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CABINET

22/09/2025 at 6.00 pm



Present: Councillor Shah (in the Chair)
Councillors M 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**

Question received from Mr Matthew Broadbent:

In 2024, a photo published in the press showed Cllr Marc Hince wearing an army uniform decorated with Nazi swastikas, which he called a one-off. A later video emerged on social media in which he wears the same uniform, and four others captured him making statements such as, 'Vote right, keep white', calling foreigners 'savages', and joking about Black people shining shoes. Does the Leader retain confidence in Cllr Hince as planning committee chair, per the Seven Principles of Public Life, and why was he chosen over experienced Labour councillors to chair the committee?

Councillor Shah, Leader of the Council and Cabinet Member for Growth replied, that it wasn't her role to explain for the behaviour and actions of members who were not in her group. The actions detailed in Mr Broadbent's question occurred many years before Councillor Hince became an elected Member of Oldham Council. It was suggested that if the questioner had issues with Councillor Hince, in this regard, that he takes them up directly with him.

5 **MINUTES OF PREVIOUS MEETINGS**

Resolved:

That the minutes of the meetings of the Cabinet held on 21st July 2025 and 8th September 2025, be approved as correct records.

6 **REVENUE MONITOR AND CAPITAL INVESTMENT
PROGRAMME 2025/26**

The Cabinet considered a report of the Director of Finance that provided members with an update, as at 30th June 2025 (end of Quarter 1 2025/26) of the Council's 2025/26 forecast revenue budget position, the financial forecast of the Dedicated Schools Grant and the Housing Revenue Account (at Annex 1, to the submitted report) alongside the financial position of the capital programme together with the revised capital programme 2025/26 to 2029/30 (at Annex 2, to the submitted report).

In terms of the Revenue Position, the forecast overspend position for 2025/26 at the end of Quarter 1 was estimated to be

£20.822m without any mitigation to bring expenditure down. As this financial monitoring report reflected the financial position at the end of 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. As with previous early period monitoring reports, a cautious approach is generally taken when preparing forecasts. In particular, assumptions were made that vacant positions will be filled successfully, which as the year progresses did not always transpire. The management actions initiated in 2024/25 across all service areas had continued into 2025/26 with further mitigations to reduce the in-year pressure identified. Details were included in Annex 1 to the submitted report. These mitigations had been, or were in the process of being, implemented and it was anticipated that by the financial year end, the current outturn deficit position should have reduced.

Information on the forecast year end position of the Dedicated Schools Grant (DSG), and Housing Revenue Account (HRA) was also outlined in the submitted report.

Regarding the Capital Position, the submitted report outlined the most up to date capital spending position for 2025/26 to 2029/30 for approved schemes. The revised Capital Programme budget for 2025/26 was £116.579m, at the close of Quarter 1. The actual expenditure to 30th June 2025 was £10.553m (9.05% of the forecast outturn).

Options/Alternatives:

- a. To consider the forecast revenue and capital positions presented in the report including proposed changes.
- b. To propose alternative forecasts

The Preferred Option was Option a.

Resolved:

That the Cabinet:

1. Notes the contents of the report.
2. Notes the forecast revenue position, at the end of Quarter 1 2025/26, at £20.822m with mitigations in place to reduce expenditure as detailed at Annex 1, of the submitted report.
3. Notes the forecast positions for the Dedicated Schools Grant and Housing Revenue Account.
4. Approves the revised Capital Programme for 2025/26, including the proposed virements and the forecast for the financial years to 2029/30 as at the end of Quarter 1 as outlined in Annex 2 of the submitted report.

7

ASYLUM DISPERSAL GRANT

The Cabinet considered a report of the Assistant Director of Community Safety and Cohesion, that sought approval to formally accept an £898,800 award from the Home Office in Asylum Dispersal Grant for the period 2025/26.

The Cabinet was advised that the Council had been awarded £898,800.00 in respect of Asylum Dispersal Grant. This was an annual payment for the financial year 1st April 2025 to 31st March

2026 and was paid by the Home Office to local authorities to facilitate Local Authorities to assist with costs of supporting Asylum Seekers.

The Asylum Dispersal Grant is a 'burdens' grant to mitigate the pressure of asylum dispersal and therefore does not have to be spent specifically or solely for expenditure on asylum seekers.

Options/Alternatives considered:

Option 1 - to Accept the grant award of £898,800. This will enable the council to mitigate the pressure on services and provide further funding to increase capacity in services to support Oldham residents.

Option 2 – Do not accept the grant award of £898,800. At a time of increasing pressures on services this would mean that the option to provide additional capacity in services would be lost.

