being drawn up into a detailed specification at the pre-tender stage. This is particularly so where a detailed planning permission is required, such as a listed property or property in a Conservation Area. Therefore prior to the commencement of a formal tender process the advice of Planning and Highways should be sought.

With a formal tender process, a legally binding relationship is formed when the Council accepts a tender in writing. It is essential therefore, that every aspect of the disposal is specified within the tender documents. The tender documents should include a contract for sale or lease (which will have a form of transfer or lease annexed to it) which should be completed with the tenderer's details, the tender price, include a deposit cheque to preclude withdrawal of the tender prior to acceptance and be signed by the tenderer. It will be released unconditionally to the Council on submission of the tender.

Sale of land by formal tender will require a detailed specification to be drawn up. This needs to specify the land to be sold, any requirements to be met by the tenderer and any obligations that must be met.

5. Disposal by Exchange of Land

Disposal by exchange of land will be appropriate when it will achieve best consideration for the Council and is advantageous to the Council and other parties to exchange land in their respective ownerships.

The exchange will usually be equal in value. However, an inequality in land value may be compensated for by an equality payment or by other means where appropriate. In such circumstances the Council may seek an independent valuation to verify that 'best consideration' will be obtained.

This method could be advantageous where there is a requirement to deliver corporate or regeneration objectives via the use of Wellbeing powers.

6. Development Partner / Agreement

This is a complex transaction which may be subject to a procurement process that will not usually be appropriate unless circumstances such as those listed below apply:

- The Council wishes to retain a degree of control and influence over the type and pace of development that could not otherwise be achieved through exercise of its statutory powers (such as Planning).
- There is a reasonable expectation of improved future profits that the Council wishes to secure through overage or equity share arrangements.
- It is appropriate for the Council to make land or buildings available to a partner agency (such as a Registered Social Landlord) for the provision of core services at below market value.
- To allow a third party to bring forward a site for development by such as the securing of planning consent without the financial exposure of speculative site acquisition.

Such arrangements are highly complex and expert advice will be obtained to support the Council. Care will be taken to ensure compliance with procurement and / or State Aid Rules. Legal advice should be sought at the outset.

Other than settlement of principal terms covering such as purchase price, site area and the like, additional factors that need to be considered for development partnerships will normally include:

- (i) The provision of detailed information and plans of the proposed development.
- (ii) The timescale for completion of the development.
- (iii) Detailed funding arrangements and confirmation that these are in place.
- (iv) Evidence of end user commitment and the opportunity for Council to discuss that commitment directly with the end users in question.
- (v) Details of the developer's financial offer for the property.
- (vi) Developer's track record with similar developments.

- (vii) Any partnership record with other local authorities.
- (viii) Full details of any proposed joint venture opportunity.
- (ix) Details of any conditions precedent to which the proposal is subject.
- (x) Any wider / longer term regeneration benefits from the proposal. For example, employment or training opportunities during construction or from the proposed end user.
- (xi) Provision of any other off-site benefits or facilities.
- (xii) Potential for attraction of shoppers, visitors, users to the borough's facilities.
- (xiii) Capacity of the proposal for bringing other sites forward or opening up other development potential.
- (xiv) Potential for leverage of private or other public funds and grants.
- (xv) Capacity of the proposal to remove or reduce other Council financial liabilities.
- (xvi) Satisfaction of the Council's approved regeneration objectives.

d) Exceptions

Other methods of disposal may be used where circumstances warrant. A notable exception to the standard methods of disposal is the Council supporting Government policy in the transfer of maintained schools to Academies who self-determine on conversion.

The Council typically transfer the Council's land under a 125 year lease at a peppercorn rent in accordance with the Academies Act 2010. Whilst a long lease is preferable, the Department for Education (DfE) recognises that at times parties will seek to enter into local agreements.

