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CABINET

19/08/2024 at 6.00 pm



Oldham
Council

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

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Brownridge and F. Hussain

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 OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting held on 15th July 2024 be approved as a correct record.

6 **OLDHAM YOUTH JUSTICE SERVICE PLAN 2024/2025**

The Cabinet considered a report of the Managing Director of Children & Young People. Each year the Youth Justice Service was required to submit an annual plan to the Youth Justice Board. This plan needed to be endorsed by the Youth Justice Management Board and the Council. The plan was presented to the Youth Justice Management Board on 17th June and submitted to the Youth Justice Board on 28th June to meet the submission date of 30th June 2024. The Annual Plan 2024/25 was presented to Cabinet for approval and comment before submission to full Council.

The focus of the plan for 2024/2025 was to move the service forwards in preparation for the new inspection process and to continue the services focus on reducing serious youth violence. The plan also focused on continuing partnership work across Oldham and Greater Manchester to ensure that the children that the service works with are getting the support they need. The report concluded that Oldham Youth Justice Service is in a strong position to continue to improve the outcomes for the children that it works with by continuing to focus on prevention whilst still meeting the needs of the children who do become part of the criminal justice system.

Options/Alternatives considered:

Option 1 – To approve the Youth Services Justice Plan - As it was a statutory duty for a local authority to produce a Youth

Justice Action Plan it was not possible to provide an alternative option to this plan.



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Resolved:

That the Oldham Youth Justice Service Plan 2024/2025 and Action Plan be approved by submission to and approval by Council.

7

REVENUE MONITOR AND CAPITAL INVESTMENT PROGRAMME 2024/25

The Cabinet considered a report of the Director of Finance providing Cabinet with an update as at 30 June 2024 (Quarter 1) of the Council's 2024/25 forecast revenue budget position at Annex 1 of the report and the financial position of the capital programme together with the revised capital programme 2024/25 to 2028/29 at Annex 2 of the report, and the Outturn position for 2023/24 at Annex 3 of the report.

The forecast overspend position based on the Quarter 1 profiled budget was £6.508m which if not addressed urgently would have a year-end forecast of £26.033m. As this financial monitoring report reflects the financial position at 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. The management action initiated in 2023/24 across all service areas had continued into 2024/25 and an enhanced programme of mitigations to reduce the in-year pressure had been commenced. Details were included in Annex 1 of the report. Those mitigations had been implemented with immediate effect, and it was anticipated that by the year end, the current outturn deficit position should reduce. Information on the Quarter 1 position of the Dedicated Schools Grant (DSG), and Revenue Funding and Collection Fund was also outlined in the report. An update on the Quarter 1 2024/25 position was detailed within Annex 1 of the report.

The report outlined the most up to date capital spending position for 2024/25 to 2028/29 for approved schemes. The revised capital programme budget for 2024/25 is £101.680m at the close of Quarter 1, a net increase of £1.997m from the original budget approved at Council on 28 February 2024 of £99.683m. Actual expenditure to 30 June 2024 was £11.895m (11.70% 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.

The report provided confirmation of the outturn position for 2023/24. The information contained within Annex 3 of the report was reported in the Narrative section of the Council's draft Statement of Accounts 2023/24 which were published on 7 June 2024 and had been handed over to the Council's external Auditors Forvis Mazars, LLP.

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. Forecast profiled budget, being an adverse position of £6.508m and the forecast potential adverse position by year end of £26.033m, with mitigations in place to reduce expenditure be approved.
2. The additional working capital provided for Oldham Total Care as detailed in Annex 1 of the report be approved.
3. Forecast positions for the Dedicated Schools Grant and Revenue Funding and Collection Fund be approved.
4. Revised capital programme for 2024/25 including the proposed virements and the forecast for the financial years to 2028/29 as at Quarter 1 as outlined in Annex 2 of the report be approved.
5. The Outturn position for 2023/24 as highlighted in Annex 3 of the report be approved.

