

**Present:** Councillor Shah (Chair)  
Councillors Akhtar, Jabbar, Moores, Mushtaq, Roberts, and  
Stretton

1           **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors  
Chadderton and 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 MEETINGS HELD ON 17TH  
FEBRUARY 2022 AND 28TH FEBRUARY 2022**

RESOLVED – That the Minutes of the Cabinet meetings held on  
17th February 2022 and 28th February 2022 be approved.

6           **REVENUE MONITOR AND CAPITAL INVESTMENT  
PROGRAMME 2021/22 MONTH 9 – DECEMBER 2021**

Consideration was given to a report of the Director of Finance  
which provided the Cabinet with an update on the Council's  
2021/22 forecast revenue budget position at Annex 1 and the  
financial position of the 2021/22 Capital Programme as at 31<sup>st</sup>  
December 2021 together with the revised capital programme  
2022/23 to 2026/27 as outlined in section 2 of the report at  
Annex 2 of the report.

Revenue Position

The current forecast outturn position for 2021/22 was a  
projected surplus variance of £2.680m after allowing for  
approved and pending transfers to and from reserves.

The position included additional costs and pressures that had  
been identified by the Authority in this financial year as a direct  
result of the COVID pandemic. The additional pressures  
included forecasts of both income shortfalls and additional  
expenditure that had impacted on the Authority's budgets.

The pandemic was continuing to affect nearly all aspects of  
Council service delivery; the most significant areas of concern  
were the People and Place, Children's Services and Community  
Health & Adult Social Care Portfolios. Action was being taken  
and would continue right 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 partly being offset by the  
application of £7.737m general COVID support grant and

£0.352m from the Quarter 1 compensation claim for lost income in relation to sales fees and charges (SFC); in total £8.089m, all of which was received from the Department for Levelling Up, Housing and Communities (DLUHC). In Appendix 1 to the report, the un-ringfenced Government support was presented as a single sum so that it highlighted the level of variation across all Council budgets, given that there was insufficient resource to fully offset the adverse COVID related variance. However, this summary report presented the position after applying the Government grant across Portfolio areas. An update on the major issues driving the revenue projections was detailed within Annex 1, Section 2 of the report.

The current projected position, after adjustment for reserves and, as outlined above, receipt of all additional Government funding to support COVID pressures that the Authority was expecting to receive, continued to show a net underspend, demonstrating the impact of the service and corporate actions that had been initiated across all service areas to review and challenge planned expenditure and to maximise income. Action would continue with the aim of, at the very least, maintaining this position to the end of the financial year.

Information on the Quarter 3 position of the Dedicated Schools Grant (DSG), Housing Revenue Account (HRA) and Collection Fund was also outlined in the report. There were currently no significant issues of concern in relation to the HRA.

### Capital Programme

The report outlined the most up to date capital position for 2021/22 to 2026/27 for approved schemes. The revised capital programme budget for 2021/22 was £38.709m which was considerable movement from the month 8 forecast of £52.588m and a net decrease of £47.293m from the original budget of £86.002m. Actual expenditure to 31 December 2021 was £29.304m (75.7% of the forecast outturn).

It was anticipated that the forecast outturn will be close to the final position, although there may be further reprofiling up to the year-end.

### Options/alternatives considered

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

Option 2 - To agree some of the forecasts and changes included in the report.

Option 3 - not to agree any of the forecasts and changes included in the report and ask for further information.

### RESOLVED – That:

1. The forecast revenue outturn for 2021/22 at Quarter 3 being a £2.680m favourable variance having regard to the action being taken to manage expenditure be approved.
2. The forecast positions for the Housing Revenue Account, Dedicated Schools Grant and Collection Fund be approved.
3. The use of reserves as presented in Section 8 of Annex 1 of the report be approved.

4. The revised capital programme for 2021/22 to 2026/27 as at Quarter 3 be approved.



**Oldham**  
Council

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## **HOUSING DELIVERY STRATEGY**

The Cabinet gave consideration to a report of the Executive Director for Place and Economic Growth which sought approval of the Housing Delivery Strategy and programme of works. Oldham was targeted by Government to deliver c.700 homes per annum up to 2037, which was significantly higher than what had been achieved in the Borough in recent years. In order to meet both the Oldham Housing Strategy objectives and deliver at the scale required to support projected population growth, new models of delivery and partnership working would be necessary, with the need for the Council to take an active role in driving forward housing development.

The report provided a series of recommendations for the Council to drive forward a programme of housing development activity. It was reported that the document set out the current policy context and ambitions for housing delivery in the Borough as part of the Creating a Better Place regeneration programme. It considered the merits of a range of development options which the Council could progress to ensure delivery of housing on land under its control and updates on current housing activity and recent achievements in the borough. Progress towards developing brownfield land were highlighted and the report also considered and made recommendations regarding affordable housing, low and zero carbon housing and Modern Methods of Construction.

Three possible options were set out within the report, (a land sale, delivery via Building Lease and procuring a Strategic Development Partner) available to the Council and the advantages and disadvantages of each, before making site specific recommendations for delivery.

RESOLVED – That the Cabinet would consider the commercially sensitive information contained at Item 20 of the agenda before making a decision

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## **SELECTIVE LICENSING OF PRIVATE RENTED PROPERTIES**

The Cabinet gave consideration to a report of the Executive Director Place and Economic Growth which sought approval of a Selective Licensing Scheme to implemented in certain parts of the Borough.

It was reported that an extensive period of consultation had been carried out regarding the introduction of a second selective licensing scheme for privately rented properties in parts of the Borough.

The report detailed the findings of this consultation and also developed the final proposals for a second selective licensing scheme.

In 2015 Oldham Council introduced a Selective Licensing Scheme for privately rented properties in certain parts of the Borough as an intervention to address issues of low housing demand. It was a five-year scheme that ended in December 2020.

A review of the scheme was completed May 2019 and updated December 2020, which showed low housing demand had improved in some areas, had stayed the same in others, and had deteriorated in 2 areas. It also identified additional areas which are exhibiting low housing demand.

In January 2020, following Cabinet approval, a statutory consultation for proposals of introducing a new Selective Licensing Scheme commenced and this consultation was relaunched again in January 2021 due to the impact of the Covid pandemic both on the responses to the consultation and the resources available within the Council.

The private rented sector performs an essential role in the Borough's housing market. Many private landlords provided a decent service to their tenants, but the practices of some can give the sector a poor reputation and affect the housing demand of an area. Selective licensing can form a part of a wider set of measures to address the causes of low housing demand.

The Housing Act 2004 included provisions to develop an improved and more professional private rented sector. Section 80 gave powers to local housing authorities to designate areas as subject to selective licensing in respect of privately rented accommodation, provided certain conditions are met. A review of the housing market was carried out in 2019 and updated in 2020 which indicated there was evidence of low housing demand in the proposed areas. The report explained how selective licensing would support a range of measures to tackle the problem.

From the consultation exercise, private landlords had expressed their concerns;

- 1) that the introduction of a new licensing scheme is not required
- 2) that the housing market has changed
- 3) they are unclear on what the previous scheme has achieved and how any new scheme would make a difference.

Other consultees had stated that licensing should be introduced across the borough.