The expectation is still however that all land and facilities used wholly or mainly for the purpose of the converting school will transfer and be made available for Academy use.

e) Tender Procedure

Officers are to adhere to the following when marketing land or property for sale by tender (whether via Informal Tender or Formal Tender):

- a) No tenders shall be invited unless Public Notice has been given in at least one local newspaper giving details of the property and the proposed transaction. It should also invite interested persons to apply to tender within a period of not less than 28 days.
- b) Where an agent has been appointed to act on the Council's behalf, their name and address will also be given, and they will be required to acknowledge and comply with this Protocol.
- c) Interested parties will be provided with property particulars and full details of the tender process.
- d) All tenders must be delivered in the envelope provided or in a sealed envelope addressed to the Borough Solicitor, bearing the words "Tender for....." the address of the land or property for sale, along with the closing date for submission of offers, but without any name or mark indicating the identity of the sender.
- e) All tenders delivered by hand ie to the Civic Centre Main Reception, will be issued with a receipt indicating the land or property in question and the time and date and time of its' delivery. A record is to be maintained.
- f) Applicants who wish to make an offer by post must do so by Recorded Delivery.
- g) All tenders received are to be passed to Legal Services.
- h) Tender envelopes will remain unopened and in the custody of the Legal Services until the appointed time for opening.
- i) All tenders will be opened together after the closing date has expired by an Officer nominated by the Borough Solicitor as well as the Case Officer for the sale land / property.
- j) The Borough Solicitor will maintain a record of all tenders received including any late bids.
- k) Tenders will not be accepted where they are not specific, or they are made in reference to another bid, for example "£100 over the highest bid".

- l) The Council will make it clear that it does not bind itself to accept the highest tender or indeed, any tender.
- m) Any tenders received after the tender closing date or where they contravene any provision of the tendering conditions or instructions will only be opened with the authority of the Borough Solicitor.

f) Late Bids

Where land is being disposed of by way of formal tender, bids received after the deadline for tenders, will be recorded as late, together with the time and date of receipt. The Borough Solicitor should decide whether to consider late bids in consultation with the Director of Economy in exceptional circumstances.

g) Online tendering

In consultation with Legal Services tenders can be run online through the Council's e-procurement portal.

This page is intentionally left blank



Part 8 Appendices

Appendix 3 – Protocols

Referral Procedure for Planning Applications

- **Referral by Ward Councillors**
- **Consultation with Chair, Vice Chair and Opposition Spokesperson of Planning Committee**

Planning Committee decision Contrary to Officer Recommendation

Planning Committee - Public Question Time and Public Participation – Planning Matters

- **Public Question Time**
- **Consideration of Planning Applications by the Planning Committee – Public Participation**

Procedure for Considering Planning Applications at Planning Committee

PART 8 – APPENDICES

APPENDIX 3 - PROTOCOLS

1. REFERRAL PROCEDURE FOR PLANNING APPLICATIONS

This procedure relates to planning applications only and not any other planning matters which are delegated to the Deputy Chief Executive.

Referral by Ward Councillors

1. All Members will receive a dated weekly list of planning applications registered. The list will categorise applications by Ward, and an initial assessment of the level at which the decision will be taken – Officer or Planning Committee.
2. Applications and development proposals vary in their complexity, and some are particularly contentious and generate considerable local interest. A Ward Member can request that the item be considered by the Planning Committee. In order to satisfy the requirements for a fair and transparent Development Management service and to ensure that performance targets are not compromised, any request by a Member for an application to be referred to Committee should be made in accordance with the following procedure.
3. A Member for the Ward within which the application site is located, or an adjoining ward upon which the application has a significant impact (meaning valid planning reasons or significant local interest), may request that such an application be determined by the Planning Committee. Any requirement so made shall be called “a referral”. In order to make a referral, a Member must make a written submission (which shall be by email) to the Head of Planning and Development Management within 21 days of the date shown on the relevant weekly list. Referral requests must state the reasons why there is need for a committee decision, making reference to valid planning reasons and the significant concerns or potential significant impact of the development. Valid planning reasons must be given; stating which of the requirements (a-d) set out below are being met.
 - a) issues relating to highways, including access/visibility problems,
 - b) the design, scale, character and/or relationship of existing buildings and proposed buildings,

- c) the effect of the proposal upon the character or amenity of adjoining land and buildings and/or the impact on the surrounding area, and/or
 - d) there are significant policy or precedent implications.
- 4. The Head of Planning and Development Management will, in consultation with the Chair or Vice Chair of the Planning Committee confirm or reject the 'referral' based on the significance of the development and validity of the planning reasons. Members who request a call-in will only be notified if their request has been rejected.
- 5. In accordance with good practice, Members requesting a call-in should attend the Committee meeting. However, if not available a nominated substitute Ward Member is permitted to attend and should notify the Constitutional Services Officer accordingly, prior to the meeting.

