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CABINET
21/08/2023 at 6.00 pm



Present: Councillor Shah (Chair)
Councillors Ali, Dean, Goodwin, Shah and Taylor

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Brownridge, Hussain, Jabbar and Mushtaq.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

Councillor Ali declared an other registerable interest in Item 13 UKSPF Skills Funding by virtue of his appointment as a Director on the Positive Steps Board.

4 **PUBLIC QUESTION TIME**

No public questions were received.

5 **MINUTES**

RESOLVED – That the minutes of the Cabinet meeting held on 24th July 2023 be approved as a correct record.

6 **REVENUE MONITOR AND CAPITAL INVESTMENT
PROGRAMME 2023/24: QUARTER 1: APRIL - JUNE 2023**

Consideration as given to a report of the Director of Finance which provided the Cabinet with an update on the Council's 2022/23 forecast revenue budget position at Annex 1 of the report and the financial position of the capital programme as at 30 June 2023 (Quarter 1) together with the revised capital programme 2022/23 to 2027/28, as outlined in section two of the report at Annex 2 of the report.

Revenue Position

The forecast outturn position for 2022/23 was a projected deficit variance of £12.104m after allowing for approved and pending transfers to and from reserves

Unlike 2022/23, when 12.00m of corporate resources were held to offset costs arising from the legacy of the COVID pandemic, the budget for 2023/24 had been prepared so that anticipated COVID legacy costs were consolidated with the mainstream budgets of Children's Social Care and Community Health and Adult Social Care. Whilst improving, it was recognised that this remained a challenging position and every effort would be made to further reduce the overall variance before the year end.

As the financial monitoring report reflected the financial position as Quarter 1, it could be regarded as an early warning of the potential year end position if no further action was taken to reduce net expenditure where possible.

The management action initiated in 2022/23 across all service areas to review and challenge planned expenditure and to maximise income had to be continued in 2023/24.

Although the impact of this action had yet to take full effect in the current financial year, it was anticipated that by the year end the current outturn deficit position should be reduced.

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

Information on the Quarter 1 position of the Dedicated Schools Grant (DSG), Housing Revenue Account (HRA) and Collection Fund was also outlined in the report.

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

The Collection Fund was forecasting an in-year surplus of £1.638m which in turn contributed to an estimated surplus of £1.700m.

Whilst currently in surplus, the position would continue to be closely monitored throughout the year as any surplus or deficit at the end of the financial year would have a direct budgetary impact in future financial years.

Capital Position

The report outlined the most up to date capital spending position for 2023/24 to 2027/28 for approved schemes. The revised capital programme budget for 2023/24 was £103.748m at the close of Quarter 1 a net decrease of £6.557m from the original budget approved at Full Council on 1 March 2023 of £110.305m. Actual expenditure to 30 June 2023 was £12.405m (11.96% of the forecast outturn).

It was likely that the forecast position will continue to change throughout the year with additional re-profiling into future years.

Options/alternatives considered

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

Option 2 – To propose alternative forecasts

RESOLVED – That:

1. The forecast revenue outturn for 2023/24 at Quarter 1 being a £12.104m 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 2023/24 and the forecast for the financial years to 2027/28 as at Quarter 1 be approved.

7

GRANT ACCEPTANCE: CITY REGION SUSTAINABLE TRANSPORT SETTLEMENT (CRSTS) - OLDHAM MUMPS CORRIDOR IMPROVEMENT SCHEME

Consideration was given to a report of the Executive Director, Place and Economic Growth which sought approval of a grant offer from the City Region Sustainable Transport Settlement (CRSTS) for delivery of an outline/full business case for the delivery of a highway improvement scheme along the Mumps corridor and surrounding area.

