

OVERVIEW AND SCRUTINY BOARD
09/03/2021 at 6.00 pm



Present: Councillor McLaren (Chair)
Councillors Taylor, Toor, Jacques, Curley, Price (Vice-Chair),
Surjan and Williamson

Also in Attendance:

Councillor Chadderton	Cabinet Member for HR and Corporate Reform
John Garforth	Trading Standards and Licensing Manager
Neil Crabtree	Head of Public Protection
Rebekah Sutcliffe	Strategic Director - Communities and Reform
Neil Consterdine	Assistant Director for Youth, Leisure and Communities
Nicola White	Senior Business Analyst
Rachael Dyson	Thriving Communities Hub Leader
Mark Hardman	Constitutional Services
Kaidy McCann	Constitutional Services

1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

2 **DECLARATIONS OF INTEREST**

Councillor Surjan declared a personal interest in agenda item 12 'Thriving Communities Update' insofar as her employer had received grant funding from the Thriving Communities programme.

3 **URGENT BUSINESS**

There were no items of urgent business.

4 **PUBLIC QUESTION TIME**

No public questions had been received for consideration.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Board held on 19th January 2021 be approved as a correct record.

6 **MINUTES OF THE GMCA CORPORATE ISSUES AND REFORM OVERVIEW AND SCRUTINY COMMITTEE**

RESOLVED that the minutes of the GMCA Corporate Issues and Reform Overview and Scrutiny Committee meetings held on 18th December 2020 and 19th January 2021 be noted.



7 **MINUTES OF THE GMCA ECONOMY, BUSINESS GROWTH AND SKILLS OVERVIEW AND SCRUTINY COMMITTEE**

RESOLVED that the minutes of the GMCA Economy, Business Growth and Skills Overview and Scrutiny Committee meeting held on 4th December 2020 be noted.

8 **MINUTES OF THE GMCA HOUSING, PLANNING AND ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE**

RESOLVED that the minutes of the GMCA Housing, Planning and Environment Overview and Scrutiny Committee meetings held on 12th November 2020 and 14th January 2021 be noted.

9 **LICENSING POLICY - REVIEW OF THE POLICY**

The Board gave a consideration to the proposed Statement of Licensing Policy that would be submitted to the Council for adoption in due course.

Members were reminded that the Licensing Act 2003, the primary piece of legislation which regulates the alcohol, entertainment and late-night refreshment industry, requires licensing authorities to prepare and publish a statement of their licensing policy every five years. The Policy must be kept under review and the licensing authority may make such revisions to the Policy as it considers appropriate. The Policy is underpinned by four licensing objectives, comprising the prevention of crime and disorder; the prevention of public nuisance; public safety; and the protection of children from harm, which must be considered by both operators and regulators.

The submitted proposed revised Policy was presented to the Committee, with principal areas of change or update being highlighted in the text. These areas particularly addressed –

- protection of children from harm where advice had been received from the Safeguarding Children Board, for example in updating definitions;
- Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CEE) where advice had been received from the Safeguarding Children Board and a number of recommendations or encouragements were being made to licence holders and operators of licensed premises;
- alcohol delivery services which had developed in recent years;
- boxing, particularly in the consideration of 'White Collar Boxing', often undertaken for charity and involving non-boxers;
- considerations following the inclusion of a Local Authority's 'Public Health' department as a responsible Authority, including the use of public health data in considering licensing applications and reviews; and
- pavement licences, the application for and issue of which had been encouraged during the Covid pandemic.

The Committee was advised that, since preparation of the draft Policy, the government had announced its intention to legislate to introduce a 'Protect' duty in respect of publicly accessible locations. This legislation would not be introduced prior to approval of the Council's Policy, but it was proposed to insert the following content to highlight the duty -

“At the time of issuing this policy statement the Council is aware that a consultation has recently been launched by HM Government in relation to a proposed protect duty. This duty, through legislation, would compel operators and owners of premises such as entertainment and sports venues, tourist attractions, large retail stores, operators of parks, pedestrianised areas, town squares to give considerations to security implications and assess threats and implement appropriate mitigating measures. Whilst it is acknowledged that decisions have yet to be taken on this issue it is clear that security is a high priority for the Government and that legislation of some kind is highly likely to follow. It is for that reason that we would ask operators of licensed premises/venues and open spaces to consider the threats they could face and consider some examples of good practice as outlined in possible conditions to licences in Appendix 1 to this licensing policy statement.”