Option 1 was the preferred Option.

Resolved:

That Cabinet agrees to accept the Asylum Grant Dispersal award of £898,800, from the Home Office, that will enable the council to mitigate the pressure on services and provide further funding to increase capacity in services to support all Oldham residents.

8

YOUNG PEOPLE'S SUBSTANCE MISUSE AND SEXUAL HEALTH SERVICE CONTRACT EXTENSION

The Cabinet received a report of the Director of Public Health that was seeking approval to enact an 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 2026 to 31st March 2028, 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 health amongst the general population and to reduce demand on health and social care services. As per Public Health funding conditions and mandated responsibilities, we are required to deliver drug and alcohol services and ensure access to sexual health services for young people.

In January 2021, the contract for the provision of Young People's Sexual Health and Substance Misuse Service was awarded to Early Break (in partnership with HCRG Care Group and The Proud Trust) 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. A contract extension of two years was subsequently approved for 1st April 2024 to 31st March 2026.

The provider had been delivering the service to the requirements, as set out in the specification and meeting the specified performance requirements. They had received positive feedback from service users and professional partners.

It was proposed that the cabinet approve the option to extend the contract with the current provider by a final two years (up until 31st March 2028) to ensure the continuation of high-quality service provision for our local young people. The total value of the proposed two-year extension would be £940,500 (£470, 250 per year).

Options/Alternatives considered:

Option 1: To enact the provision to extend the current contract for a period of 2 years from 1st April 2026 to 31st March 2028 (to complete a total contract length of 7 years).

Option 2: To extend the current contract by three months from 1st April 2026 to 30th June 2026, to allow for a competitive tendering process to be undertaken.

Option 3: To not extend the current contract or conduct a further tendering exercise and no longer have a specific young people's sexual health and substance misuse service but instead combine these elements into existing adults'/all age provision.

Option 1 was the preferred Option.

Resolved:

That the Cabinet agrees to the proposal, detailed in the submitted report, to enact the provision to extend the current contract for a period of two years from 1st April 2026 to 31st March 2028. This would ensure that there was continued delivery of drug and alcohol services and ensure continued access to sexual health services for young people in the borough, in line with the Council's public health funding conditions and mandated responsibilities.

9

FUTURE COMMISSIONING ARRANGEMENTS FOR CARE AT HOME, EXTRA CARE SUPPORT, NIGHT PROVISION SUPPORT SERVICES

The Cabinet considered a report of the Director of Adult Social Care/DASS which explained that the Council's current contractual arrangements for the delivery of Care at Home, Extra Care and Specialist Care at Home Flexible Purchasing System had commenced on 1st April 2019 and, following the use of a two-year extension option, were due to expire on 31 March 2026.

Care at Home services were a critical component of the Council's statutory duties under the Care Act 2014, providing essential care and support to adults in Oldham with eligible needs. These services enabled some of the borough's most vulnerable residents to live independently and safely in their own homes.

To ensure continuity of service delivery beyond March 2026 and to meet statutory obligations, a full open tender process was to be undertaken in line with the Council's Contract Procedure

Rules. This would allow the Council to establish new contractual arrangements which reflected current and future service requirements, market conditions, and strategic objectives.



Recommissioning the service through a full competitive process would also support improvements in service quality and provide alignment with both local priorities and best practice in home care provision.

Approval was sought from the Cabinet, to proceed with the procurement process for the re-tendering of Care at Home services, with the implementation of new arrangements effective from 1st April 2026. The proposed procurement would follow a compliant route in accordance with both the Council's Contract Procedure Rules and PA23 Regulations and were designed to reflect current and future demand, market capacity, and best practice in domiciliary care.

These commissioning and procurement activities were critical to ensure the Council can continue to meet its statutory duties under the Care Act 2014, delivering timely, person-centred care that promotes independence and supports the wider health and social care system in Oldham.

Options/Alternatives considered:

Option 1: to allow the existing Care at Home contract to cease on 31st March 2026 and continue with current providers delivering Care at Home and related services through ad hoc commissioning without retendering or establishing a new contractual agreement.

Option 2: Proceed with a full procurement exercise for the delivery of Care at Home and associated services in Oldham via an Open Tender process using the Open or Competitive Flexible Procedure model. This will replace the current Flexible Purchasing System (FPS), which expires on 31 March 2026. And Delegate authority to the Director of Adult Social Services and Community Commissioning to award the final contracts following the completion of the procurement process.

Option 3: Allow the existing Care at Home contract to expire on 31 March 2026 without replacement.

Option 2 was the preferred Option.

