

# Public Document Pack

## CABINET

15/07/2024 at 6.00 pm



**Oldham**  
Council

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

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Jabbar.

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**

Councillor Al-Hamdani submitted the following question:  
'Oldham has not adopted a policy for enabling on street  
charging of cars, despite the high percentage of on streetcar  
parking across the borough, particularly in town and village  
centres. Members of the public who want to purchase electric  
cars are being prevented from doing so because they cannot get  
approval from the Council for the installation of on-street  
charging solutions. The Council should not be preventing  
residents from adopting low-carbon technologies such as  
electric vehicles.

The Department for Transport is promoting the use of charging  
channels (for example, <https://www.kerbocharge.com/local-authorities>), with a formal policy expected shortly. They are even  
providing financial support for their introduction  
(<https://www.gov.uk/guidance/electric-vehicle-chargepoint-and-infrastructure-grant-guidance-for-installers>).

Would the cabinet and the relevant cabinet member support the  
introduction of a local policy supporting approval of on-street  
charging solutions such as charging channels, as many other  
local authorities have done already? Will you commission a  
report from officers into their introduction, and bring it forward  
via Council at the soonest possible opportunity?'

Councillor Goodwin, Cabinet member for Don't Trash Oldham,  
replied as follows:

'Oldham Council has adopted the Greater Manchester Electric  
Vehicle Charging Infrastructure Strategy which Transport for  
Greater Manchester (TfGM) produced on behalf of all ten  
Greater Manchester local authorities. This is available to  
download via the TfGM website at:

<https://electrictravel.tfgm.com/greater-manchesters-ev-strategy/>

To ensure that Greater Manchester has the electric vehicle  
charging infrastructure network that it needs to support the

transition to electric vehicles over the next 5 years, TfGM and the ten Greater Manchester local authorities (including Oldham) have secured funding from the Office for Zero Emission Vehicles (OZEV) to provide electric vehicle charging solutions for properties without access to off street parking. TfGM has also set up an electric vehicle website <https://electrictravel.tfgm.com/> which includes details of future charging plans and funding bids.



With respect to the crossing of footway and/or gullies, Oldham Council has already engaged with some private providers about the viability and efficacy of such schemes for Oldham residents. Options will be further considered once national policy has been introduced and addresses the range of issues, especially those around highway safety. Reviews and options, once determined, will be shared with the residents of Oldham.'

## 5 **MINUTES**

Resolved:

That the Minutes of the meeting of the Cabinet held on 17<sup>th</sup> June 2024 be approved as a correct record.

## 6 **APPOINTMENTS TO CABINET SUB-COMMITTEES AND JOINT COMMITTEE**

Consideration was given to a report of the Director of Legal which sought appointments to the following Cabinet Sub-Committees, in 2024/25:

1. Local Investment Fund Cabinet Sub-Committee
2. Shareholder Cabinet Sub-Committee
3. Oldham Integrated Care Partnership

The terms of reference for each sub-committee were considered by the Cabinet.

Options/alternatives considered:

Option 1 – To appoint to the sub-committees.

Option 2 – Not to appoint to the sub-committees.

Resolved That:

1. Membership of the Local Investment Fund Cabinet Sub Committee, in 2024/25, comprise:
  - The Leader of the Council
  - The Statutory Deputy Leader of the Council
  - The Cabinet Member for Value for Money and Sustainability
2. Membership of the Shareholder Cabinet Sub-Committee, in 2024/25 comprise:
  - The Leader of the Council
  - The Statutory Deputy Leader of the Council
  - The Cabinet Member for Value for Money and Sustainability
  - The Cabinet Member for Don't Trash Oldham.
3. Membership of the Oldham Integrated Care Partnership, in 2024/25 comprise:
  - The Leader of the Council

- The Cabinet Member for Adults, Health and Wellbeing
- The Cabinet Member for Children and Young People
- The Cabinet Member for Don't Trash Oldham
- 4. The terms of reference for the Local Investment Fund Cabinet Sub-Committee, the Shareholder Cabinet Sub-Committee and the Oldham Integrated Care Partnership, be noted.

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## **TREASURY MANAGEMENT OUTTURN REPORT 2023/24**

The Cabinet considered a report of the Director of Finance that advised members of the performance of the Treasury Management function of the Council for 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). The report provided an update and included the new requirement in the 2021 Code, mandatory from 1<sup>st</sup> April 2023, of quarterly reporting of the treasury management prudential indicators. The report also set out the key Treasury Management issues for Members' information and reviews and outlined the following:

- An economic update for 2023/24.
- An update of the Council's current treasury management position.
- Council Borrowing.
- Treasury Investment Activity.
- Treasury Performance for 2023/24.
- Treasury Management Prudential Indicators.