With regard to the proposed Policy content relating to CSE and CEE, in noting that this was a complex area it was queried whether there was any training either provided or which could be signposted. The Committee was advised that the training package for taxi licensing was being reviewed, the use of which for these purposes could be considered. In the meantime, it may be possible to provide links in the Policy to relevant training. Further to the issue of training and in response to a further query, the Training Standards and Licensing Manager undertook to look into whether there could be a requirement for certification of training provided to be on display in pubs to provide public awareness of training delivered, or at the least for there to be some reference in the Policy that this issue was being looked into.

The Trading Standards and Licensing Manager undertook to investigate the existence of, or the potential to develop, a scheme for young men or for young people generally that was similar to the 'Ask Angela' scheme whereby young women who felt vulnerable could seek assistance. Noting the requirements for 'Challenge 25' schemes in the proposed Policy, the application of this to home delivery services and what steps companies were expected to take to promote age restrictions on their websites and on delivery was queried. The Committee was advised that such applications were considered high risk and that applicants and their practices were always vetted, which included a consideration as to whether website content could be bolstered.

Further to the proposed Policy, details as to checks made on licensed premises were sought. The Committee was advised that with hundreds of different licensed premises across differing sectors, it was not possible to visit them all on a regular basis. An intelligence led approach was adopted, with issues and complaints raised by various agencies and the public being investigated. With a knowledge of the area and the trade, Council Officers were also aware of those areas or premises more likely to present issues or concerns.

RESOLVED that

1. the report be noted;
2. subject to a consideration by the Trading Standards and Licensing Manager as to content relating to the provision of or signposting to training and to the display of certification or confirmation of training provided as discussed by the Committee, and the inclusion of content related to the proposed Protect duty, the adoption of the proposed Statement of Licensing Policy by the Council be endorsed.

10

GREATER MANCHESTER CLEAN AIR PLAN: UPDATE

The Board received an update on the development of the Greater Manchester Clean Air Plan (GM CAP), including details of a report and recommendations that had been considered by the Cabinet at a meeting held on 22nd February 2021.

The Greater Manchester Combined Authority (GMCA), Transport for Greater Manchester (TfGM), and the ten Greater Manchester local authorities (collectively “GM”) had worked together to develop a CAP to tackle NO₂ exceedances at the roadside. A linkage to the developing Minimum Licensing Standards (MLS) for taxi and private hire services was noted. Key developments with regard to the CAP advised included information that there had been no confirmation or offer of government funding for light goods vehicle (LGVs) or hackney replacement, or for taxi and private hire electric vehicle charge points; and that GM had been awarded £14.7m of funding for the retrofitting of buses operating on registered bus services within Greater Manchester, this work commencing in December 2020.

Air quality is legally monitored, and GM (and other areas) were required by law to address exceedance of the Annual Average standard for NO₂ which is set at 40 ug/m³. As the GM CAP is required to take action to tackle nitrogen dioxide exceedances until compliance with legal limits has been demonstrated over a number of years, modelling indicated that the influence of Covid-19 on air quality was not expected to lead to sufficiently long term reductions in pollution and that legal NO₂ limits would not be met without implementing a Clean Air Zone (CAZ).

Consultation responses regarding the GM CAP and MLS were being analysed and reported on by an independent research agency to enable GM authorities to fully consider all of the

information and evidence gathered, including the consequences Covid-19 has had on vehicle owners and trades which will be directly affected by the GM CAP and MLS. TfGM was undertaking preparatory implementation work and contract arrangements required to deliver the CAZ and other GM CAP measures, such work being required to maintain delivery momentum in line with the funding arrangements agreed with regard to, for example, automatic number plate recognition (ANPR) cameras, back office systems and service providers. The final GM CAP was to be brought to decision makers no later than summer 2021, alongside the MLS proposals.

Members sought further detail regarding engagement with taxi drivers over the proposed arrangements. It was advised that difficulties had been encountered generally in getting responses from drivers and operators across GM to both the CAP and MLS consultations and it was a concern, for example, that electric taxi charging points might be determined on the basis of a very small response rate. A Member noted that taxi drivers as a group could be vocal and queried whether the response rate might be led by uncertainty over costs. This was acknowledged, with impacts on business and implications arising from the impacts of Covid being other possible considerations.