Resolved:

1. That the Cabinet grants approval for the Director of Adult Social Care Services/DASS, on behalf of the Council, to proceed with a full procurement exercise to establish a new framework agreement for Care at Home and related services, including Care at Home, Extra Care support and night provision (Night Van). This Framework will replace the existing Flexible Purchasing System which is due to expire on 31st March 2026.
2. That the Cabinet delegates authority to approve the service specification to the Director of Adult Social Services and Community Commissioning and to award to successful providers after the tender outcome.
3. That the Cabinet acknowledges it no longer has access to using a Dynamic Purchasing System (DPS) or Flexible Purchasing

System (FPS) under the current procurement regulations, as these have been replaced by Dynamic Marketplaces which do not permit below-threshold call-offs (under £663,540). On this basis, authority is granted to procure under the PA23 Open or Competitive Flexible Procedure.

4. That the Cabinet grants approval to allow for future changes to service providers, if required, to ensure continuity of provision. Any such changes would remain within the existing financial envelope and would solely involve provider substitution to address service delivery gaps.
5. That the Cabinet grants approval to commence the re-tender for a new Care at Home service to start in April 2026 for a period of four years with the option to extend for one year plus one year, at a cost of approximately £19m a year.

10

INTRODUCTION OF ARTICLE 4 DIRECTION FOR HOUSES OF MULTIPLE OCCUPATION

The Cabinet received a report of the Executive Director of Place/Deputy Chief Executive which set out the current issues and position regarding Houses in Multiple Occupation (HMOs) across the borough. The report was presented in response to recent motions that were presented to full Council, on 16th July 2025, regarding this matter and the report also provided information to Members on the options available to introduce a boroughwide Article 4 Direction, to remove the permitted development right allowing the conversion of dwelling houses (Use Class C3) into HMOs for up to six residents (Use Class C4).

Over the last few years, and more recently through council motions, members have highlighted their concern with the number of Houses of Multiple Occupancy (HMOs) that are currently being introduced across the borough. It is recognised that HMOs provide a much-needed source of housing for various groups in need within the borough, including young people, students, and single person households. However, poorly managed and maintained HMOs, especially where clusters of HMOs arise in one place, can have a detrimental impact on local areas.

To address these concerns, where appropriate, the Council can adopt an Article 4 Direction to remove the permitted development rights that enable a C3 dwelling to be converted to a C4 “small” HMO. This would require such conversions to first apply for planning permission for the change of use. Requiring the submission of a planning application for such proposals will not necessarily reduce the number of C4 HMOs being created, but it does allow for the proper consideration of the effects of a proposed HMO on an area's amenity and local community, before issuing any planning permission and, in doing so, we are able to influence the quality of the HMO through the planning process.

The submitted report:

- Outlined the recent motions presented at council on the 9 April and subsequently 21 July 2025 on the introduction of an Article 4 Direction for HMOs.
- Sets out the legislation regarding Article 4 Directions and the process for implementation.
- Outlines the current position and evidence regarding HMOs across the borough.
- Identifies the options available for the introduction of an Article 4 Direction for HMOs, specifically whether it focuses on specific areas or is boroughwide.

The Cabinet was advised that informed by the evidence presented in the submitted report, the preferred option was to introduce a Non-Immediate Article 4 Direction on Houses of Multiple Occupation that would be implemented on a borough-wide basis. If this was to be agreed, a period of consultation from 29th September to 9th November 2025 for six weeks will take place, after which the Cabinet Member for Neighbourhoods would then be requested to consider whether to confirm the Direction and bring it into effect on 1st January 2026, having considered all consultation comments received.

Further to the recommendations that were presented in the submitted report, the meeting was advised of an update to recommendation three to read as follows: 'Consider that a further report be brought back to a meeting of the full Council at the first available opportunity to consider the outcome of the consultation, as well as Cabinet, to determine if the Article 4 Direction should be confirmed'.

Options/Alternatives considered:

Option 1 – a Non-Immediate or Immediate Article 4 Direction. The main benefit of an immediate direction is that the Council would gain control over the issue and respond to members and communities' concerns from day one the direction is acknowledged. However, it is considered that:

- Introducing a Non-Immediate Article 4 Direction with a period of six weeks consultation will raise awareness that the implementation of the Direction is forthcoming. This can help to reduce the risk associated with introducing the Direction and minimising potential exposure to compensation claims, as the Council's decision to introduce the Direction and the date on which this is to be confirmed will be in the public domain at the earliest opportunity.
- In addition, the introduction of an Immediate Article 4 Direction has a substantially higher evidence threshold whereby the local planning authority would be required to demonstrate that the development to which the direction relates would be prejudicial to the proper planning of the area or constitute a threat to the amenities of the area. It is not considered that this higher evidence threshold is currently being met anywhere in the borough.