8

LOCAL TAXATION AND BENEFITS DISCRETIONARY POLICIES 2024/25

The Cabinet considered a report of the Director of Finance seeking approval for a number of amended Local Taxation and Benefits Discretionary Policies.

The report provided full details of proposed updates to the discretionary policies used to support Local Taxation and Benefits administration i.e., Council Tax, Business Rates, Housing Benefits and Council Tax Reduction administration. The policies and proposed changes were:

The Discretionary Council Tax Discount Policy - To introduce the option to award a discretionary discount under the Exceptional Hardship Payment (EHP) scheme to Council Tax arrears accrued outside of the current financial year. The EHP scheme was the means by which the Council considered requests for discretionary discounts from residents in Exceptional financial hardship under Section 13A (1)(c) of the Local Government Finance Act. - The proposed Discretionary Discount Policy was presented at Appendix 1 of the report.

The Discretionary Rate Relief Policy - Central Government had introduced additional discounts and reliefs for the 2024/25 financial year. They had been incorporated into the proposed Discretionary Rate Relief Policy 2024/25 which was presented at Appendix 2 of the report.

The Empty Property Premium Policy - The Council currently applied an empty property premium for property unoccupied and unfurnished for over 2 years. From April 2024, the premium would be applied for properties unoccupied and unfurnished for

at least 1 year. That would mean empty property premiums would be applied as followed.

- 100% premium on properties unoccupied and unfurnished for at least 1 year.
- 200% premium on properties unoccupied and unfurnished for at least 5 years.
- 300% premium on properties unoccupied and unfurnished for at least 10 years.

The policy had been amended to reflect the premium being applied to unoccupied and unfurnished after 1 year.

During the 2023/24 financial year, the Council had received ten applications for an exception to the premium. Decisions were made regarding these applications within an average of 10 working days. It was proposed that decisions regarding requests for an exception to the premium be delegated within the Council Tax team as followed:

- Any applications received from property owners are determined by the Revenues Manager or Revenues Team Leader(s).
- Any appeals are considered by the Exchequer Client Manager (Revenues) or the Assistant Director for Revenues and Benefits.

This was included at Appendix 5 of the report.

Local Welfare Provision - The policy had been amended to include the Council's commitment to reducing its carbon footprint. As part of this initiative, items awarded via the Local Welfare Provision scheme may be pre-loved. Any pre-loved items awarded are fully reconditioned and checked prior to being offered and would come with a 12-month warranty.

Discretionary Housing Payments - The Discretionary Housing Payments (DHP) policy had been subject to an annual review. - No proposals for changing the policy had been identified for 2024/25.

Options/Alternatives considered:

Option 1 – Do Nothing

Option 2 - To approve the updated Local Taxation and Benefits Discretionary Policies 2024/25 financial year.

Resolved – That:

1. The proposed amendments to the existing Local Taxation and Benefits Discretionary Policies for 2024/25 be approved.
2. The Discretionary Policies presented as appendices 1-5 of the report be adopted for 2024/25.

DEBT RECOVERY POLICIES

The Cabinet considered a report of the Director of Finance seeking approval to the adoption of the proposed Corporate

Debt Policy and Debt Recovery policy for Adult Social Care Debt. It was reported that the collection of Council Tax and Non-Domestic Rates (also known business rates) was a statutory responsibility of Oldham Council. The collection of sundry debts and commercial rent arrears, whilst not a statutory responsibility, were imperative to maintaining and maximising the Council's revenue stream. In undertaking income and debt recovery it was inevitable that the Council would be required to pursue the recovery of arrears from residents and businesses that may have trouble in paying. The policy aimed to set out how the Council manages and collects debts to ensure consistency and best practice in such situations.

The purpose of the proposed Debt Recovery policies was to establish:

- The best practice principles for charging our residents and businesses and the methods of payment which will be used.
- How the Council would deal with debt, should problems arise in collection.

The proposed policies would apply to all debt and income due to the Council excluding Parking fines.

Options/Alternatives considered:

Option 1 -Approve the Corporate Debt Policy and Debt Recovery policy for Adult Social Care Debt.

Option 2 Do Nothing

Resolved- That the proposed Debt Recovery Policies detailed in the report be approved.