The Greater Manchester CRSTS business case was submitted in September 2021 by Transport for Greater Manchester on behalf of itself and all 10 Greater Manchester Districts. The Greater Manchester Combined Authority received confirmation of the full regional CRSTS allocation on the 1st April 2023 and in the 29th July 2023 the Department for Transport as the funders of the City Region Sustainable Transport Settlement, confirmed the delivery plans and funding allocations to each City Region Mayor. The improvements to the Oldham Mumps Corridor was included in the scheme which has been developed over the last year and has now secured Strategic Outline Business Case assurance through the Transport for Greater Manchester Process to move to the next stage of scheme development.

Options/alternatives

Option 1:

- a) That the grant offer from the City Region Sustainable Transport Settlement (CRSTS) for scheme development of the Mumps corridor scheme be accepted.
- b) That approval is granted to enter into a Funding Delivery Agreement with TfGM in relation to the proposed scheme development.
- c) That approval for all procurement and tender award activity carried out in accordance with Contract Procedure Rules and any resulting decisions relating to the necessary external support required to develop the scheme (examples listed in the report) be delegated to the Executive Director for Place & Economic Growth or a nominated representative.
- d) That approval to use part of the grant funding to appoint temporary support to Council teams, as required, to progress design options, stakeholder engagement and production of the full business case to secure further capital funding for Oldham.
- e) That approval to the Director of Legal Services or his nominated representatives be granted to execute and complete any contractual documents.

Option 2:

- a) That the grant offer from the City Region Sustainable Transport Settlement (CRSTS) for scheme development of the Mumps corridor scheme is not accepted.
- b) That approval to enter into a Funding Delivery Agreement with TfGM in relation to the proposed scheme development is not granted.
- c) That all procurement and tender award activity and decisions relating to the necessary external support required to develop the scheme (examples listed in the report) shall not be delegated.
- d) That approval to use part of the grant funding to appoint temporary support to Council teams, as required, to progress design options, stakeholder engagement and production of the full business case to secure further capital funding for Oldham is not granted.

RESOLVED – That:

1. That the grant offer from the City Region Sustainable Transport Settlement (CRSTS) for delivery of an outline/full business case (OBC/FBC) for the scheme along the Mumps corridor be accepted.
2. Approval be granted to enter into a Funding Delivery Agreement with TfGM in relation to the proposed scheme development.
3. That the intention to bring the additional resource into the transport capital programme in 2023/24 and complete development of the scheme in the appropriate timescales be noted.
4. Approval to procure and make tender awards (in accordance with the Contract Procedure Rules) relating to the necessary external support required to develop the outline/full business case (OBC/FBC) be delegated to the Executive Director for Place & Economic Growth or a nominated representative.
5. Approval to use part of the grant funding to appoint temporary support to Council teams, as required, to progress design options, stakeholder engagement and production of the full business case to secure further capital funding for Oldham be agreed.
6. Approval to the Director of Legal Services or his nominated representatives be granted to execute and complete any contractual documents be agreed.

8

**GRANT ACCEPTANCE: CITY REGION SUSTAINABLE
TRANSPORT SETTLEMENT (CRSTS) - BEAL
VALLEY/BROADBENT MOSS IMPROVEMENT SCHEME**

Consideration was given to a report of the Executive Director, Place and Economic Growth which sought approval of a grant offer from the City Region Sustainable Transport Settlement (CRSTS) for delivery of an outline/full business case to support the Beal Valley/Broadbent Moss Improvement Scheme. The Greater Manchester CRSTS business case was submitted in September 2021 by Transport for Greater Manchester on behalf of itself and all 10 Greater Manchester Districts. The Greater Manchester Combined Authority received confirmation of the full regional CRSTS allocation on the 1st April 2023 and in the 29th July 2023 the Department for Transport as the funders of the City Region Sustainable Transport Settlement, confirmed the delivery plans and funding allocations to each City Region Mayor.

The improvements to the Beal Valley/Broadbent Moss Improvement were included in the scheme which has been developed over the last year and has now secured Strategic Outline Business Case assurance through the Transport for Greater Manchester Process to move to the next stage of scheme development.

