

## ***CABINET Agenda***

Date Monday 27 February 2023

Time 6.00 pm

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

- Notes
1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Liz Droган in advance of the meeting.
  2. CONTACT OFFICER for this Agenda is Liz Droган Tel. 0161 770 5151 or email [elizabeth.drogan@oldham.gov.uk](mailto: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 Wednesday, 22 February 2023.
  4. FILMING – This meeting will be recorded for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be recorded, except where there are confidential or exempt items and the footage will be on our website. This activity promotes democratic engagement in accordance with section 100A(9) of the Local Government Act 1972. The cameras will focus on the proceedings of the meeting. As far as possible, this will avoid areas specifically designated for members of the public who prefer not to be filmed. Disruptive and anti social behaviour will always be filmed.

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

Members of the public and the press may also record / film / photograph or broadcast this meeting when the public and the press are not lawfully excluded. Please note that anyone using recording equipment both audio and visual will not be permitted to leave the equipment in the room where a private meeting is held.

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.

Please also note the Public attendance Protocol on the Council's Website

[https://www.oldham.gov.uk/homepage/1449/attending\\_council\\_meetings](https://www.oldham.gov.uk/homepage/1449/attending_council_meetings)

**MEMBERSHIP OF THE CABINET IS AS FOLLOWS:**

Councillors Akhtar, Ali, Brownridge, Chadderton, Jabbar, Moores, Mushtaq, Roberts and Taylor

Item No

- 1 Apologies For Absence
- 2 Urgent Business  
Urgent business, if any, introduced by the Chair
- 3 Declarations of Interest  
To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 4 Public Question Time  
To receive Questions from the Public, in accordance with the Council's Constitution.
- 5 Minutes of the Cabinet meetings held on 23rd January 2023 and 13th February 2023 (Pages 1 - 32)
- 6 Urgent Business -Investing in a New Theatre for Oldham (Pages 33 - 46)
- 7 Grant Acceptance: City Region Sustainable Transport Settlement (CRSTS) - Manchester Street Viaduct Refurbishment (Pages 47 - 56)
- 8 Short Breaks Play and Leisure - Approval to award contract from 1 April 2023 (Pages 57 - 64)
- 9 Approval of Temporary Accommodation Framework (Pages 65 - 72)
- 10 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.
- 11 Urgent Business - Investing in a New Theatre for Oldham (Pages 73 - 220)
- 12 Short Breaks Play and Leisure - Approval to award contract from 1 April 2023 (Pages 221 - 228)
- 13 Approval of Temporary Accommodation Framework (Pages 229 - 242)



**Oldham**  
Council

This page is intentionally left blank

**Present:** Councillor Chadderton (Chair)  
Councillors Ali, Brownridge, Jabbar, Moores, Mushtaq, Roberts  
and Taylor

1           **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Akhtar.

2           **URGENT BUSINESS**

The Chair agreed to accept an Item of Business, Family Hubs and Start for Life Programme as a matter of urgency in accordance with S.100 B (4) of the Local Government Act 1972; Urgent Cabinet approval was required to enable the Council to ensure the programme could start as soon as possible and the decision could not reasonably wait until the next Cabinet meeting.

The Item was considered at Item 13 of the agenda.

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 12TH  
DECEMBER 2022**

RESOLVED – That the minutes of the Cabinet meeting held on 12<sup>th</sup> December 2022 be approved.

6           **SITE A - PRINCE'S GATE OLDHAM**

Consideration was given to a report of the Executive Director, Place and Economic Growth, which sought to update the Cabinet on the present position of Site A Princes Gate, the current market conditions and future options.

The Council had received notification from Lidl that the changing market conditions in the hotel and leisure sector had resulted in them no longer being able to deliver the contracted agreement at the town centre site.

Subsequently, Lidl and the Council had agreed to progress a mutual surrender and termination of the existing agreement (between Oldham Council and Lidl UK GmbH dated 27th February 2019) reflecting the current market conditions.

Options/ alternatives considered

Option 1- Mutual surrender/termination of the agreement.

Option 2 - Unilateral termination by the Council.

Option 3 - Agree a variation of the existing contract. However, this was not

considered a viable option.

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

7

### **BULKY COLLECTIONS & LOCAL WELFARE PROVISION CONTRACT**

Consideration was given to a report of the Director of Environment which sought approval to award a new bulky waste collection and local welfare provision (LWP) contract to start 1<sup>st</sup> April 2023.

It was reported that the new contract was an attempt at combining two Council services, which were currently being operated under separate contracts.

The main aim of the new contract would be to develop financial and resource efficiencies whilst at the same time maximising the flow of bulky collected pre-loved furniture and white good items into the LWP scheme. The new contract would improve the Council's ability to help and support the needs of vulnerable residents (in furniture poverty) when trying to establish or maintain a home in the borough.

Options/alternatives considered

Option 1 – To approve a new combined bulky collection & LWP contract be entered into with FRC (Bulky Bob's).

Option 2 – To not award FRC a new contract and undertake a new procurement process with the aim of awarding two new separate contracts. There are no perceived operational benefits to this model.

Option 3 – To not award FRC with a new contract and continue as we are. This is not a viable option as both the current Bulky and LWP contracts require renewal and due to the costs associated, compliant contracts are required.

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

8

### **COUNCIL TAX TAX BASE AND NON-DOMESTIC RATES TAX BASE FORECAST 2023/24**

Consideration was given to a report of the Director of Finance which presented to the Cabinet the Council Tax Tax Base and provisional Non-Domestic Rates (NDR) Tax Base forecast for 2023/24 which would underpin the forthcoming Council Budget and Medium-Term Financial Strategy scheduled for consideration at Budget Council on 1 March 2023.

The report also sought delegated authority to finalise the 2023/24 Non-Domestic Rates (Business Rates) forecast to reflect up to date Non-Domestic Rates details to be submitted to Central Government via the annual NNDR 1 return by the statutory deadline of 31 January 2023.

The technical report provided information on the Council Tax Tax Base for 2023/24 using the most up to date valuation list and all other information and estimates available.

The total number of chargeable properties included in the Council Tax Tax Base calculation for Oldham for 2023/24 was

95,980. This figure was reduced to 87,000 after allowing for discounts and exemptions and translated to the equivalent of 69,175.3 Band D properties. After applying adjustments for the Local Council Tax Support scheme offset by the additional charging for empty properties and an anticipated increase in the number of properties to be included in the valuation list over the forthcoming year, the number of Band D equivalent properties reduced to 60,465.1. The final Tax Base after the application of the anticipated collection rate of 96.75% was 58,500 which was an increase of 1,050 when compared to the Council Tax Tax Base for 2022/23 of 57,450.

The 2023/24 Tax Bases for Saddleworth and Shaw and Crompton Parish Councils of 8,952 and 5,615 respectively, had been calculated using the same methodology.

Statute requires local Billing Authorities to prepare and submit to the Department of Levelling Up, Housing and Communities (DLUHC) a locally determined and approved Business Rates forecast through the NNDR 1 return by 31 January each year. This forecast would be used to determine the 2023/24 “demand” and payment schedule for Business Rates between Oldham Council and the Greater Manchester Combined Authority (GMCA). Being a participant in the Greater Manchester 100% Rates Retention Pilot Scheme which was confirmed for the financial year 2023/24 in the Provisional Local Government Finance Settlement (PLGFS) which was announced on 19 December 2022 means the Council no longer pays a share of Business Rates to Central Government. Instead, Oldham currently retains 99% of the income with 1% being paid to the GMCA for Fire and Rescue services.

The estimated rating income for 2023/24 attributable to Oldham Council using the latest information which includes the Business Rates Revaluation was currently £48.499m which was a decrease of £0.106m compared to 2022/23. Delegation is sought to enable the Business Rates forecast to be updated to take account of up-to-date Non-Domestic Rates information, enabling the submission to Central Government of the annual NNDR 1 return by the statutory deadline of 31 January 2023. As the 100% Business Rates retention regime was continuing, the Council had assumed a benefit of £4.180m from the pilot scheme for 2023/24. The current arrangement was that the Council could retain 75% of this benefit with the balance attributable to GMCA. The Council’s share, £3.135m would be made available to support the 2023/24 budget whilst the GMCA share would be transferred to a reserve to be paid to the GMCA once the final position had been agreed. The figures will only be confirmed by the end of 2023/24.

It was important to highlight to Members that the preparation of Council Tax and Business Rates Tax Bases was being undertaken in a period of unprecedented uncertainty and volatility. The current economic climate including uncertain prospects for economic growth, Government changes in policy in year, the revaluation of Business Rates from 1 April 2023 and the economic impact of the conflict in Ukraine are amongst the issues which made forecasting challenging.

The Collection Fund had moved into a projected surplus position in 2022/23 providing the opportunity to use the surplus to

support the 2023/24. This was the result of the lifting of COVID-19 related restrictions during the year and consequent improved collection rates. It also reflected the level of Government support provided via Business Rate reliefs which has reduced any losses in collection.

#### Options/alternatives considered

The Council had little discretion in the calculation of the number of properties incorporated into the Council Tax Tax Base given the legislative framework that was in place. However, there was some discretion in estimating the number of new properties that would be included on the Council Tax register during 2023/24 and the change to the number of claimants of Council Tax Reduction. A prudent view had been taken in this regard. The main area for an alternative approach was over the level of assumed collection rate. An increase in the collection rate would boost the anticipated Council Tax income and a decrease in the rate would decrease income. The Council had chosen to maintain its 2023/24 collection rate at 96.75%. This decision had been influenced by prevailing economic circumstances and current trends in collection rates.

The NNDR1 return generated the figures upon which the Business Rates Tax Base is prepared. It was not, therefore appropriate to consider an alternative approach. However, as the figures included on the NNDR1 return on 31 January 2023 may vary from the estimated level, delegation was sought to allow the opportunity to revise the Business Rates forecast and approve a revised and more accurate position for budget setting.

#### RESOLVED – That:

1. The Council Tax Tax Base for 2023/24 at 58,500 Band D equivalent properties be approved.
2. The latest estimate for 2023/24 Business Rates revenue that was attributable to Oldham Council as being £48.499m be approved.
3. The drawing down from the Collection Fund of £4.180m of Business Rates retention gains anticipated for 2023/24, of which the Council would utilise £3.135m (75%) be approved.
4. The Tax Bases for Saddleworth and Shaw and Crompton Parish Councils of 8,952 and 5,615 respectively be noted.
5. The decision to vary the final Business Rates forecast and hence the Business Rates Tax Base, if required, be delegated to the Director of Finance in consultation with to the Deputy Leader and Cabinet Member for Finance and Low Carbon.

9

#### **WRIGLEY HEAD SOLAR FARM - DELIVERY OPTIONS**

Consideration was given to a report of the Director of Environment which sought a decision on the preferred option for delivery of Wrigley Head Solar Farm.

The Solar Farm project was a 891kW ground mounted solar PV array at a Council-owned former industrial landfill site at Wrigley Head in Failsworth. The solar farm would improve the site, including in terms of biodiversity via wildflower planting and other measures, and would generate a significant amount of



renewable energy, potentially contributing to the Council's 2025 carbon neutrality target and / or the borough 2030 target. The project would save an average of 50 tonnes of CO<sub>2</sub> per annum over the lifetime of the scheme and cost around £1.1 million to develop. The specification of the project was set in 2019 when the original feasibility work was done it was possible that with improvements in technology, the scheme could achieve 1MW of generating capacity.

In spring 2020, the impact of the coronavirus pandemic and national lockdown on the economy meant that the long-term outlook for wholesale electricity prices was revised downwards. The change in this assumption underlying the financial model for the solar farm meant that with the new outlook, the solar farm no longer showed a viable business case.

As a consequence, the project was considered by Cabinet in the summer of 2020 in the context of the Creating A Better Place capital programme review. A decision was taken at that time to stop work on the project.

Before work on the project was paused, a fee was paid to Electricity North West to accept a grid connection offer. A further 'staged payment' of around £35K was due in 2020 but was not paid as a consequence of the Cabinet decision to pause work on the project. Electricity North West have confirmed that the grid connection offer was still valid and have provided updated details in terms of grid connection costs and timescales.

The solar farm scheme was dependent upon a cable easement across third party owned land. Two adjoining landowners have indicated a willingness to grant a cable easement across their land, however, no terms have been agreed. It is expected that the third-party landowner would want a payment or the transfer of the council's adjoining land for nil consideration for the grant of the easement.

In July 2019 at Full Council, a new 2025 carbon neutrality target for the Council was announced - to cover Council buildings and street lighting.

The Oldham Green New Deal Strategy (adopted in March 2020) confirmed the Council carbon neutrality target for 2025 and set an additional carbon neutrality target of 2030 for the borough as a whole.

According to methodology from Salix, it was estimated that Wrigley Head Solar Farm could save around 50 tonnes per annum of CO<sub>2</sub>. The outline financial model also showed that the project could generate an IRR of between 3.5% and 7% from savings on the Council's energy bill. The expected lifetime of the solar farm is 30 years.

The project gained Planning Permission in December 2021, with a number of Planning Conditions attached relating to environmental surveys and the construction of a screening fence alongside the tram track, which was agreed with TfGM in order to remove their objection to the scheme.

Electricity North West have confirmed that the grid connection offer for the solar farm is still valid. ENWL are now waiting for the next 'staged payment' of around £35K for connection works already accepted (which was not made after the project was paused in 2020).

For the scheme to be taken forward, negotiations would need to resume with the third party landowners who own the land across which the cabling connecting the proposed solar farm to the ENWL grid connection point must pass. This will likely be done by ENWL as part of the grid connection works, rather than by the Council.

The GM Combined Authority recently set up a framework agreement for low carbon projects called the “Go Neutral” framework. This framework has a number of lots, including two lots relevant to the Wrigley Head solar farm project. Lot 4 is for Council-funded ground mounted solar and Lot 5 was for developer-led and funded hybrid low carbon projects on Council-owned land, which can include ground-mounted solar. The framework agreement was available to Oldham Council.

In September / October 2022, the Council tested the market for the Wrigley Head project by placing an Expression of Interest on both lots 4 and 5 of the Go Neutral framework. These EOIs were placed to attract market feedback in terms of the practical deliverability of the project (Lot 4) and the financial case for the project (Lot 5). The EOI process is now complete and attracted two returns on each of Lots 4 and 5.

One of the two respondents on Lot 4 stated that due to a rise in costs, the Council should increase the available budget for the scheme by 25%. This would mean that the estimated capital budget required to construct the solar farm will rise from £1,080,465 to £1,350,581. This is the most accurate estimate of project cost available at the time of writing. A final cost can only be established through a full procurement process – which is likely to take the form of a mini-competition on the GM Go Neutral framework.

It was estimated that a revenue budget of around £70K would be required to progress the scheme to construction stage. This figure comprised £35K for a ‘staged payment’ on the grid connection, and £35K for the procurement and appointment of an ‘owners engineer’ in accordance with Contract Procedure Rules to act as a ‘client side’ external Project Manager for the scheme, overseeing the ‘Engineer, Procure and Construct’ (design and build) contractor.

If the Council decided to proceed with the recommended option (Council to fund and own the solar farm), the next step would be a mini-competition on Lot 4 of the Go Neutral framework. This would give the Council formal bids from contractors on the framework, from which a successful bidder would be selected. As two contractors have expressed interest in the project, it was likely that the Council will receive bids from these two in a formal mini-competition.

#### Options/alternatives considered

Option 1 - Do nothing. Under this option, no further work would take place on the project, and no further expenditure would be incurred. However, the project would not generate a revenue income for the Council nor make any contribution to reducing carbon emissions in Oldham, GM nor generate electricity for a future Oldham Local Energy Market.

Option 2 - Proceed with a mini-competition under Lot 4 of the GM Go Neutral framework and procure the Owner’s Engineer.

Under this option, the Council would see a contractor to design, build and operate the solar farm, which would be funded and owned by the Council, with the Council receiving the electricity generated via a Power Purchase Agreement with the Council's main electricity supplier.

Option 3 - Proceed with a mini-competition under Lot 5 of the GM Go Neutral framework and procure the Owner's Engineer. Under this option, the Council would seek a contractor funded and operated model for delivery of the Wrigley Head solar farm, with the Council purchasing electricity from the developer via a Power Purchase Agreement at a rate yet to be determined.

RESOLVED – That:

1. The preferred delivery option to proceed with a mini-competition under Lot 4 of the GM Go Neutral framework and procure the Owner's Engineer. Under this option, the Council would see a contractor to design, build and operate the solar farm, which would be funded and owned by the Council, with the Council receiving the electricity generated via a Power Purchase Agreement with the Council's main electricity supplier be agreed and the allocation of £1,350,581 capital funding from the Creating a Better Place programme for construction of the project be approved.
2. The appointment of a contractor further to a mini-competition on the GM Go Neutral framework delegated to the Director of Economy and the appointment of an Owner's Engineer in consultation with the Executive Director for Place and Economic Growth, the Leader of the Council, the Cabinet Member for Finance and Low Carbon, the Chief Executive and the Directors of Finance and Legal Services.
3. The acceptance of any grant funding from the Unlocking Clean Energy in Greater Manchester project be delegated to the Director of Economy in consultation with the Executive Director for Place and Economic Growth, the Leader of the Council, the Cabinet Member for Finance and Low Carbon, the Chief Executive and the Directors of Finance and Legal Services.

10

### **PUBLIC SECTOR DECARBONISATION SCHEME PHASE 3A GRANT ACCEPTANCE - SPINDLES**

Consideration was given to a report of the Director of Economy which sought approval to accept a grant of £2,153,354 from the Public Sector Decarbonisation Scheme Phase 3a for energy works at the Spindles, and to commence the works.

The Public Sector Decarbonisation Scheme was a UK Government funded programme, administered by Salix.