Consultation with Chair, Vice-Chair and Opposition Spokesperson of Planning Committee

- 1. There will be occasions when the Planning Committee has considered an application but is not able to issue a final decision because all statutory obligations have not been fulfilled. This will normally be because the periods for consultation have not expired. It is anticipated that referrals of this kind will be used infrequently.
- 2. In these cases, and at the Committee's discretion, the decision may be delegated to the Deputy Chief Executive in consultation with the Planning Committee Chair, Vice-Chair and main opposition spokesperson.

2. PLANNING COMMITTEE DECISION CONTRARY TO OFFICER RECOMMENDATION

Where the Committee is minded to make a decision contrary to Officer's recommendation (whether for approval or refusal), the Committee shall make the reasons clear at the meeting and a detailed minute made. The officer shall also be given the opportunity to explain any implications of the contrary decision before it is finalised.

3. PLANNING COMMITTEE - PUBLIC QUESTION TIME AND PUBLIC PARTICIPATION – PLANNING MATTERS

This note explains how the public may ask questions of the Planning Committee and how applicants for planning permission and other persons who may be affected by a proposed development may speak to the Committee.

The agenda for each meeting is open for public inspection at the Civic Centre Entrance (Rochdale Road) and at Access Oldham (Cheapside Entrance) (when accessible) and on the Council's website from five working days preceding the meeting.

Public question time

1. The Committee will consider questions relating to general planning issues and procedures but NOT about individual planning applications or enforcement matters.
2. Questions must be submitted in writing to Constitutional Services no later than 12.00 noon, two days preceding the meeting (excluding Saturdays, Sundays and Bank Holidays).
3. The Chair, or some other person at the request of the Chair, shall read out the question.
4. A Member of the Committee may speak to any question, then the Chair of the Committee will give a verbal response to the question(s) at the meeting. The Chair's response will be confirmed in writing within five working days of the meeting.
5. Questions regarding individual matters should be addressed to the Council's Planning Officers in the first instance.

Consideration of planning applications by the Planning Committee – public participation

The definitive lists of applications for consideration by the Committee will be completed five working days before the meeting. Please contact Constitutional Services to find out if your applications is on the list of applications to be considered. If it is listed, please advise the Constitutional Services Officer if you wish to speak stating whether you support or object to the proposal. Requests to speak must be received no later than 12:00 noon on the day of the meeting.

Procedure Notes to all Speakers

1. The number of speakers will be limited to two, namely an objector or a representative of the objectors, and the applicant or a representative of the applicant. A Ward Councillor may also speak on an application in their ward.
2. It is important to inform Constitutional Services as soon as possible if you wish to speak to the Committee since only the first person to do so will normally be invited to speak.

3. Speakers will be allowed to speak for up to 3 minutes to state their case. This time period will be strictly enforced. Speakers should make comments only, and not ask questions of officers or Committee Members.
4. Where there are a number of objectors, a representative should be nominated to speak, failing which the first person to have informed Constitutional Services of a wish to speak, will be invited to speak to the Committee.
5. The public speaking procedure does not allow electronic video presentations or distribution of letters/statements/photographs, etc. to Members of the Planning Committee immediately before or during the meeting.
6. Ward Members will be allowed to speak for up to 5 minutes and should make comments only and not ask questions of officers or Committee Members.

6. PROCEDURE FOR CONSIDERING PLANNING APPLICATIONS

1. The Committee will have a report on each application which sets out all material considerations and the Officer's recommendation. Members of the Committee are, therefore, already aware of the issues. You may obtain a copy of the report from the Constitutional Services Officer.
2. The Planning Officer will introduce the report and a Supplementary Information List will report any matters that have arisen since the publication of the report, for example, the receipt of further letters.
3. The Chair will invite the objector or a representative of the objectors (if any) to speak.
5. Members may ask questions of the objector or representative of the objectors to clarify any points that have been made.
6. The Chair will invite the applicant or a representative of the applicant to speak in support of the application and on issues raised by objectors.
6. Members may ask the applicant or a representative of the applicant to clarify the proposals or their response to the objections.
7. The Head of Planning and Development Management, or other officer (as appropriate), if he/she requires, may respond to specific comments made by either the objector, applicant or their representatives.