The report acknowledged the feedback from the consultation and sought to address the concerns. It was clear that different stakeholders had different opinions, and there is no way of achieving an outcome that is satisfactory to all.

Other options had been considered to address problems in the private rented sector, however these were too narrow in addressing management standards and do not provide a holistic, strategic response to raising management standards.

Selective licensing could be an integral part of the Council's wider housing strategy, by improving management standards. Managed well, the private rented sector can offer choice and flexibility within the Borough's housing market with the potential to support economic growth as well as meet housing needs. The implementation of Selective Licensing does have risks; however, these have been carefully considered. The Council has experience, knowledge, shared best practice and learning from the previous scheme that would greatly benefit any new scheme.

#### Options/alternatives considered

Option 1 – To consider the findings of the review, consultation, options appraisal and other measures available to work with Selective Licensing and to approve a two-phase approach to implementing a new Selective Licensing scheme, starting with the LSOAs with the worst low housing demand.

Approve the licence fee cost for phase 1 of the selective licensing scheme at £582 per property. The fee is split into two payments, an application fee of £340.34 and a monitoring & compliance fee of £241.66.

Option Two - Approval of the first phase only of a new Selective Licensing scheme in the LSOAs as stated in (Appendix 13) affecting 17.36% of the private rented sector.

Approve the licence fee cost for phase 1 of the selective licensing scheme at £582 per property. The fee is split into two payments, an application fee of £340.34 and a monitoring & compliance fee of £241.66.

Option Three - Approval of a new Selective Licensing scheme in all the LSOAs that have been statutorily consulted over 20% of the private rented sector and apply for Secretary of State Approval.

Option Four - Not approve the use of Selective Licensing in Oldham.

#### RESOLVED – That

1. The findings of the reviews and outcome of the statutory consultation be noted.
2. A two-phase Selective Licensing approach be approved.
3. The license fee cost for phase 1 of the selective licensing scheme at £582 per property be approved. The fee would be split into two payments, an application fee of £340.34 and a monitoring & compliance fee of £241.66.
4. It be noted that Phase 2 of the proposal, which involved a further period of consultation and the resultant recommendation potentially being approved by the Secretary of State would require a further budgetary provision of £25,000.

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#### **DISPOSAL OF VACANT LAND AT DERKER, ST JAMES**

Consideration was given to a report of the Executive Director, Place and Economic Growth which sought approval of the disposal of three vacant plots in Derker and the approval of a Brownfield Housing Land agreement for Derker completed between Hive Homes and the Greater Manchester Combined Authority.

There were a number of vacant sites in Derker that were cleared as part of the Housing Market Renewal Programme and had remained vacant for over 10 years. The sites included a number of individual Council owned plots totalling approximately 4 hectares and cover land at the former Cromford Mill, Abbottsford Road and former Derker Hotel site, London Road and Evelyn Street, as shown at Appendix 1 to the report.

In July 2020 the Greater Manchester Combined Authority was awarded an initial allocation of £81.1 m over a 5-year period following a Government announcement with regards to a national pot of £400 m Brownfield Housing Land Fund (BHLF). The Ministry of Communities, Housing and Local Government (MCHLG) commenced a further bidding round in August 2020 for the remaining 10% of the £400 m allocated as BHLF grant. The £40 m was retained by MCHLG as a competitive element to help support the most ambitious projects. The focus of the bidding process and assessment was on identifying and supporting those Mayoral Combined Authorities that could demonstrate they had ambitious proposals and were ready to receive funding and where the funding could be utilized within 2 years. The grant for Derker was funded from this '10%' pot and in order to complete the funding agreement, a series of tight the milestones outlined in the report were required to be met. The BHLF provided grant support to bring forward residential development on brownfield sites. The grant can be used to address remediation issues, access works or service diversion and provision required in order to make sites deliverable. The funding cannot be used as revenue.

In September 2021, Cabinet approved that a provisional BHLF allocation for the sites in Derker of up to £2 m should be accepted. Derker had capacity for circa 150 homes and the grant would be used to help support zero carbon/highly energy efficient housing.

The funding needed to be spent (i.e. works completed up to the value of the grant) by March 2023 and in order to spend the grant the following development milestones had been agreed with GMCA. Whilst there was some flexibility with the milestones up to March 2023, if the project did not progress in accordance with the dates below, there is a risk the funding will be lost.

- Cabinet approval to dispose – March 2022
- Planning application submitted – June 2022
- Start on site – November 2022
- Works (to value of the grant) completed – March 2023
- Housing completed – early 2025

In order to achieve these tight deadlines, and based on advice from CBRE, it is proposed that the BHLF Grant Agreement should be completed directly between GMCA and Hive Homes. This approach has no financial impact on the council, as the grant would have subsequently been novated over to the developer partner in its entirety in any event.

#### Options/Alternatives considered

Option 1 - Procure a delivery partner through a compliant procurement process

By using this option, the Council would not be able to complete the process in time to draw down the BHLF Grant which would greatly affect the overall viability of the proposed development and the quality of the homes being built. This option, with the luxury of a longer time period, would however allow for the Council to enter into a Works Contract and therefore have more control over the type of homes being built.

Option 2 - Market the site on the open market for disposal  
The site could also be marketed for sale on the open market. This option would give the Council no certainty around the type of homes built (other than via the Planning Process) or on when the homes would be built. It was likely that the development would be only Policy Compliant in terms of affordable homes (i.e. 10%) and only be built to Building Regulations standards. The homes would not be low or zero carbon. Whilst it was possible this option would generate a capital receipt, none of the council's or GMCA's wider strategic objectives would be met. The terms and objectives around the BHL Grant, including timescales and 'Build Back Better' Agenda would also be seriously jeopardised, therefore under this option the grant would likely be lost

Option 3 - Direct disposal to Hive Homes

This option would enable a high-quality scheme to be built in accordance with the Council's aspirations for Derker and also enable Hive to access the allocated BHLF Grant. A buy-back agreement will be in place if the scheme is not built out in time or if Hive fail to meet any of the other requirements of the BHLF Grant Agreement.

RESOLVED – That the Cabinet would consider the commercially sensitive information at Item 21 before making a decision.

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## **DISPOSAL OF LAND AT SOUTHLINK**

The Cabinet gave consideration to a report of the Executive Director, Place and Economic Growth which sought approval for the Council to carry out a competitive land sale of vacant and derelict brownfield land at Southlink together with land owned by Greater Manchester Passenger Transport Executive (GMPTE) to enable the site to be developed for new housing.

The report provided details in relation to the redevelopment of the unutilised and vacant brownfield land to the south of the former Oldham Mumps Metrolink Station. The site, known as 'Southlink' previously contained the original Oldham Mumps Railway Station which closed completely in 2009 and has since been demolished. Covering around 3.5 hectares, the site is owned by Oldham Council and TFGM, (approximately 54% and 46% respectively).

In July 2020 the Greater Manchester Combined Authority was awarded an initial allocation of £81.1 m over a 5-year period following a Government announcement with regards to a national pot of £400 m Brownfield Housing Land Fund (BHL). BHL provided grant support to bring forward residential development on brownfield sites. The grant can be used to address remediation issues, access works or service diversion and provision required to make sites deliverable. The grant was used to support schemes that would otherwise be unviable. The funding cannot be used as revenue.

