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**CABINET**  
**13/12/2021 at 6.00 pm**



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

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received by Councillor Chauhan.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF THE CABINET MEETING HELD ON 15TH  
NOVEMBER 2021**

RESOLVED – That the minutes of the Cabinet meeting held on  
the 15<sup>th</sup> November be agreed.

6 **REVENUE MONITOR AND CAPITAL INVESTMENT  
PROGRAMME 2021/22 QUARTER 2 – SEPTEMBER 2021**

Consideration was given to a report of the Director of Finance  
which provided the Cabinet with an update on the Council's  
2021/22 forecast revenue budget position at Annex 1 and the  
financial position of the capital programme as at 30 September  
2021 (Quarter 2) together with the revised capital programme  
2021/22 to 2025/26, as outlined in section two of the report at  
Annex 2.

Revenue Position

It was reported that the current forecast outturn position for  
2021/22 was a projected surplus variance of £2.413m after  
allowing for approved and pending transfers to and from  
reserves.

The position included additional costs and pressures that had  
been identified by the Authority in this financial year as a direct  
result of the COVID-19 pandemic. The additional pressures  
included forecasts of both income shortfalls and additional  
expenditure that had impacted on the Authority's budgets. It was  
noted that following a realignment of Portfolios, the Finance  
Service was now incorporated within the Chief Executive  
Portfolio, leaving Procurement as the sole service within the  
Commissioning Portfolio.

The pandemic was continuing to affect nearly all aspects of  
Council service delivery; the most significant areas of concern  
remained the People and Place, Children's Services and  
Community Health & Adult Social Care Portfolios. Action was  
being taken and would continue for the remainder of the

financial year to address variances and take mitigating action as detailed in the report.

The overall corporate position was partly being offset by the application of £7.737m general COVID support grant and £0.352m from the quarter 1 compensation claim for lost income in relation to sales fees and charges (SFC); in total £8.089m, all of which was received from the Department for Levelling Up, Housing and Communities (DLUHC); formerly the Ministry of Housing Communities and Local Government (MHCLG). In Appendix 1 to the report, the un-ringfenced Government support was presented as a single sum so that it highlighted the level of variation across all Council budgets, given that there was insufficient resource to offset the adverse COVID related variance. However, this summary report presented the position after applying the Government grant across Portfolio areas. An update on the major issues driving the revenue projections are detailed within Annex 1, Section 2.

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

Information on the Quarter 2 position of the Dedicated Schools Grant (DSG), Housing Revenue Account (HRA) and Collection Fund was also outlined in the report. 2022/23). projected deficit in 2021/22. Action is being taken with the aim of reducing the cumulative deficit and bringing the DSG towards a balanced position.

### Capital Position

The report outlined the most up to date capital spending position for 2021/22 to 2025/26 for approved schemes. It was reported that the revised capital programme budget for 2021/22 is £53.043m at the close of Quarter 2, a net decrease of £32.959m from the original budget of £86.002m. Actual expenditure to 30 September 2020 was £13.592m (25.62% of the forecast outturn).

The forecast position would continue to change throughout the year with additional re-profiling into future years.

### Options/alternatives considered

Option 1 – To approve 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 2021/22 at Quarter 2 being a £2.413m favourable variance having regard to

the action being taken to manage expenditure be approved.

2. The Forecast positions for both the Housing Revenue Account, Dedicated Schools Grant and Collection Fund be approved.
3. The use of reserves as detailed in Appendix 1 to Annex 1 of the report be approved.
4. The revised capital programme for 2021/2026 as at Quarter 2 be approved.

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## **SCHOOLS NATIONAL FUNDING FORMULA**

Consideration was given to a report of the Director of Finance which provided detail regarding the resources available for School Funding for 2022/23 and required the Cabinet to consider how the funding for Schools and Academies should be distributed in 2022/23.

