

CABINET
11/12/2023 at 6.00 pm



Present: Councillor Shah (in the Chair)
Councillors Ali, Brownridge, Dean, Goodwin, F Hussain, Jabbar,
Mushtaq and Taylor

1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

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 for this meeting of the Cabinet to consider.

5 **MINUTES**

Resolved:

That the Minutes of the meeting of the Cabinet held 13th November 2023 be approved as a correct record.

6 **ADULT SOCIAL CARE - STRATEGY**

The Cabinet considered a report of the Director of Adults Social Care, which explained to Members that the Adult Social Care Service had devised a vision and strategy for the future delivery of statutory services in the borough for adult residents. It was intended to launch and roll out across the borough once endorsed.

In July 2022, the Adult Social Care service had agreed a vision 'supporting you to be independent, healthy, safe and well' for people in Oldham. Further to this, the department had developed a strategy which outlined how the Council will work, with its partners, to deliver this vision and turn its ambitions into reality. It was based on principles agreed with residents, the people supported by the Council and their carers to set out core values.

This strategy is supported by specific action plans and other strategies that have been developed to support delivery of outcomes. It was intended to be read alongside 'The Oldham Plan – Our Future Oldham', The Oldham Council Corporate Plan, the Health and Wellbeing Strategy and the Adult Social Care Market Position Statement all of which set out the Council's priorities, as well as regional and national social care and health policies.

Within the strategy document, Adult Social Care is defined as a service which supports adults of all ages, disabilities, and backgrounds to be independent, healthy, safe, and well. There

was a continual focus on independence, as the Adults Social Care service understands that for most people, staying independent is important for ensuring that a happy and fulfilling life is achieved.

However, the statutory functions of Adult Social Care are included within the document and remain the core service function, with reference to the role of social work in supporting: personal care, and practical support for younger and older adults with a physical disability, learning disability, physical or mental illness, it includes safeguarding for those at risk of harm and abuse and support for unpaid carers.

Alternatives/options considered:

- a. Option 1 – Cabinet approves the recommendations in the submitted report – to approve the Adult Social Care Strategy.
- b. Option 2 – Cabinet rejects the recommendations in the submitted report.

Resolved:

That the Cabinet notes the detail of the Strategy and approves it for publication, with a related roll-out and communications thereon.

7

TO EXTEND THE CONTRACT FOR THE DELIVERY OF THE YOUNG PEOPLE'S SEXUAL HEALTH AND SUBSTANCE MISUSE SERVICE

The Cabinet considered a report of the Interim Director of Public Health that sought approval to enact the option to extend the contract for the Young People's Sexual Health and Substance Misuse Service by a period of two years, from 1st April 2024 to 31st March 2026, as per the provision made in the original award of the contract for the delivery of the service.

The Cabinet was informed that having a high functioning sexual health and substance misuse offer for young people was an essential component of the range of activity required to achieve better population health and to reduce demand on health and social care services. As per Public Health funding conditions and mandated responsibilities, the Council was required to deliver drug and alcohol services and ensure access to sexual health services for young people.

In January 2021, the award for the provision of Young People's Sexual Health and Substance Misuse Service was awarded to the current provider for an initial period of three years (from 1st April 2021 to 31st March 2024) with an option to extend for a further period of two years plus two years dependent on performance, achievement of key performance indicators (KPIs), continued funding and local need.

It was proposed that we enact the option to extend the contract with the current provider by a further two years (up until 31 March 2026) to ensure the continuation of a high-quality service provision for the Borough of Oldham's young people.

Options/Alternatives

The various options and alternatives, available for the Cabinet to consider were set out in the confidential appendices of the report and were deliberated at agenda item 13.

Resolved:

That the confidential recommendations be considered at item 13, below.