Bids were submitted in a number of tranches and GMCA agreed the prioritisation criteria focusing on deliverability, value for money and strategic fit. Under Tranche 2, Oldham Council and Transport for Greater Manchester (TFGM) were provisionally allocated up to £4.502M BHL Grant funding based upon a

GMCA led proposal (working directly with TfGM) to develop 265 apartments at Southlink.

In September 2021, Cabinet approved that the grant for Southlink should be provisionally accepted. In order to meet the grant requirements, set by Greater Manchester Combined Authority (GMCA) for Tranche 2 applications, the following development milestones must be met, or the Grant risks being re-allocated to other schemes within Greater Manchester:



<b>Milestones</b>	<b>Date</b>
Collaboration agreement signed	28th February 2022
Competitive Land Sale exercise commences	8 <sup>th</sup> April 2022
Developer partner selected	30 <sup>th</sup> June 2022
TfGM / OMBC approval for selected Developer partner	31 <sup>st</sup> July 2022
Planning application submitted	30 <sup>th</sup> September 2022
Planning decision	15 <sup>th</sup> January 2023
Start on Site	31 <sup>st</sup> March 2023

CBRE were appointed in September 2020 to prepare a development brief and provide delivery strategy and developer selection advice to the council for the proposed developments at Derker and Southlink in order to meet the requirements of the BHL Grant Funding timetables.

The CBRE Advice explored three options for bringing the site at Southlink forward for development which were:

1. Direct development by the Council.
2. Procurement of a private sector development partner under the public contract regulations 2015.
3. Land sale to a Developer.

The first option was discounted because of the risk it would place on the council and the significant resources, both expertise and finance, that would be required.

A fully compliant procurement exercise to appoint a developer partner in accordance with the Public Contracts Regulations (PCR) 2015 through a competitive tendering process is a tried and tested route. However, using this approach, the Council would be highly unlikely to complete the procurement exercise and other steps necessary, such as secure full Planning Permission, in time for the preferred partner to be on site by March 2023. CBRE have provided a timetable detailing this option and the earliest start on site date would be after April 2023. This would mean that the BHL grant offer would be withdrawn and reallocated to another scheme within GM.

A land sale to a preferred developer would sit outside the PCR (2015). It would require due diligence to be undertaken by the Council on the suitability of the developer and appropriate contractual arrangements being put in place, including a buy back agreement, to ensure that the project is delivered in accordance with the BHL grant requirements.



A competitive process was proposed to be undertaken to ensure the Council secures the best value offer for the site.

A Planning Development Brief had been drawn up to provide a planning and design framework to guide the redevelopment of the site. The brief included an illustrative concept plan, provisional development schedule and indicative viability assessment to inform the disposal exercise so that any offer is aligned with the Councils, TFGM's and GMCA's delivery expectations and requirements.

The viability work showed that an apartment led scheme, even with BHL Grant support would simply not be viable due to the low rents and values in the area, combined with the high abnormal construction costs relating to the former use and topography of the land. As such it was likely that any proposed scheme would be high-density low-rise housing with a revised density of around 50 dwellings per hectare, giving a scheme of around 120 homes. The exact proposals would not be known until the competitive land sale process was completed and the final revised BHLF allocation would also not be determined until an agreed scheme has been approved by both Oldham Council and TfGM as landowners.

The competitive land sale process offers developers an opportunity to:

- Effectively utilise vacant brownfield land
- Embed zero/low carbon technologies and construction methods to create highly sustainable new homes
- Deliver quality homes to meet the acute market and affordable housing needs in Oldham
- Deliver new homes in a highly accessible location close to public transport provision, shops, amenities, services and facilities; and
- Generate significant economic, social and environmental benefits locally.

#### Options/alternatives considered

##### Option 1 - Dispose of Southlink via a Competitive Market Sale Exercise

The CBRE report confirms that a development partner can be selected to bring forward residential development on the Southlink site via a market sale process which can commence on the 8<sup>th</sup> April 2022 (or preferably earlier) as soon as all the relevant site information is available for the marketing prospectus.

##### Option 2- Dispose of Southlink site using a procurement framework.

CBRE considered alternative procurement routes to select a development partner in accordance with the Public Contracts Regulations (2015), through a competitive tendering process. Procurement routes included the Homes England Dynamic Purchasing System and the Pagabo Framework. The relative merits of both routes were considered in the report together with the respective timescales against the project milestones. The analysis concluded that while this is a tried and tested approach to select a development partner that would achieve all

the project objectives, the complexity of the Southlink site and the time that it is taking to assemble all the relevant site information that would inform such as process (which is still ongoing), has meant that there is insufficient time in the project programme to undertake a procurement process as this will require a minimum of 3 months.

In summary, there is insufficient time in the project programme to run a procurement process that would also meet the BHL grant deadline. This means under this option, Southlink would remain undeveloped.

Option 3 - Dispose of Southlink via a Council led procurement exercise.

CBRE highlighted in their report that there would be no time savings with a Council led procurement exercise when compared to Option 2 above, which means that the outcome would be the same, i.e. insufficient time to meet the BHL grant deadline. The Southlink site would not be developed.

Option 4 - Do not dispose of the site.

'Do nothing' is not the preferred option for the site as this would not meet the Council's 'Creating a Better Place' regeneration and housing development objectives. The availability of the BHL grant is in place for a specific purpose which is to off-set the viability gap and bringing forward challenging brownfield sites such as Southlink for residential development, and every opportunity should be taken to draw down the funding to make development happen.

RESOLVED – That the Cabinet would consider the commercially sensitive information contained at Item 22 of the agenda before making a decision.

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### **SPECIAL EDUCATION NEEDS (SEND) TRANSPORT SERVICE**

The Cabinet gave consideration to a report of the Director of Education, Skills and Early Years which sought to advise on the process undertaken on the Transport Service Tender by providing details of the recent tender allocation process. It also outlined details of the current provision of Travel Assistance, provided by the SEND Transport Team.

The SEND Travel Assistance Service provided the current provision for Home to School Transport. The service transports approximately 830 pupils with either special educational needs, disabilities or because of their mobility issues. There are approx. 2600 children and young people with EHCPs in the borough and circa 5000 children and young people 0-25 years on SEN Support.

The SEND Travel Assistance Service operates over 190 school days as determined by the School Holiday Calendar and other occasional days determined by individual schools governing bodies. All pupils with SEND are provided with free travel assistance, in accordance with the Council's current Travel Assistance Policy (July 2019), IPSEA Legal guidance and the Education Act 1996. It is the legal responsibility of the Local Authority to provide this service, as outlined in the Education Act 1996.

The provision of transport is determined by the needs of the individual pupil. Those with severe and complex health, physical or educational needs can be transported by either individual taxis or adapted vehicles. Children or young people with less severe needs ordinarily travel via a multi-passenger minibus. The SEND Travel Assistance Policy aims to ensure that all pupils eligible to access transport, will receive the appropriate provision which meets their needs.