Options/alternatives

Option 1:

- a) That the grant offer from the City Region Sustainable Transport Settlement (CRSTS) for delivery of an outline/full business case for the scheme at Beal

Valley/Broadbent Moss scheme (subject to GMCA approval in September 2023) be accepted.

- b) That approval is granted to enter into a Funding Delivery Agreement with TfGM in relation to the proposed scheme development.
- c) The intention to bring the additional resources into the Transport Capital Programme in 2023/24 and complete development of the scheme in the appropriate timescales be noted.
- d) That approval for all procurement and tender award activity carried out in accordance with Contract Procedure Rules and any resulting decisions relating to the necessary external support required to develop the scheme (examples listed in the report) be delegated to the Executive Director for Place & Economic Growth or a nominated representative.
- e) That approval to use part of the grant funding to appoint temporary support to Council teams, as required, to progress design options, stakeholder engagement and production of the full business case to secure further capital funding for Oldham.
- f) That approval to the Director of Legal Services or his nominated representatives be granted to execute and complete any contractual documents.

Option 2:

- a) That the grant offer from the City Region Sustainable Transport Settlement (CRSTS) for scheme development of the Beal Valley/Broadbent Moss scheme is not accepted.
- b) That approval to enter into a Funding Delivery Agreement with TfGM in relation to the proposed scheme development is not granted.
- c) That all procurement and tender award activity and decisions relating to the necessary external support required to develop the scheme (examples listed in the report) shall not be delegated.
- d) That approval to use part of the grant funding to appoint temporary support to Council teams, as required, to progress design options, stakeholder engagement and production of the full business case to secure further capital funding for Oldham is not granted.

RESOLVED – That:

- 1. That the grant offer from the City Region Sustainable Transport Settlement (CRSTS) for delivery of an outline/full business case (OBC/FBC) for the scheme at Beal/Valley/Broadbent Moss corridor be accepted (subject to GMCA approval in September 2023).
- 2. Approval be granted to enter into a Funding Delivery Agreement with TfGM in relation to the proposed scheme development.
- 3. That the intention to bring the additional resource into the transport capital programme in 2023/24 and complete development of the scheme in the appropriate timescales be noted.

4. Approval to procure and make tender awards (in accordance with the Contract Procedure Rules) relating to the necessary external support required to develop the outline/full business case (OBC/FBC) be delegated to the Executive Director for Place & Economic Growth or a nominated representative.
5. Approval to use part of the grant funding to appoint temporary support to Council teams, as required, to progress design options, stakeholder engagement and production of the full business case to secure further capital funding for Oldham be agreed.
6. Approval to the Director of Legal Services or his nominated representatives be granted to execute and complete any contractual documents be agreed.

9

APPROVAL TO UTILISE THE GMCA CONTRACT FOR THE SUPPLY & DELIVERY OF GROCERIES, CHILLED AND FROZEN FOODS

Consideration was given to a report of the Executive Director, Place and Economic Growth which sought approval to enter into a call-off contract with Dunsters Farm Ltd, following a competitive tender for the supply and delivery of groceries, chilled and frozen food.

Trafford Council on behalf of the Greater Manchester Combined Authority had undertaken a procurement process to retender the contract for the supply and delivery of groceries and chilled and frozen foods. Duster Farms Ltd were identified as the most economically advantageous tenderer.

Oldham Council was named as a purchaser in the tender documentation and Trafford Council would enter into an overarching contract with Dusters, with Oldham Council having the right to access this contract and place orders for the supply and delivery of groceries, chilled and frozen foods. During this financial year Trafford Council were intending to undertake the procurement of the following contracts,

- Supply & Deliver of Fresh Produce and Chilled Prepared Produce
- Supply & Delivery of Fresh and Freshly Frozen Meat, including Halal, Cooked Meats and Bacon
- Supply and Delivery of Milk, Bread, and Dairy Products

Oldham Council had made a commitment to secure supplies under the contracts which could create greater efficiencies, economies of scale and reduced costs.