This report provided detail of the level of Dedicated Schools Grant (DSG) for 2022/23 together with its allocation across the three funding blocks for which information was currently available. The funding was based on October 2020 pupil numbers and would be subject to change once calculations have been updated to reflect October 2021 pupil numbers. The report also provided information about the National Funding Formula (NFF) for Schools, the High Needs Blocks for Oldham and also presented a recommended approach for the distribution of the Schools Funding Block of the DSG to Schools and Academies for 2022/23.

In addition, the report presented the proposed option (Model 1 as detailed in Appendix 1) to move to the 2021/22 NFF cash values in full except for the Area Cost Adjustment (ACA) where it was proposed that the factor applied in Oldham was initially reduced from 1.00546 to 1.00000. However, Members were advised that if there are any resources available once funding allocations based on updated pupil numbers are received, then this additional funding will be allocated through an increase to the ACA.

The indicative Schools block allocations to Local Authorities were funded by multiplying a Primary Unit of Funding (PUF's) and Secondary Units of Funding (SUF's) cash value by each pupil. The PUF's and SUF's for 2022/23 have been calculated based on school and pupil characteristics data from the 2021/22 Authority Proforma Tool (APT) data which was based on October 2020 census information. They would not be updated for any characteristic changes to the October 2021 census until 2023/24. If there was a significant change in characteristics such as eligibility for free school meals, the factor values in the local formulae would be adjusted as necessary to meet any affordability pressures. Page 2 of 14 Schools Funding Formula 13th December 2021

It was also proposed that there was up to a 0.5% movement of funding from the Schools Block to the High Needs Block in order to manage the DSG (which was currently in a deficit position) so that the DSG was brought back into a balanced position by the end of 2023/24 as required by the Department for Education. Following the Government's Spending Review and the announcement that there would be £1.6bn in additional funding

for 2022/23 budgets, on top of the year-on-year increase already confirmed, the proposed transfer would be reviewed to see if there was a requirement for a 0.5% transfer from the Schools Block once detailed funding was known.

#### Options/alternatives considered

There was a requirement for the 2022/23 funding formula to be agreed by the Schools Forum. The report set out the funding formula agreed unanimously by Schools Forum members at their meeting on 17<sup>th</sup> November 2021. In view of the Schools Forum decision. Members are not therefore presented with an alternative approach.

#### RESOLVED – That:

1. The model outlined in the report which was a move to the 2022/23 NFF cash values in full except for the Area Cost Adjustment factor, which was reduced to 1.00000 but with the opportunity to adjust the ACA if there were any resources available once actual 2022/23 funding allocations are received be approved.
2. The adjustment of the model if there was a significant change in characteristics such as eligibility for free school meals to meet any affordability pressures be approved.
3. Up to a 0.5% transfer of funding between the Schools and the High Needs Blocks subject to the receipt of detailed additional funding information (arising from the Spending Review announcement) which would determine if the transfer is still required once details of the additional funding for 2022/23 are available be approved.

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#### **APPROVAL OF HEADS OF TERMS FOR A LEASE AGREEMENT WITH THE SOFS AND FREE SCHOOL TRUST FOR THE FORMER NORTH CHADDERTON LOWER SCHOOL SITE, OLDHAM, OL9 0JY (ASSET L00183)**

Consideration was given to a report of the Director of Economy which sought approval of the Head of Terms attached to this report, which would trigger the Department for Education (DfE) to undertake feasibility and site investigations on the above site. It was reported the asset comprised the site of the former North Chadderton Lower School; together with an adjoining area of landscaped land. The site could be accessed off junction 21 of the M60 and was located fronting Broadway; close to the A627M. The facilities formerly provided by the school had been replaced on the North Chadderton Upper School site, and consequently the lower school site was cleared and surplus to the Council's requirements.

The site was surrounded by Chadderton Cemetery to the west; areas of open space to the north and south, and the fire station to the east; across Broadway. In 2017, the Council, in accordance with statutory procedures, advertised its intention to dispose of the public open space at the south of the school site (formerly asset L00701 and now incorporated within L00183). One objection was received from the Ramblers Association, but formal Council approval was given for the disposal of the whole site in November 2017.