Members considered the implications of and for owner drivers who might be delivering parcels, takeaway food etc from private vehicles and how these could be checked. It was acknowledged that registration numbers would be picked up by ANPR and charges would only be made if a number was registered to a business, not to private owners. It was noted that, unfortunately, the biggest impact may fall on smaller operators as many larger operators already had compliant fleets.

With regard to clean air generally, it was noted that traffic levels were increasing due to people being less likely to use public transport and being discouraged from car sharing as a result of Covid. The Committee was advised that promotion of these transport modes as well as cycling and walk to school initiatives would be re-introduced as Covid restrictions permitted.

It was queried whether all the taxi drivers in the Borough would need to change their vehicles and what funding was available to assist those who needed to replace their vehicles. The Committee was advised that current modelling indicated that less than 50% would need to change their vehicles and that figure was falling over time as vehicles came up for renewal naturally. It was noted that non-compliance rates were higher for hackney taxis, possibly due to their specialist nature and being more expensive than saloons. The funding support available for vehicle replacement would be determined as part of the decision making process, but drivers should have a 4-5 month window to buy a replacement vehicle. Similarly, the charge to be applied for non-compliant vehicles was still to be determined.

The intention to bring a further report to the Board prior to decisions being taken in the summer was advised.

RESOLVED that the report be noted.

11

PLACE BASED MODEL UPDATE

The Cabinet Member for HR and Reform led a presentation updating the Board on progress made to date in developing the Council's Place Based approach to service delivery based in five Areas or 'Clusters' in conjunction with partners in the public and voluntary sectors. The need to develop integration of services was put in a context of budget challenge over coming years that would be exacerbated by the impacts of Covid. Difficult challenges would be faced taking the approach forward, with Council staffing and budgets not increasing and cuts being most likely. It was clear that Council would not look the same in five years time.

The Strategic Director introduced the presentation that reflected on progress made to date in developing the approach and defined the features and characteristics of Place Based Integration in Oldham. It was noted that examples of good practice could be identified across the five identified areas, notably around the health and social care sectors, reflecting accelerated work undertaken as a result of Covid-19. Notwithstanding, it was recognised that there was still some way to go to join up and deliver across the system, and a number of key activities being led by senior Council Officers were highlighted. Considering the Place Based approach in responding to the financial challenge, examples of a number of costs and benefits considered in developing a Business Case were presented.

Resources for the five Areas would be targeted by using evidence-based profiles, and headline profiles for each of the five areas were presented. Operational leadership and the democratic roles within the five Areas was considered. Early thinking on the composition and the roles and responsibilities of Operational Leadership Teams, which would include representation from across partners and sectors and which were subject to further discussion with partners, was presented. The roles of elected Members within the Place Based approach was currently under consideration via a number of elected Member briefings, initial feedback from which was provided.

In responding to questions from Members, it was advised that the new structure should enhance responses to issues raised as services were intended to be more connected: this would be through making better use of the people we have, not through employing more staff. The diversity of need between the five Areas was recognised, as was the possible need for differing partners to be involved between areas. It was envisaged that there would be a 'Core Team', but importantly there would be services unique to the particular Area. There would in time be a need for a Communications Strategy but there remained some

detailed design work to be done. It was however recognised that some developments would come sooner than others so an incremental approach to communications could be seen.

Issues were raised with regard to the voluntary sector whose importance as an integral part of the system was noted. It was suggested that there were issues of support and training to consider, as well as the failure of Community Asset Transfer. Reference was made to a previous overview and scrutiny consideration of related matters that might be referred to in this regard. Considering the financial challenge, there were questions around funding that groups and organisations could bring into the Areas but which would require support in the form of advice and assistance with the writing of bids. It was confirmed that the integral nature of the voluntary sector was recognised, and this was visible from the presentation content and in the vital role played in the Covid response. It was noted that funding issues were considered within the Thriving Communities Update item elsewhere on the Board agenda, but the Board was advised that work was being undertaken with Action Together to look strategically at how funds are brought into the Borough.