Options/alternatives

Option 1 – Do nothing. This would leave Oldham Council with no formal contract in place. This runs the risk of a further increase in costs, unstable service delivery and nonadherence of the Public Contract Regulations 2015. Due to the spend associated with this contract an alternative procurement process would need to be completed which would not guarantee any savings and may be less attractive to the market due to the lack of economy of scale.

Option 2 – Undertake a procurement process targeting local businesses to solely supply to Oldham Council. This is not a

viable option at present as a review has not taken place on the local market position.

Option 3 – To utilise the GMCA framework and enter into a call-off contract with Dunster Farms Ltd. This would provide stability in the service area ensuring continuous delivery and fixed prices. Furthermore, a robust and compliant procurement process has been undertaken to identify Dunster Farms Ltd, reducing risk further to the Council.

Option 4 – On completion of a compliant procurement process by Trafford Council via STaR Procurement, to allow for delegated approval to enter into call-off contracts for:

- Supply & Deliver of Fresh Produce and Chilled Prepared Produce
- Supply & Delivery of Fresh and Freshly Frozen Meat, including Halal, Cooked Meats and Bacon
- Supply and Delivery of Milk, Bread and Dairy Products

This would allow the implementation period to be fully maximized ensuring that all systems are up to date, delivery schedules agreed and specific service requirements to be considered prior to the contract start dates.

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

10

CORPORATE FURNITURE

Consideration was given to a report of the Executive Director, Place and Economic Growth which sought approval of repurposing and recycling of corporate furniture and to enter into a new contract with a furniture supplier to enable to complete the transition phases of a number of projects relating to corporate accommodation under the Creating Better Place Programme.

To promote new ways of working the Council was introducing a flexible and modern office environment to strengthen service delivery and meet the expectations of our workforce, partners and residents.

This approach would enable the Council to reduce its corporate estate, repurpose sites for development, release efficiencies, whilst retaining the 'Resident First' focus.

The key assets undergoing refurbishment over the next two years were, Beaver Family Hub, Alexandra Park Eco Centre, Spindles, Royton Town Hall, Chadderton Town Hall, Markets, Events and Archive and the Old Library.

In order to complete the projects, Facilities Management Team and Procurement colleagues undertook a mini tender process under an existing Framework agreement to select a suitable supplier for a period to cover the next 4 years.

Options/alternatives considered

Option 1 - Accept the recommendations: To approve the proposals regarding existing furniture stock and proceed with the contract arrangements for a preferred furniture supplier for the next few years will allow the objectives around corporate accommodation within the Creating a Better Place programme

to be realized. This includes decant staff and services from the Civic Centre into the new workspaces at Spindles, Old Library as well as PBI Community Hub sites across the borough, which aligns to the council's residents first approach.

Option 2 - Do nothing - Not to approve the proposals regarding existing furniture stock and purchase the new furniture requirement would not allow the council to achieve all the required desks within the new Spindles workspace and the objectives would not be achieved with the existing corporate furniture. New furniture would be bought on an "ad-hoc" basis reacting to failures without a certain consistency of supply in place.

RESOLVED – That the Cabinet would consider the information contained at Item 17 of the agenda before making a decision.

11

APPROVAL TO DELEGATE AUTHORITY TO AWARD CONTRACT FOLLOWING AN OPEN TENDER PROCESS FOR ADVOCACY SERVICES

Consideration was given to a report of the Director of Adult Social Services which sought approval to award the contract for delivery of the Oldham Advocacy Hub service to a successful provider following an open procurement exercise, from 1st November 2023 until October 2026.

The current contracts for the delivery of Advocacy Services would end on 31st October 2023. It was essential to continue delivery of these services for some of the Borough's most vulnerable adults and it was a statutory requirement for the Council to commission Advocacy based on an individual's needs.

Option/alternatives considered

Option 1 - To cease all commissioning arrangements with the current providers for all areas of advocacy included in this report.