Since then, the site had been considered for the development of a new primary school for Chadderton. The Council received confirmation on the 5th February 2021, that the Secretary of State for Education (SofS), had decided that the application made for 'Chadderton Primary Academy: Mainstream, non-faith mixed primary school with nursery provision in Oldham' at this site should proceed to the next stage of the process, the pre-opening phase. It was proposed that this land will be the permanent site for a new free school, Chadderton Primary Academy.

#### Options/Alternatives

Option 1 - The Council could choose to do nothing and not approve the Heads of Terms. The Council would not benefit from a new primary school to be paid for by the Department for Education. The Council would need to pay for a new school to be able to accommodate the primary school places.

Option 2 - Approve the Heads of Terms. This option would provide the borough with a new primary school, paid for by the Department of Education, and meet the need for additional school places.

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

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#### **LAND AT SALMON FIELDS, ROYTON, OLDHAM**

The Cabinet gave consideration to a report of the Director of Economy which sought to approve a grant of a 50 year lease of land at Salmon Fields Royton, to the Northern Care Alliance NHS Group for use as a Community Diagnostic and Healthcare Facility.

It was reported that In January 2021 the Northern Care Alliance NHS Group (NCA) appointed consultants to determine the preferred site for a new Community Diagnostics Hub in the Oldham area.

The Community Diagnostics Hub (CDH) would provide radiology services in a community setting. The precise nature of the scanning services is yet to be confirmed, however, it could include MRI, PET CT, X-Ray, Mammography and Ultrasound. The NCA had requested that the site be flexible to accommodate the future expansion of services. The preferred site for the CDH was the former industrial site at Salmon Fields in Royton.

The NCA intend to spend funds on improving the ground conditions and providing an improved access into the site from Salmon Fields Road.

The site was considered suitable for a range of industrial and commercial uses and discussions have taken place with planning officers regarding use of the site for a CDH.

A planning application had been submitted for the first phase of the CDH.

#### Options/alternatives considered.

Option One - Grant the NCA a 50-year lease of the land at Salmon Fields, Royton.

Option Two - Do not grant the NCA a 50-year lease of the land at Salmon Fields, Royton  
Option Three – Do nothing.



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

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### **OLDHAM PERFORMANCE SPACE: DESIGN TEAM APPOINTMENT**

The Cabinet gave consideration to a report of the Director of Public Health and Director of Economy which sought approval of the appointment of an Architect led multi-disciplinary design team for Oldham Performance Space for the next steps in design development for the Oldham Performance Space project; and to authorise further delegation(s) for the appointment of external advisors (for the provision of professional services), in the required configuration, to support the Council in delivery of the project

The Council completed the feasibility exercise for a new theatre and performance space, based within a redeveloped Old Post Office and former Quaker Meeting House at 84 Union Street and had been successful in obtaining a Towns Fund grant towards the capital project. This funding was subject to successfully completing Phase 2 of the Towns Fund process and submitting a project (full) business case by June 2022.

In order to progress into the next phase of the project development, the Council needed to commission a multi-disciplinary design team to develop the design through RIBA stages 2 and 3 and submission of the Planning and Listed Building Consent applications.

A fully compliant mini competition tender process had been carried out which will enable the next phase of design to commence in October 2021.

Further professional service contracts would be required for cost consultancy, project management and net zero carbon advice, to support delivery.

Options/alternatives considered

Option 1 – Proceed to the next stage of the development

Option 2 – Do not appoint the Performance Space design team.

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

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### **APPROVAL TO DELEGATE THE DECISION TO AWARD CSC INTEGRATED COMMISSIONING SERVICES CONTRACT FROM 1ST APRIL 2022**

Consideration was given to a report of the Director of Education, Skills and Early Years which sought approval to delegate a decision to award a contract for CSC Integrated Commissioning Services Contract ensure statutory services continue to be delivered from 1<sup>st</sup> April 2022 following a full and robust procurement and commissioning process.