Option 2 - Borough-wide. Evidence showed that, whilst there are several potential clusters beginning to form within and around

inner Oldham, along key transport routes (e.g., the A62 corridor connecting Oldham to Failsworth and Manchester - and Ashton Road) and within and around several district centres, there is still a general spread of HMOs across many areas of the borough, as shown in figure 1 above. We are therefore unable to clearly define those areas disproportionately affected.

Furthermore, whilst our monitoring processes are much improved, we cannot be certain that our evidence has captured all three and four person HMOs in the borough.

In addition, other authorities in Greater Manchester are using Article 4 Directions to have greater control on the location and quality of HMOs. This includes the introduction of borough-wide Article 4 Directions to address concerns of displacement that area-specific Article 4 Directions might cause. In Wigan, for example having introduced an Article 4 Direction in Swinley and central Leigh in 2020, they are finding evidence of a displacement effect where restrictions on HMOs in one area are leading to an increase of HMOs in neighbouring areas of borough. Salford City Council is also increasing the footprint of its current Article 4 Direction on HMOs to cover a much broader area, in response to a similar displacement effect, and Bolton Council has also just been through the process of introducing a borough-wide Article 4 Direction.

Therefore, given concerns around the proliferation of HMOs in various parts of Oldham, and that these are spread across many of areas of the borough, if Cabinet consider that the evidence does justify an Article 4 Direction, it is felt prudent to apply that Direction borough-wide. This will avoid any effects of displacement as witnessed by other GM districts and ensures a consistent approach going forward.

If Cabinet do decide to make an Article 4 Direction for HMOs in Oldham, planning applications for the conversion of C3 dwellings to C4 HMOs will, for the time-being, be considered on the same policy basis that planning applications for HMOs are already considered, having regard to issues such as amenity, character and highway safety. However, through the proposed new Local Plan for Oldham, updated policies will be included that allow a more nuanced approach to planning for HMOs in the borough, particularly geared toward avoiding clusters of HMOs on any given street and ensuring that the space and design standards of rooms in HMOs are adhered to, to avoid over-crowding and poor living conditions.

Option 3 - Area-specific. As evidenced, the data identifies several areas where clusters of HMOs appear to be forming within and around inner Oldham, along key transport routes and within and around several district centres. However, there is still a general spread of HMOs across many areas of the borough, and we are unable to clearly define those areas disproportionately affected. Coupled with concerns of potential displacement, it is considered an area-specific Article 4 Direction would not provide the consistency and control required to ensure that HMOs do not negatively impact on the amenity of our local communities and the character of the borough.

Option 4- No Article 4 Direction. Having no Article 4 Direction in place would mean that small HMOs would continue to come forward as they do at present as permitted development. The

council would therefore have limited control as to how and where these come forward. The council would still have some control over those HMOs that are for 5 to 6 people though as, whilst planning permission is not required for these, they would need to have a HMO Licence.

An Article 4 Direction would not stop HMOs coming forward in the borough, but it would mean that the Council is able to assess the impact of all HMOs on a case-by-case basis, having regard to the individual circumstances and location of the development. A Direction would enable the Council to better manage HMO concentration and prevent the formation of imbalanced communities, as well as reduce any negative impact on local amenity. It would also give residents a voice and a transparent process to ensure that their views are heard. Option 1 was the preferred Option.

Resolved:

1. That the Cabinet consider the evidence presented in this report and the information provided in respect of the options for the introduction of a boroughwide Article 4 Direction for Houses in Multiple Occupation (HMOs).
- 2 That the Cabinet make a Non-Immediate Article 4 Direction to remove permitted development rights for the change of use from Use Class C3 (dwelling houses) to Use Class C4 (small houses in multiple occupation) on a boroughwide basis, in line with the details set out in the report and the Article 4 notice presented at Appendix 5, of the submitted report.
- 3 That the Cabinet consider that a further report be brought back to a meeting of the full Council at the first available opportunity to consider the outcome of the consultation, as well as Cabinet, to determine if the Article 4 Direction should be confirmed.