This report was presented to and considered by the Audit Committee at its meeting on 27<sup>th</sup> June 2024. The Audit Committee has responsibility for scrutinising all of the Council's treasury management arrangements. All questions and issues raised at the meeting were addressed to the satisfaction of the Committee Members. The Committee was therefore content to recommend the report to Cabinet for approval.

Resolved, that the Cabinet:

1. Approves the actual 2023/24 prudential and treasury indicators presented in this report.
2. Approves the annual Treasury Management Outturn report for 2023/24.
3. Commends this report to Council.

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## **HIGH NEEDS PROVISION IN MAINSTREAM SETTINGS AND ALLOCATION OF S106 RESOURCES SECURED FROM DB450**

The Cabinet considered a report of the Director of Education, Early Years and Skills which sought approval for 4 capital projects that would offer additional places and enhance provision for pupils with additional needs, who are based predominately in mainstream settings. The report also sought

approval for the allocation of resources secured through Section 106 Planning Obligations towards the scheme.



**Oldham**  
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The four projects were:

**Project One (Richmond Academy)** - this project would enable specialist provision for commissioned integrated places for pupils with SEND at Richmond Academy. The academy already has an existing hub for pupils with complex needs and this development will enable a further 20 additional places to be offered. The total estimated cost for this project is £310,341.

**Project Two (Greenhill Academy)** - this project would upgrade and develop existing specialist provision at Greenhill Academy which will enable the LA to commission places for pupils with complex SEND. The project will generate an additional 20 places. The total estimated costs for this project are £329,364.

**Project Three (St Thomas Moorside Voluntary Controlled Primary School)** - this project would enable the school to offer commissioned places for children with ASD and SEMH within a resource unit. This would support some of the schools' current children and in addition offer an additional 12 places. The total estimated costs for this project are £377,340.

**Project Four (Whitegate End Community Primary School)** - this project would create a "mainstream plus" provision for 12 children in receipt of an EHCP with a primary need of SEMH. These places would be commissioned by the LA and ring fenced for children who currently attend Oldham schools. The total estimated costs for this project are £300,000.

The total cost of the four projects was £1,317,045 and projects one, two and four are within the 2-mile radius to utilize the circa £600,000 of Section 106 contributions alongside the Basic Need Grant and project three would be funded by Basic Need Grant alone.

All four school above currently had a 'good' Ofsted rating and have excellent track records of supporting children with additional needs.

It was strongly recommended that the Cabinet support these projects, which represent the first step in some significant planned developments for children with additional needs.

Options/alternatives considered:

Option 1 - To approve the above capital investment for the project listed above and achieve the councils' obligations contained within the S106 obligations.

Option 2 – Not to approve the projects and risk having to return the S106 contributions to the developer and not achieve the additional school places required.

Resolved:

That Cabinet approves the capital investment for the four projects listed above thereby achieving the councils' obligations contained within the S106 obligations.

## **DWP RESTART CONTRACT EXTENSION FOR GET OLDHAM WORKING SERVICE**



The Cabinet considered a report of the Director of Education, Early Years and Skills, which sought approval for the acceptance of the Restart contract extension for a further three years, from July 2024 to 30<sup>th</sup> June 2027, which would maintain Get Oldham Working's delivery to a further thousand Oldham residents, supporting them back into work and sustainable employment.

The Department of Work and Pensions (DWP) had announced in November 2023 that they were planning on extending the National Restart scheme for a further two years to support another 500's people. Negotiations had, subsequently, taken place with both DWP and the Primes and most recently with Primes and a sub-contractor for a new allocation of volumes and monetary value for each contract area.

Oldham Council had been offered a further £2.6m for a new contract to continue with Restart from 1<sup>st</sup> July 2024 to 30<sup>th</sup> June 2027, to work with approx. 1,000+ Oldham residents with an expectation that at least 455 Oldham residents will secure sustainable employment.

The contract commitments were mostly the same as the existing contract, apart from a 1% uplift in job outcome expectations. Due diligence was already in place regarding governance, data security and information management. Staff, who were likely to be affected, had remained consulted throughout this process. However if Option 2 was not to be approved then some staff maybe at risk of redundancy. In that eventuality, formal consultation will take place in accordance with council policies and procedures. The extension to the contract of the DWP Restart contract as a subcontract to Ingeus would provide opportunities to residents of Oldham in line with the Council's priorities and objectives.