The Council has previously bid for PSDS grant funding (via a GMCA consortium) to the PSDS3a funding round, for decarbonisation works at the Spindles, including the installation of roof and wall insulation, glazing, solar PV and heat pumps. The grant funding was not awarded at that time, due to the overall funding envelope being exceeded by the time Salix received Oldham's application (via GMCA)

However, in September 2022 Salix approached GMCA asking whether Oldham would still be looking for the funding, as the PSDS3 a programme was underspent after the first 12 months of operation.

The PSDS3a application form for Spindles had been updated to take into account changes to the proposed project over the past 12 months, and had now been approved by Salix, who have signed a Grant Agreement with GMCA for the grant funding. The actual grant amount received by GMCA from Salix will be £2,291,822. However, the GMCA will ‘top-slice’ this grant amount as a management fee (£138,468 or 6%) and the actual grant amount to be received from GMCA by Oldham will be £2,153,354.

The decarbonisation works at the Spindles would contribute to the carbon neutrality targets set out in the Oldham Green New Deal Strategy and would also support the “A Clean and Green Future” priority set out in the Corporate Plan. They are also forecast to save around £45K annually in energy costs at the complex.

The Spindles project had been offered £2,153,354 in grant funding against a total project value of £3,956,223, requiring a match funding element from the Council of £1,802,869. The grant funding has to be utilised by 31<sup>st</sup> March 2025.

Options/alternatives considered

Option 1 - Do not accept the grant. Under this option, the grant funding would not be accepted and the additional energy works proposed at the Spindles complex would not be implemented.

Option 2 - Accept the grant and commence works. Under this option, the Council will enter into a partnership agreement with GMCA for disbursement of the grant, and the works will be carried out by the Spindles project team already appointed for the wider renovation programme at the site.

RESOLVED -That the grant funding be accepted and the Council commence the works.

11

## **OLDHAM'S TRANSPORT STRATEGY, DELIVERY PLAN AND TOWN CENTRE PARKING STRATEGY**

Consideration was given to a report of the Leader of the Council which sought approval and adoption of the Oldham Transport Strategy.

The Oldham Transport Strategy set out how Oldham would meet the ambitions set out in the Greater Manchester Transport Strategy 2040 and sub strategies, whilst ensuring investment was prioritised to ensure Oldham's Transport and Highways Network support a Healthy, Clean and Thriving borough.

The Vision for Oldham as set out in the strategy is to create a connected borough with increasing use of public transport and active travel that provides all people with safe and inclusive access to opportunities and healthy choices.

The Transport Strategy set out the council's transport and highways ambitions in relation to:

- A Healthy Oldham
- A Clean Oldham
- A Safe Oldham



- An Accessible Oldham
- A Connected Oldham and
- A Thriving Oldham

The Oldham Transport Strategy and Delivery Plan aligned with the Greater Manchester Transport Strategy 2040 'Right Mix' ambition for half of all journeys to be made by active and sustainable transport modes by 2040. The aim of Oldham's Transport Strategy was to reduce carbon emissions from transport, increase cycling, walking and public transport use and enable the borough to become an increasingly attractive place to live, work and visit.

The Delivery Plan set out transport interventions to be delivered over the following time periods:

- short term 0 - 5 years;
- medium term 5 -10 years;
- long term 10 – 20 years (up to 2040); and
- beyond 20 years - 2040 onwards.

The Transport Strategy also included the first proposed sub-strategy - an update to the Oldham Town Centre Parking Strategy. The refreshed Town Centre Parking Strategy was necessary to support the current regeneration proposals for the town centre.

Options/alternatives considered

Option 1 - To adopt and publish the Transport Strategy, Delivery Plan and Town Centre Parking Strategy to support our framework to direct transport investment for all modes going forward to support sustainable growth and development to enable and ensure a healthy, clean, safe and connected.

Option 2 - To not adopt and publish the Transport Strategy, Delivery Plan and Town Centre Parking Strategy, which will weaken the case for transport investment in the borough, as there will not be clear direction on the need and justification for the investment, and links to how it meets the targets set out in the GM2040 Strategy.

**RESOLVED** – That the Oldham Transport Strategy including the Delivery Plan and Oldham Town Centre parking strategy be adopted to embed meeting the aims of the Greater Manchester Transport Strategy 2040 (GM2040) in the borough and ensure our transport and highways networks enable the building of homes and the creation of jobs.

12

## **LA POLICY ON ACADEMY CONVERSION AND GUIDANCE FOR SCHOOLS**

Consideration was given to a report of the Managing Director, Children and Young People which sought approval of a revised Local Academy Conversion Policy and Guidance and its application in all cases where maintained schools convert to academy status.

The original Local Authority Policy on Academy Conversion was agreed in 2016. In March 2022 the government released a new white paper 'Opportunity for All'. A key aim of the white paper was to enable the conversion of all maintained school to academies by 2030.



In September 2022 the Department of Education also published new guidance on schools causing concern. In effect this means that schools that are currently meet the Department for Education definition of 'coasting schools' would be required to convert to academy status. The guidance was also clear that this process would be accelerated in areas that are designated as EIA (Priority Education Investment Areas). Oldham is one of four such areas within GM (Greater Manchester)

#### Options/alternatives

There are no suggested alternatives.

Academy Conversion Policy and Guidance and its application in all cases where maintained schools convert to academy status. The original Local Authority Policy on Academy Conversion was agreed in 2016. In March 2022 the government released a new white paper 'Opportunity for All'. A key aim of the white paper is to enable the conversion of all maintained school to academies by 2030. In September 2022 the Department of Education also published new guidance on schools causing concern.

#### RESOLVED – That:

1. The attached Local Authority policy on Academy Conversion and Guidance for Schools be approved by Cabinet and distributed to all maintained schools within the borough.
2. Authority be given to the Director of Education and Early Years and the Cabinet Member for Education to authorise all associated agreements in respect of academy conversions and approve any changes to the policy resulting from changes to primary legislation.

13

### **URGENT BUSINESS - FAMILY HUBS AND START FOR LIFE PROGRAMME**

The Chair agreed to accept an Item of Business, Family Hubs and Start for Life Programme as a matter of urgency in accordance with S.100 B (4) of the Local Government Act 1972; Urgent Cabinet approval was required to enable the Council to ensure the programme could start as soon as possible and the decision could not reasonably wait until the next Cabinet meeting.

Consideration was given to a report of the Managing Director, Children and Young People which sought approval of the receipt of funding from the Department for Education and Department of Social Care to support transition to a new model of care the principles and objectives of the Government's Family Hubs and Start for Life Programme.

Authorisation was also sought to delegate authority to agree all spending decisions related to the Family Hubs to the Director of Education and Early Years and the Director of Public Health after consultation with the Cabinet Member for Children & Young People, noting the role of a new Early Years and Early Help strategic partnership and the Children's Transformation Board in this process.

Oldham was one of seventy-five local authorities pre-selected by the Department for Education (DfE) for the Family Hubs and Start for Life Programme. To enable the project Oldham Council was to receive an indicative allocation of £3.48 million over three financial years of 2022-23, 2023-24 and 2024-25. The Oldham sign up form attached to this report detailed spending priorities identified for Oldham for this period.

A comprehensive delivery plan detailing indicative costings was completed with partners for submission to the DfE by the 31 December 2022 for final approval.

Options/alternatives considered

Option 1- Approve the recommendations set out in the report  
Approve the receipt of the Family Hubs and Start for Life funding to support the transition to more integrated and accessible services that provide support to parents and carers and contribute to a reduction in inequalities in health and education outcomes for babies, children and families

Option 2 - Do nothing. This will result in loss of funding for Oldham to deliver the Family Hub & Start for Life Programme

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

14 **EXCLUSION OF THE PRESS AND PUBLIC**

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

15 **SITE A - PRINCE'S GATE OLDHAM**

Cabinet gave consideration to the commercially sensitive information in relation to Item 6 Site A – Prince's Gate Oldham.

RESOLVED – That:

1. The termination of the contract between Oldham Council and Lidl UK GmbH dated 27<sup>th</sup> February 2019, with each party responsible for their own costs be approved.
2. It be noted, subject to satisfactory termination of the Lidl contract, an options paper was being prepared to consider future uses for the sit, which included potential for more new homes as an alternative to retail, given wider Town Centre regeneration plans.

16 **BULKY COLLECTIONS & LWP CONTRACT**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 7 of the agenda, Bulky Collections and LWP Contract.

RESOLVED – That the new bulky collection and Local Welfare Provision Contract be awarded to FRC group following the outcome of evaluation of bids as a result of the competitive tender process.

**FAMILY HUBS AND START FOR LIFE PROGRAMME**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 15, Family Hubs and Start for Life Programme.



RESOLVED – That:

1. Approval be given to accept Family Hubs and Start for Life Programme funding from Government as indicated in para 2.5 of the report.
2. Authority to make all spending decisions relating to Family Hubs and the Start for Life Programme (including key decisions) be delegated to the Director of Education, Skills and Early Years and the Director of Public Health, after consultation with the Cabinet Member for Children & Young People
3. Authority be delegated to the Director of Education, Skills and Early Years and the Director of Public Health to award contracts stemming from a compliant procurement process and authority be delegated to the Director of Legal Services to sign/seal such contracts and any necessary incidental and/or ancillary documents.

The meeting started at 6.00pm and finished at 6.22pm



**Present:** Councillor Chadderton (Chair)  
Councillors Akhtar, Ali, Jabbar, Moores, Mushtaq and Taylor

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Brownridge 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 **DRAFT MINUTES OF THE POLICY OVERVIEW AND SCRUTINY COMMITTEE HELD ON 26TH JANUARY 2023**

Members considered the draft minutes of the Policy Overview and Scrutiny Committee held on 26th January 2023

It was reported that the Select Committee recommended to Council all the budget reduction proposals considered.

RESOLVED – That the deliberations and comments of the Policy Overview and Scrutiny Committee held on 26th January 2023 be noted.

6 **DRAFT MINUTES OF THE POLICY OVERVIEW AND SCRUTINY COMMITTEE HELD ON 7TH FEBRUARY 2023**

Consideration was given to the Draft Minutes of the Policy Overview and Scrutiny Committee held on 7th February 2023 of the Opposition budgets, Liberal Democrat and Conservatives. The Policy Overview and Scrutiny committee had recommended that Cabinet review the Liberal Democrat proposals and reject the Conservative proposals.

Cabinet considered the proposals and summarised information in relation to the Liberal Democrat proposals.

RESOLVED – That

1. The deliberations and comments of the Policy Overview and Scrutiny Committee held on 7<sup>th</sup> February 2023 be noted.
2. The alternative budget proposals presented by the Liberal Democrats and Conservatives Groups would not be accepted.

7 **REVENUE MONITOR AND CAPITAL INVESTMENT PROGRAMME 2022/23: MONTH 8 – NOVEMBER 2022**

Consideration was given to a report of the Director of Finance which report Cabinet with an update on the Council's 2022/23 forecast revenue budget position at Annex 1 and the financial

position of the capital programme as at 30 November 2022 (Month 8) together with the revised capital programme 2022/23 to 2027/28, as outlined in section two of the report at Annex 2.

### Revenue Position

The forecast outturn position for 2022/23 was a projected deficit variance of £2.233m after allowing for approved and pending transfers to and from reserves. An operational deficit of £3.233m reduced by £1.000m with the anticipated effect of management actions and strengthened restrictions in relation to expenditure and recruitment. Whilst improving, it was recognised that this remained a challenging position and every effort would be made to reduce the overall variance before the year end.

The position included additional costs and pressures that had been identified by the Authority in this financial year as a result of the lasting impact of the COVID-19 pandemic.

There were currently two areas which continued to endure significant pressures attributed to the on-going impact of the pandemic; Community Health and Adult Social Care was reporting an adverse variance of £5.717m and Children's Social Care was recording £3.477m. These pressures were being offset against a corporate provision of £12.000m COVID-19 Legacy funding which was set aside during the 2022/23 budget setting process specifically to mitigate the on-going costs of the pandemic. The residual balance of £2.806m was being used to reduce the operational pressure. This would be monitored for the remainder of the financial year with action taken to address variances and take mitigating action as detailed in the report.

An update on the major issues driving the projections was detailed within Annex 1, Section 2.

The forecast pressure of £2.233m at Month 8 was a £2.219m reduction in the adverse position of £4.452m reported at quarter 2 and forecasted the impact of, as previously reported, the management actions that had been strengthened across all service areas to review and challenge planned expenditure, control recruitment and to maximise income. It was therefore anticipated that by the year end, the outturn deficit position should reduce further and that this would be demonstrated in the final monitoring report which will be presented to Cabinet at month 9.

Information on the Month 8 position of the Dedicated Schools Grant (DSG), Housing Revenue Account (HRA) and Collection Fund was also outlined in the report.

Against a generally improving position, the DSG was now forecasting an in-year surplus of £3.287m (£3.215m at quarter 2), which had reversed the deficit brought forward leaving a forecast year end surplus of £0.514m (£0.442m at quarter 2). Action would continue to be taken with the aim of mitigating cost pressures and delivering and maintaining a surplus position. To assist, Oldham has been invited by the Government to take part in the Delivering Better Value in SEND (Special Educational Needs and Disabilities) Programme which will provide dedicated support for the SEND Review reforms to 55 Local Authorities with historical DSG deficit issues with the aim of putting the DSG of participating Authorities on a more financially sustainable footing.

There are currently no significant issues of concern in relation to the HRA.

The Collection Fund was forecasting an in-year surplus of £0.060m which in turn contributed to an estimated surplus of £4.179m being carried forward into 2023/24. The Collection Fund had been particularly volatile largely as a result of COVID-19. Whilst it was currently in a surplus position, it will continue to be closely monitored for the remainder of the year as any surplus or deficit at the end of the financial year will have a direct impact in 2023/24.

#### Capital Position

The report outlined the most up to date capital spending position for 2022/23 to 2027/28 for approved schemes. The revised capital programme budget for 2022/23 was £59.113m at the close of month 8, a net decrease of £41.135 from the original budget of £100.248m. Actual expenditure to 30 September 2022 was £29.531m (49.96% of the forecast outturn).

It was likely that the forecast position would continue to change as the year drew to a close with additional re-profiling into future years.

The Month 8 Revenue Monitor and the Capital Investment Programme 2022/23 report was presented to the Policy Overview and Scrutiny Committee on 26 January 2023 to accompany the suite of 2023/24 budget reports. The Committee was content to note the report and commend it to Cabinet for approval.

#### Options/alternatives considered

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

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

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

#### RESOLVED – That:

1. The forecast revenue outturn for 2022/23 at Month 8 being a £2.233m adverse variance having regard to the action being taken to manage expenditure be approved.
2. The Forecast positions for the Dedicated Schools Grant, Housing Revenue Account and Collection Fund be approved.
3. The revised capital programme for 2022/23 and the forecast for the financial years to 2027/28 as at Month 8 be approved.

8

### **REVENUE BUDGET 2023/24 AND 2024/25 AND MEDIUM TERM FINANCIAL STRATEGY 2023/24 TO 2027/28**

Consideration was given to a report of the Director of Finance which provided Cabinet with the budget reduction requirement and the Administration's budget proposals for 2023/24 and a forecast of the 2024/25 position having regard to the Provisional Local Government Finance Settlement (PLGFS) published on 19 December 2022. The report also presented the financial forecasts for the remainder of the Medium Term Financial Strategy (MTFS) period 2023/24, 2026/27 and 2027/28.

A version of the Revenue Budget 2023/24 and 2024/25 and Medium Term Financial Strategy 2023/24 to 2027/28 was presented to the Policy Overview and Scrutiny Committee (POSC) on 26 January 2023. The Committee scrutinised the report and the other reports on the agenda that form a core part of the Council's strategic financial planning framework.

This report included the latest financial information and updates the financial position presented to and approved by Cabinet on 12 December 2022 using information from the PLGFS published on 19 December 2022 and the month 8 financial monitoring forecasts. It also provides a commentary on the changes from the position presented to the POSC on 26 January 2023.

The changes compared to the POSC report relate primarily to the recalculation of the Business Rates Tax Base and Grant in Lieu of Business Rates as a result of the submission to Government of a statutory return, the NNDR1.

Section 1 presented an introduction to the report and explained the report format.

Section 2 set out the key Council Policies and Strategies including the Co-operative Council Values, Corporate Plan, Constitution and Rules of Procedure, as the framework within which the Budget has been prepared.

Section 3 presented the Local Government Finance developments which had an impact on 2023/24 and future years budgets. It also highlighted the Chartered Institute of Public Finance and Accountancy (CIPFA) Financial Resilience Index, the CIPFA Financial Management Code and a commentary on financial resilience, all of which were of importance when considering the Council's financial standing in the context of budget setting for 2023/24 and future years.

Section 4 presented the Local Government Finance Policy Statement 2023/24 and 2024/25 which set out the Government's intentions to assist financial planning for Councils. It confirmed the PLGFS for both 2023/24 and 2024/25 would be single year Settlements and that reforms to redistribute funds such as the Review of Relative Needs and Resources (Fair Funding Review) would not progress until 2025/26 at the earliest.

Section 5 detailed the impact of the 2023/24 PLGFS which was the fifth consecutive one-year Settlement. This included key information in relation to overall funding levels, Council Tax referendum limits and grants for 2023/24.

Section 6 presented the 2022/23 revised budget and year end forecasts. The starting point for preparing the 2023/24 revenue budget estimates was the underlying base budget of £250.517m. The 2022/23 revenue budget forecast outturn position highlighted a current unfavourable projected variance for 2022/23 of £2.233m but the commentary advised that this may be improved by the continuation of management action to control expenditure in year. The month 6 monitoring position was used to inform key budget pressures in the budget update report presented to Cabinet on 12 December 2022. The month 8 position highlighted some further issues that have now been included in the 2023/24 budget and also informed the position reported to the POSC on 26 January 2023.