10

THE FUTURE OF MENTAL HEALTH SOCIAL WORK

The Cabinet considered a report of the Director of Social Services on options for the how the Social Work statutory functions under the Care Act will be carried out within the field of Mental Health in the future.

It was reported that under the current arrangements, Pennine Care Foundation Trust (PCFT) support the Council to meet its statutory requirements by managing Council Social Work staff. There is currently no formal 'Section 75' agreement or 'Memorandum of Understanding' in place. Many years ago, care co-ordination was introduced to the field of Mental Health, which saw the combining of several professional roles into a single role of a care coordinator. While this was an ambitious step towards integrated working, over the years the professional roles have been become unclear. A new Community Mental Health Framework was developed in 2019, which recommends the separation of the professional roles, as it was now recognised that people would benefit from a multi-agency approach.

Following a recent review of how Mental Health Social Work is conducted within Oldham, there is concern that the Council's

functions are not being met in full. One of the main reasons for this is the inability to recruit social workers into care coordinator roles. The PCFT have the same recruitment concerns regarding Nurses and Occupational therapists. A Greater Manchester (GM) project with Association of Directors of Adult Social Services (ADASS) and the PCFT was currently underway, that aimed to bring about change and progress to the current arrangements. However, change was unlikely until at least summer 2025. PCFT in Oldham was currently in business continuity, due to significant workforce challenges, that was therefore having an impact on capacity to meet the demands the service.

Options/Alternatives considered:

Option 1 - Continue to work alongside the PCFT with no section 75 agreement or Memorandum of Understanding in place. No change to current arrangements. The report identified a number of disadvantages associated with this option. No advantages of this option were identified.

Option 2 - Continue with the current integrated arrangements and sign up to the new Section 75 agreement or Memorandum of Understanding moving forward. The report identified several disadvantages and one advantage associated with this option.

Option 3 – Decide to bring social work staff back under council management and reduce the level of integration currently in place. This was the recommended option. The report identified the advantages of this option which outweighed the disadvantages. There would still be a defined split in professional roles, the different professions would remain co-located, which would bring the majority of the benefits of integrated working. If the Council were to step away from the integrated arrangement with the PCFT, it would allow focus on statutory responsibilities and the introduction of a robust governance and accountability framework. This arrangement would align to the arrangements between the PCFT and the other social work teams within the council. The Council would remain committed to working in partnership with the PCFT to deliver the best outcomes for our residents.

Resolved- That Option 3 of the report to bring social work staff back under council management and reduce the level of integration currently in place be approved.

11

LAPTOP HARDWARE REFRESH

The Cabinet considered a report of the Assistant Chief Executive seeking approval to rejuvenate the existing laptop device estate for Council staff. This strategic initiative aimed to significantly enhance productivity, operational efficiency, and seamless compatibility with the existing suite of products across the Council.

Options/Alternatives considered:

Option 1: Do Nothing Under this option, the Council would continue to utilise the ageing laptops until the end of their usable life. This approach entailed several risks and disadvantages which were set out in the report.

Option 2: This option included financially sensitive information which was considered at Item 16 on the agenda.

Option 3: Procure New Laptops and Implement a new VPN Solution. This was the recommended option. The high number of requests for new hardware received by the IT department underpinned the urgency to procure laptops and VPN licenses and to reduce the reuse of outdated laptop devices, ensuring high customer satisfaction and operational excellence was maintained. A planned and phased procurement and deployment of new devices offered best value rather than relying on ad-hoc, break-fix replacement assets. Proactively replacing the laptops immediately would enable the Council to secure advantageous pricing.

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

12

MICROSOFT LICENCE ENTERPRISE AGREEMENT

The Cabinet considered a report of the Assistant Chief Executive seeking approval to enter into a contract with Microsoft to provide for the Council's continued use of Microsoft Software, which was critical to the Council's workforce. Failure to procure and enter into a new contract would result in the expiry of all the essential licenses assigned to Oldham employees and all Microsoft applications no longer working. The consequence of this could be the issuing of fines for non-licence compliance. Oldham Council relied on the availability of Microsoft licences daily. Microsoft provided a secure online environment to enable Oldham Council to deliver services to Oldham residents and businesses. The ability to communicate internally and externally was central to the delivery of public and commercial services and to the Council's ability to communicate effectively to the residents of Oldham.