Options and Alternatives considered:

Option 1 - not accept the new contract. This wasn't the preferred option, as it could jeopardise the existing high performance, plus the Get Oldham Working service would be hit with an extensive funding gap for staffing and require making redundancies. It would also put the funding coming into Oldham at risk, as this would have to be re-tendered/commissioned to another provider.

Option 2 – to agree to accept the new contract through GOW to deliver the services. This will support our residents first approach, enable GOW and the council to not make redundancies for exiting staff working on other contracts coming to an end and ensure we can work towards exceeding on contractual volumes and get more for Oldham residents across the National programme.

Resolved:

To agree to approve Option 2 – authorising the Council via GOW to accept and act in the role of sub-contractor to Ingeus to deliver the Restart contract extension from July 2024 to 30<sup>th</sup> June 2027.

## **APPROVAL OF ENFORCEMENT POLICY**

The Cabinet considered a report of the Director of Environment that reviewed and sought approval of a revised Corporate Enforcement Policy in order to take account of updated guidance, codes of practice and new regulatory sanctions, which have been introduced since the Council's Enforcement Policy was last reviewed in 2022. In addition, the report also sought approval to adopt the national issued Local Authority Building Control Enforcement Policy.

The Council is required to have an overarching statement of Enforcement Policy which governs the way statutory enforcement functions are implemented. In this regard, the Council adopted the Enforcement Concordat in 2002 and established an enforcement policy to set out what businesses and others being regulated can expect from enforcement officers employed by the Authority. Since then, additional guidance, codes of practice and new regulatory sanctions have been introduced, and it is therefore, appropriate to update the Enforcement Policy to reflect these changes and ensure compliance.

The current Enforcement Policy was approved in 2022 and had been reviewed to ensure that the Council states its generic principles for good enforcement. The policy commits the Council to good enforcement policies and procedures, including carrying out our activities in a robust but fair way, which will support those who are regulated to comply and grow, avoiding imposing unnecessary regulatory burdens and assessing whether lesser outcomes could be achieved by lesser means. It also provides guidance on a range of options that are available to help the public achieve compliance with the legislation that the council enforces and how powers may be used to regulate and raise standards in various sectors.

In relation to Building Control, a request was made to adopt the national Local Authority Building Control (LABC) Enforcement Policy, which aimed to ensure consistent implementation of Building Control standards at a local level. The Enforcement policy is, therefore, a key document setting the updated guidance, codes of practice and new regulatory sanctions which had been introduced since the Council's Enforcement Policy was last reviewed in 2022. This, it was hoped, would provide an opportunity for the users of the policy to see the updates. The risks of not publishing the updated policy were that there may be reputational risks to the Council around transparency.

The policy sets out how the Council will be transparent in considering infringements by publishing options for consideration by Officers. The policy can be accessed by the public and regulated businesses and individuals. It supports the

role of the Council in relation to its public protection responsibilities. The proposed enforcement policy was presented at Appendix 1 to the report and the LABC enforcement policy was detailed at Appendix 2.

#### Options/Alternatives

Option 1: Approve the implementation of the enforcement policy.

Option 2: Do not approve the enforcement policy.

#### Resolved:

1. That the report be noted
2. The Cabinet approves the Enforcement Policies, detailed at Appendices 1 and 2.

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### **HOUSING DELIVERY TEST ACTION PLAN 2024**

The Cabinet considered a report of the Deputy Chief Executive (Place) that sought approval for the publication of Oldham Council's Housing Delivery Test Action Plan 2024.

The report provided an update on the Housing Delivery Test (HDT) position in respect of Oldham. It also sets out an updated position to the previously published Housing Delivery Test Action Plan 2022.

The HDT had been introduced by the Government as a monitoring tool to demonstrate whether local areas are building enough homes to meet their housing need. The HDT measures net additional dwellings provided over the past three years against the homes required over the same period. To account for the impact of the Covid-19 pandemic on local planning authority services and the construction sector, adjustments were made to the housing requirement used for the years 2019/20 and 2020/21 as part of the HDT result. The thresholds for consequences for under-delivery remained as per the National Planning Policy Framework (NPPF).

The latest HDT results for 2022 (and which were also reported in the HDT Action Plan 2024) were published on 19<sup>th</sup> December 2023.

As per the latest measurement, Oldham has delivered 91% of its housing need over the past three years (2019/20 to 2021/22). This is the same as the 2021 result (91%) and an improvement from the 2020 result of 80%.

The pass rate for the HDT was 95%. There are consequences of not achieving 95% in the HDT that required some form of action, as set out in the NPPF.

As Oldham had delivered 91% of the housing required, the Council was required to prepare an Action Plan to address housing delivery. Oldham's previous Action Plan was published in September 2022, as such it was proposed to update the Action Plan as required. Action Plans should be published within six months from the measurement publication date.