Sections 7 to 9 set out how the expenditure pressures that contribute to the budget gap had been determined since the update to Cabinet on 12 December 2022.

- Section 7 summarised the revisions to the estimates since the budget gap of £27.975m for 2023/24 and £14.575m for 2024/25 was presented to Cabinet on 12 December 2022. It highlighted that a direct comparison would show a budget gap of £19.258m for 2023/24 and £10.157m for 2024/25. These budget gaps represent the position after the use of some reserves. In order to allow budget reductions and the total use of reserves to be the final element in balancing the budget, the forecast net gap/budget reduction requirement before the use of reserves of £27.993m was being used as the starting position from which the 2023/24 budget would be balanced, with £14.254m used as the starting position for the final changes to the 2024/25 budget (as illustrated at Table 7). This was lower than the £29.276m position for

2023/24 reported to the POSC in January 2023 primarily because of the recalculation of the Business Rates Tax Base as described at 12.9 and 12.10.

- Section 8 presented a range of expenditure pressures that contributed to the budget gap. In total they contributed £45.913m to the 2023/24 position, a change of only £1.193m compared to the position reported in both December 2022 and January 2023. The expenditure pressures for 2024/25 were projected at £14.697m. The main pressures arose from pay, energy, contractual and service inflation and demand for both Adults and Children's Social Care service provision.

- Section 9 set out the forecast impact of the payment of levies and contributions to the Greater Manchester Combined Authority (GMCA) and a levy to the Environment Agency (EA). It showed an increase in expenditure of £1.939m in the 2023/24 budget forecast compared to the December 2022 position (and an increase of £0.014m compared to position reported to the POSC meeting) but advised that £1.044m of reserve resources refunded to the Council by GMCA in 2022/23 could be used to offset some of this increase. The final levies position would be confirmed on 10 February 2023.

Sections 10 and 11 presented the impact of the PLGFS announced on 19 December 2022 and income related adjustments to the estimates. In this regard:

- Section 10 provided a commentary on the unringfenced grants announced by or derived from the PLGFS. A summary of all grants notified or anticipated as included in the PLGFS totalled £108.235m which was £3.302m higher than the forecast previously presented to Cabinet and £0.293m higher than the forecast presented to the POSC due to an increase in Grant in Lieu of Business Rates.

- Section 11 outlined the main ringfenced grants that must be used in accordance with specific guidance but nonetheless help the Council deliver its services. Two specific Adult Social Care grants were detailed in this section and this funding has been used as a contribution to support the Council's 2023/24 and 2024/25 budgets. The funding available from these grants in 2023/24 has increased by £0.748m compared to the position reported in December 2022.



Section 12 set out how the Locally Generated Income from both Business Rates and Council Tax will support the Council budget. The PLGFS confirmed referendum limits for a general purpose Council Tax increase of up to 3% each year from April 2023 without the need to hold a referendum. In addition the threshold for Adult Social Care Precept (ASCP) increases to a maximum of 2% each year from April 2023. There remained a requirement to evidence that the funds generated from this precept are used for Adult Social Care expenditure. A referendum is required if proposed Council Tax increases exceed 4.99%.

- Paragraphs 12.3 to 12.13 set out the income to support the budget from Retained Business Rates and how this helps to reduce the level of budget reductions required. In total, Retained Business Rates income had increased to £53.683m. This final position (the Business Rates Tax Base) has been calculated after the completion of the Government return (the NNDR1) in time for its submission by the statutory deadline (31 January 2023). Cabinet of 23 January 2023 agreed that the final Business Rates Tax Base could be amended under delegated authority on completion of the NNDR1. There was a general uplift but most of the increase (£4.835m) related to confirmation in the PLGFS that the piloting of 100% Business Rates Retention will continue into 2023/24. The Council would take the benefit of a pilot scheme gain of £3.626m with the GMCA receiving part of this increase in Business Rates Income of £1.209m.

- Paragraphs 12.17 to 12.48 presented the Council Tax position for 2023/24. It advised that:

- o The Council Tax Tax Base was 58,500 which is no change from the position previously assumed.
- o Council Tax policy was revised (subject to confirmation at Budget Council on 1 March 2023) so that rather than only a 1.99% general purposes Council Tax increase, the proposed approach is to introduce a 2% increase for the Adult Social Care Precept.
- o An increase of 3.99% would not require a Council Tax referendum as it would be within the referendum criteria issued by the Government in the PLGFS.
- o The Council proposed to remove the Council Tax Empty Property Discount and increase the Empty Property Premium.
- o Total Council Tax to be generated for use by the Council based on the Tax Base and the 3.99% increase is £108.995m in 2023/24.
- o The Greater Manchester Police and Crime Commissioner precept was confirmed on 26 January 2023 with an increase of £15 for a Band D Council Tax.
- o The Greater Manchester Mayoral General Precept (including Fire Services) will be confirmed on 10 February 2023.
- o Shaw and Crompton Parish Council agreed its precept on 13 December 2022 and confirmed figures are presented in the report. Saddleworth Parish Council will agree their precept on 6 February 2023 and as such no change has been assumed. The detailed Council Tax charges (subject to confirmation) are presented at Appendix 3.

Section 13 outlined the impact of Collection Fund (the ringfenced account within which Council Tax and Business Rates were managed). The 2022/23 Collection Fund forecast outturn projection as outlined in the month 8 financial monitoring report produced a net surplus of £4.179m of which £4.130m was Oldham Council's share and would be available to support the 2023/24 revenue budget.

Section 14 outlined the review of previously approved 2023/24 and 2024/25 Budget Reductions agreed in the 2021/22 and 2022/23 Revenue Budget Reports and advised that there has been some reprofiling of anticipated benefits.

Section 15 outlined the proposal to use capital receipts flexibly to finance expenditure leading to transformation in the sum of £2.600m for 2023/24 and a further £2.600m in 2024/25.

Section 16 detailed the revision to estimates for the financial years 2023/24 to 2024/25 compared to the position previously reported to Cabinet on the 12 December 2022 and the POSC in January. This presented a revised budget reduction requirement (before the use of reserves) of £27.993m for 2023/24 and £14.254m for 2024/25.

Having regard to the proposed increase in Council Tax, Section 17 presented the Administration's approach to balancing the budget for 2023/24 via the budget reduction process. There are a total of 45 proposals presented in accordance with Political Portfolios. These were expected to deliver savings totalling £16.313m and have an FTE impact of 7 in 2023/24. The proposals also had an impact on 2024/25 of £7.575m (and a further £1.135m in 2025/26). All the proposals were presented in summary at Appendix 6 and in detail at Appendix 7.

Assuming approval of the 2023/24 budget reduction proposals and taking into account the impact of one-off budget reduction proposals, the budget reduction requirement for 2023/24 reduced to £11.680m and 2024/25 to £11.479m.

Section 18 advised how the budget for 2023/24 is balanced and the final position for 2024/25 as follows:

- The first step in balancing 2023/24 was however, to increase the budget gap by introducing a contribution to reserves in 2023/24 of £1.209m, payable to the GMCA in relation to 100% Business Rates Pilot scheme Gain.
- This increased the budget gap to £12.889m which was then balanced by the use of:
  - o £6.000m general reserves (approved as part of the 2022/23 budget);
  - o £2.900m of earmarked reserves as approved at Cabinet on 12 December 2022 to pump prime initiatives in Children's Social Care;
  - o £1.044m of reserves created from resource returned by the GMCA in 2022/23; and
  - o Additional general reserves of £2.945m to balance the 2023/24 budget.
- After all the budget adjustments and impact of the use of reserves to balance 2023/24, there remained a budget gap still to be addressed of £10.327m for 2024/25.

Section 19 presents the expected level of reserves at the end of 2022/23 at £78.555m and how they support the 2023/24 budget including the balancing budget reserve for 2023/24.

Section 20 presents the Statement of Robustness, a requirement under Section 25 of the Local Government Finance Act 2003 which is the assurance by the Director of Finance on the robustness of the estimates used for the purposes of the revenue budget calculations and the adequacy of proposed reserves and balances. Balances are recommended at £20.012m. The Director of Finance was able to provide Members with the necessary assurances. A more detailed commentary was provided at Appendix 10.

Section 21 set out the proposed fees and charges for the financial year 2023/24 with a full schedule provided at Appendix 11.

Section 22 and 23 set out the Medium Term Financial Strategy covering the financial years 2024/25 to 2027/28 including the plans for the transformation programme that would deliver the savings required to balance the budgets in future years.

Section 24 set out the Council's Pay Policy Statement in accordance with the requirements of Section 38 to 43 of the Localism Act 2011, which required full Council approval. The detailed statement is provided at Appendix 13.

6

Sections 25 to the end of the report included options to consider, consultation comments and Legal and Procurement comments in accordance with standard practice. Appendix 14 presented an interim analysis of the results of the public consultation.

As advised above, the Revenue Budget 2023/24 and 2024/25 and Medium Term Financial Strategy 2023/24 to 2027/28 was presented to the POSC on 26 January 2023 based on the information available at that time. The Committee scrutinised the report and the other reports on the agenda that form a core part of the Council's strategic financial planning framework.

The Committee considered in detail the Administration's 45 budget reduction proposals for 2022/23 and was content to commend to Cabinet at a value of £16.313m in 2023/24, £7.575m for 2024/25 and a further £1.135m in 2025/26. The Committee was also content with all other aspects of the report, including the proposed changes to fees and charges and therefore commended it to Cabinet.

At the time of preparing this report, the one major announcement awaited was the Final Local Government Finance Settlement. Once this was received, its impact would be incorporated into the version of the Revenue Budget 2023/24 and 2024/25 and Medium Term Financial Strategy 2023/24 to 2027/28 report to be presented to Council on 1 March 2023.

#### Options/alternatives considered

Option 1 – Cabinet accepts the 2023/24 Council Tax and ASCP increases, the 2023/24 and 2024/25 budget assumptions and resulting financial forecasts presented within the report and the budget position at Appendix 5.

Option 2 – Cabinet proposes amendments to the financial forecasts which will change the resulting budget reduction requirement.

Option 3 – Cabinet approves and commends to Council all the 2023/24 and 2024/25 budget proposals included in this report and the approach to the use of reserves and balances.



Option 4 – Cabinet approves the fees and charges for 2023/24 as set out at Appendix 11 of the report.

Option 5 – Cabinet approves the revisions to the Council Tax Empty Property Discount and Council Tax Empty Property Premium.

Option 6 – Cabinet agrees to the delegation of decision making with regard to the pre-payment of pension contributions to the GMPF and the design of the grant allocation scheme for the Household Support Fund and the Council Tax Support Fund.

Option 7 - Cabinet requests that further work is undertaken on some or all of the budget proposals and fees and charges and the approach to balancing the budget and that Cabinet considers a revised position.

RESOLVED – That:

1. The policy landscape and context in which the Council is setting its revenue budget for 2023/24; be approved and commended to Council.
2. The financial forecasts for 2023/24 and 2024/25 having regard to the Provisional Local Government Finance Settlement and associated funding announcements be approved and commended to Council.
3. Revisions to Budget Reductions approved in 2021/22 and 2022/23 resulting in a value of £3.655m for 2023/24 and £5.700m for 2024/25; be approved and commended to Council.
4. The Flexible Use of Capital Receipts at a value of £2.600m for 2023/24 and 2024/25 be approved and commended to Council.
5. A proposed overall 2023/24 Council Tax increase of 3.99% for Oldham Council services (1.99% for general purposes and 2% Adult Social Care Precept) resulting in the charges at Band D set out at Table 16 of the report and the detailed charges at Appendix 3; be approved and commended to Council.
6. The 2023/24 Budget Reduction proposals at a value of £16.313m with a further £7.575m for 2024/25 and £1.135m for 2025/26; be approved and commended to Council.
7. The proposed use of £12.889m of reserves to balance the 2023/24 budget and a transfer to reserves of £1.209m for Retained Business Rates; be approved and commended to Council.
8. The proposal to draw on the Collection Fund for major preceptors of £129.543m for Borough Wide services and £108.995m for Council services (subject to confirmation) be approved and commended to Council.
9. The proposed net revenue expenditure budget for 2023/24 for the Council set at £287.041m be approved and commended to Council.
10. The proposed fees and charges as set out in the schedule included at Appendix 11; be approved and commended to Council.
11. The proposed revisions to the Council Tax Empty Property Discount (paragraph 12.37) and Council Tax

- Empty Property Premium (paragraph 12.39) be approved and commended to Council.
12. The level of balances supporting the 2023/24 budget of £20.012m underpinned by the agreed policy on Earmarked Reserves; be approved and commended to Council.
  13. The Pay Policy Statement included at Appendix 13 be approved and commended to Council.
  14. The delegation to the Director of Finance in consultation with the Cabinet Member for Finance and Low Carbon to make a final decision on the feasibility of a pensions pre-payment if it represents value for money to the Council (Section 8.2-o); be approved and commended to Council.
  15. The delegation of the determination of the Council's approach to the Household Support Fund to the Director of Finance in consultation with the Cabinet Member for Finance and Low Carbon (Section 11.15) be approved and commended to Council.
  16. The delegation of the determination of the Council's approach to the Council Tax Support Fund and the associated discretionary fund to the Director of Finance in consultation with the Cabinet Member for Finance and Low Carbon (Section 11.18) be approved and commended to Council.

9

#### **COUNCIL TAX REDUCTION SCHEME 2023/24**

Consideration was given to a report of the Director of Finance which presented to Cabinet the proposed Council Tax Reduction Scheme for 2023/24 prior to its consideration by full Council on 1 March 2023.

There is a requirement to have a local Council Tax Reduction (CTR) scheme to support residents of working age on a low income who qualify for assistance in paying Council Tax. The Local Government Finance Act 2012 places a requirement that each year a Billing Authority must consider whether to revise its Council Tax Reduction scheme or to replace it with another scheme. Any change to the 2023/24 scheme must be agreed by full Council in line with budget setting and no later than 10 March 2023. For Oldham, this required the Council to agree a revised 2023/24 scheme at the 1 March 2023 Council meeting. Any proposed change must be subject to prior consultation with the major preceptors (for Oldham this is the Greater Manchester Combined Authority), and with the public.

The scheme for those of pensionable age was set by the Government and cannot be changed.

A major consultation exercise has not been undertaken regarding changes to the CTR scheme and the Greater Manchester Combined Authority has been provisionally advised that no change to the scheme was proposed.

In this regard, the proposal that the CTR scheme for 2023/24 remained the same as that operating in 2022/23 was presented to the Policy Overview and Scrutiny Committee on 26 January 2023 as part of the suite of documents that presented the proposed revenue, capital and Housing Revenue Account budgets for 2023/24. After scrutinising the proposal, the Select

Committee was content to accept the proposed approach to the 2023/24 CTR scheme and commend this to Cabinet.

In taking this decision, the Select Committee was aware that the Council has provided further relief to CTR claimants via the Household Support Fund, its response to the Cost of Living Crisis, together with other initiatives funded from Council resources. In addition, announced within the Provisional Local Government Finance Settlement on 19 December 2022 was a new Council Tax Support Fund of £100m nationally for 2023/24. The Government expected Local Authorities to use the majority of their funding allocations to reduce bills for current working age and pension age Local Council Tax Support (LCTS) claimants by up to £25. Councils can use their remaining allocation as they see fit to support vulnerable households with Council Tax bills and a local scheme would be prepared to ensure the maximum benefit to Oldham residents. On 23 December 2022 it was announced that Oldham's allocation for this ringfenced grant is £0.573m.

Another important factor when considering a change to the CTR scheme was that the full roll out of Universal Credit (UC) was not yet completed and this added further uncertainty when assessing the likely impact of changes to CTR relief.

The Government had recently delayed the full UC roll out to 2028, but as Oldham was a pilot Authority for the scheme, the movement to the new regime within the borough was more advanced than many other areas.

Options considered in this report were leaving the scheme unchanged, increasing the maximum relief by 2.5% and reducing maximum relief by 2.5%. A 2.5% change in the relief impacts the overall Council tax collected by some £0.356m but had a marginal impact upon CTR claimants (increasing/reducing the benefit per resident by £0.68 per week).

In view of the continued uncertainty concerning Universal Credit and the marginal impact of any practical change to the CTR scheme at this stage, it was recommended that the Cabinet proposes that Council maintains the current CTR scheme during 2023/24. This would provide continuity about entitlement to those residents on the lowest incomes and allow time for the impact of the roll out of UC to become clearer.

#### Options/alternatives considered

Option 1 - Maintain the current 85% of a Band A maximum scheme The current scheme limits the maximum CTR award to 85% of Council Tax for a Band A property. The scheme was understood and established in Oldham. This scheme required a minimum payment towards Council Tax for all those of working age. Oldham's scheme requires a minimum payment of 15% of a Band A Council Tax charge. The payments made by eligible households in properties from Bands B to H are therefore reduced by a maximum of £1,202.99 (the difference between the Band A charge and the minimum payment).

Option 2 -Increase the maximum support to 87.5% of a Band A Rate of Council Tax At current levels of CTR claimants, increasing the maximum discount by 2.5% to 87.5% would reduce the Council Tax collected by approximately £0.356m (of which the Council's share would be £0.285m). This would be on

top of the reduction identified in the report due to the lowered Council's Tax Base. However, as identified above, the CTR scheme is demand led and the financial impact would be much higher if the number of claimants should increase significantly. Option 3 - Reducing the maximum support to 82.5% of a Band A Rate of Council Tax Increasing the Council Tax charge by reducing the support available for those in receipt of Council Tax Reduction had been a common approach taken by Local Authorities since 2013. Many of those with high minimum payments also have cut CTR in other ways e.g. removing earnings disregards. The Council may wish to reduce the level of maximum support offered to counteract any rising costs of the scheme as a result of increases in caseload.