Oldham Council was seeking to commission a comprehensive, fully integrated children and young people's offer covering a range of CSC services to be awarded as one distinct contract. This would enable children, young people and families/carers to access high-quality information, advice and support across a range of services. It would also enable Oldham Council to continue to fulfil its statutory responsibilities.

A range of SEND and CSC services are currently out to tender via The Chest as part of our integrated commissioning approach.

Decision to award would be via a robust evaluation process following on from an open, transparent commissioning and procurement exercise which commenced via The Chest on 18 October 2021. This followed a Meet the Market event held in August 2021 and feedback from young people and parent/carers to further develop service specifications.

A Project Board had been in place meeting fortnightly including service area experts, commissioning, legal, procurement and finance colleagues. The Project Board had ensured progress is maintained, provided due diligence and has overseen development of all procurement documents including service specifications. The Project Board would continue to support evaluations of tenders, award recommendations and implementation planning to ensure Oldham continues to provide statutory high-quality services for our most vulnerable children, young people and families/carers.

Contract award would be from 1 April 2022 for an initial period of five years up until 31 March 2027 with an option to extend for up to a maximum of two years based on performance, achievement of key performance indicators, continued funding and local need. The services within scope and the annual funding envelope were: CSC covering Advocacy/Independent Visitors, Regulation 44 Visits and Mental Health Support for Children Looked after and their support network.

These services all provided support for some of the most vulnerable and at-risk children, young people and families/carers in Oldham.

The CSC services in scope were currently published as a live tender on the Chest. This became live on 18<sup>th</sup> October 2021 and will close on 25<sup>th</sup> November 2021. Following this the project board, including children and young people, will form an evaluation and moderation panel. The panel would recommend award of contract to the successful bidder. Procurement corporate rules will be followed in terms of stand-still and subsequent move to award. Services outlined above are currently delivered entirely independently by a variety of providers whose contracts all end on 31 March 2022. There is no provision to further extend these contracts. The integrated approach seeks to bring services together with a more consistent and holistic approach to delivery therefore being better able to flexibly meet the current and emerging needs of our families/carers.

Options/alternatives considered

Option 1 -Approval is given to authorise a delegated decision to be made by the Managing Director, Children and Young People,

Gerard Jones to award the contract to be operational from 1 April 2022. This would be subject to a robust evaluation process following on from an open, transparent commissioning and procurement exercise which commenced via The Chest on 18 October 2021 following 'meet the market' events.

Option 2 - The decision to award sits with Cabinet. Given timescales this would mean we will not be in a position to award and operationalise the implementation plan by 1 April 2022.

There would be the risk of a gap in services for vulnerable young people within the District. There would also be a reputational risk to the Council

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

12 **EXCLUSION OF THE PRESS AND PUBLIC**

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

13 **APPROVAL OF HEADS OF TERMS FOR A LEASE AGREEMENT WITH THE SOFS AND FREE SCHOOL TRUST FOR THE FORMER NORTH CHADDERTON LOWER SCHOOL SITE, OLDHAM, OL9 0JY (ASSET L00183)**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 8 -Approval of Heads of Terms for a lease agreement with the SofS and free school trust for the former North Chadderton Lower School site, Oldham, OL9 0JY (Asset L00183).

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

14 **LAND AT SALMON FIELDS**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 9 - Land at Salmon Fields

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

15 **OLDHAM PERFORMANCE SPACE: DESIGN TEAM APPOINTMENT**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 10 - Oldham Performance Space: Design Team appointment.

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

16 **APPROVAL TO DELEGATE THE DECISION TO AWARD CSC INTEGRATED COMMISSIONING SERVICES**

## **CONTRACT FROM 1ST APRIL 2022**

The Cabinet gave consideration to the commercially sensitive information in relation to Item 11- Approval to delegate the decision to award CSC integrated commissioning services contract from 1st April 2022.

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

The meeting started at 6.00pm and finished at 6.16pm.



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