11

GRANT ACCEPTANCE: CITY REGION SUSTAINABLE TRANSPORT SETTLEMENT (CRSTS) - REPRIORITISATION OF CRSTS1 FUNDING

The Cabinet received a report of the Executive Director of Place/Deputy Chief Executive that requested Members to formally accept capital grant funding of £7.3m from CRSTS1 towards the delivery of two Oldham projects:

- Oldham Edge and Higginshaw Active Travel Link
- Oldham Town Centre Sustainable Connectivity Links

The Greater Manchester Combined Authority (GMCA) had agreed to reprioritise £190 million of CRSTS1 capital funding to address underspend and delivery challenges. This strategic adjustment supports the Bee Network, active travel and integrated transport goals across the region.

As part of this process, 35 local authority-led schemes have been identified across GMCA, totalling £89.5 million in reprioritised funding. For Oldham, funding has been awarded for the development of Outline and Full Business Cases (OBC/FBC) for:

- Oldham Edge and Higginshaw Active Travel Link

- Oldham Town Centre Sustainable Connectivity Link

These schemes were aligned with Oldham's strategic transport objectives and growth and supported wider GMCA ambitions for sustainable mobility and inclusive growth.



The allocation of funding was intended to enable detailed design work and the commissioning of professional services to meet funding conditions and ensure readiness for future delivery stages. Cabinet approval is sought to integrate this additional resource into the transport capital programme and proceed with procurement and scheme development.

Furthermore, they complemented Oldham's current CRSTS1 schemes, that have already received funding:

- St Mary's Way
- Mumps
- Broadway to Rochdale Canal Link
- Park Road / Kings Road

Options/Alternatives considered:

Option 1 - That the grant offer from the CRSTS1 for the two schemes referred to, in the submitted report, be accepted, that a Grant Funding Agreement be entered into with TfGM for this funding and scheme development and that the additional funding is incorporated into the Transport Capital Programme for 2025/26 onwards and utilised to support council teams and procure external support to deliver the two schemes.

Option 2 – That the grant offer from the CRSTS1 for the two schemes referred to, in the submitted report, be not accepted. If the funding were not accepted and utilised in accordance with the subsequent Grant Funding Agreement and timescales of CRSTS1, the two schemes would not be able to be delivered. Acceptance of the funding now was crucial to allow progress with the design development and business case preparation.

Option 1 was the preferred Option.

Resolved:

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 schemes at Oldham Edge and Higginshaw Active Travel Link and Oldham Town Centre Sustainable Connectivity Link, be accepted.
2. That approval is granted to enter into a Funding Delivery Agreement with TfGM in relation to the proposed schemes.
3. That the intention to bring the additional resource into the transport capital programme in 2025/26 and complete development of the scheme in the appropriate timescales be noted.
4. That approval is granted to procure and make tender awards relating to the necessary external support required to develop the outline/full business case

(OBC/FBC) and design development, and that this is delegated to the Deputy Chief Executive (Place).

5. That approval is granted to use part of this resource to support Council teams, as required, to progress design options, stakeholder engagement and production of the full business case to secure further capital funding for Oldham.
6. That approval to the Director of Legal Services or his nominated representatives be granted to execute and complete any contractual documents.

12

HIGHWAYS MAINTENANCE FRAMEWORKS CONTRACTS

The Cabinet considered a report of the Executive Director of Place/Deputy Chief Executive which sought approval to establish new frameworks and contracts to deliver and facilitate Highways Maintenance in Oldham. The previous framework (Construction and Highways Works and Services Framework) expired in October 2024.

A review of the delivery of the Construction and Highways Works and Services Framework had identified that new agreements needed to be established.

The proposal, presented to the Cabinet, was to establish a mix of new frameworks and contracts that are required to cover the Council's highways maintenance work requirements. The Council needs to ensure that all procurement activity is compliant with Oldham Council Contract Procedure Rules and the Procurement Act 2023.

Option 1 – To approve the report and allow Oldham Council Procurement to establish new frameworks and contracts to cover all highway maintenance delivery. This will ensure that delivery complies with Oldham Council Contract Procedure Rules and the Procurement Act 2023, whilst also delivering the best value for money.

Option 2 – Not to approve the report, which is not considered viable, as the consequence of this will leave the Council in breach of Oldham Council Contract Procedure Rules, unless each scheme is individually quoted or tendered for, which is considered an inefficient procurement method, and would not provide best value.

Option 1 is the preferred Option.

Resolved:

That Cabinet approval is given to establish new frameworks and contracts, as outlined in Option 1 (paragraph 3.1 of the submitted report) Option 1, thereby allowing Oldham Council's Procurement Service to establish new frameworks and contracts to cover all highway maintenance delivery, which will ensure that delivery complies with Oldham Council Contract Procedure Rules and the Procurement Act 2023, whilst also delivering the best value for money.

The meeting started at 6.00pm and ended at 6.18pm

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