Options/alternatives considered:

Option A – Approve a Call-Off Contract via Crown Commercial Services Framework Agreement RM6098 Lot 3 (Software) for an Enterprise Agreement with Microsoft and for the continued use of Microsoft Software and support. The report recommended this option to the Cabinet.

Option B – Do not approve the proposed Call-Off Contract, Oldham Council were operating on Microsoft products, and without renewing, would become non-compliant and from a licensing model the Council would be unable to deliver digital

services effectively. Failure to renew the Microsoft Licenses would result in all Oldham digital solutions expiring and all digital offerings no longer working. Additionally, there would be potential fines for statutory agreements and non-licence conformity.

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

13

PROJECT SKYLINE PARTNERSHIP AGREEMENT

The Cabinet considered a report of the Managing Director, Children and Young People, providing an update on Project Skyline (Greater Manchester proposal to create supply of children's homes to increase availability of Children Looked After placements in the Greater Manchester region for some of the most vulnerable young people) and approve entering into a Partnership Agreement with the remaining Local Authorities in Greater Manchester, Greater Manchester Combined Authority (GMCA) and NHS Greater Manchester (NHS GM) for delivery of the project.

The Partnership Agreement would build on the Memorandum of Understanding. It would be entered into between the ten local authorities, GMCA and NHS GM, and would govern the relationship of the parties, roles and responsibilities, and the sharing of liabilities. In particular the Agreement:

- includes the collaboration principles the parties are committed to (taken from the MoU that has already been signed);
- sets out governance arrangements for the project, including terms of reference for the Skyline Strategy Group;
- details arrangements regarding the Skyline Homes;
- states GMCA's commitment to pay Mobilisation Costs to the procured Care Providers, as required;
- sets out the role of GMCA and other parties in managing the procurement process for the identification of the most economically advantageous Care Providers;
- establishes principles regarding the management of each procured Care Provider's Agreement, including key decisions (e.g. termination) that the contracting party will need to bring to the partner authorities for approval;
- reflects the principle that the local authorities will share costs and underwrite any losses incurred by GMCA as a result of its investment in the Skyline homes.

Options/Alternatives considered:

Option One - Recommended Option

- Approval for the council to negotiate and enter into a Partnership Agreement for Project Skyline, as detailed in the report.
- Delegate to the Chief Executive/Director of Children's Services in consultation with the portfolio holder for Children and Young People, Treasurer and Director of Legal Services to agree the terms of the Partnership Agreement.
- Delegate to the Director of Legal Services to execute and enter into the Partnership Agreement and any documentation required to effect the Partnership Agreement, as detailed within the report.

Option 2 - Do not enter the Partnership Agreement for Project Skyline, as detailed in the report. This option was not recommended as there was already significant pressure on the children's placement budget and placement sufficiency is a concern.

Resolved – That the Cabinet would consider the commercially sensitive information contained at Item 18 of the agenda before making a decision.

14

REPLACEMENT OF OLDHAM'S CREMATORS

The Cabinet considered a report of the Deputy Chief Executive, Place, seeking delegated authority to approve a contract for the demolition and removal of three cremators and the supply, installation, and maintenance of three new Cremators at Oldham Crematorium, following a procurement exercise. This would ensure the result of the procurement can be enacted efficiently and implemented following the contract award.

It was reported that the current cremators components were now becoming obsolete and needed replacing to ensure that Oldham Council can continue to provide the option of cremation. In addition, given the age of the current cremators, and the lack of ongoing technical support, the current cremators were unlikely to meet future emission standards and the council could be subject to the risk of legal action.

