

CABINET Agenda

Date Thursday 23 April 2020

Time 6.00 pm

Venue Virtual TEAMS meeting – click on the link below to access the meeting

<https://www.oldham.gov.uk/livemeetings>

- Notes
1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Liz Drogan in advance of the meeting.
 2. CONTACT OFFICER for this Agenda is Liz Drogan Tel. 0161 770 5151 or email elizabeth.drogan@oldham.gov.uk
 3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Monday, 20 April 2020. The question will be read out by the Chair of the virtual meeting and a response will be provided at the virtual meeting.
Recording and reporting the Council's meetings is subject to the law including the law of defamation, the Human Rights Act, the Data Protection Act and the law on public order offences.
 4. FILMING – This meeting will be recorded for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be recorded, except where there are confidential or exempt items and the footage will be on our website. This activity promotes democratic engagement in accordance with section 100A(9) of the Local Government Act 1972. The cameras will focus on the proceedings of the meeting. As far as possible, this will avoid areas specifically designated for members of the public who prefer not to be filmed. Disruptive and anti social behaviour will always be filmed.

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

MEMBERSHIP OF THE CABINET IS AS FOLLOWS:

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

1 Apologies For Absence

2 Urgent Business

Urgent business, if any, introduced by the Chair

3 Declarations of Interest

To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.

4 Minutes of the Cabinet meeting held on 23rd March 2020 (Pages 1 - 10)

5 Public Question Time

To receive Questions from the Public, in accordance with the Council's Constitution.

6 Resources Received by the Council in Response to COVID-19 and the Creation of a Council Fund for Related Expenditure to Supplement the Government Announced Funding

7 Hardship Funding 2020/21

8 Exclusion of the Press and Public

That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they contain exempt information under paragraph(s) 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.

9 Strategic Investment

Report to follow



CABINET
23/03/2020 at 6.00 pm

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.

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 **Page 7** / reserve 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.



Oldham
Council

The meeting started at 6.00pm and finished at 6.27pm

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