8

YOUTH JUSTICE SERVICE EXTENSION TO CONTRACT FROM 1ST APRIL 2024

The Cabinet received a report of the Director of Education, Skills and Early Years which advised members that the current Youth Justice Service (YJS) Contract expired on 31st March 2024. The contract was currently held by Positive Steps. The report sought approval to extend the existing arrangements for a period of six months from 1st April 2024 to 30th September 2024. This course of action would enable Oldham Council and its partners to continue to fulfil their statutory duties and meet the requirements of the Youth Justice Board (YJB).

The Cabinet was advised that at its last inspection, the service had been rated Good by Ofsted.

The service was regarded as being high performing and was a statutory duty. The contract extension being sought would provide a period of stability for service delivery. If approval were to be given to the extension, this would avoid possible gaps in statutory service delivery affecting some of the Borough's most vulnerable and at-risk young people. As a key part of the process, the Youth Justice Board, Management Board and other key stakeholders would be consulted on future delivery models from 1st October 2024.

Options/Alternatives considered:

The Cabinet various options and alternatives, available for the Cabinet to consider were set out in the confidential appendices of the report and were deliberated at agenda item 14.

Resolved:

That the confidential recommendations be considered at item 14, below.

9

DRAFT LOCAL PLAN

The Cabinet considered a report of the Deputy Chief Executive (Place) which sought permission to approve the publication and consultation of the draft version of a new Local Plan for Oldham (referred to as the Draft Local Plan in this report).

The council was required to prepare a Local Plan to ensure that it has an up-to-date and comprehensive planning framework to support the borough's economic, environmental and social objectives. Oldham's Local Plan will guide development in the borough up to 2039. Once adopted, it would replace the current Local Plan (the Joint Core Strategy and Development

Management Policies DPD) which was adopted in November 2011 and any saved older planning policies from the Unitary Development Plan (UDP) 2006.



The Draft Local Plan follows on from public consultations that were carried out on the Issues and Options for a new Local Plan in Summer 2021. It builds also upon the comments the authority has received and has been informed by on-going studies and pieces of evidence that have been completed since the Issues and Options consultation. The Draft Local Plan is accompanied by an Integrated Assessment (IA), which incorporates the Sustainability Appraisal and Strategic Environmental Assessment, an Equalities Impact Assessment (EqIA) and Health Impact Assessment (HIA), and by a Habitat Regulations Assessment. The Draft Local Plan and associated appendices, IA, IA Scoping Report Update, HRA, Consultation Statement and Issues and Options Comments and Response Schedule are attached at Appendix 1 to 8. Approval is sought to publish and consult on the Draft Local Plan and supporting documents, with consultation commencing no earlier than 10 January 2024 for six weeks. Note, following approval there may be further formatting amendments made to the documents to address accessibility requirements prior to publication for consultation.

Topic Papers on key themes and the Site Allocations Background Paper will also be published alongside the Draft Local Plan and accompanying documents. These topic/background papers helped to explain the current guidance and requirements and pull together the evidence available.

The Cabinet was informed that the National Planning Policy Framework (NPPF) set out the framework for the preparation of a Local Plan, with paragraph 16 stating that plans should be:

- prepared with the objective of contributing to the achievement of sustainable development;
- be prepared positively, in a way that is aspirational but deliverable;
- be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
- contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
- be accessible, through the use of digital tools, to assist public involvement and policy presentation;
- serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

In considering the report, Cabinet was advised that the Place, Economic Growth and Environment Scrutiny Board, at its meeting held 6th December 2023 had considered this report, in some detail and endorsed the recommendations in the report.

Options/alternatives considered:

Option 1 – To publish and consult on the proposed Draft Local Plan and supporting documents commencing no earlier than 10 January 2024 for six weeks. Advantages - this will be in accordance with NPPF and provide certainty to residents and developers that work is under way on preparing an up-to-date Local Plan. It will also help to ensure that the council is keeping to its programme for preparing a new Local Plan for submission for Examination before 30 June 2025. Disadvantages - there are no disadvantages to publishing and consulting on the Draft Local Plan and supporting documents as it is positive to engage and seek the views of residents, businesses and stakeholders as we prepare such an important document for the council.