Options/Alternatives considered:

Option 1 – Do nothing. The risk in not replacing the cremators could result in reputational damage to the Council through delays or refusal of cremations due to malfunction, loss of income, through residents being forced to use facilities outside the borough, and potential additional costs of cremators needing major repair. There was also the risk of legal action should emissions exceed standards.

Option 2 – To allow for delegated approval to procure the replacement cremators through the YPO framework and increase the capital allocation for the replacement cremators.

(commercially sensitive information in relation to this option was contained in a report considered at Item 19 on the agenda.



Resolved – That the Cabinet would consider the commercially sensitive information contained at Item 19 of the agenda before making a decision.

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 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.

16 **LAPTOP HARDWARE REFRESH**

Consideration was given to the commercially sensitive information in relation to Item 11 Laptop Hardware Refresh.

Resolved -that:

1. Approval is granted to progress the procurement of circa 3,000 laptops and FortiClient VPN licenses to be paid for and deployed on a phased basis to secure enhanced discounts and leverage Microsoft funding and that the budget detailed in this report is approved to fund the refresh project. This urgent action is critical to ensuring we meet the Windows 10 end-of-life deadline in October 2025 and maintain uninterrupted operations and service delivery.
2. Approval is delegated to the Assistant Chief Executive to scope the Council's requirements and to purchase all required hardware under Manchester City Council's Framework Agreement for End User Devices and Associated Peripherals (Ref TC821) and to purchase the required Fortinet VPN licenses via the YPO Framework Agreement for Network Connectivity and Telecommunications Solution (Ref: 976) in accordance with the terms and conditions of each Framework Agreement.
3. Approval is granted to the Director of Legal Services to approve and finalise any required contractual arrangements and to affix the Council's seal to any contract in order to formalise such arrangements. A single draw down Purchase Order will be raised for the procurement of the laptops. This will allow Oldham to pay for the laptops on demand as they are needed in cohorts. The laptops will be deployed to increase digital adoption

across council teams and priorities will be given to the needs of the Council services.



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MICROSOFT LICENCE ENTERPRISE AGREEMENT

Consideration was given to the commercially sensitive information in relation to Item 12 Microsoft Licence Enterprise Agreement.

Resolved:

1. The procurement of a new Enterprise Agreement with Microsoft via the procurement compliant Crown Commercial Services Framework Agreement for Technology Products & Associated Services 2 (RM6098), Lot 3 – Software be approved.
2. Authority be delegated to the Assistant Chief Executive in consultation with Cllr Jabbar, Deputy Leader and Value for Money and Sustainability Portfolio Holder, to approve the terms of the Call-Off Contract to be entered into under the CCS Framework and to build flexibility into the Call-Off Contract to allow for the purchase of additional licenses as and when required and the purchase of additional support in accordance with the Framework Agreement and the relevant pricing schedule, subject always to budget availability and approval.
3. Authority be delegated to the Director of Legal Services to formalise any relevant legal requirements in order to attach and attest the Council's seal to the Call-Off Contract.

18

PROJECT SKYLINE PARTNERSHIP AGREEMENT

Consideration was given to the commercially sensitive information in relation to Item 13 project Skyline Partnership Agreement.

Resolved that:

1. Approval be given for the council to negotiate and enter into a Partnership Agreement for Project Skyline, as detailed in the report.
2. Chief Executive/Director of Children's Services be given delegated authority in consultation with the portfolio holder for Children and Young People, Director of Finance and the Director of Legal Services to agree the terms of the Partnership Agreement.
3. The Director of Legal Services be given delegated authority to execute and enter into the Partnership Agreement and any documentation required to give effect to the Partnership Agreement, detailed within the report.

REPLACEMENT OF OLDHAM'S CREMATORS

Consideration was given to the commercially sensitive information in relation to Item 14 Replacement of Oldham's Cremators.

Resolved that:

1. The background to the current Cremators and options considered be noted and approval be given to the increase in the Capital allocation for the replacement cremators to £1.5m.
2. The Director of Environmental Services, be granted delegated authority to enter a contract following completion of the procurement process, in consultation with the Directors of Finance and Legal Services.

The meeting started at 4.00 pm and ended at 6.20 pm