7. Ward Councillors not on the Committee may speak on applications affecting their Ward at a meeting of the Planning Committee.
8. Members may ask questions of the Ward Councillors to clarify any comments they have made.
9. The Planning or other Officers (as appropriate) will be invited to comment on issues raised by the speakers.
10. The Committee will then debate the issues and may ask questions of the Planning and other Officers and make a decision on the application (see below).

Additional Information

1. On occasions, an application may be deferred by Committee without debate of the issues, for example because further information is awaited. In such cases, speakers will not be permitted to address the Committee until the application is debated at a future meeting. Speakers will be notified of the date of the meeting which will determine the application.
2. If the Committee defers an application after hearing from a speaker or speakers, for example to carry out a site visit, no speaker, apart from Ward Members, will be allowed to address the Committee at a subsequent meeting considering the application unless the application has been materially altered. Speakers will be notified in writing of the determination of the application.
3. Members of the public are not allowed to take part in the debate and may not question Members, Officers or applicants whilst the Committee is determining the application.
4. Anyone registered to speak on an application arriving after the application has been dealt with will not be allowed to speak on that application.

This page is intentionally left blank

Report to COUNCIL

Members Allowances Scheme

Officer Contact: Paul Entwistle, Director of Legal Services

17 June 2020

1 Background

- 1.1 Every year the Council is required to approve the Members Allowances Scheme. An independent remuneration panel is established to make recommendations on the level of members allowances.
- 1.2 This year Panel considered information from the Leader, an Executive Member, Chair of an Overview and Scrutiny committee and Deputy Leader of the Main Opposition Group on special responsibility duties. They also considered representations from on the roles and responsibilities of members, the time required to deal with casework and work required on undertaking committee work.
- 1.3 The Panel also considered the members allowances schemes across Greater Manchester Councils and those of Kirklees and Calderdale.
- 1.4 The Panel made the recommendation that members allowances for 2020/21 should remain the same as in 2019/20 but with increases linked to the officer pay increase for that municipal year. The officer pay increase has not yet been agreed.

2 Recommendations

- 2.1 Councils are asked to consider the recommendations of the Independent Remuneration Panel.
- 2.2 Councils are asked to agree a Members Allowance Scheme for 2020/21. Appendix 1 to this report details the proposed scheme based on the Independent Remuneration Panel recommendation, but this does not include the proposed increase referred to in 1.4 above as this has not been agreed yet.

- 3 **Financial Implications**
- 3.1 During the financial year 2019/20, the expenditure on Members allowances was £1.026m. The budget for 2020/21 has been prepared to accommodate expenditure at the 2019/20 level plus a pay award aligned to that of officers. (Anne Ryans)
- 4. **Legal Services Comments**
- 4.1 Council is required to consider the Members Allowances Scheme after recommendations from the Independent Remuneration Panel.
- 5. **Risk Assessments**
- 5.1 N/A
- 6. **IT Implications**
- 6.1 N/A
- 7 **Property Implications**
- 7.1 None
- 8. **Procurement Implications**
- 8.1 N/A
- 9. **Environmental and Health & Safety Implications**
- 9.1 N/A
- 10 **Equality, community cohesion and crime implications**
- 10.1 N/A
- 11. **Equality Impact Assessment Completed?**
- 11.1 N/A
- 12. **Key Decision**
- 12.1 No
- 13. **Key Decision Reference**
- 13.1 N/A
- 14. **Background Papers**
- 14.1 N/A