At present, there is a concurrent internal travel training program in place with Oldham Council, led by the SEND Travel Assistance Service. The program aims to provide independent travel training to 30 children and young people per annum. New delivery models for providing a greater level of scale and pace for independent travel training will be considered before the financial year end as 30 per annum is deemed insufficient to meet potential demand/need, ensure independence and preparation for adulthood and ensure best value for money/a potential invest to save model. This will help to mitigate costs moving forwards as more children and young people may migrate to travel training from transport and/or assigned travel training in place of transport in the first instance.

The current contract to provide SEND Travel Assistance expires on 31<sup>st</sup> August 2022. although there is an option to extend by another year.

A dynamic purchasing system (DPS) is to be established and used for allocating routes via mini competitions of which can be accessed via the Chest. In accordance with the Council's Contract Procedure Rules and Public Contract Regulations 2015 the following procurement process was undertaken in establishing the DPS.

A supplier engagement event was advertised on the Chest accompanied with a soft market testing questionnaire designed to inform the Council of the market's perception of the current and future ways of working.

Following the event, the DPS opportunity was advertised on the Chest on 17<sup>th</sup> December 2021 with a closing date of 21<sup>st</sup> January 2022. Bidders were asked to review and complete a standard selection question which looks to assess the capability and quality.

The DPS was been broken down into separate lots for:

- Private Hire/Taxi
- PSV Buses
- Minibuses
- Black Cab
- Wheelchair Adapted Minibuses
- PSV Wheelchair Adapted Buses

Once bidders have passed this initial stage, they shall enter into a Dynamic Purchasing Agreement, following which they are eligible to submit bids for routes via the published mini competitions. The mini competition documents will be evaluated 90% on price (on a fixed price basis) with a 10% caveat based on vehicle emissions and companies' adherence to Oldham's clean air policy.

Oldham's Travel Assistance Team works in partnership with Oldham Licensing, this is to ensure all of Oldham's licensed

Private Hire and Hackney Vehicles, working on an Oldham School Transport route, meet Oldham's minimum licensing standards. Transport also works to ensure the minimum standards of all other authority's vehicles are met, using Oldham Licensing standards as a benchmark.

It is intended that approximately 220 routes will be tendered via the mini competition process which is anticipated to start in April 2022 with a deadline of May 2022. These routes are due to commence in September 2022. It is recommended that delegated authority (Managing Director, Children & Young People) is given in awarding the routes in this mini competition. It is also recommended that any subsequent mini competitions during the lifetime of the DPS will also be approved by delegated authority (Managing Director, Children & Young People).

Option/alternatives considered

Option 1 - Open the Dynamic Purchasing System under The Chest and tender the 200+ routes to the successful bidders on the System. This approach would:

- Attract new companies to the tendering process, via the Chest, enhancing Oldham's pool of approved contractors.
- Seek new tenders at a lower price than current.
- Support local business, as well as enhancing Oldham's and Greater Manchester's transport network.
- Support Oldham's and Greater Manchester's Clean Air policy.

Option 2 - Utilise the last term extension period of 1 year.

Approach the current suppliers to continue undertaking the route previously tendered for the same price, This approach would:

- Provide a continuation of service, from the contract period which commenced in September 2019.
- Risk of Contractors pulling out from the contract, as increases in cost of living, petrol price increases and the introduction of Greater Manchester's Clean Air policy, could see contractors not afford to provide a service.
- Not having enough contractors to be able to provide a service, since 2019 we support 200+ more children. Oldham need to attract new companies to be able to meet future demand.
- Will not be able to push Oldham's and Greater Manchester Clean Air Policy.

Option 3 - To work with Procurement to explore the possibility of procuring our own fleet of PSV/Adapted Buses and employ a fleet of drivers under Oldham Council. In the future Oldham would utilise a hybrid model, opening the Dynamic Purchasing System under The Chest and tender the remaining Private Hire Taxi routes. This approach would:

- Remove daily pricing for all PSV/Adapted Vehicles
- Greater control of vehicle standards and passenger accessibility
- Quicker/leaner tender process
- Increase the number of staff employed by the Council
- Outlay of equipment, financial upkeep of the vehicles (PSV Standard Tests/MOT'S)

- Reduction in partnership working with Local Business  
At this stage a full financial breakdown has not been completed, meaning a cost analysis process will have to be undertaken. It is estimated this would cost in excess of £5 million.

RESOLVED – That:

1. The acceptance of the formation and opening of the Dynamic Purchasing System be approved.
2. A retendering exercise for the 200+ routes under the Dynamic Purchasing System via mini competition be approved.
3. Delegated authority be given to the Managing Director, Children and Young People in awarding the initial mini competition (200+ routes) and any subsequent mini competitions during the lifetime of the DPS.

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## **HOLIDAY ACTIVITIES AND FOOD PROGRAMME**

Consideration was given to the Managing Director, Children and Young People which sought approve acceptance of the Holiday Activities Food (HAF) funding and implementation, including payment terms for providers and creation of dedicated delivery team via fixed term posts, covering the 3 years confirmed programme 2022/23, 2023/24, 2024/25.

The Department for Education (DfE) made funds available to every local authority in England to coordinate free holiday club/activity provision, including healthy food and enriching activities, for children receiving benefits-related free school meals for the Easter, Summer and Christmas holidays in 2021. Following the success of the HAF programme in 2021, the Chancellor confirmed in October that the programme will continue in all local authorities in England for the next three years, with funding of over £200m each year. This new funding covers the length of this spending review period – 2022-23 to 2024-25.

Oldham Council had been allocated £1,458,050 from the DfE to deliver the Holiday Activities and Food programme (HAF) in 2022/2023 and would receive additional allocations for the programme in 23/24 and 24/25.

With the funding confirmed 3 years, a 3-year delivery programme would be developed building on the processes established in the pilot year 21/22. With appropriate staffing resources to ensure the Council can meet its ambition to ensure eligible children and young people across Oldham have access to a diverse range of exciting holiday clubs and activities, offering a blend of borough-wide and more locally based activities.

To establish the programme delivery there were a number of decisions for consideration.

### Payment terms for providers

Payment terms of the grants to delivery partners. It was recommended that based on the processes previously agreed in the pilot year the Council would continue to have a tiered payment process based on the value of the grant being awarded to the provider.

- Awards under £20k will be paid in advance



- Awards over £20k will be paid 75% in advance and 25% on completion.

#### Recruitment of dedicated HAF programme staffing

There was a requirement within the Department for Education programme guidance that each local authority appointed a HAF coordinator/manager alongside having sufficient staff who are dedicated to work on the HAF programme all year round. Local Authorities were able to use 10% of the allocated funding for administration costs, this included staffing costs.

It was proposed that to ensure the HAF programme to be sufficiently staffed, 2 fixed term post for the 3-year delivery programme be created One full time programme manager (NJC - grade 8) and one programme coordinator 22 hours (NJC grade 6).

#### Option/alternatives considered

##### Payment terms for delivery providers.

Option 1 -To pay all providers in advance of delivering their holiday activities and food provision. This would allow adequate funding for activities to be delivered by small providers with limited reserves. This option presents a level of risk to the council and there is potential for needing to claw money back if they fail to deliver in full.

Option 2 - To have a tiered payment process based on the value of the grant being awarded to the provider.

- Awards under £20k will be paid in advance
- Awards over £20k will be paid 75% in advance and 25% on completion.