For Oldham, based on the 2022/23 position, Council Tax income would potentially increase in 2023/24 by £0.356m for a 2.5% reduction in Council Tax support assuming a collection rate of 80%. Oldham's share of this income would be £0.240m, once the Greater Manchester Combined Authority (GMCA) has received its share for the Mayoral Police and Crime Commissioner precept and Mayoral General Services precept including Fire Services.

It was important to note that an increase in minimum payments can impact collection levels and result in Council Tax becoming a more regressive tax for residents in receipt of low incomes than for those on higher incomes. An increase in Council Tax for those on low incomes at a time when the cost of living is increasing will have a detrimental impact on the local economy and the availability of jobs.

RESOLVED – That Cabinet approved and commended to Council the proposal to keep the Council Tax Reduction Scheme unchanged in 2023/24.

10

## **CAPITAL STRATEGY AND CAPITAL PROGRAMME 2023/24 TO 2027/28**

Consideration was given to report of the Director of Finance which set out the Capital Strategy for 2023/24 to 2027/28 and thereby the proposed 2023/24 capital programme, including identified capital investment priorities, together with the indicative capital programme for 2024/25 to 2027/28, having regard to the resources available over the life of the programme. The Council's Capital Strategy and capital programme were set over a five year timeframe. The proposed Capital Strategy and programme for 2023/24 to 2027/28 took the essential elements of the 2022/23 to 2026/27 and previous years' strategies and programmes and moved them forward in the context of the financial and political environment for 2023/24.

The Strategy included a longer-term vision, a forward look at those projects that were likely to run beyond the five year strategy and programme period or be initiated subsequently. This covered a timeframe for the 10 years from 2028/29 to 2037/38.

The format of the Capital Strategy reflected the requirements of the latest Prudential and Treasury Management Codes issued by the Chartered Institute of Public Finance and Accountancy (CIPFA). The strategy therefore presented:

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

The Capital Strategy was presented at Appendix to the report. It was prepared in 15 sections and ensured that Members were presented with the overall long-term capital investment policy objectives and resulting Capital Strategy requirements, governance procedures and risk appetite

The Strategy was aligned with the Creating a Better Place programme which was focused on building more homes for the borough's residents, creating new jobs through regeneration. This also incorporated the Medium-Term Property Strategy and Housing Strategy and aimed to deliver its ambition in ways that contribute to a reduction in carbon emissions in support of the Council's Green New Deal strategy.

Section 1 of the Capital Strategy highlighted the aims of the Capital Strategy and its links to the Council's Corporate Plan and the Oldham Plan (Our Future Oldham). This section of the report also describes more fully the Creating a Better Place programme (encompassing the Medium-Term Property Strategy and Housing Strategy) which is a significant element of the Council's planned Capital Expenditure over the five-year period 2023/24 to 2027/28.

Annex C of Appendix 1 sets out the proposed capital expenditure and financing for the period covered by the Capital Strategy, 2023/24 to 2027/28.

The Strategy also advises that the Council is proposing to continue the use the flexibility provided by the Government to use capital receipts to fund the revenue cost of transformation. The 2023/24 revenue budget would rely on up to £2.600m of such funding from capital receipts.

The 2022/23 month 8 capital monitoring position presented alongside this report included expenditure projections that were a key determinant of the 2023/24 programme. As many schemes span more than one year, the anticipated level of reprofiling between years sets the underlying position.

The projected outturn spending position for 2022/23 is £59.113m. The Place and Economic Growth Directorate which managed all of the major regeneration projects, constituted the main area of expenditure. Grants and Other Contributions (£37.327m) followed by Prudential Borrowing provide the main source of financing (£15.533m).

Actual expenditure to 30 November 2022 was £29.531m (49.96% of the forecast outturn). This spending profile was in line with that in previous years, however the position would be kept under review and budgets would continue to be managed in accordance with forecasts.

#### Capital Programme 2023/24 to 2027/28

The Council had set out its capital programme for the period 2023/24 to 2027/28 based on the principles of the Capital Strategy. The Capital Programme and Capital Strategy had been influenced by the level of resources considered available. The level of prudential borrowing included reflected the financing available in the revenue budget, capital receipts align with



forecasts and grant funding and other contributions were based on already notified allocations or best estimates at time of preparation. If additional resources became available, projects that met the Council's strategic capital objectives would be brought forward for approval.

As at the month 8 capital monitoring position, the anticipated expenditure over the five year life of the 2022/23 to 2026/27 strategy was £380.019m, taking 2022/23 aside (£59.113m) leaving £320.906m for the remainder of the approved 2023/24 to 2026/27 capital programme. Following the refresh of existing strategies and the Creating a Better Place programme, and moving forward the planning period by one year, the Capital Strategy for 2023/24 to 2027/28 total was £325.460m.

The capital programme included proposed expenditure for 2023/24 of £110.305m of which £83.936m, is the largest area of expenditure being on regeneration, transport and infrastructure projects within Place and Economic Growth Directorate. Total expenditure increases/decrease to £108.378m, £46.661m, £55.562m and £4.554m in 2024/25, 2025/26, 2026/27 and 2027/28 respectively.

The Government was continuing to provide significant levels of grant funding. The main sources of Capital grant income are the Levelling Up Fund £20.000m, Towns Fund at £11.266m, along with Education-related Basic Need Capital grant provision of £4.662m over the life of the programme. There are also considerable resources allocated to the Council via the Greater Manchester Combined Authority (GMCA) including the Mayors Cycling and Walking Challenge Fund (£10.232m), City Region Sustainable Travel Settlement (£4.470m) and estimated Local Transport Programme - Highway Maintenance Grant totals £17.986m over the strategy period.

The grant funding provided by Government could be split into two categories: un-ringfenced and ringfenced resources, as explained in Section 10 of the Capital Strategy. The majority of capital Government Grant funding is un-ringfenced. Resources classified as ringfenced have to be utilised to finance particular categories of expenditure and therefore are restricted in their use. The 2023/24 capital programme relies on £29.696m of ringfenced and £10.853m of un-ringfenced grants.

As in previous years, a major source of financing remains prudential borrowing. The amount required in 2023/24 (£61.186m) included borrowing attributed to schemes that have slipped from prior years as well as new borrowing associated with the regeneration programme. The timing of the borrowing is linked to the cash position of the Council and may therefore not mirror the spending/financing profile set out above.

#### On-going Review of the Capital Programme

There will be a continued review of capital spending requirements as the Council has further regeneration ambitions, but affordability and deliverability will be a key consideration in this regard. It was, however, possible that the capital position may change prior to the start of 2023/24 and during the year as:

- The outcome of specific grant bids may be announced during the last quarter of 2022/23.
- The outcome of specific grant bids will be announced during 2023/24.

- It is also likely that there will be new initiatives announced in 2023/24.
  - There may also be the opportunity to bid for additional funding.
  - The Council may identify other funding sources, including capital receipts, to finance additional capital expenditure.
- Therefore, the overall capital programme position would be kept under review and any new information regarding funding allocations will be presented to Members in future reports.

#### Consultation

There has been consultation with the Members of the Capital Investment Programme Board on the proposed Capital Strategy and Capital Programme for 2023/24 to 2027/28. The consideration of the proposed Capital Strategy and Capital Programme for 2023/24 to 2027/28 by the Policy Overview and Scrutiny Committee on 26 January 2023 was a key element of the consultation process. The Committee was content to commend the report to Cabinet.

#### Option/alternatives considered

Option 1 - Cabinet accepts the proposed Capital Strategy and Capital Programme for 2023/24 to 2027/28

Option 2 - Cabinet suggests an alternative approach to capital investment for 2023/24 to 2027/28, including the revision of capital priority areas.

#### RESOLVED – That:

1. The Capital Strategy for 2023/24 to 2027/28 at Appendix 1 of this report and summarised at section 2.1 of the report be approved and commended to Council.
2. The capital programme for 2023/24 and indicative programmes for 2024/25 to 2027/28 at Annex C of Appendix 1 and summarised at sections 2.2 to 2.6 of this report. of the report be approved and commended to Council.
3. The Flexible Use of Capital Receipts Strategy as presented at Annex D of Appendix 1 of the report of the report be approved and commended to Council.

11

### **TREASURY MANAGEMENT STRATEGY STATEMENT 2023/24**

Consideration was given to a report of the Director of Finance which sought to present to Cabinet, the strategy for 2023/24 Treasury Management activities including the Minimum Revenue Provision Policy Statement, the Annual Investment Strategy and Prudential Indicators together with linkages to the Capital Strategy.

The report outlined the Treasury Management Strategy for 2023/24 including the Minimum Revenue Provision Policy Statement, Annual Investment Strategy and Prudential Indicators together with linkages to the Capital Strategy.

The Council was required through regulations supporting the Local Government Act 2003 to 'have regard to' the Prudential Code and to set Prudential Indicators for the next three years to ensure that the Council's capital investment plans were affordable, prudent and sustainable. It was also required to produce an annual Treasury Strategy for borrowing and to

prepare an Annual Investment Strategy setting out the Council's policies for managing its investments and for giving priority to security and liquidity of those investments.

The Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management 2021 (the Code) also required the receipt by full Council of a Treasury Management Strategy Statement.

The Strategy for 2023/24 covers two main areas.

1) Capital Issues:

- The Capital expenditure plans and the associated Prudential Indicators

- The Minimum Revenue Provision (MRP) Policy Statement

2) Treasury Management Issues:

- The Current Treasury Position

- Treasury Indicators which limit the treasury risk and activities of the Council

- Prospects for Interest Rates

- The Borrowing Strategy

- The Policy on Borrowing in Advance of Need

- Debt Rescheduling

- The Investment Strategy

- The Creditworthiness Policy

- The Policy regarding the use of external service providers.

The report therefore outlined the implications and key factors in relation to each of the above Capital and Treasury Management issues and made recommendations with regard to the Treasury Management Strategy for 2023/24.

The report included the most recently available economic background commentary which reflected the position at 22 December 2022.

The Audit Committee, the body charged with reviewing Treasury Management activities and considered the proposed 2023/24 Treasury Management Strategy report at its meeting on 16 January 2023. It was also presented to the Policy Overview and Scrutiny Committee on 26 January 2023. Both the Audit Committee and the Policy Overview and Scrutiny Committee were content to commend the report to Cabinet and Council.

Options/alternatives considered

In order to comply with the CIPFA Code of Practice on Treasury Management, Cabinet has no option other than to consider and approve the content of this report. Therefore, no options/alternatives have been presented.

RESOLVED – That:

1. Capital Expenditure Estimates as per paragraph 2.1.2; of the report are approved and commended to Council.
2. The MRP policy and method of calculation as per Appendix 1 of the report are approved and commended to Council.
3. The Capital Financing Requirement (CFR) Projections as per paragraph 2.2.3 of the report are approved and commended to Council.
4. The Projected treasury position as at 31 March 2023 as per paragraph 2.4.3 of the report is approved and commended to Council.



5. The Treasury Limits as per section 2.5 of the report are approved and commended to Council.
6. The Borrowing Strategy for 2023/24 as per section 2.7 of the report is approved and commended to Council.
7. The Annual Investment Strategy as per section 2.11 including risk management and the creditworthiness policy at section 2.12 of the report is approved and commended to Council.
8. The level of investment in specified and non-specified investments detailed at Appendix 5 of the report is approved and commended to Council.

12

## **HOUSING REVENUE ACCOUNT ESTIMATES FOR 2023/24 TO 2027/28 AND PROPOSED OUTTURN FOR 2022/23**

Consideration was given to a report of the Director of Finance which set out for the Housing Revenue Account (HRA), the detailed budget estimates for 2023/24, the strategic estimates for the four years 2024/25 through to 2027/28 and outturn estimate for 2022/23. The report also set out the recommended dwelling, non-dwelling rents and service and concierge charges to be applied from April 2023.

The report sets out the HRA 2023/24 proposed original budget and the forecast outturn for 2022/23. The opportunity was also taken to present the provisional strategic budgets for 2024/25 through to 2027/28.

HRA activities were a key element of the Council's Housing Strategy (approved by Council on 10 July 2019) which aimed to provide a diverse Oldham housing offer that was attractive and met the needs of different sections of the population at different stages of their lives.

After taking all relevant issues into account, the projected financial position for 2022/23 was estimated to be a £1.796m positive variance when compared to the original budget forecast for 2022/23 approved at the Budget Council meeting, 2 March 2022.

Of this variance, £0.570m was attributable to a lower than anticipated brought forward balance from 2021/22 with this being offset by £2.366m owing to the cessation of previously planned HRA funded capital schemes. The estimated balance at the end of 2022/23 was projected to be £22.279m.

The closing financial position for 2023/24 showed an estimated HRA closing balance of £20.852m which was sufficient to meet future operational commitments and the potential financial pressures identified in the risk assessment.

The 2023/24 position had been presented after allowing for an increase in dwelling rents of 5%, an increase in non-dwelling rents in line with individual contracts, a nominal increase of 2% on service charges and the setting of Extra Care Housing concierge charges to fully recover costs.

As part of the Autumn Statement, the Government announced plans to cap social housing rents at 7% for 2022/23. Previous policy guidance for the period 2020-2025 was that all rents were to be calculated based on a maximum of the Consumer Prices Index (CPI) rate at September of the preceding year plus 1%.

The Department for Levelling Up, Communities

and Housing (DLUHC) had since confirmed that due to the majority of Oldham's HRA estate being contained within two Private Finance Initiative (PFI) schemes the Council is exempt from the social housing rent cap. Despite this, Oldham Council recognised the impact on tenants that a rent increase of 11.1% would bring. Therefore, Oldham's projections for the 2023/24 budget had been set assuming rental increases of just 5% which was 6.1% lower than if it were to follow the maximum uplift (September 2021 CPI rate being 10.1% plus 1%). The Council had opted to propose this reduced rate given the current healthy levels of HRA balances and the on-going pressures, including inflation, on household incomes. The financial projections for the HRA over the period 2022/23 to 2027/28 showed an overall reduction in the level of balances from £21.721m at the start of 2022/23 to £16.253m at the end of 2027/28. HRA resources would be used to support several capital projects including the development of several sheltered housing sites and further works on green projects. The HRA detailed budget for 2023/24 and strategic estimates for the four years 2024/25 to 2027/28 and the outturn estimate for 2022/23 were presented to the Policy Overview and Scrutiny Committee on 26 January 2023. The Committee was content to commend the report to Cabinet without amendment.

#### Options/alternatives considered

For the Council to comply with legislative requirements, it must consider and approve a budget for the HRA for 2023/24.

Three options regarding rent levels were presented.

Option 1 - Proposed rent increase of 11.1%

Option 2 - Proposed rent increase of 5%

Option 3 - Rents are frozen for 2023/24.

#### RESOLVED – That:

1. The Forecast HRA outturn for 2022/23 (as per Appendix A) of the report be approved and commended to Council.
2. The proposed HRA budget for 2023/24 (as per Appendix B) of the report be approved and commended to Council.
3. The strategic estimates for 2023/24 to 2027/28 (as per Appendix D) of the report be approved and commended to Council.
4. Proposed increase to dwelling rents for all properties of 5%.be approved and commended to Council.
5. Proposed increase to non-dwelling rents as per individual contracts be approved and commended to Council.
6. The proposal that service charges are increased by 2%.be approved and commended to Council.
7. The proposal to set Extra Care Housing concierge charges to fully recover actual costs.be approved and commended to Council.

#### **ROYTON TOWN HALL & LIBRARY**

Consideration was given to a report of the Executive Director, Place and Economic Growth which sought approval of refurbishment works, increased costs and appointment of contractors in relation to the Royton Town Hall and Library buildings.

Royton Town Hall and library were important community buildings with historic value, which had been prioritised for investment to support better use of the space for community use.

Following engagement with the local community, ward members, and local organisations including the Royton Historic Society, this project would ensure the building can be refurbished:

- to protect and enhance the original features and architecture,
- to improve accessibility for all users (especially those with physical disabilities),
- to ensure it is a friendly and welcoming building, and
- to accommodate more community activities, including a refurbished library and a new customer service area for easier access to council services (place-based service delivery hub).

This report provided an update on the project and the associated costs following the completion of the procurement process within a difficult construction market and ongoing inflationary pressures.

This decision is urgent is due to the preferred bidder holding a fixed price for acceptance until 24th February 2023. Following standard tender review and due diligence procedures, this report sought approval to enter into contract with the preferred bidder and draw down funds from the capital programme to deliver the works.

#### Options/alternatives considered

Option 1 – Do Nothing: Whilst the project had already started on site with the demolition of the extension buildings, further works would be required to secure the building and make good the rear of the building. These works would still need costing and delivering, but the outcome would be a continued derelict Town Hall building and limited community use in the Library building. The opportunity to renovate both buildings for enhanced community use would be lost.

Option 2 – Approve the appointment of a contractor to proceed with the refurbishment of the buildings, and approve the additional funds required to complete the works as originally intended. This would strengthen the library offer, provide a new customer service offer in the Library building and would bring the Town Hall building back into community use with enhanced, and disability friendly public facilities.

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

14

#### **EXCLUSION OF THE PRESS AND PUBLIC**

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

**ROYTON TOWN HALL & LIBRARY**

Consideration was given to the commercially sensitive information in relation to Item 13 Royton Town Hall.

**RESOLVED – That:**

1. The refurbishment works as set out in this report approved.
2. The increased project cost caused by the national impact of inflation on materials and construction services be noted.
3. The additional funding needed to deliver the project be approved.
4. The appointment of the successful contractor following the completion of the tender process be approved.
5. Approval be given for the contractual, financial and project delivery to be delegated to the Executive Director of Place and Growth in consultation with the Cabinet Member for Finance and Low Carbon.