15 **Appendices**

1- Members Allowances Scheme

This page is intentionally left blank

Appendix 1

Position	Index	Explanatory Note	Amount
All Members of the Council		BASIC ALLOWANCE	£9,709
All Positions set out below		SPECIAL RESPONSIBILITY ALLOWANCE (SRA)	
Leader	100%	Fixed point for the SRA's where indicated, to be set at 3 times the basic members allowance.	£29,128
		Combined Authority Element	£5,825
Deputy Leader	70%		£20,390
Main Opposition Leader	50%		£14,564
Deputy Main Opposition Leader	20%		£5,826
Executive Members	60%		£17,477
Chairs of: Licensing Planning Overview & Scrutiny Board Performance & Value for Money Board Health and Well-being Board Health Scrutiny Oldham care & Support Company Unity	30%		£8,738
Deputy Executive Member	25%		£7,282
Assistant to Cabinet Member	8%		£2,330
District Executive Leads:			
Oldham East District			£6,990
Oldham West District			£6,118
Chadderton			£6,118
Saddleworth			£6,118
Failsworth & Hollinwood			£6,118
Royton			£5,243
Shaw & Crompton			£5,243
Vice-Chair of Oldham District			£2,620
Shadow Executive Members	10%		£2,913
Shadow Deputy Executive Member	5%		£1,456
Minority Opposition Leader (provided the group has 6 members)	15%		£4,369
Additional SRA: The Leader to notify the Chief Executive and the recipients of this allowance and the responsibilities undertaken. (Currently Labour 5, Lib Dem 2)	5%		£1,456
Co-opted/Independent Members of Audit and Standards Committee	n/a		£397
Chair of Audit Committee	n/a		£2,148
Chair of Standards Committee	n/a		£679
Refreshment Allowance		Subsistence when absent from normal place of residence	

Mileage		Breakfast Lunch Evening Meal	£7 £8 £14 45p per mile for first 10,000 miles, outside the borough, per annum and a rate of 25p per mile over 10,000 miles
Mayoral Allowance	n/a		£15,233
Deputy Mayoral Allowance	n/a		£2,993

Council should note that while there is a normal rule of only one Special Responsibility Allowances per member given by the Council, there is an exception enabling a member to receive a SRA as a member of Transport for Greater Manchester, as Unity Chair and at the same time another SRA from the Council.

The Transport for Greater Manchester allowance will be subject to future decisions made by the Combined Authority.

This page is intentionally left blank



COUNCIL

Appointment of Independent Persons on the Standards Committee

Officer Contact: Director of Legal Services

Report Author: Paul Entwistle, Director of Legal Services
Ext. 4822

17th June 2020

Reason for Decision

For the appointment of an independent person to be made to the Standards Committee.

Executive Summary

1. The Council have undertaken a recruitment process for independent persons on the Standards Committee.
2. Following advertisement for the position, a panel comprising of Deputy Leaders of the two largest Groups and the Director of Legal Services conducted the interview.
3. The recommendation of the panel to Council is to appoint Karen Williams as an Independent Person for the Standards Committee to serve for a four-year term.

Recommendations

Council are recommended to make the appointment as detailed at paragraph 3 of the report.

Background Papers

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:

- Membership of Independent Remuneration Panel/Standards Committee

This page is intentionally left blank



Report to COUNCIL

Council Calendar 2020/2021

Officer Contact: Paul Entwistle, Director of Legal Services

Report Author: Liz Droган, Head of Democratic Services
Ext. 4705

17th June 2020

Reason for Decision

This report sets out the calendar of meetings for the 2020/2021 Municipal Year.

.

Recommendations

It is recommended that:

1. The Council's calendar of meetings for 2020/21 be approved, as set out at Appendix 1.
2. Approval of any outstanding dates or changes to dates to be delegated to the Chief Executive in consultation with Group Leaders.

Council Calendar 2020/2021**1 Background**

- 1.1 This report sets out the Calendar for the 2020/21 Municipal Year. An earlier version of the Council was agreed at Council on 8th January 2020, however, there have been amendments to that version.

2 Options/Alternatives

- 2.1 The Council is entitled to amend any of the dates in the calendar, but should note it is required to approve a version of the calendar at its annual meeting. Approval of any outstanding dates or changes to dates are to be delegated to the Chief Executive in consultation with Group Leaders.

3 Preferred Option

- 3.1 To approve the calendar as set out in Appendix 1.