The role and capacity of elected Members was raised, including the support that might be needed and be available. It was acknowledged that Members would need administrative and casework support and that there was a need to consider the most effective model for this while acknowledging that the needs of individual Members would vary.

The Board noted the draft timeline and milestones for delivery in 2021 that had been shared in the presentation, considering when the Board might usefully receive a further update. In considering a proposal that the update would most usefully be made in 12 months time when scrutiny could undertake a whole system review, it was noted that this should not preclude the Board from asking for an earlier update or being consulted on a particular matter should circumstances so dictate, and that discussions would be ongoing with elected Members at the local level.

RESOLVED that

1. the update on the development of the Place Based Model be noted;
2. a further update be provided in 12 months time.

THRIVING COMMUNITIES UPDATE

The Board was provided with an update on the progress of the Thriving Communities Programme that was funded largely by £2.69m allocated from the Greater Manchester (GM) Transformation Fund in 2018 as part of the GM Health and Social Care Transformation Fund to support devolution. The aim of the Programme was to accelerate the Thriving Communities element of the Oldham Model and deliver the common objectives of health and social care integration through

a three year programme focused on building upon our strengths and supporting groups in the voluntary, community, faith and social enterprise (VCFSE) sector; supporting people earlier in the care pathway; and driving the shift to increasing earlier intervention and prevention. The next steps for the Programme in the context of the Council's wider transformation programme was further considered.

Highlight updates were provided in respect of the Social Prescribing Network that bridged the gap between medical care and the community; the five Social Action Fund projects of VCFSE-led projects tackling loneliness and isolation; the 'Fast Grants' scheme which had supported a range of activities from sports, arts and crafts and gardening to mental health support groups and singing groups, and which had contributed to the Covid response; the arrangements for the evaluation of the Thriving Communities programme; and inputs into the Covid-19 response.

It was noted that Thriving Communities funding from the GM Transformation Fund is non-recurrent meaning that the Social Prescribing Network, the Social Action Fund projects and funding for Fast Grants was time limited. The evaluation findings would advise future decision making in respect of activities within the Programme and would be key in making the case for further investment in social prescribing and community activity, the work being undertaken to explore other levers for funding and investment into these areas being advised. Considerations linked to the wider transformation programme included the sustainability of Thriving Communities where its embedding within wider service transformation as part of the transformation programme was key, ongoing investment into VCSFE capacity to enable alignment with, for example, key priorities such as poverty and community wealth building as well as place-based working, and revised governance arrangements to ensure responsibility for delivery and implementation of both Thriving Communities and Place Based Working was sustainable and joined up.

In response to a query, it was advised that the 'Wellbeing leisure' Social Action Fund project offered a range of activities to a wide range of age groups. The positive response over the past 12 months to on-line provision was noted, the positive impacts for people in terms of tackling isolation and encouraging participation that might not otherwise have happened in usual in-person activities being further noted.

With regard to the Social Prescribing Network and the monitoring of success, the Board was advised that patient reviews to assess the impact of social prescribing were undertaken at 3 and 6 months. Linking to Place Based considerations, it was advised that social prescribing was already arranged on the basis of the five Areas and that the further aligning of staff from, for example housing providers and social care staff, should benefit the offer as a result of the greater connectivity.

RESOLVED that

1. the progress made with delivery of the Thriving Communities programme to date and the proposal to bring the Programme together with the wider Communities strand of the Council's transformation programme be noted;
2. the Board receive the final Thriving Communities Programme evaluation report in March 2022.

13

GENERAL EXCEPTIONS AND URGENT DECISIONS

RESOLVED that it be noted that there had been no requirement for any decision to be taken under the provisions of Access to Information Procedure Rules 13 or 14 since the last meeting of the Board.

14

KEY DECISION DOCUMENT

The Board gave consideration to the latest Key Decision Document published on 19th February 2021.

RESOLVED that the Key Decision Document be noted.

15

OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME

The Board gave consideration to the updated Overview and Scrutiny Board Work Programme for 2020/21. Members' attention was drawn to the proposed implementation of the revised overview and scrutiny terms of reference, agreed by the Council in June 2020, with effect from the forthcoming Municipal Year.

RESOLVED that the Overview and Scrutiny Board Work Programme 2020/21, as presented, be noted.

The meeting started at 6.00 pm and ended at 8.18 pm