The meeting started at 6.00pm and finished at 6.32pm



## Report to CABINET

# Investing in a New Theatre for Oldham

### Portfolio Holder:

Councillor Amanda Chadderton, Leader of Oldham Council and portfolio holder for Regeneration and Housing

### Officer Contact:

Emma Barton, Executive Director, Place and Economic Growth  
Katrina Stephens, Director of Public Health (with responsibility for Culture)  
Shelley Kipling, Assistant Chief Executive

**27 February 2023**

---

---

### Reason for Decision

Oldham Council is committed to the delivery of a new theatre in Oldham Town Centre.

The planned new theatre building was successful in gaining Towns Deal funding from central government in June 2021 and work has progressed significantly with detailed plans well advanced. It is proposed that the new theatre be progressed through a further consultation ahead of submitting a planning application, and funding arrangements confirmed, including the use of Towns Deal.

Alongside this, Oldham has been offered access to £1.845 million of Arts Council funding to provide performance, arts and culture across the borough over the next three-years. In order to access this funding, Oldham Council has a requirement to indicate its acceptance of this funding and to recommit to the development of a new theatre for the borough.

### Recommendations

Cabinet are asked to:

- Formally approve Oldham Council's intention to accept £1.845 million Arts Council England funding to provide cultural activity for the borough for the years 2023-2026
- Recommit to the development of a new theatre for Oldham, and approve funding arrangements and progression of the new theatre on Union Street to planning stage.

**Investing in a new theatre for Oldham****1 Background - the need for a new theatre**

- 1.1 Oldham Coliseum began as a circus on Henshaw Street dating back to 1885, known then as the Colosseum. Built in 1887, the current theatre building based on Fairbottom Street, off Yorkshire Street, in Oldham Town Centre, had been used as a music hall and a cinema, before reopening in 1938, as the Oldham Repertory Theatre. The Oldham Rep lasted until 1978 when it was reconstituted as the Oldham Coliseum Theatre.
- 1.2 The current Fairbottom Street building, the adjacent office building and car park are leased by the Coliseum from the Council on a rent-free arrangement.
- 1.3 In 2012 Oldham Council invested £2 million into the Fairbottom Street theatre, upgrading audience areas, replacing seating, improving heating and updating ventilation. However, even with this level of investment, both the Coliseum Board and Management Team, and Oldham Council agreed that the current building could not meet the long-term needs of the theatre: it's performers, staff and its audiences deserved better.
- 1.4 Problems with accessibility, a lack of quality back-stage and front of house facilities and a growing list of maintenance issues common to old buildings were evident (including asbestos and lack of provision for disabled performers and visitors). A full building survey, undertaken at the time (2012), gave the building a ten-year lifespan.
- 1.5 The scale of the issues found and Oldham Coliseum's requirement for better facilities meant that renovating, refurbishing, repurposing or re-investing in the building was not possible. In addition, the size and topography of the site meant that rebuilding on the current site would be restrictive and very expensive as a result. In 2012, both Oldham Coliseum and Oldham Council agreed that a new theatre building on a new site was required.
- 1.6 Since this time, the Council has continued to undertake and pay for structural maintenance required to the building (c.£20k per year for the last ten years) as the internal maintenance, repairs and building H&S compliance falls to the Coliseum management team for up-keep.
- 1.7 With the ongoing issues with the building itself, work has continued between Oldham Council, Arts Council England and Oldham Coliseum Board and management team (three organisations also referenced as "the partnership" in this report) to find and create a new home for the Coliseum, and a new space for arts and performance in the town.
- 1.8 Over the last ten years, the partnership has developed plans for two different theatre projects, but challenges of design and layout, plus the need for a sustainable business model for the Coliseum as the future operator of the site, have meant these projects were not deliverable.
- 1.9 However, the development of a new theatre has remained a priority given the acknowledged issues with the current building, and this agreed approach with the partnership was central in the development of Oldham's Cultural Strategy which recognised how important arts and performance were to the town and the wider area.
- 1.10 In 2019/20 Oldham Council, the Arts Council and Oldham Coliseum (the partnership) jointly reviewed options once again for a new theatre – existing site and others in the town



---

centre - and bringing back-to-life the heritage buildings (the Old Post Office and former Quaker Meeting House) on Union Street was the preferred location / site. This site is at the heart of Oldham's growing cultural quarter, close to Oldham Gallery and Library and next door to the Old Library, which is currently being redeveloped following consultation with local communities and feedback to bring empty heritage buildings back into use as part of the Council's Creating a Better Place Strategy.

- 1.11 Linked to the new Cultural Strategy for Oldham, in August 2020 the ongoing partnership between the Coliseum, Arts Council England and Oldham Council saw the development of a new performance venue. **The Oldham Making Space for Live Performance Feasibility report** and **Making Space Vision** provided the basis for the current project design and subsequent successful application for a Towns Fund grant to support the delivery of this important new building.
- 1.12 In late 2022, following some issues with the walls at the back of the stage, a further full building survey was commissioned. This survey, completed in January 2023, found that the building needed numerous urgent health and safety compliance works. The Coliseum have been given this report (appended to Part B report) and they have been asked to urgently action the works to ensure compliance while the doors are open till the end of March. This survey confirms the conclusion of the 2012 survey that the building is beyond its expected lifespan.
- 1.13 The plan, agreed by all parties, and acknowledging the life-span of the current building was always that Oldham Coliseum would leave the Fairbottom Street theatre building. However, the Coliseum would continue to perform in a range of different venues across the borough – building new audiences in anticipation and readiness for the new theatre opening in 2025/26.

## **2 A new theatre for Oldham**

- 2.1 The proposals in this report are for a new £24.5 million theatre at the Union Street site: they have been developed by the partnership to provide a modern, accessible venue for audiences from Oldham and beyond.
- 2.2 The new theatre will provide a more modern, accessible venue for performers and audiences from Oldham and beyond. The proposals include a new 300-350 seat auditorium and more intimate 120 seat studio for performance space, together with enhanced back-stage facilities, additional education, event and rehearsal space and better front-of house facilities including bar and café areas, for audiences to enjoy. The new theatre will revitalize Oldham's cultural offer and create additional jobs, both in the venue and from the surrounding area.
- 2.3 The space is being designed, not only as a home for Oldham Coliseum, but for use by other local arts and community organisations for both local and visiting audiences. The plans are at an advanced stage and have been developed by members of the current Oldham Coliseum Board and other cultural organisations with support from the Arts Council.
- 2.4 Research and dialogue with external theatre specialists has confirmed that a producing theatre can be successful in the proposed new theatre for Oldham, with a new business model, as there are many examples of other producing theatres that have been used as a benchmark - such as Contact Theatre (300), Stockport Garrick (151), Bolton Octagon (300-390), Hope Mill Theatre (120), Watermill Theatre (220), Southwark Playhouse (310), Hampstead Theatre (325).

- 
- 2.5 In summer 2021, Oldham was successful in gaining a £24.4 million Towns Deal funding bid to fund four key development projects across the town. £6 million of this funding was allocated to support the delivery of Oldham’s new theatre on top of the Council’s capital funding commitment. To meet the requirements of the Town Deal funding and to meet our proposed opening date, work on the theatre must progress to planning stage by Summer 2023: subject to Cabinet approval, the project is on track to meet this requirement.
- 2.6 The new theatre plans were shared as part of the Big Town Centre consultation event and following feedback from the Coliseum, Arts Council, wider culture partners in the borough, and importantly with views from local residents and communities, partners and local businesses, the design team have progressed work on the proposals and the current plans are appended to this document.
- 2.7 Subject to Cabinet approving the recommendations in this report, the next stage of the theatre project involves further consultation on the emerging plans to help inform and shape the planning application due for submission in Summer. This pre-planning application consultation activity will take place to share the plans for the new theatre with local communities, partners, and performing arts stakeholders. The plans will also be shared with other external specialists to ensure the plans and proposals have continued due diligence and alignment with producing theatre requirements.

### **3 Oldham Coliseum Theatre (the Organisation)**

- 3.1 The Oldham Coliseum has benefited from Arts Council funding as one of its National Portfolio Organisations (NPO) over a number of years. This funding accounts for around a third of their income alongside grants from other organisations and revenue from their successful productions.
- 3.2 Oldham Coliseum is provided with annual cultural funding from Oldham Council of £138,000 per year. Alongside this the Coliseum is also provided with rent-free use of the current theatre building, office space and car park: they also lease separate storage facilities from the Council. In addition, the Greater Manchester Combined Authority has provided annual funding to Oldham Coliseum of c.£100,000 per year through the GM Culture Fund (2020-23).
- 3.3 In 2022 the Oldham Coliseum submitted a bid to retain its National Portfolio Organisation status and funding for the period 2023-2026. In November 2022, the Arts Council announced that this bid had been unsuccessful deeming it ‘high risk’ and referencing concerns about the theatre’s financial management, leadership and governance.
- 3.4 Following the Arts Council funding announcements in November, the Chief Executive of Oldham Coliseum left the organisation and, shortly after, the Chair of the Board resigned followed by the Vice-Chair. Chris Lawson, previously the Coliseum’s Artistic Director, stepped up as Interim Chief Executive and an Interim Chair and Vice-Chair were appointed to the Board.
- 3.5 Oldham Council have worked with the Arts Council since November to support the Coliseum as they worked to make changes to their programme, their organisation and sought to meet the challenges they were facing. Unfortunately, in February 2023, acknowledging the significant financial challenges they were facing, Oldham Coliseum announced its intention to close its doors stating “the current financial situation is not sustainable for the running of a full-time theatre”.



---

## **4 Arts Council Funding for Oldham**

- 4.1 Despite being unable to include the Oldham Coliseum among its National Portfolio organisations, the Arts Council, acknowledging both Oldham's designation as a levelling up place for culture and our commitment to investing in new cultural offers for the town, have ringfenced £1.845 million over three years to support the delivery of local arts and culture.
- 4.2 In November 2022, at the time that the outcome of the Coliseum's funding bid was announced, Oldham Council were informed by the Arts Council that this ringfenced funding would be made available. Since then, the Arts Council have provided further information on the purpose and means of access for these funds, including that the funding must be used to:
- Engage with communities and stakeholders in the development and delivery of a new theatre for Oldham
  - Develop an appropriate leadership and governance structure for the new theatre
  - Create a programme of performance that tests new approaches to programming, creative learning, talent development and audience development
  - Meet the outcomes and principles of the Arts Council's 'Let's Create' strategy
- 4.3 To access this funding, Oldham Council has been asked by the Arts Council to provide a detailed plan for its proposed programme of activity and confirmation that the council intends to progress with plans for the new theatre.

## **5 The future for the Oldham Coliseum**

- 5.1 Oldham's new theatre was always intended to be the future home of the Oldham Coliseum with work already underway to develop a new operating and production model for the new theatre. The Council and Arts Council remain confident in the ability to form a strong operating and business model for a producing theatre without the Coliseum should that be required.
- 5.2 The timings for the new theatre continue to be supported by the Arts Council and the Coliseum, and it was always the plan for the Coliseum to move out of its current home (in line with the expected life-span of the Fairbottom Street site) and to produce and perform works elsewhere in other venues across the borough, and wider areas, for a period while the new theatre was built. This would allow them to continue providing art for local audiences and, importantly, build new audiences in anticipation and readiness for the new theatre.
- 5.3 As part of these discussions, and, recognising the love and loyalty that theatre goers have for the Oldham Coliseum name and history, Oldham Council are continuing conversations with the Coliseum Board to try and retain some of the artistic legacy.

## **6 Options/Alternatives**

- 6.1 Cabinet members may recall being formally briefed on the different options considered over the past decade, with a summary included earlier in this report, relating to:
- The future of the Coliseum building;
  - The location, size, and requirements for a theatre building in Oldham;
  - The funding arrangements and receipt of external grant support (Council Capital Strategy and Town Deal); and
  - The emerging business case and detailed project plans (Town Deal).

- 
- 6.2 Cabinet members are asked to approve the recommendations in this report, noting requirements for existing maintenance works to the current building(s), planning activity for the ACE funding allocation, and project delivery timelines, and budgets for the new theatre as set out earlier in this report.

## **7 Consultation**

- 7.1 Extensive consultation has taken place throughout the development of the new theatre space including the community consultation in the town centre, with youth voices, and with disability groups as part of the Big Town Centre Conversation. Further dedicated consultations and engagements took place with communities and local businesses, linked to the requirements of the Towns Fund application process.
- 7.2 Consultation and engagement work took place with stakeholders, partners, Council teams and services, elected members, public sector organisations and different voices from our local communities to help define the ambitions for the new theatre.
- 7.3 Portfolio Holders have been consulted on the feasibility work and development of the design. Both staff and elected members have been engaged throughout this process to allow ideas and suggestions to be fed into the preferred solutions.
- 7.4 Ongoing dialogue continues with both the Coliseum Board and Management Team and Arts Council England.
- 7.5 Further consultation and engagement will take place in conjunction with standard practice for project development / planning application considerations as proposed earlier in this report.
- 7.6 Key stakeholder have provided the following statements in direct support of the proposals in this report:

### **7.6.1 Chris Lawson, Interim Chief Executive of Oldham Coliseum Theatre**

*“We continue to support the development of a new theatre for Oldham, which we had hoped could be a new home for Oldham Coliseum. Oldham deserves a good quality theatre that produces and presents new work for local and visiting audiences. The current theatre building does not offer the space or facilities needed for a modern theatre.*”

*“ We also welcome Oldham Council’s proposal to accept the Arts Council’s ringfenced funding for the town. While we remain disappointed that this funding could not be given to the Coliseum to continue our work directly, we know how much performance means to local people and support the need for ongoing investment in the arts while a new theatre is developed.*”

*“We continue to hope that there is a place in Oldham for the Coliseum and that we can find a way to remain part of Oldham’s cultural offer while overcoming our current challenges.”*

### **7.6.2 Arts Council England**

*“Arts Council England is committed to continued investment for culture in Oldham, which hugely benefits the local community. We’ve ringfenced £1.845 million for the town so that people don’t miss out on creative activities.*”

---

*“We are working constructively with Oldham Council on how this investment should be used to support the future of performing arts in Oldham and we are fully supporting plans for a performance space for the town.*

*“We have earmarked our £1.845 million investment against a proposal which we are expecting Oldham Council to develop which will be for a programme of theatre and talent development for communities right across the borough over the next three years, to make sure that there is still a strong cultural programme. That will go in tandem with the Council’s plans to develop the new performance space.*

*“We invested some money to develop a vision for the new performance space and we are working hand-in-hand with the Council to ensure that this new space, which will be comfortable both for modern audiences and for performers, really gives a strong future for theatre in the town”.*

**7.7.3 Fiona Gasper, Independent Chair of Performance Space Partnership Board** - (previously Joint CEO of the Royal Exchange Theatre and Director of Transition for Manchester International Festival with responsibility for building the capacity of the company to move into The Factory, including its operational readiness)

*“The Partnership Board has met regularly since the beginning of 2020. It’s purpose is to bring together the key partners involved in funding, planning, and delivering the new performance space to enable the collective overview and understanding needed to monitor and support the progress of key strategic workstreams. These include funding and delivery of the capital project and business planning including operational readiness. It also provides a forum to drive the project forward by facilitating debate allowing for consensual decision making where required.*

*“Key partners are Oldham Council, Arts Council England, and the Coliseum and more recently representatives of locally based arts organisations with a stake in the development of the new performance space have also been attending: these include Oldham Theatre Workshop and Peshkar.*

*“The main business of each Partnership board has focused on updating partners on key developments of the capital project and its funding (led by Oldham Council) and Business planning and operational readiness (led by the Coliseum), ensuring that the new performance space will be fit for purpose.”*

**8 Financial Implications**

8.1 Financial comments are provided in the part B report. (James Postle, Finance Manager)

**9 Legal Services Comments**

9.1 Legal comments are provided in the part B report. (Rebecca Boyle, Group Solicitor)

**8. Co-operative Agenda**

8.1 A new theatre in Oldham’s Cultural Quarter will help improve Oldham’s cultural offer, attract more people to the town centre and create training and employment opportunities, which are key priorities in both the Corporate and Oldham Plan  
(Mahmuda Khanom, Policy Support Officer).