This was Oldham Council's fourth Action Plan, drawn up in response to the Housing Delivery Test: 2022 Measurement, published in December 2023. It provided an update on previously published Action Plans and included information on:

- the root causes for housing under-delivery within Oldham (contained in Part 1); and
- how the council intends to improve delivery (contained in Part 2).

Options/Alternatives considered:

Option 1 – To approve the Housing Delivery Action Plan 2024 for publication in line with the requirements of the Housing Delivery Test: 2022 Measurement results (published December 2023).

Option 2 – To not approve the Housing Delivery Test Action Plan 2024 for publication. This would not comply with the requirements of the Housing Delivery Test Rule Book and the Housing Delivery Test: 2022 Measurement results (published December 2023).

Resolved:

That Cabinet approves Option 1, as detailed in the submitted report - the Housing Delivery Action Plan 2024 (Part One and Part Two) for publication in line with the requirements of the Housing Delivery Test: 2022 Measurement results (published December 2023), to comply with national planning policy requirements.

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## **CREATING A BETTER PLACE**

The Cabinet considered a report of the Director of Economy which advised members that the 'Creating a Better Place' (CaBP) programme continued to be on track delivering significant transformational projects across the borough, to build much needed new homes, to create jobs and support businesses to grow, and to deliver against the Council's Green New Deal commitments ensuring that Oldham was a great place to live, work and visit with lots of family friendly and accessible places to go.

In alignment with recommendations from the Place, Economic Growth and Environment Scrutiny Board, this report provided Cabinet members with an update on the strategic progress of the CaBP regeneration programme, including external funding opportunities secured, benefits realised for specific projects and the associated Social Value generated to **Create a Better Place**.

The report sought approval on the recommendations for various projects after a review of the Council's regeneration and redevelopment capital programme, including outcome delivery, social value capture, positive opportunities and impacts for Oldham's residents and local businesses, and where applicable note the challenges and mitigations in place linked to reprofiling of capital resource to allow the continued delivery and completion of flagship projects.



Option/alternatives considered:

The Cabinet considered the options and alternatives at item 14 of the agenda.

Resolved:

That the Cabinet would consider the commercially sensitive information at item 14 of the agenda before making a decision thereon.

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### **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 item of business, on the grounds that it contains exempt information under paragraph 3 Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.

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### **CREATING A BETTER PLACE - UPDATE**

Consideration was given to the commercially sensitive information in relation to Item 12: Creating a Better Place.

Resolved:

1. The progress being made in relation to the Creating a Better Place (CaBP) Programme that supports revenue savings generated, progress towards the borough's carbon reduction targets, creation of new jobs, apprentice opportunities, new homes for Oldham's residents and increased social value, be approved.
2. The social value gained for Oldham's residents and communities through the design, development and delivery of the projects within the CaBP programme, be approved.
3. The technical, legal and commercial recommendations for certain projects are contained within the submitted report, including the relevant financial, contractual or legal recommendations for each of the projects within the Council's CaBP capital programme as set out in sections 4- 6 of this report, be approved.
4. The recommendations following a further review of the CaBP capital programme assessing the risks, impacts of change, deliverability, financial impact and contractual challenges to identify any potential opportunities to ensure alignment of the projects with the political priorities of the Council, and to reduce prudential borrowing in order to save revenue (repayments) as part of the budget savings options, be approved.
5. The delegation of approval to the Deputy Chief Executive (Place) in consultation with the relevant portfolio holders and Directors of Economy, Finance and Legal for any further contractual, technical or financial decisions for the delivery of the CaBP projects referenced (all of which follow previous Cabinet approvals on the holistic detail and parameters for project delivery, contractual

- obligations and financial management) in full consultation with the relevant portfolio holder(s), be approved.
6. The delegation of approval to the Deputy Chief Executive (Place) in consultation with the relevant portfolio holders and Director of Finance for reviewing and approving the results of the CaBP capital programme review to identify savings, as the results will be fed back to Cabinet and full Council as part of the budget setting process for next year, be approved.
  7. The delegation of approval to the Deputy Chief Executive (Place) in consultation with the relevant portfolio holders and Directors of Economy, Finance and Legal for any further contractual, technical or financial decisions in respect of any long-term leasing agreements to provide Temporary Accommodation (TA) provision within the borough, be approved.
  8. The delegation of authority to the Director of Legal, or his nominees to formalise any necessary legal requirements including signing and/or sealing any documentation required to give effect to the recommendations and/or delegations in this report, be approved.

The meeting started at 6:00pm and ended at 6:25pm