As the majority of advocacy services are a statutory requirement, this was not a viable option and the Council must seek a new provider for these services going forward in order to maintain its statutory duty.

Option 2 - Cease commissioning arrangements for the delivery of the LDA Learning Disability Advocacy service as this is not a statutory requirement but retain the other element. The Council was proud to commission a non statutory service for residents with Learning Disabilities and feels that this is important to continue as part of a wider advocacy hub model.

Option 3 - To seek an alternative provider of advocacy services through the ongoing Procurement Process, to delegate the contract award decision to the DASS and to extend the current contractual arrangements by a further 2 months . This was the preferred option as it allowed the Council to complete the open procurement process to seek an alternative provider who was able to deliver all areas of advocacy through a Hub model approach, and to delegate the contract award decision to the Director of Adult Social Services.

RESOLVED -That the decision to award the contract to deliver the Oldham Advocacy Hub Services is delegated to the Director of Adult Services, following the completion of an open procurement exercise from 1st November 2023 until 31st October 2026, with the option to extend for a further 12 months.

12

APPROVAL TO DELEGATE AUTHORITY TO AWARD CONTRACT FOLLOWING AN OPEN TENDER PROCESS FOR MENTAL HEALTH SUPPORTED LIVING SERVICES

Consideration was given to a report of the Director of Adult Social Care which sought approval to award the contract for the delivery of the Mental Health Supported Living Service to a successful provider, following an open procurement exercise from 1st December 2023 until November 2026.

The current contract would end of 30th November 2023 and it was essential to continue the delivery of these services for some of the most vulnerable adults in Oldham.

This was a statutory support service based on the assessed Care Act needs for the individuals residing in the supported accommodation.

Options/alternatives considered

Option1 - To continue with the current provider, Turning Point, for delivery of supported living services for people with complex Mental Health needs

This option was not viable. The contract for this service had expired and it is recommended to 'test the market' ensuring that current terms and conditions are in place.

Option 2 - To de-commission the services with Turning Point and cease delivery of supported living services for people with complex Mental Health needs. This option was not viable. This statutory service currently supported 13 of our most vulnerable adults and has potential to increase this service to support more individuals with the right model in place. Without this service, the Council would need to find alternative placements for each of the service users as they are not able to live independently without support.

Option 3 - To seek an alternative care provider via an open Procurement Process, and to delegate the contract award decision to the DASS

This was the preferred option as it allows the Council to complete the open procurement process to seek an alternative provider who is better able to meet the needs of our service users, and to develop supported living services for people with complex mental health needs, and to delegate the contract award decision to the Director of Adult Social Services.

RESOLVED – That the decision to award the contract to deliver Mental Health Supported Living Services from 1st December 2023 until 30th November 2026, with the option to extend for a further 24 months, be delegated to the Director of Adult Social Services, following the completion of the ongoing procurement exercise.

13

UKSPF SKILLS FUNDING (15 – 19 NEET)

Councillor Ali declared an other registrable interest in this item by virtue of his appointment as a Director Positive Steps. He left the room and took no part in voting thereon.

Consideration was given to a report of the Director Education, Skills and Early Years which sought approval of the acceptance of a portion of the UK Shared Prosperity Fund (UKSPF) funding to be provided via a direct grant agreement with Greater Manchester Combined Authority, and to secure delivery of the funded activities from September 2023 up until 31st March 2025 in accordance with Contract Procedure Rules.

The skills grant funding of £720,000 and had been allocated by the Greater Manchester Combined Authority to deliver or secure the delivery of the 15-19 NEET support programme for 2023/23 and 2024/25.

Options/alternatives considered

Option 1 -

- (a) modify the current contract in place between the Council and Positive Steps Oldham with effect from September 2023 to include the provision of a comprehensive engagement and transition offer that will enable young people to successfully engage in a positive learning or work destination and develop the skills and confidence to continue into a sustainable career pathway at a cost of £200,000; and
- (b) build the activities to be delivered during the period 1 April 2024 to 31 March 2025 into a new contract, which will be commissioned in accordance with Contract Procedure Rules with the remaining grant funding for 2024/25 (and any future funding awarded) to be incorporated into the new arrangements for NEET provision delivery.

This option provided the shortest gap in delivery of the programme, but still allowed the flexibility to align the funding to any new arrangements that may be in place on 1 April 2024.

Option 2 - To commission grant funded activities for the full grant period in accordance with Contract Procedure Rules.

This option presented the risk of a gap in service delivery and support for young people at a critical time (Autumn term) in their transition to Post 16 provision.

RESOLVED – That:

1. The acceptance of the funding for the UK Shared Prosperity Fund via GMCA for the 15 – 19 NEET support be approved and authority be delegated to the Director of Education, Skills and Early Years to approve and enter into a grant agreement with Greater Manchester Combined Authority.
2. The service delivery arrangements in respect of the grant funded activities, as detailed in this report, from September 2023 up until 31 March 2025 in accordance with Contract Procedure Rules be approved and authority be delegated to the Director of Education, Skills and Early Years to approve and formalise any necessary commissioning activity or contractual arrangements.

14

OLDHAM YOUTH JUSTICE PLAN 2023/24

Consideration was given to a report of the Managing Director of Children and Young People which provided the Cabinet with the Oldham Youth Justice Plan 2023/24 before submission to Full Council for approval.

The Oldham Youth Justice Plan set out the strategic direction for youth justice in Oldham taking a partnership approach to reducing re-offending, reducing the number of first time entrants into the criminal justice system and reducing the use of custody.

Options/alternatives considered

As this is a statutory duty for the local authority, it is not possible to provide an alternative option to this plan.

RESOLVED – That the Oldham Youth Justice Plan 2023/24 be noted and commended to Full Council.

15

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.

16

APPROVAL TO UTILISE THE GMCA CONTRACT FOR THE SUPPLY & DELIVERY OF GROCERIES, CHILLED AND FROZEN FOODS

Consideration was given to the commercially sensitive information in relation to Item 9 - Approval to utilise the GMCA Contract for the Supply & Delivery of Groceries, Chilled and Frozen Foods.

RESOLVED – That:

1. Approval be given to utilise the Greater Manchester Combined Authority contract for the supply and delivery of groceries, chilled and frozen foods with Dunsters Farm Ltd which Trafford Council would put in place for Oldham's required supplies as and when needed.
2. Authority be delegated to the Executive Director for Place and Economic Growth to approve and enter into all call-off contracts under the Trafford Council contract for the Supply & Delivery of Groceries, Chilled and Frozen Foods and to approve and enter into call-off contracts with the appointed suppliers in respect of the following once Trafford Council had procured and entered into overarching contracts for the:
 - a. Supply & Deliver of Fresh Produce and Chilled Prepared Produce
 - b. Supply & Delivery of Fresh and Freshly Frozen Meat, including Halal, Cooked Meats and Bacon
 - c. Supply and Delivery of Milk, Bread and Dairy Products

17

CORPORATE FURNITURE

Consideration was given to the commercially sensitive information in relation to Item 10 Corporate Furniture.



Oldham
Council

RESOLVED – That:

1. The contents of the report be noted.
2. The repurposing and recycling proposals in this report regarding the existing corporate furniture to support the transformation of corporate accommodation under the Creating a Better Place Programme be approved and authority be delegated to the Executive Director for Place and economic Growth to finalise and implement the disposal, recycling and repurchasing recommendations.
3. Authority be delegated to the Executive Director for Place and Economic Growth to approve the award of and the entering into of a call-off contract for the supply, delivery, and installation of office furniture as and when required over a 4 year term for the new Spindles Workspace Project following the completion of the procurement exercise set out in section 2 below.
4. Authority be delegated to the Director of Legal Services and his nominated representatives to carry out all necessary legal formalities.

The meeting started at 6.00pm and finished at 6.18pm