---

19     **Background Papers**

19.1   None

20     **Appendices**

      A: Layout Plans



**APPENDIX A: Layout Plans for New Theatre**  
*(Images provided by Feilden Clegg Bradley Studios)*



---

EXTERNAL VISUAL  
UNION STREET MAIN ENTRANCE



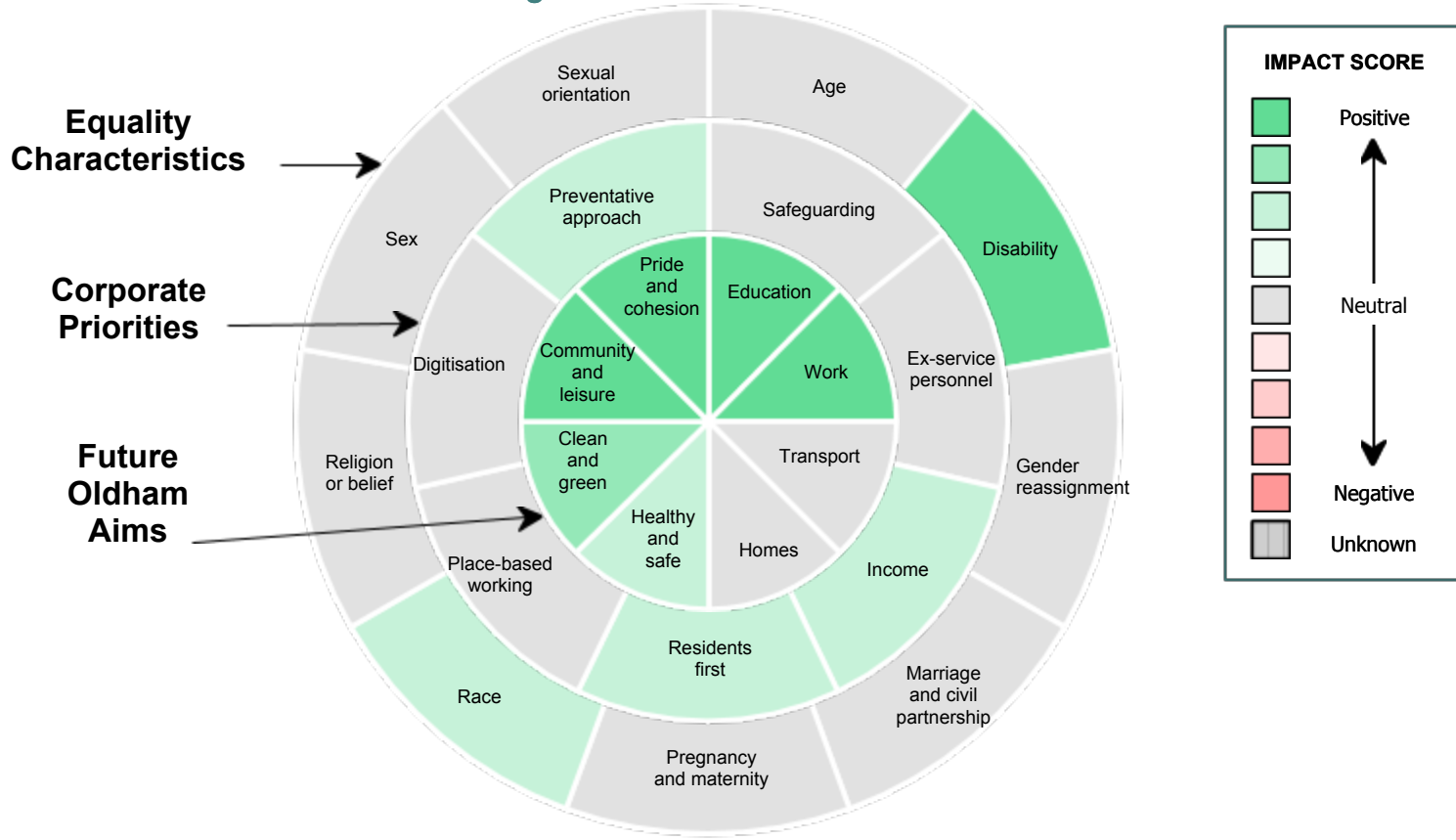
---

## THE AUDITORIUM





## Investing in a New Theatre for Oldham



Investing in a New Theatre for Oldham				
	Impact	Likelihood	Duration	Comment
<b>Equality Characteristics</b>				
Age	Neutral	Possible	Short Term	
Disability	Strong Positive	Very Likely	Long Term	Current theatre on Fairbottom St is not DDA compliant. The new theatre will be fully DDA compliant improving access for audiences and staff with disabilities.
Gender reassignment	Neutral	Possible	Short Term	
Marriage and civil partnership	Neutral	Possible	Short Term	
Pregnancy and maternity	Neutral	Possible	Short Term	
Race	Moderate Positive	Possible	Long Term	The new theatre will aim to engage a wider range of Oldham residents in arts and culture, and attract audiences which are representative of Oldham's diverse population. In addition 'inclusivity and relevance' are key objectives of the Arts Council funding.
Religion or belief	Neutral	Possible	Short Term	
Sex	Neutral	Possible	Short Term	
Sexual orientation	Neutral	Possible	Short Term	
<b>Corporate Priorities</b>				
Safeguarding	Neutral	Possible	Short Term	
Ex-service personnel	Neutral	Possible	Short Term	
Income	Moderate Positive	Possible	Long Term	The new theatre will aim to engage a wider range of Oldham residents in arts and culture, including some activities which are free of charge or very low cost. In addition 'inclusivity and relevance' are key objectives of the Arts Council funding.
Residents first	Moderate Positive	Possible	Long Term	The design of the new theatre has been based on feedback from residents, including through the cultural strategy consultation and Big Town Centre Conversation
Place-based working	Neutral	Possible	Short Term	
Digitisation	Neutral	Possible	Short Term	
Preventative approach	Moderate Positive	Possible	Long Term	Arts and culture are linked to positive mental wellbeing. The new theatre will aim to engage a wider range of Oldham residents in arts and culture, which should have positive benefits and potentially reduce demand on services.
<b>Future Oldham Aims</b>				
Education	Strong Positive	Very Likely	Long Term	Supporting talent development is a key aim of the Arts Council funding. The new theatre will support cultural and arts education providing a place for skills development in the sector.
Work	Strong Positive	Very Likely	Long Term	The new theatre will revitalize Oldham's cultural offer and create additional jobs, both in the venue and from the surrounding area. Talent and skills development is a key requirement of the Arts Council funding.
Transport	Neutral	Possible	Short Term	
Homes	Neutral	Possible	Short Term	
Healthy and safe	Moderate Positive	Possible	Long Term	Arts and culture are linked to positive mental wellbeing. The new theatre will aim to engage a wider range of Oldham residents in arts and culture, which should have positive benefits and potentially reduce demand on services.
Clean and green	Moderate Positive	Very Likely	Long Term	The new theatre is being designed as a low carbon, energy efficient building
Community and leisure	Strong Positive	Very Likely	Long Term	Arts and culture are linked to positive mental wellbeing. The new theatre will aim to engage a wider range of Oldham residents in arts and culture, providing a place where people can connect and socialise.
Pride and cohesion	Strong Positive	Very Likely	Long Term	The new theatre is a key element of the Creating a Better Place strategy and the redevelopment of the town centre . It will provide a place where residents can connect and socialise, which will bring positive benefits for wellbeing.







**Report to CABINET**

## **Grant Acceptance: City Region Sustainable Transport Settlement (CRSTS) – Manchester Street Viaduct Refurbishment**

**Portfolio Holder:**

Cabinet Member for Neighbourhoods

**Officer Contact:** Nasir Dad, Director of Environment

**Report Author:** Hamish Dunlop, Senior Engineer

**27 February 2023**

---

### **Reason for Decision**

Oldham Council has secured additional funding for the refurbishment of Manchester Street Viaduct, via:

- Department for Transport (DfT) City Region Sustainable Transport Settlement (CRSTS)

The purpose of this report is to confirm the value of the grant available to Oldham and notify Cabinet of the intention to bring this additional resource into the transport capital programme to design and undertake refurbishment works to Manchester Street Viaduct.

The report will also outline the steps that Oldham Council will need to take to procure the necessary support to develop and deliver the scheme to budget and programme.

---

## Executive Summary

The Greater Manchester CRSTS programme business case was submitted to the Department for Transport (DfT) in September 2021 by Transport for Greater Manchester (TfGM) on behalf of themselves and all 10 GM districts.

Greater Manchester Combined Authority (GMCA) received confirmation of the full CRSTS allocation of £1.07bn for spend across 2022/23-2026/27 on the 1<sup>st</sup> of April 2022.

On the 29 July 2022, the DfT, as the funders of the CRSTS, confirmed the delivery plans and funding allocations to each city region and sent a funding letter to each City Region Mayor.

One scheme included in the delivery plan, is the Strategic Maintenance scheme - Manchester Street Viaduct refurbishment.

This scheme has been developed over the past year and has now secured Strategic Outline Business Case (SOBC) assurance through TfGM processes to move to scheme design and delivery, utilising the now approved DfT CRSTS capital budget.

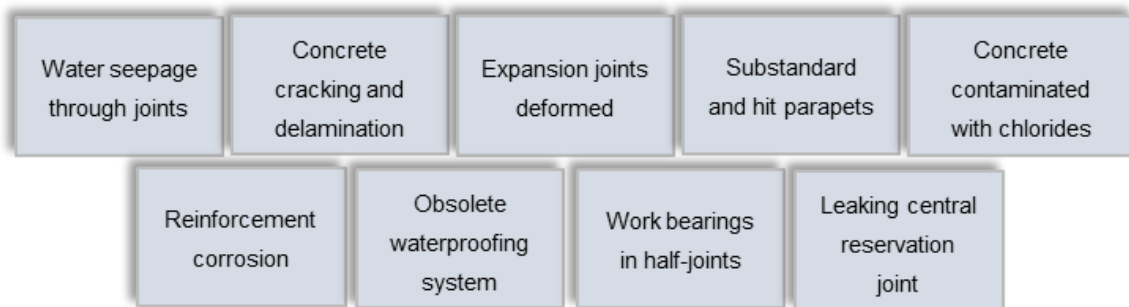
## Recommendations

- That the grant offer of £4.5m from the CRSTS for the refurbishment of Manchester Street Viaduct be accepted. This will contribute to the overall scheme budget of £6.5m (£4.5m CRSTS grant plus £2m local highways maintenance contribution from Oldham's allocation across 2024/25 and 2025/26).
- That the intention to bring the additional resource into the transport capital programme in 2022/23, and profile across subsequent financial years, to complete development of the scheme in the appropriate timescales be noted.
- That the approval to procure and make tender awards relating to the necessary external support required to design and deliver the Manchester Street Viaduct refurbishment scheme (examples listed in the report) be delegated to the Director of Environment.
- That the approval to use part of this resource to appoint temporary agency support within the Highways Team to progress the design and deliver the scheme is accepted.

**Grant Acceptance: City Region Sustainable Transport Settlement (CRSTS) – Manchester Street Viaduct Refurbishment**

**1 Background**

- 1.1 The Manchester Street viaduct is located at the A62 Oldham Way/Manchester Street roundabout close to Oldham Town Centre. It carries high volumes of traffic and separates the key road network from the local road network and key pedestrian, cyclist and Metrolink routes, which link Manchester to Oldham and Rochdale.
- 1.2 The viaduct was constructed in the late 1970's and is in a poor and deteriorating condition. It is in need of repair and improvement to extend its design life, keep Oldham Way open and maintain the resilience and efficiency of the existing highway network.
- 1.3 A recent Principal Inspection and feasibility study commissioned in July 2019 found a number of defects to be present or suspected to be present along the Manchester Street Viaduct section of the route, these include:



- 1.4 Typically, the design working life of this type of structure is 120 years with elements such as bearings, waterproofing and expansion joints replaced every 20 to 30 years. To meet the design working life, interventions and remedial works are required throughout the life of a structure. Since construction of the viaduct, no remedial works to halt deterioration have been undertaken. This has caused the structure to be in a poor and rapidly deteriorating condition. As a result, frequent safety inspections are being undertaken by Oldham Council to ensure safety of road and tram users. This is a costly exercise with resources being allocated to undertake inspections instead of being invested in other parts of Oldham. Additionally, any delays to the remedial works result in a worsened condition and more costly repairs being required.
- 1.5 Since the 2019 inspection, the viaduct's condition has continued to deteriorate and emergency works were undertaken in the past 15 months to remove some delaminated concrete from the underside of the structure. Oldham Council has now commissioned a further special inspection project to investigate and determine the extent of the issues. However, the structure is in urgent need of repair and the severity of the defects means that the viaduct is at significant risk of closure and / or unplanned/emergency works.
- 1.6 Any introduction of traffic restrictions along Oldham Way or closure would cause large-scale disruption to the traffic and public transport networks across Oldham and northeast Greater Manchester. This would have a huge impact on the local transport network and access to central Oldham. It would also have a disproportionate impact on more deprived parts of Oldham, affecting access to local services and employment opportunities.

---

1.7 The Portfolio Holder for Neighbourhoods was briefed on the Manchester Street Viaduct Refurbishment Scheme in December 2022. This was prior to the SOBC being submitted to TfGM for approval and the CRSTS funding being confirmed.

## 2 Current Position

### Next Steps

2.1 In-line with the Governance and Assurance requirements approved at GMCA on 30 September 2022, the SOBC for the scheme was endorsed by the GM Highways Group on 14 December 2022 and, therefore, GMCA has been requested to approve the drawdown of £4.5m of CRSTS funding to deliver the scheme. This will contribute to the overall scheme budget of £6.5m (£4.5m CRSTS grant plus £2m local highways maintenance contribution from Oldham's allocation across 2024/25 and 2025/26).

2.2 As the Manchester Street Viaduct Refurbishment scheme is a Strategic Maintenance scheme, there is no requirement to return to GMCA at Final Business Case stage. The scheme will be subject to annual spend/forecast updates provided by Oldham Council to TfGM.

2.3 The next steps include:

- The approval goes through GMCA on 27 January 2023.
- Oldham Council accept the grant offer of £4.5m to deliver the Manchester Street Viaduct refurbishment scheme.
- Oldham Council bring the additional resource into the transport capital programme in 2022/23 and programme across subsequent financial years, and commence design development for the scheme.
- Completion of design development in 2024/25.
- Construction of the Manchester Street Viaduct Refurbishment works in 2025/26.
- Monitoring and Evaluation Plus 1 Year Assessment completed in 2027/28.

### External Support

2.4 The £4.5m ask prepared by Oldham Council to TfGM for the Manchester Street Viaduct Refurbishment scheme includes the following:

- Officer time on developing the scheme, consultation and engagement with Members and stakeholders, communications, finance, legal and procurement input.
- Structural investigations, testing, assessment and reporting.
- Procurement and commissioning of design consultants and Early Supply Chain Involvement (ESI) contractor.
- Surveys, site investigations and Traffic Management proposals.
- Preliminary design development of refurbishment works.
- Detailed design of refurbishment works.
- Procurement of main works contractor.
- Construction of refurbishment works.
- Oldham Council site supervision.
- Monitoring and evaluation reporting.

### Procurement Strategy

2.5 The following section provides an overview of the emerging procurement strategy for the provision of professional services and construction to support the delivery of the viaduct

---

refurbishment. The process will be run in accordance with the council's procurement procedures and will appoint suitable suppliers to support the design, preparation, and construction of the scheme. It is proposed that the approval for any procurement activity, including the award of contracts for any of these works will be delegated to the Director of Environment. This will ensure procurement and delivery in a timely manner.

2.6 The following will be procured during the scheme:

- **Development (pre-construction)** – A mini-competition will be used to procure a design consultant via the TfGM TPS 2021 Framework 'Lot 7 - Sub-Lot M: Structural and Civil Engineering' or full tender process in accordance with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules. The value of the design consultant contract will be up to £700,000. The framework Non NEC3 Order Form and Call Off T&Cs will be used.
- **An ESI contractor** will be procured either by a mini-competition via Lot 12/Lot 20 – Construction and Highways Works & Services Framework, North West Contractor Framework or via a full tender process in accordance with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules. The value of the ESI contract will be up to £300,000. NEC3 Option A or Option B or Oldham Council's standard T&Cs will be used; and
- **Delivery (construction)** – North West Contractor Framework or similar third party frameworks will be used to procure contractor to carry out the main works. If the current frameworks are not deemed suitable then a full tender process will be followed in accordance with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules. The value of the main works contract will be up to £5.5m. NEC 3 or NEC 4: Engineering Construction Contract (ECC) Option A or Option B will be used.

#### Additional Highways Resource

2.7 In addition to the procurement strategy outlined above, there may also be a need to appoint temporary agency support within the Highways Team to progress and deliver the scheme.

2.8 An element of the £4.5m funding for Oldham will be set aside for staff time for all the necessary resources to progress the scheme, including input from a wide range of Council colleagues.

2.9 This identified budget will support the request to appoint additional agency members of staff via a recognised framework to progress the design and deliver the scheme.

### 3 **Options/Alternatives**

3.1 There are two options:

#### Option 1: Undertake works that will extend the life of the structure and retain the essential link

- That the grant offer from the CRSTS for Manchester Street Viaduct Refurbishment, be accepted.
- That approval for all procurement activity and tender award decisions relating to the necessary external support required to the scheme (examples listed in the report) be delegated to the Director of Environment.
- That approval to use part of this resource to appoint temporary agency support within the Highways Team to progress the scheme be granted.



---

Option 2: Refuse the grant – leads to the eventual closure of the bypass with severe consequences to Oldham and the surrounding area

- That the grant offer from the CRSTS for Manchester Street Viaduct Refurbishment, is not accepted.
- That approval for all procurement activity and tender award decisions relating to the necessary external support required to the scheme (examples listed in the report) is not delegated to the Director of Environment.

#### 4 Preferred Option

4.1 'Option 1' is recommended as this will ensure that the scheme is delivered to the appropriate timescales, the life of the structure is extended and the essential link is retained.

4.2 The alternative, 'Option 2' would result in the eventual closure of the bypass with severe consequences to Oldham and the surrounding area.

#### 5 Consultation

5.1 The Portfolio Holder for Neighbourhoods was briefed on the Manchester Street Viaduct Refurbishment Scheme in December 2022. This was prior to the SOBC being submitted to TfGM for approval and the CRSTS funding being confirmed.

5.2 A Stakeholder Engagement Strategy was developed at SOBC. This will be implemented throughout the scheme to ensure key stakeholders are updated at various stages of the scheme.

#### 6 Financial Implications

6.1 6.1 The acceptance of the £4.5m CRSTS Capital Grant funding will enable delivering the refurbishment of the Manchester Street Viaduct, which is detailed in the body of the report. The overall cost of the scheme will need to be contained within the available funding.

6.2 Match funding of £2m will be utilised from the 2025/26 & 2026/27 LTP Highways Maintenance Grant allocations, meaning a total scheme budget of £6.5m is fully funded from external resource.