4 Consultation

- 4.1 Consultation has taken place with relevant officers and councillors.

5 Financial Implications

- 5.1 n/a

6 Legal Services Comments

- 6.1 There are no legal comments (Paul Entwistle).

7 Human Resources Comments

- 7.1 There are no human resources issues.

8 Risk Assessments

- 8.1 A risk assessment is not required.

9 IT Implications

- 9.1 There are no IT implications.

10 Property Implications

- 10.1 There are no property implications.

11 Procurement Implications

- 11.1 There are no procurement implications.

12 Environmental and Health & Safety Implications

-
- 12.1 There are no environmental or health and safety implications.
- 13 **Equality, community cohesion and crime implications**
- 13.1 There are no community cohesion implications.
- 14 **Equality Impact Assessment Completed?**
- 14.1 No
- 17 **Key Decision**
- 17.1 No
- 18 **Key Decision Reference**
- 18.1 n/a
- 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:
Council's calendar of meetings 2020/2021
Liz Drohan tel:0161 770 4705
Level 4 Civic Centre
Oldham
OL1 1 IL
- 20 **Appendices**
- 20.1 Appendix 1 – Council Calendar 2020/2021

This page is intentionally left blank

CALENDAR OF MEETINGS

1 MAY 2020 - 28 MAY 2021

MAY, 2020				
Monday	Tuesday	Wednesday	Thursday	Friday
				1
4	5	6	7	8 Bank Holiday
11	12	13 5.30 pm Liberal Democrat Group 6.00 pm Virtual, Planning Committee	14	15
18 5.30 pm Liberal Democrat Group	19	20	21 6.00 pm Virtual, Planning Committee	22
25	26	27 6.00 pm Planning Committee	28	29

JUNE, 2020				
Monday	Tuesday	Wednesday	Thursday	Friday
1 5.30 pm Liberal Democrat Group	2 9.30 am Licensing Committee	3 3.00 pm Joint Meeting of Scrutiny, Overview and Scrutiny Board 6.00 pm Planning Committee	4 6.00 pm Audit Committee	5
8 3.30 pm Leadership	9	10	11 5.30 pm Virtual, Traffic Regulation Order Panel	12
15 5.30 pm Liberal Democrat Group	16 6.00 pm Overview and Scrutiny Board	17 5.30 pm Liberal Democrat Group 6.00 pm Virtual, Council	18 6.00 pm Member Training	19
22 3.30 pm Leadership 6.00 pm Cabinet	23 2.00 pm Health and Well Being Board 6.00 pm Final Accounts, Audit Committee	24	25 1.00 pm Commissioning Partnership Board 6.00 pm Overview and Scrutiny Performance and Value for Money Select Committee	26
29 5.30 pm Liberal Democrat Group	30			

JULY, 2020				
Monday	Tuesday	Wednesday	Thursday	Friday
		1 5.00 pm Corporate Parenting Panel	2 9.30 am Appeals Committee	3
6 3.30 pm Leadership	7 9.30 am Licensing Driver Panel 6.00 pm Health Scrutiny	8 6.00 pm Planning Committee	9 6.00 pm Member Training	10
13 5.30 pm Liberal Democrat Group	14 9.30 am Licensing Panel 2.00 pm Local NJC Committee	15 2.00 pm Member Training 5.30 pm Liberal Democrat Group 6.00 pm Virtual, Council	16 6.00 pm Member Briefing Session	17 School Holiday Start
20 3.30 pm Leadership 6.00 pm Cabinet	21 2.00 pm Development Session, Health and Well Being Board	22 6.00 pm Overview and Scrutiny Board	23 1.00 pm Commissioning Partnership Board 5.30 pm Traffic Regulation Order Panel	24 5.30 pm Liberal Democrat Group
27	28	29	30 Eid Al Adha	31

AUGUST, 2020				
Monday	Tuesday	Wednesday	Thursday	Friday
3 Recess Starts	4	5	6	7
10	11	12	13	14
17	18	19	20	21 Recess Ends
24 3.30 pm Leadership 6.00 pm Cabinet	25	26 6.00 pm Planning Committee	27 6.00 pm Overview and Scrutiny Performance and Value for Money Select Committee	28
31 Bank Holiday				