Option 2 – To delay publishing and consulting on the proposed Draft Local Plan and supporting documents. Advantages - if there are concerns by Members on any aspects of the proposed Draft Local Plan, there may be some advantages to working these concerns through before publishing for consultation. 12 Disadvantages - not publishing and consulting on the Draft Local Plan and supporting documents would likely mean that the council is not able to prepare a new Local Plan under the current regulations for submission for Examination by 30 June 2025. This will result in the council having to start Local Plan preparation again under the new regulations for the new-style Local Plan and mean that the Council would have to continue to rely on the Joint DPD (elements of which are somewhat out of date) and the high-level GM-wide policies in Places for Everyone when making decisions on planning application. This would mean that developers may be more likely to challenge our planning application decisions on appeal and be more likely to succeed with that challenge as the Joint DPD becomes more and more out of date.

Option 3 – To not take forward a Draft Local Plan at this stage and cease work on a new Local Plan. Advantages - this option would reduce costs for the council, given that preparing a new Local Plan does require significant investment in evidence studies, the preparation of the Local Plan and supporting documents, public consultation and the examination of the Local Plan by a Planning Inspector. Disadvantages - not preparing a new Local Plan would not be in accordance with government guidance and planning legislation, which now requires councils to prepare a new Local Plan every five years. The council would also be reliant on the Joint DPD (elements of which are somewhat out of date) and the high-level GM wide policies in Places for Everyone when making decisions on planning applications for the foreseeable future. This would mean that developers may be more likely to challenge our planning application decisions on appeal and be more likely to succeed with that challenge as the Joint DPD becomes more and more out of date.

Resolved:

That the Draft Local Plan and supporting documents, including the Integrated Assessment and Habitat Regulation Assessment,

be approved for publication and consultation commencing no earlier than 10th January 2024 for six weeks.

10

REVENUE MONITOR AND CAPITAL INVESTMENT

The Cabinet considered a report of the Director of Finance which provided Members with an update as of 30th September 2023 (end of Quarter 2) of the Council's 2023/24 forecast revenue budget position (detailed at Annex 1) and the financial position of the capital programme together with the revised capital programme 2023/24 to 2027/28 (at Annex 2), as outlined in section two of the report.

In terms of the Council's revenue position, Cabinet was advised that the forecast outturn position for 2023/24 was a projected deficit variance of £14.588m after allowing for approved and pending transfers to and from reserves. Unlike 2022/23, when £12.000m of corporate resources were held to offset costs arising from the legacy of the COVID-19 pandemic, the budget for 2023/24 had been prepared so that anticipated COVID-19 legacy costs were consolidated within the mainstream budgets of Children's Social Care and Community Health and Adult Social Care.

It was of concern that the overall financial position had worsened between quarters 1 and 2 (2023/24). In view of the projected adverse variance, it was considered important to ensure that measures were taken to address the overspending, namely: management actions across all service areas to review and challenge planned expenditure and to maximise income; to establish processes to monitor the recruitment of staff to vacant posts and significant items of expenditure; and ensuring that non-essential expenditure was minimised.

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. The 2022/23 DSG outturn was a cumulative surplus of £0.899m; the first time that a surplus has been reported since 2016/17, representing the achievement of a major financial milestone for the Council. Future projections continue to improve with forecast surpluses of £3.193m and £4.025m in 2023/24 and 2024/25 respectively. Action was to continue to be taken with the aim of mitigating cost pressures and delivering and maintaining the surplus position. There were currently no significant issues of concern in relation to the HRA.

The Collection Fund was forecasting a surplus with the Council's proportion of this surplus being £1.054m. The Collection Fund was a particularly volatile area to forecast with many variables, including the impact of Government Business Rate reliefs, therefore, this area was to be closely monitored over the remaining months of 2023/24. Information would likely be available later in 2023/24 to determine if/how a surplus or deficit on the Collection Fund would impact on the 2024/25 Council budget.

In terms of the Capital Position, the submitted 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 £76.595m, a net decrease of £27.153m from the £103.748m reported at the close of Quarter 1 (30th June 2023) and a net decrease of £33.710m from the original budget approved at Council on 1st March 2023 of £110.305m. The actual expenditure to 30th September 2023 was £33.700m (44.0% of the forecast outturn). It was likely that the forecast position would continue to change throughout the year with additional re-profiling into future years.

Options/Alternatives considered:

1. To consider the forecast revenue and capital positions presented in the report including proposed changes.
2. To propose alternative forecasts.

Resolved:

That Cabinet approves:

1. The forecast revenue outturn for 2023/24 at Quarter 2 being a £14.588m adverse variance and action being taken to manage expenditure.
2. The forecast positions for the Dedicated Schools Grant, Housing Revenue Account and Collection Fund.
3. The revised capital programme for 2023/24 and the forecast for the financial years to 2027/28 as at Quarter 2.

11

TREASURY MANAGEMENT HALF YEAR REVIEW REPORT 2023/24

The Cabinet considered a report of the Director of Finance which advised Members of the performance of the Treasury Management function of the Council for the first six months of 2023/24 and provided a comparison of performance against the 2023/24 Treasury Management Strategy and Prudential Indicators.

The Council was required to consider the performance of the Treasury Management function in order to comply with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2021). This submitted report provided an additional update and included a new requirement in the 2021 Code, mandatory from 1st April 2023, of quarterly reporting of the treasury management prudential indicators. The report therefore sets out the key Treasury Management issues for Members' information and review and outlines: An economic update for the first half of the year of 2023/24; A review and updates of the Council's current treasury management position; Council Borrowing; Treasury Investment Activity; Treasury Performance for the first six months of the financial year; and Treasury Management Prudential Indicators.

The Director of Finance reported that due to the reduction in the Capital Financing Requirement during the year, it was proposed that both the Operational Boundary and the Authorised Limit be reduced. The proposed limits were presented at Table 8, in the

submitted report and showed a reduction in the Operational Boundary from £508.500m to £494.000m and the Authorised Limit from £533.500m to £519.000m.



The report was presented to the Cabinet to enable members to have the opportunity to review and scrutinise the Treasury Management Half Year Review report prior to its presentation to Council on 13th December 2023.

Resolved:

That the Cabinet:

1. Notes the Treasury Management Half Year Review report
2. Accepts the proposed revisions to the Operational Boundary and Authorised Limit as presented at paragraph 2.6.9 of the submitted report, in relation to the reduction in the Capital Financing Requirement.
3. Commends the report to the Council at its meeting on 13th December 2023.

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 two following items of business on the grounds that they contain exempt information under paragraph 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 **TO EXTEND THE CONTRACT FOR THE DELIVERY OF THE YOUNG PEOPLE'S SEXUAL HEALTH AND SUBSTANCE MISUSE SERVICE**

Consideration was given to the commercially sensitive information in relation to Item 7 - To Extend the Contract for the Delivery of the Young People's Sexual Health and Substance Misuse Service.

Resolved:

That the Cabinet agrees to the proposal to enact the provision to extend the current contract for a period of 2 years from 1 April 2024 to 31 March 2026 (with a remaining provision to extend for up to a further 2 years up to a total contract length of 7 years) as permitted in the original terms and conditions for the contract, thereby ensuring that there is continued delivery of drug and alcohol services and ensure access to sexual health services for young people in the borough, in line with our public health funding conditions and mandated responsibilities.

14 **YOUTH JUSTICE SERVICE EXTENSION TO CONTRACT FROM 1ST APRIL 2024**

Consideration was given to the commercially sensitive information in relation to Item 8 - Youth Justice Service Extension to contract from 1st April 2024.

Resolved:

1. That the options and alternatives, that the Cabinet considered in the confidential appendices to the report, be noted.
2. That the current contract arrangements with Positive Steps, be extended for a period of six months, up to 30th September 2024, within the funding envelope awarded by the Youth Justice Board.



The meeting started at 6.00pm and ended at 6.17pm