6.3 On approval of this report, the Councils' 2022/23 to 2026/27 Capital Programmes will be amended to reflect the receipt of the £4.5m additional grant and planned programme of expenditure, as detailed below:

	2022/23	2023/24	2024/25	2025/26	2026/27	Total
	£k	£k	£k	£k	£k	£k
<b>Total Scheme Expenditure</b>	<b>30</b>	<b>700</b>	<b>1,000</b>	<b>3,250</b>	<b>1,520</b>	<b>6,500</b>
Financing - CRSTS Funding	(30)	(700)	(1,000)	(2,770)	0	(4,500)
Financing - Local Transport Plan	0	0	0	(480)	(1,520)	(2,000)
<b>Total Financing</b>	<b>(30)</b>	<b>(700)</b>	<b>(1,000)</b>	<b>(3,250)</b>	<b>(1,520)</b>	<b>(6,500)</b>

(James Postle)

---

## 7 **Legal Services Comments**

- 7.1 Legal Services supports the acceptance of the Grant. The comments in the Report justify the acceptance of the award and comments from procurement colleagues indicate that a well thought-out procurement strategy has been considered and has been proposed in accordance with the Public Procurement Regulations and the Council's own internal Contract Procedure Rules. To air on side of caution and due to the high value of the award any significant grant monies being passed on to third party contractors should undergo a subsidy control analysis in conjunction with procurement and legal colleagues to ensure that they do not breach any of these Rules. (Sukie Kaur – Solicitor)

## 8. **Co-operative Agenda**

- 8.1 The Council is obligated as the Highways Authority to maintain the highway network. Any funding secured for the purpose of highway maintenance is determined and approved centrally, involving Council officers at a senior level and Elected Members, so that schemes meet the Council's statutory duties and wider transport strategy objectives. In the light of decreasing levels of funding, the development of the programme and any bids for external funding reflects a co-operative approach, ensuring where possible schemes meet multiple objectives and complement other capital and revenue programmes such as regeneration. (Guy Parker)

## 9 **Human Resources Comments**

- 9.1 None.

## 10 **Risk Assessments**

- 10.1 The Council if it does not agree to this scheme it will in the future have to fund works out of its own resources potentially without the grant on offer. As such the preferred option as set out in the report seems sensible from a risk perspective (Mark Stenson)

## 11 **IT Implications**

- 11.1 None.

## 12 **Property Implications**

- 12.1 None.

## 13 **Procurement Implications**

- 13.1 For this project it has been suggested that a three-phase procedure be adopted, a Development (Pre-construction) phase value up to £700,000, an ESI contractor be appointed value up to £300,000 and finally the delivery phase (construction) value up to £5,500,000. All these requirements have aggregate contract values above the PCR 2015 threshold values set for services and works on 1<sup>st</sup> January 2022. Part 4G of Oldham Council Contract Procedural Rules state that threshold contract value and above require a fully compliant process in accordance with Chapter 2 Rules on Public Contracts, section 3 Procedures r27 & 33. an appropriate procurement procedure, in compliance with the Procurement Regulations, a fully Open Procedure or the exemption of an existing Framework Call-Off competitions depending on the terms and condition laid down within the framework agreement. On first analysis the proposed procurement procedures for development (pre-construction) and appointment of ESI contractor would offer the

---

flexibility to give an opportunity for local regional contractors listed on the frameworks to tender for these contracts. However, if Oldham Council adopts the framework procedure for the Construction Phase that will limit the choice of contractor to those listed on a particular framework. As the proposed project progresses the present and future inflationary environment must be considered when obtaining value for money. When selecting the procurement procedure for the Construction Phase, value £5,500,000, it must be determined which fully compliant procedure will offer best value and flexibility in securing complete tenders for Oldham Council. An Open procedure may well deliver more tender submissions and choice but not necessarily from local regional contractors. The procedures listed in section 2.6 for the planned three phase procurement are compliant with Contract Procedural Rules providing our requirements are in accordance with the terms and conditions of the selected framework and Oldham Council has authorization to utilize these frameworks for the proposed period of the contract. Any permissions required must be sought in advance. (Philip Harper Oliver)

14 **Environmental and Health & Safety Implications**

14.1 None.

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

15.1 None.

16 **Equality Impact Assessment Completed?**

16.1 No.

17 **Key Decision**

17.1 Yes

18 **Key Decision Reference**

18.1 ESR-36-22

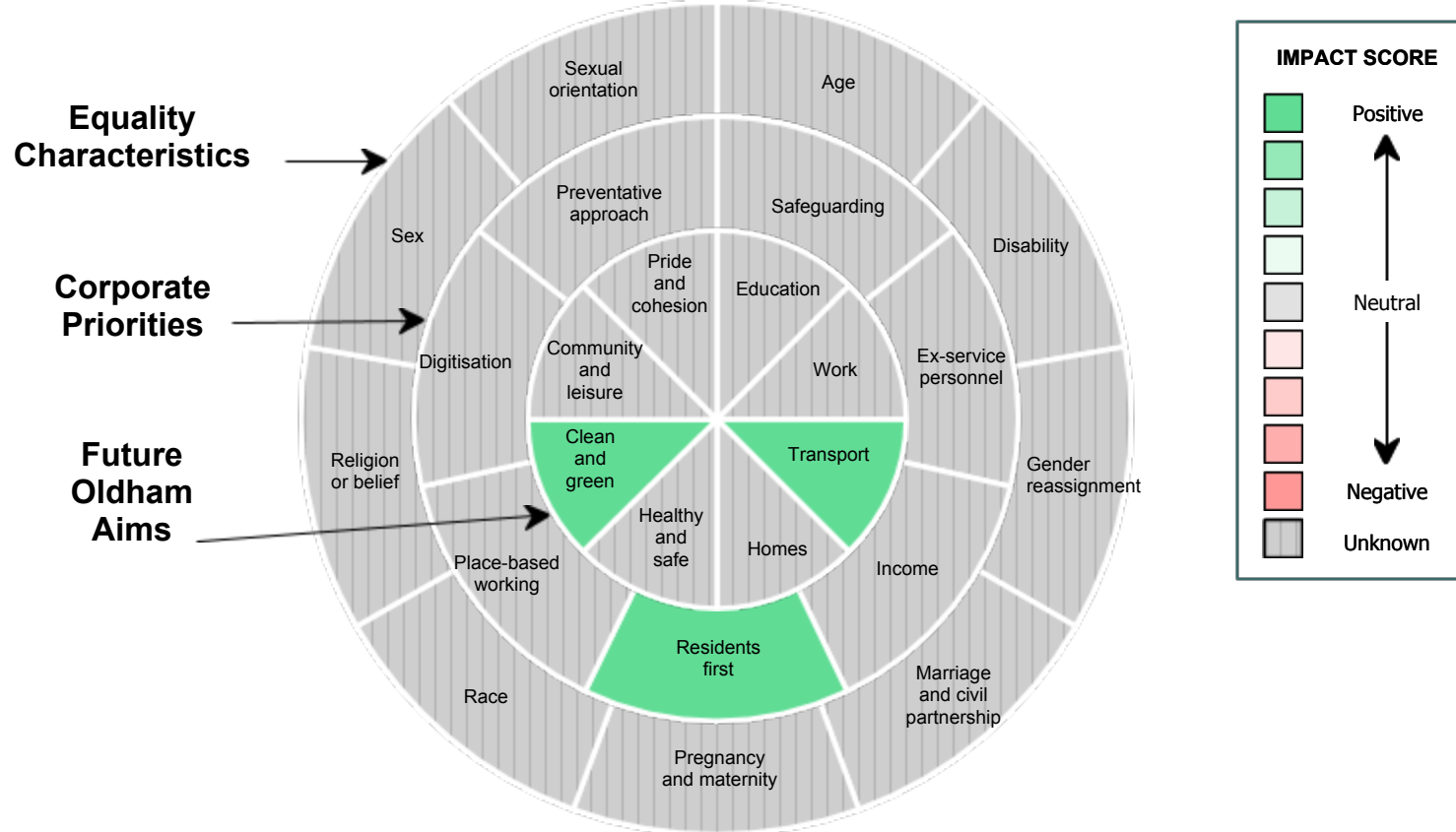
19 **Background Papers**

19.1 None.

20 **Appendices**

20.1 None.

## City Region Sustainable Transport Settlement



City Region Sustainable Transport Settlement (CRSTS) – Manchester Street Viaduct Refurbishment				
	Impact	Likelihood	Duration	Comment
<b>Equality Characteristics</b>				
Age				
Disability				
Gender reassignment				
Marriage and civil partnership				
Pregnancy and maternity				
Race				
Religion or belief				
Sex				
Sexual orientation				
<b>Corporate Priorities</b>				
Safeguarding				
Ex-service personnel				
Income				
Residents first	Strong Positive	Very Likely	Long Term	Essential maintenance works to the bridge to ensure the bypass remains open to the public/residents.
Place-based working				
Digitisation				
Preventative approach				
<b>Future Oldham Aims</b>				
Education				
Work				
Transport	Strong Positive	Very Likely	Long Term	Essential works being implemented to refurbish the bridge to ensure the bypass remains open and to avoid congestion in town centre.
Homes				
Healthy and safe				
Clean and green	Strong Positive	Very Likely	Long Term	Works will ensure bypass remains open and avoid pollution within town centre due to increased congestion.
Community and leisure				
Pride and cohesion				

This page is intentionally left blank



## Report to CABINET

### Short Breaks Play and Leisure – Approval to award contract from 1 April 2023

#### **Portfolio Holder:**

Councillor Eddie Moores, Cabinet Member

#### **Officer Contact:**

Gerard Jones, Managing Director, Children's Services,  
Richard Lynch, Director for Education, Early Years and Skills

#### **Report Authors:**

Andrea Weir, Senior Commissioning and Partnership Manager

---

---

### Reason for Decision

To ensure that Oldham has a high quality, flexible and inclusive statutory Short Breaks Play and Leisure offer for children and young people with SEND and their families in place from 1 April 2023

### Recommendations

Cabinet are requested to:

1. Approve delegated decision responsibilities to the Managing Director, Childrens Services to award the Short Breaks Play and Leisure contract to be operational from 1 April 2023. This will follow an open, competitive robust commissioning, tendering and moderation process.

Approval will ensure statutory services supporting children and young people with SEND and their families are in place without any gaps in provision when the current offer ceases on 31 March 2023.



---

## Cabinet

### 1. Background

- 1.1 Local authorities have a statutory responsibility to provide a range of Short Breaks Play and Leisure (SBPL) opportunities for children and young people with SEND and their families. A Short Breaks Duty Statement giving details of the local range of services and how they can be accessed, including any eligibility criteria must be published as a statutory responsibility under The Breaks for Carers of Disabled Children Regulations 2011.
- 1.2 The SBPL offer must provide opportunities enabling children and young people to access development and leisure activities suitable to meet their needs. The broad aims of SBPL are to provide:
  - respite for families preventing breakdown and escalation to higher cost intensive services
  - a safe place for children and young people to develop independence skills, build self-esteem and self-confidence and engage and interact with their peers.
  - an alternative to more costly one to one Personal Advisor support where appropriate to meet individual needs.
- 1.3 Under the existing contractual arrangements, three providers currently deliver SBPL activities for children, young people and their families. They are Ability Wheelz, Sports Works and Starfish Swim, all within contract until 31<sup>st</sup> March 2023. This arrangement has been extended on an annual basis previously within a funding envelope which has seen no increase since 2017. During this time, demand has continued to rise, this is predicted to be a continuing trend. Data demonstrates that within this same period, demand for Education Health and Care plans has grown by 80% and this is expected to continue.
- 1.4 As part of the commissioning intentions and following discussions at a senior strategic level between Oldham Council and the Integrated Care Partnership (ICP previously known as the CCG), there is now an agreed funding envelope in place.
- 1.5 In order to develop commissioning intentions from 1 April 2023 onwards and as part of governance arrangements, a project group consisting of young people from Barrier Breakers supported by the Youth Service, Parent Carer Forum, Children's Commissioning Team, Children with Disabilities Team, SEND Team, Children's Social Care, ICP, Legal, Finance, HR and Procurement has been established.
- 1.6 A meet the market event to stimulate demand and seek feedback from providers on commissioning intentions and the service specification was held on 18 November 2022. This was advertised via The Chest in accordance with procurement protocols. In total 7 providers attended the event.
- 1.7 The intention is to award the contract with the funding envelope for a period of three years with the option to extend for up to a further two years. The option to extend will be subject to the successful provider achieving outcomes within the specification, the delivery of high quality, value for money services for our children

---

and young people and continued funding being available. This would support the Council's early intervention approach and contribute to the invest to save agenda by reducing demand for higher cost, more intensive services.

- 1.8 We are seeking one lead provider who will work in flexible partnership arrangements with a range of other organizations including community based and voluntary, faith and social enterprise groups enabling the service offer to respond to identified and emerging needs. There is an expectation within the service specification that the lead provider will be flexible in terms of their delivery model to meet any local and national changes including those arising from the recent SEND Green Paper consultation
- 1.9 The specification has been developed to allow more flexibility and greater choice of activities including music, crafts, digital and creative options. It has been co-produced with the project board, young people and the Parent Carer Forum. The specification reflects learning arising from the pandemic including the expectation providers will be able to deliver services virtually as appropriate and as required.
- 1.10 Consultation has taken place with families in partnership with the Parent Carer Forum and with young people through Barrier Breakers. The consultation tells us the following:
- good quality activities age and stage appropriate from Early Years Foundation Stage and up to the age of 15 to 18 year-olds
  - a wide variety and flexibility of activities to broaden experience, skills and opportunities for young people
  - young people accessing Oldham's Barrier Breakers expressed an interest in volunteering opportunities to be available for them to support other young people
  - outcomes for children and young people
  - increased evening and weekend provision
  - providing information for parents/carers with assistance on how to access services
  - greater community awareness
  - accessible online services to engage, maintain contact and follow-up

## **2. Current Position**

- 2.1 Since 2017, the SBPL offer for Oldham has been delivered by three providers Ability Wheelz, Starfish Swim and Sports Work. Historically all three of the current providers have had high numbers of families accessing their provision. In 2022, a pilot offer delivered through Oldham Music Service was commissioned funded through a non-recurrent budget saving. This funding also enabled the CWD Team to host a number of drop-in sessions for families who might otherwise find it difficult to engage.
- 2.2 In 2021, it was agreed SBPL would form part of the SEND Integrated Commissioning tender alongside Dispute Resolution Services (DRS). Meet the Market events were held with potential providers to help shape the specification.

---

Following a full and transparent procurement process via the Chest, no bids were received. Market intelligence informed us that the funding envelope was the main barrier to applications being received. As a consequence, DMT approved the retendering of DRS and SBPL as a stand-alone services.

- 2.3 A number of consultations have been undertaken with families to establish their views on the SBPL offer. Whilst families were positive about the current activities available, they felt that the offer could be broader and extended to include none sport based sessions with more availability during evenings and weekends. Building on this existing consultation, the Children's Commissioning Team and Parent Carer Forum held a number of focus groups in September 2022. This is in addition to the Parent Carer Forum supported families to complete their Big SEND Survey which included questions about SBPL and the Local Offer. Consultation feedback have been used to inform both the Market Engagement events and service specification.

### **3. Timeframes**

- 3.1 The Meet the Market event was held on 18 November as the start of the formal commissioning and procurement process. We will move to award the contract to the successful tendered following a robust evaluation and moderation process based on their Invitation to Tender (ITT) submission. This process will include young people and the Parent Carer Forum as part of Oldham's co-production principles
- 3.2 Subject to approval the decision to award will be ratified by the Managing Director, Children's Services with the contract becoming operational from 1 April 2023.

### **4. Options**

- 4.1 **Option 1** - Approve delegated decision making to award and enter into the statutory SBPL contract to the Managing Director, Children's Services. The contract would become operational from 1 April 2023 for a period of three years with the option to extend for up to a further two years subject to performance and continued funding
- 4.2 **Option 2** - Decide not to award the contract. This would mean a failure to meet statutory duties causing reputational risk to the Council and risk of challenge.

### **5. Recommended Options**

- 5.1 **Option 1** - Approve delegated decision making to award and enter into the statutory SBPL contract to the Managing Director, Children's Services. The contract would become operational from 1 April 2023 for a period of three years with the option to extend for up to a further two years subject to performance and continued funding.

### **6. Consultation**

- 6.1 Consultation have been held during 2022 with families in partnership with Oldham's Parent Carer Forum.

---

6.2 Consultation have taken place in the same time period with children and young people through Barrier Breakers supported by the Youth Service

**7. Financial Implications**

Comments are contained in the report in the restricted part of the agenda.

**8. Legal Services Comments**

Comments are contained in the report in the restricted part of the agenda.

**9. Co-operative Agenda**

The current contract is based on the co-operative agenda of the Council and any future commissioning intentions will also reflect these principles.

**10. Human Resources Comments**

Comments are contained in the report in the restricted part of the agenda.

**11. Risk Assessments**

N/A

**12. IT Implications**

N/A

**13. Property Implications**

Non for the Council. The provider will have their own property arrangements from which to deliver services.

**14. Procurement Implications**

Comments are contained in the report in the restricted part of the agenda.

**15. Environmental and Health & Safety Implications**

None for the Council

**16. Equality, community cohesion and crime implications**

None for the Council.