SEPTEMBER, 2020				
Monday	Tuesday	Wednesday	Thursday	Friday
	1 9.30 am Licensing Driver Panel 6.00 pm Health Scrutiny	2 School Holiday End 5.00 pm Corporate Parenting Panel	3 9.30 am Appeals Committee 6.00 pm Member Training	4
7 5.30 pm Liberal Democrat Group	8 6.00 pm Overview and Scrutiny Board	9 2.00 pm Member Training 5.30 pm Liberal Democrat Group 6.00 pm Council	10 6.00 pm Audit Committee	11
14 3.30 pm Leadership	15 9.30 am Licensing Panel 2.00 pm Health and Well Being Board 6.00 pm Member Briefing Session	16 6.00 pm Planning Committee	17	18
21 Labour Party Conference	22 Labour Party Conference	23 Labour Party Conference 6.00 pm Charitable Trust Committee	24 Labour Party Conference 1.00 pm Commissioning Partnership Board 5.30 pm Traffic Regulation Order Panel	25
28 Liberal Democrat Party Conference 3.30 pm Leadership 6.00 pm Cabinet	29 Liberal Democrat Party Conference	30 Liberal Democrat Party Conference		

OCTOBER, 2020				
Monday	Tuesday	Wednesday	Thursday	Friday
			1 Liberal Democrat Party Conference 9.30 am Appeals Committee 6.00 pm Overview and Scrutiny Performance and Value for Money Select Committee	2
5 Conservative Party Conference 3.30 pm Leadership	6 Conservative Party Conference 9.30 am Licensing Driver Panel 2.00 pm Local NJC Committee	7 Conservative Party Conference	8 Conservative Party Conference	9
12	13 9.30 am Licensing Panel 6.00 pm Health Scrutiny	14 2.00 pm Member Training 6.00 pm Planning Committee	15 6.00 pm Standards Committee	16
19 3.30 pm Leadership 5.30 pm Liberal Democrat Group 6.00 pm Cabinet	20 6.00 pm Overview and Scrutiny Board	21	22 1.00 pm Commissioning Partnership Board 6.00 pm Member Training	23
26 School Holiday Start	27	28	29	30 School Holiday End

NOVEMBER, 2020				
Monday	Tuesday	Wednesday	Thursday	Friday
2 3.30 pm Leadership 5.30 pm Liberal Democrat Group	3 9.30 am Licensing Committee 6.00 pm Audit Committee	4 2.00 pm Member Training 5.30 pm Liberal Democrat Group 6.00 pm Council	5 9.30 am Appeals Committee	6
9	10 9.30 am Licensing Driver Panel 2.00 pm Health and Well Being Board	11 6.00 pm Planning Committee	12 6.00 pm (Administration Budget – Tranche 1), Overview and Scrutiny Performance and Value for Money Select Committee	13
16 3.30 pm Leadership 6.00 pm Cabinet	17 9.30 am Licensing Panel	18 5.00 pm Corporate Parenting Panel	19 6.00 pm Member Briefing Session	20
23	24 6.00 pm (Opposition Budget – Tranche 1), Overview and Scrutiny Performance and Value for Money Select Committee	25 6.00 pm Member Training	26 1.00 pm Commissioning Partnership Board 5.30 pm Traffic Regulation Order Panel	27
30 3.30 pm Leadership 5.30 pm Liberal Democrat Group 6.00 pm Budget, Cabinet				

DECEMBER, 2020				
Monday	Tuesday	Wednesday	Thursday	Friday
	1 2.00 pm Local NJC Committee 6.00 pm Overview and Scrutiny Board	2 6.00 pm Charitable Trust Committee	3 9.30 am Appeals Committee	4
7	8 9.30 am Licensing Driver Panel 6.00 pm Health Scrutiny	9 2.00 pm Member Training 6.00 pm Planning Committee	10 6.00 pm Standards Committee	11
14 3.30 pm Leadership 5.30 pm Liberal Democrat Group 5.30 pm Liberal Democrat Group 6.00 pm Cabinet	15 9.30 am Licensing Panel 2.00 pm Development Session, Health and Well Being Board	16 5.30 pm Liberal Democrat Group 6.00 pm Council	17 6.00 pm Overview and Scrutiny Performance and Value for Money Select Committee	18
21 School Holiday Start	22	23	24	25 Christmas Day Bank Holiday
28 Bank Holiday	29	30	31	

JANUARY, 2021				
Monday	Tuesday	Wednesday	Thursday	Friday
				1 School Holiday End
4	5	6	7	8
11 3.30 pm Leadership	12 9.30 am Licensing Driver Panel 6.00 pm Audit Committee	13	14 9.30 am Appeals Committee	15
18	19 9.30 am Licensing Panel 6.00 pm Overview and Scrutiny Board	20 6.00 pm Planning Committee	21 6.00 pm (Administration Budget – Tranche 1), Overview and Scrutiny Performance and Value for Money Select Committee	22
25 3.30 pm Leadership 6.00 pm Cabinet	26 2.00 pm Health and Well Being Board 6.00 pm Health Scrutiny	27 5.00 pm Corporate Parenting Panel	28 1.00 pm Commissioning Partnership Board 5.30 pm Traffic Regulation Order Panel	29

FEBRUARY, 2021				
Monday	Tuesday	Wednesday	Thursday	Friday
1 5.30 pm Liberal Democrat Group	2 9.30 am Licensing Driver Panel 6.00 pm (Opposition Budget), Overview and Scrutiny Performance and Value for Money Select Committee	3 6.00 pm Member Briefing Session	4 9.30 am Appeals Committee 6.00 pm Member Training	5
8 3.30 pm Leadership 6.00 pm Budget, Cabinet	9 9.30 am Licensing Panel	10 2.00 pm Member Training 6.00 pm Planning Committee	11	12
15 School Holiday Start	16	17	18	19 School Holiday End
22 3.30 pm Leadership 5.30 pm Liberal Democrat Group 6.00 pm Cabinet	23	24 5.30 pm Liberal Democrat Group 6.00 pm (Budget), Council	25 1.00 pm Commissioning Partnership Board	26

MARCH, 2021				
Monday	Tuesday	Wednesday	Thursday	Friday
1	2 9.30 am Licensing Committee 2.00 pm Local NJC Committee	3	4 9.30 am Appeals Committee 6.00 pm Standards Committee	5
8 3.30 pm Leadership 5.30 pm Liberal Democrat Group	9 9.30 am Licensing Driver Panel 6.00 pm Overview and Scrutiny Board	10 2.00 pm Member Training 6.00 pm Charitable Trust Committee	11 6.00 pm Overview and Scrutiny Performance and Value for Money Select Committee	12
15	16 9.30 am Licensing Panel 6.00 pm Health Scrutiny	17 6.00 pm Planning Committee	18 5.30 pm Traffic Regulation Order Panel	19
22 3.30 pm Leadership 5.30 pm Liberal Democrat Group 6.00 pm Cabinet	23 2.00 pm Health and Well Being Board 6.00 pm Member Training	24 5.30 pm Liberal Democrat Group 6.00 pm Council	25 1.00 pm Commissioning Partnership Board 6.00 pm Audit Committee	26
29	30	31 5.00 pm Corporate Parenting Panel		

APRIL, 2021				
Monday	Tuesday	Wednesday	Thursday	Friday
			1 9.30 am Appeals Committee 6.00 pm Member Training	2 Good Friday Bank Holiday
5 Easter Monday Bank Holiday	6 School Holiday Start	7	8	9
12 Ramadan Starts	13 9.30 am Licensing Driver Panel	14	15	16 School Holiday End
19	20 9.30 am Licensing Panel	21 2.00 pm Member Training 6.00 pm Planning Committee	22 6.00 pm Member Briefing Session	23
26	27	28	29 1.00 pm Commissioning Partnership Board	30

MAY, 2021				
Monday	Tuesday	Wednesday	Thursday	Friday
3 Bank Holiday	4	5	6 Elections	7
10	11	12 5.30 pm Liberal Democrat Group Eid Al Fitr	13	14
17 5.30 pm Liberal Democrat Group	18	19 6.00 pm (Annual), Council	20	21
24	25	26	27	28