This option allows us to balance the need of small providers with the risk presented to the council. It should also be noted that the majority of these providers are known to the council.

Option 3 - To pay all providers on completion of delivering their Holiday Activities and Food provision. This option provides maximum security to the council but will exclude a large number of providers from taking up the HAF grant and will ultimately limit the provision we are able to make available for our children and young people.

##### Recruitment of HAF programme team

Option 1 -To not recruit a dedicated team for the management and delivery of the HAF programme.

This option would mean we are not fulfilling the DfE guidance for the programme and would not have sufficient staffing resource for delivery the programme in Oldham.

Option 2 - To recruit one HAF manager and 1 HAF coordinator to lead delivery of the programme for the 3 years commitment to the programme

This option allows us to ensure the effective management and delivery of the programme over the 3 years.

#### RESOLVED – That:

1. The acceptance of the DfE funding for the Holiday Activities and Food Programme be approved.
2. A tiered payment process based on the value of the grant being awarded to the provider be approved.
  - Awards under £20k will be paid in advance



- Awards over £20k will be paid 75% in advance and 25% on
3. The recruitment of a manager and coordinator for the programme delivery – fixed term for 3 years be approved.

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### PRIORITY PROGRAMME FUND - VCFSE SUPPORT

The Cabinet gave consideration of a report of the Assistant Director for Youth, Leisure and Communities which sought approval to allocate grant funding from the Priority Programme Fund (PPF), renewing all grants for one year (22/23) and extending the grant to Action Together CIO for three years to enable them to provide voluntary sector infrastructure support, including intensive and specialist organisational development, in Oldham for three years 2022-25.

The Council had for a number of years, funded a range of voluntary, community and faith and social enterprise (VCFSE) sector organisations through its Priority Programme Fund (PPF). For the past three years, the CCG have also made a £50,000 contribution to this fund, to mitigate the impact of the 10% saving applied to this budget in 2019/20. The fund has had three main strands, alongside supporting a small number of community events:

- Voluntary Sector Infrastructure
- Community Centres and Organisations
- Legal and Advice Services

#### Voluntary Sector Infrastructure

Action Together provided the voluntary sector infrastructure support in Oldham and also provided VCFSE infrastructure support in both Tameside and Rochdale. They also play a prominent role in the leadership of the sector at a Greater Manchester level through 10GM and the GM VCFSE Leadership Group which champions the role of communities in devolution. Action Together having an influential voice within these forums enables Oldham’s co-operative ambition to influence across the GM city region.

#### Community Centres and Organisations


Oldham Credit Union, Werneth and Freehold Community Development Project and Greenacres Community Centre, Oldham Interfaith Forum,

#### Legal and Advice Oldham

Citizens Advice Oldham

The total grant awards that were recommended to the Cabinet were:

Grantee	Grant	Award	Funding Source
Action Together	VCFSE Infrastructure	£270,500	PPF
Action Together	Emergency Response Volunteers	£65,000	COMF
Greenacres Community Association	Community Centres & Organisations	£32,000	PPF
Werneth & Freehold CDP	Community Centres & Organisations	£32,000	PPF

Oldham Credit Union	Community Centres & Organisations	£36,000	PPF	 <b>Oldham</b> Council
Oldham Interfaith Forum	Community Centres & Organisations	£36,000	PPF	
CAB	Legal & Advice Services	£260,000	PPF	
CAB	Uplift for Covid19 Recovery	£48,200	COMF	
<b>Total Grants Awarded</b>		<b>£779,700</b>		
Shortfall in PPF Funds		£35,000	COMF	
Remainder (available to support the community events identified if required)		£15,440		

#### Options/alternatives considered

Option 1 – Decommissioning, this was not a viable option because there would be a loss of support and infrastructure to the VCSFE sector in Oldham

Option 2 – Renew all grant agreements for one year. This option would reduce the ability of Action Together to plan resources strategically over the medium term

Option 3 – Renew the infrastructure Grant Agreement for 3 years 2022-2025 and all other grants for one year 2022-2023 and undertake a full VCSFE review.

#### RESOLVED – That

1. The VCFSE infrastructure grant to Action Together be renewed for a period of three years (2022-25).
2. The remaining grants awarded through the Priority Programme Fund be renewed for one year (22/23)
3. COMF funding was allocated to ensure that there was sufficient budget to enable all grants to continue at the level previously funded (21/22) and avoid grant reductions at a time when all of the organisations funded make a significant contribution to supporting Covid19 response and recovery
4. A full review of VCFSE sector commissioning is undertaken, which included the Priority Programme Fund grants within this wider context and gave consideration to the appropriate value and term of any future agreements.

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#### **VCFSE INVESTMENT FUND (COVID19 RECOVERY**

The Cabinet gave consideration to a report of the Director of Public health which sought approval to allocate £648,000 of Contain Outbreak Management Fund (COMF) monies to the previously established single grant for the Voluntary, Community, Faith and Social Enterprise sector (VCFSE) in Oldham, known as the 'One Oldham Fund'. This investment would support the sector's resilience to enable key VCFSE organisations to remain viable to continue to deliver the ongoing Covid19 response and to contribute to the delivery of Oldham's Covid Recovery Strategy priorities.

The Covid19 crisis had a direct and significant impact on the Voluntary, Community, Faith & Social Enterprise (VCFSE) sector in Oldham. The crisis has precipitated a rise in demand for services delivered by the sector, reduced their ability to



generate income and left many community groups and organisations having to radically redesign their delivery or cease activity for some time. The sector has equally been a critical partner in delivering the Covid19 response work across Oldham's communities and has provided a significant leadership role at all levels of Oldham's coordinated response.

At the outset of the pandemic action was taken to support the sector. The Council and CCG in Oldham committed to allowing the sector to be creative with existing public sector funds and resources, and to easing monitoring and reporting deadlines, the Council also offered a route for VCFSE suppliers to request relief and for grant holders to make contact.

Action Together launched a quick response grant fund to help local groups and charities access immediate funding and support, as well as a public fundraising drive to help raise money, so that groups and charities could help local people struggling through the crisis. To date the quick response fund has raised £89,025 through a contribution from the Action Oldham Fund, public fundraising, GM grants and local business donations. Subsequently a further £170,000 was pooled from Thriving Communities Fast Grants, Standing Together and Oldham Housing Providers funds into the Covid19 Response Fund. To date grants have been awarded to more than 150 organisations through this fund to support Covid19 response. In addition, during the pandemic Oldham has been awarded funds through the MHCLG Community Champions fund and the DEFRA Emergency Assistance grant a proportion of which have been used to invest in VCFSE organisations to deliver Covid19 related engagement activities and humanitarian aid respectively. Action Together have also supported groups to access external funding throughout the pandemic.

These funds had been vital in enabling the sector to play an integral role in the Covid19 response in Oldham. However, often funding would cover new and additional costs, which could still leave some organisations drawing on reserves to cover core costs where income is reduced or with fewer options if they are unable to operate fully during the crisis although they may have a vital role in supporting the recovery within our communities. From a position of operating at historically low levels of reserves pre-Covid it is likely that coming out of the crisis the VCFSE sector would be less resilient than coming into the crisis. However, their services and activity are critical if we are to respond to the impact of the crisis on levels of poverty, food insecurity, mental health and wellbeing, domestic violence, social isolation and physical health.

A thriving and sustainable VCFSE sector is essential to the delivery of the ambition set out in the Oldham Plan and Locality Plan. Thinking differently about our investment to the sector is a key component of this, and through the Thriving Communities work prior to Covid19 consideration had been given to the role of a strategic VCFSE investment fund for Oldham as a vehicle for transforming our approach. The establishment of such a fund was also a recommendation of the recently published evaluation of the Thriving Communities programme. A single strategic fund would consist of:

- Pooled resources to invest strategically with joint investment principles and governance
- Invest to deliver shared outcomes aligned to key priorities
- Single brand, single process, one approach to evidencing impact
- Aligned support capacity e.g., community development, evaluation
- Alignment of investment to wider priorities e.g., place-based working, Covid19 recovery strategy

The use of COMF funding to invest in the VCFSE to support Covid19 recovery according to the same principles can act as a stepping stone to establishing a strategic investment fund.

Beyond this financial year (and the COMF funding allocation) the investment fund could provide a focus for external funding and an opportunity to drive innovation and grow the sector.

This report proposed that a further £648,000 of COMF funding is used to extend the One Oldham Fund for 22/23. This would equate to a total of £1.11m investment over 21/22 and 22/23.

When the decision was made to extend the funding in January 2022 this was done based on previous government requirement for funds to be allocated before 31<sup>st</sup> March 2022, so funds were awarded in anticipation of awarding micro and small grants to be spent in that time period. As the period over which COMF funds can be spent has been extended until 31<sup>st</sup> March 2023 it provides an opportunity to award larger grants which can be spent over a year and provide some longer-term stability for organisations.

The proposal to allocate COMF funding to a single grant investment fund for Oldham was built upon work that the Council and Action Together have been developing through the Thriving Communities Programme, 10+ years' experience of making grant investment to the VCFSE and learning and insight gained throughout the last 12 months of delivering Covid Response grant investment to the VCFSE.

The anticipated costs were detailed below:

Amount	Purpose	Allocation to
£580,000	Grant funding to be invested in the VCFSE up until 31 <sup>st</sup> March 2023	Oldham's VCFSE Via Action Together / Investment Board
£33,000	Investment to maintain capacity to deliver investment fund	Action Together
£35,000	External evaluation of impact of the investment and the development of a framework for ongoing impact measurement of the single investment fund	TBC

Options/alternatives considered

Option 1 – No investment is made to One Oldham Fund from COMF

This was not regarded as a viable option this would significantly impact on the VCFSE sector's ability to contribute to Oldham's Covid19 recovery strategy, as well as on the sustainability of organisations in the sector over the next 12 months.

Option 2 – £648,000 is awarded to One Oldham Fund from COMF

This option is recommended to ensure continued role of VCFSE sector in Oldham's Covid19 response and effective contribution to the recovery strategy and key outcomes. This investment will also benefit the sustainability of the sector over the short to medium term and provide a framework and learning for future strategic investment in the sector.

Option 3 – A smaller investment is made to One Oldham Fund from COMF

This option may be required if there were wider demands on the COMF funding. In this case a smaller investment fund could be established based on the same principles and investment framework. The option is not recommended as it will mean funding will not reach the breadth of organisations required and therefore will have more limited impact on key Covid19 recovery outcomes, and on the sustainability of the sector overall.

RESOLVED – That £648,000 is awarded to One Oldham Fund from Contain Outbreak Management Fund (COMF).

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## **REQUEST FOR APPROVAL TO COMMISSION PROVISION OF THE OLDHAM HEALTH CHECK**

Consideration was given to a report of the Managing Director, Community Health and Adult Social Care which sought approval to extend the current contract for Oldham's Health Checks which expires on 31/03/2022.

This report requested an extension until 30/06/2022 to cover procurement timelines and outlined a proposal for the new service specification which would form the basis of the new five year Health Check contract.

It was reported the Oldham Health Check was Oldham's approach to delivering the nationally mandated NHS Health Check service which Oldham Council commissions from the Public Health budget. Health Checks involved residents being asked a series of health and lifestyle related questions and a series of tests being performed. The aim is to identify those who are at a higher risk of developing heart problems so that preventative action can be taken.

Residents aged 40-74 who haven't already been diagnosed with certain conditions are eligible for a Health Check every 5 years; the national target is for 75% of eligible residents to receive their Check every 5 years.

Most GP practices in Oldham provide Health Checks, as well as three pharmacies. The current budget for Health Checks in Oldham is £138,000 per year. This budget is enough to provide checks for 45% of the eligible population every five years based on the current price commissioned per Health Check.

It was proposed that £1,500 of the £138,000 budget was retained for training and communications to promote Health Checks, the remaining £136,500 would be retained for delivery.

Oldham Council also pays £32k/year to EMIS to access the system; shared EMIS access with the CCG is being explored which could mean that £32k/year is saved.

Various engagement has taken place to inform the new service specification. This engagement, as well as our priorities as a borough and our knowledge of how Health Checks have worked in the past, has informed the five priorities for the Health Check programme going forward:

- 1) Reducing health inequalities
- 2) Targeting residents at highest risk of cardiac events
- 3) Commissioning for improved outcomes
- 4) Focus on Mental Health within the Health Check
- 5) Focus on Diabetes within the Health Check

Aligning with these priorities, colleagues were asked to consider the key changes to the Oldham Health Check contract outlined in detail in this report, and summarised below:

- **Prioritising patients based on their risk** – this report outlines an approach whereby patients will be prioritised for their Health Check based on their existing cardiovascular risk score and/or lifestyle factors such as smoking and BMI. Evidence suggests this improves the effectiveness and cost effectiveness of the Health Check Programme. Military veterans and asylum seekers aged 18 and above will also be prioritised for the Health Check given they are more likely to experience health inequalities.
- **Model of Delivery** – while many GP practices will want to deliver the Oldham Health Check individually, the contract will give practices the option to apply as a consortium of practices or as a PCN. Payments will be made quarterly in advance (except for quarter 4, see below) to allow providers dedicated resources to deliver the Health Check programme.
- **Commissioner rather than provider led volumes and prioritising funding for our more deprived areas** – currently the number of Health Checks delivered is determined by how many providers want to provide. The new specification will include target volumes for provider, with our most deprived areas having higher targets to help reduce health inequalities in these areas. This arrangement will mean providers in our more deprived areas receiving the biggest share of the annual Health Check budget.
- **Incentivising quality** – the current contract provides no incentives to provide a quality Check and quality follow up (e.g. referral to Your Health Oldham). The new contract will hold back the fourth quarter payment to providers and only pay this if a number of targets linked to quality are met.
- **Questions about patient's Mental Health** – given the importance of mental health in the borough, particularly since Covid-19, four questions are to be added to the Health Check which ask about a patient's mental health.

Provider staff will receive training to support this and a pathway for onward support is in development.

- **Onward referrals and integrating Your Health Oldham** – there were no accurate Oldham data on the number of onward referrals for lifestyle support after a Health Check, but based on experience from other regions, this number is expected to be low. The new specification will emphasise the importance of onward referral and provider training will include a shift in language towards a default to refer to onward support where certain conditions are met.
- **Improving our data and reporting** –The service specification would outline a range of metrics which will be collected to help drive improvements in outcomes from Health Checks.

Options/alternatives considered

Option 1 - Agree to extend the existing the current Health Check contract which is due to expire on 31/03/2022 for a period of 3 months to 30/06/2022 to allow time for the procurement process to be complete.

Approve the request to proceed to market for the procurement of the Oldham Health Check for a contract length of 3 years + 2; 5 years in total for a value of £682,500 (£136,500 per year for 5 years).

Delegate authority to the Director of Public Health, in consultation with the Cabinet Member for Health and Social Care, to approve the recommendation of the evaluation panel, in accordance with the results of the procurement exercise (based on quality, social value and financial modelling), on behalf of Oldham Council.

Agree on the suggestions outlined in this paper for changes to the new Oldham Health Check contract in Oldham from 2022.

Option 2 - Continue to procure Health Checks by replicating the existing contract.

RESOLVED – That:

1. The existing Health Check contract which is due to expire on 31/03/2022 be extended for a period of 3 months to 30/06/2022 to allow time for the procurement process to be complete.
2. The request to proceed to market for the procurement of the Oldham Health Check for a contract length of 3 years + 2 years; 5 years in total for a value of £682,500 (£136,500 per year for 5 years) be approved
3. Delegated authority be given to the Director of Public Health, in consultation with the Cabinet Member for Health and Social Care, to approve the recommendation of the evaluation panel in awarding the provider contracts, on behalf of Oldham Council.

The Cabinet gave consideration to a report of the Senior Responsible Officer Digital which sought approval to enter into the Collaboration Agreement over 10 years with GMCA for delivery, governance, and shared funding of GM One Network.

In March 2018, Greater Manchester (GM) secured 25% of the UK Local Full Fibre Network (LFFN) funding pot, offered by the Department for Culture Media and Sport (DCMS), to connect over 1,600 public sector sites across GM.

The LFFN Programme is expected to have a transformational impact on digital infrastructure in GM - leading to an increase in full fibre coverage throughout Greater Manchester.

Each of the public sector organisations that are part of the LFFN anchor tenancy programme operate a “Wide Area Network” (WAN). The Oldham Council “WAN” provides network services for all Council, Unity Partnership, Miocare, CCG staff who operate from a Council building / asset and the public at Oldham Council Libraries, Access Oldham, Oldham Tommyfield Market.

Oldham Council WAN services are currently procured from four major telecoms companies and include both infrastructure and services. Recognising that LFFN is providing a shared fibre infrastructure, in 2020; Oldham Council with several other partners considered the option for jointly procuring a new “WAN” service across the fibre infrastructure for their own organisational needs to take advantage of economies of scale. Consequently, the principal drivers for the creation of a GM One Wide Area Network were identified as being to:

- Consolidate and reduce the total costs of ownership of WAN services procured from other telecom companies.
- Support GM to become a globally recognised digital city region.
- Realise the benefits of the Local Full Fibre Network investment.

Oldham Council alongside TfGM and three other Local Authorities have collaborated in a GMCA led procurement process to assess the costs and effort to “light up” and provide network services for 1,600 sites throughout GMCA including 71 Oldham Council buildings and assets and to identify a preferred bidder to deliver the GM One Network.

The procurement exercise was now complete, a preferred supplier has been identified for the Greater Manchester One Network to deliver the Wide Area Network services for Oldham Council; GMCA including GM Fire & Rescue, GMCA/TFGM Urban Traffic Controls Signals and select TFGM sites, and Stockport, Bury and Rochdale Councils.

The installation of the LFFN fibre network was expected to be completed April 2022; the next steps will be to “light the fibre” network infrastructure; migrate Council buildings to the new optical high-speed network and decommission legacy network services. Options /alternatives considered

Option 1 - Do nothing and stay “as is”.

With this option, the Council would make no use of the LFFN infrastructure at the 71 LFFN sites.

Option 2 - Subscribe to the GM One WAN service.

With this option, the Council would subscribe to the GM One service to make

use of the LFFN infrastructure at the 71 sites. Oldham Council would not own the network equipment.

Option 3 - Contract with the Council's Current Network Partner. With this option, the Council would contract with their current network partner to make use of the LFFN infrastructure at the 71 sites. The Council would own all the equipment and the current network partner would provide a managed service including maintenance.

RESOLVED – That the Council would consider the commercially sensitive information contained at Item 23 of the agenda before making a decision.

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### **2022 CONTRACT AWARDS FOLLOWING TENDER PROCESS FOR HEALTHWATCH OLDHAM AND NHS INDEPENDENT COMPLAINTS ADVOCACY SERVICES**

The Cabinet gave consideration to a report of the Managing Director Community Health and Adult Social Care which sought approval to award contracts for the provision of Healthwatch Oldham and the NHS Independent Complaints Advocacy Services.

The report also requested approval to extend the current contract provision with the existing providers for Healthwatch Oldham and the NHS Independent Complaints Advocacy for up to two months to allow for incumbent provider/s to implement the new contracts and allow for any Transfer of Undertakings (Protection of Employment) (TUPE) implications.

Under the Health and Social Care Act 2012, Local Authorities are mandated to provide local Healthwatch and NHS Independent Complaints Advocacy Services. These services do not have to be provided by the same organisation but must work together for the benefit of the local population.

The current contracts for both services expire 31<sup>st</sup> March 2022 with no provision to extend. An open tender exercise has been conducted, with recommended providers for services for the period 2022/23 – 2029/30 (with break clauses at year 3 and 5). Local authorities have a statutory duty to commission a local Healthwatch organisation, which in turn has a set of statutory activities to undertake, such as gathering local views and making these known to providers and commissioners, monitoring and scrutinising the quality of provision of local services, and a seat on the local Health and Wellbeing Board. The Health and Social Care Act 2012 requires all local authorities with adult social care responsibilities to “make such arrangements as it considers appropriate for the provision of independent advocacy in relation to its area” in the provision of assistance for individuals making or intending to make an NHS complaint.

Action Together has delivered the Healthwatch Oldham and NHS Independent Complaint Advocacy services since 2014 and 2016 respectively. The last competitive tendering process took place in 2017, with new contracts commencing 2018/19.

Over recent years, reviews on local Healthwatch services have taken place, most relevantly across Greater Manchester with the aim of seeking to commission consistently. Both commissioners

and service providers regularly attend the Greater Manchester sessions and it has been integral for updating service specification and monitoring of the services being delivered. Action Together currently delivers Oldham's Local Healthwatch service and the NHS Independent Complaints Advocacy Service, therefore fulfilling Oldham Council's statutory functions as established in the Health and Social Care Act 2012, outlined in paragraph 1.1 above.

The current contract price for Healthwatch was £138,700 per annum and the Independent Complaints Advocacy is £28,500 per annum. The budgets are currently funded via Oldham's allocation to the Better Care Fund (BCF) and engagement has taken place with NHS Oldham CCG on the tenders for the services. Working alongside local commissioning authorities the financial envelopes for both Healthwatch and NHS CAS services are comparative. It was also worth noting that the last time the services were commissioned (in 2018) a small reduction was applied to the financial envelopes. Prior to market engagement, a sustainability test was undertaken for the service delivery, this found the current financial envelopes to be sustainable for providers to continue to deliver.

The current contract would expire on 31<sup>st</sup> March 2022 with no further provision to extend. To enable an incumbent provider adequate time to implement the new contract and any TUPE implications an additional two months are requested to enable successful incumbent providers to implement the contract/s successfully.

An Open Tender Exercise (ITT) was undertaken in accordance with Oldham Council's Contract Procedure Rules and Public Contracts Regulations 2015. The tender was divided into 2 Lots; Lot 1, Healthwatch and Lot 2 NHS Independent Complaints Advocacy.

Lot 1 – Healthwatch (financial envelope of £135,000 per annum or £945,000 for up to seven years; please note break clauses at years three and five).

One bid was submitted;

- Provider A - £974,400.00 (seven years).

Lot 2 - NHS Independent Complaints Advocacy (financial envelope of £28,000 per annum or £196,000 for up to seven years; please note break clauses at years three and five).

Two bids were submitted;

- Provider B – £196,000.00 (Seven Years)
- Provider C – £193,228.75 (Seven Years)

The sole bidder for Lot 1 was Provider A receiving a score of 71.00% and the highest bidder for Lot 2 was Provider C receiving a score of 76.24%.

Options/alternatives considered

Option 1 - Approved to award the contracts on the basis of the tender exercise for Healthwatch Oldham and NHS Independent Complaints Advocacy.

Option 2 - Do not approve to award the contracts on the basis of the tender exercise for Healthwatch Oldham and NHS Independent Complaints Advocacy.



RESOLVED – That the Cabinet would consider the commercially sensitive information at Item 24 before making a decision.

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### **COVID-19 GRANTS FOR ADULT SOCIAL CARE**

The Cabinet gave consideration to a report of the Managing Director of Community Health and Adult Social Care which sought to update Cabinet on delegated decisions made in respect of various short term government grants received to support the Adult Social Care sector during the Covid pandemic, and to seek retrospective approval for the utilization of the funding.

The report set out the various short term government grants received by the local authority to support the adult social care sector respond to the Covid-19 pandemic. Ten different grants totalling £12,476,907 had been received between May 2020 and February 2022, each with their own conditions, reporting requirements, prescribed and discretionary amounts and different applicable time periods. Of this amount, £5,731,499 was received in the 2020/21 financial year and £6,745,408 in the current financial year, with a clear expectation-and for the prescribed elements, direction- that funding was distributed to independent sector adult social care providers operating in Oldham. Clarity was given in the grant conditions that the funding could not be used to offset existing planned expenditure or financial pressures within the local authority.

Grant conditions included distribution within 20 days of receipt, and prescription as to utilization and recipients. Therefore, decisions related to each grant were made by the Cabinet Member for Health and Social Care, in consultation with the Director of Adult Social Services and the Section 151 Officer, both of whom have been required to provide assurance statements to Department of Health and Social Care to confirm compliance with the various grant conditions.

All organisations in receipt of funding were issued with detailed grant conditions and links to the government guidance, including confirming the requirement to return any unspent funds, and acknowledgement that any funding found to be used not in accordance with the grant conditions would be required to be repaid.

Funding recipients had also been required to complete detailed expenditure reports to the Commissioning and Quality Service at intervals consistent with the returns required to DHSC, and to retain evidence of expenditure should this be required for audit purposes.

It was not clear at this stage whether any further grant funding for the sector will be announced.

During the Covid-19 pandemic, and in response to the challenges experienced in the adult social care sector as a consequence of high rates of transmission amongst vulnerable adults with care and support needs and within the workforce, the Department of Health and Social Care (DHSC) has issued a number of short-term grants to local authorities for the benefit of the wider social care sector.

Grant conditions included distribution within 20 days of receipt, and prescription as to utilization and recipients. Therefore,



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decisions related to each grant were made by the Cabinet Member for Health and Social Care, in consultation with the Director of Adult Social Services and the Section 151 Officer, both of whom have been required to provide assurance statements to DHSC to confirm compliance with the various grant conditions. All relevant reports have been listed as background papers at paragraph 20 of this report. Each report contains a link to the relevant grant conditions published on the DHSC website.

It is worth noting that each grant was issued for a specific purpose, with its own reporting requirements, grant conditions, mandated elements and discretionary elements, and as such each grant was required to be treated individually and processed accordingly.

The table detailed within the report summarised all short-term grants received by the local authority to support the adult social care sector to deal with the impact of the Covid-19 pandemic to date, and the allocations of the discretionary elements of the grants. It is worth noting that whilst there were discretionary elements of funding to some of the grants, the grant guidance gave a very clear steer as to how DHSC considered these elements should be used, with a clear expectation-and for the prescribed elements, direction- that funding was distributed to independent sector adult social care providers operating in Oldham. Clarity was given in the grant conditions that the funding could not be used to offset existing planned expenditure or financial pressures within the local authority.

#### Options/Alternatives considered

The range of options and alternatives for the utilization of each grant were minimal given the prescriptive nature of the grant conditions, as summarized in the table above. Even where there was discretion as to how some elements of the grants were distributed, there remained prescription as to their use. Where there were discretionary elements to the grants, consideration was given to the level of Covid-19 transmission amongst vulnerable adults and staff in adult social care services, vaccination and testing levels, infection prevention measures required in accordance with government and public health guidance, the workforce challenges being faced, and in consultation with the sector, the relative benefits of different options for utilization of the funding. Learning from previous funding rounds also informed decisions for the discretionary elements of grant allocations.

Further details related to each grant and the considerations given for utilization of the funding can be found in the delegated reports. This included providing funding to non-CQC regulated services, such as day services, personal assistants and housing related support providers, as well as unpaid carers.

RESOLVED – That the delegated decisions taken and outlined in the report made in respect of the various short term government grants received to support the adult social care sector during the Covid-19 Pandemic be endorsed.

**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.

20 **HOUSING DELIVERY STRATEGY**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 7 of the agenda housing Delivery Strategy.

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

21 **DISPOSAL OF VACANT LAND AT DERKER, ST JAMES**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 9 of the agenda - Disposal of vacant land at Derker, St James.

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

22 **DISPOSAL OF LAND AT SOUTHLINK**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 10 of the agenda - Disposal of land at Southlink.

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

23 **OLDHAM COUNCIL LOCAL FULL FIBRE NETWORK (LFFN)**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 16 of the agenda - Oldham Council Local Full Fibre Network (LFFN).

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

24 **2022 CONTRACT AWARDS FOLLOWING TENDER PROCESS FOR HEALTHWATCH OLDHAM AND NHS INDEPENDENT COMPLAINTS ADVOCACY SERVICES**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 17 of the agenda - 2022 Contract Awards following tender process for Healthwatch Oldham and NHS Independent Complaints Advocacy Services

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

25 **COVID BUSINESS SCHEME**

The Cabinet gave consideration to a report of the Executive Director, Place and Economic Growth and the Director of Finance which sought to update the Cabinet on the Covid Business Scheme.

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

The meeting started at 600pm and finished 6.33pm