**17. Equality Impact Assessment Completed?**

Not required as the recommendation is for this statutory service to continue meaning there will not be a negative impact on residents

**18. Key Decision**

18.1. Yes

---

**19. Key Decision Reference**

19.1 CHS-11-22

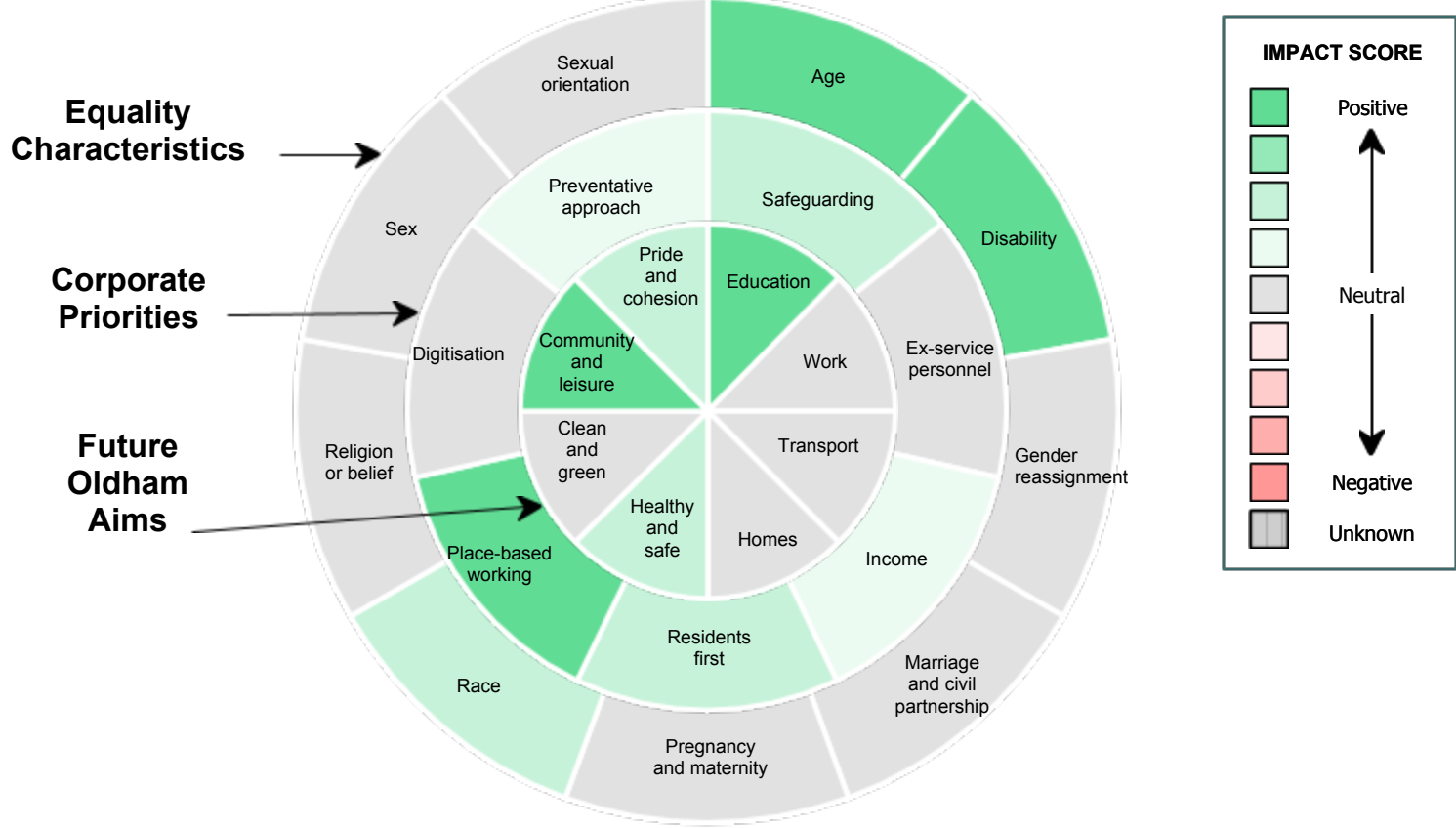
**20. Background Papers**

20.1 None

**21. Appendices**

21.1 None

--	--



Impact Assessment 1				
Impact	Likelihood	Duration	Comment	
<b>Equality Characteristics</b>				
Age	Strong Positive	Very Likely	Long Term	Activities will be available for children and young people with SEND and complex needs age 0 to 19
Disability	Strong Positive	Very Likely	Long Term	SBPL will support children and young people with SEND and their families needs providing activities and meeting agreed outcomes
Gender reassignment	Neutral	Possible	Short Term	
Marriage and civil partnership	Neutral	Possible	Short Term	
Pregnancy and maternity	Neutral	Possible	Short Term	
Race	Moderate Positive	Possible	Long Term	
Religion or belief	Neutral	Possible	Short Term	
Sex	Neutral	Possible	Short Term	
Sexual orientation	Neutral	Possible	Short Term	
<b>Corporate Priorities</b>				
Safeguarding	Moderate Positive	Possible	Long Term	
Ex-service personnel	Neutral	Possible	Short Term	
Income	Moderate Positive	Possible	Short Term	
Residents first	Moderate Positive	Possible	Long Term	
Place-based working	Strong Positive	Very Likely	Long Term	Activities will be delivered by a range of VCFSE partners under one lead provider arrangement within communities as part of Family Hubs. All will be tailored to meet individual children and young peoples needs
Digitisation	Neutral	Possible	Short Term	
Preventative approach	Moderate Positive	Possible	Short Term	
<b>Future Oldham Aims</b>				
Education	Strong Positive	Very Likely	Long Term	the range of activities will support children and young people to develop confidence, self-esteem, peer group contact and a range of skills contributing to their future life choices and opportunities
Work	Neutral	Possible	Short Term	
Transport	Neutral	Possible	Short Term	
Homes	Neutral	Possible	Short Term	
Healthy and safe	Moderate Positive	Possible	Long Term	
Clean and green	Neutral	Possible	Short Term	
Community and leisure	Strong Positive	Very Likely	Long Term	
Pride and cohesion	Moderate Positive	Possible	Long Term	



This page is intentionally left blank

## Report to CABINET

# Approval of Temporary Accommodation Framework

### Portfolio Holder:

Councillor Amanda Chadderton, Leader of the Council and Cabinet Member for Housing and Regeneration

**Officer Contact:** Emma Barton, Executive Director for Place & Economic Growth

### Report Author:

Albert Margai, Principal Housing Market Intervention Officer  
**Ext:** 6583

**27<sup>th</sup> February 2023**

---

### Reason for Decision

To seek approval from Cabinet to award and to enter into contract with each of the successful bidders for the Temporary Accommodation Framework (following on from the recent Temporary Accommodation tender).

### Executive Summary

The Council's Temporary Accommodation (TA) Strategy was approved by Cabinet in October 2021. Consequently, this put the accompanying delivery plan into motion and the first priority was to develop a TA framework to help the Council deliver sustainability and cost-efficiency to the Council's TA portfolio.

Given the demand for TA and associated costs of managing a compliant statutory service, the identified service requirements were separated into three lots, including sub-lots for additional clarity.

The procurement exercise was administered in accordance with the Council's Contract Procedure Rules (CPR) incorporating the Public Contract Regulations 2015 and the successful procurement exercise motivates the recommendations set out in the report namely, to appoint the successful bidders under Lot 1 & 3 frameworks.

## **Recommendations**

It is recommended that Cabinet;

- Approve the appointment, under a framework agreement of each of the successful bidders detailed in this report to the relevant Lots in ranked order following completion of a compliant procurement exercise
- Approve contract mobilisation and the placement of subsequent call-off contracts at the end of a 10-day standstill period
- Approve a further tender exercise to successfully procure contractors under a framework arrangement to meet the service requirements pertaining to Lot 2

NOT FOR PUBLICATION by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 and it is not in the public interest to disclose the information as it relates to the financial, operational and/or business affairs of specific individuals or groups of individuals (including the Council)

**Cabinet**

**27<sup>th</sup> February 2023**

## **Approval of Temporary Accommodation Framework**

### **1 Background**

1.1 In October 2021 the Council approved its inaugural Temporary Accommodation (TA) Strategy 2021-24. The accompanying delivery plan committed to conducting a procurement exercise to create a TA framework to increase housing supply and deliver housing repairs and maintenance to TA dwellings.

1.2 Following the approval of the strategy, further work commenced to develop detailed tender documents to help progress priorities of the delivery plan and support the development of a TA framework.

1.3 Based on qualitative and quantitative assessments of the Council's TA needs, three service requirements have been identified and have been categorised into three separate lots:

- Lot 1 – A framework of providers that could help increase the Council's supply of nightly paid accommodation for a range of property sizes broken down within the following sub-lots:
  - Lot 1.1 – Bedsit accommodation
  - Lot 2.1 – One Bedroom accommodation
  - Lot 2.3 – Two Bedroom accommodation
  - Lot 2.4 – Three Bedroom accommodation
  - Lot 2.5 – Four bedroom accommodation
- Lot 2 – A framework of reputable contractors that could undertake housing repairs and maintenance work on the Council's TA stock. The type of contractors required were set out in the following sub-lots:
  - Lot 2.1 – Building and Joinery work
  - Lot 2.2 – Plumbing, Heating, Gas and Boiler work
  - Lot 2.3 – Electrical work
  - Lot 2.4 – Clean and Cleanse
  - Lot 2.5 – Painting and Decorating
- Lot 3 – A housing supplier framework which is also described as a private sector lease (PSL) framework. Bidders for Lot 3 could range from traditional Registered Social Landlord (RSL) to property investors and consultants. The overall objective and desired outcome is delivery of suitable dwellings that the Council could take a short, medium or long-term leasehold interest in for the purpose of providing much needed self-contained and family sized TA. The Council has not negotiated any bespoke leases with bidders just yet, this process will be progressed following contract award and prior to the identification and on-boarding of suitable dwellings. Should the

Council agree to this it will enter into an agreement whereby it agrees to pay a guaranteed monthly rent in accordance with proposed lease terms irrespective of whether the property is occupied or vacant, similar to the existing TA dwellings currently under lease between the Council and First Choice Homes Oldham for example.

- 1.4 The tender documents were published on the Chest Portal on 9<sup>th</sup> September 2022 and bids were to be returned by 12pm 10<sup>th</sup> October 2022. The 4 weeks' period granted bidders sufficient time to compile detailed submissions to support a competitive tender process.
- 1.5 The most notable shortfall of the tender exercise was that only a single bid was received for Lot 2, specifically Lot 2.3 – Electrical Work. As a result, the decision was taken not to evaluate Lot 2 on this occasion, instead take the opportunity to market again to cultivate additional bids and stimulate a more competitive process.
- 1.7 Given the interest received from Lots 1 & 3, a panel consisting of Housing and Procurement colleagues proceeded to evaluate all the responses received for Lots 1 & 3. The below graphic illustrates the evaluation criteria that the panel assessed bids against.

Criteria	Lot Assessed Against	Weighting
<b>Quality</b>	Lot 1 – Nightly Paid Provision Framework	40%
	Lot 2 – Housing Repairs and Maintenance	20%
	Lot 3 – Private Sector Leasing – Supply of Residential Dwellings	90%
<b>Social Value</b>	All	10%
<b>Price</b>	Lot 1 – Nightly Paid Provision Framework	50%
	Lot 2 – Housing Repairs and Maintenance	70%
		<b>Total 100%</b>

Fig.2

- 1.8 The award criteria for Lot 1; Price (50%) and Quality (40%) and enlisted weightings were intended to filter through providers that understand the nuances of providing nightly paid accommodation and the unique expectations that accompany this sort of provision. The Council has a number of vulnerable households, particularly single people that need higher levels of supervision and support. Hence, the opportunity emphasised the need to produce a framework of providers that could not only deliver quality housing, but more importantly, had the capability to also provide quality housing management.
- 1.9 Though immaterial for this particular exercise, Lot 2 was heavily weighted towards Price (70%). A detailed pricing schedule, widely acceptable and recognised standards of workmanship in the sector helped determine the weighting for Quality (20%). Social Value (10%) rounded out the scoring criteria for Lot 2.



- 1.10 The approach taken for Lot 3 was to increase the supply of self-contained dwellings and help the Council meet a growing demand for family and self-contained accommodation. It was considered beneficial to place an emphasis on Quality (90%). Therefore, bidders had to explain how their processes and methods would help them deliver outcomes – for the purpose of Lot 3, outcomes were clearly identified as supply of suitable dwellings.
- 1.11 In order to achieve a high quality score, bidders were expected to demonstrate a robust and fundamentally sound approach for identifying, acquiring and consequently providing properties to the Council on leasehold terms. Social Value (10%) rounded out the scoring criteria for Lot 3.

## **2 Current Position**

- 2.1 Following detailed and thorough evaluation and moderation meetings, the evaluation panel were able to successfully rank bidders for Lot 1 and Lot 3.
- 2.2 There is sufficient reassurance that the provider Contractor solutions will remain competitive for the duration of the contractual term and ultimately help the Council deliver its strategic aims and objectives. Also, the solutions will ensure the Council continues to meet its statutory obligations.
- 2.3 If approved, existing systems and processes in place would enable swift mobilisation on the Council's part. Moreover, robust planning is already underway to ensure the Council is able to capitalise on the opportunities available through the tender such as, the delivery of a sustainable and cost-effective TA portfolio.
- 2.4 Subject to approval to enter into framework agreements, contractors will be monitored against key performance measures with the aim of maintaining high standards of service delivery across the board.

## **3 Options/Alternatives**

- 3.1 The four options are:
- 3.2 Option 1 – Do not approve the appointment of the successful bidders under Lot 1 and Lot 3 onto the respective framework agreements and conduct another procurement exercise.
- 3.3 Deferring the appointment of successful bidders to the proposed framework agreements would delay the prospect of bringing online more suitable, sustainable and cost-efficient TA during a time of significant homelessness pressure. Maintaining the status quo would limit the Council's ability to provide essential services to vulnerable residents in Oldham.
- 3.4 Option 2 – Approve the appointment of each of the successful bidders under a framework agreement for Lot 1 and Lot 3 in the order of ranking and authorise the Council to enter into call-off contracts under the respective framework agreements as and when required.
- 3.5 Proceeding with option 2 would increase the Council's ability to bring online longer-term and sustainable accommodation which would help reduce the usage of hotel/B&B accommodation and associated reactive spend.
- 3.6 Option 3 – Approve the appointment of each of the successful bidders to Lot 1 only and defer the appointment of successful bidders to Lot 3. This will allow time for the Council to explore self-delivery of Council owned dwellings in bulk.

- 3.7 Proceeding with option 3 would also be in alignment with the Council's strategic objectives. This particular approach has proved to be successful via the Empty Homes Scheme which enabled the Council to acquire and refurbish dwellings that are currently in use under a license.
- 3.8 Option 4 - Approve the appointment of each of the successful bidders to Lot 1 only, immediately halt all further progress in respect of Lot 3 indefinitely and promptly commit necessary resource to self-delivery – whereby the Council purchases dwellings directly at market value on an invest to save basis.
- 3.9 Notwithstanding past successes, self-delivery through acquisition and refurbishment has been achieved at relatively small scale. Therefore, it would be more beneficial to explore or pursue an invest to save model in parallel with Lot 3 and allow sufficient time and resources to be deployed for self-delivery.

#### **4 Preferred Option**

- 4.1 Option 2 is the preferred option. Selecting this way forward would put the Council in the desirable position of meeting its statutory obligation while simultaneously delivering sustainability and efficiency to the TA portfolio.

#### **5 Consultation**

- 5.1 All relevant stakeholders have been consulted with regards to the TA strategy and its associated delivery plan. This includes elected members and the Senior Leadership Team.

#### **6 Financial Implications**

- 6.1 As outlined above, the Council currently pays a premium price for access to nightly paid premises. Current suppliers can charge a premium price given the immediate access required and the inability of the Council to plan towards such circumstances.
- 6.2 The approval of this tender exercise, specifically for Lot 3, will allow the Council increased access to a portfolio of suitable premises and at a more cost-efficient price, by guaranteeing a monthly lease rent that is cheaper than hotel/B&B and nightly paid accommodation whether the dwelling is occupied or vacant.
- 6.3 Deferring the appointment of successful bidders to the proposed framework agreements would delay the prospect of bringing online more suitable, sustainable and cost-efficient TA during a time of significant homelessness pressure. Maintaining the status quo would limit the Council's ability to provide essential services to vulnerable residents in Oldham.

(John Hoskins)

#### **7 Legal Services Comments**

- 7.1 Provided the procurement process has been completed in accordance with Contract Procedure Rules, incorporating the Public Contract Regulations, under the management of the Commercial Procurement Unit, and provided framework agreements and call-off contracts are put in place largely in the advertised form and in accordance with legal

advice, where required, there are no known legal implications to the proposed recommendations.

Sarah Orrell – Commercial & Procurement Solicitor

## 8. **Co-operative Agenda**

- 8.1 Appointing the successful bidders to the agreed frameworks would ensure the Council continues to deliver suitable and quality housing to Oldham's most vulnerable resident. (Jonathan Downs)

## 9 **Human Resources Comments**

- 9.1 None

## 10 **Risk Assessments**

- 10.1 The Council has to balance reducing its current cost for temporary housing which at present show the numbers of people requiring accommodation increasing, against committing to long term lease payments on Lot 3 which if numbers substantially reduce in the future have the potential to be not required.

(Mark Stenson)

## 11 **IT Implications**

- 11.1 None

## 12 **Property Implications**

- 12.1 The recommendations made in this report are supported on the basis that they contribute to the Council's strategic objective for temporary accommodation. In respect of Lot 3, lease acquisitions must be carried out in accordance with the Land and Property Protocol and in consultation with the Property and Corporate Estates Teams. (Bryn Cooke)

## 13 **Procurement Implications**

- 13.1 The Commercial Procurement Unit supports the recommendations outlined in the report. The tender process has been carried out compliantly in line with the Public Contract Regulations 2015. Regarding the lot 2 re-tender, procurement will support the Strategic Housing team in reviewing options and the subsequent tender process. (Emily Molden)

## 14 **Environmental and Health & Safety Implications**

- 14.1 None

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

- 15.1 None

16 **Equality Impact Assessment Completed?**

16.1 None. The recommendations in this report seek to increase the supply of suitable housing to help the Council deliver its statutory obligations.

17 **Key Decision**

17.1 Yes.

18 **Key Decision Reference**

18.1 ESR-02-23

19 **Background Papers**

19.1 The TA strategy that was ratified by Cabinet in October 2021 also approved a recommendation to undertake a procurement exercise to develop a TA supply framework.

File Ref: HSG-13-21

Name of File: Temporary Accommodation Strategy 2021-24

Records held in: Oldham Council Constitutional Services

Officer Name: Albert Margai

Contact No: 0161 770 6583

20 **Appendices**

20.1 None.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank